

Appendix D

Consultation with South Dakota GFP on Threatened and Endangered Species



Environmental Review Report

Project Information

Report Generation Date: 4/6/2021 09:22:56 AM
Project ID: 2021-04-06-067
Project Title: Rapid City Shooting Range
User Project Number(s):
Project Type: Parks and Recreation Areas, Recreation area development and maintenance
Project Activities: Rifle and archery ranges
County(s): Meade
Township/Range/Section(s): 003N008E3; 004N008E34
Watershed(s) HUC8: None
Latitude/Longitude: 44.262196 / -103.145715

Contact Information

Organization: South Dakota Department of Game, Fish and Parks
Contact Name: Graham Larson
Contact Phone: 605-773-4675
Contact Email: graham.larson@state.sd.us
Contact Address: 523 E Capitol Pierre SD 57501
Submitted On Behalf Of:

Project Description

We are looking to develop a rifle, pistol, and shotgun shooting range on this piece of property. It will have multiple bays for rifle and pistol shooting from 25 yards to 200 yards. We will also have an area for shooting up to 1,000 yards. This place will also be including multiple shooting bays for competition shooting and LE training. We do not have a final design as of yet but each bay will have approximately 10-20 foot dirt berms built to contain bullets. The 1,000 yard part of the range will use natural berms in the hill sides to contain bullets.



Introduction

The vision of South Dakota Department of Game, Fish and Parks (SDGFP) is to conserve our state's outdoor heritage to enhance the quality of life for current and future generations. SDGFP has a state-wide mission to manage wildlife and the habitats upon which they depend for their ecological values and enjoyment by the citizens of South Dakota and visiting publics. SDGFP strives to prevent or minimize unnecessary damage to species and their habitats by offering possible mitigation measures or alternative project actions.

Disclaimer

The information provided in this report can only be used as a site clearance letter if no conflicts with sensitive wildlife resources were detected. This information provides an indication of whether or not public or protected lands and sensitive resources are known or likely to be located near the proposed project's location. The information generated in this report does not replace Endangered Species Act consultation obligations with the U.S. Fish and Wildlife Service (USFWS) for federal listed species.

A majority of the sensitive species records in the report originate from the South Dakota Natural Heritage Database (SDNHD). The SDNHD tracks species at risk and certain unique habitats. These species may be monitored because they are rare, indicative of a vulnerable habitat type, or are legally designated as state or federal threatened or endangered species. Rare species are those that are declining and restricted to limited habitat, peripheral to a jurisdiction, isolated or disjunct due to geographic or climatic factors or classified as such due to lack of survey data. A list of monitored species can be found at <https://gfp.sd.gov/natural-heritage-program/>. Many places in South Dakota have not been surveyed for rare or protected species and habitats and the absence of a species from a proposed project area does not preclude its presence. **Accuracy of species lists, report information and project recommendations should be verified after 90 days.**

No environmental conflicts were detected by South Dakota Game, Fish and Parks for your proposed project. This report is considered final, and can serve as documentation for environmental clearance from South Dakota Game, Fish and Parks. This report does not replace coordination with the US Fish and Wildlife Service for Endangered Species Act compliance.



Project Type Recommendations

Revegetation

- Disturbance to native vegetation should be kept to a minimum.
- Any disturbed area should be revegetated using native seed sources.
 - The Natural Resources Conservation Service Plant Materials Center in Bismarck, ND may serve as a good source of information on native plantings (<http://plant-materials.nrcs.usda.gov/ndpmc/>).
- Develop a long-term plan for preventing the introduction or establishment of non-native/invasive flora (plants) within the development and identify the financial means to do so for the duration of the project.

A bald eagle nest was located near the proposed project. South Dakota Game, Fish and Parks recommends a 0.5 mile buffer from active bald eagle nests during the nesting season (February - August).

Legal Obligations

South Dakota Endangered and Threatened Species Law

This state law (Chapter 34A-8) defines nongame, threatened and endangered species and wildlife and describes the relevant authorities of the Game, Fish and Parks Secretary and Commission. The SDGFP Commission may list, delist or change the status of state threatened or endangered species. The Secretary shall conduct investigations to address information needs on population, distribution, habitat needs, limiting factors and other data gaps to ensure these species are managed in perpetuity. Take of state threatened or endangered species is prohibited except for certain, authorized purposes or to protect life or property. This state law also prohibits the reintroduction of a species on the federal list of threatened or endangered species that is considered extirpated from the state, unless authorized by the South Dakota Legislature. More information about obtaining a state endangered take authorization is available here:

<https://gfp.sd.gov/forms/endangeredspecies/>

Aquatic Invasive Species

South Dakota Administrative Rule 41:10:04:02 forbids the possession and transport of aquatic invasive species (AIS). Any construction vehicles, vessels, or equipment that will come into contact with surface waters in South Dakota that have previously been used outside of the state or in and AIS positive water within South Dakota must be thoroughly power washed with hot water (>140°F) and completely dried for a minimum of 7 days prior to use. All attached dirt, mud debris and vegetation must be removed and all compartments and tanks capable of holding standing water shall be drained and dry. This applies, but is not limited to, all equipment, pumps, lines, hoses and holding tanks. The list of AIS positive waters is available



at <http://sdleastwanted.com/maps/default.aspx> or by calling 605-223-7706.

Federal Laws

The following federal laws contribute to the conservation and management of fish and wildlife resources in the United States: Endangered Species Act, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, Clean Water Act, and the Fish and Wildlife Coordination Act. The National Environmental Policy Act (NEPA) requires compliance with these statutes and regulations.

Contact Information

U.S. Fish and Wildlife Service, Ecological Services Field Office 420 S. Garfield Ave, Suite 400
Pierre, South Dakota 57501 605-224-8693

U.S. Army Corp of Engineers, South Dakota Regulatory Office 28563 Powerhouse Road
Pierre, South Dakota 57501 605-224-8531

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under this federal act, “take of eagles, their parts, nests or eggs is prohibited unless a permit is issued for certain purposes and under certain circumstances as long as the authorized take is compatible with the preservation of eagles. Disturbance resulting in injury, decreased productivity, or nest abandonment by substantially interfering with normal breeding, feeding or sheltering behavior is also considered take. This report does not replace consultation with the USFWS regarding the protection of bald and golden eagles. Eagle nests are protected under this law, whether active or inactive.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (16 U.S. C. 703-712) provides international protection to migratory bird species included in treaties among the United States, Great Britain, Mexico and Japan. This federal act prohibits the taking, killing, possession and transportation (among other actions) of migratory birds, their eggs, parts, and nests, unless specifically permitted by regulations. This act has no provisions for allowing unauthorized take. Effective steps can be taken to avoid take of migratory birds. Work closely with the USFWS to identify protective measures to avoid migratory bird take. A list of migratory bird species protected under this act can be found at 50 CFR 10.13. Introduced bird species are not protected under this Act. This report does not replace consultation with the USFWS regarding the protection of migratory bird species.

Endangered Species Act

The Endangered Species Act (16 U.S.C. 1531–1544) provides protections for native plant and



animal species that are in danger of becoming extinct. Under Section 9, it is unlawful for the “take” of a listed species. This is defined as “... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct”. However, a permit may be issued for take that is the result of an otherwise legal activity. Please contact the USFWS to determine if a permit is needed.

The USFWS is in charge of the protection of listed species and their critical habitat. Similarly, other federal agencies are also directed to conserve listed species and ensure their actions do not jeopardize a listed species existence or destroy or adversely modify critical habitat. As such, under Section 7, federal agencies should consult with the USFWS to ensure compliance with this Act. This report does not replace consultation with the USFWS regarding listed species.

