



MILK RIVER IRRIGATION PROJECT JOINT BOARD OF CONTROL

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REQUEST FOR PROPOSALS (RFP)

The Milk River Irrigation Project Joint Board of Control (“JBOC”) is requesting proposals from qualified environmental consulting firms for the work entitled:

DEVELOPMENT AND PREPARATION OF A WATERSHED PLAN AND ASSOCIATED ENVIRONMENTAL IMPACT STATEMENT (WATERSHED PLAN-EIS) PURSUANT TO THE REQUIREMENTS OF THE WATERSHED PROTECTION AND FLOOD PREVENTION ACT FOR THE ST. MARY CANAL IN BABB, MONTANA.

Date of Issuance: September 29, 2022

Questions Due: October 26, 2022

Due Date: November 11, 2022

Proposals shall be submitted by qualified consultants that have demonstrated verifiable experience in preparing Watershed Plans with an associated Environmental Impact Statements (“Watershed Plan-EIS”), executing project management, and conducting public outreach for similar irrigation projects as outlined in the scope of work described in this RFP.

The proposals shall be addressed to:

Wade Jones, Board Chairman
Milk River Irrigation Project Joint Board of Control
1475 1st Avenue
Havre, MT 59501

Proposals shall be submitted by email to jenn@mrjboc.com so that it is received not later than 5:00 P.M. on Friday, November 18, 2022.

All inquiries regarding the project and this RFP shall be directed to Jennifer Patrick, Project Manager, via telephone at (406) 945-3383, or, preferably, via email at jenn@mrjboc.com.

Milk River Irrigation Project Joint Board of Control (JBOC) is soliciting proposals from qualified environmental consulting firms to provide services as outlined in the **STATEMENT OF WORK**.

I. BACKGROUND OF THE PROJECT

The Milk River Irrigation Project Joint Board of Control (JBOC), established in 1999 with assistance from the State of Montana, encompasses eight irrigation districts from Fresno Dam (Havre, Montana) to Vandalia Dam (Glasgow, Montana). The JBOC is comprised of ten board members representing Alfalfa, Fort Belknap, Zurich, Paradise, Harlem, Dodson, Malta and Glasgow.

For over 100 years, the St. Mary Canal and Conveyance Works (Canal) of the Milk River has augmented the Milk River Basin water supply. This system was built by the Bureau of Reclamation to provide supplemental irrigation water along the Milk River but has evolved into a multi-use project which includes municipalities, recreation enthusiasts and wildlife habitats. In a normal irrigation season, approximately 50% of Milk River flows near Havre, MT originate from the Canal; in a dry year, 90% of flows are transferred into the Milk River Basin.

The JBOC, in cooperation with the United States Department of Agriculture, Natural Resource Conservation Services (NRCS) and Bureau of Reclamation (Reclamation) are soliciting a firm to develop a Watershed Plan and associated Environmental Impact Statement (Watershed Plan-EIS) under the Watershed Protection and Flood Prevention Act. The Watershed Plan-EIS must be completed in accordance with the policy set forth in the NRCS Title 390, National Watershed Program Manual (NWPM).

A Preliminary Investigative Feasibility Report (PIFR) has been completed and the Watershed Plan- EIS will build off of this plan to help with addressing the modernization of the St. Mary Canal irrigation infrastructure to benefit the project stakeholders. Montana's hi-line communities have been established around the stable water supply provided by the Canal. This project is critical to the preservation of one of Montana's most vital renewable resources, the St. Mary water supply transfer into the Milk River Basin. St. Mary water is key to the economic stability of numerous north central and northeast communities of Montana. This Watershed Plan-EIS will be a valuable tool to continue utilizing a water supply system that has been operational for over 100 years.

II. INTRODUCTION

The USDA-Natural Resources Conservation Service (NRCS) requires a Watershed Plan-Environmental Assessment (Watershed Plan-EA) or Environmental Impact Statement (EIS) pursuant to Public Law 83-566, the Watershed Protection and Flood Prevention Act. The principal objective is to provide the JBOC 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. It has already been determined with the magnitude of the project that a Watershed Plan-EIS will be required.

