



**WEKIVA PARKWAY (SR 429)/SR 46 REALIGNMENT
PD&E STUDY**

ENVIRONMENTAL ASSESSMENT

APPENDICES E, F and G

MAY 2012

Appendix E

Water Quality Impact Evaluation Checklists

Water Quality Impact Evaluation (WQIE) Check List

Project Name: Wekiva Parkway/SR 46 Realignment PD&E Study

County: Orange County

FIN: 238275 1 22 01 and 240200 1 22 01

Federal Aid Project No.: TBD

Short Project Description: Construction of a limited access extension of the Western Beltway SR 429 consisting of three components: the Apopka Bypass, Wekiva Parkway, and SR 46 Connector in Orange, Seminole and Lake Counties.

Approximately one-half mile of the Wekiva Parkway, north of the planned US 441/John Land Apopka Expressway interchange is located within the Lake Apopka unit of the Ocklawaha River Basin.

PART 1: DETERMINATION OF WQIE SCOPE

Does project increase impermeable surface area? ☒ Yes ☐ No

Does project alter the drainage system? ☒ Yes ☐ No

If the answer to both questions is no, complete the WQIE by checking Box A in Part 4.

Do environmental regulatory requirements apply? ☒ Yes ☐ No

If no, proceed to Part 4 and check Box B.

PART 2: PROJECT CHARACTERISTICS

20-year design ADT: 66,850- 68,250 Expected speed limit: 70 MPH

Drainage area: 34.5 acres 44.0 % Impervious 56.0 % Pervious

Land Use: 55 % Residential 15 % Commercial 0 % Industrial

25 % Agricultural 0 % Wetlands 5 % Other Natural

Potential large sources of pollution (identify): Roadway and bridge runoff

Groundwater receptor (name of aquifer or N/A): Floridan Aquifer

Designated well head protection area: ☐ Yes ☒ No Name: _____

Sole source aquifer: ☐ Yes ☒ No Name: _____

Groundwater recharge mechanism: Infiltration

(Notify District Drainage Engineer if karst conditions expected)

Surface water receptor (name or N/A): Lake Apopka/Ocklawaha River

Classification: ☐ I ☐ II ☒ III ☐ IV ☐ V

Special designation (check all that apply):

☐ ONRW ☐ OFW ☐ Aquatic Preserve ☐ Wild & Scenic River

☐ Special Water ☐ SWIM Area ☐ Local Comp Plan ☒ MS4 Area

☒ Other (specify): Lake Apopka is listed as an impaired water body by FDEP

Conceptual storm water conveyances & system (check all that apply):

☒ Swales ☐ Curb and Gutter ☐ Scuppers ☒ Pipe ☐ French Drains

☒ Retention/Detention Ponds

☐ Other _____

WQIE Check List (continued)

PART 3: ENVIRONMENTAL REGULATORY REQUIREMENTS

Regulatory Agency (check all that apply)	Reference citation for regulatory criteria (attach copy of pertinent pages)	Most Stringent criteria (check all that apply)
USEPA <input type="checkbox"/>		<input type="checkbox"/>
FDEP <input checked="" type="checkbox"/>	NPDES General Permit	<input type="checkbox"/>
FDEP/SJRWMD** <input checked="" type="checkbox"/>	Chapters 40C-4, 40C-41, 40C-42, F.A.C., Phosphorus Criteria for Lake Apopka	<input checked="" type="checkbox"/>
OTHER <input type="checkbox"/> (Specify)		<input type="checkbox"/>

**NOTE: Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Proceed to Part 4 and check Box C.

PART 4: WQIE DOCUMENTATION

- A. ☐ Water quality is not an issue.
- B. ☐ No regulatory requirements apply to water quality issues. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)
- C. ☒ Regulatory requirements apply to water quality issues. Water quality issues will be mitigated through compliance with the quantity design requirements placed by FDEP**, an authorized regulatory agency. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)

**NOTE: Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Evaluator Name (print): Amy L. Windom, P.E.

Office: CH2M HILL, Inc., 225 East Robinson Street, Suite 505, Orlando, FL 32801- 4322

Signature: 

Date: 6/3/2010

Certificate Number: Florida PE 44155

Project Name:	Wekiva Parkway/SR 46 Realignment PD&E Study
County:	Lake County
FIN:	238275 1 22 01 and 240200 1 22 01
Federal Aid Project No.:	TBD
Short Project Description:	Construction of a limited access extension of the Western Beltway SR 429 consisting of three components: the Apopka Bypass, Wekiva Parkway, and SR 46 Connector in Orange, Seminole and Lake Counties.
The Lake Harris unit of the Ocklawaha River Basin extends approximately one mile to the east of the intersection of US 441 and SR 46 in Lake County.	

Does project increase impermeable surface area? ☒ Yes ☐ No

Does project alter the drainage system? ☒ Yes ☐ No

If the answer to both questions is no, complete the WQIE by checking Box A in Part 4.

Do environmental regulatory requirements apply? ☒ Yes ☐ No

If no, proceed to Part 4 and check Box B.

20-year design ADT: 54,020- 54,710 Expected speed limit: 45 MPH

Drainage area: 57.8 acres 57.8 % Impervious 42.2 % Pervious

Land Use: 30 % Residential 10 % Commercial 10 % Industrial
40 % Agricultural 10 % Wetlands % Other Natural

Potential large sources of pollution (identify): Roadway and bridge runoff

Groundwater receptor (name of aquifer or N/A): Floridan Aquifer

Designated well head protection area: ☐ Yes ☒ No Name:

Sole source aquifer: ☐ Yes ☒ No Name:

Groundwater recharge mechanism: Infiltration

(Notify District Drainage Engineer if karst conditions expected)

Surface water receptor (name or N/A): Lake Harris/Ocklawaha River

Classification: ☐ I ☐ II ☒ III ☐ IV ☐ V

☐ ONRW ☐ OFW ☐ Aquatic Preserve ☐ Wild & Scenic River
☐ Special Water ☐ SWIM Area ☐ Local Comp Plan ☒ MS4 Area
☒ Other (specify): Lake Harris is listed as an impaired water body by FDEP

☒ Swales
 ☒ Curb and Gutter
 ☐ Scuppers
 ☒ Pipe
 ☐ French Drains
☒ Retention/Detention Ponds
 ☐ Other

WQIE Check List (continued)

PART 3: ENVIRONMENTAL REGULATORY REQUIREMENTS

Regulatory Agency all that apply)	(check	Reference citation for regulatory criteria (attach copy of pertinent pages)	Most Stringent criteria that apply)	(check all
USEPA	<input type="checkbox"/>			<input type="checkbox"/>
FDEP	<input checked="" type="checkbox"/>	NPDES General Permit		<input type="checkbox"/>
FDEP/SJRWMD**	<input checked="" type="checkbox"/>	Chapters 40C-4, 40C-41, 40C-42, F.A.C.,		<input checked="" type="checkbox"/>
OTHER (Specify)	<input type="checkbox"/>			<input type="checkbox"/>

****NOTE:** Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Proceed to Part 4 and check Box C.

PART 4: WQIE DOCUMENTATION

- A. ☐ Water quality is not an issue.
- B. ☐ No regulatory requirements apply to water quality issues. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)
- C. ☒ Regulatory requirements apply to water quality issues. Water quality issues will be mitigated through compliance with the quantity design requirements placed by FDEP**, an authorized regulatory agency. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)

****NOTE:** Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Evaluator Name (print): Amy L. Windom, P.E.

Office: CH2M HILL, Inc., 225 East Robinson Street, Suite 505, Orlando, FL 32801- 4322

Signature: 

Date: 6/3/2010

Certificate Number: Florida PE 44155

Water Quality Impact Evaluation (WQIE) Check List

Project Name: Wekiva Parkway/SR 46 Realignment PD&E Study

County: Orange, Lake, and Seminole Counties

FIN: 238275 1 22 01 and 240200 1 22 01

Federal Aid Project No.: TBD

Short Project Description: Construction of a limited access extension of the Western Beltway SR 429 consisting of three components: the Apopka Bypass, Wekiva Parkway, and SR 46 Connector in Orange, Seminole and Lake Counties.

This segment includes the majority of the study area north of US 441 and 2.7 miles east of the Wekiva River along SR 46.

PART 1: DETERMINATION OF WQIE SCOPE

Does project increase impermeable surface area? ☒ Yes ☐ No

Does project alter the drainage system? ☒ Yes ☐ No

If the answer to both questions is no, complete the WQIE by checking Box A in Part 4.

Do environmental regulatory requirements apply? ☒ Yes ☐ No

If no, proceed to Part 4 and check Box B.

PART 2: PROJECT CHARACTERISTICS

20-year design ADT: 64,620 Expected speed limit: 45-70 MPH

Drainage area: 1090.7 acres 43.5 % Impervious 56.5 % Pervious

Land Use: 15 % Residential 5 % Commercial % Industrial

20 % Agricultural 10 % Wetlands 50 % Other Natural

Potential large sources of pollution (identify): Roadway and bridge runoff

Groundwater receptor (name of aquifer or N/A): Floridan Aquifer

Designated well head protection area: ☐ Yes ☒ No Name:

Sole source aquifer: ☐ Yes ☒ No Name:

Groundwater recharge mechanism: Infiltration

(Notify District Drainage Engineer if karst conditions expected)

Surface water receptor (name or N/A): Wekiva River

Classification: ☐ I ☐ II ☒ III ☐ IV ☐ V

Special designation (check all that apply):

☐ ONRW ☒ OFW ☐ Aquatic Preserve ☐ Wild & Scenic River

☐ Special Water ☐ SWIM Area ☐ Local Comp Plan ☒ MS4 Area

☒ Other (specify): This project is within SJRWMD's special basin criteria for the Wekiva River Basin. Wekiva River is not listed as an impaired water body by FDEP.

Conceptual storm water conveyances & system (check all that apply):

☒ Swales ☐ Curb and Gutter ☐ Scuppers ☒ Pipe ☐ French Drains

☒ Retention/Detention Ponds

☐ Other

WQIE Check List (continued)

PART 3: ENVIRONMENTAL REGULATORY REQUIREMENTS

Regulatory Agency (check all that apply)	(check)	Reference citation for regulatory criteria (attach copy of pertinent pages)	Most Stringent criteria (check all that apply)
USEPA	<input type="checkbox"/>		<input type="checkbox"/>
FDEP	<input checked="" type="checkbox"/>	NPDES General Permit	<input type="checkbox"/>
FDEP/SJRWMD**	<input checked="" type="checkbox"/>	Chapters 40C-4, 40C-41, 40C-42, F.A.C., & Recharge Criteria for Wekiva River Study Area	<input checked="" type="checkbox"/>
OTHER (Specify)	<input type="checkbox"/>	Wekiva Basin Area Task Force Final Report 1-15-03	<input type="checkbox"/>

****NOTE:** Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Proceed to Part 4 and check Box C.

PART 4: WQIE DOCUMENTATION

- A. ☐ Water quality is not an issue.
- B. ☐ No regulatory requirements apply to water quality issues. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)
- C. ☒ Regulatory requirements apply to water quality issues. Water quality issues will be mitigated through compliance with the quantity design requirements placed by FDEP**, an authorized regulatory agency. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)

****NOTE:** Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Evaluator Name (print): Amy L. Windom, P.E.

Office: CH2M HILL, Inc., 225 East Robinson Street, Suite 505, Orlando, FL 32801-4322

Signature: 

Date: 6/3/2010

Certificate Number: Florida PE 44155

Water Quality Impact Evaluation (WQIE) Check List

Project Name: Wekiva Parkway/SR 46 Realignment PD&E Study
County: Seminole County
FIN: 238275 1 22 01 and 240200 1 22 01
Federal Aid Project No.: TBD
Short Project Description: Construction of a limited access extension of the Western Beltway SR 429 consisting of three components: the Apopka Bypass, Wekiva Parkway, and SR 46 Connector in Orange, Seminole and Lake Counties.
The easternmost portion of the study area just west of I-4 and SR 46.

PART 1: DETERMINATION OF WQIE SCOPE

Does project increase impermeable surface area? ☒ Yes ☐ No
Does project alter the drainage system? ☒ Yes ☐ No
If the answer to both questions is no, complete the WQIE by checking Box A in Part 4.
Do environmental regulatory requirements apply? ☒ Yes ☐ No
If no, proceed to Part 4 and check Box B.

PART 2: PROJECT CHARACTERISTICS

20-year design ADT: 91,120 Expected speed limit: 45 MPH
Drainage area: 140.3* acres 44.6 % Impervious 55.4 % Pervious
* NOTE: In addition there are 89.7 ac of the existing I-4/SR 429 interchange that will involve pond reconfiguration
Land Use: 55 % Residential 20 % Commercial % Industrial
15 % Agricultural 10 % Wetlands % Other Natural
Potential large sources of pollution (identify): Roadway and bridge runoff
Groundwater receptor (name of aquifer or N/A): Floridan Aquifer
Designated well head protection area: ☐ Yes ☒ No Name:
Sole source aquifer: ☐ Yes ☒ No Name:
Groundwater recharge mechanism: Infiltration

(Notify District Drainage Engineer if karst conditions expected)

Surface water receptor (name or N/A): Lake Monroe/St. Johns River
Classification: ☐ I ☐ II ☒ III ☐ IV ☐ V

Special designation (check all that apply):

☐ ONRW ☐ OFW ☐ Aquatic Preserve ☐ Wild & Scenic River
☐ Special Water ☐ SWIM Area ☐ Local Comp Plan ☒ MS4 Area
☒ Other (specify): Lake Monroe is listed as an impaired water body by FDEP

Conceptual storm water conveyances & system (check all that apply):

☒ Swales ☒ Curb and Gutter ☐ Scuppers ☒ Pipe ☐ French Drains
☒ Retention/Detention Ponds ☐ Other

WQIE Check List (continued)

PART 3: ENVIRONMENTAL REGULATORY REQUIREMENTS

Regulatory Agency (check all that apply)	Reference citation for regulatory criteria (attach copy of pertinent pages)	Most Stringent criteria (check all that apply)
USEPA <input type="checkbox"/>		<input type="checkbox"/>
FDEP <input checked="" type="checkbox"/>	NPDES General Permit	<input type="checkbox"/>
FDEP/SJRWMD** <input checked="" type="checkbox"/>	Chapters 40C-4, 40C-41, 40C-42, F.A.C.	<input checked="" type="checkbox"/>
OTHER (Specify) <input type="checkbox"/>	Wekiva Basin Area Task Force Final Report 1-15-03	<input type="checkbox"/>

**NOTE: Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Proceed to Part 4 and check Box C.

PART 4: WQIE DOCUMENTATION

- A. ☐ Water quality is not an issue.
- B. ☐ No regulatory requirements apply to water quality issues. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)
- C. ☒ Regulatory requirements apply to water quality issues. Water quality issues will be mitigated through compliance with the quantity design requirements placed by FDEP**, an authorized regulatory agency. (Document by checking the "none" box for water quality in Section 6.C.3 of the Environmental Determination Form or Section 5.C.3 of the SEIR.)