Clean Water Act

The intent of the Clean Water Act (33 U.S.C. 1251 et seq.) is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters”. SDGFP has concerns for any impacts to wetlands, streams and riparian habitats from development. We recommend that proper planning take place to first and foremost avoid impacts to wetlands, streams, and associated riparian corridors. If dredge or fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office should be contacted to determine if a 404 permit is needed.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (15 U.S.C. 661-667e) provides habitat protection by requiring a federal agency to consult with the USFWS and SDGFP (i.e. the state fish and wildlife agency) whenever an agency is proposing to control or modify a stream or other body of water. The intent of this consultation is to conserve wildlife resources by preventing habitat loss or damage. If control or modification of a water body is proposed, please begin consultation with the USFWS and SDGFP.

Table 1. Special Status Species Documented within 800 Meters of Project Vicinity

Scientific Name	Common Name	Taxonomic Group	Federal Status	State Status	Global Rank	State Rank	SGCN	Last Obs Date
Fundulus sciadicus	Plains Topminnow	Fish			G4	S3		

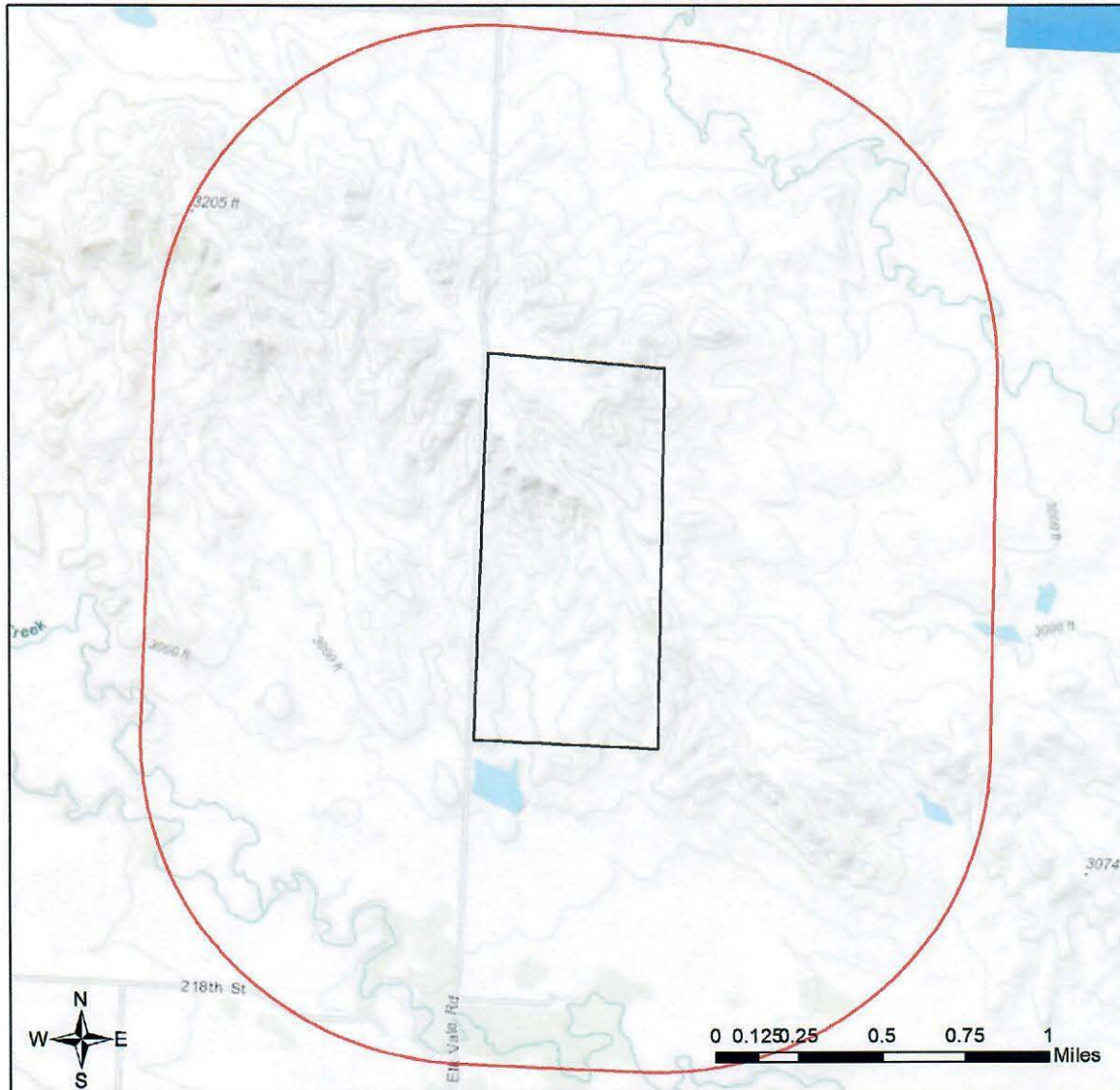
To update this text, see Admin - Report Texts - Static - project-report-footnote-table-1

No Protected Lands were detected within the project vicinity.



Rapid City Shooting Range

Topo Basemap with Land Ownership, Tribal Lands, and Locator Map



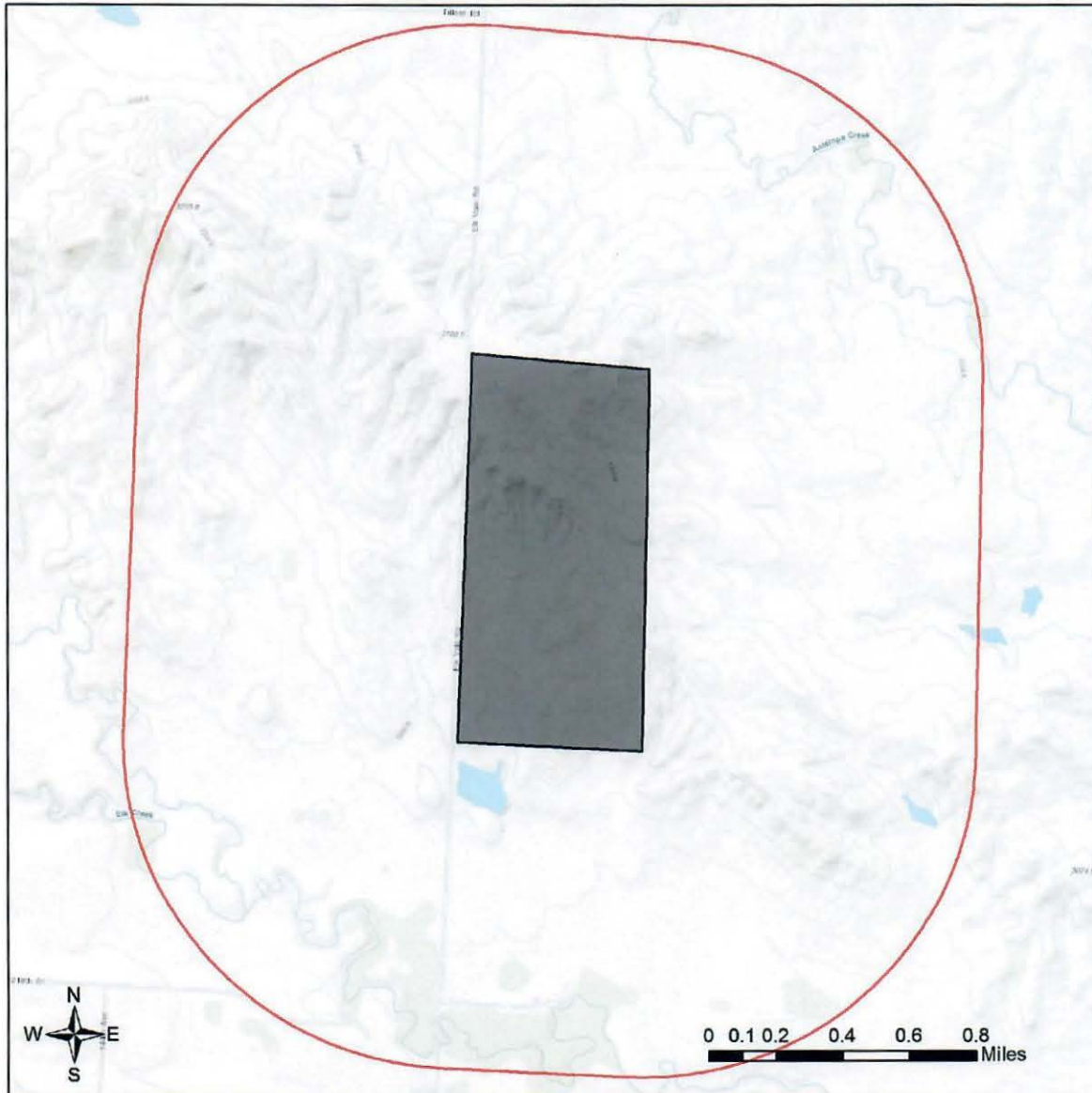
- | | |
|------------------------------|---------------------------|
| Project Boundary | National Grassland |
| Buffered Project Boundary | Bureau of Land Management |
| Game Production Areas | Bureau of Reclamation |
| SD Parks and Rec Areas | Corps of Engineers |
| School and Public Lands | National Park Service |
| The Nature Conservancy Lands | USFWS Wildlife Refuge |
| Federal Lands | Waterfowl Production Area |
| National Forest | |



