

# Scope of Services

Trail Construction & Reconstruction Project  
Black Hills National Forest – USFS Land  
City of Deadwood, Lawrence County, South Dakota

June 28, 2022

## 1. Introduction

This scope of services provides KLJ's understanding of the scope and responsibilities required to complete National Environmental Policy Act (NEPA) documentation and biological, aquatic, and cultural resources surveys, inventories, and reporting for trail construction and reconstruction on US Forest Service (USFS) land in the Black Hills National Forest. The portion of the trail within USFS land, is located in the SW1/4 of Section 15 and NE1/4 of Section 16, Township 5 North, Range 3 East, near the City of Deadwood, Lawrence County, South Dakota.

## 2. Project Understanding

The City of Deadwood proposes to complete construction and reconstruction of a trail, beginning at the USFS Mount Roosevelt Trail Head (48), running southeast connecting with an existing unnamed trail, and ending at Star Street in Deadwood. Approximately 1.3 miles of trail would be constructed and reconstructed on USFS land, and approximately 1.2 miles of trail would be reconstructed on City land.

In accordance with 36 Code of Federal Regulations (CFR) Part 220.6(e)(1), *Categories of actions for which a project or case file and decision memo are required*, and Forest Service Handbook (FSH) 1909.15, Chapter 30, *Categorical exclusion from documentation*, this project requires a Categorical Exclusion (CATEX) for those portions of the trail that would be constructed and reconstructed on USFS land. Accordingly, this project will also require biological and aquatics resources field surveys, cultural resources surveys, and associated reporting.

## 3. Project Team

- ❖ **Project Manager** – Liz Ricciardi
- ❖ **Environmental Planner** – Mattie Anders
- ❖ **Environmental Planner QA/QC** – Ashley Ross
- ❖ **Cultural Resources Lead** – Corey Yates
- ❖ **Archaeologist** – Brenna Maloney
- ❖ **Biological Resources/Aquatic Resources Lead** – Kory Rude
- ❖ **Biological Resources/Aquatic Resources QA/QC** – Nick Anderson
- ❖ **GIS Technician** – Jeff Price
- ❖ **Overall QA/AC** – Grady Wolf

## 4. Project Management

### Meetings/Client Coordination

Conference Calls – KLJ will conduct conference calls, as required, with the City and USFS to coordinate schedule and discuss any project-related questions and issues. KLJ will conduct one kickoff meeting.

Invoicing & Progress Reporting – KLJ will submit monthly invoices and progress reports.

### Assumptions

- ❖ This scope of services includes the following:
  - > up to 8 hour-long conference calls.
  - > up to 8 monthly invoices and progress reports.
  - > one kickoff meeting (assumed teleconference).

## 5. Aquatic Resources Survey

KLJ will conduct the following for aquatic resources.

### Field Surveys/Data Collection

KLJ will conduct a reconnaissance-level field survey, including walking along the defined project area, surveying for vegetative communities, noxious weeds, streams and wetlands, and plant species. This survey will only occur on USFS owned property and will be completed in accordance with USFS survey guidelines. Vegetation communities and noxious weed infestations will be mapped based on aerial imagery and existing field conditions. Streams and wetland boundaries will be surveyed using a Trimble GeoXT resource-grade Global Positioning System (GPS) post-differential location data with sub-meter accuracy. KLJ will prepare and analyze National Wetland Inventory Maps, aerial photography, soil survey data, and topographic quadrangle maps (if necessary) to assist in identifying potential wetland areas to be surveyed. A formal wetland delineation will be conducted where apparent wetlands are observed.

KLJ will perform wetland delineations in accordance with the 1987 US Army Corps of Engineers (USACE) Wetlands Delineation Manual and the Great Plains Regional Supplement.

- ❖ KLJ will collect paired data points (DP) for each delineated wetland; a minimum of one wetland DP location paired with one upland DP location. KLJ may also collect a DP in a location identified as potential wetland through the National Wetlands Inventory (NWI) mapping or visible on aerial imagery to document the area.
- ❖ KLJ will take color digital photographs throughout the wetland delineation to effectively document the project area. The number of photographs will be sufficient to adequately document site characteristics.
- ❖ KLJ will complete USACE fillable PDF wetland determination forms for the Great Plains Regional supplement. KLJ will complete all items on the data forms or indicate why any portions were not completed within the remarks section on the wetland determination data form.