**NOTE: Drainage criteria for the SJRWMD apply with permitting through the Florida Department of Environmental Protection.

Evaluator Name (print): Amy L. Windom, P.E.

Office: CH2M HILL, Inc., 225 East Robinson Street, Suite 505, Orlando, FL 32801- 4322

Signature: 

Date: 6/3/2010

Certificate Number: Florida PE 44155

Appendix F

Correspondence from Federal, State, and Local Government Entities

Appendix F

Advance Notification Responses

Federal

- F-1 United States Coast Guard (USCG)
- F-2 U.S. Department of Health & Human Services – Centers for Disease Control (CDC)
- F-3 U.S. Environmental Protection Agency (USEPA)
- F-4 Federal Aviation Administration (FAA)
- F-5 U.S. Department of Commerce – National Oceanic and Atmospheric Administration (NOAA)
- F-6 Miccosukee Tribe of Indians

State

- F-7 Florida Department of Environmental Protection (FDEP) – Florida State Clearinghouse (includes compilation of comments from:
 - East Central Florida Regional Planning Council (ECFRPC)
 - Environmental Policy Unit
 - Florida Department of Agriculture and Consumer Services (FDACS)
 - State of Florida Department of Community Affairs (DCA)
 - Florida Fish and Wildlife Conservation Commission (FWC)
 - Florida Department of State
 - Florida Department of Environmental Protection (FDEP)
 - St. Johns River Water Management District (SJRWMD)
- F-8 Florida Department of Agriculture and Consumer Services (FDACS), Division of Forestry (DOF)
- F-9 State of Florida Department of Community Affairs (DCA)

Local

- F-10 City of Lake Mary
- F-11 Seminole County – Public Works Department
- F-12 City of Mount Dora - Public Services Department
- F-13 Orange County Environmental Protection Division (OCEPD)

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Seventh Coast Guard District

909 SE 1st Ave. Ste 432
Miami, FL 33131-3050
Staff Symbol: (obr)
Phone: (305) 415-6747
Fax: (305) 415-6763
Email: wtate@d7.uscg.mil

F-1 (Sheet 1 of 3)

16211
March 25, 2005

Received

APR 04 2005

**FDOT
Environmental Management**

Ms. Anne Brewer, P.E.
District Project Development and Environment Engineer
Florida Dept. of Transportation, District 5
719 S. Woodland Blvd, MS 501
Deland, FL 32720

Dear Ms. Brewer:

Enclosed is a Bridge Project Questionnaire (BPQ) for your Advance Notification for Wekiva Parkway Development and Environment Study.

Please complete the BPQ and return it to this office with required photographs at your earliest convenience. Completion of this report will facilitate a Coast Guard jurisdictional determination for this waterway and determine whether a Coast Guard bridge permit is required.

If you have any questions concerning the BPQ or Coast Guard permitting policy, you may contact me at (305) 415-6747 or email wtate@d7.uscg.mil.

Regards,

A handwritten signature in black ink, appearing to read "W. Gwin Tate III".

W. GWIN TATE III
Associate Bridge Management Specialist
U.S. Coast Guard
By direction

Enclosure

DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD
Form D7-1103 (Rev. 5-02)

Commander (obr)
Seventh Coast Guard District

909 S.E. 1st Avenue, RM 432
Miami, FL 33131-3050
(305) 415-6747

BRIDGE PROJECT QUESTIONNAIRE

The Coast Guard must determine whether or not a Bridge Permit is required for your project. By providing full and accurate information on this form, you will assist in our decision making process. Errors or misstatements may require redesigning of your bridge, and may subject you to civil penalty sanctions. If you have any questions regarding this form, do not hesitate to contact the Bridge Administration Branch at the letterhead address or phone number. Regarding the site of your proposed bridge, please provide the following information:

NAVIGATION DATA:

1. Name of waterway: _____
- 1a. At proposed site, mileage along waterway measured from mouth or confluence _____
- 1b. Waterway is a tributary of _____ at mile _____
2. Geographical Location: _____
(Road Number, City, County, State)
3. Township, section and range, if applicable: _____
4. Is the waterway tidally influenced at proposed bridge site? ____ Range of tide? _____
5. Depth and width of waterway at proposed bridge site:

	Depth	Width
At Mean High Tide	_____	_____
At Mean Low Tide	_____	_____
6. Check the type(s) of present vessel traffic on the waterway:
 Canoe _____ Rowboat _____ Small Motorboat _____ Cabin Cruiser _____
 Houseboat _____ Pontoon Boat _____ Sailboat _____ Tug and tow _____ None _____
- 6a. Provide the vertical clearance required for the largest vessel using the waterway _____
- 6b. Provide a photograph of each type vessel using the waterway.
7. Are these waterways used to transport interstate or foreign commerce? Yes ____ No ____
- 7a. Are these waters susceptible to use in their natural condition, or by reasonable improvement, as a means to support interstate or foreign commerce? Yes ____ No ____
- 7b. To your knowledge, are there any planned waterway improvements to permit larger vessels to navigate? _____. If so, what are they? _____

8. Are there any natural or manmade obstructions, bridges, dams, weirs, etc. downstream or upstream? Yes _____ No _____

8a. If yes, provide upstream/downstream location with relation to the proposed bridge.

8b. If the obstruction(s) are bridges, provide vertical clearance at mean high water and mean low water and horizontal clearance normal to axis of the waterway. Vertical Clearance: MHW _____ MLW _____ Horizontal clearance _____

8c. Provide a photograph of the bridge(s) from the waterway showing channel spans.

9. Will the proposed structure replace an existing bridge? _____

9a. Provide permit number and issuing agencies of permits for the bridge(s) to be replaced.

9b. Provide the vertical clearance above mean high water and mean low water and the horizontal clearance normal to axis of waterway. Vertical Clearance: MHW _____ MLW _____ Horizontal Clearance _____

9c. Provide a photograph of the to-be-replaced bridge from the waterway, showing the channel span(s).

10. List the names and addresses of persons whose property adjoins the bridge right of way.

11. List names and addresses/location of marinas, marine repair facilities, public boat ramps, private piers/docks along waterway within ½ mile of site.

12. Attach a location map and plans for the proposed bridge; show the vertical clearances above mean high water and mean low water and the horizontal clearance normal to axis of the waterway.

13. Attach three (3) photographs taken at the proposed bridge site: one looking upstream, one looking downstream, and one looking along the alignment centerline across the bridge site.

DATE: _____

SIGNATURE: _____
Proposed Bridge Owner or Agent

ATTACHMENTS: Location Map
Bridge Plans
Photographs
Additional pages of names and addresses (if necessary)



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30341-3724

April 5, 2005

Received

APR 11 2005

FDOT
Environmental Management

Ms. Anne Brewer, P.E.
District Project Development and Environment Engineer
Florida Department of Transportation, District 5
719 S. Woodland Boulevard, MS 501
Deland, Florida 32720

Dear Ms. Brewer:

This is in response to your Advance Notification request for Wekiva Parkway Project Development and Environment Study, Orange, Seminole, and Lake Counties, Florida. We are responding on behalf of the Department of Health and Human Services (DHHS), U.S. Public Health Service.

While we have no project specific comments to offer at this time, we do recommend that the topics listed below be considered during the NEPA process along with other necessary topics, and addressed if appropriate. Mitigation plans which are protective of the environment and public health should be described in the DEIS wherever warranted.

AREAS OF POTENTIAL PUBLIC HEALTH CONCERN:**I. Air Quality**

- dust control measures during project construction, and potential releases of air toxins
- potential process air emissions after project completion
- compliance with air quality standards

II. Water Quality/Quantity

- special consideration to private and public potable water supply, including ground and surface water resources
- compliance with water quality and waste water treatment standards
- ground and surface water contamination (e.g. runoff and erosion control)
- body contact recreation

III. Wetlands and Flood Plains

- potential contamination of underlying aquifers
- construction within flood plains which may endanger human health
- contamination of the food chain

IV. Hazardous Materials/Wastes

- identification and characterization of hazardous/contaminated sites
- safety plans/procedures, including use of pesticides/herbicides; worker training
- spill prevention, containment, and countermeasures plan

V. Non-Hazardous Solid Waste/Other Materials

- any unusual effects associated with solid waste disposal should be considered

Page 2 - Ms. Anne Brewer, P.E.

VI. Noise

- identify projected elevated noise levels and sensitive receptors (i.e. residential, schools, hospitals) and appropriate mitigation plans during and after construction

VII. Occupational Health and Safety

- compliance with appropriate criteria and guidelines to ensure worker safety and health

VIII. Land Use and Housing

- special consideration and appropriate mitigation for necessary relocation and other potential adverse impacts to residential areas, community cohesion, community services
- demographic special considerations (e.g. hospitals, nursing homes, day care centers, schools)
- consideration of beneficial and adverse long-term land use impacts, including the potential influx of people into the area as a result of a project and associated impacts
- potential impacts upon vector control should be considered

IX. Environmental Justice

- federal requirements emphasize the issue of environmental justice to ensure equitable environmental protection regardless of race, ethnicity, economic status or community, so that no segment of the population bears a disproportionate share of the consequences of environmental pollution attributable to a proposed project. (Executive Order 12898)

While this is not intended to be an exhaustive list of possible impact topics, it provides a guide for typical areas of potential public health concern which may be applicable to this project. Any health related topic which may be associated with the proposed project should receive consideration when developing the draft and final EISs. Please furnish us with one copy of the draft document when it becomes available for review.

Sincerely yours,



Paul Joe, DO, MPH
Medical Officer
National Center for Environmental Health (F16)
Centers for Disease Control & Prevention



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 4
 ATLANTA FEDERAL CENTER
 61 FORSYTH STREET
 ATLANTA, GEORGIA 30303-8960

APR 6 2005

Received

APR 11 2005

FDOT
 Environmental Management

Ms. Anne Brewer
 District Project Development and Environment Engineer
 Florida Department of Transportation, District 5
 719 S. Wooland Boulevard, MS 501
 Deland, FL 32720

SUBJ: Advance Notification for Wekiva Parkway Project Development and Environment Study - Orange, Seminole, and lake Counties, Florida

Dear Ms. Brewer:

The U.S. Environmental Protection Agency (EPA) has received your request to review the above-referenced project, and it has been reviewed pursuant to Section 1424(e) of the Safe Drinking Water Act.

The project is determined to lie within the boundaries of the Volusia Floridan Regional Aquifer, which is a designated Sole Source Aquifer (SSA), i.e., it is the sole or principal water source for an area which, if contaminated, would create a significant hazard to the public.

After review of the information provided for this project, I conclude that the necessary precautions to prevent contamination of the underlying aquifer will be taken. It is my understanding that plans for storm water, accidental hazardous spills, and best management practices for erosion control will be adhered to along with state and local permits. It is also requested that EPA, and other permitting agencies, be notified prior to any project changes or alternative plans.

Thank you for your concern with the environmental impacts of the project. If you should have any further questions or concerns in regards to this or other water matters, please do not hesitate to contact me at 404-562-9329 or by email at howell.stallings@epa.gov.

Sincerely,

E. Stallings Howell

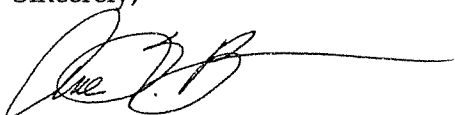
E. Stallings Howell, Chief
 Ground Water/Drinking Water Branch

Your comments should be addressed to:

Ms. Anne Brewer, P.E.
District Project Development and Environment Engineer
Florida Department of Transportation, District 5
719 S. Woodland Boulevard, MS 501
Deland, FL 32720

Your expeditious handling of this notice will be appreciated.

Sincerely,



Anne Brewer, P.E.
District Project Development and Environment Engineer
Florida Department of Transportation, District 5

Received
APR 12 2005
FDOT
Environmental Management

Attachments:

Advance Notification Fact Sheet
Mailing List
Application for Federal Assistance



Mailing List (Attached)

4/11/2005

Ms. Brewer:

The FAA interposes no objection with the proposed development from an airspace standpoint. Any use of construction equipment that exceed FAR Part 77 will need to be coordinated and reviewed by the FAA. Please contact us if you have any questions.

Vernon P. Rupint
Vernon P. Rupinta
Program Manager



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
 263 13th Avenue South
 St. Petersburg, Florida 33701

April 11, 2005

Received

APR 15 2005

FDOT
Environmental Management

Ms. Anne Brewer, P.E.
 District Project Development and Environment Engineer
 Florida Department of Transportation, District 5
 719 S. Woodland Boulevard, MS 501
 Deland, Florida 32720

Dear Ms. Brewer:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the information provided in the Development and Environment Study Advance Notification (AN) for the proposed Wekiva Parkway Project (FIN: 238275-1-22-01) in Lake, Orange, and Seminole counties, Florida. According to the information provided in the AN, palustrine emergent, prairie, scrub-shrub, and forested wetlands; lacustrine open water (lakes, canals, and road side swales); and riverine wetlands are present within the project area.

In order to evaluate the potential impacts to wetland communities located within and adjacent to the project corridor, NMFS requests that the following information be provided for our review:

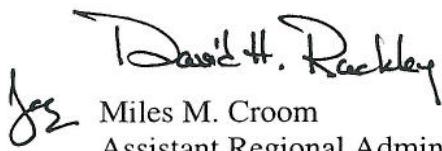
- 1) A habitat characterization of the wetlands within the project corridor, including the size and location of wetlands that would be directly impacted by the proposed project.
- 2) Information on measures to avoid and/or minimize adverse impacts to essential fish habitat (EFH) within the overall impact zone of the project.
- 3) An EFH assessment that includes a description of the proposed action; an analysis of anticipated direct, indirect, and cumulative impacts of the proposed action on EFH, federally managed species, and associated species by life history state; and the FDOT's views regarding the effects of the proposed project on EFH.
- 4) A sequential mitigation plan that includes compensate for unavoidable impacts to wetland communities that would be degraded or eliminated by the proposed project.
- 5) Once an alternative is decided, conservation and avoidance measures (i.e., best management practices for water quality and erosion control) should be included in the project design and description, and implemented during construction activities. This may be included in the EFH assessment.



- 6) A Stormwater Management Plan should be developed and provided to assure that the additional surface and stormwater runoff from the new impervious surface will be properly treated disposed according to the EPA's and/or DEP's stormwater/NPDES standards. This may be included in the EFH assessment or as a separate document.
- 7) Disclosure of anticipated or likely significant hydrological alteration within the Wekiva River, upstream and downstream of the existing bridge and new bridge.

