

## ATTACHMENT A — STATEMENT OF WORK

### INDEPENDENT TECHNICAL PEER REVIEW SERVICES

#### MFLS REPORT FOR SYLVAN LAKE

#### SEMINOLE COUNTY, FLORIDA

## I. INTRODUCTION/BACKGROUND

The minimum flows and levels (MFLs) Program of the St. Johns River Water Management District (District), mandated by state water policy, is a District-wide effort to establish MFLs for priority lakes, streams and rivers, wetlands, springs, and groundwater aquifers. Section 373.042, *Florida Statutes* (F.S.), requires Florida's water management districts to establish MFLs that represent the limit beyond which further withdrawals would be significantly harmful to the ecological structure and functions and/or other environmental beneficial uses (e.g., recreation) of priority water bodies. MFLs designate the minimum hydrologic conditions that must be maintained in these water resources to prevent significant harm resulting from permitted water withdrawals.

The District completed a minimum levels reevaluation for Sylvan Lake, located approximately 5 miles west of Sanford and 4 miles northwest of the City of Lake Mary in Seminole County, Florida. Sylvan Lake MFLs were originally adopted in 1998 and were selected for reevaluation because it is an important water resource within the Central Florida Water Initiative (CFWI) area. Sylvan Lake is highly connected to the upper Floridan Aquifer (UFA) and is an important recreational resource in the area. The current reevaluation was also conducted to ensure that the Sylvan Lake MFLs are based on the most up to date environmental, modeling and data analysis methods.

MFLs determinations and reevaluations are subject to independent scientific peer review by decision of a water management district's governing board (Section 373.042(4)(a), F.S.). The MFLs reevaluation for Sylvan Lake was identified for independent scientific peer review by the District's Governing Board, and involves review of all scientific or technical data and methodologies, used to establish a minimum levels (Sections 373.042(4)(a), F.S., and 62-40.473(10), F.A.C.). Review of the Sylvan Lake MFLs reevaluation will occur as part of the comprehensive CFWI peer review process.

## II. OBJECTIVES

HSW Engineering, Inc. (Consultant) shall provide the District with independent scientific peer review of the draft Minimum Levels Reevaluation for Sylvan Lake (draft MFLs Report). The primary focus of this review is on the environmental criteria, analyses and assumptions and on the recommended minimum levels for Sylvan Lake. A secondary focus of this review is on MFLs assessment, including hydrological analyses conducted in support of this assessment. Ultimately, this review is on the appropriateness of the recommended minimum levels for Sylvan Lake. This work order includes review of the draft MFLs Report and appendices B, C, D and E (described below). Appendix A (memo for 1997 MFL) and the surface water model report (CDM 2017; attachment to Appendix B) will also be provided, but review of these documents is not part of this work order. Consultant shall participate in one or more public workshops aimed at involving interested stakeholders in the CFWI peer review process.

In the event of civil or administrative litigation in which the subject matter of the draft MFLs Report is relevant, Consultant agrees that he/she will make himself/herself available during the period of such litigation as an expert witness under the direction of the District's Office of General Counsel or such other counsel as the District may employ. The District may designate Consultant as a testifying or non-testifying expert and may assert the attorney work product privilege as to the research and report during the period of

such litigation. This task, if required, will be completed under a separate work order or contract and shall include coordination and cooperation with the District's Office of General Counsel.

### **III. SCOPE**

Consultant shall provide peer review of the draft MFLs Report and appendices B, C, D and E. This review shall include all methodologies, assumptions used, and conclusions related to establishing protective minimum levels for Sylvan Lake, Seminole County, Florida.

Consultant shall assess the following:

1. Appropriateness of environmental criteria, hydrological analyses and recommended minimum levels;
2. Validity and appropriateness of methods and procedures used for data analyses, assumptions used and conclusions drawn regarding the recommended minimum levels;
3. Sources of uncertainty and the potential impact of uncertainty on draft environmental criteria, hydrological analyses, and the minimum levels developed using these criteria;
4. Adequacy of data to support conclusions and recommendations; and
5. Deficiencies in development of the draft recommended minimum levels for Sylvan Lake.

### **IV. TASK IDENTIFICATION**

Consultant shall perform the following tasks to accomplish the Scope of Work described above.

#### **Task A. Project Kick-off and Optional Site Visit**

**A.1. Attend Kick-off Teleconference:** Consultant shall participate in a kick-off teleconference meeting with the District's Project Manager to ensure Consultant understands the work assignment, the peer review process and timeframes. This meeting will be public and part of the CFWI peer review process. Additional meetings may be required. The District's Project Manager will notify all involved parties of the dates and times by e-mail.