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Rapid City Shooting Range
Web Map As Submitted By User



- Project Boundary
- Buffered Project Boundary

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS

523 EAST CAPITOL AVENUE | PIERRE, SD 57501

April 12, 2021

Graham Larson
South Dakota Game, Fish and Parks
523 East Capitol Ave
Pierre, SD 57501

RE: Rapid City Shooting Range
Construction of a New Shooting Range
Pennington County, South Dakota

Dear Graham,

The Department of Game, Fish and Parks has reviewed the above project involving the construction of a new shooting range north of Rapid City in Pennington County, South Dakota.

We have conducted a search of the SD Natural Heritage Database for the above referenced project. This database monitors species at risk, specifically those species that are legally designated as threatened, endangered or rare. We did not find any occurrences of endangered, rare or threatened species in the immediate project area.

Based on the information provided, there is no anticipated significant impact to fish and wildlife resources.

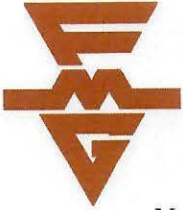
If you have any questions, please feel free to contact me at 605-773-6208.

Sincerely,

Hilary Morey
Environmental Review Senior Biologist
523 East Capitol Avenue
Pierre, SD 57501
hilary.morey@state.sd.us



Appendix E
Army Corps of Engineers
Correspondence



November 30, 2021

Jeffrey L. Breckenridge, P.E.
Regulatory Project Manager
U.S. Army Corps of Engineers
South Dakota Regulatory Office
(Via Email to: Jeff.L.Breckenridge@usace.army.mil)

**RE Preliminary Wetland Information
GF&P Rapid City Firearms Range Complex
Meade County, SD**

Dear Jeff:

The South Dakota Game, Fish & Parks (GF&P) is proposing to construct a new firearms shooting range complex on about 400 acres of land off Elk Vale Road, 11-miles north of Interstate 90. More specifically, the site is comprised of the NW ¼ & SW ¼ of Section 34 – T4N, R8E, Government Lot 3 and 4 of Section 3 – T3N, R8E, BHM, Meade County, SD.

The land is currently owned by the SD Park & Wildlife Foundation, 523 East Capitol Ave, Pierre SD, 57501. It is our understanding that the property will be transferred to the State of South Dakota, Game, Fish & Parks in the near future.

We have not had a chance to schedule a pre-submittal meeting or site visit with you for this project. Nevertheless; a Jurisdictional Determination for the project is requested for the site.

Figure 1 shows the existing resources as mapped by the National Wetland Inventory and the drainages for which Jurisdictional Determination are requested. Figure 2 shows the corresponding tributary description segments that are described below.

No development is proposed in or around the other drainages or tributaries shown in Figure 1.

The below described items were evaluated by FMG staff field observation on November 16, 2021 along with a desktop review of aerial imagery, NRCS soil data, and National Wetland Inventory data. See Figure 2 for the location of each item.

Tributary 1

Tributary 1 is an ephemeral stream that drains from north to south.

The drainage area upstream of the point that Tributary 1 drains into the stock dam on the south property line is about 224 acres in size. The upstream basin is undeveloped range land. Soils in the immediate area of the mouth of the stock dam are silty clay loam. The remaining upstream basin soils are clay. Based on an NRCS Curve Number of 89 (*HSG D soil with poor grass cover*), runoff from typical day to day precipitation events would be zero. Calculations indicate that there would be no runoff for a 24-hour storm up to about 0.40" in depth and therefore the day to day water budget available to support wetlands is low. Flows to the entire Tributary 1 are judged to be infrequent, of low volume, and of short duration.



Tributary 1 - Segment 1 (T1S1)

Segment 1 is related to the stock pond at the south end of the Tributary 1. Please note that the JD is only requested for that portion of the stock pond that is located on the project site. This would be the “thumb” of the pond and any portion of the high water pool that may extend onto the subject property.

It is assumed the USACE will declare the area to be Jurisdictional up to the overflow elevation of the pond even through though a review of aerial photos indicates the pool elevation varies frequently. Hydrophytic vegetation limits are judged to equal the overflow elevation of the pond. Water rarely reaches the high water level and no hydrophytic vegetation was observed beyond the high water mark.

Tributary 1 - Segment 2 (T1S2)

Portions of Segment 1 have an observable “bed and bank” drainage path. There are no areas of hydrophytic vegetation observed outside of the “bed and bank” drainage path. Top width of the “bed and bank” varies and is estimated at about 10’ average width.

The NRCS Websoil survey indicates that soils in Segment 2 are Partially Hydric (1-25%).

Tributary 1 - Segment 3 (T1S3)

Segment 3 is characteristic of an upland swale but does contain isolated erosional features areas.

No “Bed and bank” channels were observed in Segment 3. No hydrophytic vegetation was observed in Segment 3.

The NRCS Websoil survey indicates that soils in Segment 3 are Non-Hydric.

Unidentified Stock Pond

There is a small stock pond located within the drainage basin of Tributary 1. The dam is disconnected from the tributary. There are no adjacent wetlands related to this pond.

Tributary 2

Tributary 2 is an ephemeral stream that drains from northwest to southeast into a stock dam.

The drainage area upstream of the point that Tributary 2 drains into the stock dam on the east property line is about 90 acres in size. There is also a very small stock dam near the head of the tributary that only has a contributory area of 6 acres. The upstream basin is undeveloped range land. Soils in the upstream basin are clay. Based on an NRCS Curve Number of 89 (*HSG D soil with poor grass cover*), runoff from typical day to day precipitation events would be zero. Calculations indicate that there would be no runoff for a 24-hour storm up to about 0.40” in depth and therefore the day to day water budget available to support wetlands is low. Flows to the entire Tributary 2 are judged to be infrequent, of low volume, and of short duration.



Tributary 2 - Segment 1 (T2S1)

Segment 1 is related to the stock pond at the southeast end of the Tributary 2. Please note that the JD is only requested for that portion of the stock pond that is located on the project site.

It is assumed the USACE will declare the area to be Jurisdictional up to the overflow elevation of the pond even though a review of aerial photos indicates the pool elevation varies frequently. Hydrophytic vegetation limits are judged to equal the overflow elevation of the pond. Water rarely reaches the high water level and no hydrophytic vegetation was observed beyond the high water mark.

Tributary 2 - Segment 2 (T2S2)

Portions of Segment 2 have an observable "bed and bank" drainage path. There are no areas of hydrophytic vegetation observed outside of the "bed and bank" drainage path. Top width of the "bed and bank" varies and is estimated at about 10' average width.

The NRCS Websoil survey indicates that soils in Segment 2 are Non-Hydric.

