Ivins City Staff Report
City Council Meeting 11/21/24

Agenda Item: Discuss and consider approval of expenditure for environmental consulting services to prepare environmental assessment revisions for the proposed R&PP acquisition

Submitted by: Thomas Jorgensen, P.E., Assistant City Engineer

Recommended City Council Action:
Approve expenditure of $76,512 for environmental consulting services to prepare the environmental assessment revisions for the proposed R&PP acquisition.

BACKGROUND:
Since 2018, staff has been working with the Bureau of Land Management (BLM) and our consultants, SWCA, to acquire land under the Recreation & Public Purposes Act (R&PP). This application is for the City to purchase or lease 100 acres on the south side of Old Highway 91, southwest of the intersection with Main Street. The purpose of acquiring this site is to construct the following city improvements: a new public works yard, a new cemetery, and several recreational facilities. Attached is the current concept plan map for the 100-acre property.

Ivins and the consultant have collaborated with the local Bureau of Land Management (BLM) office to complete an environmental assessment (EA) and an environmental site assessment (ESA) to ensure that the property decision complies with the BLM's obligations under the National Environmental Policy Act (NEPA), the Endangered Species Act, the National Historic Preservation Act, the Migratory Bird Treaty Act, and other federal regulations. Upon completion, the package was submitted to the State BLM office, which has since reviewed it and requested additional resources and revisions to the plan.

Staff has been working with both the consultant and the BLM to determine the remaining scope of work for this project. SWCA has prepared a detailed Scope of Work Amendment (see attached), which staff has reviewed. It should be noted that the consultant will bill based on time and materials, with this amendment establishing a not-to-exceed budget.

The Scope of Work from SWCA clearly outlines the necessary revisions and the four additional issues that must be addressed in the EA as required by the State BLM office.

FINDINGS AND ANALYSIS:
Over the past five years, staff has maintained an excellent working relationship with SWCA on this project. They have demonstrated professionalism, attention to detail, and thorough knowledge of the R&PP application process and requirements. SWCA has consistently exceeded expectations by being mindful of the budget and ensuring all costs remain within or below budgeted amounts.

Staff has reviewed the scope of work amendment submitted by SWCA and recommends that the council approve the total expenditure of $76,512.

SUPPORT MATERIALS:
Concept Map
SWCA Scope of Work Amendment

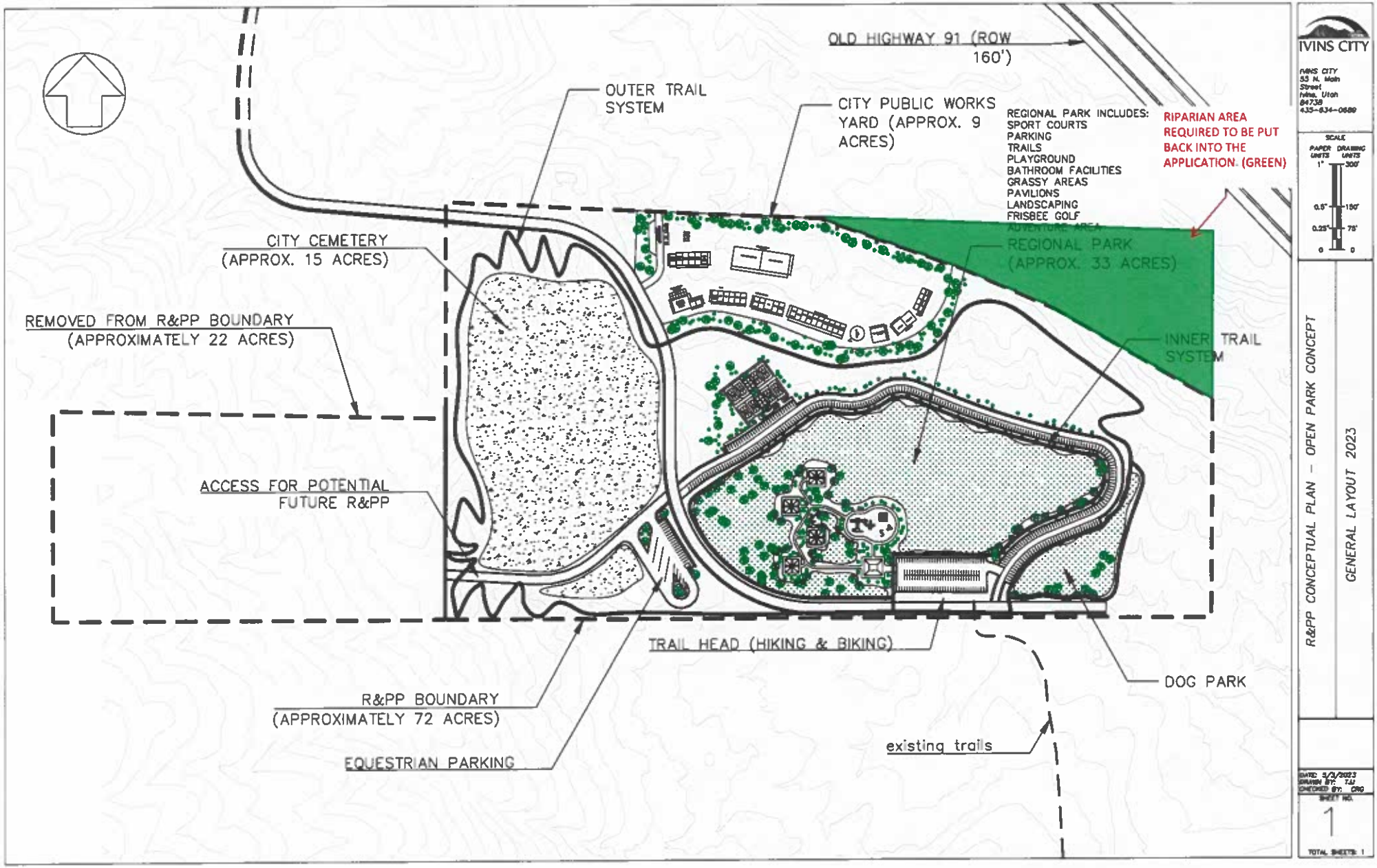
FINANCIAL IMPACT:
The expense has not been budgeted for, but is anticipated to use the following codes:
GL 51-42-744 (40%): $30,604.80
GL 52-42-744 (25%): $19,128.00
GL 53-42-744 (10%): $7,651.20
GL 10-60-744 (25%): $19,128.00