We appreciate the opportunity to provide these comments. Please direct related questions or comments to the attention of Ms. Madelyn T. Martinez in our Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701. She may be reached by telephone at (727) 824-5317 or by fax at (727) 824-5300.

Sincerely,


Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:
COE, Jacksonville
EPA, Region IV
FHWA
FWS, Jacksonville
FFWCC
SJRWMD
F/SER4 Martinez



Miccosukee Tribe of Indians of Florida

Received

MAR 25 2005

Business Council Members

Billy Cypress, Chairman

FDOT

Environmental Management

Jasper Nelson, Ass't. Chairman
Max Billie, Treasurer

Andrew Bert Sr., Secretary
Jerry Cypress, Lawmaker

March 22, 2005

Ms. Anne Brewer, P.E.
District Project Development & Environmental Engineer
FDOT - District 5
719 S. Woodland Blvd., MS 501
Deland, FL 32720

RE: Wekiva Parkway PD&E Study, Financial Project Ids: 238275 1 22 01 & 240200 1 22 01

Dear Ms. Brewer:

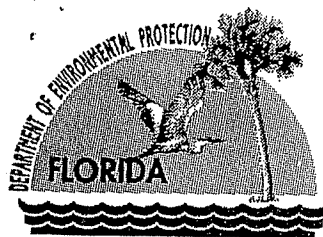
The Miccosukee Tribe received your letter concerning the above referenced proposed project. The Tribal Chairman referred your letter to me as I am the Tribal Representative for Native American Graves Protection and Repatriation and Section 106 Consultation. Mr. Fred Dayhoff is a Tribal Consultant on these matters. Please direct all future correspondence to me.

We have no direct knowledge of any cultural, religious, or traditional sites at the proposed project location. We suggest that a cultural resources survey be conducted of the project area. We further request that we be kept informed of this project and receive a copy of the cultural resources survey.

Thank you for consulting with us. Please call me at (305) 223-8380, Ext. 2244, if you require further information.

Sincerely,

Steve Terry
NAGPRA & Section 106 Representative



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

May 23, 2005

Received

MAY 26 2005

**FDOT
Environmental Management**

Ms. Anne Brewer, P.E.
District Project Development & Environment Engineer
Florida Dept. of Transportation, District V
719 Woodland Boulevard, MS 501
DeLand, Florida 32720-6834

RE: Department of Transportation – Advance Notification – Wekiva Parkway PD&E Study –
Financial Project ID Nos. 238275-1-22-01 and 240200-1-22-01 – Orange, Lake and
Seminole Counties, Florida

SAI # FL200503210609C

Dear Ms. Brewer:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the referenced advance notification.

The Department of Community Affairs (DCA) has determined that this project is not inconsistent with Florida Statutes or the goals, objectives and policies of the subject local government comprehensive plans. The DCA notes, however, that the project is not currently addressed in those local plans. Prior to consideration for future advancement in the Florida Department of Transportation's Five Year Work Program, the project should be included in each of the local governments' comprehensive plans. The DCA is currently working with the local governments to update their comprehensive plans to include the Wekiva Parkway on their respective Future Transportation Maps. Please refer to the enclosed DCA comments for additional information.

The Florida Department of Agriculture's Division of Forestry (DOF) has several recommendations regarding the PD&E Study. Please find those suggestions in the enclosed DOF comments.

The Florida Department of Environmental Protection (DEP) states that an Environmental Resource Permit (ERP) will be required for any construction in surface water, wetlands, or state

"More Protection, Less Process"

Printed on recycled paper.

Ms. Anne Brewer
May 23, 2005
Page 2 of 3

lands. In accordance with the operating agreement between the DEP and water management district, DEP will process and review the application in accordance with Chapters 373 and 403 of the Florida Statutes (F.S.), Chapters 18-20 and 18-21 of the *Florida Administrative Code* (F.A.C.), and the applicable district MSSW handbook. The DEP notes that the proposed alignment must be based upon avoidance and minimization criteria to reduce potential impacts to resources. The DEP recommends that all mitigation funding provided to the St. Johns River Water Management District (SJRWMD) be applied to mitigation activities located within the Wekiva basin.

Constructing the Wekiva Parkway will impact forested wetlands of the Wekiva River Riparian Habitat Protection Zone. The Wekiva River is an Aquatic Preserve and a National Wild and Scenic River. The information provided in the Advance Notification does not provide details regarding anticipated impacts on sovereign submerged lands. Additional details will be required regarding the types of wetlands being traversed, the type of construction, construction access, amount of dredging and filling proposed for wetlands and an explanation of how impacts to wetlands have been minimized or avoided. The applicant is advised to contact Mr. Aaron Watkins of the DEP Central District at (407) 893-7870 for further information.

The DEP notes that a public easement will be required for any portion of the roadway that crosses the Wekiva River. This proprietary authorization should be acquired from the SJRWMD. The applicant is advised to contact Mr. Wilbert Holliday of the DEP Central District at (407) 893-3997 for further information.

Any water main extension or modification will require a permit from the DEP, in accordance with Chapter 62-555, F.A.C. Additionally, any water mains crossing over or under surface water bodies (rivers) must meet the requirements found in Item 8.7 of the DEP's Recommended Standards for Water Works. The applicant is advised to contact Mr. Richard Lott of the DEP Central District at (407) 893-3325 for further information.

The DEP states that the Wekiva River is situated within the Middle St. Johns River, a Group 2 basin for purposes of establishing Total Maximum Daily Loads (TMDLs) for waters identified as being impaired (i.e. not meeting state water quality standards). Stormwater may require greater treatment in sub-basins where surface waters are impaired. Until TMDLs are developed and implemented, however, the ramifications of TMDLs on projects such as this cannot be better defined. The applicant is advised to contact Ms. Barbara Bess of the DEP Central District (407) 893-3984 for additional information.

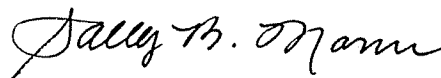
Based on the information contained in the advance notification and the enclosed state agency comments, the state has determined that, at this stage, the allocation of federal funds for the above-referenced project is consistent with the Florida Coastal Management Program (FCMP). The applicant must, however, address the concerns identified by the reviewing

Ms. Anne Brewer
May 23, 2005
Page 3 of 3

agencies prior to project implementation. The state's continued concurrence with the project will be based, in part, on the adequate resolution of any issues identified during this and subsequent reviews. The state's final concurrence of the project's consistency with the FCMP will be determined during the environmental permitting stage.

Thank you for the opportunity to review this project. If you have any questions regarding this letter, please contact Ms. Suzanne E. Ray at (850) 245-2172.

Yours sincerely,

A handwritten signature in cursive script that reads "Sally B. Mann".

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/ser

Enclosures

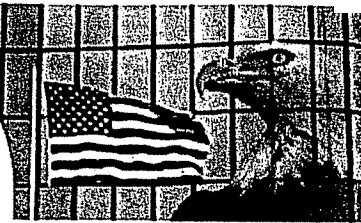
cc: Geoffrey Sample, SJRWMD
Barb Bess, DEP Central District
Forrest Watson, DACS Div. of Forestry
Ray Eubanks, DCA



Florida

Department of Environmental Protection

"More Protection, Less Process"



Categories

[DEP Home](#) | [OIP Home](#) | [Contact DEP](#) | [Search](#) | [DEP Site Map](#)

Project Information	
Project:	FL200503210609C
Comments Due:	04/20/2005
Letter Due:	05/20/2005
Description:	DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - WEKIVA PARKWAY PD&E STUDY - FINANCIAL PROJECT ID NOS. 238275-1-22-01 AND 240200-1-22-01 - ORANGE, LAKE, AND SEMINOLE COUNTIES, FLORIDA.
Keywords:	DOT - WEKIVA PARKWAY PD&E STUDY - ORANGE, LAKE, AND SEMINOLE CO.
CEQA #:	20.205
Agency Comments:	
E. CENTRAL FL RPC - EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL	
The proposed project, as presented for review and when considered in its entirety, is consistent with the adopted Goals, Policies and Objectives of the East Central Florida Regional Planning Council.	
LAKE - LAKE COUNTY	
ORANGE - ORANGE COUNTY	
SEMINOLE -	
ENVIRONMENTAL POLICY UNIT - OFFICE OF POLICY AND BUDGET, ENVIRONMENTAL POLICY UNIT	
No Comment	
AGRICULTURE - FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	
Comments were e-mailed to Lauren Milligan. Among other comments included with e-mail, we suggest that this project comply with the Florida Board of Trustees of the Internal Improvement Trust Fund Linear Facilities Policy on natural resource lands, which addresses avoidance, minimization of impacts, and compensation for impacts to natural resources, natural resource lands, and related appurtenances.	
COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS	
Based on the information contained within the advance notification package, DCA has determined that this project is not inconsistent with Florida Statutes or the goals, objectives and policies of the plans. However, this project is not currently addressed in the local governments' comprehensive plan. For future advancement in the FDOT's Five Year Work Program, this project should be included in each of the local governments' comprehensive plans. DCA is currently working with the local governments to update their comprehensive plans to include the Wekiva Parkway on the Future Transportation Map.	
FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	
No comment by Steve Lau 4-27-05	
STATE - FLORIDA DEPARTMENT OF STATE	
No comment/Consistent	
ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	
The Florida Department of Environmental Protection (DEP) states that an Environmental Resource Permit (ERP) will be required for any construction in surface water, wetlands, or state lands. In accordance with the operating agreement between the DEP and water management district, DEP will process and review the application in accordance with Chapters 373 and 403 of the Florida Statutes (F.S.), Chapters 18-20 and 18-21 of the Florida Administrative Code (F.A.C.), and the applicable district MSSW handbook. The DEP notes that the proposed alignment must be based upon avoidance and minimization criteria to reduce potential impacts to resources. The DEP recommends that all mitigation funding provided to the St. Johns River Water Management District (SJRWMD) be applied to mitigation activities located within the Wekiva basin. Constructing the Wekiva Parkway will impact forested wetlands of the Wekiva River Riparian Habitat Protection Zone. The Wekiva River is an Aquatic Preserve and a National Wild and Scenic River. The information provided in the Advance Notification does not provide details regarding anticipated impacts on sovereign submerged lands. Additional details will be	

required regarding the types of wetlands being traversed, the type of construction, construction access, amount of dredging and filling proposed for wetlands and an explanation of how impacts to wetlands have been minimized or avoided. The applicant is advised to contact Mr. Aaron Watkins of the DEP Central District at (407) 893-7870 for further information. The DEP notes that a public easement will be required for any portion of the roadway that crosses the Wekiva River. This proprietary authorization should be acquired from the SJRWMD. The applicant is advised to contact Mr. Wilbert Holliday of the DEP Central District at (407) 893-3997 for further information. Please refer to letter for additional comments.

ST. JOHNS RIVER WMD - ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

The submittal indicates that an Environmental Resource Permit will be required from SJRWMD. However, it is our understanding that the Florida Department of Environmental Protection will handle this permit review, not SJRWMD.

For more information please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD MS-47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190

Visit the [Clearinghouse Home Page](#) to query other projects.

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**Florida Department of Agriculture and Consumer Services
Division of Forestry**

Memorandum

TO: Florida State Clearinghouse

FROM: Forrest Watson

DATE: April 28, 2005

SUBJECT: Department of Transportation – Advance Notification – Wekiva Parkway PD&E Study – Financial Project ID Nos. 238275-1-22-01 and 240200-1-22-01 – Orange, Lake, and Seminole Counties, Florida.
SAI # FL200503210609C

The Florida Division of Forestry offers the following comments regarding the FDOT Wekiva Parkway Study:

Road design should not reduce the number or alter the location of access points to Seminole State Forest (SSF). Currently there are four access points along SR 46 and eight along CR 46A.

It is our understanding regarding the current road design that portions of SR 46 would be elevated adjacent to SSF to provide wildlife crossings. It is important that any road design increase the area for safe wildlife crossings.

We suggest that this project comply with the Florida Board of Trustees of the Internal Improvement Trust Fund Linear Facilities Policy on natural resource lands, which addresses avoidance, minimization of impacts, and compensation for impacts to natural resources, natural resource lands, and related appurtenances. Road and construction area footprints should be minimized on SSF. Any impacts should be mitigated directly on SSF. The proposed parkway route appears to only affect the existing SR 46 right-of-way or areas immediately adjacent to the right-of-way.

The CR 46A realignment should tie the existing CR 46A to SR 46, west of the Design Homes Parcel of SSF. Limiting traffic on the existing CR 46A, east of the Design Homes Parcel, to local use would aid forest management and provide improved wildlife crossing areas.

POLICY

Use of Natural Resource Lands by Linear FacilitiesAs Approved ByBoard of Trustees of the Internal Improvement Trust Fundon January 23, 1996**(A) Purpose and Scope.**

(1) This policy applies only to linear facilities, including electric transmission and distribution facilities, telecommunications transmission and distribution facilities, pipeline transmission and distribution facilities, public transportation corridors, and related appurtenances.

(2) While it is appropriate to discourage and prohibit most kinds of intrusions on natural resource lands, the Trustees recognize that the expanding ownership of lands by the state and the need to provide services to a growing population through linear facilities and related appurtenances will from time to time require crossings and location on such lands. The goal of this policy is to avoid and minimize conflicts between the acquisition and management of natural resource lands for conservation, recreation, and preservation and activities necessary for the construction, operation and maintenance of linear facilities and related appurtenances.

(B) Definitions.

(1) "Natural Resources" include but are not limited to wetlands, lakes, rivers, streams, estuaries and other surface and ground water resources, flora, fauna, fish and wildlife, natural communities, historical and archaeological resources, scenic vistas and aesthetic values.

(3) "Natural Resource Lands" are those lands owned by the Trustees and which: were acquired with funds from the P2000 or Save Our Coast Bond Program; or were acquired with funds from the CARL or LATF Trust Fund; or are managed for natural resources by the Division of Recreation and Parks, Division of Marine Resources, Game and Fresh Water Fish Commission, Division of Forestry, or Secretary of State.

(3) "Related Appurtenances" include those support facilities necessary to the operation of linear facilities. (Examples include but are not limited to substations and pump-stations.)

(4) "Trustees" means the Board of Trustees of the Internal Improvement Trust Fund.

(C) Avoidance.

Owners and operators of linear facilities must avoid location on natural resource lands unless no other practical and prudent alternative is available and all steps to minimize impacts as set forth below are implemented. The test of practicality and prudence will compare the social, economic, and environmental effects of the alternatives.

(D) Minimizing Impacts.