Tributary 2 - Segment 3 (T2S3)

Segment 3 is characteristic of an upland swale but does contain isolated erosional features areas. There is also a small manmade stock pond close to the upper limit of the basin.

No "Bed and bank" channels were observed in Segment 3. No hydrophytic vegetation was observed in Segment 3 drainage path.

Hydrophytic Vegetation was observed within the small manmade stock pond. There were no wetlands or hydrophytic vegetation observed adjacent to this small pond area.

The NRCS Websoil survey indicates that soils in Segment 3 are Non-Hydric.

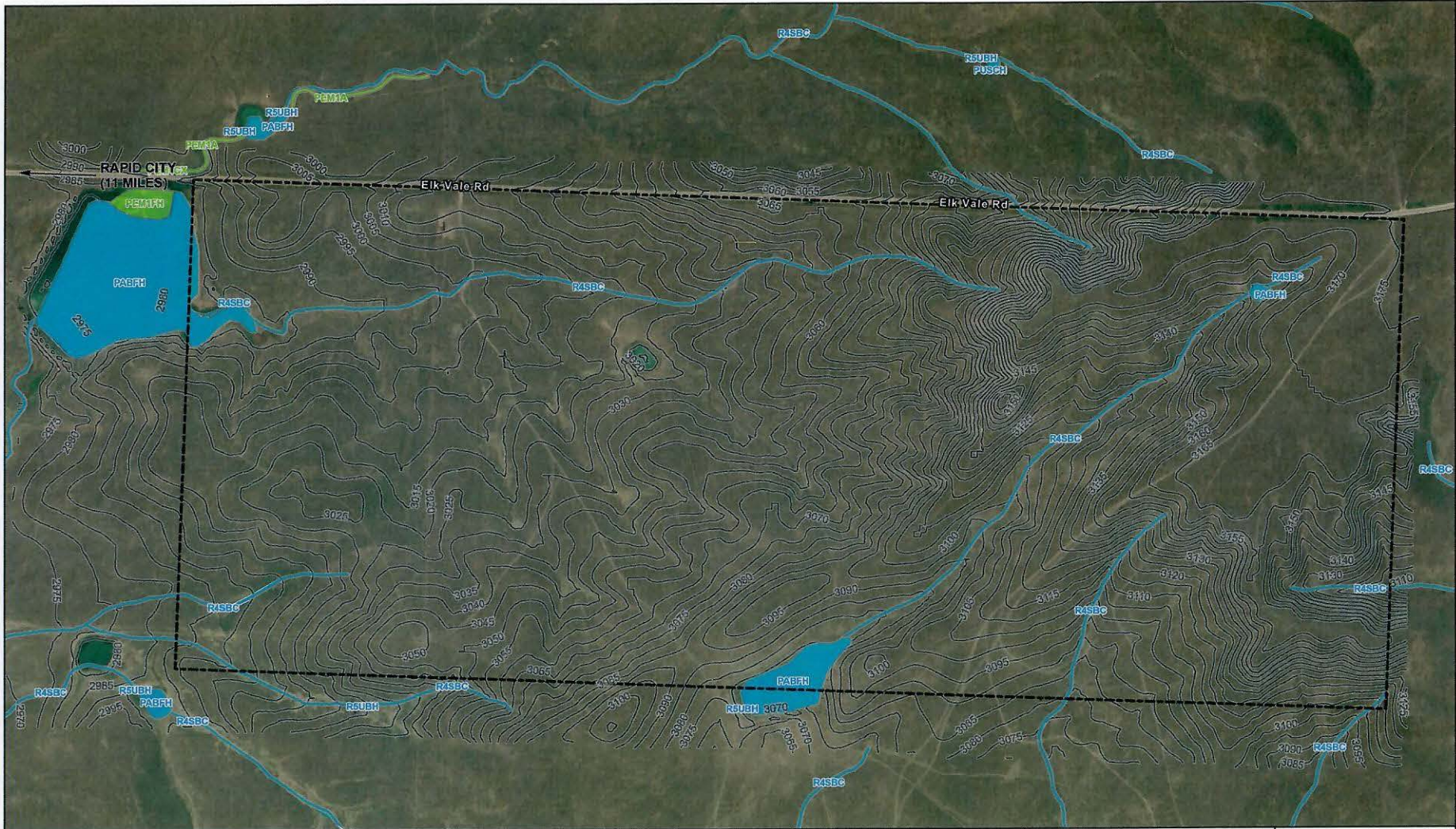
Please let me know if you need further information. We would be happy to schedule a meeting or site visit at your convenience.

Sincerely,
FMG Engineering

Jason Pettyjohn P.E.

Attachments

CC JLG Architecture
GF&P
File 211065



File Number: _____
 Location: _____
 Surveyed By: _____
 Date: _____
 Drawn By: _____
 Checked By: _____

November 2021

JLG-Rapid City Firearms Range Complex
 Sturgis, SD 57785

Revision / Date

Sheet Name:

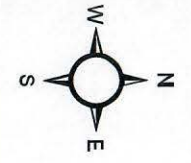
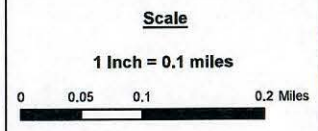
FIGURE 1
 (NWI RESOURCES)