Preliminary plan measures to be evaluated include the following:

- Irrigation water efficiency measures along the St. Mary Canal
- Modernization of the St. Mary Canal and associated structures
- Erosion and sedimentation control

The selected contractor will coordinate with the Joint Board of Control to finalize the plan measures to be evaluated in the Watershed Plan-EIS. Figure 1 illustrates the general proposed areas of work to be included in the Watershed Plan-EIS analysis.

The JBOC is the primary contracting authority and in cooperation with NRCS anticipate and reserve the right in making the task order award with or without discussions. The project facilities are owned by the Bureau of Reclamation (BOR) and are situated solely on the Blackfeet Reservation so special considerations will be given to those two entities in this process. The task order and the work areas will be defined as a whole unit from the St. Mary Diversion Dam, but will not include the dam, to Drop 5 where the water enters the Milk River through the 29-mile canal system. Tasks for development of the Watershed Plan-EIS will include an amount of engineering/design to accurately define and evaluate alternatives proposed in the Watershed Plan-EIS for technical feasibility, socioeconomics, benefits and impacts.

An aggressive schedule with milestones is required to meet the NRCS review requirements and help minimize the plan drafts and revisions. Efficient progressive project management in full cooperation with NRCS and JBOC, is the goal of this contracting activity.

The watershed plan is being developed as a requirement for technical assistance and funding that has been received by the JBOC to prepare a Watershed Project Watershed Plan-EIS for the purpose of implementing a range of eligible watershed protection and modernization measures that will be determined during the development of the Watershed Plan-EIS.

The PL-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-EIS will be developed as the first component of the proposed project for the JBOC to pursue funding through the program.

Project measures to be proposed and evaluated in the Watershed Plan-EIS will be considered with public input and prioritized through the JBOC, NRCS, Blackfeet Tribe and the Bureau of Reclamation.