Applicants must minimize adverse impacts to natural resource lands through reasonable measures where applicable: locating the project in areas where less adverse impacts are expected, such as areas which have already been impacted and are less sensitive than other areas; avoiding significant wildlife habitats, natural aquatic areas, wetlands, or other valuable natural resources; selecting areas to minimize damage to existing aesthetically-pleasing features of the lands; employing best management practices in construction and operation activities; designing access roads and site preparation to avoid interference with hydrologic conditions that benefit natural resources and reduce impacts on other natural resources and public use and enjoyment; and; generally selecting areas that will not increase undesirable human activities on the natural resource lands; and generally, not adversely impacting the management of such lands. However, human activities may be encouraged where linear facility corridors are designated as part of a greenway or trail.

(E) Compensation.

(1) The applicant will pay the Trustees an amount not to exceed the fair market value of the interest acquired in the parcel on which the linear facility and related appurtenances will be located.

(2) In addition to the amount in (E) (1) above, the applicant will provide to the managing agency that measure of additional money, land, or services necessary to offset the actual adverse impacts reasonably expected to be caused by the construction, operation and maintenance of the linear facility and related appurtenances. Such impact compensation will be calculated from the land managing agency's timely presentation of documented costs which will result from the impacts of the proposed project.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
 Governor

THADDEUS L. COHEN, AIA
 Secretary

May 9, 2005

Ms. Lauren Milligan
 Department of Environmental Protection
 Florida State Clearinghouse
 3900 Commonwealth Blvd., MS 47
 Tallahassee, FL 32399-2900

RECEIVED

MAY 16 2005

OIP / OLGA

RE: SAI# FL200503210609C
 Project: Wekiva Parkway Project Development & Environmental Study
 Location: Orange, Seminole & Lake Counties

Dear Ms. Milligan:

On March 23, 2005, the Department received Florida Department of Transportation's (FDOT) Advance Notification Package regarding the Project Development and Environment application for the Wekiva Parkway which runs through Orange, Seminole, and Lake Counties as well as the City of Apopka.

The Department has reviewed the submitted application package for consistency with the comprehensive plans of Orange, Seminole, and Lake Counties and the City of Apopka. Based on the information contained within the advance notification package, we determined that this project is not inconsistent with Florida Statutes or the goals, objectives and policies of the plans. However, this project is not currently addressed in the local governments' comprehensive plan. For future advancement in the FDOT's Five Year Work Program, this project should be included in each of the local governments' comprehensive plans. The Department is currently working with the local governments to update their comprehensive plans to include the Wekiva Parkway on the Future Transportation Map.

Department staff will be available to assist the local governments in amending their transportation element in order to include this planned regional transportation project. Please feel free to contact Paul DiGiuseppe, Principal Planner at (850) 922-1823 for assistance.

Sincerely,

Valerie J. Hubbard, AICP

Director, Division of Community Planning

VH/gd

cc: Paul DiGiuseppe, DCA
 Gary Donaldson, DCA

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
 Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
 Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
 2796 Overseas Highway, Suite 212
 Marathon, FL 33050-2227
 (305) 289-2402

COMMUNITY PLANNING
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 488-2356

EMERGENCY MANAGEMENT
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 413-8869

HOUSING & COMMUNITY DEVELOPMENT
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 488-7956

John C. Litton
City Manager
jlitton@lakemaryfl.com



City of Lake Mary

Incorporated in 1973

Received

APR 12 2005

**FDOT
Environmental Management**

April 7, 2005

Ms. Anne Brewer, P.E.
District Project Development and Environmental Engineer
Florida Department of Transportation, District 5
719 S. Woodland Boulevard, MS 501
Deland, FL 32720

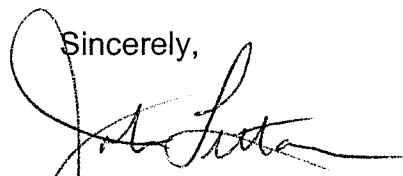
**RE: Advance Notification for Wekiva Parkway Project Development
and Environmental Study**

Dear Ms. Brewer:

I am in receipt of the Advance Notification package dated February 23, 2005, regarding the above referenced subject. At this point in time the City of Lake Mary has no comments, however, that may change as the project moves forward.

We look forward to working with you.

Sincerely,



John C. Litton
City Manager

cc: John Omana, Community Development Director
Bruce Paster, Public Works Director

Phone: (407) 585-1419 • Fax: (407) 585-1498

CITY HALL, 100 N. Country Club Road, P.O. Box 958445, Lake Mary, FL 32795-8445

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION



April 7, 2005

Received

APR 11 2005

FDOT
Environmental Management

Ms. Anne Brewer, P.E.
 District Project Development and Environment En or
 Florida Department of Transportation, District 5
 719 South Woodland Boulevard, MS 501
 DeLand, FL 32720-6834

RE: Advance Notification for Wekiva Parkway / ct Development and Environment Study

Dear Ms. Brewer:

Thank your for providing Seminole County with the "Advance Notification Fact Sheet" regarding the Wekiva Parkway Project Development and Environment Study. We have completed our review of the subject Fact Sheet and, at your request, offer the following comments for your consideration.

Wekiva Parkway Design

As the Department is aware, Seminole County's position on the Wekiva Parkway within our County is that we believe that the corridor should be contained within or adjacent to the current State Road 46 right-of-way and that all efforts should be exerted to maintain access to properties along the State Road 46 corridor. We understand that by minimizing the amount of limited access right-of-way within the County that frontage road concepts, especially from a point west of Orange Boulevard to the Wekiva River, probably would be necessary. However, the County understands that the Department, by law, must look at all viable corridors within the County.

State Road 46/Interstate 4 Interchange Plan

The Wekiva Parkway and Protection Act require local governments hosting an interchange on the Wekiva Parkway to adopt an interchange land use plan. The requirement for interchange plans was initiated by the Task Force's Recommendation 7; however, Recommendation 2 of the Wekiva River Basin Coordinating Committee's Final Report, dated March 16, 2004, recommended excluding the I-4 interchange from this requirement. Moreover, the Florida Legislature is currently reviewing a "glitch" bill (Senate Bill 908 attached) that would exempt Seminole County from adopting an interchange plan at I-4/State Road 46.

Anne Brewer, P.E.
 Advance Notification for Wekiva Parkway
 Project Development and Environment Study
 April 7, 2005
 Page 2

State Road 46 Scenic Corridor Overlay District

The Land Development Code of Seminole County contains a roadway corridor overlay district for State Road 46, extending from the Wekiva River, east to Orange Boulevard. In general, this overlay is intended to:

1. Maintain existing vegetation along the State Road 46 corridor within the Wekiva River Protection Area of Seminole County;
2. Provide for safe and efficient traffic flow by minimizing individual property curb cuts; and
3. Maintain the State Road 46 Scenic Corridor in accordance with the provisions set forth within the LDC (Part 62, State Road 46 Scenic Corridor Overlay District, Section 30.1181, Land Development Code).

Wekiva River Protection Area and Wekiva Study Area

The proposed Wekiva Parkway corridor traverses the Wekiva River Protection Area (created in 1988) and the Wekiva Study Area (created in 2004), set forth in Parts II and III, Chapter 369, Florida Statutes. The Seminole County Comprehensive Plan, known as "Vision 2020-A Guide to the Journey Ahead" (the "SCCP") and the Land Development Code of Seminole County include extensive policies (i.e., policies previously found compliant with Florida Law by the Department of Community Affairs) and regulations concerning the Wekiva River Protection Area. These policies and regulations are intended to ensure the maintenance of the character of this area, protect natural resources and ensure the long term viability of the Wekiva River Protection Area.

The County is currently drafting comprehensive plan amendments for the Wekiva Study Area required by the Wekiva Parkway and Protection Act. These amendments are intended to assure protection of groundwater and surface water; protect recharge areas and sensitive upland habitats; and promote the continuity of effective and innovative planning and development within the Wekiva Study Area. This effort is due for completion by January 1, 2006. The County is also mandated to adopt land development regulations, by January 1, 2007, to implement the provisions of the Wekiva Parkway and Protection Act. As required by this Act, the County will include an exhibit in the SCCP that depicts the proposed Wekiva Parkway corridor as recommended by the Wekiva River Basin Coordinating Committee (Part III, Section 369.321(1), Florida Statutes).

Anne Brewer, P.E.
Advance Notification for Wekiva Parkway
Project Development and Environment Study
April 7, 2005
Page 3

For your information, Public lands, both County and State, are shown in the attached exhibit titled "Seminole County Natural Lands and Public Lands."

Population Projections

As a supplement to the graphic titled "Population Growth in the Wekiva Basin Area", located in the Fact Sheet, the following population data is provided:


In 2003, the population of Seminole County was estimated at 394,900. The population for 2020 is projected to be 458,200 (low end projection) or 632,700 (high end projection) (Florida Statistical Abstract 2004, 28th Edition, University of Florida, page 42).

Thank you again for the opportunity to comment on the above project. We may, of course, have additional comments throughout the course of the PD&E Study process. Seminole County looks forward to this opportunity to work with the Department in the ongoing development of the regional transportation system of Central Florida.

If you have questions, or if we can be of further assistance, please contact feel free to contact me at (407) 665-5651.

Sincerely,

SEMINOLE COUNTY



Jerry McCollum, P.E.
County Engineer

JM/TM/dr

Attachments: Seminole County Natural Lands and Public Lands Map
Senate Bill 908 (Wekiva Glitch Bill)

c: Gary Johnson, Executive Director, Seminole County Expressway Authority
Alice Gilmartin, Principal Coordinator/Transportation Specialist/Planning Division
Tony Matthews, Principal Planner/Planning Division

01/28/2005 11:55 FAX

002/006

s0908.html

Wekiva Glitch Bill

Page 1 of 5

Florida Senate - 2005

SB 908

By Senator Constantine

22-955-05

1 A bill to be entitled

2 An act relating to the Wekiva Parkway and

3 Protection Act; amending ss. 369.319 and

4 369.320, F.S.; clarifying that requirements for

5 a local government to develop a master

6 stormwater management plan and a wastewater

7 facility plan apply only to that portion of the

8 local government located within the Wekiva

9 Study Area; amending s. 369.321, F.S.;

10 requiring local governments hosting an

11 interchange on the Wekiva Parkway to adopt an

12 interchange land use plan within 1 year after

13 the interchange location is established;

14 exempting interchanges located on Interstate 4

15 from the requirement for an interchange land

16 use plan; revising the date local governments

are required to adopt a 10-year water supply

18 facility work plan; clarifying that the

19 Department of Community Affairs reviews

20 comprehensive plan amendments for the Wekiva

21 Study Area under ch. 163, F.S.; amending s.

22 369.324, F.S.; correcting a reference to the

23 East Central Florida Regional Planning Council;

24 providing an effective date.

26 Be It Enacted by the Legislature of the State of Florida:

27

28 Section 1. Section 369.319, Florida Statutes, is

29 amended to read:

30 369.319 Master stormwater management plan.--Each local

31 government within the Wekiva Study Area shall develop a master

1

CODING: Words ~~deletions~~ are deletions; words underlined are additions.

Florida Senate - 2005
22-855-05

SB 908

1 stormwater management plan that: assesses existing problems

01/28/2005 11:55 FAX

003/005

Page 2 of 5 !

s0908_.html

2 and deficiencies in the community; identifies projects to meet
 long-range needs; establishes priorities to address existing
 deficiencies; establishes measures to address redevelopment;
 5 establishes a schedule to complete needed improvements;
 6 evaluates the feasibility of stormwater reuse; and includes
 7 requirements for inspection and maintenance of facilities. The
 8 plan shall also identify a funding source, such as a
 9 stormwater utility fee, to fund implementation of the plan and
 10 maintenance program. In addition, the local government shall
 11 establish a water reuse and irrigation program that allows for
 12 reuse of stormwater on a site basis for development over a
 13 size threshold to be determined by the local government or on
 14 a jurisdiction-wide basis to minimize pumpage of groundwater
 15 for nonpotable usage. For those local governments located
 16 partially within the Wekiva Study Area, this section applies
 17 only to that portion located within the Wekiva Study Area.

18 Section 2. Subsection (3) is added to section 369.320,
 19 Florida Statutes, to read:

20 369.320 Wastewater facility plan.--

21 (3) For those local governments located partially
 22 within the Wekiva Study Area, this section applies only to
that portion located within the Wekiva Study Area.

24 Section 3. Section 369.321, Florida Statutes, is
 25 amended to read:

26 369.321 Comprehensive plan amendments.--Except as
 27 otherwise expressly provided, by January 1, 2006, each local
 28 government within the Wekiva Study Area shall amend its local
 29 government comprehensive plan to include the following:

30 (1) Within 1 year after the establishment of the
 31 interchange locations, local governments hosting an

2

CODING: Words ~~are~~ are deletions; words underlined are additions.

Florida Senate - 2005
 22-855-05

SB 908

1 interchange on the Wekiva Parkway shall adopt an interchange
 2 land use plan into their comprehensive plans. Each interchange
 3 land use plan shall address: appropriate land uses and
 compatible development; secondary road access; access
 5 management; right-of-way protection; vegetation protection and
 6 water conserving landscaping; and the height and appearance of
 7 structures and signage. Local governments within which the

01/28/2005 11:56 FAX

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Page 3 of 5

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8 Wekiva Parkway is planned shall amend their local government
comprehensive plan to include the Wekiva Parkway. Interchanges
10 located on Interstate 4 are exempt from this subsection.

11 (2) Local governments shall amend the appropriate
12 elements of the comprehensive plan, including the capital
13 improvements element, to ensure implementation of the master
14 stormwater management plan.

15 (3) Local governments shall amend their comprehensive
16 plans to establish land use strategies that optimize open
17 space and promote a pattern of development on a
18 jurisdiction-wide basis that protects the most effective
19 recharge areas, karst features, and sensitive natural habitats
20 including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak
21 Scrub. Such strategies shall recognize property rights and the
22 varying circumstances within the Wekiva Study Area, including
23 rural and urban land use patterns. Local comprehensive plans
24 shall map, using best available data from the St. Johns River
25 Water Management District and the Fish and Wildlife
26 Conservation Commission, recharge areas and sensitive upland
27 habitats for this purpose. Local governments shall have
flexibility to achieve this objective through comprehensive
28 plan strategies that may include, but are not limited to:

- 30 (a) Coordinated greenway plans;
31 (b) Dedication of conservation easements;

3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Florida Senate - 2005
22-855-05

SD 906

- 1 (c) Land acquisition;
2 (d) Clustering of development;
3 (e) Density credits and density incentives which
4 result in permanent protection of open space; and
5 (f) Low to very low density development.
6 (4) By December 1, 2006, an up-to-date 10-year water
7 supply facility work plan for building potable water
8 facilities necessary to serve existing and new development and
9 for which the local government is responsible as required by
s. 163.3177(6)(c).

