

City of Ketchum, Idaho

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March 11, 2014

Mayor Jonas and City Councilors
City of Ketchum
Ketchum, Idaho

Ketchum Recreation & Public Purposes Update: Review of Meeting with BLM on March 5, 2014

Mayor Jonas and City Councilors:

Introduction/History

The City of Ketchum applied for a Recreation and Public Purposes (R&PP) patent in 2008 for an approximate total of 316 acres of land owned by the United States and administered by the Bureau of Land Management. Part of the yet to be adopted management plan for the patent includes creation of a River Park along the Big Wood River about two miles north of City limits adjacent to the Hulen Meadows subdivision.

The City's partner in the R&PP patent application is the Wood River Land Trust. Additionally, myriad stakeholders are engaged in multiple components of the patent including, but not limited to habitat restoration, flood mitigation, recreation and accessibility.

The City undertook a formal master planning effort for an "area of intense study" within what is commonly known as the North Parcel in July 2011. S2o Design and Engineering, a Lyons, Colorado firm specializing in Whitewater Park and river recreation planning, was hired in January 2012 to provide professional design and engineering to create a master plan for a river park known as the River Park at Sun Peak. The River Park at Sun Peak is a focused area of recreational use while the remainder of the R&PP properties' uses will remain largely as they are today.

Between application for an R&PP patent in 2008 and present, City staff and BLM staff continue to work on the R&PP process. Important benchmarks have occurred thus far:

- The City of Ketchum applied for a "patent" in 2008 for two parcels of land described above. A potential well site at Sun Peak Picnic Site was included in the original application.
- Amendments to the original Ketchum R&PP occurred in 2009 including recreation enhancements adjacent to the Hulen pond area. A white water

- park, a wheelchair accessible fishing pier, and a dog agility course were included. The dog agility course has since been removed.
- A “scoping open house” was performed by BLM in 2009.
 - At the request of BLM, the City undertook a “master planning” effort for a proposed “river park.” At present the proposed “River Park at Sun Peak” has undergone a design process to the 60% level involving stakeholder input and several public meetings. The final (100%) design is anticipated at some point during the summer of 2014 which includes jurisdictional permitting and design review through Blaine County.
 - The Ketchum R&PP and a land exchange between Wood River Land Trust and Blue Canyon Corporation were bifurcated in 2011 under the direction of the BLM State Director.
 - The City was informed that the “discretionary” Ketchum R&PP would be discontinued due to other litigation mandates in the state of Idaho and federal budget cuts in late 2012; however, due to a concerted effort by the City, its partners and stakeholders, federal congressional representatives, and the BLM, the process was continued
 - In January 2012, BLM State Director Steve Ellis suggested creating a “steering committee” comprised of BLM staff, City staff, and City contractors (legal and EA) for the purpose of discovering what needed to be done to continue the R&PP process under the National Environmental Policy Act (NEPA) process considering BLM constraints.
 - The steering committee met for the fifth and final time on July 15, 2013 and accomplished several key items including:
 - Continuation of the Environmental Assessment process (previously, this contract was frozen at Mayor Hall’s direction)
 - Finalization of a Memorandum of Understanding between the BLM and the City outlining roles and responsibilities, conditions, and procedures to be followed during the preparation of the environmental documentation process;
 - Securing a NEPA Review Contractor under an Administrative Support Agreement to perform the work of a BLM Interdisciplinary Team at the City’s cost (again, due to federal budget constraints);
 - Execution of a Final Design process led by S2o Design and Engineering.
 - Set schedule for follow-up conference calls between BLM and designated City points-of-contact.
 - The City of Ketchum contracted with S2o Design and Engineering for Environmental Assessment work in 2012. The EA contract is considered Contract Amendment #2 with S2o. Subcontractor GeoEngineers was performing most of the EA work. The contract was frozen in late 2012, however, when BLM indicated to the City that forward progress on the Ketchum R&PP was to be stalled indefinitely. Following a great deal of work by the BLM State Director’s Steering Committee, EA work resumed in early 2013.