**A.2. Optional Site Visit:** There will not be a public site visit facilitated by the District, due to safety precautions associated with Covid19. However, the Consultant is encouraged to visit Sylvan Lake, in consultation with the District's Project Manager to determine appropriate transect locations, wetland communities, etc. The date and time of this site visit is at the discretion of the Consultant.

#### **Task B. Peer Review Draft Minimum Levels Reevaluation for Sylvan Lake**

**B.1. Review Draft MFLs Report:** Consultant shall review the draft MFLs Report and appendices (specified below) including associated methodologies, assumptions, and recommendations related to the development of protective minimum levels for Sylvan Lake, Seminole County, Florida. The documents to be reviewed include:

- Deschler et al., 2020 draft. Minimum Levels Reevaluation for Sylvan Lake, Seminole County, Florida. Bureau of Water Supply Planning, SJRWMD;
- Appendix B: Hydrological analyses;
- Appendix C: Environmental analyses;
- Appendix D: Status assessment; and
- Appendix E: WRVs assessment.

Appendix A (1997 MFLs memo) and the surface water model report (CDM 2017; attachment to Appendix B) will be provided as a reference, but review of these documents is not part of this work order. The draft MFLs Report and appendices will be provided to the Consultant.

**B.2 Attend Public Workshop:** Consultant shall attend a public workshop to share their initial comments and listen to comments from stakeholders. In addition, the Consultant shall read all comments provided by stakeholders and will consider all comments in the Consultant's draft technical memorandum (subtask B.3).

*Deliverable:* Consultant shall prepare and give a powerpoint presentation at the public workshop, which summarizes their initial findings. After the workshop the Consultant shall prepare a brief summary of the workshop including comments received, discussion items and key action items and submit to the District's Project Manager.

**B.3 Draft Peer Review Technical Memorandum (TM):** Consultant shall prepare a draft TM summarizing the findings and recommendations related to the peer review of the draft MFLs report and submit to the District's Project Manager.

Consultant shall include the following items in the review process and provide answers to the following questions in the TM.

1. Assess validity and appropriateness of environmental analyses and criteria
  - Are the data used to develop criteria adequate and appropriate?
  - Are the methods and procedures used for environmental analyses appropriate?
  - Are methods to evaluate the relevant environmental values and beneficial uses appropriate?
  - Have all relevant environmental values been evaluated?
  - Are data appropriate for evaluations selected criteria and conclusions?
  - Are assumptions reasonable and consistent given the "best information available"?
2. Assess validity and appropriateness of hydrological analyses
  - Are the hydrologic data used to develop impact assessment methods appropriate?
  - Is the method used to assess the impact of local and regional groundwater pumping on Sylvan Lake appropriate and valid?
  - Are the analytical and statistical methods and procedures appropriate for -
    - Conducting groundwater pumping impact assessment
    - Developing baseline condition dataset
  - Are assumptions reasonable and consistent given the "best information available"?
3. Appropriateness of recommended minimum levels
  - The validity and appropriateness of assumptions used and conclusions made in the development of protective minimum levels, including identifying sources of uncertainty and their impact on development of protective minimum levels for these lakes.
  - Adequacy of data to support conclusions and recommendations

*Deliverable:* Consultant shall prepare a draft TM summarizing peer review findings and recommendations including any suggested improvements.

**B.4 Attend Public Teleconference:** Consultant shall attend a public teleconference to share their draft TM comments and listen to any additional comments from stakeholders. In addition, the Consultant shall read all comments provided by stakeholders and will consider all comments in the Consultant’s final technical memorandum (subtask B.5).

*Deliverable:* Consultant shall prepare one summary of the public teleconference, comments received, discussion items and key action items and submit to the District’s Project Manager.

**B.5 Final Peer Review Technical Memorandum (TM):** Consultant shall prepare a final TM that summarizes their findings and recommendations regarding the draft MFLs report and submit to the District’s Project Manager.

*Deliverable:* Final TM summarizing their findings and recommendations regarding the draft MFLs report.

**V. TIME FRAMES AND DELIVERABLES**

The expiration date of this Work Order is January 31, 2021. Specific timeframes as they apply to tasks, milestones, deliverables, and teleconferences are included in Table 1.

