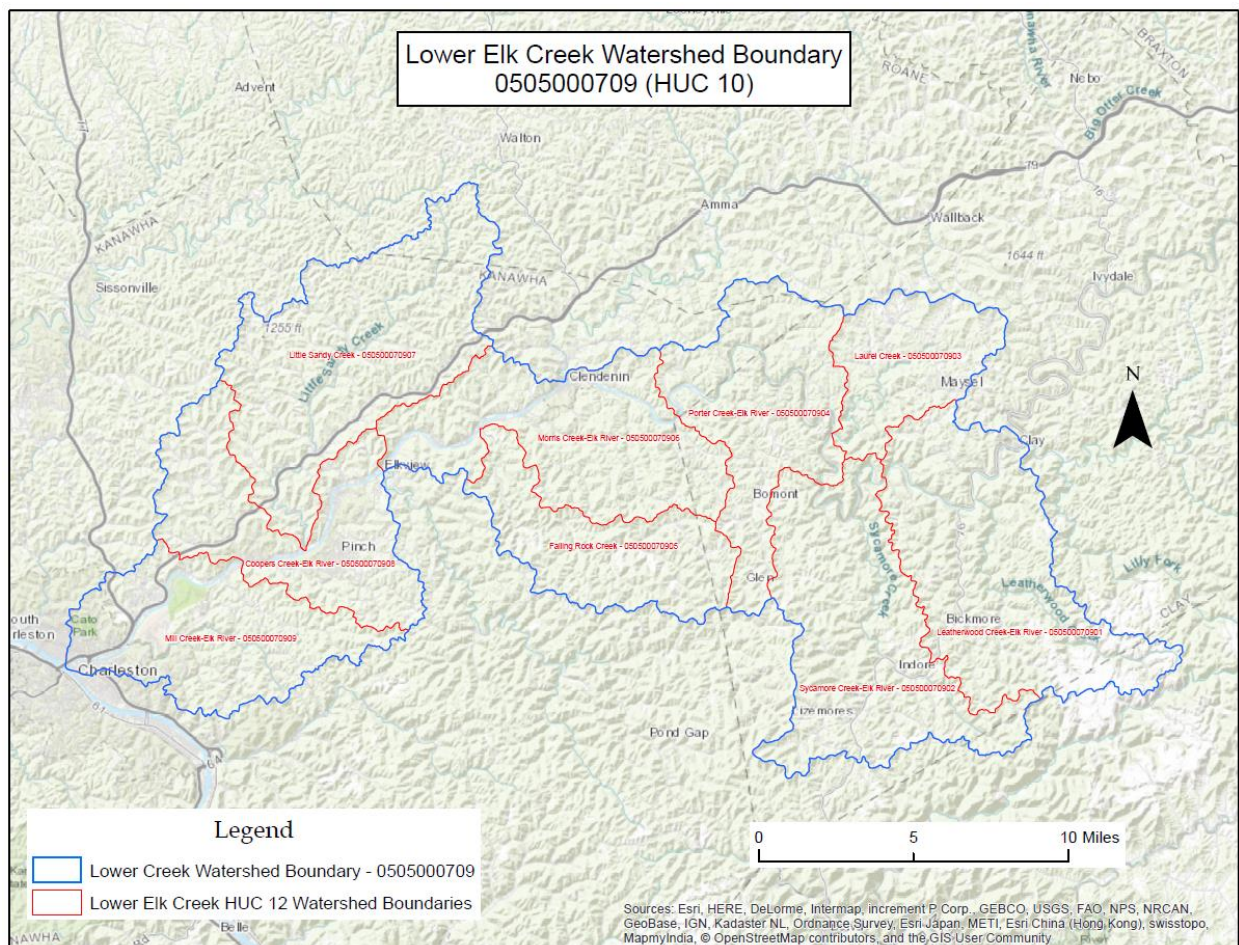
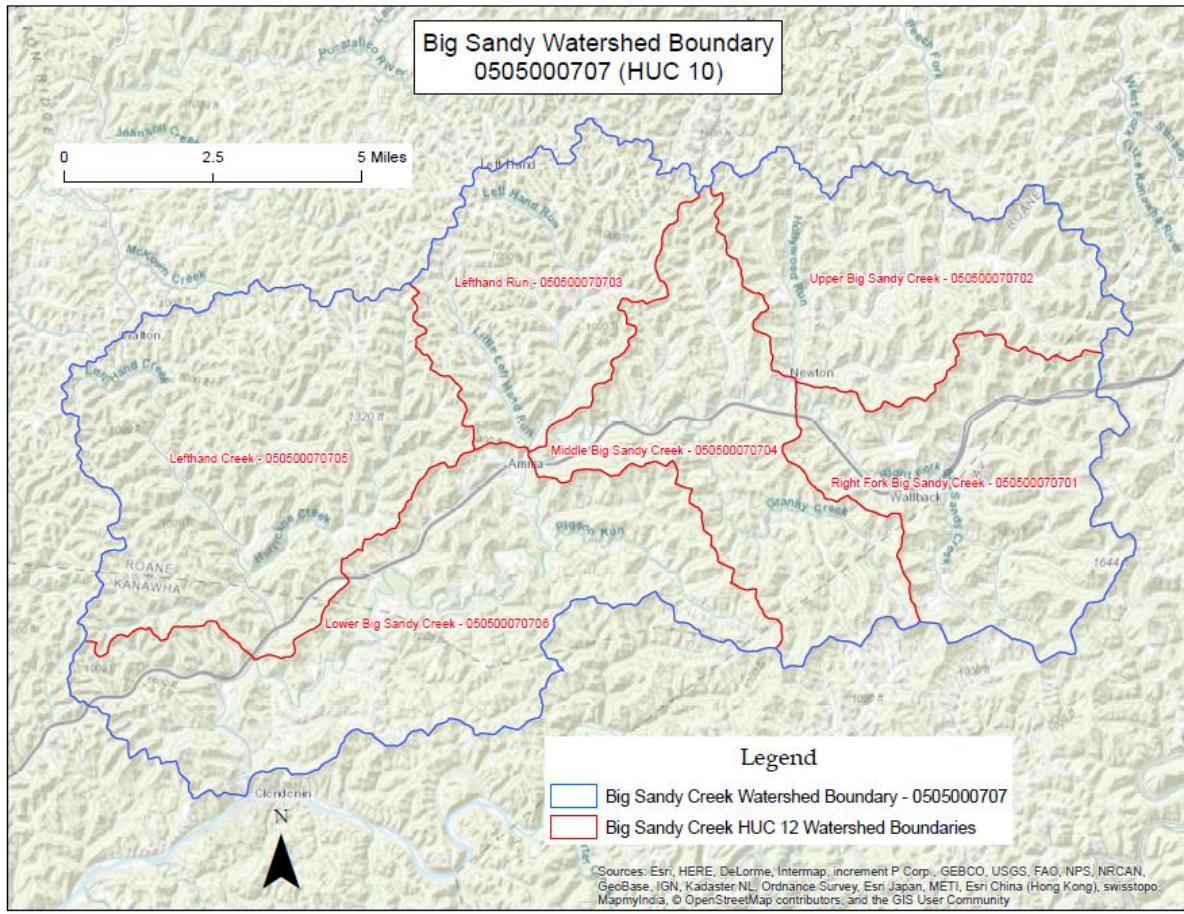