### Wetland Delineation Report

KLJ will complete and submit a Draft Wetland Delineation Report for the project with identified, delineated wetlands to the City and USFS within 45 days of the field surveys. The report will have sufficient detail to adequately characterize the project area and all delineated aquatic features. The report will include methods, whether any methods were altered, documentation of all areas with questionable vegetation, NWI indications, or other areas, such as National Hydrography Dataset (NHD)

blue lines that require proof of absence of wetland characteristics. KLJ will prepare a Jurisdictional Determination (JD) Request in accordance with USACE regulatory Guidance Letter, as appropriate. The City shall review the Draft Wetland Delineation Report and provide comments to KLJ within 30 days of receipt of the Draft report. An electronic JD Request will be provided for review and revision prior to submittal to the USACE. KLJ will incorporate comments received into the Final Wetland Delineation Report and resubmit the Final Wetland Delineation Report within 15 days of receipt of comments. KLJ will also submit wetland boundary ArcGIS shapefiles.

### Deliverables

Electronic deliverables; hard copy if requested.

- ❖ Draft Wetland Delineation Report
- ❖ Final Wetland Delineation Report
- ❖ Wetland Boundary ArcGIS Shapefiles

### Assumptions

- ❖ Survey area is assumed to include a 100-foot-wide survey (surrounding proposed trail).
- ❖ This scope of services does not include any of the following for aquatic resources. If it is determined during development of the project that these elements are required due to potential impacts, this scope of services would be amended accordingly.
  - > Mitigation plan/monitoring
  - > Permitting (e.g., CWA Section 404/401)
  - > Post-submittal follow up studies or analyses
  - > Office or field meetings with agencies
  - > USFWS right-of-way (ROW) or conditional use permits for impacts to wetlands under easements.

## 6. Biological Resources Survey

KLJ will conduct the following for biological resources.

### Field Surveys/Data Collection

KLJ will complete a comprehensive biological/botanical field survey, including walking along the defined project area and gathering data on eagles, raptors, and their nests; vegetation; wildlife; threatened and endangered species; and USFS sensitive species and management indicator species (e.g., bats). This survey will only occur on USFS owned property and will be completed in accordance with USFS survey guidelines. The study area for the intensive botany and wildlife survey will consist of a 100-foot-wide corridor (surrounding the proposed trail).

### Biological Assessment & Biological Evaluation

KLJ will prepare Biological Assessment (BA) and Biological Evaluation (BE) reports for the USFS based on findings from field data collection. The BA will include field survey findings and potential impacts to threatened and endangered species. The BE will include field survey findings and potential impacts to eagles, raptors, and their nests; vegetation; wildlife; and USFS sensitive species and management indicator species.

### Deliverables

Electronic deliverables; hard copy if requested.

- ❖ Draft and Final BA
- ❖ Draft and Final BE

## Assumptions

- ❖ Survey area is assumed to include a 100-foot-wide corridor (surrounding the proposed trail).
- ❖ This scope of services does not include any of the following for biological resources. If it is determined during development of the project that these elements are required due to potential impacts, this scope of services would be amended accordingly.
  - > Mitigation plan/monitoring
  - > Permitting
  - > Post-submittal follow up studies or analyses
  - > Office or field meetings with agencies

## 7. Historical Preservation & Section 106

The Section 106 review process considers archaeological resources, traditional cultural properties, historic resources, and consultation with federally recognized Indian Tribes and local government organizations. KLJ will determine if the proposed project on USFS lands would impact cultural resources. KLJ's services to be performed are outlined as follows:

- ❖ Class I Literature Review – KLJ will perform a Level I Literature Review of the South Dakota State Historic Preservation Office (SHPO) sites and manuscripts database within a one-mile radius of the Areas of Potential Effect (APE). In addition, KLJ will coordinate with the Deadwood Historical Society for additional historical background information including but not limited to historic aerial maps, historical plat maps, GIS data, and/ or historical documents that may help identify known cultural resources in or near the proposed project area.
  - > Data collected from this review will provide an overview of previously conducted cultural resource work within the project area, including all previously recorded cultural resource types and locations. This provides a baseline understanding of the cultural landscape in the area and what resources might be expected.
- ❖ SHPO Coordination – Prepare cultural resources coordination packet and provide to the City for review/approval prior to initiating coordination.
  - > KLJ will coordinate with the City, SHPO, USFS, and any applicable Local Historic Preservation Commissions, Certified Local Government programs, and resource agencies to determine the nature and level of effort required for the identification of archaeological resources.
- ❖ GIS – Mapping/Studies – All previous site locations will be available for field work using submeter accurate GPS software. Previous sites that fall within the APE will be revisited and updated.
  - > If resources have not been updated in the past 10 years, the resource may undergo a full re-record as might be performed at a newly identified resource. All updates and/or re-records will include submittal of a site form documenting all observations or changes to the resource.
- ❖ Level III Survey – KLJ will perform a Level III Survey following guidelines set forth by the South Dakota SHPO.
  - > The project area will be inventoried using no larger than 15 meter transects, although this distance may be reduced at the discretion of the field archaeologist based on landform, vegetation, cover, etc. Also, if the ground surface visibility is below 30 percent, and it is the archaeologist's judgement the area is of moderate to high potential for cultural resource, shovel probes will be conducted.
  - > All cultural resources encountered will be recorded, and site forms submitted to the SHPO for a Smithsonian Institution Trinomial System (SITS) number.
- ❖ Report Development – KLJ will produce a Report of Findings. The report will be compiled by a KLJ archaeologist and Principal Investigator and will include summaries of the undertakings, flora, fauna, and geology of the region; a cultural history of the region; a summary of the Level I files

search; a description of any new resources or previously recorded resources encountered; and management recommendations as related to the project.

