

Scope of Work
Independent Scientific Review Panel
Comprehensive Everglades Restoration Plan

Introduction

The Department of the Army (Army), Department of the Interior (Interior) and the Governor of the State of Florida (State) have considered various options for establishing an independent scientific review panel to conduct an ongoing review of the progress achieved by the implementation of the Comprehensive Everglades Restoration Plan (the Plan) in achieving the restoration goals of the plan. Following these deliberations, the Army, Interior, and State have agreed that the National Academy of Sciences (NAS) should convene this panel and conduct the initial review of progress because of its scientific expertise, reputation for objectivity, and its lack of direct involvement in implementing the Plan. This initial review of progress will cover a five year period. As required by section 601(j) of the Water Resources Development Act of 2000, the panel will produce a biennial report to Congress that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

Background

The Comprehensive Everglades Restoration Plan provides a blueprint for the restoration and preservation of the south Florida ecosystem, while providing for other water-related needs of the region, including water supply and flood protection. This nationally and internationally known ecosystem that comprises south Florida has deteriorated significantly over the past 50 years, and the outlook for the future, without implementation of the Plan, shows further degradation. Water management practices have disrupted the natural timing, quantity, quality and distribution of water to the natural system and the size of the remaining natural system has been substantially reduced as a result of development in south Florida.

On December 11, 2000, the Water Resources Development Act of 2000 (WRDA 2000) (Public Law 106-541) was enacted. WRDA 2000 approved the Comprehensive Everglades Restoration Plan, authorized an initial set of projects, and included a number of provisions concerning implementation of the plan. Section 601(j) of WRDA 2000 states:

“INDEPENDENT SCIENTIFIC REVIEW-

(1) IN GENERAL- The Secretary, the Secretary of the Interior, and the Governor, in consultation with the South Florida Ecosystem Restoration Task Force, shall establish an independent scientific review panel convened by a body, such as the National Academy of Sciences, to review

the Plan's progress toward achieving the natural system restoration goals of the Plan.

(2) REPORT- The panel described in paragraph (1) shall produce a biennial report to Congress, the Secretary, the Secretary of the Interior, and the Governor that includes an assessment of ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.”

WRDA 2000 also requires the promulgation of programmatic regulations to ensure that the goals and purposes of the Plan are achieved. The programmatic regulations, effective on December 12, 2003, establish processes and procedures that guide the U.S. Army Corps of Engineers in the implementation of the Plan. Section 385.22 of the programmatic regulations provides specific direction concerning the independent scientific review panel.

The Secretary of the Army, the Secretary of the Interior, and the Governor of the State of Florida, in consultation with the South Florida Ecosystem Restoration Task Force, agreed to designate NAS to convene the initial independent scientific review panel (“Panel”) that will perform the tasks required by Section 601(j) of the Water Resources Development Act of 2000. Based on this recommendation, Army, Interior, and the State in consultation with the South Florida Ecosystem Restoration Task Force, have entered into an Intergovernmental Agreement to establish an independent scientific review panel pursuant to section 601(j) of WRDA 2000. This Intergovernmental Agreement designates the Department of the Army, U.S. Army Corps of Engineers, Jacksonville District as the contracting entity with NAS.

Scope of Work

1. Under the authority of section 601(j) of WRDA 2000 and the Intergovernmental Agreement, NAS will convene an independent scientific review panel to review the Plan's progress toward achieving the natural system restoration goals of the Plan.

a. NAS will use its established practices for assuring the independence of members and will ensure that the Panel includes members reflecting a balance of the knowledge, training, and experience suitable to comprehensively review and assess progress towards achieving natural system restoration goals of the Plan.

b. Before final establishment of the Panel, NAS will provide Army with the opportunity to review the list of panel members and will respond to any questions that Army may have about the professional qualifications of the Panel members. The Army will confer with Interior, the State, and the parties will consult with the South Florida Ecosystem Restoration Task Force as it reviews the list of Panel members.

2. The Panel will review the Plan's progress toward achieving the natural system restoration goals of the Plan and produce a biennial report to Congress, the Secretary of the Army, the Secretary of the Interior, and the Governor that includes an assessment of

ecological indicators and other measures of progress in restoring the ecology of the natural system, based on the Plan.

General Provisions

1. This scope of work is for a five-year period commencing with the notice to proceed. Upon mutual agreement between Army and NAS, Army may extend this agreement in five-year increments.

2. The Panel's sole mission shall be to review the Plan's progress toward achieving the natural system restoration goals of the Plan and to produce the biennial report.

a. The NAS will not assign the Panel any other tasks, nor request any advice on any other matter, nor will the Panel accept any other tasks nor provide advice on any other matter, to any entity, whether Federal, State or local, whether public or private.

b. The Army, Interior, the State of, and the South Florida Ecosystem Restoration Task Force and its members, will not attempt to influence the Panel or assign this panel any other tasks, nor request any advice on any other matter.

3. The Army, Interior, and the State retain the right and ability to establish other independent scientific review panels or external peer reviews when deemed necessary by those agencies for conducting specific scientific and technical reviews concerning other matters not covered by this scope of work.

4. The Army, Interior, and the State will cooperate with the Panel, including responding to reasonable requests for information concerning the implementation of the Plan. Requests should be made through the technical representative of Army.

5. The Panel will meet up to three times per year with the technical representatives from Army, Interior and the State to receive briefings on the current status of the Plan and scientific issues involved in implementing the Plan.

Schedule

1. NAS will provide a list of proposed Panel members to the Contracting Officer within 60 days of the notice to proceed. After conferring with Interior and the State and consulting with the TF, Army will provide written notice of approval of the Panel members to NAS.

2. NAS will establish the Panel and convene an initial meeting within 60 days of being notified by the Jacksonville District of the approval of the proposed panel members. During this first meeting and annually thereafter, the Panel will meet with the technical representatives from Army, Interior and the State to develop an annual work plan and budget.

3. NAS will prepare the initial biennial report and submit it to Congress not later than two years from the date that the Jacksonville District provided approval of the proposed panel members. Subsequent reports will be prepared and submitted at two-year intervals from the date that the Jacksonville District provided approval of the proposed panel members.

Deliverables

1. NAS will provide the biennial reports to Congress and technical representatives at the Army, Interior, and the State. NAS will provide biennial report to the Senate Environment and Public Works Committee, the House of Representatives Transportation and Infrastructure Committee, the Army, Interior, and the State. The report will also be provided to other committees or members of Congress on request. NAS and technical representatives of Army, Interior and the State will agree on the number of copies during the annual work plan meeting.

2. NAS will provide the Army, Interior, and State technical representatives with copies of the biennial reports two business days before the biennial reports are provided to Congress. To enable Army, Interior and the State to respond promptly to inquiries from Congress, NAS also will provide an oral briefing prior to the release of the report to Army, Interior, and the State.

3. All reports shall be furnished in the electronic and printed format agreed to with the Grants Officer's Technical Representative. The electronic deliverables must be suitable for posting on a Website. Until otherwise agreed, acceptable electronic formats are MS Word 2000 or higher, Adobe Acrobat Version 5.0 or higher. When required, the panel shall furnish maps, images, and presentation data in ARC View 3.1 formats.