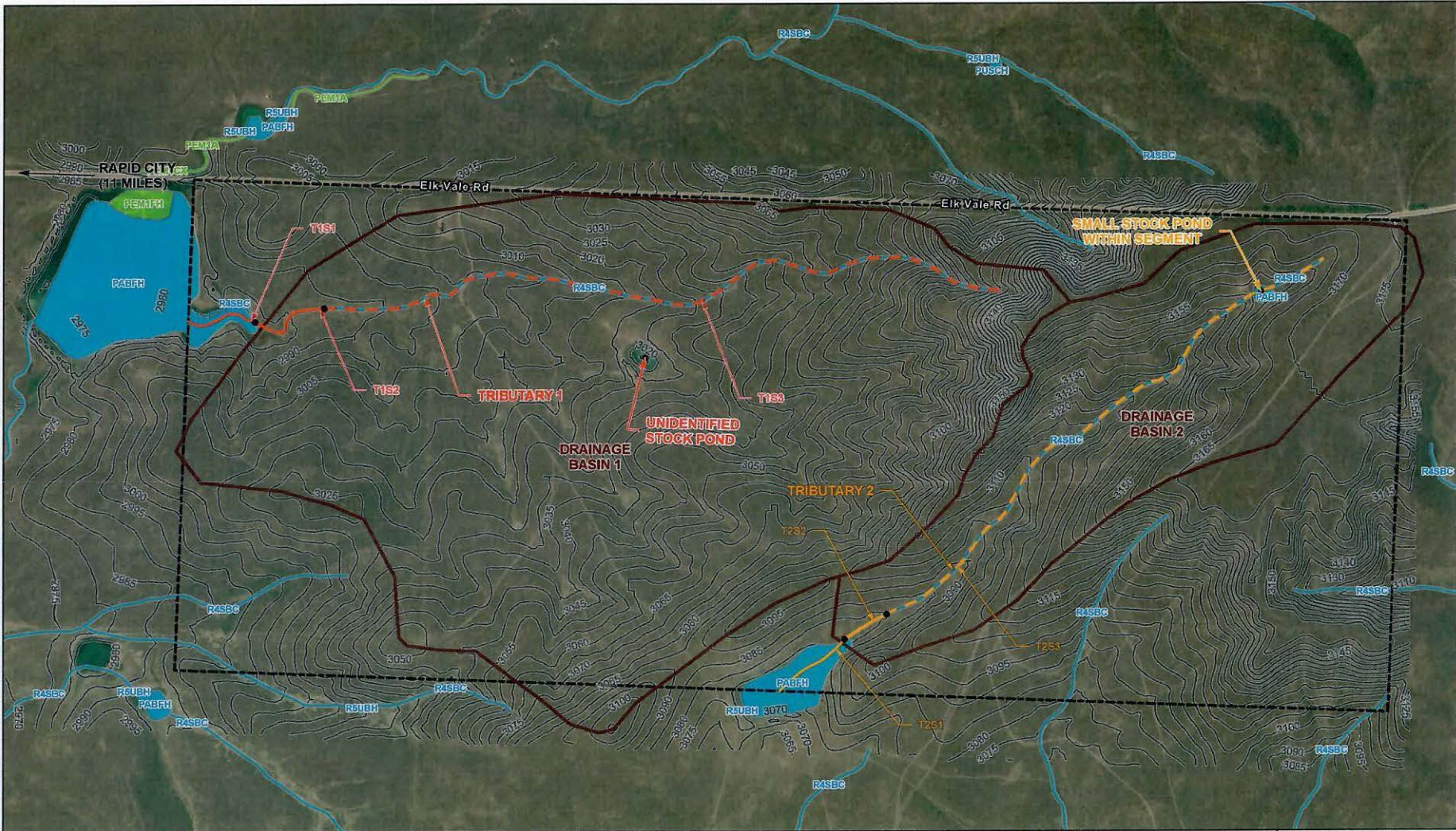
RAPID CITY FIREARMS RANGE COMPLEX

LEGEND

--- PARCEL BOUNDARY / SITE LIMITS

- WETLAND TYPE**
- FRESHWATER EMERGENT WETLAND
 - FRESHWATER FORESTED/SHRUB WETLAND
 - FRESHWATER POND
 - LAKE
 - RIVERINE





File Number:	
Location:	
Surveyed By:	
Date:	
Drawn By:	
Checked By:	

November 2021

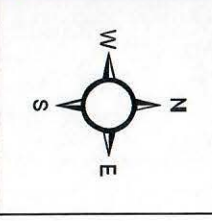
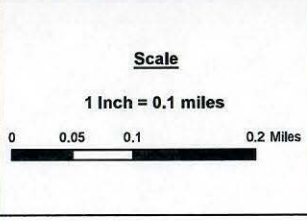
Rapid City Firearms Range Complex
 Meade County

Revision / Date	
Sheet Name:	

FIGURE 2
 (DELINEATED FEATURES)

RAPID CITY FIREARMS RANGE COMPLEX
 NW 1/4 & SW 1/4 OF SECTION 34 - T4N, R8E, GOVERNMENT LOT 3
 AND
 4 OF SECTION 3 - T3N, R8E, BHM, MEADE COUNTY, SD

LEGEND	
	PARCEL BOUNDARY / SITE LIMITS
	S1 STREAM (ASSUMED JURISDICTIONAL)
	S2 STREAM (ASSUMED NOT JURISDICTIONAL)
	S3 STREAM (ASSUMED NOT JURISDICTIONAL)
	DRAINAGE BASIN BOUNDARY





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

January 26, 2022

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

South Dakota Game, Fish & Parks
Attn: John Kanta
4130 Adventure Trail
Rapid City, South Dakota 57702

Dear Mr. Kanta:

Reference is made to the information received January 13, 2022, concerning Section 404 of the Clean Water Act permit requirements. The review area is located in the west half of Section 34, Township 4 North, Range 8 East, Meade County, South Dakota.

Based on the information provided and a site visit conducted, we have determined that there are no waters of the United States (i.e. jurisdictional waters) located within the review area. Therefore, activities within the review area are not subject to Department of the Army regulatory authorities and no permit pursuant to Section 404 of the Clean Water Act is required from the Corps of Engineers.

An approved jurisdictional determination (JD) has been completed for your project. This JD is valid for 5 years from the date of this letter. The JD is enclosed and also may be viewed at our website. The link to the website is shown below. The JD will be available on the website within 30 days. If you are not in agreement with the JD, you may request an administrative appeal under Corps of Engineers regulations found at 33 C.F.R. 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal form (RFA). Should you decide to submit an RFA form, it must be received by the Corps of Engineers Northwestern Division Office within 60 days from the date of this correspondence (by March 27, 2022). It is not necessary to submit a RFA if you do not object to the JD.

You can obtain additional information about the Regulatory Program from our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

If you have any questions, please feel free to contact this office at the above Regulatory Office address, or telephone Jeff Breckenridge at (605) 222-5098 and reference action ID NWO-2022-00097-PIE.

Sincerely,

A handwritten signature in cursive script that reads "Steven E. Naylor".

Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures

cc:
FMG Engineering (Hines)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD
PIERRE, SD 57501

March 24, 2022

SUBJECT: Nationwide Permit Verification, NWO-2022-00097-PIE, SD GF&P Rapid City Firearms Range Complex

South Dakota Game, Fish & Parks
Attn: Kevin Robling
523 East Capitol Avenue
Pierre, South Dakota 57501

Dear Mr. Robling:

This letter is in response to your March 11, 2022 Pre-construction Notification (PCN), requesting Department of the Army (DA) Nationwide Permit (NWP) verification for the above-referenced project. The project site is located at Latitude 44.2543°, Longitude -103.1481°; Section 3, Township 3 North, Range 8 East, Meade County, South Dakota.

For the above-referenced project you propose to permanently discharge fill material into 0.030-acre of wetlands in order to construct an access road.

The U.S. Army Corps of Engineers (Corps) regulates the discharge of dredged and fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). The Corps' regulations are published in the *Code of Federal Regulations* at 33 CFR parts 320 through 332. NWPs are defined in the *Federal Register* published on December 27, 2021 (86 FR 73522). Based on a review of the information you furnished and available to us, we have determined the above referenced work requires DA authorization under Section 404 of the CWA.

Based upon the information you provided, we hereby verify that the work described above is authorized by NWP 14 – Linear Transportation Projects. Please note that deviations from the original plans and specifications of your project could require additional authorization from this office. This NWP and associated Regional and General Conditions are enclosed and can be accessed on our website at: <https://www.nwo.usace.army.mil/Missions/Regulatory-Program/South-Dakota/>. Failure to comply with the General and Regional Conditions of this NWP, or the project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization and you may be subject to appropriate enforcement action. You shall comply with all terms and conditions associated with this NWP.

Unless this NWP is suspended, modified, or revoked, it is valid until **March 14, 2026**. It is incumbent upon you to remain informed of changes to this NWP. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization as per 33 CFR 330.6(b). Any project specific conditions listed in this letter continue to remain in effect after the NWP verification expires unless the district engineer removes those conditions.

To assist in your compliance with NWP General Condition 30, enclosed is a "Compliance Certification" form, which shall be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the terms and conditions of the NWP. Activities completed under the authorization of an NWP which was in effect at the time the activity was completed continue to be authorized by that NWP.

Authorizations under this NWP does not relieve permittees from obtaining permits or other authorizations from any required federal, state, or local agency.

If you have any questions, please contact Jeff Breckenridge via email at jeff.l.breckenridge@usace.army.mil, by mail at the address above, or by phone at (605) 222-5098.