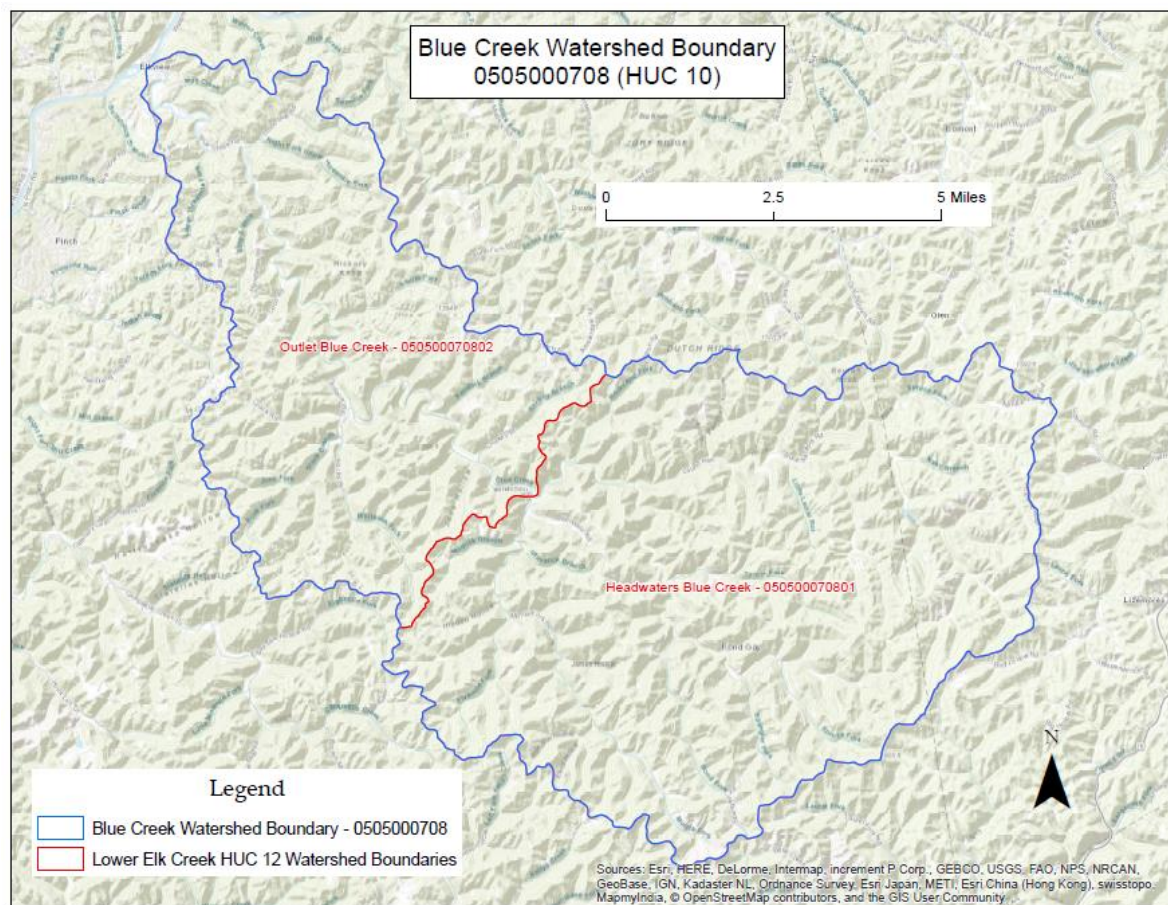
Statement of Work For Preparation of a Watershed Plan-Environmental Assessment (PLAN-EA) for Headwaters of the Elk River Watershed West Virginia

I. INTRODUCTION

The USDA-Natural Resources Conservation Service (NRCS) requires a Watershed Plan-Environmental Assessment (PLAN-EA) or Environmental Impact Statement (EIS) pursuant to Public Law 83-566, the Watershed Protection and Flood Prevention Act. The area proposed for the PLAN-EA is shown in the Figures below. The final approved project boundary cannot exceed 250,000 acres per program authority. The selected contractor will coordinate with the NRCS and the Sponsor, Kanawha County Commission, throughout the planning process. Planning will begin with the assumption that a PLAN-EA level of analysis is adequate, but a Plan-EIS may be required depending on the significance of effects.







The Watershed Plan is being developed with technical assistance funding that has been received by NRCS to prepare a Watershed Project PLAN-EA for the purpose of implementing a range of eligible watershed protection measures to address **flooding** and other resource concerns that may be identified during the planning process.

Watershed PLAN-EA Development – The PL83-566 Watershed Program requires the development of a “physically, environmentally, socially, and economically sound improvement plan” to be implemented over a specific period of years. A Watershed PLAN-EA will be developed as the first component of the proposed project.

Project measures to be proposed and evaluated in the PLAN-EA will be considered with public input and prioritized through the Sponsor and NRCS.

II. STATEMENT OF WORK

1. This Statement of Work (SOW) is for the preparation of the Watershed PLAN-EA. The SOW provides for the (a) identification of alternatives, (b) an analysis of the alternatives, and (c) an analysis of economic and environmental impacts of the proposed alternative, their appropriate documentation, and review under the requirements of the National Environmental Policy Act (NEPA). The NEPA analysis and documentation will identify and evaluate all relevant impacts, conditions, and issues associated with the selected/proposed alternative in accordance with the President’s Council on Environmental Quality’s (CEQ) Regulations outlined in 40 CFR parts 1500 - 1508, hereafter referred to as the CEQ regulations, the

NRCS procedures for implementing NEPA found at 7 CFR Part 650, NRCS General Manual Part 410, and the NRCS National Environment Compliance Handbook. As this is also a Watershed Plan, the Watershed Plan-Environmental Assessment (PLAN-EA) will be developed in accordance with the NRCS National Watershed Program Manual (NWPM-390-500-M, 4th Ed., Apr 2014, as amended January 2015); particularly Part 501-Development of Watershed Project Plans.