Respectfully Submitted:

Thomas Jorgensen, P.E., Assistant City Engineer

Content Review:

Dale Coulam, City Manager



IVINS CITY

IVINS CITY
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SCALE
PAPER UNITS 1" = DRAWING UNITS 300'
0.5" = 150'
0.25" = 75'
0 = 0

R&PP CONCEPTUAL PLAN - OPEN PARK CONCEPT

GENERAL LAYOUT 2023

DATE: 3/3/2023
DRAWN BY: TJJ
CHECKED BY: CRG

SHEET NO.
1

TOTAL SHEETS: 1

SCOPE OF WORK

SWCA Environmental (SWCA) will continue to support Ivins City by completing additional analysis and tasks requested by the Bureau of Land Management (BLM) as part of the National Environmental Policy Act (NEPA) process for the Ivins City Recreation, Public Works, and Cemetery Project. The additional tasks are described in the following sections.

PHASE 11 – ENVIRONMENTAL ASSESSMENT REVISIONS

The BLM has requested that the project area in the draft Environmental Assessment (EA) be changed to include the triangular riparian area on the northeast corner of the parcel. This will require an update of all figures and calculations in the existing eight resource sections of the EA, as well as updating the associated analysis. The Proposed Action description in Chapter 2 and other text updates may also be required (e.g., alternatives considered but not analyzed in detail, land use plan conformance).

The BLM has also requested the addition of four new issues to the EA:

- Environmental justice
- Socioeconomics
- Riparian areas (Graveyard Wash)
- Land use

These issues will be added to Chapter 3 of the EA (affected environment and environmental consequences section), along with appropriate maps, tables, and calculations. The issues discussion in Chapter 1 will also be updated, as well as any other needed text. In addition, the livestock grazing section may require updates and the Proposed Action description will need to be updated with information on fill.

Once complete, SWCA will provide the updated Proposed Action description to Ivins City for review and comment. Suggested edits from Ivins City will be incorporated. SWCA will then submit a revised preliminary EA to the BLM for review, with appropriate attachments. SWCA will respond to all BLM-suggested revisions and editorial comments to create the public EA. A 508-compliant public EA will be submitted to the BLM in PDF file format and Word file format for review for publication.

After BLM publication of the EA on the BLM National NEPA register (eplanning), SWCA will respond to comments received during the public comment period. Responses to substantive comments will be developed in a Word table that will be submitted to BLM for one review cycle. SWCA will make edits to the comment response table as directed by the BLM and will make the appropriate content revisions in the EA. A final 508-compliant EA will then be submitted to the BLM.

