ADMINISTRATIVE ACTION
TYPE 2 CATEGORICAL EXCLUSION

Florida Department of Transportation

I-75(SR 93) AT NW 49TH ST FROM END OF NW 49TH ST TO END OF NW 35TH ST

District: FDOT District 5

County: Marion County

ETDM Number: 14242

Financial Management Number: 435209-1-22-01

Federal-Aid Project Number: N/A

Project Manager: Amy Windom

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

This action has been determined to be a Categorical Exclusion, which meets the definition contained in 40 CFR 1508.4, and based on past experience with similar actions and supported by this analysis, does not involve significant environmental impacts.

Signature below constitutes Location and Design Concept Acceptance:

Director Office of Environmental Management
Florida Department of Transportation

For additional information, contact:

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Metric Engineering, Inc.

Consulting Project Manager:
Carlos Rodriguez, PE

This document was prepared in accordance with the FDOT PD&E Manual.

This project has been developed without regard to race, color or national origin, age, sex, religion, disability or family status (Title VI of the Civil Rights Act of 1964, as amended).

On 12/06/2017 the State of Florida determined that this project is consistent with the Florida Coastal Zone Management Program.

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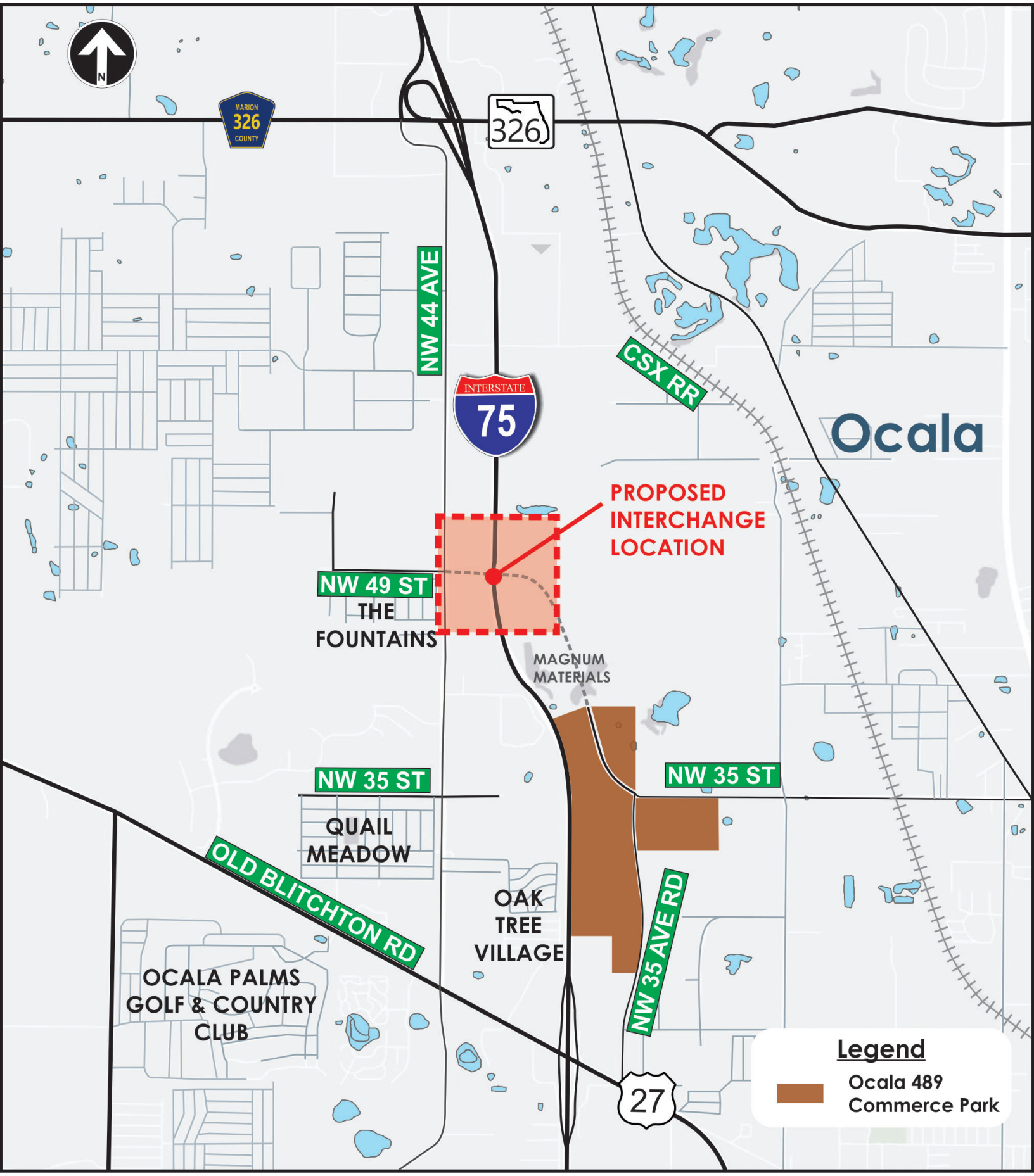

N
MARION
326
COUNTY
326
NW 44 AVE
INTERSTATE
75
CSX RR
Ocala
PROPOSED
INTERCHANGE
LOCATION
NW 49 ST
THE
FOUNTAINS
MAGNUM
MATERIALS
NW 35 ST
NW 35 ST
QUAIL
MEADOW
OLD BLITCHTON RD
OAK
TREE
VILLAGE
NW 35 AVE RD
OCALA PALMS
GOLF & COUNTRY
CLUB
27
Legend
Ocala 489
Commerce Park

1. Project Information

1.1 Project Description

The Florida Department of Transportation (FDOT) in conjunction with Marion County is conducting a Project Development and Environment (PD&E) Study for a new interchange on Interstate 75 (I-75) at NW 49 Street, located just west of the City of Ocala in Marion County, Florida. The Project Location Map (attached) depicts the project vicinity. There are two existing I-75 interchanges within the project vicinity. The I-75/US 27 interchange is located approximately 2 miles south of the proposed interchange and the I-75/SR 326 interchange, approximately 2 miles to the north. An Interchange Justification Report (IJR) completed in May 2016 concluded that the existing I-75 interchange ramp movements and intersections at US 27 and at SR 326 are expected to operate at failing levels of service by 2035. A new I-75 interchange at NW 49 Street (approximately midway between the two existing interchanges) is proposed to relieve congestion on the adjacent interchanges. The western limit of this project is NW 44 Avenue (west of I-75) and the eastern limit is the future NW 35 Street extension to the northern end of limerock pit (Magnum Materials Mine), just southeast of the new proposed interchange (Phase 2B). It should be noted that this proposed NW 35 Street extension (Phase 2B) connection will be constructed by the County and is funded for construction in 2021, so it will be completed prior to the interchange being constructed.

The preferred alternative (shown on **Figure 1**), a diverging diamond interchange, consists of a diamond interchange in which the two directions of traffic on NW 49 Street crossover, or diverge, to the opposite sides between the signalized crossover intersections at the on/off ramps. The preferred alternative also includes the extension of NW 49 Street from NW 44 Avenue to Marion County's future NW 35 Street extension (currently in final design). NW 49 Street (shown on **Figure 2**) will feature four 12-foot travel lanes with 7-foot bicycle lanes, a 28-foot raised median, and 6-foot sidewalks. The proposed right-of-way for NW 49 Street is 122 feet. NW 49 Street will curve towards the south east of I-75 to connect to Marion County's future NW 35 Street extension through the Magnum Materials Mine. At the western limit, the proposed NW 49 Street will tie in to the existing NW 49 Street at the NW 44 Avenue intersection. Improvements at the NW 44 Avenue intersection include the addition of a northbound right turn lane and a southbound left turn lane for access to the proposed NW 49 Street and interchange ramps. For more details please refer to the Preliminary Engineering Report which has been included as Technical Material.

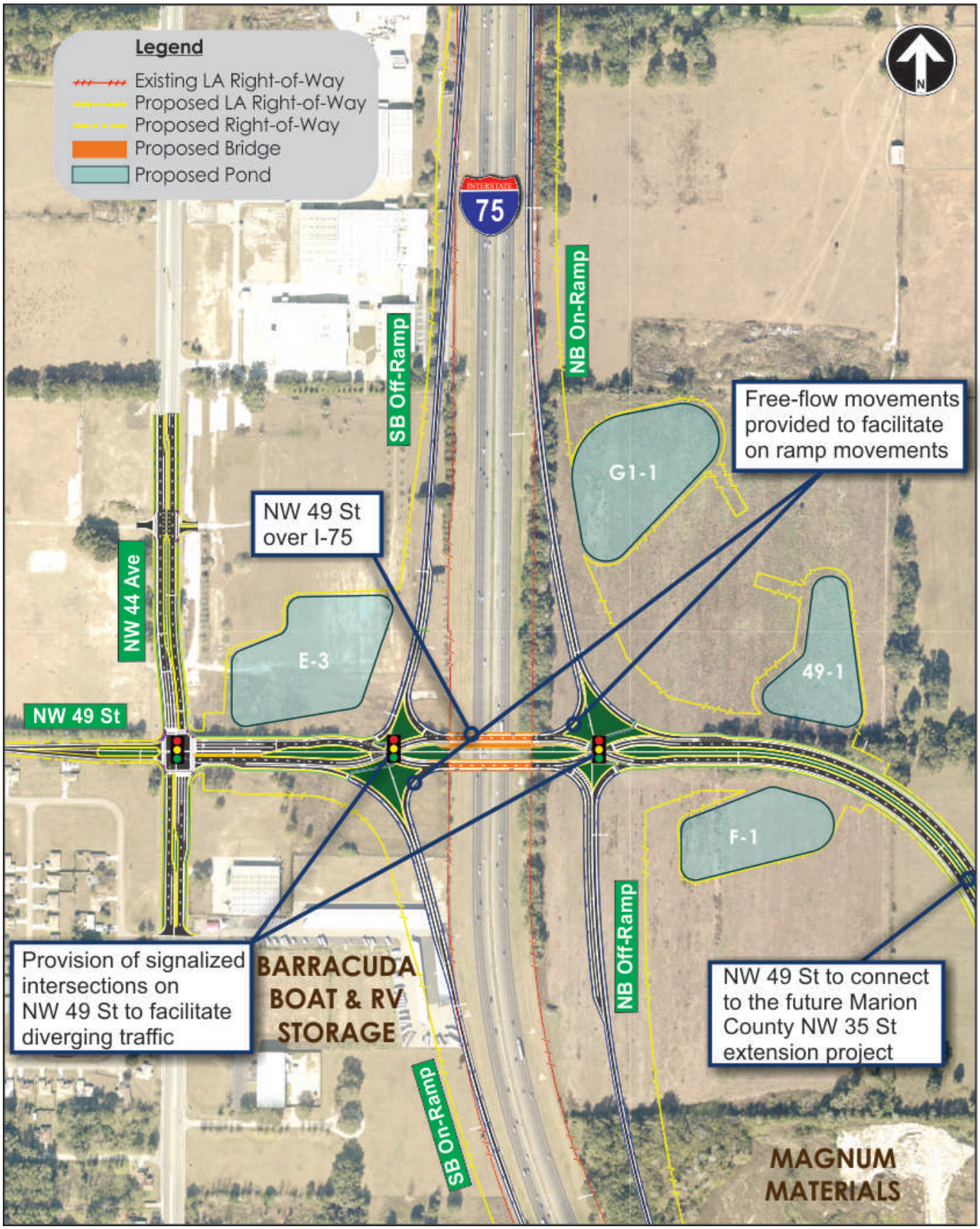


Figure 1 Preferred Alternative

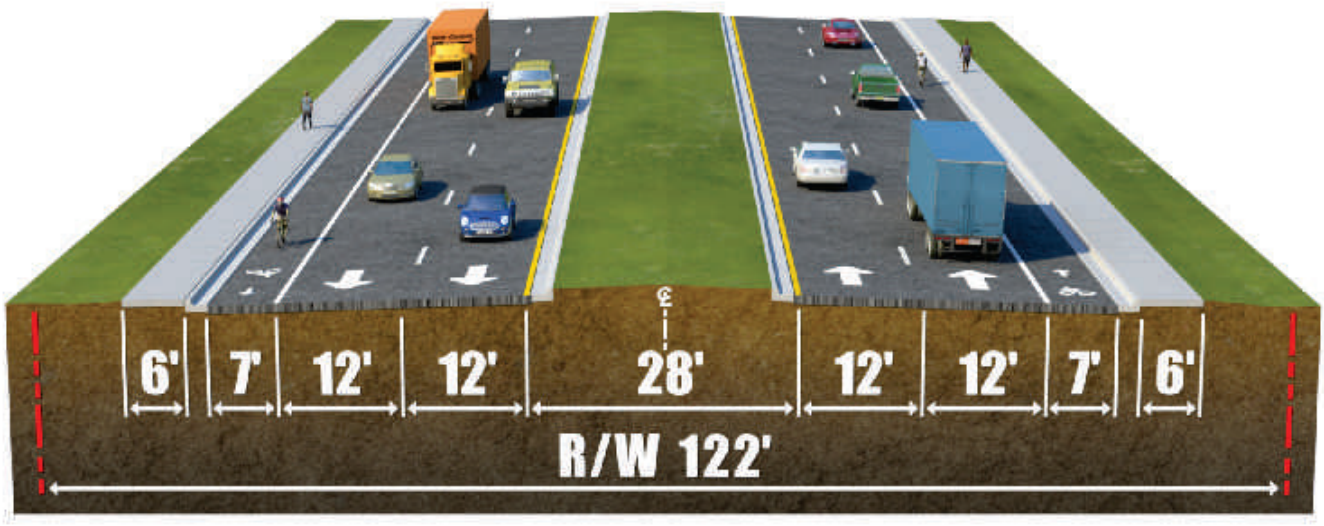


Figure 2 NW 49 Street Typical Section

1.2 Purpose and Need

The purpose of a new I-75 interchange at NW 49 Street is to relieve congestion on adjacent interchanges by providing an alternate access to I-75 for the projected increase in truck volumes resulting from the future commerce district.