2. In addition to meeting the requirements of NEPA, the PLAN-EA must also document compliance with the related environmental impact analysis requirements of the following statutes and executive orders, to include their implementation regulations and guidelines: Clean Water Act; Clean Air Act; Safe Drinking Water Act; Federal Water Pollution Control Act; Farmland Protection Policy Act; Endangered Species Act; Wild and Scenic Rivers Act; National Historic Preservation Act; Archeological and Historic Preservation Act; Executive Order 11988, Floodplain Management; Executive Order 11990, Protection of Wetlands; and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations.
3. The Contractor shall be responsible for the professional and technical accuracy of all work or services rendered. The Contractor will work with the sponsor to avoid duplication of efforts. Products submitted by the Contractor shall fully meet the requirements of the NRCS. Submittals will be reviewed by the NRCS for compliance with its requirements and criteria. Errors and/or deficiencies resulting from the Contractor's performance shall be corrected by the Contractor at no additional cost to the NRCS.
4. This description of the work and services provides the technical details expected from the Contractor. Any changes and additions to the contract scope must be authorized in writing by the NRCS.
5. In completing this PLAN-EA, the Contractor will follow the technical criteria and guidance contained in the following documents: Council on Environmental Quality's Regulations For Implementing the Procedural Provisions of the National Environmental Policy Act; Council on Environmental Quality's "Forty Most Frequently Asked Questions"; Council on Environmental Quality's "Environmental Justice: Guidance Under the National Environmental Policy Act"; U.S. Water Resources Council's Floodplain Management Guidelines For Implementing Executive Order 11988; and other published federal regulations and guidelines for implementing the requirements. The Watershed Plan will be formulated in accordance with the policy detailed in the NWPM-390-500-M, 4th Ed., Apr 2014, as amended January 2015, Section 501.12 Plan Formulation A.

The alternatives required in development of the PLAN-EA:

- 1) All reasonable alternatives that address the purpose and need for action must be presented in the watershed project plan, including those not within the program authorities of the NRCS and those not preferred by Sponsor. The future-without-project (FWOP) conditions or no action alternative must also be presented in each watershed project plan.
- 2) For alternatives that were eliminated from detailed study, the rationale for this elimination will be provided. All alternatives developed or considered will be documented as part of the administrative record.
- 3) All relevant public and NRCS identified resource concerns noted during scoping must be addressed by one or more alternatives and analyzed in the PLAN-EA.
- 4) For a watershed project plan involving flood protection, consideration must be given to alternative measures to prevent or reduce flood damage, including but not limited to the following:
 - i. Flood-proofing of structures
 - ii. Floodplain regulation
 - iii. Acquisition of floodplain lands for recreational, fish and wildlife, and other public purposes
 - iv. Moving buildings and facilities

v. Conversion of land use to forest

- 5) Project land treatment measures will not be formulated to address onsite economic benefits such as reducing production costs or increasing yields. However, onsite benefits should be included in the documentation and evaluation of the alternative plans. All costs, including operation, maintenance, and replacement costs, expected to be incurred over the period of analysis must be included.

The following list of specific tasks must be completed to fulfill the obligations of this SOW. The contractor will coordinate with the Sponsor and NRCS to avoid duplication of efforts. Note: If it is determined during the planning process that an Environmental Impact Statement (EIS) level document is required, tasks may be adjusted to account for additional requirements deemed appropriate to finalize an EIS.

Tasks	Description of Tasks
1	Attend and Participate in Kick-off Meeting
2	Prepare Public Participation Plan
3	Prepare, Update, and Maintain Mailing Lists
4	Prepare Notice(s) of Scoping Meeting(s) and Issue Locally
5	Hold Scoping Meeting(s)
6	Prepare Scoping Report
7	Attend and Participate in Progress Review Meetings
8	Maintain Bibliography of References and Data Sources
9	Complete Inter-Agency Coordination, Documentation, and Data Compilation
10	Prepare Description of the Proposed Alternative
11	Prepare Preliminary(s) Draft PLAN-EA (PDPLAN-EA)
	Conduct internal review with NRCS National Water Management Center (NWMC), address comments, document as specified by NWMC
12	Prepare Draft PLAN-EA For Distribution (DPLAN-EA)
13	Prepare Draft PLAN-EA Notice of Availability and Public Meeting Notice(s) for Draft PLAN-EA and Issue Locally
14	Hold Public Meeting(s) on Draft PLAN-EA and Prepare Summary Report
15	Prepare Preliminary(s) Final PLAN-EA
16	Prepare Final PLAN-EA For Distribution
	Conduct internal review with NHQ, address comments, document as specified by NHQ
17	Prepare Availability Notice for Final PLAN-EA and Issue Locally
18	Draft Finding of No Significant Impact (FONSI) (Optional - grantee may want to complete this.)
19	Maintain and Provide Administrative Record
20	Prepare and Manage Schedule For PLAN-EA Process
21	Prepare Monthly Progress Reports
22	Attend Unscheduled Meetings

III. OBJECTIVE

- a. The principal objective of this SOW is to provide the Sponsor and NRCS with NEPA analyses and documents which are complete, including objective appraisals of the positive and negative effects of the proposed alternative implementation methods and sites, and mitigation measures. The PLAN-EA shall comply, both procedurally and analytically, with the requirements of the NRCS and CEQ regulations and all applicable laws and executive orders. It shall also contain analyses, documentation, and inter-agency reviews mandated to include compliance with their procedural components.

- b. The NRCS is the customer and the agency of record for this PLAN-EA. The NRCS, within the U. S. Department of Agriculture (USDA), will be closely involved in the PLAN-EA preparation process and will review the Contractor's work products, to ensure NRCS NEPA policy and procedures are being followed. The draft and final PLAN-EA will be issued by the NRCS, and any identified cooperating agency or agencies.

IV. STUDY AREA

- a. The areas of interest for evaluation of the environmental and socioeconomic effects are to be finalized during the planning process in coordination with the Sponsor and NRCS and are not to exceed an area of 250,000 acres. The Sponsor and NRCS shall provide available pertinent NEPA-related documents which may be used to ascertain data gaps needed for a complete Final PLAN-EA. All existing data, inventories, and reports should be utilized so as to not duplicate NEPA efforts in completion of the PLAN-EA.

V. EXISTING DATA/DOCUMENTS AVAILABLE

The NRCS and Sponsor can provide, upon request, pertinent data readily available to help with completion of the PLAN-EA.