This phase also includes the following:

- Up to five virtual coordination meetings with the BLM.
- Project management time for tasks such as coordination with Ivins City, internal staff meetings, budget management, and schedule development.
- Completion of the administrative record for the NEPA process in electronic format using an MS Excel-based database. The administrative record will be provided directly to the BLM after the Finding of No Significant Impact (FONSI) and Decision Record has been signed.

ASSUMPTIONS

- The BLM will provide an updated interdisciplinary team checklist.
- Ivins City will provide a kmz or shapefiles of the updated project area.
- No more than 50 individual substantive public comments will require response.
- The Proposed Action will not change once this scope of work has been approved.
- Only the No Action alternative will be analyzed.
- No additional resources or issues (other than those described above) will need analysis in the EA.
- The EA will undergo up to two agency review cycles for the preliminary EA and up to two review cycles for the final EA (four total review cycles). The St. George Field Office will resolve any conflicting comments before returning them to SWCA.
- The BLM will be responsible for completing consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act and for any remaining tribal consultation.
- Consultation with the U.S. Fish and Wildlife Service is complete based on the issuance of the May 2, 2024, biological opinion for the project.
- Copies of the EA for agency and public comment period review will be provided in electronic format only; no printing will be required.

PHASE 12 – PUBLIC INVOLVEMENT AND ENVIRONMENTAL JUSTICE OUTREACH

Based on the outcome of SWCA's October 31, 2024, meeting with the BLM, SWCA will provide the following public involvement and environmental justice outreach services.

- Develop the environmental justice informational letter (using a BLM template) and associated map.
- Print two hard copies of the draft EA and mail them to the BLM to distribute in public locations.
- Organize and host one public meeting (after the draft EA is published and during the public comment period). SWCA will arrange the venue, develop sign-in sheets, a comment form, and poster boards for the meeting.

Additional budget has been included in this phase to assist the BLM with tasks that have not yet been identified but may be needed. These tasks consist of newspaper noticing and a PowerPoint presentation.

ASSUMPTIONS

- BLM will develop the environmental justice outreach plan.
- BLM will coordinate with the environmental justice outreach locations (e.g., libraries, etc.) identified in the outreach plan and send them the informational letter for posting.
- Up to two SWCA staff will travel to and attend the public meeting.
- Up to eight poster boards will be prepared for the public meeting.
- The public meeting size will be 50 people or less and the venue rental fee will be $300 or less.
- BLM will publish any required public noticing.

PHASE 13 – FINDING OF NO SIGNIFICANT IMPACT AND DECISION RECORD

SWCA will develop a Finding of No Significant Impact (FONSI) and Decision Record (DR) as needed for the BLM using the EA text and a BLM template. SWCA will then submit the FONSI/DR to the BLM for review. SWCA will respond to one round of BLM-suggested revisions and editorial comments on the FONSI/DR. A 508-compliant FONSI/DR will then be submitted to the BLM in PDF file format and Word file format.

PHASE 14 – PHASE I ENVIRONMENTAL SITE ASSESSMENT UPDATE

SWCA will update the existing Phase I environmental site assessment when requested by the BLM. Current photos of the site will be taken while SWCA staff are in Ivins City for the public meeting (see Phase 12). The update will include new maps, a new property description, an updated/reviewed user questionnaire, and a new regulatory records review. The original assumptions in the October 11, 2019, professional services contract and associated scope of work for the Phase I environmental site assessment are applicable to this task.

COST ESTIMATE

SWCA can provide the above scope of work for this project for a not to exceed cost of **$76,512**. Table 1 provides a breakdown of the phases.

Table 1. Fee Summary by Phase

PHASE AND TASK	COST ESTIMATE
Phase 11 – Environmental Assessment Revisions	
Preliminary EA, Comment Response, Final EA, Administrative Record, Project Management	
Phase 11 Total	**$56,710**
Phase 12 – Public Involvement and Environmental Justice Outreach	
Environmental Justice Letter, EA Hard Copies, Public Meeting, BLM Assistance	
Phase 12 Total	**$11,929**
Phase 13 – Finding of No Significant Impact and Decision Record	
Finding of No Significant Impact and Decision Record	
Phase 13 Total	**$3,538**
Phase 14 – Phase I Environmental Site Assessment Update	
New project description, maps, photos, regulatory records review	
Phase 14 Total	**$4,335**
Project Total	**$76,512**