The overall study was initiated with a detailed, comprehensive analysis of existing/projected substandard conditions. In general terms, some of the most critical potential needs include:

Economic Viability and Job Creation: The proposed interchange is needed to support the economic viability of the Ocala 489, a 489 acre industrial and commercial development, which is intended to serve as an economic engine for job creation in the region and is envisioned as a strategic central inland hub for freight-related traffic. The Ocala 489 has been established as a Florida Enterprise Zone, a designation which provides numerous tax credits to businesses located within the Commerce Park. In addition, this commerce park includes a site, recently developed by AutoZone, that was designated as a CSX Select Site (the first in Florida). Select Sites are properties identified and vetted as capable locations for future manufacturing facilities along the CSX rail network. FedEx Ground, Florida Crossroads Logistics Center, and Chewy also completed new facilities within the Ocala 489. Marion County has already made infrastructure improvements within the Park with the extension of NW 35 Street as a divided four lane facility. It should be noted that the Ocala 489 is zoned M-1/M-2 or Light/Heavy Industrial and the businesses that are intended to occupy the commerce park will depend heavily on interstate and regional movement to transport raw materials and finished goods, around the State and beyond. In summary, due to its strategic location and incentives, the Ocala 489 and the commerce district/employment center will provide needed jobs in the area.

Improve Interstate and Regional Mobility: The proposed interchange will provide a more direct and efficient access to I-75 thus facilitating interstate and regional mobility. As previously stated, I-75 is a vital north-south interstate facility connecting six different states. From a regional perspective Marion County is approximately midway between Miami and

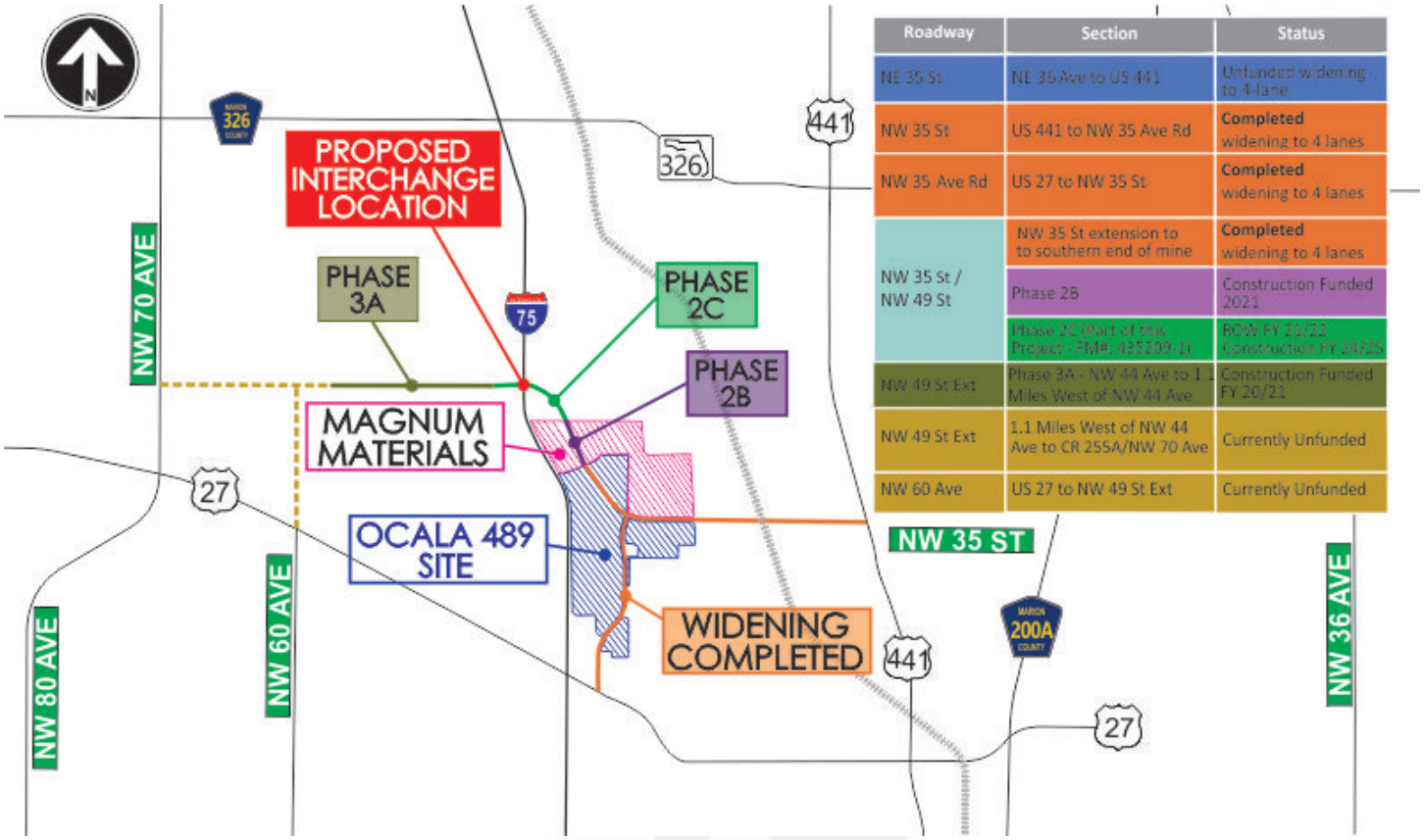
Atlanta and occupies a strategic location due to its relative proximity to other important metropolitan areas such as Jacksonville, Orlando, and Tampa. This strategic location coupled with the presence of a major interstate facility such as I-75 makes this area a key potential hub for commercial industry. The proposed interchange is thus needed to support the efficient movements of goods.

Address Locally Supported Long Term Regional Needs: The proposed project is needed to provide important access to I-75 as part of a locally supported long range vision to provide a future east-west corridor parallel to US 27 and SR 326. This east-west corridor begins at NE 36 Avenue, east of I-75 and Downtown Ocala and terminates at NW 70th Avenue, west of the proposed I-75 interchange. In conjunction with this new east-west corridor is a connection to US 27 at NW 35 Avenue Road and at NW 60 Avenue. The proposed I-75 interchange is currently listed as the number one (1) priority project on the Ocala/Marion Transportation Planning Organization (TPO) FY 2025 Priority Projects List. The County has completed a number of improvements in the area in support of the proposed interchange and the Ocala 489 (see Figure 1-5), including extension of NW 35 Avenue Road. Phase 2A of the NW 35 Avenue Road extension was recently completed by the County, Phase 2B (through the Magnum Materials Mine) is a Marion County project currently in Final Design and programmed for construction in 2021, and Phase 2C (see Planning Consistency) is the connection between the proposed interchange and the future NW 35 Avenue Road (Phase 2B) that will be completed as part of the proposed interchange.

Accommodate Future Traffic Growth: As previously stated, one of the primary justifications for the new interchange is to accommodate projected future year traffic volumes. Marion County has experienced a significant and sustained growth in population since 1970. This significant growth rate is expected to continue in the future. According to the currently adopted Central Florida Regional Planning Model (CFRPM Version 6.1) socio-economic data for 2010 and 2040, the projected population for Marion County is expected to grow from approximately 325,199 to over 490,204 in population by 2040. As a result of this population growth, traffic volumes are increasing and will continue to increase in the future. It should be noted that the existing SR 326 interchange located north of the proposed interchange would be a rather indirect option for trucks serving the Ocala 489 and therefore most of the truck traffic associated with the Commerce Park would likely utilize the US 27 interchange, severely degrading operations and safety at the interchange throughout the day. The need for the new interchange is based on projected traffic volumes in design year 2045 from build-out of not only the Ocala 489 but also the adjacent commerce district/employment center totaling 5,000 +/- acres. It is projected from the CFRPM 6.1 model that build-out in design year 2045 will add 25,000 daily trips to the roadway network with approximately 12%, or 3,000 vehicles, of which are projected to be trucks. As a result of this projected population growth, traffic volumes are increasing and will continue to increase in the future.

1.3 Planning Consistency

The proposed I-75 interchange is currently listed as the number one priority project on the Ocala/Marion Transportation Planning Organization (TPO) FY 2025 Priority Projects List and it is funded for design, right-of-way and construction, planning consistency documentation is attached. The County has completed a number of improvements in the area in support of the proposed interchange and the Ocala 489 (see Figure below), including extension of NW 35 Avenue Road. Phase 2A of the NW 35 Avenue Road extension was recently completed by the County, Phase 2B is a Marion County project currently in Final Design and programmed for construction in 2021, and Phase 2C is the connection between the proposed interchange and the future NW 35 Avenue Road (Phase 2B) that will be completed as part of the proposed interchange.



Currently Adopted LRTP-CFP	COMMENTS
Yes	

	Currently Approved	$	FY	COMMENTS
PE (Final Design)				
TIP	N			The Department is requesting that the TPO amend their current TIP for Fiscal Years 2021-2025 to include the PE. PE for the project is in the TPO's 2020-2024 TIP.
STIP	Y	$1,552,262/ $373,968	2020/ 2021	
R/W				
TIP	Y	$10,200,000	2022	
STIP	Y	$10,200,000	2022	
Construction				
TIP	Y	$49,017,389	2025	
STIP	Y	$47,774,814	>2023	

2. Environmental Analysis Summary

Issues/Resources	Significant Impacts?* Yes	No	Enhance	NoInv
3. Social and Economic				
1. Social	☐	☒	☐	☐
2. Economic	☐	☐	☒	☐
3. Land Use Changes	☐	☒	☐	☐
4. Mobility	☐	☐	☒	☐
5. Aesthetic Effects	☐	☒	☐	☐
6. Relocation Potential	☐	☒	☐	☐
7. Farmland Resources	☐	☒	☐	☐
4. Cultural Resources				
1. Section 106 of the National Historic Preservation Act	☐	☒	☐	☐
2. Section 4(f) of the USDOT Act of 1966	☐	☐	☐	☒
3. Section 6(f) of the Land and Water Conservation Fund	☐	☐	☐	☒
4. Recreational Areas and Protected Lands	☐	☐	☐	☒
5. Natural Resources				
1. Protected Species and Habitat	☐	☒	☐	☐
2. Wetlands and Other Surface Waters	☐	☒	☐	☐
3. Essential Fish Habitat (EFH)	☐	☐	☐	☒
4. Floodplains	☐	☒	☐	☐
5. Sole Source Aquifer	☐	☐	☐	☒
6. Water Resources	☐	☒	☐	☐
7. Aquatic Preserves	☐	☐	☐	☒
8. Outstanding Florida Waters	☐	☐	☐	☒
9. Wild and Scenic Rivers	☐	☐	☐	☒
10. Coastal Barrier Resources	☐	☐	☐	☒
6. Physical Resources				
1. Highway Traffic Noise	☐	☒	☐	☐
2. Air Quality	☐	☒	☐	☐
3. Contamination	☐	☒	☐	☐
4. Utilities and Railroads	☐	☒	☐	☐
5. Construction	☐	☒	☐	☐

USCG Permit

☒ A USCG Permit IS NOT required.

☐ A USCG Permit IS required.

*** Impact Determination:** Yes = Significant; No = No Significant Impact; Enhance = Enhancement; NoInv = Issue absent, no involvement. Basis of decision is documented in the referenced attachment(s).

3. Social and Economic

The project will not have significant social and economic impacts. Below is a summary of the evaluation performed.

3.1 Social

Demographic data (summarized in the tables below) was examined using a 500-foot buffer as well as a broader half-mile buffer. The Sociocultural Data Report for this project is included as Technical Material. Within the 500-foot buffer, 86 percent of the population identifies as white, 12 percent identify as black or African American, 21 percent identify as Hispanic, and 2% identify as multi-racial. These trends were roughly similar for the half-mile buffer, in which 83% percent of the population identify as white, 15 percent as Black or African American, 18% as Hispanic, and 2% as multi-racial.

Population	**Marion County**	**City of Ocala**	**Study Area (500 foot buffer)**	**Half-Mile Buffer**
	348,371	58,595	306	1,250
White	82%	76%	86%	83%
Black or African American	13%	21%	12%	15%
American Indian or Alaska Native	0%	1%	0%	0%
Asian	2%	4%	0%	0%
Hawaiian or Pacific Islander	0%	0%	0%	0%
Other	1%	1%	0%	0%
Multi-racial	3%	3%	2%	2%
Hispanic	13%	13%	21%	18%

Age Group	**Marion County**	**City of Ocala**	**Study Area**	**Half-Mile Buffer**
Age <5	5%	6%	7.5%	7.8%
Age 5 - 17	14%	13%	8.8%	10.7%
Age 18 - 21	4%	6%	1.6%	2.1%
Age 22 - 29	9%	7%	10.1%	8.8%
Age 30 - 39	10%	12%	13.4%	13.3%
Age 40 - 49	11%	13%	3.3%	5.4%
Age 50 - 64	20%	13%	22.2%	22.6%
Age > 65	28%	19%	31.4%	29%

	Marion County	**City of Ocala**	**Study Area**	**Half Mile Buffer**
Median Household Income	$43,361	$40,301	$29,591	$36,166
Population below Poverty Level	17%	20%	30.39%	30.16%

A Sociocultural Effects Evaluation (SCE) was prepared and is included as Technical Material. The preferred alternative would not divide any neighborhoods or communities. This project is expected to have a positive effect on the social environment by improving mobility and accessibility to neighboring communities and the surrounding area. Special populations occur within the study area, but no disproportionately high or adverse impacts are anticipated and no controversy was identified. Land uses immediately surrounding the project include small, undeveloped vegetated areas, large pastures used for agriculture (part of the Baldwin Angus Ranch), mining and light industrial.