VI. COMPLETION DATE

All work and services under this contract for the preparation of the PLAN-EA must be completed in accordance with the approved schedule for this SOW, with timelines for major events or milestones to be determined in accordance with Section VIII of this SOW.

VII. DESCRIPTIONS OF TASKS

The following section further defines the specific tasks that must be completed to fulfill the obligations of this SOW.

Task 1: Attend and Participate in Kickoff Meeting. Appropriate personnel from the Contractor's staff will participate in a one-day meeting to be held either at an NRCS or Sponsor office or at an appropriate site in the vicinity of the proposed project, within 21 days of the Notice to Proceed (NTP). The meeting will be chaired by the NRCS and include the possible attendance of any initially identified cooperating State and Federal agencies. The Contractor must be prepared to actively participate in the meeting and lead a discussion of the total time frame for the preparation of the PLAN-EA as well as the time frame related to the scoping process.

Task 2: Prepare Public Participation Plan. The Contractor will develop and implement this plan. The plan will include public involvement opportunities including public meetings and newspaper notices. The Contractor will prepare a draft plan and coordinate its contents with the NRCS, Sponsor, and the NWMC, prior to submitting it for public and cooperating agencies review and comment. The Contractor will incorporate comments into the Final PLAN-EA.

In developing the plan, the Contractor, with the assistance of the NRCS and the cooperating agencies, will identify all interested stakeholders for inclusion in mailing lists and will assure that adequate cross-sections of the public are represented including interested citizens and environmental organizations, any affected low-income or minority populations, affected local, state and federal agencies, and any other agencies with jurisdiction or special expertise concerning the environmental impacts to be addressed in the Watershed PLAN-

EA.

The plan will address the timing of mail distributions and public notices. The latter will be issued at least two (2) weeks prior to the scheduled public scoping meeting(s) and concurrent with filing of the Draft Watershed Plan-EA (DPLAN-EA) and Final Watershed Plan-EA (FPLAN-EA), respectively. Notices will be published in the legal section of the newspaper(s) with copies sent to parties on the mailing lists. The DPLAN-EA newspaper notice will include both the notice of availability of the DPLAN-EA and the schedule and location(s) for the DPLAN-EA public meeting(s). The FPLAN-EA notice will notify the public of the availability of the FPLAN-EA. Notices will be drafted by the Contractor and submitted to the NRCS for approval prior to their release to the media. Draft news releases will be submitted in time to accommodate processing by the NRCS for publication in the news media (minimum 10 days prior to scheduled meetings or release of NEPA document). A total of 4 news releases will be prepared by the Contractor: one (1) prior to the scoping meeting(s); one (1) concurrent with filing of the DPLAN-EA and prior to its public meeting(s); one (1) concurrent with filing the FPLAN-EA; and one (1) concurrent with the completion of the Finding of No Significant Impact (FONSI).

The public participation plan will establish the appropriate format for each public meeting. At least two (2) public meetings are envisioned, one (1) for scoping purposes and one (1) for receiving comments on the DPLAN-EA. All public meetings will be held near the location of the proposed alternative and in a facility convenient for the attendance of the affected public.

In order to comply with Executive Order 12898 regarding environmental justice concerns, the public participation plan will incorporate means to include potentially affected minority and low-income populations within the public involvement program. Public notices will be bi-lingual, if an area affected by the proposed alternative has a large population of non-English speaking residents. The plan will also incorporate public participation and notice requirements that apply to the presence of specific environmental resources or conditions, such as those required by the executive orders on flood plain management and wetland protection. To the extent possible, these resource specific public participation/notice requirements will be completed concurrently with other public participation requirements. All public documents, notices, and meetings will be concise, understandable, and readily accessible to the public.

Task 3: Prepare, Update and Maintain Mailing Lists. The Contractor will prepare, continue to update, and maintain the active public mailing list; including all interested or affected agencies, interested parties, various news media and public libraries throughout the area of environmental impact, and individuals commenting during the scoping process or during public review of the Draft PLAN-EA (DPLAN-EA). The public mailing list will be used for distribution of the notices of availability for the DPLAN-EA and Final PLAN-EA (FPLAN-EA), public meeting announcements, news releases, other notices to the public, and distribution of the DPLAN-EA and FPLAN-EA. The mailing list will be edited periodically to include those individuals responding to the scoping requests, other correspondents, and those individuals who attended public meetings; and to delete those requesting removal from the list, changes in addresses, and undeliverable addresses. Electronic versions of the mailing lists or printed labels will be provided to the NRCS upon request.

Task 4: Prepare Notice of Scoping Meeting(s) and Issue Locally. The Contractor will be responsible for preparing and publishing the Notice of Scoping Meeting(s) in newspaper(s) of general circulation within the affected area(s). The notices will be published in these newspapers approximately 14 days and 7 days prior to a scheduled meeting. The Contractor will provide any draft public notices for NRCS review at least 7 days prior to the proposed publication date. A copy of the public notice of the meeting will be mailed by the Contractor to the entire mailing list for receipt approximately two weeks prior to the scheduled meetings.

Task 5: Hold Scoping Meeting(s). The Contractor, in consultation with the NRCS, shall schedule, provide all logistic support (including leasing of a meeting room and obtaining services for audio/visual recording), and conduct the public scoping meeting(s) to gain input from the public concerning the scope of issues and level of analyses to be considered in the DPLAN-EA. The NRCS's representative will make opening statements at the meeting. The Contractor's Project Manager and other key personnel (total of two-four individuals) will be

present to explain the NEPA process and the purpose of scoping, and to facilitate and conduct the meeting. Graphical displays, including maps and charts, will be provided by the Contractor as appropriate. It is anticipated that these public scoping meetings will be held approximately 30 days after NTP. Other scoping activities, such as meetings with Federal, state, and local entities on specific issues may be determined, as necessary. For the purposes of planning, the Contractor should expect to hold one (1) scoping meeting in the geographic area of the proposed alternative. The need for more than one scoping meeting will be discussed in the Kickoff Meeting (Task 1) and included in the public participation plan (Task 2). See the NRCS National Environmental Compliance Handbook for additional information on how the scoping process is to be conducted by the Contractor.

Task 6: Prepare Scoping Report. In addition to the meeting transcript, the Contractor will prepare a report summarizing the results of agency and public scoping coordination. The report will include a spreadsheet or other tabular format for compiling and sorting public responses obtained at the scoping meeting, and other public or agency scoping comments received by mail. The Contractor will submit a draft report for NRCS and cooperating agency review and approval and incorporate all comments into the final report.