Sincerely,



Steven E. Naylor
Regulatory Program Manager,
South Dakota

2 Enclosures

1. NWP Fact Sheet with Regional and General Conditions
2. Compliance Certification

cc:

FMG Engineering (Hinds)

COMPLIANCE CERTIFICATION

Corps File Number: NWO-2022-00097-PIE
Permit Type: Nationwide Permit 14
Name of Permittee: South Dakota Game, Fish & Parks, Kevin Robling
County: Meade County
Date of Issuance: March 24, 2022
Corps Project Manager: Jeff Breckenridge

Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following:

SDRegulatoryMailbox@usace.army.mil

OR

U.S. Army Corps of Engineers, Omaha District
South Dakota Regulatory Office
28563 Powerhouse Road
Pierre, SD 57501

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the conditions of this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Appendix F
FEMA National Flood Hazard Layer
FIRMette

National Flood Hazard Layer FIRMette



103°9'13"W 44°15'39"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRRI PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, AE3
- With BFE or Depth Zone AE, AO, AH, VE, AP
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile

OTHER AREAS OF FLOOD HAZARD

- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMBS
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- 202 Water Surface Elevation
- 17.5 Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

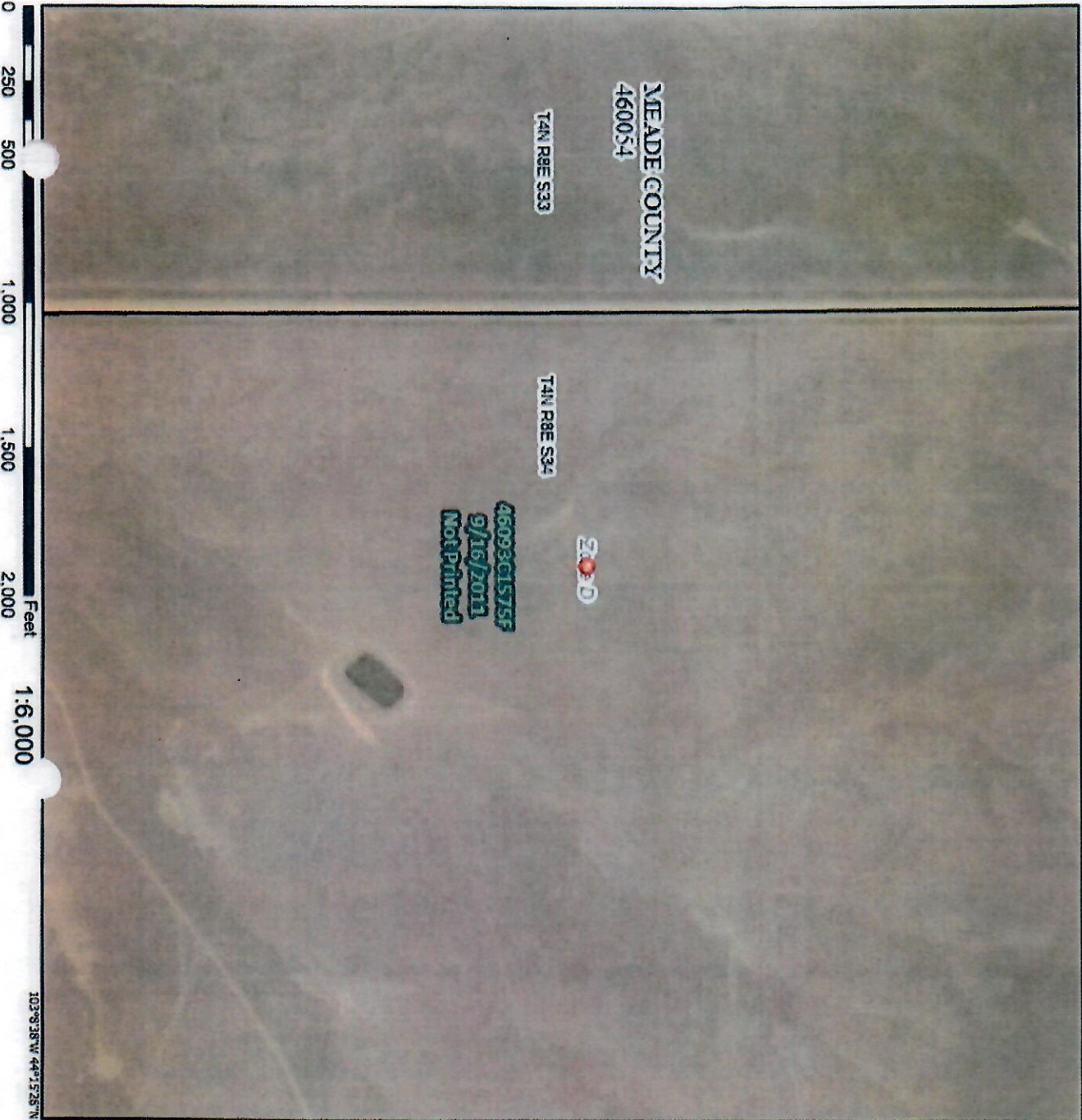
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/7/2022 at 3:38 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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National Flood Hazard Layer FIRMette

103°15'17"W 44°15'53"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRMI PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, X, AP With BFE or Depth Zone AE, AO, AH, VE, AP Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee Zone A

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs
- Area of Undetermined Flood Hazard Zone X

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall
- 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
 - No Digital Data Available
 - Unmapped
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

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National Flood Hazard Layer FIRMeTte

103°9'11"W 44°16'11"N



Legend

SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

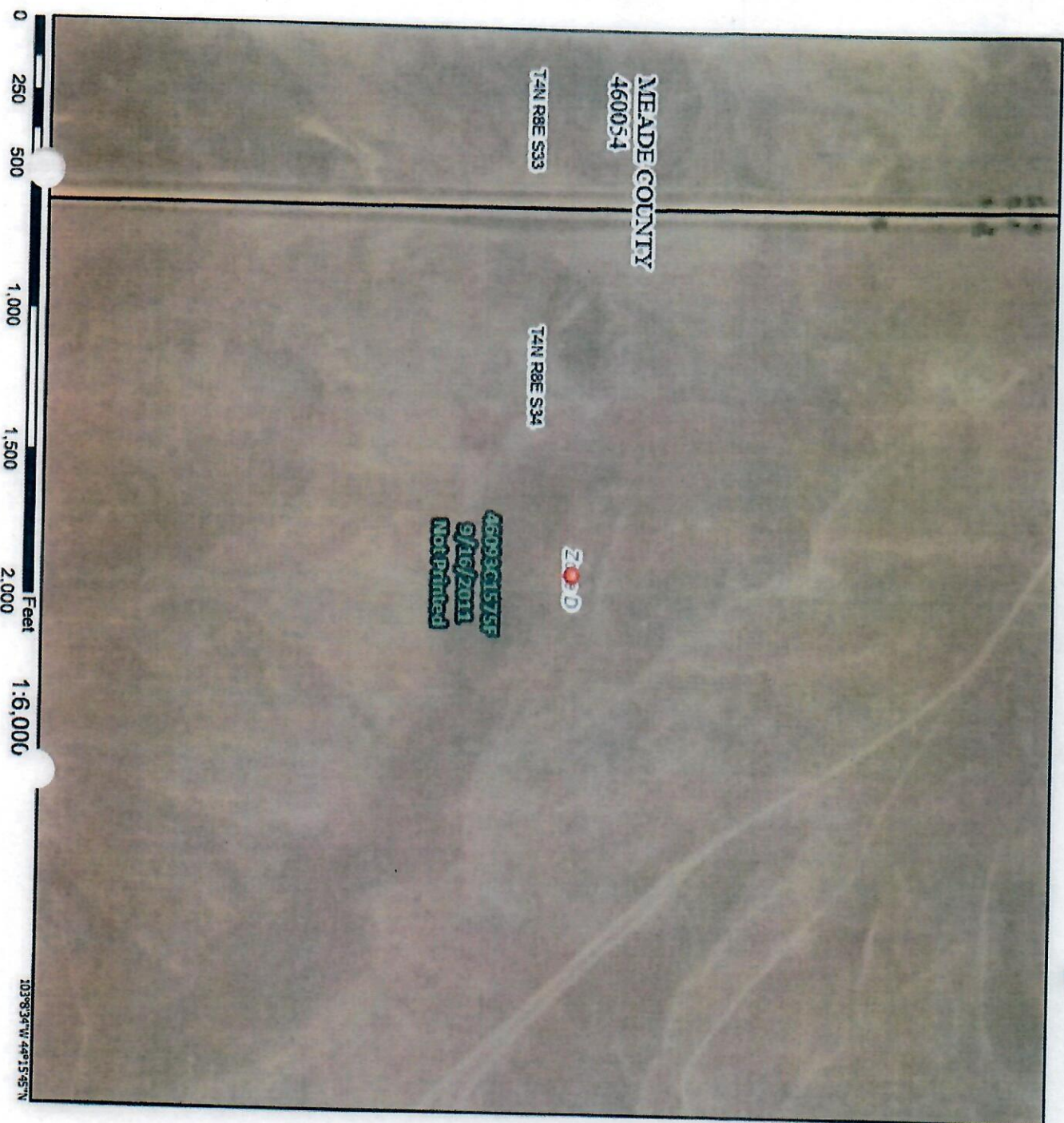
	Without Base Flood Elevation (BFE) <i>Zone A, V, AE, AR</i>
	With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
	Regulatory Floodway
	0.2% Annual Chance Flood Hazard. Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
	Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
	Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
	Area with Flood Risk due to Levee. <i>Zone D</i>