3.2 Economic

The future land use is designated as Commerce Districts, encompassing a mix of office, commercial, industrial, and public land uses with nearby residential areas. Marion County has completed several transportation projects in the immediate vicinity of the interchange in support of the future commerce district, as well as the Ocala 489. Based on the future land use and the County's vision and goals for the area, the preferred alternative is anticipated to further support business development and job creation. It would also provide economic enhancement in the study area, locally, and throughout the region by improving mobility and traffic patterns. This will accommodate anticipated traffic, reduce commute times, and improve travel reliability.

3.3 Land Use Changes

The project is not anticipated to impact land use changes because it is compatible with the community's development goals and is consistent with the Ocala-Marion Comprehensive Plan. Regional plans, including those of the Ocala-Marion Tranportation Planning Organization, prioritize this project to address concerns of population growth in this region and increased freight/commercial vehicles associated with the Ocala-Marion County Commerce Park.

3.4 Mobility

The project will enhance mobility by improving access, connectivity and traffic circulation and would introduce a new interchange to I-75. Sidewalks and 7-foot buffered bicycle lanes along both sides of the proposed NW 49 Street extension will be provided within the project limits. The intersections of NW 49 Street with NW 44 Avenue, the southbound on-ramp and the northbound on-ramp are all anticipated to operate at or above the LOS D target. The new interchange is expected to be an enhancement to the safety and emergency response in the region.

3.5 Aesthetic Effects

Based on the noise analyses performed to date, there appears to be no impacted areas within the project that require abatement consideration. The proposed project follows an existing roadway corridor and would not introduce any unnatural or unusual elements into the surrounding viewshed. The project is compatible with the surrounding setting. For these reasons, the project would have no significant aesthetic impacts.

3.6 Relocation Potential

A Conceptual Stage Relocation Plan (CSRP) was prepared and is included as Technical Material. The proposed project will not displace any residences within the community. One commercial property, Barracuda Boat and RV Storage, is proposed for relocation under the preferred alternative. Comparable commercial properties are available for purchase or lease.

In order to minimize the unavoidable effects of Right of Way acquisition and displacement of people, a Right of Way and Relocation Assistance Program will be carried out in accordance with Florida Statute 421.55, Relocation of displaced persons, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

3.7 Farmland Resources

Coordination with the Natural Resources Conservation Service regarding farmland impacts reviewed under the Farmland Protection Act is ongoing and the Farmlands Conversion Rating Form will be included when it becomes available.

4. Cultural Resources

The project will not have significant impacts to cultural resources. Below is a summary of the evaluation performed.

4.1 Section 106 of the National Historic Preservation Act

A Cultural Resource Assessment Survey (CRAS), conducted in accordance with 36 CFR Part 800, was performed for the project, and the resources listed below were identified within the project Area of Potential Effect (APE). FDOT found that these resources do not meet the eligibility criteria for inclusion in the National Register of Historic Places (NRHP), and State Historic Preservation Officer (SHPO) concurred with this determination on 02/26/2019. Therefore, FDOT, in consultation with SHPO, has determined that the proposed project will result in No Historic Properties Affected.

The architectural survey resulted in the identification and evaluation of one newly recorded resource within the I-75 and NW 49 Street Interchange Area of Potential Effects (APE): 4055 NW 63 Street (8MR04310). Resource 8MR04310 lacks the architectural distinction and significant historical associations necessary to be considered for listing in the National Register of Historic Places (NRHP) and was recommended ineligible. No existing or potential historic districts were identified. The architectural field survey also confirmed that one previously recorded structure (8MR01660) located within the APE had been demolished. No further architectural history survey is recommended. The archaeological survey included the excavation of 63 shovel tests within the APE including three pond sites. No archaeological sites or occurrences were identified, and no further archaeological survey is recommended. The CRAS is available is included as Technical Material.

The APE was subsequently expanded to accommodate additional pond sites not previously tested in the original survey. The updated archaeological survey included the excavation of 13 shovel tests within the two additional pond sites, all of which were negative for cultural material. No archaeological sites or occurrences were recorded, and no further archaeological survey is recommended. Also, the architectural field reconnaissance again confirmed the absence of historic-aged buildings or structures within the APE. The CRAS Addendum is included as Technical Material. Concurrence from SHPO on the CRAS and the CRAS Addendum is attached.

4.2 Section 4(f) of the USDOT Act of 1966, as amended

There are no properties in the project area that are protected pursuant to Section 4(f) of the USDOT Act of 1966.

4.3 Section 6(f) of the Land and Water Conservation Fund Act of 1965

There are no properties in the project area that are protected pursuant to Section 6(f) of the Land and Water Conservation Fund of 1965.

4.4 Recreational Areas and Protected Lands

There are no other protected public lands in the project area.

5. Natural Resources

The project will not have significant impacts to natural resources. Below is a summary of the evaluation performed:

5.1 Protected Species and Habitat

The following evaluation was conducted pursuant to Section 7 of the Endangered Species Act of 1973 as amended as well as other applicable federal and state laws protecting wildlife and habitat.

This PD&E study included a Natural Resources Evaluation (NRE) that examined the potential impacts of the project to state and Federally listed species and has been included as Technical Material. That effort involved receiving feedback through the ETDM system, a comprehensive review of literature and resource databases, and field surveys.

The ETDM process assigned a "Summary Degrees of Effect" of *Minimal* for for Wildlife and Habitat. The Federal Highway Administration, Florida Fish and Wildlife Conservation Commission and the Southwest Florida Water Management District assigned a Degree of Effect of *Minimal.* Their comments noted that the project area was previously disturbed and lacks quality habitat or significant wildlife resources. The Florida Department of Agriculture and Consumer Services assigned a degree of effect of *None*. The National Marine Fisheries Services noted that the project would not directly impact Essential Fish Habitat and assigned a degree of effect of *None* to Coastal and Marine resources.

On April 24, 2018, biologists performed driving and walking surveys throughout the project area west of I-75. The entire project area (except the Magnum Materials mine) was assessed during driving and walking surveys on June 13, 2018. Additional field investigations in the project area were conducted on October 23 and December 5, 2018 to provide data from multiple seasons. The proposed impact area on the Magnum Materials mine property was surveyed on December 5, 2018. Barracuda Boat and RV Storage and the property immediately to the north were fenced and entry was not possible. These properties were inspected from outside the perimeter fence; neither property appears to contain wetlands or habitats for protected species. The project area does not contain any designated Critical Habitat for federally listed species.

Due to species range and habitat requirements, it was determined that eight federally listed species and six state listed species had potential to occur in the project area. Each species' habitat preferences and potential habitat in the project study area are described in the Natural Resources Evaluation report along with effect determinations. That Natural Resources Evaluation report is attached as a Technical Material. No adverse impacts are anticipated to any federal or state listed species.

Due to an absence of suitable habitat and documented occurrences in the project corridor, a determination of *No Effect* is made for Everglade snail kite, Florida scrub-jay and red cockaded woodpecker. A determination of *No Effect* is also made for sand skink following coordination and habitat evaluations with the US Fish and Wildlife Service. No further consultation is required.

Two federally listed species, Lewton's polygala and longspurred mint, have potential to occur in the project area. Both species traditionally inhabit ecotones and habitats that are periodically disturbed by fire but are also known to inhabit maintained roadsides. The mowed sides of I-75 and roadways in the project area form low quality potential habitat for Lewton's polygala and longspurred mint. The habitat is considered low quality because it is relatively small in size, highly fragmented, and lacks natural plant communities. Longspurred mint is known to occur along the western side of I-75 right-

of-way, approximately ten miles south of the project. Neither species was observed during field surveys of the project area and neither have previously been documented in the project area. A survey for Lewton's polygala and longspurred mint will be conducted during the design phase. For these reasons, a determination of *May Affect, Not Likely to Adversely Affect* is made for Lewton's polygala and longspurred mint.

Eastern indigo snake: A determination of *May Affect Not Likely to Adversely Affect* was made for the Eastern indigo snake using the USFWS Effect Determination Key, which is attached and included in the Natural Resources Evaluation report. Because the project is not located in open water or salt marsh, because FDOT will implement the USFWS *Standard Protection Measures for the Eastern Indigo Snake*, and because no holes, refugia, or gopher tortoise burrows were identified, the key yields a determination of *May Affect, Not Likely to Adversely Affect*. No further consultation is required.

Wood Stork: The USFWS Effect Determination Key for Wood Stork was used to assess impacts to that species. The key is attached and included in the Natural Resources Evaluation report. Because the project is more than 2,500 feet from a colony site and would not impact Suitable Foraging Habitat (SFH), a determination of *No Effect* was made for the wood stork. No further consultation is required.

For state listed species, a determination of *No Adverse Effect Anticipated* is made for Chapman's fringed orchid, Florida sandhill crane, gopher tortoise, little blue heron, pinesap and southeastern American kestrel (*Falco sparverius paulus*). Details on each species are provided below.

Low quality potential habitat for Chapman's fringed orchid in the project area occurs in roadsides and relict woodlands at the margins of fields. The potential habitat is of low quality because it is fragmented, relatively small in size, and lacks natural undisturbed plant communities. This species was not detected during field surveys and is not known to occur in the project area; therefore, a determination of *No Adverse Effect Anticipated* is anticipated for Chapman's fringed orchid.

Potential habitat for Florida sandhill crane occurs throughout vegetated portions of the project area. Florida sandhill cranes are highly mobile and if they were present during construction, are anticipated to flee and relocate to nearby available habitats. Similar potential foraging habitat is widely available in the vicinity of the project. There are no known occurrences of Florida sandhill crane from the project area. For these reasons, a determination of *No Adverse Effect Anticipated* is made for the Florida sandhill crane.

Low-quality potential habitat for gopher tortoises occurs throughout vegetated portions of the project area. In the project area west of I-75, the degree of residential and commercial development and the disruption of native plant communities greatly degrade the quality of potential gopher tortoise habitat. To the east of I-75, gopher tortoises could potentially inhabit the agricultural lands in the project area. However, those fields and pastures have been under intense agricultural use for many decades, reducing the likelihood of persistence of gopher tortoises. A walking survey for gopher tortoise burrows was conducted by a FWC Authorized Gopher Tortoise Agent. No gopher tortoises or their burrows were encountered, and there are no documented occurrences from the project area. Interviews with local ranchers did not reveal any indications of the presence of gopher tortoises. For these reasons, a determination of *No Adverse Effect Anticipated* is made for the gopher tortoise.

Wetland and surface waters typical of little blue heron habitat do not occur in the project area, though little blue heron could pass through the project area. No little blue heron were detected during field surveys and there are no documented occurrences in the project area. Because little blue herons are highly mobile, if they were present, they would be anticipated to avoid construction and relocate nearby. For these reasons, a determination of *No Adverse Effect Anticipated* is made for the little blue heron.

Potential habitat for pinesap in the project area occurs in the relict woodlands at the margins of fields. No pinesap were encountered during field surveys and none are documented as occurring in the project area. For these reasons, a determination of *No Adverse Effect Anticipated* is made for this species.

Potential foraging habitat for Southeastern American kestrels occurs throughout the project area, particularly in the large, open fields and pastures. Cavities in trees and telephone poles were observed on ranches within the project area east of I-75 and form potential nesting habitat. One adult kestrel was observed in the project area, west of I-75, on April 24, 2018 (see attached Species and Habitat Map). Although the FWC survey season for southeastern American kestrels extends from April through August to cover the entire breeding season, only individuals sighted from May through July can be definitively concluded to belong to the protected Florida subspecies. There are no previously documented occurrences of southeastern American kestrels from the project area. Additional surveys for the Southeastern American kestrel will be performed following the guidelines from the Florida Fish and Wildlife Conservation Commission to reduce the potential to impact this species. For these reasons, a determination of *No Adverse Effect Anticipated* is made for the southeastern American kestrel.

5.2 Wetlands and Other Surface Waters

The following evaluation was conducted pursuant to Presidential Executive Order 11990 of 1977 as amended, Protection of Wetlands and the USDOT Order 5660.1A, Preservation of the Nation's Wetlands.

This PD&E study included a Natural Resources Evaluation (NRE) that examined the potential impacts of the project to wetlands and Other Surface Waters. There are no wetlands in the project corridor, so there are no anticipated short-term or long-term adverse impacts to wetlands. Other Surface Waters in the project corridor are limited to a Surface Water Collection Basin (FLUCCS 8370) west of NW 44 Avenue and small roadside ditches and swales that are part of the manmade drainage system.

Through the ETDM system, the US Environmental Protection Agency, the US Army Corps of Engineers, Federal Highway Administration and Southwest Florida Water Management District assigned a degree of effect of *Minimal* for wetlands. The National Marine Fisheries Service, Saint Johns River Water Management District, and Florida Department of Environmental Protection assigned a degree of effect of *None* for wetlands. The presence of one nearby wetland was noted but no significant comments regarding wetlands were provided.

5.3 Essential Fish Habitat (EFH)

There is no Essential Fish Habitat (EFH) in the project area.