Task 7: Attend and Participate In Progress Review Meetings. The Contractor will, in consultation with the NRCS, schedule and conduct progress review meetings with the cooperating agencies, at critical points within the PLAN-EA schedule. These meetings will be interactive in nature and will require at least one day per meeting. It is anticipated that all of these meetings will be held in the NRCS's or Sponsor's office. The Contractor is expected to have in attendance, or otherwise available, sufficient members of the Contractor's PLAN-EA team to adequately address the major issues and environmental impacts to be addressed during the meeting.

Task 8: Maintain Bibliography of References and Data Sources. The Contractor will develop and continue to update the bibliography, with data sources and reports noted. The updated bibliography will be incorporated into the DPLAN-EA. The bibliography will be limited to references used in the PLAN-EA.

Task 9: Complete Inter-Agency Coordination, Documentation and Data Compilation. Prior to beginning substantive analytical work on the DPLAN-EA, the Contractor should become familiar with the available program, site, and environmental data for the proposed alternative.

Contractor shall identify additional information needs and data gaps and proceed to identify sources of missing information and obtain that information or data.

The Contractor is required to identify and obtain baseline data to be furnished by the various cooperating agencies. The Contractor will maintain regular communications with the cooperating agency throughout preparation of the PLAN-EA and will compile all data collected by the Contractor or provided by cooperating agencies. The Contractor will serve as the repository for all reference documents throughout the process. The collected information will be included in the administrative record at the conclusion of the PLAN-EA. The Contractor will track agency progress and continue coordination with the agencies to obtain agency-provided data on a timely basis. Assistance with agency coordination will be provided by the NRCS, as necessary or appropriate.

Task 10: Prepare Description of Proposed Alternative. The Contractor shall review information provided by the NRCS concerning the specific activities identified in Section 1 of this SOW. The information gathered shall be assembled into concise and descriptive statements of the proposed activities to be addressed in the PLAN-EA. Information will be formatted for inclusion as the Description of Proposed Alternative section of the PLAN-EA. The narrative shall identify all the relevant data and activities necessary to describe the proposed alternative.

Task 11: Prepare Preliminary Draft PLAN-EA (PDPLAN-EA). The Contractor shall prepare a PDPLAN-EA in accordance with the following requirements:

- a) Documentation of Baseline Environmental Conditions. The Contractor will use the information/data furnished by the NRCS, Sponsor and/or the cooperating agencies to prepare narratives documenting baseline environmental and socio-economic conditions. The Contractor shall assemble and review existing data describing the environmental resources of the study area. The Contractor will visit the sites of the proposed alternative for the study area as well as gather additional existing information from other approved sources, as necessary. The information assembled must be sufficient to (1) assess the environmental, historic, economic, and social values that will be affected, either beneficially or adversely, by the proposed alternative in the study area, and (2) and demonstrate compliance with related environmental and NRCS programmatic requirements.
- b) Throughout the PLAN-EA process, pertinent data gaps that have a bearing on the analyses shall be reported to the NRCS immediately upon identification. The Contractor will gather additional details from the other State and cooperating Federal agencies, as well as other available sources, to fully describe baseline conditions and projected future conditions. The Contractor shall coordinate with the NRCS to determine the validity of data to be incorporated into the PDPLAN-EA, regardless of the source. If the NRCS concludes that additional data is required, an appropriate modification to the contract may be negotiated.
- c) Preparation of Preliminary Draft PLAN-EA (PDPLAN-EA). Using information describing the proposed alternative, baseline environmental information, scoping information, and information resulting from the data gathering tasks and site visits, the Contractor will address the potential impacts anticipated in the study area proposed alternative, as defined in Section 1 of this SOW. The PDPLAN-EA will be prepared in conformance with the CEQ regulations, the NRCS National Watershed Program Manual (NWPM) and the NRCS National Environmental Compliance Handbook.
 - (1) **Analysis.** The Contractor is responsible for identifying, documenting, and analyzing relevant conditions, issues, and effects associated with the proposed alternative. The document should be structured so as to include only the data in the Affected Environment Section required to perform the analyses. Extraneous data, just because it is available, should not be included. The Analyses of Proposed Alternative Section should not introduce new data but should assess the proposed alternative against the data presented in the Affected Environment. The Contractor will incorporate appropriate analyses provided by cooperating agencies (e.g., engineering analyses and design as developed by partners) or other approved sources into the PDPLAN-EA, in appropriate level of detail and editing to provide a consistently structured document.
 - (2) **Format of the PDPLAN-EA.** The format to be used is the one specified in the NRCS National Watershed Program Manual (NWPM) for a Watershed PLAN-EA. Other format and content requirements expressed in the CEQ regulations as well as the NRCS National Environmental Compliance Handbook shall also be integrated into the PLAN-EA. The text shall be error free, complete, clear, concise, and grammatically correct. The main text of the report shall be written in a manner suitable for reading by people not professionally trained for the technical subject discussed. The PDPLAN-EA will be an analytical document, with a minimum of attached reference material. Acronyms shall be used only on a limited basis. Any acronyms used shall be defined on first use and included in a list of acronyms page.
 - (3) **Submittal No.1 of PDPLAN-EA.** The Contractor shall submit an electronic copy of the PDPLAN-EA to the NRCS NWMC and cooperating agencies for review and comment.
 - (4) **Preliminary Draft PLAN-EA Review Meeting.** After the PDPLAN-EA has been submitted to the NRCS and cooperating agencies for review, the NRCS and cooperating agencies will furnish comments to the Contractor. A meeting between the Contractor, the NRCS and the cooperating agencies will be held at the NRCS's office to discuss revisions to the PDPLAN-EA. This meeting

will discuss the comments and resolve any problems or questions that may arise. The meeting will also discuss the Notice of Availability (NOA) that will be required to announce the availability of the DPLAN-EA to the public and the upcoming public meeting. The Contractor's Project Manager, and any other key personnel that the NRCS deems necessary (estimated 4 personnel), will attend this PDPLAN-EA review meeting.

Task 12: Prepare Draft PLAN-EA (DPLAN-EA) For Distribution. Following the review and acceptance of the PDPLAN-EA by the NRCS, the Contractor shall proceed with preparation of the DPLAN-EA document.

- a) The front cover of the DPLAN-EA (and FPLAN-EA) shall contain the title of the document, the NRCS name and those of any cooperating agencies, date of official release (month and year), and the name of the Contractor who prepared the document.
- b) Upon approval of the DPLAN-EA by the NRCS, the Contractor shall provide an electronic copy of the approved DPLAN-EA to the NRCS. The Contractor will provide mailing labels for public distribution of the DPLAN-EA.