- 11 (5) Comprehensive plans and comprehensive plan
12 amendments adopted by the local governments to implement this
13 section shall be reviewed by the Department of Community

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Page 4 of 5 1

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14 Affairs pursuant to s. 163.3184, and shall be exempt from the
provisions of s. 163.3187(1).

16 (6) Implementing land development regulations shall be
17 adopted no later than January 1, 2007.

18 (7) During the period prior to the adoption of the
19 comprehensive plan amendments required by this act, any local
20 comprehensive plan amendment adopted by a city or county that
21 applies to land located within the Wekiva Study Area shall
22 protect surface and groundwater resources and be reviewed by
23 the Department of Community Affairs, pursuant to chapter 163
24 and chapter 9J-5, Florida Administrative Code, using best
25 available data, including the information presented to the
26 Wekiva River Basin Coordinating Committee.

27 Section 4. Subsection (4) of section 369.324, Florida
28 Statutes, is amended to read:

29 369.324 Wekiva River Basin Commission.--

30 (4) To assist the commission in its mission, the East
31 Central Florida ~~Area~~ Regional Planning Council, in

4

CODING: Words ~~strikes~~ are deletions; words underlined are additions.

Florida Senate - 2005
22-855-05

SB 908

1 coordination with the applicable regional and state agencies,
2 shall serve as a clearinghouse of baseline or specialized
3 studies through modeling and simulation, including collecting
4 and disseminating data on the demographics, economics, and the
5 environment of the Wekiva Study Area including the changing
6 conditions of the Wekiva River surface and groundwater basin
7 and associated influence on the Wekiva River and the Wekiva
8 Springs.

9 Section 5. This act shall take effect upon becoming a
10 law.

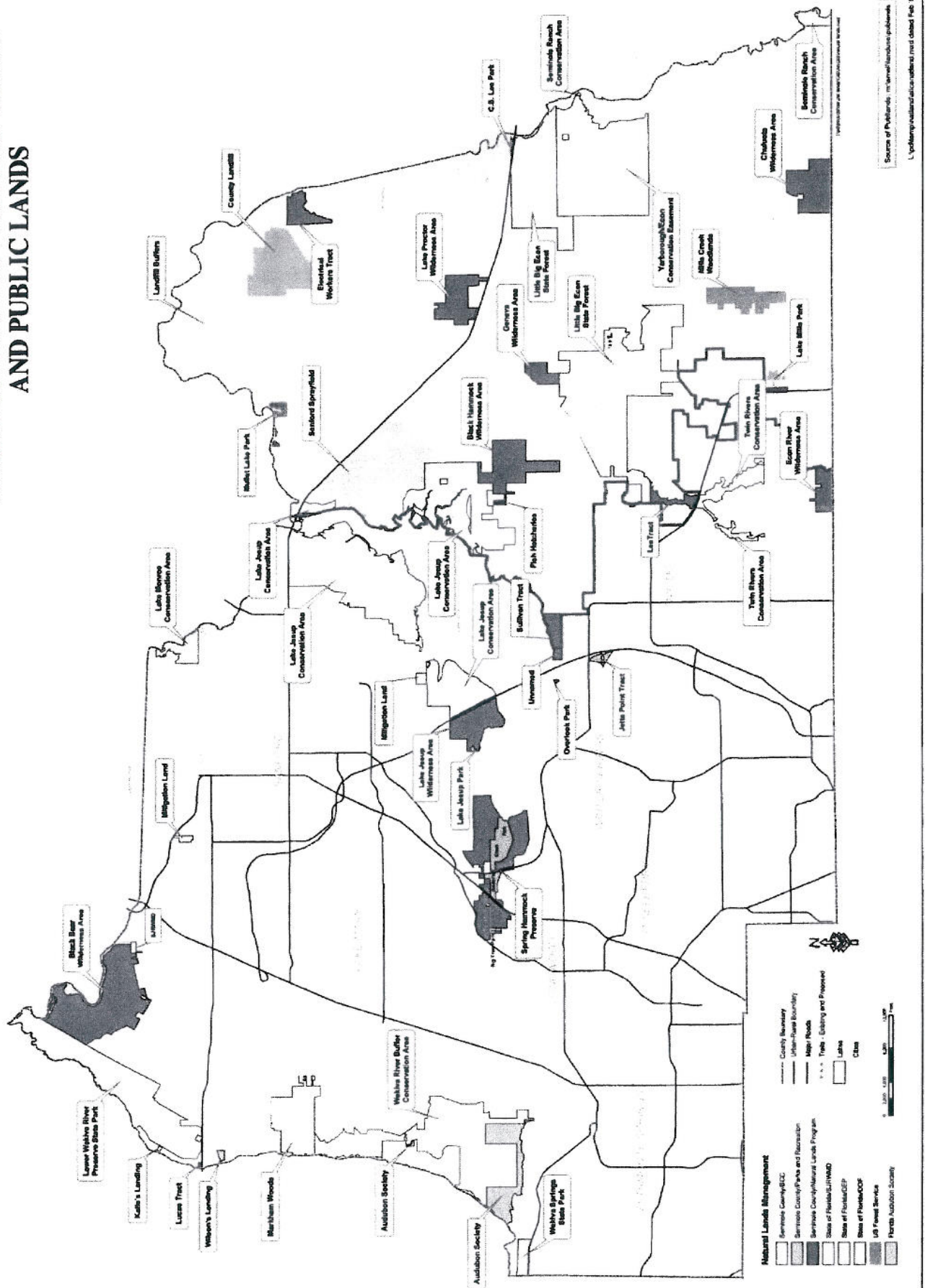
11

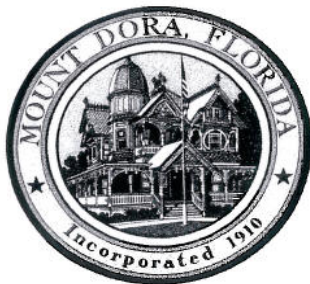
12 *****

13 SENATE SUMMARY

14 Adds clarification to the Wekiva Parkway and Protection
15 Act. Specifies that provisions requiring a local
government to develop a master stormwater management plan
and a wastewater facility plan apply only to that portion
of the local government located within the Wekiva Study
Area. Requires local governments hosting an interchange
on the Wekiva Parkway to adopt an interchange land use
plan within 1 year after the location for the interchange
is established. Exempts interchanges on Interstate 4 from
the requirement. Requires local governments to adopt a
10-year water supply facility work plan by December 1,
2006.

1/28/2005





PUBLIC SERVICES DEPARTMENT
ADMINISTRATION

1250 North Highland Street
Mount Dora, Florida 32757
Telephone: (352) 735-7155
FAX: (352) 735-1539

Received

APR 25 2005

**FDOT
Environmental Management**

April 20, 2005

Ms. Anne Brewer, P.E.
District Project Development and Environment Engineer
Florida Department of Transportation, District 5
719 S. Woodland Boulevard, MS 501
Deland, FL 32720

**Subject: Request for Comments Concerning the Advance Notification Package for the Wekiva
Parkway Project Development and Environment Study
(FDOT Financial Project IDs: 238275 1 22 01 & 240200 1 22 01)**

Dear Ms. Brewer:

The City of Mount Dora has reviewed the package received for the above subject matter. At this very preliminary stage in the project, the City has limited, but pertinent, comments to submit.

Comment

1. Mount Dora requests being added to an information distribution list in to receive copies of decisions from pertinent project planning, design, and engineering meetings. Mount Dora also desires the opportunity to attend meetings affecting any construction within our Utility District.
2. Mount Dora has significant existing utility lines along the SR 46 corridor and predicts additional utility connections will be necessary resulting from new development. Therefore, the City requests notification of all meetings concerning widening of SR 46.
3. Mount Dora requests notification of any discussions involving access management of SR 46.
4. As the Advance Notification Package notes, Mount Dora is also concerned that this project include appropriate measures to protect wetlands, surface water quality, and wildlife along the SR 46 corridor.
5. It is Mount Dora's understanding that the NPDES General Permit required by this project will be issued and will have oversight provided by the Department of Environmental Protection (DEP), not the EPA. Mount Dora has a DEP NPDES/MS4 permit in place for surface water discharges into its municipal system. The Public Services Department

Comments to FDOT concerning the Wekiva Parkway Project Development & Environment Study

requests a copy of the project NOI filed with the DEP, and copies of any surface water quality reports.

Thank you for your time and consideration of the City's comments.
Please contact me with any questions at (352) 735-7155.

Christopher Dilley

Christopher Dilley,
City Engineer



cc: Bernice Brinson, City Manager
Marcus Collins, Director of Public Services
Nicholas Mcray, Project Administrator

Project File: 2005-014 (a) – Wekiva Parkway PD&E

**ENVIRONMENTAL PROTECTION DIVISION****Lori Cunniff, Manager**

Leeds Commerce Center

800 Mercy Drive, Suite 4

Orlando, Florida 32808-7896

407-836-1400 • Fax 407-836-1499

www.OrangeCountyFL.net

Received

MAY 02 2005

FDOT
Environmental Management

April 26, 2005

Ms. Anne Brewer

District Project Development and Environment Engineer

Florida Department of Transportation

719 South Woodland Boulevard, MS 501

Deland, Florida 32720

Subject: Advance Notification
Wekiva Project Development and Environment Study

Dear Ms. Brewer:

Thank you for allowing me the opportunity to comment on the referenced report. To that end, I offer the following:

The proposed Wekiva Parkway project PD&E study needs to ensure that the Parkway is developed so that it is consistent with the following Orange County Comprehensive Plan GOALS, OBJECTIVES and POLICIES:

GOAL2: "Orange County's goal is to protect, enhance and maintain the unique and irreplaceable values, functions, diversity and benefit of the natural resources within the Econlockhatchee River Basin, Wekiva River Protection Area and the Lake Apopka Drainage Basin."

OBJECTIVE 2.2: "The natural resources of the Wekiva River shall be protected. This objective shall be made measurable by implementing the following policies."

POLICIES:

2.2.4: "Where endangered, threatened plants and animals or species of special concern are known to be present, or are likely to be present, the developer of any subdivision or planned development, shall be required to as part of the development review process to liaise with the Florida Game and Freshwater Fish Commission in order to protect the above plants and animals within the Wekiva River Protection Area."

2.2.5: "Within the 100 Year Floodplain of the Wekiva River developments shall be required to minimize the clearance of native vegetation."

OBJECTIVE 2.4: "Orange County shall help restore, protect and preserve the surface water quality and quantity, wildlife population and habitat, aesthetics, open space, historical and archeological resources, floodplains, wetland areas, native upland areas and recreational land of the Lake Apopka River Basin by implementing the following policies."

April 26, 2005

Wekiva Project Development and Environment Study

Page 2

The Florida State Clearinghouse references that Incidental take permits will need to be obtained from the Florida Fish and Wildlife Commission and The Federal Fish and Wildlife Service. Every effort should be made to relocate the threatened, endangered and species of special concern plant and animal species located in the layout of the Wekiva Parkway, and its accessory structures.

Lastly, any activities that are to occur should meet all water quality standards (PLRGS, TMDL"S) established or proposed within the layout of the Wekiva Parkway and its accessory structures.

Thank you for allowing us the opportunity to offer our preliminary comments on the proposed activities. If you have any questions regarding my comments, please contact Beth Jackson at (407) 836-1581 or Beth.Jackson@ocfl.net.

Sincerely,


Elizabeth R. Johnson
Environmental Supervisor

BJ/ERJ:rb

c: Beth Jackson, Program Manager-Green PLACE, Environmental Protection Division

Appendix F

Agency Correspondence Received

Federal

Federal Highway Administration (FHWA):

- F-14 FHWA Approved Class of Action Determination Form Cover; Signed September 21, 2007
- F-15 FHWA E-mail to FDOT District Five on Approval of Environmental Assessment for Public Availability; Dated August 20, 2010

United States Coast Guard (USCG):

- F-16 CH2M HILL Letter to USCG, with completed Bridge Project Questionnaire (BPQ); Dated June 28, 2007
- F-17 USCG Letter to CH2MHILL; Dated July 19, 2007
- F-18 USCG E-mail to FDOT District Five; Dated November 15, 2010

United States Environmental Protection Agency (USEPA):

- F-19 USEPA Letter to CH2MHILL; Dated September 5, 2008 (Correction to Letter F-3)

United States Fish and Wildlife Service (USFWS):

- F-20 USFWS Letter to FDOT District Five; Dated January 15, 2008
- F-21 FDOT District Five Letter to USFWS; Dated March 31, 2009
- F-22 USFWS Letter to FDOT District Five; Dated April 24, 2009
- F-23 USFWS E-mail to CH2M HILL, FDOT, et al; Dated May 10, 2010

United States Department of the Interior, National Park Service (NPS):

- F-24 CH2M HILL Letter to NPS; Dated August 20, 2008
- F-25 NPS Letter to CH2MHILL; Dated October 3, 2008
- F-26 FDOT District Five Letter to NPS; Dated October 14, 2008
- F-27 NPS Letter to FDOT District Five; Dated November 26, 2008
- F-28 FDOT District Five Letter to NPS; Dated December 22, 2008
- F-29 NPS Letter to FDOT District Five; Dated February 24, 2009
- F-30 FDOT District Five Letter to NPS; Dated May 5, 2009
- F-31 NPS Letter to FDOT District Five; Dated June 9, 2009
- F-32 FDOT District Five Letter to NPS; Dated June 15, 2009

- F-33 Information E-mail Provided to NPS by FDOT; Dated February 8, 2010
- F-34 FHWA Letter to NPS; Dated July 16, 2010
- F-35 NPS Letter to Project Information Officer; Dated November 8, 2010
- F-36 FHWA Letter to NPS; Dated August 26, 2011
- F-37 NPS Letter to FHWA; Dated October 7, 2011

United States Department of the Interior (DOI), Office of Environmental Policy and Compliance:

- F-37a DOI Letter to FHWA; Dated February 22, 2012

National Marine Fisheries Service (NMFS):

- F-38 NMFS Letter to FDOT District Five; Dated August 12, 2010

State

Florida Department of Agriculture and Consumer Services (FDACS), Division of Forestry (DOF):

- F-39 FDACS, DOF Letter to FDOT District Five; Dated July 9, 2007, with clarification email dated July 24, 2007
- F-40 FDACS, DOF Letter to FDOT District Five; Dated September 23, 2007
- F-41 FDACS, DOF Letter to FDOT District Five; Dated May 30, 2008
- F-42 FDOT District Five Letter to FDACS, DOF; Dated April 21, 2009
- F-43 FDACS, DOF Letter to FDOT District Five; Dated May 27, 2009
- F-44 FDOT District Five Letter to FDACS, DOF; Dated May 29, 2009
- F-45 Information E-mail Provided to FDACS, DOF by FDOT District Five; Dated February 8, 2010
- F-46 FDOT District Five Letter to FDACS, DOF; Dated March 25, 2010
- F-47 FDACS, DOF Letter to FDOT District Five; Dated April 9, 2010