5.4 Floodplains

Floodplain impacts resulting from the project were evaluated pursuant to Executive Order 11988 of 1977, Floodplain Management.

A Location Hydraulics Report (LHR) was prepared and is included as Technical Material. This provides a summary of the floodplain impacts. There are no FEMA regulated floodways within the limits of the project. A small segment of the project crosses FEMA designated Zone AE (Elevation Determined).The anticipated floodplain impact due to the interchange construction is approximately 3.5 acre-feet. Floodplain encroachment can be compensated within the proposed right of way in the regraded swales with a wider footprint to provide the storage volume for water quality treatment, attenuation and compensation for floodplain impact.

Modifications to existing drainage structures (extending cross drains, relocating ditch blocks, and adding headwalls) included in this project will result in an insignificant change in their capacity to carry floodwater. These modifications will cause minimal increases in flood heights and flood limits which will not results in any significant adverse impacts on the natural and beneficial floodplain values or any significant change in flood risks or damage. There will be no significant change in the potential for interruption of emergency service or emergency evacuation routes as the result of modifications to existing drainage structures. Therefore, it has been determined that this encroachment is not significant.

5.5 Sole Source Aquifer

There is no Sole Source Aquifer associated with this project.

5.6 Water Resources

The project study area is within the jurisdiction of the St. Johns River Water Management District (SJRWMD) and the Southwest Florida Water Management District (SWFWMD) and hydrologically within the Silver Springs Watershed Area within the Ocklawaha River Basin. I-75 forms the boundary between two designated Basin Management Action Plans (BMAPs) for the Silver Springs and Rainbow Springs springsheds, which are designated Outstanding Florida Waters (OFW) that have been verified as impaired by excessive nutrient loads. However, runoff from the project area flows to localized depressional areas which are landlocked and improvements are outside of the Spring Priority Focus Areas (PFA). There are no surface flow contributions to the springs associated with these BMAPs. The project area is considered a sensitive karst area and sits above the Floridan Aquifer. The project area is mapped by Florida Aquifer Vulnerability Assessment (FAVA) as being of the highest vulnerability to aquifer contamination. This project study includes an assessment of water quality treatment through the construction of stormwater management facilities as required by FDOT, the SJRWMD and the SWFWMD.

5.7 Aquatic Preserves

There are no aquatic preserves in the project area.

5.8 Outstanding Florida Waters

There are no Outstanding Florida Waters (OFW) in the project area.

5.9 Wild and Scenic Rivers

There are no designated Wild and Scenic Rivers or other protected rivers in the project area.

5.10 Coastal Barrier Resources

There are no Coastal Barrier Resources in the project area.

6. Physical Resources

The project will not have significant impacts to physical resources. Below is a summary of the evaluation performed for these resources.

6.1 Highway Traffic Noise

The following evaluation was conducted pursuant to 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, and Section 335.17, F.S., State highway construction; means of noise abatement.

Traffic noise levels were predicted for the noise-sensitive locations along the project corridor for the design year Preferred Alternative. Approximately twenty-three (23) residences in The Fountains neighborhood were identified as being sensitive to traffic noise along I-75 within the limits of this project. No non-residential or special-use noise-sensitive sites were identified along the project corridor. Design year traffic noise levels at nearby residences are predicted to range from 55.0 to 63.0 dB(A). No noise-sensitive sites within the project study area are predicted to experience traffic noise levels equal to or exceeding the NAC.

None of the noise sensitive sites were predicted to experience substantial noise increases (increase of 15 dB(A) as defined by FDOT), or exceed the FHWA's Noise Abatement criteria (67 dB(A) for residential locations); therefore, noise abatement is not required for The Fountains neighborhood. Based on the noise analyses performed to date, there appears to be no impacted areas within the project that require abatement consideration. The Noise Study Report (NSR) has been included as Technical Material.

6.2 Air Quality

This project is not expected to create adverse impacts on air quality because the project area is in attainment for all National Ambient Air Quality Standards (NAAQS) and because the project is expected to improve the Level of Service (LOS) and reduce delay and congestion on all facilities within the study area.

The project alternatives were subjected to a CO screening model called CO Florida 2012. The roadway intersection along the proposed project forecast to have the highest total approach traffic volume is I-75 at NW 49 Street. The Build and No-Build scenarios for both the opening year (2025) and the design year (2045) were evaluated.

Estimates of CO were predicted for the default receptors which are located 10 feet to 150 feet from the edge of the roadway. Based on the results from CO Florida 2012, the highest project-related CO one- and eight-hour levels are not predicted to meet or exceed the one- or eight-hour NAAQS for this pollutant with either the No-Build or Build alternatives. As such, the project "passes" the screening model. This project is not expected to create adverse impacts on air quality because the project area is in attainment for all NAAQS. The Air Quality Technical Memorandum has been included as Technical Material.

6.3 Contamination

A Contamination Screening Evaluation Report was prepared and has been included as a Technical Material. A total of 11 sites were identified and reviewed for potential contamination. One site (Hickory Spring Manufacturing Company) was assigned a risk rating of High. Four sites (Quick King #16, All in Removal, Hydro Spa LLC/Quality Bedding, and the Baldwin Angus Ranch) were assigned a risk rating of Medium, and six sites (Thermo King of Ocala, Inc., Scorpion Performance and Anodize, Inc., NW 49 Street Storage Field, AgroConsolidated LLC, Voyager Inc., and Magnum Materials Mine) were assigned a risk rating of Low. Level II Contamination Assessments are recommended for any High- or Medium-Risk sites. West of I-75, additional contamination assessments will be primarily for petroleum and east of I-75 additional contamination assessments will be primarily for contaminants associated with agriculture (i.e., pesticides, herbicides, and heavy metals).

Site #	**Facility Name**	**Parcel Numbers**	**Address/ Location**	**Facility ID (FDEP/RCRA)**	**Databases**	**Concern**	**Approximate Distance to Project**	**Risk Rating**
1	Thermo King of Ocala, Inc.	13531-000-02	6015 NW 44 Avenue	None	None	Refrigerants, petroleum products	Co-located	Low
2	Quick King #16	13535-013-00	5882 NW 44 Avenue	8511206	STCM	Fuel, petroleum products	1,000+ feet	Medium
3	All in Removal	13530-000-00	5877 NW 44 Avenue	9814828	STCM	Storage Tank	Co-located	Medium
4	Scorpion Performance and Anodize, Inc.	13538-002-02	5817 NW 44 Avenue	None	None	Cleaners, Solvents	Co-located	Low
5	Hickory Springs Manufacturing Company	13538-002-01	5407 NW 44 Avenue	FLR 000 112 649	Hazardous Waste	Storage Tank	Co-located	High
6	Hydro Spa LLC (Quality Bedding)	13538-002-00	5345 NW 44 Avenue	FLD 982 107 229	Hazardous Waste	Storage Tank	Co-located	Medium
7	NW 49 Street Storage Field	13539-001-00	North of NW 49 Street	None	None	Storage of unidentified objects	Co-located	Low
8	AgroConsolidated, LLC	13689-001-00	4134 SW 47th Ct	None	None	55 Gallon Drums	Co-located	Low
9	Voyager Inc. (Barracuda Truck and RV Storage)	13689-000-00	4707 NW 44 Avenue	FLD 984 184 226	Hazardous Waste	Petroleum products	Co-located	Low
10	Baldwin Angus Ranch	13462-000-00, 13495-000-00	3660 NW 56th Street	8511217, 8737114	STCM	Storage tanks, used motor oil, fertilizers, herbicides, pesticides, anhydrous ammonia, diesel fuel, unleaded fuel	Co-located	Medium
11	Magnum Materials Mine and Borrow Pits	13715-000-00, 13698-000-00	3669-3711 NW 27th Avenue	None	None	Mining waste water, petroleum products	Co-located	Low

6.4 Utilities and Railroads

Details of the utilities present and potentially impacted can be found in the Utility Assessment Package prepared for this study included as Technical Material. Utilities in the vicinity of the project occur primarily along NW 44 Avenue. Minor impacts to utilities could occur as a result of the extension of NW 49 Street including water, sewer, overhead electric, and a 6-inch gas main (Teco People's Gas) located along the median of NW 44 Avenue, north of NW 49 Street.

There are no existing railroad crossings within the project limits.

6.5 Construction

Construction activities may cause short-term air quality impacts in the form of dust from earthwork and unpaved roads. These impacts will be minimized by adherence to applicable state regulations and to applicable FDOT Standard Specifications for Road and Bridge Construction.

Noise control measures will include those contained in FDOT's Standard Specifications for Road and Bridge Construction

7. Engineering Analysis Support

The engineering analysis supporting this environmental document is contained within the .

8. Permits

The following environmental permits are anticipated for this project:

State Permit(s)	Status
DEP or WMD Environmental Resource Permit (ERP)	To be acquired
DEP National Pollutant Discharge Elimination System Permit	To be acquired

9. Public Involvement

The following is a summary of public involvement activities conducted for this project:

Summary of Activities Other than the Public Hearing

Public involvement activities were integrated into the PD&E study process providing the opportunity for property owners, residents, businesses, government entities and agencies to share their ideas and concerns with the study team. The Ocala Star Banner was used to notify the public of the project and upcoming public meetings. The study website www.cflroads.com/project/435209-1 was utilized to upload study materials and allow for public commenting as well throughout the PD&E Study.

A Public Kick-Off meeting for the I-75 at NW 49 Street Interchange PD&E Study was held on July 6, 2017. The Ocala/Marion TPO meeting served as the format for the Kick-Off Meeting. The purpose of this meeting was to present an overview of the project to the public and to the elected officials. The study team was present if there were any questions that needed to be addressed from public and elected and agency officials.

An Alternative Public Information Meeting was held on February 6, 2019 at the Community Room of the Ocala Police Department. This meeting provided an opportunity for residents, businesses, stakeholders and other interested parties to view project information, ask questions of the study team and provide comments. Public meeting notices were sent by U.S. mail and published in local newspapers and the Florida Administrative Register (FAR). A total of 54 people signed into the meeting including staff members. Comments were received during the 10-day comment period. In general, overall sentiment regarding the project was positive and the community is looking forward to a new interchange with I-75. Many residents were concerned about potential residential relocations as a result of the project.

Additionally, the following outreach activities occurred throughout the study:

Marion County Kick Off meeting (7-6-2017)
Ocala 2035 Leadership (8-24-2017
West Ocala CRA (9-20-2017)
TPO CAC and TAC (11-14-2017)
TPO Board (11-28-2017)
NW 49 Street Alignment Discussion (Marion County) (5-8-2018)
Coordination with Baldwin Angus Ranch (2-6-2017, 3-12-2019)
Coordination with Barracuda Boat and RV Storage (3-12-2019, 10-8-2019)
Marion County ELA (3-12-2019)
TPO Board (1-24-2019)
Marion County Staff Coordination (6-25-2019)
Marion County Board of County Commissioners (8-14-2019)
TPO CAC and TAC (10-13-2020)
TPO Board (10-27-2020)

Date of Public Hearing: 11/18/2020

Summary of Public Hearing

This section to be completed after the Public Hearing

10. Commitments Summary

1. The Standard Protection Measures for the Eastern Indigo Snake will be implemented during construction.

2. A survey for the Southeastern American kestrel will be performed during the design phase

3. A survey for Lewton's polygala and longspurred mint will be performed during the design phase.

11. Technical Materials

The following technical materials have been prepared to support this environmental document.

I-75 & NW 49th-35th Street IJR_05.12.2016
Sociocultural Effects Evaluation Report
Conceptual Stage Relocation Plan
Supporting Documentation Specific to Social Resources
Cultural Resources Assessment Survey (CRAS)
Cultural Resources Assessment Survey (CRAS)
Natural Resources Evaluation (NRE)
Water Quality Impact Evaluation (WQIE)
Noise Study Report (NSR)
Air Quality Technical Memorandum
Contamination Screening Evaluation Report (CSER)
Utilities Assessment Package
Public Involvement Plan

Attachments

Planning Consistency
Project Plan Consistency Documentation

Social and Economic
Land Use Map

Cultural Resources
SHPO Concurrence Letter
SHPO Concurrence Letter_ Ponds

Natural Resources
Floodplains Map
Species and Habitat Map
Documentation of coordination with USFWS regarding sand skink potential habitat and surveys
Eastern Indigo Snake Effect Determination Key
Wood Stork Effect Determination Key

Physical Resources
Potential Contamination Site Map

Planning Consistency Appendix

Contents:

Project Plan Consistency Documentation

Federal Aid Management Cynthia Lorenzo - Manager

STIP Project Detail and Summaries Online Report

Selection Criteria	
Current STIP Financial Project:435209 _	**Detail Report Related Items Shown**

HIGHWAYS

Item Number: 435209 1 **Project Description:** I-75(SR 93) AT NW 49TH ST FROM END OF NW 49TH ST TO END OF NW 35TH ST

District: 05 **County:** MARION **Type of Work:** INTERCHANGE (NEW) **Project Length:** .001MI

		Fiscal Year						
Phase / Responsible Agency		**<2020**	**2020**	**2021**	**2022**	**2023**	**>2023**	**All Years**
CONSTRUCTION / MANAGED BY FDOT								
Fund Code:	CIGP - COUNTY INCENTIVE GRANT PROGRAM						8,306,703	**8,306,703**
	DDR - DISTRICT DEDICATED REVENUE						14,049,796	**14,049,796**
	DIH - STATE IN-HOUSE PRODUCT SUPPORT						111,500	**111,500**
	LF - LOCAL FUNDS						8,206,420	**8,206,420**
	SL - STP, AREAS <= 200K						9,201,590	**9,201,590**
	TRIP - TRANS REGIONAL INCENTIVE PROGM						4,577,461	**4,577,461**
	TRWR - 2015 SB2514A-TRAN REG INCT PRG						3,321,344	**3,321,344**
	Phase: CONSTRUCTION Totals						**47,774,814**	**47,774,814**
P D & E / MANAGED BY FDOT								
Fund Code:	DDR - DISTRICT DEDICATED REVENUE	2,636,410						**2,636,410**
	DIH - STATE IN-HOUSE PRODUCT SUPPORT	95,594	17,609	15,990				**129,193**
	DS - STATE PRIMARY HIGHWAYS & PTO		570,953					**570,953**
	Phase: P D & E Totals	**2,732,004**	**588,562**	**15,990**				**3,336,556**
PRELIMINARY ENGINEERING / MANAGED BY FDOT								

Fund Code:	DDR - DISTRICT DEDICATED REVENUE		1,545,699	350,000				**1,895,699**
	DIH - STATE IN-HOUSE PRODUCT SUPPORT		6,032	23,968				**30,000**
	DS - STATE PRIMARY HIGHWAYS & PTO		531					**531**
	Phase: PRELIMINARY ENGINEERING Totals		**1,552,262**	**373,968**				**1,926,230**
RIGHT OF WAY / MANAGED BY FDOT								
Fund Code:	LF - LOCAL FUNDS				10,200,000			**10,200,000**
	Item: 435209 1 Totals	**2,732,004**	**2,140,824**	**389,958**	**10,200,000**		**47,774,814**	**63,237,600**
	Project Totals	**2,732,004**	**2,140,824**	**389,958**	**10,200,000**		**47,774,814**	**63,237,600**
	HIGHWAYS Totals	**2,732,004**	**2,140,824**	**389,958**	**10,200,000**		**47,774,814**	**63,237,600**
	Grand Total	**2,732,004**	**2,140,824**	**389,958**	**10,200,000**		**47,774,814**	**63,237,600**

This site is maintained by the Office of Work Program and Budget, located at 605 Suwannee Street, MS 21, Tallahassee, Florida 32399.