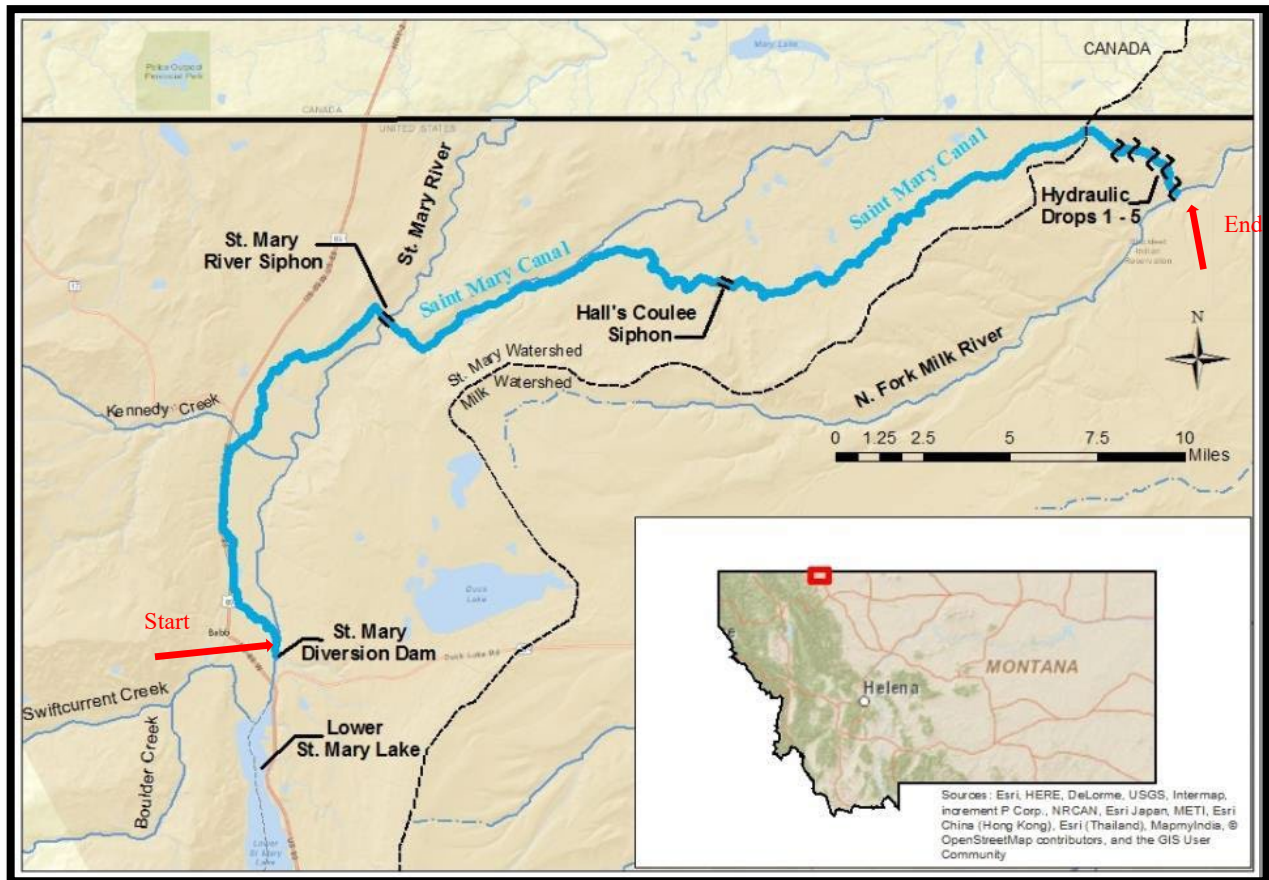


Figure 1. General Proposed Area for Watershed Plan-EIS

III. STATEMENT OF WORK

1. This Statement of Work (SOW) is for the preparation of the Watershed Plan-EIS with Design for any approved measures upon authorization of the Watershed Plan-EIS. 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 (Watershed Plan-EIS) 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 Watershed Plan-EIS 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 JBOC 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 JBOC or 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 JBOC Chairman or Project Manager.
5. In completing this Watershed Plan-EIS, 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 listed in Section.

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 Watershed Plan-EIS:

- 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 JBOCs. The future-without-project (FWOP) conditions or no- action alternative must also be presented

in each watershed project plan.

- 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.
- All relevant public and NRCS identified resource concerns noted during scoping must be addressed by one or more alternatives and analyzed in the Watershed Plan-EIS.

The following list of specific tasks must be completed to fulfill the obligations of this SOW. The contractor will coordinate with the JBOC and NRCS to avoid duplication of efforts. Note: It has been determined that a full Watershed-EIS will be required not a Watershed Plan-EA.

| Task s | Description of Tasks |
|-------------------|---|
| 1 | Attend and Participate in Kick-off Meeting |
| 2 | Prepare Public Participation Plan |
| 3 | Prepare, Update, and Maintain Email 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 all 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 Watershed Plan-EIS and Share with JBOC, NRCS and BOR |
| 12 | After Approved Prepare Draft Watershed Plan-EIS for Distribution Mailing Lists |
| 13 | Hold Public Meeting(s) on Draft Watershed Plan-EIS and Prepare Summary Report |
| 14 | Prepare Preliminary(s) Final Watershed Plan-EIS |
| 15 | Prepare Final Watershed Plan-EIS For Distribution |
| 16 | Prepare Availability Notice for Final Watershed Plan-EIS |
| 17 | Draft Finding of No Significant Impact (FONSI) |
| 18 | Maintain and Provide Administrative Record |
| 19 | Prepare and Manage Schedule for Watershed Plan-EIS Process |
| 20 | Prepare Monthly Progress Reports to be Sent to JBOC |
| ** | Attend Unscheduled Meetings Requested by JBOC or NRCS |

IV. OBJECTIVE

The principal objective of this SOW is to provide the JBOC 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 Watershed Plan-EIS shall comply, both procedurally and analytically, with the requirements of the NRCS, Blackfoot Tribe 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.

The JBOC is the customer and the agency of record for this Watershed Plan-EIS. The NRCS, within the U. S. Department of Agriculture (USDA), will be closely involved in the Watershed Plan-EIS preparation process and will review the Contractor's work products, to ensure procedures are being followed.