Florida Department of Environmental Protection (FDEP):

- F-48 FDEP, Division of Recreation and Parks Letter to Orlando-Orange County Expressway Authority (OOCEA); Dated December 13, 2005
- F-49 FDEP, Division of Recreation and Parks Letter to FDOT District Five; Dated September 6, 2007
- F-50 FDEP, Division of Recreation and Parks Letter to FDOT District Five; Dated March 20, 2008
- F-51 FDOT District Five Letter to FDEP, Office of Coastal and Aquatic Managed Areas; Dated September 12, 2008

- F-52 FDOT District Five Letter to FDEP, Division of Recreation and Parks; Dated April 21, 2009
- F-53 Information E-mail Provided to FDEP, Division of Recreation and Parks by FDOT District Five; Dated February 8, 2010
- F-54 FDEP, Land and Recreation Letter to FDOT District Five; Dated March 30, 2010

Florida Fish and Wildlife Conservation Commission (FWC):

- F-55 CH2M HILL Letter to FWC; Dated February 4, 2008
- F-56 FDOT District Five Letter to FWC; Dated March 4, 2008
- F-57 FWC Letter to FDOT District Five; Dated May 5, 2008
- F-58 FWC E-mail to CH2M HILL, FDOT, et al; Dated May 19, 2010
- F-59 FWC Letter to FDOT District Five; Dated July 1, 2010

Florida Department of State, Division of Historical Resources (State Historic Preservation Officer - SHPO):

- F-60 SHPO Letter to FHWA; Dated June 27, 2007
- F-61 SHPO Letter to FHWA; Dated October 10, 2007
- F-62 SHPO Letter to FHWA; Dated March 6, 2008
- F-63 SHPO Letter to FHWA; Dated May 19, 2008
- F-64 SHPO Letter to FHWA; Dated September 10, 2008
- F-65 FHWA Letter to SHPO; Dated October 29, 2008
- F-66 SHPO letter to FHWA; Dated July 6, 2010
- F-67 SHPO Letter to FHWA; Dated July 12, 2011
- F-68 SHPO Sufficiency/Concurrence Form; Signed October 18, 2011

Local

Orange County

- F-69 Orange County Environmental Protection Division (OCEPD) Letter to CH2MHILL; Dated December 28, 2005
- F-70 OCEPD Letter to CH2MHILL; Dated October 30, 2008

Lake County

- F-71 City of Mount Dora Letter to OOCEA; Dated December 16, 2005 with Attached City of Mount Dora Resolution, Approved December 6, 2005
- F-72 Lake County Water Authority Letter to CH2MHILL; Dated May 2, 2006

- F-73 City of Mount Dora Letter to CH2MHILL; Dated June 11, 2007
- F-74 Lake County Board of County Commissioners Letter to FDOT District Five; Dated October 24, 2007
- F-75 FDOT District Five Letter to Chairman of Lake County Board of County Commissioners; Dated November 27, 2007
- F-76 City of Mount Dora Letter to FDOT District Five; Dated February 1, 2011
- F-77 FDOT District Five Letter to City of Mount Dora; Dated March 15, 2011

Seminole County



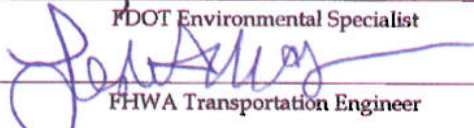
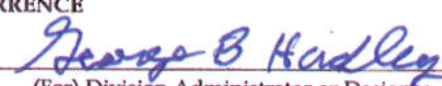
- F-78 Seminole County Public Works Department Letter to CH2MHILL; Dated August 16, 2005
- F-79 Seminole Soil and Water Conservation District Letter to FDOT District Five; Dated December 5, 2005
- F-80 Seminole Soil and Water Conservation District Letter to OOCEA; Dated August 1, 2006

Miscellaneous Correspondence

- F-81 The Wekiva Coalition Letter; Dated July 18, 2005
- F-82 The Nature Conservancy Letter; Dated October 20, 2005
- F-83 Lake-Sumter Metropolitan Planning Organization Resolution; Dated November 2007
- F-84 FDOT District Five Letter to METROPLAN Orlando; Dated December 5, 2008
- F-85 The Nature Conservancy, Audubon of Florida, Friends of the Wekiva River, and Seminole Audubon Society Letter to FHWA; Dated May 18, 2010

**FEDERAL GOVERNMENT/AGENCY
CORRESPONDENCE**

FEDERAL HIGHWAY ADMINISTRATION (FHWA)
CORRESPONDENCE

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ENVIRONMENTAL CLASS OF ACTION DETERMINATION	
1. GENERAL INFORMATION County: Lake, Seminole, and Orange Project Name: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study Project Limits: Wekiva Parkway (SR 429) from US 441 to I-4, approximately 20.94 miles in length; SR 46 Realignment from US 441 to Wekiva Parkway (SR 429), approximately 4.79 miles in length. Project Numbers: <u>238275 1 22 01 and 240200 1 22 01</u> <u>TBD</u> <div style="display: flex; justify-content: space-between; width: 100%;"> Financial Project Federal </div>	
2. PROJECT DESCRIPTION a. Existing: Refer to Page 3. b. Proposed Improvements: Refer to Page 7.	
3. CLASS OF ACTION <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> a. Class of Action: <input checked="" type="checkbox"/> Environmental Assessment <input type="checkbox"/> Environmental Impact Statement <input type="checkbox"/> Type 2 Categorical Exclusion </div> <div style="width: 48%;"> b. Other Actions: <input checked="" type="checkbox"/> Section 4(f) Evaluation <input checked="" type="checkbox"/> Section 106 Consultation <input checked="" type="checkbox"/> Endangered Species Biological Assessment </div> </div> c. Public Involvement: 1. <input type="checkbox"/> A public hearing is not required, therefore, approval of this Type 2 Categorical Exclusion constitutes acceptance of the location and design concepts for this project. 2. <input type="checkbox"/> A public hearing was held on (insert date of the hearing) and a transcript is included with the environmental class of action determination. Approval of this Type 2 Categorical Exclusion determination constitutes acceptance of the location and design concepts for this project. <input type="checkbox"/> An opportunity for a public hearing was afforded and a certification of opportunity is included with the environmental class of action determination. Approval of this Type 2 Categorical Exclusion determination constitutes acceptance of the location and design concepts for this project. 3. <input type="checkbox"/> A public hearing will be held and the public hearing transcript will be provided at a later date. Approval of this Type 2 Categorical Exclusion DOES NOT constitute acceptance of the project's location and design concepts. <input type="checkbox"/> An opportunity for a public hearing will be afforded and a certification of opportunity will be provided at a later date. Approval of this Type 2 Categorical Exclusion determination DOES NOT constitute acceptance of the project's location and design concepts. d. Cooperating Agency: <input checked="" type="checkbox"/> COE <input type="checkbox"/> USCG <input checked="" type="checkbox"/> FWS <input type="checkbox"/> EPA <input type="checkbox"/> NMFS <input type="checkbox"/> NONE (see attachments re: Coop. Agency letters)	
4. REVIEWERS' SIGNATURES <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%;">  Robert B. Gleason FDOT Project Manager </div> <div style="width: 35%; text-align: center;"> <u>9/21/07</u> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;">  Robert B. Gleason FDOT Environmental Specialist </div> <div style="width: 35%; text-align: center;"> <u>9/21/07</u> Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;">  John A. Hays FHWA Transportation Engineer </div> <div style="width: 35%; text-align: center;"> <u>9/21/07</u> Date </div> </div>	
5. FHWA CONCURRENCE <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%;">  George B. Hadley (For) Division Administrator or Designee </div> <div style="width: 35%; text-align: center;"> <u>9/21/07</u> Date </div> </div>	

From: Stanger, Brian
[Brian.Stanger@dot.state.fl.us]
Sent: Monday, August 23, 2010 1:25 PM
To: Downs, Noranne; Snyder, Mike;
Callahan, Mark/ORL; Lewis, David/ORL
Subject: FW: Your Scanned Document Is
Attached
Attachments: 0726_001.pdf

Brian M. Stanger, P.E.
District Environmental Management Engineer
District Five
Florida Department of Transportation
386-943-5391

From: Hadley, George (FHWA) [mailto:George.Hadley@dot.gov]
Sent: Friday, August 20, 2010 3:24 PM
To: Stanger, Brian
Cc: Brunelle, Karen (FHWA); Knopp, Martin (FHWA); Hawk, David (FHWA); Anderson, Linda (FHWA); Kendall, Cathy (FHWA); Bello, Phillip (FHWA); Mikyska, Carl (FHWA)
Subject: FW: Your Scanned Document Is Attached

Brian, the EA is approved for public availability. I'll get a hard copy in the mail to you next week.

George Hadley, Environmental Coordinator
FHWA Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 942-9650 ext 3011
george.hadley@dot.gov
From: IR6570@DOT.GOV [mailto:IR6570@DOT.GOV]
Sent: Friday, August 20, 2010 3:25 PM
To: Hadley, George (FHWA)
Subject: Your Scanned Document Is Attached

UNITED STATES COAST GUARD (USCG)
CORRESPONDENCE

**CH2MHILL****CH2M HILL**

225 East Robinson Street

Suite 505

Orlando FL 32801-4321

Tel 407.423.0030**Fax 407.839.5901**

June 28, 2007

W. Gwin Tate III
Associate Bridge Management Specialist
United States Coast Guard
909 SE 1st Avenue, Suite 432
Miami, FL 33131-3050

Re: Wekiva Parkway Project Development and Environment (PD&E) Study
U.S. Coast Guard Bridge Project Questionnaire (BPQ)
Wekiva River Bridge (Lake and Seminole Counties, Florida)

Dear Mr. Tate:

Enclosed are a completed BPQ and relevant attachments for the existing SR 46 bridge over the Wekiva River and the proposed replacement bridge as a part of the Wekiva Parkway project. This information is provided to assist the Coast Guard with determining whether or not a Bridge Permit is required.

As this project is only in the preliminary engineering phase, we do not have completed plans for the proposed bridge. However, an elevation view sketch of the proposed bridge is attached.

The existing bridge (FDOT Bridge Number 770071) did not require a Coast Guard permit. It is anticipated that the proposed replacement bridge will also not require a Coast Guard permit. We are in the process of determining an Environmental Class of Action for the Wekiva Parkway project. Whether or not a Coast Guard permit is required for the proposed replacement bridge is an item that must be resolved before the Class of Action determination can be finalized, so attention to this matter at your earliest convenience will be appreciated.

CH2MHILL is the prime consultant for the Florida Department of Transportation on the Wekiva Parkway PD&E Study. Please contact me at (407)423-0030 or by email at dlewis4@ch2m.com if there are any questions.

Sincerely,

David R. Lewis
Deputy Project Manager

Enclosures: BPQ Form and Attachments

cc: Brian Stanger, FDOT District 5
File - 324126 A24, B4

DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD
Form D7-1103 (Rev. 5-02)

Commander (obr)
Seventh Coast Guard District

909 S.E. 1st Avenue, Rm 432
Miami, FL 33131-3050
(305) 415-6747

BRIDGE PROJECT QUESTIONNAIRE

The Coast Guard must determine whether or not a Bridge Permit is required for your project. By providing full and accurate information on this form, you will assist in our decision making process. Errors or misstatements may require redesigning of your bridge, and may subject you to civil penalty sanctions. If you have any questions regarding this form, do not hesitate to contact the Bridge Administration Branch at the letterhead address or phone number. Regarding the site of your proposed bridge, please provide the following information:

NAVIGATION DATA:

1. Name of waterway: Wekiva River
- 1a. At proposed site, mileage along waterway measured from mouth or confluence 6.6 miles
- 1b. Waterway is a tributary of St. Johns River at mile
2. Geographical Location: State Road 46, Lake and Seminole Counties, Florida
(Road Number, City, County, State)
3. Township, section and range, if applicable: Township 19S/Sections 21,28/Range 29E
4. Is the waterway tidally influenced at proposed bridge site? No Range of tide?
5. Depth and width of waterway at proposed bridge site:

	Depth	Width
At Mean High Tide	<u>6 feet at</u>	<u>200 feet</u>
At Mean Low Tide	<u>deepest point</u>	<u>(not tidal)</u>
6. Check the type(s) of present vessel traffic on the waterway:
 Canoe ☒ Rowboat ☒ Small Motorboat ☒ Cabin Cruiser
 Houseboat Pontoon Boat Sailboat Tug and tow None
- 6a. Provide the vertical clearance required for the largest vessel using the waterway 6 to 8 feet
- 6b. Provide a photograph of each type vessel using the waterway.
7. Are these waterways used to transport interstate or foreign commerce? Yes No ☒
- 7a. Are these waters susceptible to use in their natural condition, or by reasonable improvement, as a means to support interstate or foreign commerce? Yes No ☒
- 7b. To your knowledge, are there any planned waterway improvements to permit larger vessels to navigate? No. If so, what are they?

8. Are there any natural or manmade obstructions, bridges, dams, weirs, etc. downstream or upstream? Yes ☒ No ☐

8a. If yes, provide upstream/downstream location with relation to the proposed bridge.
Not on main channel, 900 ft. downstream (north) is a culvert crossing at Nova Dr. (see attachment).

8b. If the obstruction(s) are bridges, provide vertical clearance at mean high water and mean low water and horizontal clearance normal to axis of the waterway. Vertical Clearance: MHW _____ MLW _____ Horizontal clearance _____

8c. Provide a photograph of the bridge(s) from the waterway showing channel spans.

9. Will the proposed structure replace an existing bridge? Yes _____

9a. Provide permit number and issuing agencies of permits for the bridge(s) to be replaced.
Existing bridge is FDOT #770071; see attachment with permit numbers/issuing agencies.

9b. Provide the vertical clearance above mean high water and mean low water and the horizontal clearance normal to axis of waterway. Vertical Clearance: MHW 9.8 ft. MLW not tidal
Horizontal Clearance 46 ft. 6 in.

9c. Provide a photograph of the to-be-replaced bridge from the waterway, showing the channel span(s).

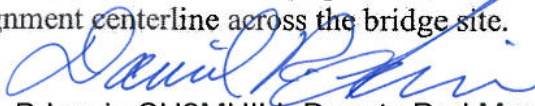
10. List the names and addresses of persons whose property adjoins the bridge right of way.
1) Dept of Agri Forestry, 3900 Commonwealth Blvd, Tallahassee, FL 32399; 2) Seminole Co. BCC Co. Serv. Bldg, 1101 E. 1st St, Sanford, FL 32771; 3) Mahavir Investments, c/o P. Arthur, 1935 S. Conway Rd. Unit K-5, Orlando, FL 32812; 4) Ratay, Michael L, 936 Birmingham Ct #100, Lake Mary, FL 32746; 5) Siletta, Geraldine 3212 Gavilan Ln, Las Vegas, NV 89122

11. List names and addresses/location of marinas, marine repair facilities, public boat ramps, private piers/docks along waterway within 1/2 mile of site.
Seminole County's Wekiva Canoe Launch is 2,195 feet upstream (south) of site (see attachment).