	NO SCREEN
	Area of Minimal Flood Hazard <i>Zone E</i>
	Effective LOMRS
	Area of Undetermined Flood Hazard <i>Zone G</i>
	OTHER AREAS
	GENERAL STRUCTURES
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

	202
	Cross Sections with 1% Annual Chance
	Water Surface Elevation
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

	Digital Data Available
	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

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National Flood Hazard Layer FIRMette



103°16'W 44°16'30"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
 Without Base Flood Elevation (BFE)
Zone A, V, AE, AH, X, VE, AP
 With BFE or Depth Zone AE, AO, AH, VE, AP
 Regulatory Floodway

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile
 Future Conditions 1% Annual Chance Flood Hazard
 Area with Reduced Flood Risk due to Levee. See Notes.
 Area with Flood Risk due to Levee

OTHER AREAS OF FLOOD HAZARD
 NO SCREEN
 Area of Minimal Flood Hazard
 Effective LOMRS
 Area of Undetermined Flood Hazard

OTHER AREAS GENERAL STRUCTURES
 Channel, Culvert, or Storm Sewer
 Levee, Dike, or Floodwall

2012
 Cross Sections with 1% Annual Chance
 Water Surface Elevation
 Coastal Transect
 Base Flood Elevation Line (BFE)
 Limit of Study

OTHER FEATURES
 Jurisdiction Boundary
 Coastal Transect Baseline
 Profile Baseline
 Hydrographic Feature

MAP PANELS
 Digital Data Available
 No Digital Data Available
 Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/7/2022 at 3:40 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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Appendix G
**Public Meetings List and GFP's Response
to Public Comments**

Public Meetings

This is the list of public meetings that have been held thus far:

January 21, 2021	Meet with SD Parks and Wildlife Foundation
February 3, 2021	Meet with surrounding landowner
March 17, 2021	Meet with local industry partner
March 23, 2021	Meet with local law enforcement
March 4, 2021	Meet with local stakeholders
March 5, 2021	SD Game, Fish and Parks commission meeting
May 14, 2021	Meet with local stakeholders
May 26, 2021	Stakeholder Group meeting
July 8, 2021	Stakeholder Group meeting
July 12, 2021	Meet with surrounding landowner
July 13, 2021	All staff information meeting
July 19, 2021	Meet with local law enforcement
July 27, 2021	Present to Meade County Commission
August 2, 2021	Meet with Elevate Rapid City
August 3, 2021	Stakeholder Group meeting
August 11, 2021	Meet with SD Youth Hunting Adventures group
September 1, 2021	SD Game, Fish and Parks commission meeting
September 1, 2021	Stakeholder Group meeting
September 1, 2021	Legislator tour on site
September 20, 2021	Meet with local industry partner
October 8, 2021	SD Game, Fish and Parks commission meeting
October 21, 2021	Meet with local industry partner
October 28, 2021	Stakeholder Group meeting
November 4, 2021	SD Game, Fish and Parks commission meeting
November 9, 2021	Meet with Elevate Rapid City
December 9, 2021	SD Game, Fish and Parks commission meeting
December 9, 2021	Stakeholder Group meeting
December 21, 2021	Present to Meade County Commission
January 3, 2022	Area landowner meeting
January 4, 2022	Meet with Back Hills Sportsman Club

Response to Public Comment

Key Issues

Key issues are those directly or indirectly caused by implementing the proposed action. Key issues were summarized as concerns with lead contamination, noise impacts to neighbors from the shooting range, road maintenance, and concerns of fire danger.

Other concerns which were removed from further discussion were those identified as;

Outside the scope of the proposed action, already decided by law, regulation, or other higher-level decision, not relevant to the decision to be made, conjectural and not supported by scientific fact or factual evidence, or the comment was general in nature.

Issue #1: Concerns regarding lead contamination.

The concern is that lead from the shooting range will leach from the proposed earthen berms and shooting areas and will contaminate soil and water resources. The SDGFP will follow the EPA's Best Management Practices (BMPs) as stated in the Environmental Assessment (EA). In the design of the range, the BMPs that will be implemented will be utilizing clay-based soils that are naturally present at the shooting range site to act as a barrier to control the mobility of soluble lead. The side and end berms of each shooting bay will also control the flow of surface water so lead particles will remain within each shooting bay. SDGFP will also routinely implement lead recycling/recovery activities such as raking and screening. SDGFP will hire a professional lead recycler to come in and clean the shooting areas and bays as often as needed and depending on the amount of use at the range. All lead recovered will be disposed of properly at a lead recycler and it will be documented when each occurrence of lead mitigation will take place. SDGFP will also implement engineered runoff controls to slow the speed of surface water runoff. This will effectively filter any residual lead material out of the water after it has drained from the shooting bays. The engineered runoff controls will include small dams and dikes, levelled shooting bays and areas, and swales to lengthen the runoff area to further let lead settle out within the footprint of the shooting range. This range will also utilize vegetation as another control to slow the speed of surface water runoff. SDGFP is committed to keeping all lead contamination within the property boundaries of the range. As referenced in the Interstate Technology and Regulatory Council's Environmental Management at Operating Outdoor Small Arms Firing Ranges document, vegetative controls; "reduce the eroding impact of heavy rain on the soil surface, slows down the flow of surplus water over its surface, binds the soil more tightly through the root systems, and filters out lead particles or other constituents of concern from runoff water." In a study conducted by EA Engineering, Science and Technology, Inc. "Lead Mobility At Shooting Ranges", in summary stated "metallic lead is slowly oxidized to forms that dissolve and becomes slightly mobile in the environment. The rates at which metallic lead will oxidize and migrate to the water column is therefore very slow. Complete corrosion of bullets and shot through oxidation and dissolution may take as much as 100-300 years or longer." Currently SDGFP operates and maintains seven firearms shooting facilities across South Dakota and has partnered with numerous third-party entities to implement BMP's for lead mitigation. SDGFP is well versed in implementing BMP's to prevent spent shot and lead from leaching into soils and water resources.

Issue #2: Impacts of noise created by the shooting range from a single concentrated point.