V. STUDY AREA

The area of interest for evaluation of irrigation modernization to be finalized during this planning process in coordination with the JBOC and NRCS and is not to exceed an area outside of the St. Mary Canal on either side of more than 100 feet. The JBOC and NRCS shall provide available pertinent related documents which may be used to ascertain data gaps needed for a complete Final Watershed Plan-EIS. All existing data, inventories, and reports should be utilized so as to not duplicate NEPA efforts in completion of the Watershed Plan-EIS. A Preliminary Investigative Feasibility Report has been completed under NRCS guidelines and can be utilized.

VI. EXISTING DATA/DOCUMENTS AVAILABLE

The JBOC can provide, upon request, pertinent data readily available to help with completion of the Watershed Plan-EIS. The St. Mary Canal and associated facilities are owned by the United States Bureau of Reclamation (BOR), so some documents are available through them.

VII. COMPLETION DATE

All work and services under this contract for the preparation of the Watershed Plan-EIS must be completed in accordance with the approved schedule for this SOW. The project schedule should reflect the NRCS goal to complete the Watershed Plan-EIS document as soon as reasonably possible, with a target goal for filing the Draft Watershed Plan-EIS by July 30, 2024.

VIII. 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 virtual meeting within 15 days of the Notice to Proceed. The meeting will be chaired by the JBOC and NRCS and include attendance of any initially identified cooperating State, Federal and Tribal 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 Watershed Plan-EIS 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. In developing the plan, the Contractor with the assistance of the JBOC to 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 tribal, 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-EIS.

The plan will address the timing of electronic distributions and public notices. The latter will be issued at least two (2) weeks prior to the scheduled public scoping meeting and concurrent with filing of the Watershed Plan-EIS, respectively. Notices will be published in the non-legal section of the newspaper(s) with copies sent to parties on the mailing lists. Notices will be drafted by the Contractor and submitted to the JBOC Project Manager for approval prior to their release to the media. Draft news releases will be submitted in time to accommodate processing for publication in the news media (minimum 10 days prior to scheduled meetings or release of any documentation). A total of 4 news releases will be prepared by the Contractor: one (1) prior to the scoping meeting(s); one concurrent with filing of the Draft Watershed Plan-EIS and prior to its public meeting(s); one (1) concurrent with filing the Final Watershed Plan-EIS; 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 Draft Watershed Plan-EIS. 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 with an option for virtual participation.

All public documents, notices, and meetings will be concise, understandable and readily accessible to the public. A website is being developed for the JBOC and these documents will need to be added to that website in an easily understandable digital form. Items that will be required for the website addition will be the study overview, schedule, updates, FAQs, public meetings and how to comment, but others may also be incorporated by the JBOC's website design firm.

Task 3: Prepare, Update and Maintain Electronic Mailing Lists. The Contractor will prepare, continue to update and maintain the active public e-mailing list; including all interested or affected agencies, interested parties, various news media and public libraries throughout the area of environmental impact. Electronic versions of the mailing lists will be provided to the JBOC 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 JBOC to review at least 7 days prior to the proposed publication date. A copy of the public notice of the meeting will be e-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 JBOC, 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 Watershed Plan-EIS. The need for additional scoping meetings will be discussed in the Kickoff Meeting (Task 1) and included in the public participation plan (Task 2). NRCS National Environmental Compliance Handbook has 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 e-mail or mail.

Task 7: Attend and Participate in Progress Review Meetings. The Contractor will, in consultation with the JBOC, schedule and conduct progress review meetings with the cooperating agencies, at critical points within the Watershed Plan-EIS schedule. These meetings will be interactive in nature and can be completed over an electronic platform. The Contractor is expected to have in attendance or otherwise available sufficient members of the Contractor's Watershed Plan-EIS team to adequately address the major issues and environmental impacts to be addressed during the meeting.

Task 8: Maintain All 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 Watershed Plan-EIS.

Task 9: Complete Inter-Agency Coordination, Documentation and Data Compilation. Prior to beginning substantive analytical work on the Watershed Plan-EIS, 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 Watershed Plan-EIS and will compile all data collected by the Contractor or provided by cooperating agencies. 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 JBOC Project Manager, as necessary or appropriate.

Task 10: Prepare Description of Proposed Alternative. The Contractor shall review information 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 Watershed Plan-EIS. Information will be formatted for inclusion as the Description of Proposed Alternative section of the Watershed Plan-EIS. The narrative shall identify all the relevant data and activities necessary to describe the proposed alternative.