12. Attach a location map and plans for the proposed bridge; show the vertical clearances above mean high water and mean low water and the horizontal clearance normal to axis of the waterway.

13. Attach three (3) photographs taken at the proposed bridge site: one looking upstream, one looking downstream, and one looking along the alignment centerline across the bridge site.

DATE: June 28, 2007

SIGNATURE: 
D. Lewis, CH2MHILL Deputy Proj Mgr
Proposed Bridge Owner or Agent

ATTACHMENTS: Location Map
Bridge Plans
Photographs
Additional pages of names and addresses (if necessary)

June 28, 2007
Attachment to Coast Guard BPQ
Wekiva River Bridge

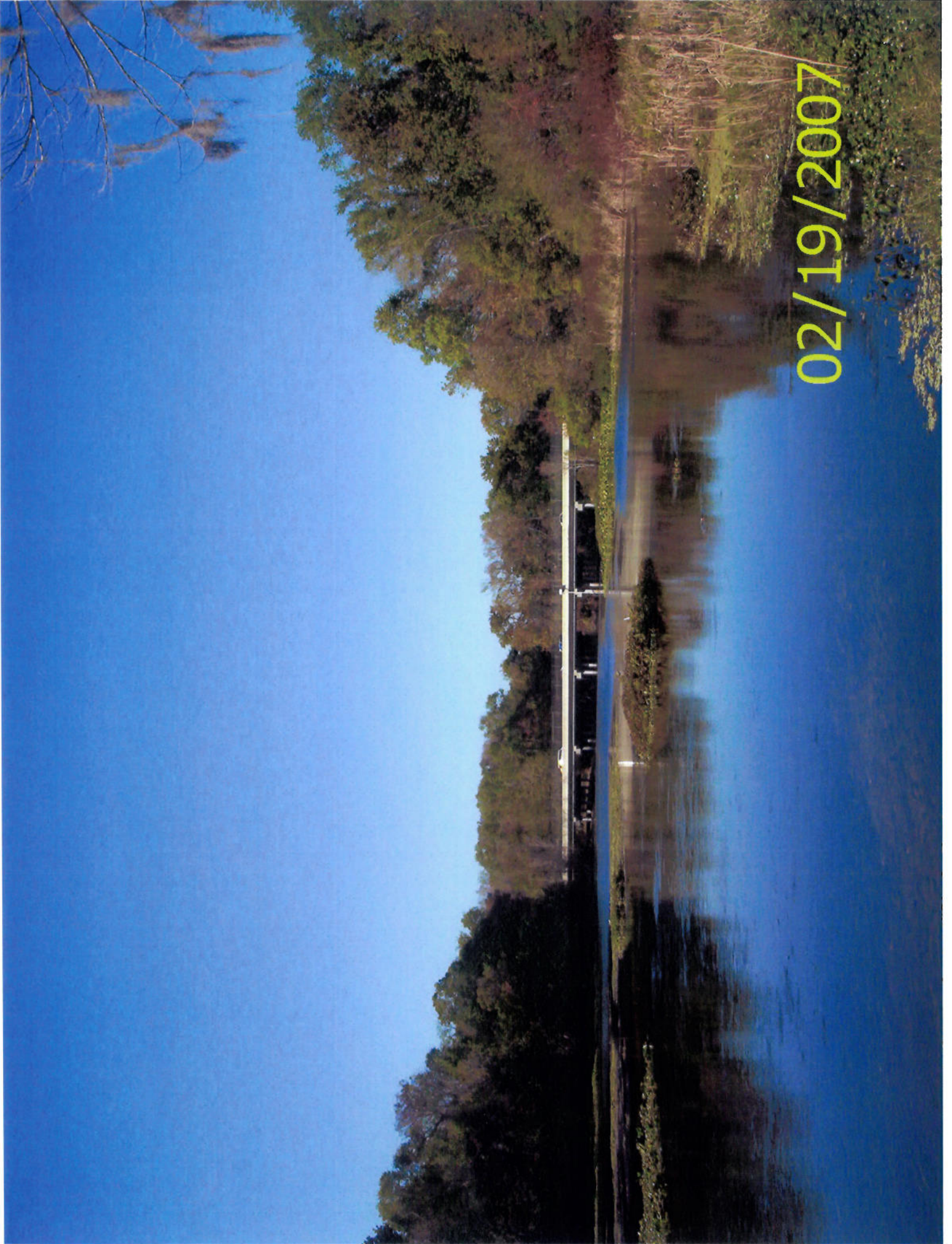
Response to Item 9a.

The existing bridge was constructed under the authorization of the following permits:

- SJRWMD Dredge/Fill #12-117-0094G issued 1/9/96
- SJRWMD MSSW #4-117-0377G issued 1/9/96
- USACOE #199342148 (NW-14) issued 1/22/95

No Coast Guard permit was required.





02/19/2007



02/19/2007

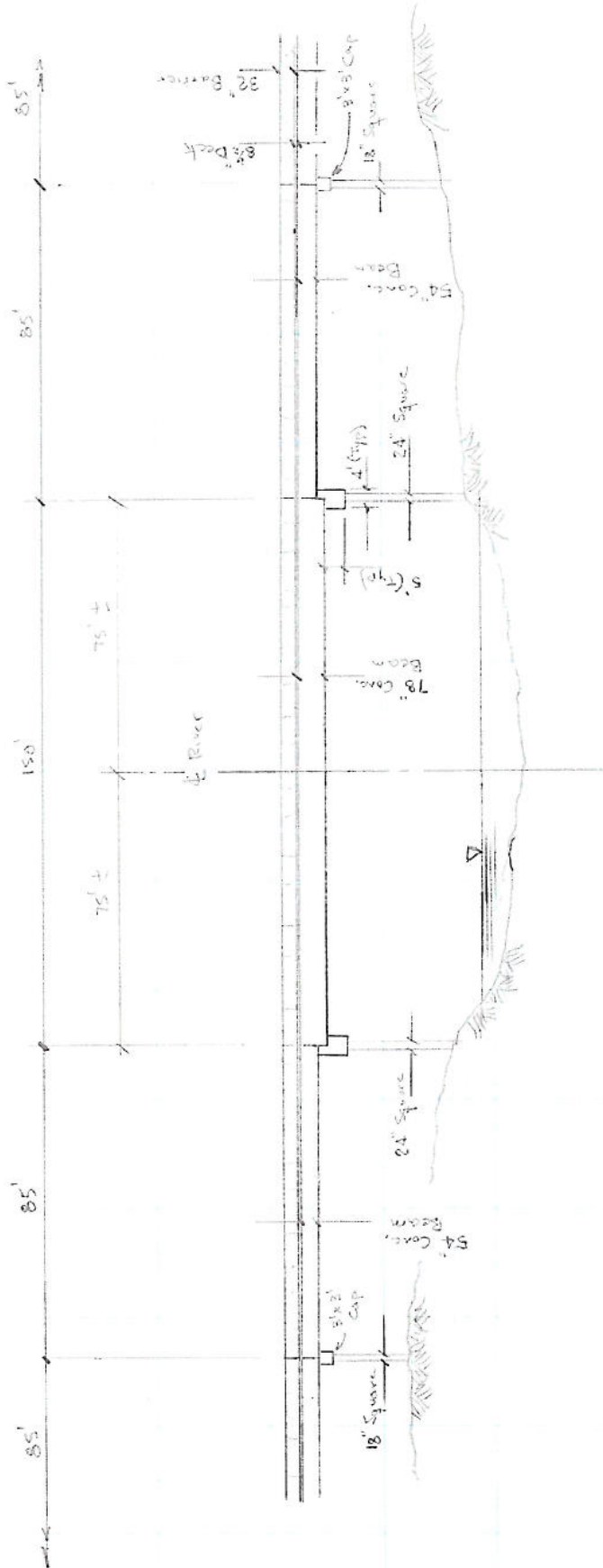
CH2MHILL
SUBJECT

BY

PROJECT NO.

DATE

SHT OF



Wexia River Bridge
150' Main Span Alternate

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Seventh Coast Guard District

909 SE 1st Ave. Ste 432
Miami, FL 33131-3028
Staff Symbol: (dpb)
Phone: (305) 415-6747
Fax: (305) 415-6763
Email: William.G.Tate@uscg.mil

16211
19 July 2007

CH2MHILL
ATTN DAVID R LEWIS
225 E ROBINSON ST STE 505
ORLANDO FL 32801-4321

RECEIVED
JUL 25 2007
CH2M HILL/ORL

Dear Mr. Lewis:

This is in response to your June 28, 2007 letter concerning the Wekiva Parkway Project Development and Environment (PD&E) Study, Wekiva River Bridge, Lake and Seminole Counties, Florida, and your completed Bridge Permit Questionnaire.

The Commandant has given his advance approval to the location and plans of bridges to be constructed across reaches of waterways navigable in law, but not actually navigated other than by rowboats, canoes, and small motorboats. In such cases, the clearances provided for high water stages are considered adequate to meet the reasonable needs of navigation (33 CFR 115.70).

Based on a previous determination of this waterway on May 28, 1992, the waterway affected is in the advance approval category. **A Coast Guard bridge permit will not be required for the proposed bridge construction.** Although an individual bridge permit isn't required, you still must comply with all other applicable federal, state, and local laws and regulations. When the bridge is no longer used for transportation purposes, it must be removed and you must notify us that the waterway has been cleared

If you have any questions about our approval, please call me at (305) 415-6747.

Regards,

W. GWIN TATE III
Associate Bridge Management Specialist
U.S. Coast Guard
By direction

From: Stanger, Brian [Brian.Stanger@dot.state.fl.us]
Sent: Tuesday, November 16, 2010 1:21 PM
To: Lewis, David/ORL
Subject: FW: Weki va Parkway (S.R. 429)/S.R. 46 Across the Weki va River

Brian M. Stanger, P.E.
District Environmental Management Engineer District Five Florida Department of
Transportation
386-943-5391

-----Original Message-----

From: Evelyn.Smart@uscg.mil [mailto:Evelyn.Smart@uscg.mil]
Sent: Monday, November 15, 2010 12:35 PM
To: Stanger, Brian
Cc: Fowler, Richard; Lieberum, Michael
Subject: RE: Weki va Parkway (S.R. 429)/S.R. 46 Across the Weki va River

Correction, Michael Lieberum can be reached at 305-415-6744.

EVELYN SMART
Environmental Protection Specialist
Seventh Coast Guard District
Bridge Administration Branch

Tel: (305) 415-6989

-----Original Message-----

From: Smart, Evelyn
Sent: Monday, November 15, 2010 11:12 AM
To: 'Brian.Stanger@dot.state.fl.us'
Cc: 'richard.fowler@dot.state.fl.us'; Lieberum, Michael
Subject: Weki va Parkway (S.R. 429)/S.R. 46 Across the Weki va River

Good morning Brian, on July 19, 2007 W. Gwin Tate III of this office forwarded a letter to your consultants CH2MHILL regarding the subject project and stated that the proposed project is a candidate for the Advance Approval category. This was sent in error. Advance Approval applies to tidal waterways used only by small motor boats, rowboats and canoes.

Our examination indicates that there is sufficient factual support for concluding that the Weki va River is navigable waters of the United States for purposes of general Coast Guard jurisdiction. However, we have found that the waterway at the proposed project location falls under the Coast Guard Authorization Act of 1982. A formal Coast Guard bridge permit will not be required for the proposed bridge across the Weki va River.

Although the proposed project will not require a bridge permit, other areas of Coast Guard jurisdiction apply. The following stipulation must be met:

a. Upon completion of design and finalization of the location, Michael Lieberum at the Seventh Coast Guard District Bridge Office shall be contacted regarding construction, approval of lights and other signals that may be required under 33 CFR 118. Approval of said lighting or waiver of it shall be obtained prior to construction. He can be reached at 305-415-6766 or by email Michael.B.Lieberum@uscg.mil

Thank you,

EVELYN SMART

F-18_USCG_email_to D5_Nov 15 2010.txt
Environmental Protection Specialist
Seventh Coast Guard District
Bridge Administration Branch

Tel : (305) 415-6989

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA)
CORRESPONDENCE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 4
 ATLANTA FEDERAL CENTER
 61 FORSYTH STREET
 ATLANTA, GEORGIA 30303-8960

September 5, 2008

CH2M HILL
 225 E. Robinson Street
 Suite 505
 Orlando, FL 32801-4322

Subject: Sole Source Aquifer Review for Wekiva Parkway, Florida

Dear Ms. Jorza:

The U.S. Environmental Protection Agency (EPA), Region 4, has received your request to assess the above referenced projects and we have reviewed them pursuant to Section 1424(e) of the Safe Drinking Water Act. The assessment is to determine if the project lies within the boundaries (recharge and streamflow source zones) of an EPA designated Sole Source Aquifer (SSA); and to determine if the project poses potential, adverse health or environmental impacts. A sole source aquifer is the sole or principal water source for a designated area. If the aquifer is contaminated, there would be a significant hazard to public health and an economic burden for those using the aquifer to tap into and deliver drinking water from another water source.

Regulatory groups within the EPA responsible for administering other programs may, at their own discretion and under separate cover, provide additional comments. **The project has been determined to lie outside of the designated boundaries of all sole source aquifers in Region 4. A sole source aquifer review for this project is not required.**

Thank you for your concern with the environmental impacts of this project. If you have any questions, please contact me at 404-562-9443.

Sincerely,

A handwritten signature in black ink, appearing to read "Alanna M. Conley", is written over a horizontal line.

Alanna M. Conley
 Environmental Scientist
 Ground Water and UIC Section

**UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE (USFWS)
CORRESPONDENCE**



United States Department of the Interior

FISH AND WILDLIFE SERVICE

6620 Southpoint Drive, South
Suite 310
Jacksonville, Florida 32216-0912

IN REPLY REFER TO:

FWS Log. No. 41910-2008-I-0090

January 15, 2008

SCANNED

Mr. Bob Gleason
District Environmental Administrator
Florida Department of Transportation
719 South Woodland Boulevard, MS 501
DeLand, FL 32720

Dear Mr. Gleason:

Our office has reviewed the *Endangered Species Biological Assessment* (ESBA) and accompanying information, dated 19 November 2007 and received in this office 29 November 2007, for the proposed SR 429 (Wekiva Parkway)/SR 46 Realignment Project. The study corridor consists of a new alignment for SR 429 and the reconstruction and realignment of SR 46.