Task 13: Prepare DPLAN-EA Notice of Availability and Public Meeting Notice(s) for Draft PLAN-EA and Issue Locally. The Contractor shall prepare a draft and final Notice of Availability (NOA) of the DPLAN-EA for NRCS approval. The locally published NOA should also give the location and the date and time of the public meeting(s) for receiving comments on the Draft PLAN-EA. After consulting with the NRCS, the Contractor shall prepare and advertise the NOA in the non-legal section of the local newspaper or newspapers, as specified in the public participation plan. The Contractor shall also prepare a draft news release. The draft NOA and news release shall be submitted to the NRCS for approval. The NOA and news release will be timed for publication concurrent with filing the DPLAN-EA, and at least 30 days prior to date of the public meeting(s). The Contractor shall distribute the NOA to the entire mailing list approximately 30 days prior to the scheduled meeting(s).

Task 14: Hold Public Meeting(s) on Draft PLAN-EA and Prepare Summary Report. The Contractor, in consultation with the NRCS, shall schedule, provide all logistic support, and conduct the public meeting(s) for DPLAN-EA review. The public meeting should be held no earlier than 30 days after the NOA is locally published. The NRCS's representative can make an opening statement at the public meeting. The Contractor's Project Manager and other key personnel will be present at the public meeting to present the proposed alternative and evaluation framework, and to discuss the probable environmental effects of the proposed alternative. NRCS and other cooperating agencies will be present to assist in response to questions from the public. Graphical displays, including maps and charts, will be provided by the Contractor. The Contractor will provide audio/visual recording services to transcribe each meeting and prepare a summary report for each public meeting, with a hard copy of the transcript attached, for NRCS review. See also NRCS National Environmental Compliance Handbook for additional guidance on conducting the public meeting for the DPLAN-EA.

Task 15: Prepare Preliminary(s) Final PLAN-EA (PFPLAN-EA). The Contractor shall prepare the PFPLAN-EA in accordance with the CEQ regulations, and this task will include the following:

- a) Responses to Public Comments on DPLAN-EA. The Contractor, in coordination with the NRCS and the cooperating agencies, will prepare responses to public comments on the DPLAN-EA and provide electronic copies of the comments and drafted responses to the NRCS and cooperating agencies for review and comment. Responses to comments may also include additional tables, graphics or additional data for review and incorporation into the text or appendices of the FPLAN-EA as well as corrected text from the DPLAN-EA. The Contractor will coordinate with the NRCS on the method to be used for comment/response, identifying major comments and any conflicting comments. A one-day progress review meeting will be held at the NRCS's office to coordinate responses to comments. All responses will be subject to approval by the NRCS prior to finalization for inclusion in the PFPLAN-EA.
- b) Preliminary FPLAN-EA (PFPLAN-EA). The Contractor shall incorporate the approved revisions and responses to comments into a PFPLAN-EA. The PFPLAN-EA will be submitted to the NRCS and cooperating agencies electronically for review and approval. Additional agency comments will be

incorporated into the FPLAN-EA, as directed by the NRCS.

- c) **PFPLAN-EA Administrative Review.** The Contractor will prepare a full version PFPLAN-EA for NRCS review and approval. The FPLAN-EA format will be the same as for the PDPLAN-EA outlined above. The use of high-quality graphics, photos, and other illustrative materials is encouraged. Electronic copies of any required revisions to the PFPLAN-EA will be furnished to the NRCS for final review and approval. If necessary, a PFPLAN-EA administrative review meeting will be held to resolve any open issues.

Task 16: Prepare Final Plan EA For Distribution. This task is completed in the same manner as the task for preparing the Draft PLAN-EA for distribution.

Task 17: Prepare Final PLAN-EA. The Contractor will provide the following:

- a) **Electronic Documents FPLAN-EA.** The Contractor will provide an electronic copy of the approved FPLAN-EA of the FPLAN-EA to NRCS.

Task 18: Draft Finding of No Significant Impact (FONSI) and Issue Availability Notice Locally. The Contractor shall prepare a preliminary draft and final draft FONSI as well as its NOA for publication locally. The Contractor's responsibilities for the publication and distribution of this NOA shall be the same as for the NOA for the FPLAN-EA. The NRCS will prepare the final FONSI and be responsible for the publication of its notice of availability locally.

Task 19: Maintain and Provide Administrative Record. The Contractor shall prepare and assemble the Administrative Record and furnish it to NRCS after the FONSI is signed. The Administrative Record is the entirety of the information relied upon to prepare the PLAN-EA. The Administrative Record is inclusive of all information and analyses either generated or obtained from other sources or used to support documentation and analyses. A complete Administrative Record is the entirety of the information relied upon within the Contractor's possession plus all information in other locations listed in the references. Information listed in the references at other locations does not have to be included. The Contractor shall organize the information composing the Administrative Record as an accessible file, indexed by topic to the extent possible, and submit this record to NRCS.

Task 20: Prepare and Manage Schedule for PLAN-EA. The Contractor, with Sponsor and NRCS assistance, shall develop a specific milestone schedule to complete the PLAN-EA process for this action. The detailed project schedule will be presented by the Contractor within 10 days following the "kickoff" meeting, indicating the critical path(s) of the efforts required to complete the PLAN-EA as outlined in the tasks described above. The schedule will include, at a minimum, the milestones listed in Section VIII of this SOW. The NRCS will approve the schedule or recommend changes within 10 working days of receipt. The project schedule should reflect the NRCS goal to complete the FPLAN-EA document as soon as reasonably possible, with a target goal for filing the Draft PLAN-EA within 12 months. This schedule will be used by the Contractor to manage work on the PLAN-EA and by the Sponsor and NRCS to monitor the progress of work on a monthly basis. The schedule will also include specific dates that demonstrate when milestones will be met. A copy of the schedule, with any revisions or updates, and status of the project milestones will be presented in the monthly progress reports.

Task 21: Prepare Monthly Minutes from Stakeholder Meetings. The Contractor will be required to prepare monthly stakeholder meeting minutes and submit them to the NRCS's Contracting Officer.

Task 22: Attend Unscheduled Meetings. The Sponsor and NRCS reserve the right to request unscheduled meetings with the Contractor to review and discuss the progress and to discuss any problems or concerns that may arise. The Contractor may also request meetings with the Sponsor and NRCS. Dates and locations for these meetings shall be mutually agreed upon, as necessary. It is anticipated that an estimated four (4) unscheduled meetings, to be attended by the Contractor's project manager, would involve travel to the Sponsor's or NRCS's

office or a similar distance for meeting with cooperating agencies or other organizations. Unscheduled meetings involving travel would be limited to the Contractor's project manager, unless approved by NRCS.

VIII. BACKGROUND WORK

a. Data. It is unknown if there is existing data for this watershed. Contractor should assume development of all data, none existing.