Task 11: Prepare Preliminary Draft Watershed Plan-EIS and Share with JBOC, NRCS and BOR. The Contractor shall prepare a Draft Watershed Plan-EIS in accordance with the following requirements:

1. Documentation of Baseline Environmental Conditions. The Contractor will use the information/data furnished by the NRCS, JBOC's 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) demonstrate compliance with related environmental and NRCS programmatic requirements.
2. Throughout the Watershed Plan-EIS process, pertinent data gaps that have a bearing on the analyses shall be reported to the JBOC or 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.
3. Preparation of Preliminary Draft Watershed Plan-EIS. 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 Draft Watershed Plan-EIS will be prepared in compliance with the CEQ regulations, the NRCS National Watershed Program Manual (NWPM) and the NRCS National Environmental Compliance Handbook.
 - a. ***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 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 base presented in the Affected Environment. The Contractor will incorporate appropriate analyses provided by cooperating agencies (i.e. engineering analyses and design as developed by partners) or other approved sources.
 - b. ***Format of the Preliminary Draft Watershed Plan-EIS.*** The format to be used is the one specified in the NRCS National Watershed Program Manual (NWPM) for a Watershed Plan-EIS. 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.
 - c. ***Submittal No.1 of Draft Watershed Plan-EIS.*** The Contractor shall submit electronic copies of

the Draft Watershed Plan-EIS to the JBOC and NRCS and cooperating agencies for review and comment.

- d. Preliminary Draft Watershed Plan-EIS Review Meeting.* After the Draft Watershed Plan-EIS has been submitted to the JBOC, NRCS and cooperating agencies for review, the agencies will furnish comments to the Contractor. A meeting between the Contractor, JBOC, NRCS and the cooperating agencies will be held discuss revisions to the Draft Watershed Plan-EIS. This meeting will discuss the comments and resolve any problems or questions that may arise. The meeting will also discuss the Notice of Availability that will be required to announce the availability of the Draft Watershed Plan-EIS to the public and the upcoming public meeting.

Task 13: Hold Public Meeting(s) on Draft Watershed Plan-EIS and Prepare Summary Report. The Contractor, in consultation with the JBOC, shall schedule, provide all logistic support, and conduct the public meeting(s) for Draft Watershed Plan-EIS review. The public meeting should be held no earlier than 30 days after the NOA is locally published. 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 review. See also NRCS National Environmental Compliance Handbook for additional guidance on conducting the public meeting for the Draft Watershed Plan-EIS.

Task 14: Prepare Preliminary(s) Final Watershed Plan-EIS The Contractor shall prepare the Preliminary Final Watershed Plan-EIS in accordance with the CEQ regulations, and this task will include the following:

1. Responses to Public Comments on Draft Final Watershed Plan-EIS. The Contractor, in coordination with the JBOC and the cooperating agencies, will prepare responses to public comments on the Draft Watershed Plan-EIS and provide 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 Final Watershed Plan-EIS.
2. The Contractor shall incorporate the approved revisions and responses to comments into a Preliminary Final Watershed Plan-EIS. Electronic copies of the Preliminary Final Watershed Plan-EIS will be submitted to the NRCS and cooperating agencies for review and approval.
3. The Contractor will prepare a full version Preliminary Final Watershed Plan-EIS for the JBOC and NRCS review and approval. The Preliminary Final Watershed Plan-EIS should show the contents, page layout, paper quality, cover quality, print quality, tables, graphics, photographs, and related appearance criteria. If necessary, an administrative review meeting will be held to resolve any open issues.

Task 15: Prepare Final Watershed Plan-EIS For Distribution. This task is completed in the same manner as the task for preparing the Draft Watershed Plan-EIS for distribution. Two (2) printed copies of the Final Watershed Plan-EIS, one digital copy with maps and graphics on a thumb drive in PDF format will be sent to the JBOC and NRCS. See also NRCS National Environmental Compliance Handbook for additional guidance on providing content and format for the Watershed Plan-EIS in Subpart D – Water Project Plan Content and Format.

Task 16: Prepare Availability Notice for Final Watershed Plan-EIS. The Contractor will provide the following support for preparation, filing, and notice of the Final Watershed Plan-EIS to the JBOC and NRCS, as necessary.