**Table 1. Schedule**

<b>Task</b>	<b>Deliverable</b>	<b>Completion Date</b>
A.1	Project Kick-off Meeting	September 9, 2020
A.2	Consultant Site Visit	TBD by Consultant
B.1	Peer Review draft MFLs Report and specified appendices	October 23, 2020
B.2	Attend Public Workshop <i>Deliverables: Powerpoint Presentation of Initial Findings; and Public Workshop Summary</i>	October 30, 2020
B.3	Draft Technical Memorandum <i>Deliverable: Draft Peer Review TM</i>	November 6, 2020
B.4	Attend Public Teleconference <i>Deliverable: Public Teleconference Summary</i>	November 20, 2020
B.5	Final Technical Memorandum <i>Deliverable: Final Peer Review TM</i>	November 23, 2020

Consultant shall employ an internal quality review process to ensure only high quality, complete, and correct products are provided to the District. Deliverables prepared by Consultant shall be clear, concise, thorough,

and grammatically correct. Consultant shall present data for technical products in a well-organized format. Findings should be based on a logical derivation from the facts and data. Consultant shall provide written confirmation by a principal of the firm that quality assurance procedures were followed prior to release of a given deliverable upon request by the District's Project Manager. References shall be appropriately cited.

Consultant shall assure that all spelling and grammar errors disclosed by the Microsoft Word spelling and grammar check functions and all tracked edits have been addressed so none are showing in the document when the tracking features and the spelling errors and grammar check are set to show on the computer screen or in the printed document.

Consultant shall submit the complete report in editable digital format, including all graphics and tables integrated with the text of the report. The District's Project Manager, at his/her discretion, also may require up to three paper copies of the final deliverables. Consultant shall provide the following digital files:

1. A Microsoft Word file of all text and any graphics that may feasibly be incorporated into the document without creating an unwieldy large file or causing printing difficulties. Adobe Acrobat files that are not convertible to Microsoft Word are not acceptable as the sole form of submission for any part of the report except appendices.
2. Separate large files of data, graphics, Geographic Information Systems (GIS) shape files and coverages and any other graphics or other report materials that are not feasible to incorporate into a Microsoft Word document. All files must be in manipulatable formats acceptable to the District.

The District's Project Manager may require non-Word files to be in their native formats. Adobe Acrobat files are not acceptable as the sole form of submission for any graphics, GIS products, data or other materials unless such material cannot be converted into another format.

Electronic submissions must meet the following specifications:

1. Deliverables may be submitted on Compact Disc (CD), Digital Versatile Disc (DVD), ftp site or by e-mail.
2. E-mail submissions may not consist of more than five (5) files unless otherwise approved by the District's Project Manager.
3. Each CD or DVD must have a label including contract name, number, Consultant, submittal date, version, and file names.
4. Each CD, DVD, or ftp folder must have an obvious directory structure.
5. A read-me file listing and describing the contents by file name must be included if a CD or DVD contains too many files to put on a label or if the materials are submitted on an ftp site or by e-mail.
6. The digital files for the final document (including all graphics, appendices, tables, peer reviews, etc.) must be in their own CD, DVD, ftp folder or e-mail separate from any draft or preliminary versions or data.

All report materials produced for the District under this contract shall become property of the District and may be edited by the District in consultation with Consultant for style, writing quality, and format.

## **VI. BUDGET/COST SCHEDULE**

This Work Order is for a not to exceed amount of \$ 39,648.01. If Tasks B.2 and B.4 (Table 2) are in-person and not teleconferences, the District will issue a change order to this work order. Consultant shall submit

monthly invoices by percent of Task complete based on the Task amounts in Table 2. Invoices shall include progress reports documenting work completed for the invoiced amount and work anticipated to be completed in subsequent month(s).

**Table 2. Budget**

<b>Task</b>	<b>Deliverable</b>	<b>Total Dollars by Task</b>
A.1	Project Kick-off Meeting	943.70
A.2	Consultant Site Visit	1,887.39
B.1	Peer Review draft MFLs Report and specified appendices	19,510.28
B.2	Attend Public Workshop <i>Deliverable: Public Workshop Summary</i>	3,390.00
B.3	Draft Technical Memorandum <i>Deliverable: Draft Peer Review TM</i>	7,622.92
B.4	Attend Public Teleconference <i>Deliverable: Public Teleconference Summary</i>	3,390.00
B.5	Final Technical Memorandum <i>Deliverable: Final Peer Review TM</i>	2,903.72
<b>Total Budget</b>		39,648.01