To establish the data for the PDPLAN-EA, the following services are required at a minimum:

(1) Materials. The Contractor will obtain materials including existing aerial photos, maps, documents, reports and correspondence, and lists of contacts.

(2) Agency Communications. The Contractor will establish communications with all activities or agencies who will be expected to either participate in this PLAN-EA process or be consulted about it such as, U.S. Fish and Wildlife Service (USFWS), Environmental Protection Agency (EPA), Natural Resources Conservation Service (NRCS), and other appropriate Federal, State, and local agencies. The NRCS shall be informed of all concerns communicated by these agencies.

(3) Site Visits/Field Surveys. The Contractor shall conduct visits to the potentially impacted local areas, with a multi-disciplinary team, to become knowledgeable about the proposed alternative, obtain information, conduct interviews, and analyze impacts. Field surveys will be limited to gathering existing data required to complete analyses of project impacts. The Contractor will identify any data deficiencies that could require additional field research. If any specific, additional field surveys, research, or testing (i.e., geotechnical) is required and agreed to by NRCS, a modification to the contract will be made and an equitable adjustment in the contract price will be negotiated.

(4) Economic Impact Analyses. The Contractor shall, in coordination with the NRCS State Economist (or representative), perform regional economic impact analyses of the proposed alternative using accepted analysis techniques. Socioeconomic setting data will be gathered from existing sources. A qualified economist familiar with analysis as outlined in the "Economic & Environmental Principals and Guidelines for Water and Related Land Resource" (P&G) shall be used to adequately analyze the proposed alternatives in the PLAN-EA.

(5) Cultural Resources. In implementing as part of this PLAN-EA process the Advisory Council on Historic Preservation's regulations entitled, Protection of Historic Properties, and found at 36 CFR Part 800, the Contractor will, in coordination with the NRCS Archeologist, review current historic property documents provided by the NRCS and the cooperating agencies. The Contractor shall also request documents from the State Historic Preservation Officer and relevant academic and local area sources. Relevant information from these documents must be included in the cultural resource sections of the PDPLAN-EA. These documents can include local or regional histories, archeological surveys, historic architectural inventories, cultural resource management plans, agreements, etc. All maps of any cultural resource sites that will be included in the PLAN-EA will be provided by the Contractor at a scale such that specific sites cannot be easily found, and the resources thereby protected.

(6) Wetlands. For the purpose of implementing and documenting the requirements of the Executive Order on Wetland Protection within this SOW, the Contractor shall use existing information and data from traditional sources such as the U.S. Fish and Wildlife Service, U. S. Army Corps of Engineers, Natural Resource Conservation Service, and State water resource agencies. Based upon information provided, maps and other descriptive information will be adapted by the Contractor and included in the PDPLAN-EA in order to support the analysis of the extent, amount, and importance of any wetlands to be impacted by the proposed alternative.

(7) Threatened/Endangered Species. For the purpose of implementing and documenting the consultation

procedures under Section 7 of the Endangered Species Act, the Contractor will coordinate with NRCS and the U.S. Fish and Wildlife Service (USFWS), when appropriate, to determine possible impacts to (i) any threatened or endangered species that are either so listed or proposed (ii) candidate species, and (iii) listed or proposed critical habitat. Coordination with the NRCS, USFWS, and the State game and fish management agencies, as appropriate, will be documented. Potential impacts to State listed species must also be addressed in the PDPLAN-EA. Field surveys for protected species occurrence within the study areas are not included in this scope of work. Should the NRCS conclude that sufficient baseline data are not available to adequately address potentially impacted areas, a modification to the contract will be negotiated to include an equitable adjustment in the contract price.

(8) Environmental Justice. The Contractor will obtain information on the presence of Indian Tribes, other minority populations and low-income populations in the project area as part of the regional economic analyses. If initial studies indicate that a target population(s) is located within a geographic area to be impacted by the proposed alternative, per the previously referenced guidance on implementing Executive Order 12898, specific proactive steps must be implemented in order to include the identified target population(s) in the public participation plan. Should these proactive steps reasonably exceed the above referenced requirements for the public participation plan, a modification to the contract will be made and an equitable adjustment in the contract price will be negotiated. As described in Executive Order 12898, the potential or absence of effects of the proposed alternative on minority and low-income target populations will be specifically addressed in the Environmental Consequences section of the PDPLAN-EA.

(9) Existing Environmental Pollution, Hazards, and Other Health and Safety Risks. The Contractor will obtain information from the Environmental Protection Agency or equivalent State agencies regarding any existing hazardous conditions at the site of the proposed alternative that may pose health and safety risks to future construction workers, employees, occupants, or general public.

(10) Floodplains. For the purpose of implementing and documenting the requirements of the Executive Order on Floodplain Management within this SOW, the Contractor shall use existing information and data from the Federal Emergency Management Administration with proposed alternative sources being the U. S. Army Corps of Engineers, State water resources agency, or a region-specific agency with special expertise. Based upon the information provided, maps and other descriptive information will be adapted by the Contractor and included in the PDPLAN-EA to support the analysis of the extent, amount, and importance of any floodplains to be impacted by the proposed alternative.

(11) Noise and Light. Existing data will be reviewed as well as literature examined to evaluate the potential noise and light impacts of the proposed alternative. The NRCS and the Sponsor will provide relevant data, if available, from similar operating facilities. The Contractor will address the projected changes of noise and light levels that will be generated by the proposed alternative, especially with respect to any sensitive receptors.

(12) Mitigation. During the course of performing the analyses and evaluations required to complete the PLAN-EA, the Contractor shall notify the NRCS immediately of the identification of any potentially adverse impacts that could require the implementation of a mitigation measure(s) and the potential need for the development of an Environmental Impact Statement. The Contractor shall recommend to the NRCS appropriate measures that would avoid or mitigate any adverse impacts which might be identified. Development of appropriate mitigation measures will be accomplished by the Contractor with the approval of the NRCS and included in the PLAN-EA. All approved mitigation measures shall be discussed in a separate section of the PLAN-EA.

(13) Maps. The Contractor must obtain and/or adapt appropriate existing land use maps for inclusion in the PDPLAN-EA showing the location of study area boundaries and environmentally sensitive areas that may be affected by the proposed alternative. These maps shall include, but not be limited to, wetlands, cultural resource sites, endangered/threatened species habitat (State and Federal), floodplains and waterways, important farmlands, severely eroded or erodible sites, and any sensitive natural areas. Maps will be adapted to ensure that a balanced or equivalent presentation of information is shown throughout the document for each resource area. A map(s) displaying the regional and site locations of the proposed alternative must also be included in the PDPLAN-EA.