Task 17: Draft Finding of No Significant Impact (FONSI). 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 Final Watershed Plan-EIS. The JBOC, with the Contractor's assistance, will prepare the final FONSI and be responsible for the publication of its notice of availability locally.

Task 18: 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 Final Watershed Plan-EIS. 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 the JBOC.

Task 19: Prepare and Manage Schedule for Watershed Plan-EIS. The Contractor, with JBOC and NRCS assistance, shall develop a specific milestone schedule to complete the Watershed Plan-EIS 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 Watershed Plan-EIS as outlined in the tasks described above. The schedule will include, at a minimum, the milestones listed in Section VIII of this SOW. The JBOC will approve the schedule or recommend changes within 10 working days of receipt. The project schedule should reflect the JBOC's goal to complete the Final Watershed Plan-EIS document as soon as reasonably possible, with a target goal for filing the Draft Watershed Plan-EIS by July 30, 2024. This schedule will be used by the Contractor to manage work on the Watershed Plan-EIS and by the JBOC to monitor the progress of work monthly. 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 20: Prepare Monthly Progress Reports. The Contractor will be required to prepare and submit brief monthly progress reports on the status of the Watershed Plan-EIS to the NRCS's Contracting Officer. The monthly reports shall contain an accurate, up-to-date account of all major work accomplishments and outstanding issues. The report will include a list of remaining milestones to be accomplished. Completion of work will be documented in these progress reports. The first monthly progress report will be due one month after notice to proceed is given to the Contractor. Subsequent monthly progress reports will be due by the 15th of each month.

**The JBOC 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 JBOC and NRCS.

IX. BACKGROUND WORK

The Contractor will use existing data except for specific studies as needed to evaluate alternatives proposed in the Watershed Plan-EIS/Design. The NRCS and JBOC will furnish available project related information for the proposed alternative. The Contractor will use the information/data furnished to prepare the Description of the Proposed Alternative report. The Contractor shall assemble and review existing data describing the environmental resources, environmental conditions, historic and archeological properties, economy, and social structure of the areas to be potentially impacted. The Contractor shall use existing information from governmental agencies to the maximum extent possible. The information assembled must be sufficient to assess the environmental, historic, cultural, economic, and social values that will be affected, either beneficially or adversely, by the proposed alternative. Throughout this process, pertinent data gaps that have a bearing on the analyses shall be reported to the JBOC and NRCS immediately upon identification.

To establish the data for the Watershed Plan-EIS, 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 Watershed Plan-EIS process or be consulted about it such as, Bureau of Reclamation (BOR), State of Montana Department of Natural Resource and Conservation (DNRC), U.S. Fish and Wildlife Service (USFWS), Blackfeet Tribe, Natural Resources Conservation Service (NRCS), and other appropriate Federal, State and local agencies. The JBOC 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 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 the JBOC and 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 Montana NRCS State Economist or Liaison, 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 Watershed Plan-EIS.
5. **Cultural Resources.** In implementing as part of this Watershed Plan-EIS 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 Utah NRCS State 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, Blackfeet Tribe and relevant academic and local area sources. Relevant information from these documents must be included in the cultural resource sections of the Watershed Plan-EIS. 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 Watershed Plan-EIS 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, Bureau of Reclamation and State water resource agencies. Based upon information provided, maps and other descriptive information will be adapted by the Contractor and included in the Watershed Plan-EIS 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 Bureau of Reclamation (BOR) and the U.S. Fish and Wildlife Service (USFWS), when appropriate, to determine possible impacts to (i) any threatened or endangered species that are so listed.
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 to include the

identified target population(s) in the public participation plan.

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 along the St. Mary Canal 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 Watershed Plan-EIS to support the analysis of the extent, amount, and importance of any floodplains to be impacted by the proposed alternative.
11. **Mitigation.** While performing the analyses and evaluations required to complete the Watershed Plan-EIS, the Contractor shall notify the JBOC immediately of the identification of any potentially adverse impacts that could require the implementation of a mitigation measure(s).
12. **Maps.** The Contractor must obtain and/or adapt appropriate existing land use maps for inclusion in the Watershed Plan-EIS 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 assure 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 Watershed Plan-EIS.