The concern is that the shooting range facility would produce a constant and continuous sound of gunshot in the area impacting nearby residences. SDGFP has designed the range with noise mitigation techniques including orientation of the shooting range, 10-20 feet tall earthen berms on three sides of each shooting bay, terrain (the majority of the usage of the range will happen in a basin that is lower in elevation oriented towards a ridgeline of more than 100 feet of positive elevation change), and overhead structures over the line of fire. In addition, vegetation and noise reducing material will be applied where necessary to dampen noise leaving the range. SDGFP does not anticipate shooting at the complex all day on every day of the week and will implement hours of operation to ensure that shooting

does not occur at less-than-ideal times. Preliminary noise tests with currently no noise mitigation developed at the site, conducted by SDGFP with a sound receiver set up at 0.86 miles to the south of the southernmost proposed shooting bay with an 11 MPH wind from the north, concluded that shots were barely audible and did not register any difference with the sound receiver over ambient noises. During the same day in the same conditions with a sound receiver set up at approximately 1.5 miles north of the northern most proposed shooting bay, the shots were not audible, and the sound receiver did not pick up any difference from ambient noises. SDGFP will continue to do noise testing and will adjust noise mitigation strategies as needed. Concerning wildlife and potential noise, there are very few studies on the impacts of sound to wildlife from shooting ranges. One study on the federally endangered Red-Cockaded Woodpeckers (Doresky et al 2001) stated "Surprisingly, we found no significant differences in noise or vibration levels between treatments and controls. There also were no significant differences between treatment and control sites with regard to the numbers of eggs, nestlings, adults, return rates of adults feeding young, or masses of nestlings and adults." In a case study at the Cameo Shooting and Education Complex in Colorado, a resident herd of bighorn sheep that frequented the area prior to the range being constructed, still frequent the shooting complex and show no signs of impacts to their behaviors. Beyond this, SDGFP has not observed any negative impacts to wildlife at other firearm ranges operated across South Dakota. There have been no documented sightings of Whooping Cranes or other threatened or endangered species in the proposed shooting range vicinity or several miles around the property. SDGFP encourages all sightings of Whooping Cranes to be reported so that they may be documented. If there is a verified sighting of a Whooping Crane or other threatened and endangered species, all actions at the proposed shooting complex will stop until the Whooping Crane or other threatened and endangered species have moved out of the area.

Issue #3: Concerns of road maintenance due to increased traffic on existing Elk Vale Road and surrounding roads.

The concern is that the increased traffic will cause damage to the existing Elk Vale Road, the road leading to the proposed shooting range. SDGFP is currently in discussion with Meade County on a maintenance plan and SDGFP will help pay for the maintenance of Elk Vale Road leading up to the proposed shooting range. A traffic count on Elk Vale Road is currently being conducted as a control number and another traffic count will occur after the proposed shooting range is complete to get a count of the traffic increase to the shooting range and SDGFP will pay for a portion of maintenance and repair of the road due to the increased amount of traffic on the road.

Issue #4: Concerns of fire danger

The concern is that with a firearms range comes in increased risk of fire danger to neighbors. SDGFP plans to develop and maintain a fire line around the property. SDGFP will not allow rifles or pistols that are 50 caliber or larger, no automatic weapons, no exploding targets and all armor piercing, explosive, tracer or incendiary ammunition will be prohibited at the shooting range. SDGFP will also provide fire suppression equipment including but not limited to; fire extinguishers, ATVs/UTVs equipped with water tanks and spray nozzles, a SDGFP owned fire truck, and a pressure tank or large water cistern to ensure water pressure to help refill fire suppression equipment. During very high wildfire risk times, SDGFP will close the range due to the inherent risks of wildfire. Natural grasses will be mowed to heights that reduce its volatility and vegetative and earthen fire barriers will be placed in strategic locations to help stop a wildfire. Properly maintained impact areas where bullets impact the berms will also substantially

decrease the likelihood of wildfires. Areas around steel "gong" targets will be areas of no vegetation for possible sparks to land and create a fire.

Other Concerns

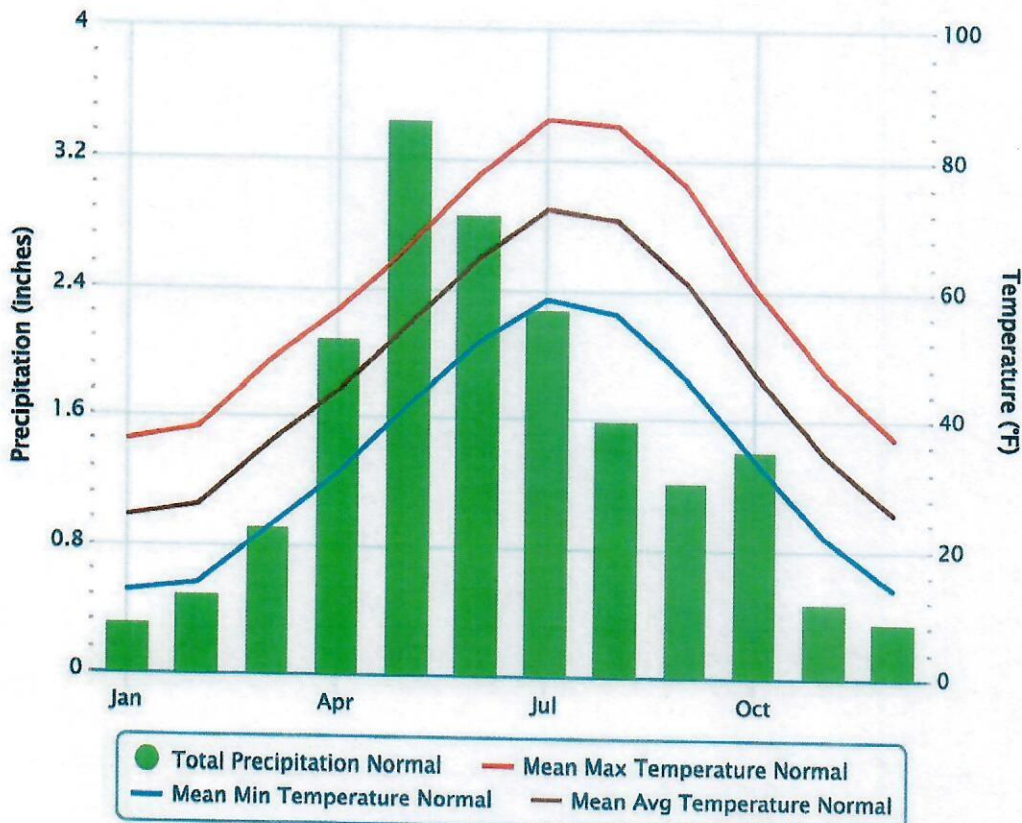
- **Drop in property value.** This was not considered a key issue due to no current data or information to support that there will be a drop in property value.
- **Smell from vault toilets.** This was not considered a key issue as with properly maintained vault toilets the smell disperses through a vent pipe and is dispersed in the fresh air in a relative short distance. The vault toilets will be pumped and recharged regularly which will significantly reduce the smell in the immediate area of the vault toilets. The smell from vault toilets will dissipate in the fresh air long before the smell will reach outside of the property boundaries. GFP operates numerous vault toilets on other GFP properties including parks, campgrounds and lake access areas, and are well versed in proper care and maintenance of these type of facilities to reduce or eliminate negative impacts to the immediate area around the vault toilet.

Negative effect on fish. As stated in the EA, the property does not sustain habitat conducive for a permanent fish population. Attached are aerial photos from Google Earth of the area from various years showing little to no water on or in the immediate vicinity of the planned shooting range property. While stocking fish during wet times may provide fish and fishing opportunities for a limited time in these areas, it will not provide for sustainable fish populations. There will be no effect to fish that may be present now in the surrounding area and SDGFP will follow the EPA BMPs to ensure no negative impacts to fisheries for this project

Appendix H

NOAA National Weather Service Normal
Precipitation, Mean High Temperatures,
Mean Low Temperatures, Mean Average
Temperatures

Monthly Climate Normals (1991–2020) – Rapid City Area, SD (ThreadEx)



Powered by ACIS

Month	Total Precipitation Normal (inches)	Mean Max Temperature Normal (°F)	Mean Min Temperature Normal (°F)	Mean Avg Temperature Normal (°F)
January	0.31	36.0	12.7	24.3
February	0.50	38.1	14.0	26.1
March	0.91	48.2	22.6	35.4
April	2.08	56.6	31.2	43.9
May	3.45	66.5	41.7	54.1
June	2.87	77.6	51.6	64.6
July	2.28	86.4	58.5	72.4
August	1.59	85.4	56.2	70.8
September	1.22	76.1	46.4	61.3
October	1.41	60.4	33.7	47.1
November	0.47	47.3	21.9	34.6
December	0.35	37.2	13.9	25.6
Annual	17.44	59.7	33.7	46.7