For additional information please e-mail questions or comments to:
Federal Aid Management
Cynthia Lorenzo: Cynthia.Lorenzo@dot.state.fl.us Or call 850-414-4448

Reload STIP Selection Page

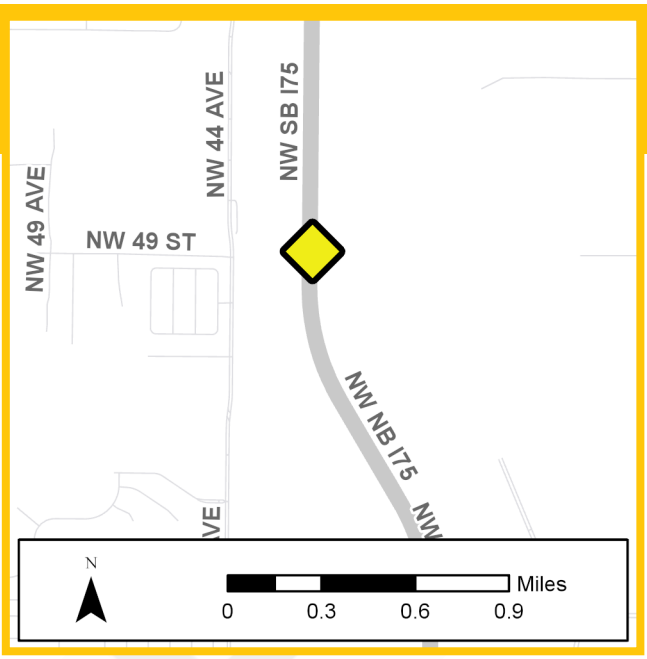
Office Home: Office of Work Program

- Contact Us
- Employment
- MyFlorida.com
- Performance
- Statement of Agency
- Web Policies & Notices

Florida Department of Transportation

Consistent, Predictable, Repeatable

Project Description: I-75 (SR 93) at NW 49th St. from end of NW 49th St. to end of NW 35th St.



Project Type: Interchange

FM Number: 4352091

Lead Agency: FDOT

Length: 0.1 miles

LRTP # (pg. #): Goal 3: Objective 3 (2-9)

Prior Cost < 2020/21:	Future Cost > 2024/25:	Total Project Cost
$3,921,477	$0	$63,138,866

Additional Information: Construction of a new I-75 interchange at NW 49th Street to facilitate projected increases in freight traffic. This project also includes extending NW 49th Street from NW 44th Avenue to NW 35th Avenue. The project is currently in the PD&E phase. (Priority Project #1)

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
ROW	LF	-	$10,200,000	-	-	-	$10,200,000
CST	SL	-	-	-	-	$9,440,914	$9,440,914
CST	LF	-	-	-	-	$8,419,861	$8,419,861
CST	CIGP	-	-	-	-	$8,522,752	$8,522,752
CST	DDR	-	-	-	-	$14,415,217	$14,415,217
CST	DIH	-	-	-	-	$114,400	$114,400
CST	TRIP	-	-	-	-	$4,696,516	$4,696,516
CST	TRWR	-	-	-	-	$3,407,729	$3,407,729
Total		**-**	**$10,200,000**	**-**	**-**	**$49,017,389**	**$59,217,389**

FY 2026 List of Priority Projects (LOPP)							
New Rank	Previous Rank	FM Number	Project Name	From	To	Description	Phase
1	1	435209-1	NW 49th Street Interchange		-	- New Interchange	ROW
2	2	-	SW 49th Avenue Phase 1	SW 66th St	SW 42nd St	Capacity project	CST
3	8	433651-1, 2, &3	CR 484/I-75 Interchange Operational Improvements	SW 20th Ave	CR 475A	Operations and Capacity Improvements	CST
4	16	-	SW 49th Avenue	CR 484	Marion Oaks Trail	Capacity project	CST
5	17	-	Emerald Road Extension	SE 92nd Loop	Emerald Road	New 2 Lane Road	CST
6	12	435484-1	Pruitt Trail	SR 200	Trailhead	Heart of Florida	CST
7	4	-	SW 44th Avenue	SR 200	SW 20th Street	New 4 Lane Capacity Project	CST
8	5	433660-1	US 441 Intersection Op Improvement II	SR 464	SR 464	Add dedicated turn lanes and pedestrian improvements	CST
9	7	431935-1	SR 40 Downtown Operational Improvement	US 441	NE 8th Ave	Pedestrian and Traffic Operation Improvements	ROW
10	11	238651-1	SR 200	CR 484	Citrus County Line	Adding 2 Lanes	CST
11	9	433661-1	SR 40/US 441 Intersection Operational Improvement	NW 2nd St	SW Broadway St	Add Dedicated Turn Lanes, Pedestrian Improvements, & Enhanced Illumination	CST
12	10	433652-1	SR 40/I-75 Interchange Operational Imprvements	SW 40th Ave	SW 27th Ave	Operations Improvement at I-75 Interchange & SW 27th Ave Intersection	CST
13	14	-	Countywide ITS Operations & Maintenance		-	- Operation & Maintenance	CST
14	21	436755-1	Indian Lake Trail	Silver Springs State Park	Indian Lake Trailhead	Local Trail Project	ROW
15	18	238648-1	US 41	SW 111th Pl Ln	SR 40	Add 2 Lanes	CST
16	19	410674-2	SR 40 East (End of 4 Lanes to E. of 314)	End of 4 Lanes	East of 314	Add 2 Lanes, and 2 Bridge Structures	CST
17	13	-	Santos to Baseline Trail	Baseline Trailhead	Santos Trailhead	Heart of Florida	DES
18	12	435484-2	Pruitt Trail	Trailhead	Bridges Road	Heart of Florida	DES
19	15		SW 49th Avenue	CR 484	Marion Oaks Manor	Add 2 Lanes	DES
20	6	-	CR 484 - Pennsylvania Ave Multi-Modal Improvements w/ Bridge Option	Blue Run Park	Mary Street	Pedestrian Bridge over Rainbow Springs and Multi-Modal Improvements along CR 484	DES

Project Name	Improvement Type	Project Length (miles)	Funding Timeframe	Project Phase and Cost (YOE)
SE 92nd Pl Rd from US 441 to SR 35	Add 2 lanes	1.7		PE: $575,000 (PDC) ROW: $3.45 million (PDC) CST: $6.03 million (PDC)
West Impact Fee District				
2021-2025				
NW 49th St Ext at I-75	New interchange	N/A	2021-2025 2021-2025	PE: $4.58 million (OA; IFwest) CST: $45.19 million(OA; IFwest)
NW 49th St Ext from NW 44th Ave to NW 35th Ave	New 4-lane	0.8	2021-2025 2021-2025 2021-2025	PE: $544,000 (IFwest) ROW: $3.26 million (IFwest) CST: $5.71 million (IFwest)
2026-2030				
SW 44th Ave from SR 200 to SW 20th St	New 4-lane	1.8	2026-2030	CST: $7.55 million (IFwest)
SW 44th Ave from SW 13th St to SR 40	New 4-lane	0.9	2026-2030	CST: $7.30 million (IFwest)
SW 44th Ave from SR 40 to NW 10th St	New 4-lane	0.8	2026-2030 2026-2030 2026-2030	PE: $599,000 (IFwest) ROW: $3.60 million (IFwest) CST: $6.29 million (IFwest)
2031-2040				
Marion Oaks Manor Ext from SW 18th Ave Rd to CR 475	New 2-lane	2.4	2026-2030 2026-2030 2031-2040	PE: $1.33 million (IFwest) ROW: $7.98 million (IFwest) CST: $17.87 million (IFwest)
Marion Oaks Manor Ext at I-75	New overpass	N/A	2031-2040 2031-2040	CST: $16.75 million (IFwest) CST: $12.41 million (TMA)
SW 49th Ave from SW 95th St to Marion Oaks Tr	Add 2 lanes	3.4	2026-2030 2026-2030 2031-2040	PE: $1.80 million (IFwest) ROW: $10.78 million (IFwest) CST: $24.12 million (IFwest)

FDOT Emergency Travel Alert: For information on the current situation, please visit the following page - Alerts.

Florida Department of

TRANSPORTATION

Web Application

Office of Work Program and Budget Lisa Saliba - Director

Five Year Work Program

Selection Criteria	
All in State (Updated: 9/19/2020-01.03.28)	**2021-2025 AD Item Number:**435209-1

Transportation System Description	Fiscal Year:	District 2021	Length 2022	Type of Work 2023	Item 2024	2025
INTRASTATE INTERSTATE		District 05 - Marion County	0.001	INTERCHANGE (NEW)	435209-1	
I-75(SR 93) AT NW 49TH ST FROM END OF NW 49TH ST TO END OF NW 35TH ST						SIS
Highways /PD & E ***(On-Going)***		$15,990				
Highways /Preliminary Engineering ***(On-Going)***		$373,968				
Highways /Right of Way			$10,200,000			
Highways /Construction						$47,774,814

Social and Economic Appendix

Contents:

Land Use Map

NW 63rd St
2150
4200
75
8140
6430
Pond G1-1
Pond E-3
Pond 49-1
1550
NW 49th St
1200
7410
2110
Pond F-1
4340
3100
1632
1400
NW 35th St
NW 35th Ave

Legend

- Proposed Alternative R/W
- Proposed Pond R/W

Land Use Description (SJRWMD 2012)

- 1180: RESIDENTIAL, RURAL
- 1200: RESIDENTIAL, MEDIUM DENSITY
- 1400: COMMERCIAL AND SERVICES
- 1550: OTHER LIGHT INDUSTRIAL
- 1632: LIMEROCK OR DOLOMITE
- 1650: RECLAIMED LANDS
- 2110: IMPROVED PASTURES
- 2120: UNIMPROVED PASTURES
- 2150: FIELD CROPS
- 4200: UPLAND HARDWOOD FORESTS
- 4340: UPLAND MIXED CONIFEROUS/HARDWOOD
- 7410: RURAL LAND IN TRANSITION
- 8140: ROADS AND HIGHWAYS
- 8370: SURFACE WATER COLLECTION BASINS

Feet
0 375 750 1,500

Cultural Resources Appendix

Contents:

SHPO Concurrence Letter

SHPO Concurrence Letter_ Ponds

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Blvd.
DeLand, FL 32720

KEVIN J. THIBAULT, P.E.
SECRETARY

February 1, 2019

Timothy A. Parsons, Ph.D.,
Director and State Historic Preservation Officer
Florida Division of Historical Resources
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Attn: Dr. Adrianne Daggett, Transportation Compliance Review Program

RE: Cultural Resource Assessment Survey
I-75 (SR 93) at NW 49th Street Project Development and Environment Study
Marion County, Florida
Financial Management No.: 435209-1

Dear Dr. Parsons,

Enclosed please find one copy of the report titled *Cultural Resource Assessment Survey in Support of the I-75 (SR 93) at NW 49th Street from End of NW 49th Street to End of NW 35th Street Project Development and Environment (PD&E) Study.* This report presents the findings of a CRAS conducted in support of the PD&E Study for proposed interchange construction in Marion County, Florida. The Florida Department of Transportation (FDOT), District 5, is proposing to construct a new interchange and new roads leading to the interchange with the extension of NW 49th Street and NW 35th Street.

The project Area of Potential Effect (APE) was defined to include all build alternatives for the interchange, including existing and new right-of-way. This APE was extended to the back or side property lines of parcels adjacent to the existing and proposed right-of-way, or a distance of no more than 100 meters (330 feet) from the right-of-way line. The archaeological survey was conducted within the existing and proposed right-of-way. The historic structure survey was conducted within the entire APE.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 14, 2016 and executed by the Federal Highway Administration (FHWA) and FDOT.