- ❖ Section 106 – KLJ will have staff that meets or exceeds the minimum professional qualifications standards under 36 CRF 61, Appendix A; and prepare a Section 106 determination letter for the City's submittal to the SHPO for Section 106 compliance.

## Deliverables

Electronic deliverables; hard copy if requested.

- ❖ Draft and Final Level III Cultural Resources Inventory Report
- ❖ Draft site forms for any new or updated resources

## Assumptions

- ❖ Survey area is assumed to include a 100-foot-wide survey (surrounding proposed trail).
- ❖ Any changes to the project area to be surveyed will be provided by the City.
- ❖ For purposes of the cost estimate, KLJ assumes to encounter one cultural resource recommended *Not Eligible* for the National Register of Historic Places (NRHP).
- ❖ KLJ will provide an effect recommendation to the City, who will coordinate with the SHPO for concurrence.
- ❖ This scope of services does not include actions that may be required for evaluating cultural resources or that will mitigate potential adverse effects to cultural resources. Should this occur this scope of services would be amended accordingly.
  - > Tribal coordination and/or survey
  - > Site Evaluation/Testing plan
  - > Mitigation plan/monitoring
  - > Post-submittal follow up studies or analyses
  - > Office or field meetings with agencies

## 8. NEPA Documentation

### Categorical Exclusion

As previously noted, the portion of the project that falls on USFS land would require a CATEX in accordance with 36 CFR Part 220.6(e)(1) and FSH 1909.15, Chapter 30. KLJ will develop a CATEX to include a description of the project purpose and need, location, and description, and evaluation of potential impacts on resources. As part of the CATEX, KLJ will develop, maintain, and organize an Project Record that will include all documents used in the development of the CATEX. KLJ will utilize information available on desktop, as well as information provided by the City and USFS, to evaluate resources in the CATEX.

- ❖ KLJ will submit one (1) electronic copy of the Draft CATEX to the City and USFS for review and comment.
- ❖ KLJ will incorporate comments received into the Final CATEX and resubmit it to the City and USFS, as well as any supporting documentation.

### Public Involvement

KLJ will send agency coordination letters (up to five agencies) to obtain feedback on the project area. KLJ will publish one Notice of Intent (NOI) in up to two local newspapers/outlets to announce the proposal to conduct the trail construction and reconstruction.

## Deliverables

Electronic deliverables; hard copy if requested.

- ❖ Draft and Final CATEX
- ❖ Agency coordination letters and any public involvement materials
- ❖ Project Record

## Assumptions

- ❖ Assumes project would require NEPA CATEX.
- ❖ Scope does not include any public and agency involvement beyond scoping letters to up to five agencies for input and the NOI. If it is determined public and agency involvement is needed, KLJ can complete these services for an amendment to this scope.
- ❖ This scope of work assumes there will be one action alternative (in addition to the No Action Alternative) that will be carried forward for detailed analysis; no design will occur as part of this scope of work.
- ❖ This scope of work assumes that the City/USFS will provide any additional alternatives considered but dismissed, if needed.
- ❖ This scope of work does not include completion of a Decision Memo (36 CFR Part 220.6(e)(1)).
- ❖ This scope of services does not include any of the following. If it is determined during development of the project that these elements are required, this scope of work would be amended accordingly.
  - > Floodplain modeling
  - > Environmental Assessment/Environmental Impact Statement
  - > Section 7 consultation if threatened and endangered species may be affected.
  - > Utility Relocation Agreements
  - > Adjacent Land Use Planning
  - > Formal agency consultation or meetings or public hearings/meetings
  - > Construction Monitoring

## 9. Cost Estimate

KLJ's proposed cost estimate assumes the contract between the City and KLJ would be 'time and materials' for completion of the tasks identified in this scope of work. KLJ's cost estimate takes into account the sensitive nature of the project area and potential for unknowns that could occur during project execution. The cost estimate is summarized in the following table.

TASK	COST
Project Management/Administrative	\$4,100
Categorical Exclusion	\$9,200
Wetland Delineation	\$6,175
Biological Assessment & Biological Evaluation	\$21,400
Cultural Resources Assessment	\$12,000
<b>Total</b>	<b>\$52,875</b>