X. SCHEDULE

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 Watershed Plan-EIS (Submittal No. 1) |
| 9 | Preliminary Draft Watershed Plan-EIS Progress Review Meeting |
| 10 | Preliminary Draft Watershed Plan-EIS (Submittal No.2) |
| 11 | Draft Notice of Availability for Draft Watershed Plan-EIS |
| 12 | Electronic copies of Draft Watershed Plan-EIS |
| 13 | File Draft Watershed Plan-EIS |
| 14 | Public Meeting(s) for Draft Watershed Plan-EIS |
| 15 | Draft Responses to Comments on Draft Watershed Plan-EIS |

| | |
|----|---|
| 16 | Progress Review Meeting to Finalize Responses to Draft Watershed Plan-EIS |
| 17 | Preliminary Final Watershed Plan-EIS |
| 18 | Draft Notice of Availability for Final Watershed Plan-EIS |
| 19 | Electronic copies of Final Watershed Plan-EIS |
| 20 | File Final Watershed Plan-EIS |
| 21 | Response to Final Watershed Plan-EIS Comments |
| 22 | Draft FONSI |
| 23 | Watershed Plan-EIS Administrative Record |

Should implementation of a subsequent phase be delayed, or document review times by the JBOC or NRCS 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.

XI. SUBMITTALS

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 JBOC. 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 Watershed Plan-EIS Submittal No. 1 |
| 7 | Preliminary Draft Watershed Plan-EIS Submittal No. 2 |
| 8 | Electronic copies of Draft Watershed Plan-EIS – original and 5 printed copies |
| 9 | Draft Notice of Availability (NOA) and news releases for Draft Watershed Plan-EIS |
| 10 | Summary Report of Public Meeting(s) and Transcript |
| 11 | Preliminary Draft Comment and Responses |
| 12 | Preliminary Final Watershed Plan-EIS |
| 13 | Draft NOA [and news release] for Final Watershed Plan-EIS |
| 14 | Electronic copies of Final WATERSHED PLAN-EIS -original and five (5) printed copies |
| 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 Final Watershed Plan-EIS |
| 19 | Monthly Progress Reports, due the 15 th of each month |
| 20 | Memo of All Meetings |

XII. NRCS AND JBOC PROVIDED ASSISTANCE

1. The following materials will be furnished by NRCS and/or the JBOC.
 - a. Contacts for further definition of proposed alternative/s.
 - b. 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 Watershed Plan-EIS documents
 - c. Assistance in developing a list of interested entities for Contractor's development of e-mailing lists.
 - d. Any studies, reports, or documents in the possession of the NRCS or the JBOC that may be useful to the Contractor in developing the "Affected Environment" section of the Watershed Plan-EIS.
 - e. Available electronic Files.
2. NRCS in coordination with the JBOC will provide consistency guidance throughout the process and certify that the document complies with the requirements of this SOW. Failure of the JBOC 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.
3. NRCS and the JBOC will provide technical review and concur on each phase of the Watershed Plan-EIS.
4. The Engineering Design Statement of work is attached for reference in preparation of the Watershed Plan-EIS and shall be followed for any design work needed to complete the Watershed Plan-EIS.

XIII. 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.

XIV. MISCELLANEOUS REQUIREMENTS

1. 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.
2. Release of Data. All data, reports, and materials contained or developed in this project shall not be

released without written approval of the NRCS.

3. Meeting Memoranda. The Contractor shall furnish a memorandum of each meeting held, summarizing any agreements or decisions reached. All memoranda shall be provided within five (5) workdays of the meeting.

XV. CONTRACT ADMINISTRATION

Jennifer Patrick will be the Project Manager/Contracting Office on this agreement and may be reached at (406) 945-3383 or jenn@mrjboc.com.

XVI. COMPENSATION FOR SERVICES

The JBOC intends to enter into a professional services contract with the successful firm. Compensation for the services rendered, is to be based upon a time-expended basis with an agreed maximum not to exceed value.

NOTE: The selection of the firm will not be based solely on the fee.