This CRAS was conducted in accordance with the requirements set forth in Section 106 of the National Historic Preservation Act of 1966, as amended, found in 36 CFR Part 800 (Protection of Historic Properties). The studies also comply with Chapter 267 of the Florida Statutes and Rule Chapter 1A-46, Florida Administrative Code and Section 267.12, Florida Statutes, Chapter 1A-32. All work was performed in accordance with Part 2, Chapter 8 of FDOT's PD&E Manual (revised June 2017), FDOT's Cultural Resource Manual, and the standards stipulated in the Florida Division of Historical Resources' (FDHR) *Cultural Resource Management Standards & Operations Manual, Module Three: Guidelines for Use by Historic Preservation Professionals*. The Principal Investigator for this project meets the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (48 FR 44716-42). This study also complies with Public Law 113-287 (Title 54 U.S.C.), which incorporates the provisions of the National Historic Preservation Act of 1966, as amended, and the Archeological and Historic Preservation Act of 1979, as amended.

The archaeological survey included the excavation of 63 shovel tests within the I-75 and NW 49th Street Interchange right-of-way. No archaeological sites or occurrences were identified, and no further archaeological survey is recommended.

The architectural survey resulted in the identification and evaluation of one newly recorded resource within the I-75 and NW 49th Street Interchange APE: 4055 NW 63rd Street (8MR04310). Resource 8MR04310 lacks the architectural distinction and significant historical associations necessary to be considered for listing in the National Register of Historic Places (NRHP) and is recommended ineligible. Additionally, a review of the Florida Master Site File (FMSF) data indicated that one previously recorded structure (8MR01660) was located within the APE; however, the architectural field survey confirmed that this building is no longer present.

Based on the results of this study, it is the opinion of the District that the proposed undertaking will have no effect on NRHP-listed or -eligible historic properties. No further work is recommended.

I respectfully request your concurrence with the findings of the enclosed report. If you have any questions or need further assistance, please contact Catherine Owen, District Cultural Resource Coordinator, at (386) 943-5383 or me at (386) 943-5411.

Sincerely,

for William G. Walsh
Environmental Manager
FDOT, District Five

The Florida State Historic Preservation Officer:

X finds the attached report complete and sufficient and X concurs/ ___ does not concur with the findings and recommendations contained in this cover letter and the enclosed report.

___ does not find the attached report complete and sufficient and requires additional information in order to provide an opinion on the potential effects of the proposed project on historic resources.

/s/ _____ 2/26/2019

For: Timothy A. Parsons, Ph.D. **Date**
Director, Division of Historical Resources
& State Historic Preservation Officer

2019-551

DHR No.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Blvd.
DeLand, FL 32720

KEVIN J. THIBAULT, P.E.
SECRETARY

October 9, 2020

Timothy A. Parsons, Ph.D.,
Director and State Historic Preservation Officer
Florida Division of Historical Resources
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Attn: Dr. Adrianne Daggett, Transportation Compliance Review Program

RE: Cultural Resource Assessment Survey
Proposed Pond Sites Associated with the I-75 (SR 93) at NW 49th Street
End of NW 49th Street to End of NW 35th Street
Project Development and Environment (PD&E) Study,
Marion County, Florida
Financial Management No.: 435209-1-22-01

Dear Dr. Parsons,

Enclosed please find one copy of the report titled *Technical Memorandum: Cultural Resource Assessment Survey of the I-75 (SR 93) at NW 49th Street Pond Sites, Marion County, Florida.* The current ponds cultural resource assessment survey (CRAS) is an addendum to a 2019 SEARCH survey report titled *Cultural Resource Assessment Survey in Support of the I-75 (SR 93) at NW 49th Street from the End of NW 49th Street to the End of NW 35th Street Project Development and Environment (PD&E) Study, Marion County, Florida* (Florida Master Site File [FMSF] Survey No. 25810). This technical memorandum details the results of a CRAS of five preferred pond locations in Marion County, Florida. The Florida Department of Transportation (FDOT), District 5, is proposing to construct five retention ponds (Ponds E-1, E-3, F1, G1-1, and 49-1) associated with a new interchange and new roads leading to the interchange with the extension of NW 49th Street and NW 35th Street. Three of the five pond sites (Ponds F-1, G1-1, and 49-1) intersect the original interchange CRAS and were subject to archaeological and architectural resources survey during that investigation. The remaining two pond sites (Ponds E-1 and E-3) are located outside the original interchange CRAS project area and consequentially were surveyed as part of the current investigation. The current study includes archaeological and architectural history survey of the two unsurveyed pond locations. The total area tested for the current survey is 7.25 acres.

The Area of Potential Effects (APE) defines the area within which visual, audible, and atmospheric effects that the roadway and associated drainage improvements and subsequent maintenance may have on historic properties. The APE defined for this project includes the proposed pond footprints plus a 100-foot (30.5-meter) buffer. The archaeological survey was conducted within the proposed pond footprints; the architectural history survey included the entire APE. The project is federally funded.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 14, 2016, and executed by the Federal Highway Administration (FHWA) and FDOT.

This CRAS was conducted in accordance with the requirements set forth in Section 106 of the National Historic Preservation Act of 1966, as amended, found in 36 CFR Part 800 (Protection of Historic Properties). The studies also comply with Chapter 267 of the Florida Statutes and Rule Chapter 1A-46, Florida Administrative Code and Section 267.12, Florida Statutes, Chapter 1A-32. All work was performed in accordance with Part 2, Chapter 8 of FDOT's Project Development and Environment (PD&E) Manual (revised July 2020), FDOT's Cultural Resource Manual, and the standards stipulated in the Florida Division of Historical Resources' (FDHR) *Cultural Resource Management Standards & Operations Manual, Module Three: Guidelines for Use by Historic Preservation Professionals*. The Principal Investigator for this project meets the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (48 FR 44716-42). This study also complies with Public Law 113-287 (Title 54 U.S.C.), which incorporates the provisions of the National Historic Preservation Act of 1966, as amended, and the Archeological and Historic Preservation Act of 1979, as amended.

Archaeological survey completed during the CRAS for the I-75 at NW 49th Street interchange alternatives encountered no archaeological remains in the areas coinciding with Ponds F-1, 49-1, and G1-1. Archaeological investigation of the two unsurveyed pond sites (Ponds E-1 and E-3) for the present investigation included pedestrian reconnaissance and the excavation of a total of 13 shovel tests. None of these tests were positive for prehistoric or historic cultural remains and no evidence of artifacts or archaeological features were observed on the ground surface.

Background research indicates that one previously recorded structure (8MR01660) was once located in the Pond E-3 APE. This structure was found to be no longer standing during SEARCH's 2019 survey of the I-75 at NW 49th Street interchange alignments. The architectural field reconnaissance conducted as part of the present survey, including visual examination of the project APE, confirmed the absence of historic-aged buildings or structures. A demolished or removed resource letter for 8MR01660 was included as part of the I-75 at NW 49th Street CRAS report submittal to the State Historic Preservation Officer (SHPO).

Based on the results of this study, it is the opinion of the District that the proposed undertaking will have no effect on National Register of Historic Places (NRHP) -listed or -eligible historic properties. No further work is recommended.

Dr. Parsons, SHPO
FM # 435209-1-22-01
October 9, 2020
Page 3

I respectfully request your concurrence with the findings of the enclosed report.

If you have any questions or need further assistance, please contact Catherine Owen, District Cultural Resource Coordinator, at (386) 943-5383 or me at (386) 943-5411.

Sincerely,

William G. Walsh
Environmental Manager
FDOT, District Five

The Florida State Historic Preservation Officer finds the attached Cultural Resource Assessment Survey Report complete and sufficient and ☐ concurs / ☐ does not concur with the recommendations and findings provided in this cover letter for SHPO/FDHR Project File Number _____. Or, the SHPO finds the attached document contains _____ insufficient information.

In accordance with the Programmatic Agreement among the ACHP, SHPO and FDOT Regarding Implementation of the Federal-Aid Highway Program in Florida, if providing concurrence with a finding of No Historic Properties Affected for a project as a whole, or to No Adverse Effect on a specific historic property, SHPO shall presume that FDOT may approve the project as de minimis use under Section 4(f) under 23 CFR 774.

SHPO Comments:

Jason Aldridge DSHPO

Timothy A. Parsons, PhD, Director
Florida Division of Historical Resources

October 22, 2020
Date

Natural Resources Appendix

Contents:

ZONE AE
(EL 73.8)

ZONE AE
(EL 64.4)

ZONE AE
(EL 75.3)

ZONE AE
(EL 71.6)

ZONE AE
(EL 69.5)

ZONE AE
(EL 73.6)

ZONE AE
(EL 73.0)

ZONE AE
(EL 69.7)

ZONE AE
(EL 67.1)

Exist. I-75 R/W

Exist. I-75 R/W

0 150 600
Feet

FEMA ZONE AE

FEMA ZONE X

SOURCE: FEMA FIRMs 12083C0502E, 12083C0506E April 2017

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

METRIC ENGINEERING, INC.
13940 S.W. 136 STREET
SUITE 200
MIAMI, FLORIDA 33186
TEL. (305) 235-5098
FAX. (305) 235-5271
CERTIFICATE OF AUTHORIZATION 2294

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
I-75	MARION	435209-1-22-01

FEMA FLOODPLAIN MAP
FIGURE 5

SHEET NO.

Paul.Carballo 9/13/2020 10:58:16 PM N:\JOB\PLANNING\12342 I-75 at 49 Street PD&E\43520912201\drainage\FloodPlain_Exhi

NW 63rd St

75

Pond G1-1

Pond E-3

Pond 49-1

NW 49th St

Pond F-1

NW 44th Ave

NW 35th St

75

NW 35th Ave

Legend

Proposed Alternative R/W

Proposed Pond R/W

Field Observations of Protected Species

Southeastern American Kestrel

Skink Suitability (2013)

Sand Skink Habitat (82 Feet and Above)

Feet

0 375 750 1,500

From: Chasez, Heather
To: Grubert, Heather; Lyon, Casey
Cc: Rob Myers
Subject: FW: [EXTERNAL] I-75 at $9th Street Interchange Sand Skink Survey Consultation Request
Date: Tuesday, February 5, 2019 1:59:46 PM
Attachments: 435209-1 USFWS Sand Skink Consultation Letter.pdf
Supporting Information.zip

Hello,

Please see Zakia's response below. I have also attached the information provided to her for your reference.

Cheers,

Heather Chasez
Environmental Specialist IV
Project Compliance Coordinator
FDOT District Five
719 S. Woodland Blvd.
DeLand, FL 32720
Phone: (386) 943-5393

From: Williams, Zakia [mailto:zakia_williams@fws.gov]
Sent: Tuesday, February 05, 2019 2:54 PM
To: Chasez, Heather <Heather.Chasez@dot.state.fl.us>
Subject: Re: [EXTERNAL] I-75 at $9th Street Interchange Sand Skink Survey Consultation Request

EXTERNAL SENDER: Use caution with links and attachments.

Heather,

After review of the information that was provided and other available resources, the Service has determined that a sand skink survey will not be necessary. Please let me know if you have any further questions.

Thank you,
Zakia

On Tue, Jan 29, 2019 at 10:57 AM Chasez, Heather <Heather.Chasez@dot.state.fl.us> wrote:

> Hello Zakia,
>
> Please find attached the request for sand skink survey consultation. After performing field reviews and researching the area, we do not believe that surveys are necessary. I have attached a write-up

regarding the project area and supporting information for your review and concurrence. If you would like to set up a field review, please let me know so I can expedite that process. As sand skink survey season is soon to begin and we need to has some lead time to prepare if you find that surveys would be necessary, I ask that you please expedite this review request.

Please let me know if you have any questions.

Thank you,

Heather Chasez
Environmental Specialist IV
Project Compliance Coordinator
FDOT District Five
719 S. Woodland Blvd.
DeLand, FL 32720
Phone: (386) 943-5393

--

Zakia Williams

Fish and Wildlife Biologist

US Fish and Wildlife Service

7915 Baymeadows Way Ste. 200

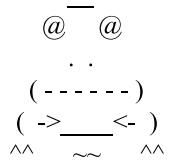
Jacksonville, FL 32256

(o) 904-731-3119

(c)904-200-2678

(F) 904-731-3045

>>>>>>>>>>>>>>>>>>



NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720-6834

KEVIN J. THIBAULT
SECRETARY

January 29, 2019

Zakia Williams
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
7915 Baymeadows Way, Ste. 200
Jacksonville, FL 32256

Re: Interchange at I-75 and NW 49th Street FM# 435209-1; Sand Skink Survey Consultation

Dear Zakia,

FDOT District 5 is currently conducting a PD&E Study of a new interchange at I-75 and NW 49th street in Marion County (see Project Location Map). Within the study limits there are several areas that meet the U.S. Fish and Wildlife Service (USFWS) three factor criteria for potential sand skink distribution (county, soils, and elevation). The attached Sand Skink Potential Habitat Map depicts the locations within the project study area that meet the three factor criteria. However, due to the current condition and history of this area, we are requesting consultation on whether surveys would be necessary. Please refer to the below descriptions and the attached Area Reference Map, field review photos, and historic aerials of each area within the study area that meets the three factor criteria for sand skink distribution within the project area.

