



June 25, 2019

Via E-mail msaunders@evergreen-lm.com

Michelle Saunders, LCAM
Community Manager
Victoria Park Community Council
1431 Orange Camp Road, Ste 116
Deland, FL 32724

Re: Victoria Park Environmental Services (the "Project")
Miller Legg Project No. 09-00268
Additional Services No. 3 – Continued Environmental Consulting Services

Dear Michelle:

Thank you for the opportunity to submit the attached Agreement for Professional Services for continued environmental consulting services for Victoria Park.

The attached Scope covers only those services specifically required by permit for the Project. The St Johns River Water Management District (SJRWMD) conceptual permit requires monitoring of sandhill crane nesting activity and an annual report summarizing the land management activities undertaken for the year. The U.S. Fish & Wildlife Service Biological Opinion requires annual monitoring of the xeric habitat to assess the success of the management activities. The attached scope combines the upland habitat monitoring and management reports into one (1) Task. The monitoring period of the attached scope is November 2019 to October 2024.

Sincerely,

Dylan Larson, PWS, CEP
Principal

DL/pm/mch
Attachment(s)

V:\Projects\2009\09-00268 Victoria Park Monitoring - Kolter\Documents\Contracts\AS No. 3\09-00268 AS-3 Agreement.doc

IMPROVING COMMUNITIES. CREATING ENVIRONMENTS.

South Florida Office: 5747 N Andrews Way • Fort Lauderdale, Florida 33309-2364
(954) 436-7000 • Fax: (954) 493-6539

www.millerlegg.com

AGREEMENT FOR PROFESSIONAL SERVICES

Client: Victoria Park Community Council **Client Representative:** Michelle Saunders, LCAM
Community Manager
Address: 1431 Orange Camp Road, Ste 116 **Address:** Same
Deland, FL 32724
Phone/Fax: (386) 738-2112/ (386) 736-3360 **Email:** msaunders@evergreen-lm.com
Date: June 19, 2019 **Project No:** 09-00268 **T:** 17S **R:** 30E **S:** 23-26/ 34-36

Project Name and Location: Victoria Park Environmental Services (the "Project")
Deland, Florida
Additional Services No. 3 – Continued Environmental Consulting Services

Description of Services to be Provided: See Exhibit A

Special Conditions: N/A

Notice to Owner: Is the Client the Owner of the Property? ☒ **Yes** ☐ **No**

If "No", Owner's name and address:



EXHIBIT A – SCOPE OF SERVICES

Victoria Park Environmental Services (the “Project”)

Additional Services No. 3 – Continued Environmental Consulting Services

1.0 PROJECT DESCRIPTION

1.1 The Project is generally described as follows: **Consultant shall provide Client with the following environmental services for the Victoria Park property for the period November 2019 through October 2024:**

- **Annual monitoring of sandhill crane nesting activity per regulatory permit requirements**
- **Annual recommendations and monitoring of land management/habitat enhancement activities**
- **Annual gopher tortoise and Florida scrub jay habitat assessment**

2.0 BASIS OF SCOPE

2.1 Environmental:

- The agencies with jurisdiction for this Project include U.S. Army Corps of Engineers (ACOE), St. Johns River Water Management District (SJRWMD), Florida Fish and Wildlife Conservation Commission (FFWCC), the US Fish and Wildlife Service (FWS) and the City of Deland (City).
- The Project has been permitted by the ACOE (Permit No. 199707347) and the SJRWMD (Permit No. 4-127-0369C-ERP) and is subject to special permit conditions relating to wildlife management (FFWCC Permit No. VOL-20 and FWS Biological Opinion dated January 19, 2000 and Service Log No. 99-769). ACOE special conditions relating to Florida scrub jays and eastern indigo snakes will be observed, as well as SJRWMD conditions in relation to sandhill crane nesting, wetland and upland enhancement, monitoring and management.
- Consultant will review quarterly with Client and/or maintenance contractor the areas/habitats where management/maintenance is to be performed.
- All site activities and permits are in compliance with general and specific conditions.
- Prescribed burns of habitats will be performed by others directly contracted by Client.
- Physical land management activities will be conducted by maintenance company directly contracted by Client.
- Gopher tortoise, vegetation, sandhill crane, and scrub jay monitoring protocols and transect locations used in the previous annual monitoring reports will be followed. Any deviations from past or permitted protocols will be coordinated first with appropriate regulatory agencies.

- Sandhill cranes will be monitored by field review of the 107 acres of nesting and potential nesting areas once per month during the nesting season.

3.0 SCOPE OF BASIC SERVICES

The scope of services to be provided by Consultant shall be divided into three (3) tasks as follows:

Task 1 *Continued Sandhill Crane Habitat Monitoring, Population Monitoring and Report from December through July*

- A. Crane monitoring will include a ground level inspection of suitable nesting habitat on a monthly basis during the crane-nesting season (December – June). The SJRWMD permit (4-127-0369C-ERP) requires that sandhill crane monitoring be conducted annually for the life of the permit. This task includes five annual monitoring periods/reports that will conclude in 2024. Future monitoring beyond 2024 may be conducted under separate contract or as an additional service to be provided upon completion of the 2024 monitoring season. Results of the monitoring will be submitted to the FFWCC and SJRWMD following the conclusion of the nesting season (June) each year. A population estimate of sandhill cranes on site will be made by trained biologists once per month during the nesting season. All observations of crane behavior (i.e. nesting, foraging, etc.) habitat will be reported in the annual submittal to the FFWCC and SJRWMD.

This task also includes up to two (2) meetings/presentations annually with the Victoria Park Home Owners Association to provide updates on monitoring efforts, provide recommendations, and answer questions.

- B. The Site Mitigation and Management Plan (SMMP) and SJRWMD ERP require at least one (1) aerial review of the Sandhill crane habitat during the nesting season. Consultant will perform this inspection via helicopter with qualified biologist. This task includes one (1) aerial inspection per year from 2020 to 2024. The fee below includes costs associated with helicopter rental.

Task 2 *Upland Habitat Monitoring and Management Report*

The SJRWMD conceptual permit requires the annual submission of a habitat management report (Specific Condition 29) detailing the land management activities undertaken on the site by September of each year for the life of the permit. In addition, the Biological Opinion issued by the U.S. Fish and Wildlife Service for the incidental take permit for scrub jays requires the annual monitoring of the preservation area to assess the success of the habitat restoration and management activities. Vegetative monitoring will assess the variables that indicate whether optimal habitat for listed scrub species is being provided.

Results of the monitoring will be submitted to the SJRWMD by end of September for each year. This report will include the required summary of land management activities for the period January 1 through August 31 each year from 2020 to 2024.

Task 3

Reimbursable Expenses - Consultant shall provide services, as necessary, to assist Client in the processing of documents, or other requested tasks to facilitate successful completion of the Project. Costs incurred in providing these services, such as mileage, printing, etc. shall be reimbursed in accordance with the General Conditions.