



S.R. 40 BLACK BEAR TRAIL ENVIRONMENTAL TECHNICAL MEMORANDUM



FPID # 436360-1
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Florida Department of Transportation
District Five
719 South Woodland Boulevard
DeLand, FL 32720-6834

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CORRIDOR PLANNING STUDY - ENVIRONMENTAL TECHNICAL MEMORANDUM

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MEMORANDUM PURPOSE

The purpose of this technical memorandum is to discuss the key environmental considerations of the S.R. 40 Black Bear Trail Corridor to prepare for a future Project Development & Environment (PD&E) study phase.

INTRODUCTION

The Florida Department of Transportation (FDOT) District Five is conducting a Corridor Planning Study to assess alternative alignments for a multi-use trail along S.R. 40 from Levy Hammock Road to U.S. 17. The 27-mile study area includes Eastern Marion County, Northern Lake County, and Northwest Volusia County.

Three alternatives were identified for the multi-use path. The first alternative, Alternative A, begins at the intersection of Levy Hammock Road and S.R. 40 in Marion County on the northern side of S.R. 40 and heads east, following S.R. 40. Alternative A crosses to the southern side of the corridor in one location; the crossing is west of Alco Road in Astor, continuing over the Astor Bridge using the existing sidewalk on the south side, and then crossing back to the northern side of S.R. 40 before reaching Ronda Lane. Alternative A then continues through Volusia County along the north side of S.R. 40, and ends at the intersection of U.S. 17 and S.R. 40 in Barberville.

The second alternative, Alternative B, begins at the intersection of Levy Hammock Road and S.R. 40 in Marion County on the southern side of S.R. 40 and heads east, following S.R. 40. Alternative B crosses the Astor Bridge on the southern side as well, continuing into Volusia County from Lake County. Alternative B ends on the southern side of S.R. 40 at the intersection of U.S. 17 and S.R. 40 in Barberville.

As a result of the study's progression and stakeholder input, a third alternative, Alternative C, was developed. Alternative C begins at the intersection of Levy Hammock Road and S.R. 40, and travels east along the northern side of S.R. 40 until reaching the intersection of S.R. 19. At S.R. 19, Alternative C crosses to the south side of S.R. 40, and continues eastward on the south side of the road until reaching the intersection with U.S. 17.

The S.R. 40 Black Bear Trail Corridor Planning Study Technical Memorandum evaluated the potential environmental impacts of each corridor alternative. Actual impacts will not be determined until alignments are refined during the PD&E and Design Phase. Alignments can be designed to avoid and minimize impacts.

SUMMARY OF ENVIRONMENTAL IMPACTS

The *S.R. 40 Black Bear Trail Corridor Planning Study Technical Memorandum* evaluated the potential environmental impacts of each corridor alternative. Actual impacts will not be determined until alignments are refined during the PD&E and Design Phases. The corridor-level discussion presented here is intended to compare the potential environmental impacts of the corridor alternatives. This memorandum does not preclude the FDOT class of action determination nor further environmental evaluations.

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The project is not anticipated to involve the following resources:

- local traffic patterns, property access, community cohesiveness, planned community growth, or lane use patterns;
- air, noise, or water; and
- navigation.

The following sections provide a brief discussion of the potential environmental impacts for the proposed build alternatives. For more information on the resources present in the study area, please reference the *S.R. 40 Black Bear Trail Existing Conditions Report*.

WETLANDS

The exact amount of wetland impacts is unknown at this corridor planning stage. The expected permit type varies based on which alternative is selected.

Alternatives B and C cross approximately 0.5 acres of wetlands per the National Wetland Inventory (NWI) database and therefore would likely fall under Nationwide Permit (NWP) 14 (< 0.5 acre) issued by the U.S. Army Corps of Engineers (USACE). Wetland delineation will be necessary and pre-construction notification will be required if actual impacts are greater than 0.1 acre.

Alternative A crosses approximately 1.4 acres of wetlands per the NWI database and thus exceeds the criteria for NWP 14. If impacts cannot be minimized to 0.5 acre or less during design, then a General Permit (SAJ 92) may be applicable. The project is expected to go through the PD&E process and be able to meet the criteria for a NWP or General Permit. If a permit from USACE is required, FDOT will need to consider if additional evaluation or a higher class of action is appropriate. Though not expected, use of a Standard Permit would trigger a higher class of action.

FLOODPLAIN ENCROACHMENT

Floodplains are present; however, this is a trail project which falls into the category of facilitating open space use.

WILDLIFE & HABITAT

Threatened and endangered species protected under Section 7 of the Endangered Species Act of 1973 may be present in the study area (see the *S.R. 40 Black Bear Trail Existing Conditions Report* for a list of potentially occurring species). The level of analysis required to recommend a determination has not been conducted at this corridor planning stage. However, it is anticipated that the project will have a determination of “May Affect, Not Likely to Adversely Affect” or “No Effect” for all potentially present protected species. Note that a “May Affect, Not Likely to Adversely Affect” determination requires a concurrence letter from U.S. Fish and Wildlife Service.

RIGHT OF WAY

Potential right of way acquisition, if any, would be limited to undeveloped Federal forest land owned by U.S. Department of Agriculture Forest Service (USFS) and undeveloped portions of two private properties near C.R. 3 where right of way is very constricted. Alternative A impacts



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two private parcels owned by Underhill Family Holdings LLLP. Alternative B impacts one private parcel owned by Underhill Family Holdings LLLP and one private parcel owned by The Pioneer Center. No relocations are anticipated with any of the alternatives. Coordination with USFS regarding an easement through the Ocala National Forest will be needed to determine the required NEPA documentation. If FHWA approval is required, then section 4(f) will need to be considered for the Ocala National Forest and Lake George State Forest.

HISTORIC AND/OR ARCHAEOLOGICAL RESOURCES

The proposed trail crosses two National Register of Historic Places-eligible, linear resources: the USFS OCA 91-2 and the Jacksonville, Tampa & Key West Railroad. An “adverse effect” determination is not anticipated at this time; however, consultation with the Florida Division of Historic Resources will be required. If a federal permit is needed, then the project must comply with Section 106 of the National Historic Preservation Act.

CONTAMINATION

Potentially contaminated sites in the corridor vicinity were reviewed and mapped. No direct impacts to contaminated sites will result from the project.

PUBLIC ENGAGEMENT

A large portion of the study area is located within the Ocala National Forest (USFS), which may result in a higher class of action for the study. If a higher class of action is required for this study, it may result in the need to host a public hearing in accordance with Part 1, Chapter 11 of the PD&E Manual.

CONCLUSION

The S.R. 40 Black Bear Trail is not anticipated to have significant impacts; however, there are potential impacts associated with wetlands and the Ocala National Forest which could trigger a higher class of action. Wetland impact avoidance and minimization should also be considered as the design is developed in order to meet the criteria for use of a NWP or a General Permit. Coordination with USFS regarding an easement through the Ocala National Forest will be needed to determine the required NEPA documentation.