Area 1

Area 1 occurs wholly within the Baldwin Angus Ranch, which is an active cattle ranch and agricultural facility. The ranch was established in 1947 and has consistently been under site manipulation (as can be seen from historical photographs. Alan Baldwin, who is part owner of the property, informed us that they grow rye in these fields during the winter and hay in the summer. Currently, the site is sowed with rye grass and is being irrigated (see photos). Additionally, these parcels have been plowed/disked at least several times each decade for the past 30 years. Due to the current and long history of agricultural practices, FDOT believes that no habitat to support the sand skink remains.

Area 2

This area is the Magnum Materials Mine, which is currently an active mine site. The activities at the mine site can be seen from aerials as far back as the 1960's. The northwest corner of the site

is both an active mine area and where spoil has been stockpiled over decades. The terrain and soils have been completely altered. The soils are currently moist and compacted with some interspersion of rocks. Due to the mining practices and heavy site manipulation, FDOT believes that no habitat to support the sand skink remains.

Area 3

This area has a history of agricultural use and most recently clearing and grading to support a large industrial complex. Due to the past uses and current heavy site manipulation, FDOT believes that no habitat to support the sand skink remains.

Area 4

This area was a conversation van storage site during the 1990's. An interview with the former vice president of the company revealed that between this parcel (and the parcel across NW 44th Ave) was used to store up to 18,000 vehicles at a time. The ground within this area consists of cogon grass and other ruderal grasses interspersed with rock within the top layers. The soils are compacted and are no longer swimmable. Due to the past use and site manipulation, FDOT believes that no habitat to support the sand skink remains.

Area 5

This site has a history of agricultural use and site manipulation. The soils are compacted and no longer swimmable. The ground is thick with vegetation (primarily bahiagrass) and roots and there are no open patches. Due to the past use and site manipulation, FDOT believes that no habitat to support the sand skink species remains.

Area 6

This site has a history of agricultural use and site manipulation. The soils are compacted and no longer swimmable. The ground is thick with ruderal vegetation and roots and there are no open patches. Due to the past use and site manipulation, FDOT believes that no habitat to support the sand skink remains.

Area 7

This area has a history of agricultural use and now is heavily vegetated with both herbaceous and woody species ruderal vegetation including blackberry and saltbush. The soils are heavily rooted and there are no open areas of ground. Due to the past use and the current condition of the site, FDOT believes that this area is not appropriate habitat to support the sand skink.

Area 8

This area has a history of agricultural use and has since been developed as a flea market. The soils have been manipulated and are currently compacted and no longer swimmable. The ground

vegetation is thick and maintained, with no open areas. Due to the past and current use, as well as the compaction of the soil, FDOT believes there is no habitat to support the sand skink.

Area 9

The I-75 right-of-way soil also has been heavily manipulated and compacted. Wide ditching with dense herbaceous vegetation can be noted along that length of the project and routine maintenance activities are performed for this area. FDOT believes there is no habitat remaining to support this species.

Due to the history of the area, roadways, and land features, there does not seem to be any habitat that could support this species and there are no adjacent habitats that could provide a source population. In addition, our records show no known documentation of the species in, or near, the project area.

Based on the information outlined above, we feel that there is no potential for this species to occur within the project area. FDOT is requesting your review of the information provided and concurrence with our determination that surveys do not need to be performed. If you would like to perform a field review, please let me know and we would be happy to expedite a visit of any areas for which you have concern. Survey season is quickly approaching and we would like to be prepared if you feel there are any areas that would need to be surveyed.

Please let me know if you have any questions or comments.

Sincerely,

Heather Chasez
FDOT D5
Environmental Specialist IV
386-943-5393

United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:
August 13, 2013

Colonel Alan M. Dodd, District Engineer
Department of the Army
Jacksonville District Corps of Engineers
P.O Box 4970
Jacksonville, Florida 32232-0019
(Attn: Mr. David S. Hobbie)

RE: Update Addendum to USFWS Concurrence Letter to U.S. Army Corps of Engineers Regarding Use of the Attached Eastern Indigo Snake Programmatic Effect Determination Key

Dear Colonel Dodd:

This letter is to amend the January 25, 2010, letter to the U.S. Army Corps of Engineers regarding the use of the attached eastern indigo snake programmatic effect determination key (key). It supersedes the update addendum issued January 5, 2012.

We have evaluated the original programmatic concurrence and find it suitable and appropriate to extend its use to the remainder of Florida covered by the Panama City Ecological Services Office.

On Page 2

The following replaces the last paragraph above the signatures:

"Thank you for your continued cooperation in the effort to conserve fish and wildlife resources. Any questions or comments should be directed to Annie Dziergowski (North Florida ESO) at 904-731-3089, Harold Mitchell (Panama City ESO) at 850-769-0552, or Victoria Foster (South Florida ESO) at 772-469-4269."

On Page 3

The following replaces both paragraphs under "Scope of the key":

"This key should be used only in the review of permit applications for effects determinations for the eastern indigo snake within the State of Florida, and not for other listed species or for aquatic resources such as Essential Fish Habitat (EFH)."

On Page 4

The following replaces the first paragraph under Conservation Measures:

"The Service routinely concurs with the Corps' "not likely to adversely affect" (NLAA) determination for individual project effects to the eastern indigo snake when assurances are given that

our *Standard Protection Measures for the Eastern Indigo Snake* (Service 2013) located at: http://www.fws.gov/northflorida/IndigoSnakes/indigo-snakes.htm will be used during project site preparation and project construction. There is no designated critical habitat for the eastern indigo snake."

On Page 4 and Page 5 (Couplet D)

The following replaces D. under Conservation Measures:

D. The project will impact less than 25 acres of xeric habitat (scrub, sandhill, or scrubby flatwoods) or less than 25 active and inactive gopher tortoise burrows……*go to* E

The project will impact more than 25 acres of xeric habitat (scrub, sandhill, or scrubby flatwoods) or more than 25 active and inactive gopher tortoise burrows and consultation with the Service is requested[2]…… *"may affect"*

On Page 5

The following replaces footnote #3:

"[3]If excavating potentially occupied burrows, active or inactive, individuals must first obtain state authorization via a FWC Authorized Gopher Tortoise Agent permit. The excavation method selected should also minimize the potential for injury of an indigo snake. Applicants should follow the excavation guidance provided within the most current Gopher Tortoise Permitting Guidelines found at http://myfwc.com/gophertortoise ."

Thank you for making these amendments concerning the Eastern Indigo Snake Key. If you have any questions, please contact Jodie Smithem of my staff at the address on the letterhead, by email at jodie_smithem@fws.gov, or by calling (904)731-3134.

Sincerely,

Dawn Jennings
Acting Field Supervisor

cc:
Panama City Ecological Services Field Office, Panama City, FL
South Florida Ecological Services Field Office, Vero Beach, FL

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

January 25, 2010

David S. Hobbie
Chief, Regulatory Division
U.S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

Service Federal Activity Code: 41420-2009-FA-0642
Service Consultation Code: 41420-2009-I-0467
41910-2010-I-0045
Subject: North and South Florida Ecological Services Field Offices Programmatic Concurrence for Use of Original Eastern Indigo Snake Key(s) Until Further Notice

Dear Mr. Hobbie:

The U.S. Fish and Wildlife Service's (Service) South and North Florida Ecological Services Field Offices (FO), through consultation with the U.S. Army Corps of Engineers Jacksonville District (Corps), propose revision to both Programmatic concurrence letters/keys for the federally threatened Eastern Indigo Snake (*Drymarchon corais couperi*), (indigo snake), and now provide one key for both FO's. The original programmatic key was issued by the South Florida FO on November 9, 2007. The North Florida FO issued a revised version of the original key on September 18, 2008. Both keys were similar in content, but reflected differences in geographic work areas between the two Field Offices. The enclosed key satisfies each office's responsibilities under the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C.1531 *et seq.*).

Footnote number 3 in the original keys indicated "A member of the excavation team should be authorized for Incidental Take during excavation through either a section 10(a)(1)(A) permit issued by the Service or an incidental take permit issued by the Florida Fish and Wildlife Conservation Commission (FWC)." We have removed this reference to a Service issued Section 10(a)(1)(A) permit, as one is not necessary for this activity. We also referenced the FWC's revised April 2009 Gopher Tortoise Permitting Guidelines with a link to their website for updated excavation guidance, and have provided a website link to our Standard Protection Measures. All other conditions and criteria apply.

We believe the implementation of the attached key achieves our mutual goal for all users to make consistent effect determinations regarding this species. The use of this key for review of projects

located in all referenced counties in our respective geographic work areas leads the Service to concur with the Corps' determination of "may affect, not likely to adversely affect" (MANLAA) for the Eastern indigo snake. The biological rationale for the determinations is contained within the referenced documents and is submitted in accordance with section 7 of the Act.

Should circumstances change or new information become available regarding the eastern indigo snake or implementation of the key, the determinations may be reconsidered as deemed necessary.

Thank you for your continued cooperation in the effort to conserve fish and wildlife resources. Any questions or comments should be directed to either Allen Webb (Vero Beach) at 772-562-3909, extension 246, or Jay Herrington (Jacksonville) at 904-731-3326.

Sincerely,

Paul Souza
Field Supervisor
South Florida Ecological Services Office

David L. Hankla
Field Supervisor
North Florida Ecological Services Office

Enclosure

cc: electronic only
FWC, Tallahassee, Florida (Dr. Elsa Haubold)
Service, Jacksonville, Florida (Jay Herrington)
Service, Vero Beach, Florida (Sandra Sneckenberger)

Eastern Indigo Snake Programmatic Effect Determination Key

Scope of the key

This key should be used only in the review of permit applications for effects determinations within the North and South Florida Ecological Services Field Offices Geographic Areas of Responsibility (GAR), and not for other listed species or for aquatic resources such as Essential Fish Habitat (EFH). Counties within the **North** Florida GAR include Alachua, Baker, Bradford, Brevard, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Hernando, Hillsborough, Lafayette, Lake, Levy, Madison, Manatee, Marion, Nassau, Orange, Pasco, Pinellas, Putnam, St. Johns, Seminole, Sumter, Suwannee, Taylor, Union, and Volusia.

Counties in the **South** Florida GAR include Broward, Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Lee, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Osceola, Palm Beach, Polk, Sarasota, St. Lucie.

Habitat

Over most of its range, the eastern indigo snake frequents several habitat types, including pine flatwoods, scrubby flatwoods, high pine, dry prairie, tropical hardwood hammocks, edges of freshwater marshes, agricultural fields, coastal dunes, and human-altered habitats (Service 1999). Eastern indigo snakes appear to need a mosaic of habitats to complete their life cycle. Wherever the eastern indigo snake occurs in xeric habitats, it is closely associated with the gopher tortoise *(Gopherus polyphemus),* the burrows of which provide shelter from winter cold and summer desiccation (Speake et al. 1978; Layne and Steiner 1996). Interspersion of tortoise-inhabited uplands and wetlands improves habitat quality for this species (Landers and Speake 1980; Auffenberg and Franz 1982).

In south Florida, agricultural sites, such as sugar cane fields, created in former wetland areas are occupied by eastern indigo snakes (Enge pers. comm. 2007). Formerly, indigo snakes would have only occupied higher elevation sites within the wetlands. The introduction of agriculture and its associated canal systems has resulted in an increase in rodents and other species of snakes that are prey for eastern indigo snakes. The result is that indigos occur at higher densities in these areas than they did historically.

Even though thermal stress may not be a limiting factor throughout the year in south Florida, indigo snakes still seek and use underground refugia. On the sandy central ridge of central Florida, eastern indigos use gopher tortoise burrows more (62 percent) than other underground refugia (Layne and Steiner 1996). Other underground refugia used include armadillo (*Dasypus novemcinctus*) burrows near citrus groves, cotton rat (*Sigmodon hispidus*) burrows, and land crab (*Cardisoma guanhumi*) burrows in coastal areas (Service 2006). Natural ground holes, hollows at the base of trees or shrubs, ground litter, trash piles, and crevices of rock-lined ditch walls are also used (Layne and Steiner 1996). These refugia are used most frequently where tortoise burrows are not available, principally in low-lying areas off the central and coastal ridges. In extreme south Florida (the Everglades and Florida Keys), indigo snakes are found in tropical

hardwood hammocks, pine rocklands, freshwater marshes, abandoned agricultural land, coastal prairie, mangrove swamps, and human-altered habitats (Steiner et al. 1983). It is suspected that they prefer hammocks and pine forests, because most observations occur in these habitats disproportionately to their presence in the landscape (Steiner et al. 1983). Hammocks may be important breeding areas as juveniles are typically found there. The eastern indigo snake is a snake-eater so the presence of other snake species may be a good indicator of habitat quality.

Conservation Measures

The Service routinely concurs with the Corps' "not likely to adversely affect" (NLAA) determination for individual project effects to the eastern indigo snake when assurances are given that our *Standard Protection Measures for the Eastern Indigo Snake* (Service 2004) located at: http://www.fws.gov/northflorida/IndigoSnakes/indigo-snakes will be used during project site preparation and project construction. There is no designated critical habitat for the eastern indigo snake.

In an effort to reduce correspondence in effect determinations and responses, the Service is providing an Eastern Indigo Snake Effect Determination Key, similar in utility to the West Indian Manatee Effect Determination Key and the Wood Stork Effect Determination Keys presently being utilized by the Corps. If the use of this key results in a Corps' determination of "no effect" for a particular project, the Service supports this determination. If the use of this Key results in a determination of NLAA, the Service concurs with this determination and no additional correspondence will be necessary[1]. This key is subject to revisitation as the Corps and Service deem necessary.