IX. SCHEDULE

- a. The CONTRACTOR shall develop a detailed schedule (*timely delivery of product is a critical component of selection*), based upon the following milestones within 10 days of the notice to proceed (NTP) under this delivery order. The schedule will be submitted to the NRCS for approval. Elapsed days will be measured in calendar days from date of the NTP. At a minimum, specific milestones will include:

Item	Description of Milestone
1	Notice to Proceed
2	Kickoff Meeting
3	Public Participation Plan
4	Public Scoping Meeting(s)
5	Scoping Report
6	Draft Description of Proposed Alternative
7	Description of Proposed Alternative
8	Preliminary Draft PLAN-EA (Submittal No. 1)
9	PDPLAN-EA Progress Review Meeting
10	Preliminary Draft PLAN-EA (Submittal No.2)
11	Draft Notice of Availability for Draft PLAN-EA
12	Electronic copies of Draft PLAN-EA
13	File Draft PLAN-EA
14	Public Meeting(s) for Draft PLAN-EA
15	Draft Responses to Comments on Draft PLAN-EA
16	Progress Review Meeting to Finalize Responses to DPLAN-EA
17	Preliminary Final PLAN-EA
18	Draft Notice of Availability for Final PLAN-EA
19	Electronic copies of Final PLAN-EA
20	File Final PLAN-EA
21	Response to FPLAN-EA Comments
22	Draft FONSI
23	PLAN-EA Administrative Record

- b. Should implementation of a subsequent phase be delayed, or document review times by the NRCS (State & National Water Management Center) take longer than expected, the entire schedule of events may be shifted or extended. The Contractor will be advised as soon as possible upon any delay or change in review time.

X. SUBMITTALS

- a. All submittals under this delivery order shall be sent by a letter of transmittal, identifying the contents of the submission and the review period specified by the statement of work. Work will not be considered officially submitted until it has been received by the NRCS. The Contractor shall allow for sufficient mailing time for submittals to be received by the required date.
- b. List of Submittals:

Item	Description of Submittal
1	Detailed Project Schedule
2	Public Participation Plan to Include Mailing Lists

3	Draft News Releases and Public Notice for Public Scoping Meeting(s)
4	Summary Scoping Report -- and Transcript
5	Description of Proposed Alternative
6	Preliminary Draft PLAN-EA (PDPLAN-EA) Submittal No. 1
7	Preliminary Draft PLAN-EA (PDPLAN-EA) Submittal No. 2
8	Electronic copies of Draft PLAN-EA
9	Draft Notice of Availability (NOA) and news releases for Draft PLAN-EA
10	Summary Report of Public Meeting(s) and Transcript
11	Preliminary Draft Comment and Responses
12	Preliminary FPLAN-EA (PFPLAN-EA)
13	Draft NOA [and news release] for Final PLAN-EA
14	Electronic copies of Final PLAN-EA
15	Draft Notice of Availability (NOA) and news releases for Final EIS
16	Draft and Final Formatted Responses to FEIS Comments
17	Draft Finding of No Significant Impact
18	Administrative Record for the FPLAN-EA
19	Monthly Progress Reports, due the 15 th of each month
20	Memoranda of All Meetings

NRCS AND SPONSOR PROVIDED ASSISTANCE

- a.** The following materials shall be furnished by NRCS and/or the Sponsor.
1. Contacts for further definition of proposed alternative/s.
 2. Available appropriate maps and photographs. The Contractor shall be responsible for editing and reformatting these maps and/or production of new illustrations as appropriate, for incorporation into the PDPLAN-EA and PFPLAN-EA documents.
 3. Assistance in developing a list of interested entities for Contractor's development of mailing lists.
 4. Any studies, reports, or documents in the possession of the NRCS or the Sponsor that may be useful to the Contractor in developing the "Affected Environment" section of the PLAN-EA (see Section IV-a for a partial listing of useful documents).
 5. Available electronic Files.
- b.** NRCS in coordination with the Sponsor will provide consistency guidance throughout the process and certify that the document complies with the requirements of this SOW. Failure of the Sponsor and NRCS to provide this assistance according to the agreed upon schedule may result in a modification to the contract in order to meet the required completion date and/or an equitable adjustment in the contract price.
- c.** The following is a list of potential NRCS reference materials that may be required for execution of the work. Most of these reference materials are available on the NRCS Website.

XI. DOCUMENT FOCUS

The Contractor shall document the affected baseline and conduct appropriate impact analyses in such a manner as to:

- 1) Sharply focus the document on relevant issues. Do not include repetitious statements.

- 2) Include only data which support the analyses. All other data are extraneous. If not needed for analysis, do not include the data.
- 3) Clearly support the analysis with baseline data. Conclusive statements in the consequences section without basis in the affected environment section are unacceptable.
- 4) Fully describe the proposed alternative sufficient for a NEPA analysis.
- 5) Follow all prescribed NEPA procedures, in compliance with laws, regulations and published policies.

XII. MISCELLANEOUS REQUIREMENTS

- a. Labor, Equipment, Materials. The Contractor shall furnish all labor, materials, plant equipment, and transportation to perform the work and services described above. All documents, maps, photos, graphics, mailing lists, etc., shall become Federal property upon acceptance.
- b. Release of Data. All data, reports, and materials contained or developed in this project shall not be released without written approval of the NRCS.
- c. Meeting Memoranda. The Contractor shall furnish the NRCS a memorandum of each meeting held, summarizing any agreements or decisions reached. All memoranda shall be provided within five (5) workdays of the meeting.
- d. All documents shall be printed on recycled paper, front and back, unless specified otherwise.
- e. The DPLAN-EA, FPLAN-EA, and mailing lists shall be saved in a current version of Microsoft Word and Adobe electronic format and provided to the NRCS.

XIII. CONTRACT ADMINISTRATION

The Contractor shall notify its appropriate employees of the individual designated as the NRCS's Contracting Officer for this SOW.

Additionally, the following individuals will comprise the minimum mailing list for this contract.

- a. **Bruce Mullins** will be the CO on this task order and may be reached at (304) 744-4258 or brucemullins@region3.org. The mailing address for Mr. Mullins is: Regional Intergovernmental Council, 315 D Street, South Charleston, WV 25303.
- b. **COTR Mr. Donny Dodd**, will be the COTR on this task order and may be reached at (304) 544-9019 or Donny.Dodd@usda.gov. The mailing address for Mr. Dodd is: USDA-NRCS, Beckley Service Center, 465 Ragland Rd, Beckley, WV 25801.

NOTE: Only the CO may authorize changes to this task order.