XVII. REQUIRED CONSULTANT QUALIFICATIONS

The sponsor, with NRCS concurrence, will obtain the services of professional staff meeting the following minimum criteria:

- Demonstrated knowledge of, and ability to successfully implement current planning procedures and policies of the NRCS National Watershed Planning Program resulting in the development of at least 1 NRCS authorized Watershed Plan-EA/EISs for the purpose of agricultural water management within the past 3 years.
- A minimum of five years of experience and demonstrated working knowledge of applicable Executive Orders, and other laws and regulations (e.g., National Historic Preservation Act, Endangered Species Act, Clean Water Act, Wild and Scenic Rivers Act, etc.).
- A minimum of five years of demonstrated experience working with Irrigation Districts in the successful development of irrigations system improvement plans.
- A minimum of five years of demonstrated experience with Public Affairs to include government relations, stakeholder engagement, media communications, information dissemination and strategic communications.
- Demonstrate staff capacity in the appropriate subject matters sufficient to carry out all activities identified under the Program Description in accordance with all relevant USDA/NRCS policies and procedures.

XVIII. EVALUATION CRITERIA AND SELECTION PROCESS

Selection of the successful firm will be based upon a matrix giving a predetermined value to each of the submissions required in this section. The award of contract will go to the consultant receiving the most points based on the following:

1. Qualifications of the firm (Staff strength & similarity of projects) (20 POINTS AVAILABLE)

2. Project Approach (20 POINTS AVAILABLE)
3. Past performance/references (20 POINTS AVAILABLE)
4. Evaluation of Sample Report from Previous Project (20 POINTS AVAILABLE)
5. Cost Proposal (20 POINTS AVAILABLE)

XIX. PROPOSAL FORMAT AND CONTENT

Proposals are to follow the format and are to contain information listed in this section. To be considered, proposals must address all the items listed in this section and adhere to page limitations.

1. Letter of transmittal introducing firm and nature of proposal.
2. Narrative items (Six pages maximum)
 - a. Project Team and Approach
 - b. Proposal must state commitment to the minimum timeframe.
3. Firm Experience and References (Two pages maximum)
 - a. List similar projects completed by firm (minimum two).
 - b. Provide names and telephone numbers for each of the projects listed.
4. Cost Proposal (Two pages maximum)
 - a. Provide cost of meeting the requirements of the Scope of Services in Section II.
 - b. Identify billing rates of each member of project team and number of hours required for project tasks as well as estimated direct charges.
 - c. Cost shall be reasonably itemized based on Scope of Services.
5. Appendices
 - a. Resumes (1 page per person) – Include principal-in-charge and key technical or professional personnel to be assigned to the project. Identify the role assigned for each person.
 - b. Provide copy of report from a previous project that is most similar to this project. Electronic pdf files on CD are an acceptable substitute for large reports.

XX. SUBMITTAL REQUIREMENTS

Date of Issuance: September 29, 2022

Questions Due: October 26, 2022

Due Date: November 11, 2022

Proposals shall be submitted by qualified consultants that have demonstrated verifiable experience in preparing Watershed Plans with an associated Environmental Impact Statements (“Watershed Plan-EIS”), executing project management, and conducting public outreach for similar irrigation projects as outlined in the scope of work described in this RFP.

The proposals shall be addressed to:

Wade Jones, Board Chairman
Milk River Irrigation Project Joint Board of Control
1475 1st Avenue
Havre, MT 59501

Proposals shall be submitted by email to jenn@mrjbc.com so that it is received not later than 5:00 P.M. on Friday, November 18, 2022.

All inquiries regarding the project and this RFP shall be directed to Jennifer Patrick, Project Manager, via telephone at (406) 945-3383, or, preferably, via email at jenn@mrjbc.com.

Inquiries regarding the RFP should be directed to Jennifer Patrick, Project Manager, via telephone at (406) 945-3383, or, preferably, via email at jenn@mrjbc.com. The Milk River Joint Board of Control reserves the right to award the contract to the highest ranked firm without further consideration or discussion. The Board reserves the right to reject any and all proposals received. The Board also reserves the right to waive any irregularity, informality, or technicality in the proposals in its best interest, and is not obligated to award a contract based upon the lowest price submission. If terms cannot be mutually agreed upon, the Board will enter into negotiations with the secondary engineer/firm.