- The City of Ketchum contracted for Final Design and Construction Documentation Services with S2o in late June 2013. The Final Design contract is considered Contract Amendment #3 with S2o. Final Design entails (1.) Preliminary design of the River Park at Sun Peak, (2.) Preliminary Design Report, (3.) Client Meeting (presentation of the preliminary design (60% Design) for review and approval in anticipation of submission for permitting), (4.) Permitting, (5.) Final Design and, (6.) Construction Documentation.
- The City of Ketchum committed funds to hire a NEPA Review Contractor (hired and supervised by BLM) to provide review services for the Environmental Assessment document. The NEPA Review Contractor replaces a BLM in-house Interdisciplinary Team (IDT) of scientists who typically review EA work. BLM indicated to the City that it did not have resources to provide an IDT but that a NEPA Review contracting firm is the next best standard alternative. The BLM selected AECOM through a competitive bidding process as its Review Contractor.
- *Environmental Assessment and NEPA Review Contractor update:* The target date for completion of the Environmental Assessment document was August 6, 2013; however, the EA was officially completed on August 19. Chapters of the EA were reviewed by City staff and legal director, Cherese McLain. EA chapters were also being given a cursory review by NEPA Review contractor, AECOM, prior to the EA's full completion. The NEPA Review Contractor completed its review of the EA document on Friday, August 30. The EA document has also been reviewed by several BLM staffers and a representative from the U.S. Army Corps of Engineers. Discrepancies were identified by reviewing parties using "track changes" in the Word document. These discrepancies will be addressed by the EA contractor (GeoEngineers) and NEPA Specialist for the Idaho State BLM Office, Eric Mayes. GeoEngineers requested more time to work through the comments and submit a further edited document. Once the draft EA is approved by BLM, it will be released for a 30 (thirty) day public comment period. Comments will be assimilated and vetted prior to BLM making its final determination of whether to approve the EA.

The target date for returning the revised EA document to BLM was January 15, 2014. The second EA draft was submitted to BLM and updated information is listed in the "current report" section of this report.

- *Final Design process:* Following a kick-off meeting between the Final Design contractor (S2o Design and Engineering) and the City (represented by this author) that occurred on July 2, 2013, several design meetings have occurred with the design team and client (again, represented by this author). Design team meetings are ongoing following

the unveiling of the 60% design level drawings and concepts through to final design.

Invoices for both design and environmental assessment contracts are currently being submitted to the City to fulfill each contract.

An informational presentation to the Blaine County Board of Commissioners took place in Hailey on December 12, 2013. The last Ketchum R&PP update to City Council was presented on January 21, 2014.

City Council formally approved the 60% design document in January 2014 with the understanding that, working toward Final Design, the design team intends to incorporate public feedback according to best management practices, budget, and feasibility. It is anticipated that a final design will be presented in a public forum sometime during summer 2014.

At this point in time between 60% drawings and final design, the S2o design team has removed elements requiring potable and/or irrigation water (children's play area, landscape screening, drinking fountain). Additionally, the team has worked with the Idaho Transportation Department (ITD) and Blaine County Recreation District (BCRD) on changes to the east parking lot (adjacent to Highway 75) in accordance with ITD's and BCRD's right-of-way interests as well as design changes to the west parking lot (north of the pond) to accommodate public design input.

Current Report

A second revised Environmental Assessment document was submitted to BLM by GeoEngineers in January; however, City Attorneys found discrepancies regarding the EA review process as outlined in an MOU previously signed by the City and BLM. A letter to BLM initiating dispute under MOU was delivered to BLM on February 21, 2014 (attached) which led to a meeting in Boise on March 5, 2014 between BLM and City officials. The meeting's contents will be shared at the City Council meeting on March 17, 2014 following an update telephone call from BLM to Mayor Nina Jonas scheduled for Friday, March 14, 2014.

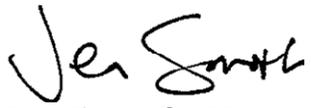
Financial Requirement/Impact

No financial requirement is necessary at this time. City Council will be updated on costs thus far and contracts outstanding for the Ketchum R&PP since 2008.

Recommendation

No recommendation at this time.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jen Smith". The letters are cursive and fluid.

Jennifer L. Smith
Director of Parks & Recreation