A. Project is not located in open water or salt marsh.....*go to* B

   Project is located solely in open water or salt marsh.....*"no effect"*

B. Permit will be conditioned for use of the Service's *Standard Protection Measures For The Eastern Indigo Snake* during site preparation and project construction.....*go to* C

   Permit will not be conditioned as above for the eastern indigo snake, or it is not known whether an applicant intends to use these measures and consultation with the Service is requested[2] .....*"may affect"*

C. There are gopher tortoise burrows, holes, cavities, or other refugia where a snake could be buried or trapped and injured during project activities .....*go to* D

   There are no gopher tortoise burrows, holes, cavities, or other refugia where a snake could be buried or trapped and injured during project activities .....*"NLAA"*

D. The project will impact less than 25 acres of xeric habitat supporting less than 25 active and inactive gopher tortoise burrows.....*go to* E

The project will impact more than 25 acres of xeric habitat or more than 25 active and inactive gopher tortoise burrows and consultation with the Service is requested[2]..... *"may affect"*

E. Any permit will be conditioned such that all gopher tortoise burrows, active or inactive, will be evacuated prior to site manipulation in the vicinity of the burrow[3]. If an indigo snake is encountered, the snake must be allowed to vacate the area prior to additional site manipulation in the vicinity. Any permit will also be conditioned such that holes, cavities, and snake refugia other than gopher tortoise burrows will be inspected each morning before planned site manipulation of a particular area, and, if occupied by an indigo snake, no work will commence until the snake has vacated the vicinity of proposed work..... *"NLAA"*

Permit will not be conditioned as outlined above and consultation with the Service is requested[2] ..... *"may affect"*

---

[1]With an outcome of "no effect" or "NLAA" as outlined in this key, the requirements of section 7 of the Act are fulfilled for the eastern indigo snake and no further action is required.

[2]Consultation may be concluded informally or formally depending on project impacts.

[3] If burrow excavation is utilized, it should be performed by experienced personnel. The method used should minimize the potential for injury of an indigo snake. Applicants should follow the excavation guidance provided within the Florida Fish and Wildlife Conservation Commission's revised April 2009 Gopher Tortoise Permitting Guidelines located at **http://myfwc.com/License/Permits_ProtectedWildlife.htm#gophertortoise.** A member of the excavation team should be authorized for Incidental Take during excavation through an incidental take permit issued by the Florida Fish and Wildlife Conservation Commission.

THE CORPS OF ENGINEERS, JACKSONVILLE DISTRICT, U. S. FISH AND WILDLIFE SERVICE, JACKSONVILLE ECOLOGICAL SERVICES FIELD OFFICE AND STATE OF FLORIDA EFFECT DETERMINATION KEY FOR THE WOOD STORK IN CENTRAL AND NORTH PENINSULAR FLORIDA

September 2008

Purpose and Background

The purpose of this document is to provide a tool to improve the timing and consistency of review of Federal and State permit applications and Federal civil works projects, for potential effects of these projects on the endangered wood stork (*Mycteria americana*) within the Jacksonville Ecological Services Field Office (JAFL) geographic area of responsibility (GAR see below). The key is designed primarily for Corps Project Managers in the Regulatory and Planning Divisions and the Florida Department of Environmental Protection or its authorized designee, or Water Management Districts. The tool consists of the following dichotomous key and reference material. The key is intended to be used to evaluate permit applications and Corps' civil works projects for impacts potentially affecting wood storks or their wetland habitats. At certain steps in the key, the user is referred to graphics depicting known wood stork nesting colonies and their core foraging areas (CFA), footnotes, and other support documents. The graphics and supporting documents may be downloaded from the Corps' web page at http://www.saj.usace.army.mil/permit or at the JAFL web site at http://www.fws.gov/northflorida/WoodStorks. We intend to utilize the most recent information for both the graphics and supporting information; so should this information be updated, we will modify it accordingly. **Note: This information is provided as an aid to project review and analysis, and is not intended to substitute for a comprehensive biological assessment of potential project impacts. Such assessments are site-specific and usually generated by the project applicant or, in the case of civil works projects, by the Corps or project co-sponsor.**

Explanatory footnotes provided in the key must be closely followed whenever encountered.

Scope of the key

This key should only be used in the review of permit applications for effects determinations on wood storks within the JAFL GAR, and not for other listed species. Counties within the JAFL GAR include Alachua, Baker, Bradford, Brevard, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Hernando, Hillsborough, Lafayette, Lake, Levy, Madison, Manatee, Marion, Nassau, Orange, Pasco, Pinellas, Putnam, St. Johns, Seminole, Sumter, Suwannee, Taylor, Union, and Volusia.

The final effect determination will be based on project location and description, the potential effects to wood storks, and any measures (for example project components, special permit conditions) that avoid or minimize direct, indirect, and/or cumulative

impacts to wood storks and/or suitable wood stork foraging habitat. Projects that key to a "no effect" determination do not require additional consultation or coordination with the JAFL. Projects that key to "NLAA" also do not need further consultation; however, the JAFL staff will assist the Corps if requested, to answer questions regarding the appropriateness of mitigation options. Projects that key to a "may affect" determination equate to "likely to adversely affect" situations, and those projects should not be processed under the SPGP or any other programmatic general permit. For all "may affect" determinations, Corps Project Managers should request the JAFL to initiate formal consultation on the Wood stork.

Summary of General Wood Stork Nesting and Foraging Habitat Information

The wood stork is primarily associated with freshwater and estuarine habitats that are used for nesting, roosting, and foraging. Wood storks typically nest colonially in medium to tall trees that occur in stands located either in swamps or on islands surrounded by relatively broad expanses of open water (Ogden 1991; Rodgers et al. 1996). Successful breeding sites are those that have limited human disturbance and low exposure to land based predators. Nesting sites protected from land-based predators are characterized as those surrounded by large expanses of open water or where the nest trees are inundated at the onset of nesting and remain inundated throughout most of the breeding cycle. These colonies have water depths between 0.9 and 1.5 meters (3 and 5 feet) during the breeding season.

In addition to limited human disturbance and land-based predation, successful nesting depends on the availability of suitable foraging habitat. Such habitat generally results from a combination of average or above-average rainfall during the summer rainy season, and an absence of unusually rainy or cold weather during the winter-spring breeding season (Kahl 1964; Rodgers et al. 1987). This pattern produces widespread and prolonged flooding of summer marshes that tends to maximize production of freshwater fishes, followed by steady drying that concentrate fish during the season when storks nest (Kahl 1964). Successful nesting colonies are those that have a large number of foraging sites. To maintain a wide range of foraging opportunities, a variety of wetland habitats exhibiting short and long hydroperiods should be present. In terms of wood stork foraging, the Service (1999) describes a short hydroperiod as one where a wetland fluctuates between wet and dry in 1 to 5-month cycles, and a long hydroperiod where the wet period is greater than five consecutive months. Wood storks during the wet season generally feed in the shallow water of short-hydroperiod wetlands and in coastal habitats during low tide. During the dry season, foraging shifts to longer hydroperiod interior wetlands as they progressively dry down (though usually retaining some surface water throughout the dry season).

Because of their specialized feeding behavior, wood storks forage most effectively in shallow-water areas with highly concentrated prey. Typical foraging sites for the wood stork include freshwater marshes, depressions in cypress heads, swamp sloughs, managed impoundments, stock ponds, shallow-seasonally flooded roadside or agricultural ditches, and narrow tidal creeks or shallow tidal pools. Good foraging conditions are characterized by water that is relatively calm, open, and having water depths between 5 and 15 inches (5 and 38 cm). Preferred foraging habitat includes wetlands exhibiting a mosaic of submerged and/or emergent aquatic vegetation, and shallow, open-water areas subject to hydrologic

regimes ranging from dry to wet. The vegetative component provides nursery habitat for small fish, frogs, and other aquatic prey, and the shallow, open-water areas provide sites for concentration of the prey during daily or seasonal low water periods.

WOOD STORK KEY

Although designed primarily for use by Corps Project Managers in the Regulatory and Planning Divisions, and State Regulatory agencies or their designees, project permit applicants and co-sponsors of civil works projects may find this key and its supporting documents useful in identifying potential project impacts to wood storks, and planning how best to avoid, minimize, or compensate for any identified adverse effects.

A. Project within 2,500 feet of an active colony site[1]……*May affect*

Project more than 2,500 feet from a colony site……go to B

B. Project does not affect suitable foraging habitat[2] (SFH)……*no effect*

Project impacts SFH[2]……go to C

C. Project impacts to SFH are less than or equal to 0.5 acre[3]…….....*NLAA*[4]

Project impacts to SFH are greater than or equal to 0.5 acre..……..go to D

D. Project impacts to SFH not within a Core Foraging Area[5] (see attached map) of a colony site, and no wood storks have been documented foraging on site…….....NLAA[4]

Project impacts to SFH are within the CFA of a colony site, or wood storks have been documented foraging on a project site outside the CFA ……..….go to E

E. Project provides SFH compensation within the Service Area of a Service-approved wetland mitigation bank or wood stork conservation bank preferably within the CFA, or consists of SFH compensation within the CFA consisting of enhancement, restoration or creation in a project phased approach that provides an amount of habitat and foraging function equivalent to that of impacted SFH (see *Wood Stork Foraging Habitat Assessment Procedure*[6] for guidance), is not contrary to the Service's *Habitat Management Guidelines For The Wood Stork In The Southeast Region* and in accordance with the CWA section 404(b)(1) guidelines……*NLAA*[4]

Project does not satisfy these elements.……....……...*May affect*

[1] An active nesting site is defined as a site currently supporting breeding pairs of wood storks, or has supported breeding wood storks at least once during the preceding 10-year period.

[2] Suitable foraging habitat (SFH) is described as any area containing patches of relatively open (< 25% aquatic vegetation), calm water, and having a permanent or seasonal water depth between 2 and 15 inches (5 to 38 cm). SFH supports and concentrates, or is capable of supporting and concentrating small fish, frogs, and other aquatic prey. Examples of SFH include, but are not limited to, freshwater marshes and stock ponds, shallow, seasonally flooded roadside or agricultural ditches, narrow tidal creeks or shallow tidal pools, managed impoundments, and depressions in cypress heads and swamp sloughs. See above *Summary of General Wood Stork Nesting and Foraging Habitat Information*.

[3] On an individual basis, projects that impact less than 0.5 acre of SFH generally will not have a measurable effect on wood storks, although we request the Corps to require mitigation for these losses when appropriate. Wood Storks are a wide ranging species, and individually, habitat change from impacts to less than 0.5 acre of SFH is not likely to adversely affect wood storks. However, collectively they may have an effect and therefore regular monitoring and reporting of these effects are important.

[4] Upon Corps receipt of a general concurrence issued by the JAFL through the Programmatic Concurrence on this key, "NLAA" determinations for projects made pursuant to this key require no further consultation with the JAFL.

[5] The U.S. Fish and Wildlife Service (Service) has identified core foraging area (CFA) around all known wood stork nesting colonies that is important for reproductive success. In Central Florida, CFAs include suitable foraging habitat (SFH) within a 15-mile radius of the nest colony; CFAs in North Florida include SFH within a 13-mile radius of a colony. The referenced map provides locations of known colonies and their CFAs throughout Florida documented as active within the last 10 years. The Service believes loss of suitable foraging wetlands within these CFAs may reduce foraging opportunities for the wood stork.

[6]This draft document, *Wood Stork Foraging Habitat Assessment Procedure*, by Passarella and Associates, Incorporated, may serve as further guidance in ascertaining wetland foraging value to wood storks and compensating for impacts to wood stork foraging habitat.

Monitoring and Reporting Effects

For the Service to monitor cumulative effects, it is important for the Corps to monitor the number of permits and provide information to the Service regarding the number of permits issued that were determined "may affect, not likely to adversely affect." It is requested that information on date, Corps identification number, project acreage, project wetland acreage, and latitude and longitude in decimal degrees be sent to the Service quarterly.

Literature Cited

Kahl, M.P., Jr. 1964. Food ecology of the wood stork (*Mycteria americana*) in Florida. Ecological Monographs 34:97-117.

Ogden, J.C. 1991. Nesting by wood storks in natural, altered, and artificial wetlands in central and northern Florida. Colonial Waterbirds 14:39-45.

Rodgers, J.A. Jr., A.S. Wenner, and S.T. Schwikert. 1987. Population dynamics of wood storks in northern and central Florida, USA. Colonial Waterbirds 10:151-156.

Rodgers, J.A., Jr., S.T. Schwikert, and A. Shapiro-Wenner. 1996. Nesting habitat of wood storks in north and central Florida, USA. Colonial Waterbirds 19:1-21.

U.S. Fish and Wildlife Service. 1999. South Florida multi-species recovery plan. Fish and Wildlife Service; Atlanta, Georgia. Available from: http://verobeach.fws.gov/Programs/Recovery/vbms5.html.

Physical Resources Appendix

Contents:

Potential Contamination Site Map

NW 63rd St

No.1 - Thermo King of Ocala, Inc.

No. 2 - Quick King #16

No. 3 - All In Removal

No. 4 - Scorpion Performance and Anodize, Inc.

No. 5 Hickory Springs Manufacturing Company

No. 6 - Hydro Spa LLC

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Pond G1-1

No. 10 - Baldwin Angus Ranch

No. 7 - NW 49th Street Storage Field

Pond E-3

Pond 49-1

NW 49th St

No. 8 - Agro-Consolidated, LLC

Pond F-1

No. 9 - Voyager Inc.

No. 11 - Magnum Materials Mine and Borrow Pits

NW 44th Ave

NW 35th St

NW 35th Ave

Legend

- Proposed Alternative R/W
- Proposed Pond R/W

Potentially Contaminated Sites

Assigned Risk Rating

- Low
- Medium
- High

Feet

0 375 750 1,500