The proposed four-lane divided limited-access SR 429 new alignment would begin in Orange County at the planned terminus of the John Land Apopka Expressway (US 441 just west of CR 437). The facility would extend north/northeast into Lake County, turn east, and traverse the Wekiva River into Seminole County. The parkway would continue eastward and terminate at Interstate 4, a total distance of approximately 20.94 miles.

SR 46 reconstruction and realignment would begin at the SR 46/US 441 interchange in Lake County and proceed eastward along the existing SR 46 alignment. The roadway would then diverge on a new alignment east of Round Lake Road to the southeast into Orange County. The new alignment would terminate at the SR 429 interchange, an approximate distance of 4.79 miles.

We submit the following comments in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*); the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c); and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*).

ENDANGERED SPECIES ACT

The federally listed threatened or endangered species potentially occurring in the study corridor identified in the October 2007 ESBA include the West Indian (Florida) manatee (*Trichechus manatus*), Audubon's crested caracara (*Polyborus plancu audubonii*), Florida scrub-jay (*Aphelocoma coerulescens*), red-cockaded woodpecker (*Picoides borealis*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), wood stork (*Mycteria americana*), eastern indigo snake (*Drymarchon corais couperi*), and sand skink (*Neoseps reynoldsi*).

The Service concurs with the ESBA's determination that the proposed action will have no effect on the West Indian (Florida) manatee, Audubon's crested caracara, red-cockaded woodpecker, and Everglade snail kite.

As stated in the report, the preferred alternative will avoid the scrub habitat occupied by Florida scrub-jays on the Doggett, Foreman, and Stewart parcels located north of Ondich Road. The applicant also commits to surveying all scrub habitat throughout the planning, permitting, and construction phases of the project. With the avoidance of the occupied territories and continued surveying commitment, the project may affect, but is not likely to adversely affect, the Florida scrub-jay.

The project corridor lies within the 15-mile core foraging area of Mud Lake and Lake Yale wood stork colonies. Coordination with the Service, the Florida Fish and Wildlife Conservation Commission, and the St. Johns River Water Management District will continue through the final designing and permitting of this project to ensure wetland impacts by the action will be mitigated in the same basin with similar hydroperiods as those wetlands impacted. Therefore, the project may affect, but is not likely to adversely affect, the wood stork.

In regards to the eastern indigo snake, movements over large areas of fragmented habitats undoubtedly expose snakes to increased road mortality and likelihood of adverse human contact. In a recent Florida telemetry study, vehicles accounted for 40% of in-field mortality of this species. The applicant has committed to constructing four long bridge structures (SR 46 west, 1,956 feet; SR 46 east, 3,995 feet; Wekiva River, 2,140 feet; and Neighborhood Lakes, 800 feet) to increase connectivity between the Wekiva River Basin State Parks and the Seminole State Forest. In addition, the *Standard Protection Measures for the Eastern Indigo Snake* (1999) will be implemented in the construction phase of the facility and during permitted relocations of gopher tortoises (*Gopherus polyphemus*). As a result, the project may affect, but is not likely to adversely affect, the eastern indigo snake.

No sand skinks were observed during the field investigations. The applicant has committed to resurveying scrub habitat in the preferred alignment for evidence of sand skinks during the permitting phase. The project may affect, but is not likely to adversely affect, the sand skink.

Although this does not represent a biological opinion as described in section 7 of the Act, it does fulfill the requirements of the Act and no further action is required. If modifications are made to the project or additional information becomes available on listed species, re-initiation of consultation may be required.

BALD AND GOLDEN EAGLE PROTECTION ACT

No bald eagle (*Haliaeetus leucocephalus*) nests are currently reported within 1 mile of the preferred alternative. If a new bald eagle territory is established within 660 feet of the proposed activity, refer to the *National Bald Eagle Management Guidelines* (May 2007) for guidance.

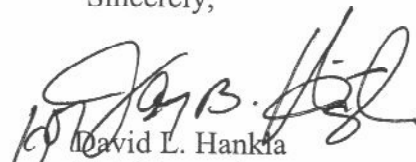
FISH AND WILDLIFE COORDINATION ACT

The applicant did not include the *Wetland Evaluation Report* prepared for this project as part of the information package to our agency. The Service would recommend that wetlands in the project area be delineated and evaluated by using a functional assessment analysis such as the Wetland Rapid Assessment Procedure (WRAP) or the Uniform Mitigation Assessment Method (UMAM). This will aid in the mitigation proposal to ensure that the wetland functions and values of the existing communities impacted will be documented and appropriate replacement is implemented in the forms of creation, restoration, enhancement, and/or preservation to achieve the "no net wetland loss" policy.

The Service recognizes that new alignments will have large impacts to the landscape and trust resources. All opportunities to avoid and or minimize impacts and fragmentation to trust resources should be explored. The Service recommends maximizing bridge structures and reducing side slope profiles to minimize additional fill in jurisdictional wetlands, especially large systems that have little to no existing impacts. The use of mechanical stabilized earth (MSE) and end walls for drainage structures to minimize the foot print would be recommended. If impacts to wetlands are unavoidable, the Service would recommend minimizing the impacts to the greatest extent practicable and that all impacts to wetlands are mitigated. Mitigation should be in-kind utilizing a watershed management approach. Such mitigation may be accomplished on-site, within an off-site permitted mitigation bank having a service area that includes the project area, or within a regional off-site mitigation area (ROMA) within the same hydrologic basin or sub-basin as the project.

With the development and approval of a mitigation plan, coupled with the type and extent of the action, the proposed project will not significantly affect other fish and wildlife resources. If you have any questions regarding this response, please contact Mr. Todd Mecklenborg at (727) 820-3705.

Sincerely,



David L. Hankla
Field Supervisor



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

March 31, 2009

Mr. Todd Mecklenborg
U. S. Fish and Wildlife Service
St. Petersburg Ecological Services Field Office
600 4th Street South
St. Petersburg, FL 33701

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Florida Scrub Jay Habitat and Section 4(f) Avoidance Alternative

Dear Mr. Mecklenborg:

On behalf of the Federal Highway Administration, in consultation with the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, **we hereby request a U.S. Fish and Wildlife Service (USFWS) letter of opinion** on a matter related to potential impacts on Florida Scrub Jay habitat in Orange County. As a part of the Wekiva Parkway PD&E Study, we are conducting an evaluation required by Section 4(f) of the U.S. Department of Transportation Act of 1966 [Title 49, U.S.C. Section 303 and Title 49, U.S.C. Section 138], as amended, concerning two (2) structures which may potentially be historically significant resources. An alternative roadway alignment (known as an avoidance alternative), which would avoid direct use of (i.e., impact to) both structures and the land parcels upon which they are located, is being evaluated.

You made a site visit to the subject Florida Scrub Jay habitat area on January 16, 2007 with Ms. Rosanne Prager, CH2M HILL Environmental Scientist. After the site visit and your review of the *Endangered Species Biological Assessment* for the Wekiva Parkway, USFWS provided a concurrence letter dated January 15, 2008 (see Attachment A). That assessment, with regard to the subject Florida Scrub Jay habitat area, was for the alignment concept referred to as Alternative 1 (see Attachment B). The avoidance alternative, referred to as Alternative 2 (see Attachment C), is aligned further west and would impact an additional 24.4 acres of the subject Florida Scrub Jay habitat area. The locations of Florida Scrub Jay sightings in the habitat area are shown in Attachment D.

The USFWS concurrence letter indicates that since the Alternative 1 alignment had been shifted to the east as a "Minimizing Measure" to avoid scrub habitat occupied by Florida Scrub Jays, the project may affect, but is not likely to adversely affect, the Florida Scrub

Mr. Todd Mecklenborg
U. S. Fish and Wildlife Service
March 31, 2009
Page 2

Jay. We would appreciate receiving the opinion of USFWS on the significance of the potential impact of Alternative 2 (the avoidance alternative) on the functionality of the subject Florida Scrub Jay habitat area.

If you have any questions or require further information, please contact me at (386) 943-5390 or Ms. Rosanne Prager of CH2MHILL at (352) 384-7156.

Sincerely,

A handwritten signature in black ink that reads "Bob Gleason". The signature is written in a cursive, flowing style.

Bob Gleason
Environmental Administrator
District Five

Copy: Mike Snyder/OOCEA
Brian Stanger/FDOT, District 5
Mark Callahan/CH2MHILL
Rosanne Prager/CH2MHILL
File: 324126 (C27)

Attachments: A – USFWS Concurrence Letter, January 15, 2008
B – Alternative 1 Alignment Graphic
C – Alternative 2 (Avoidance Alternative) Graphic
D – Locations of Scrub Jay Sightings



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:

FWS Log. No. 41910-2008-I-0090

April 24, 2009

Received

MAY 04 2009

**FDOT
Environmental Management**

Mr. Bob Gleason
District Environmental Administrator
Florida Department of Transportation
719 South Woodland Boulevard, MS 501
DeLand, FL 32720

Dear Mr. Gleason:

Our office has reviewed the *Florida Scrub-jay Habitat and Section 4(f) Avoidance Alternative* dated 31 March 2009 for the proposed SR 429 (Wekiva Parkway)/SR 46 Realignment Project. The study corridor consists of a new alignment for SR 429 and the reconstruction and realignment of SR 46 in Orange, Lake, and Seminole Counties.

The correspondence from the Department requested an opinion on the potential effects a new alternative alignment would have on the Florida scrub-jay (*Aphelocoma coerulescens*). The Service concurred in January 2008 with a may affect, but is not likely to adversely affect, the Florida scrub-jay based on the commitment the preferred alternative will avoid the scrub habitat occupied by Florida scrub-jays on the Doggett, Foreman, and Stewart parcels located north of Ondich Road by shifting the highway to the east of these territories. The Department also committed to surveying all scrub habitat throughout the planning, permitting, and construction phases of the project.


The new alternative would be located west of the previous alternative, which may encroach on scrub-jay foraging opportunities. The Service has not been provided adequate details to make this determination. In addition, roadsides often provide attractive habitat for scrub-jays to hunt insects and cache acorns (Brenniger and Smith, pers. obs.). Road mortality can be significant for small populations where it may contribute to the extirpation of small local populations (Cox 1984). Often, mortality exceeds reproduction in territories located along roads, suggesting scrub-jays can not maintain stable populations where there is high speed traffic (Woolfenden and Fitzpatrick, in press). Ronald Mumme (Life and Death in the Fast Lane: Demographic Consequences of Road Mortality in the Florida Scrub-Jay, 2000) documented roadside territories therefore are sinks that can maintain populations of scrub-jays only via

immigration. Because scrub-jays do not avoid roadside habitats and may even be attracted to them, road mortality presents a difficult challenge for the management and conservation of this threatened and declining species.

The previous concurrence included the following statement: "Although this does not represent a biological opinion as described in section 7 of the Act, it does fulfill the requirements of the Act and no further action is required. If modifications are made to the project or additional information becomes available on listed species, re-initiation of consultation may be required."

If the Department selects the *Florida Scrub-jay Habitat and Section 4(f) Avoidance Alternative*, re-initiating consultation will be required because the project has been modified. If you have any questions regarding this response, please contact Mr. Todd Mecklenborg at (727) 820-3705.

Sincerely,



David L. Hankla
Field Supervisor

From: Todd_Mecklenborg@fws.gov
Sent: Monday, May 10, 2010 12:04 PM
To: Lewis, David/ORL
Cc: Brad.Gruver@myfwc.com; Brian.Stanger@dot.state.fl.us; Callahan, Mark/ORL; Prager, Rosanne/GNV
Subject: Re: Wekiva Pkwy - T&E Species Coordination

Hello Dave,

Our letters generally require reinitiation if:

.... Reinitiating consultation is required if new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; the agency action is subsequently modified in a manner that causes an effect to a listed species or critical habitat not considered in this consultation.

This doesn't seem to be the case for this project modification. I will add the new information to the project file and no further action is required from our office.

Todd Mecklenborg, Fish & Wildlife Biologist
U.S. Fish and Wildlife Service
600 Fourth Street South
Saint Petersburg, Florida 33701
(727) 820-3705
www.fws.gov/northflorida/

<David.Lewis2@CH2M.com>

05/10/2010 11:36 AM

To <Todd_Mecklenborg@FWS.gov>, <Brad.Gruver@myfwc.com>
cc <Brian.Stanger@dot.state.fl.us>, <Mark.Callahan@CH2M.com>, <Rosanne.Prager@CH2M.com>

Subject Wekiva Pkwy - T&E Species Coordination

To: Mr. Todd Mecklenborg, USFWS and Dr. Brad Gruver, FWC:

We are providing the following to you on behalf of the Florida Department of Transportation (FDOT). There has been a revision to the recommended Preferred Alternative for the proposed Wekiva Parkway (SR 429) in east Lake County to incorporate a service road for local trips. This revision has resulted in reduced impacts to state park and conservation lands compared to the previous alternative. We are seeking your respective opinions on the need for and/or approach to an updated USFWS concurrence letter and an updated comment letter from FWC (copies of the Jan. 15, 2008 USFWS letter and the May 5, 2008 FWC letter are attached). I spoke to Dr. Gruver about this recently, and explained the new concept and that there are reduced impacts to public lands, wildlife bridges are proposed for the service road at the same locations as the Wekiva Parkway mainline, etc. He indicated that he would like to know USFWS's opinion on the approach to updating the letters. I told Dr. Gruver we would provide graphics and data tables to allow a comparison to the previous alternative. Nothing else has changed on the recommended Preferred Alternative from what you have seen previously.

Attached are PDFs which depict the previous alternative and the current alternative. You will need to zoom in on them to see more detail. You will note the previous alternative had two interchanges for local access which are not required in the current alternative. Also, most of the proposed service road is within the previously identified 300 foot right-of-way for

Wekiva Parkway. Those are the primary reasons why the impacts to public lands have been reduced. A spreadsheet is attached which provides more information on impact reduction. Both the Florida Department of Environmental Protection (Rock Springs Run State Reserve) and the Florida Department of Agriculture and Consumer Services, Division of Forestry (Seminole State Forest) have given their full Section 4(f) concurrence for the current alternative.

After you have had an opportunity to review this information, please let us know how you would like to proceed. We need to include the updated USFWS concurrence letter and the updated FWC comment letter in the Environmental Assessment document we are preparing now, so a response at your earliest convenience will be greatly appreciated. Thank you.

Dave Lewis

CH2MHILL

(407)423-0001 Ext. 281 [attachment "Wekiva Parkway_ USFWS Concurrence Letter.01 15 08.pdf" deleted by Todd Mecklenborg/R4/FWS/DOI] [attachment "Wekiva Pkwy_ FWC Comment Ltr_05 05 08.pdf" deleted by Todd Mecklenborg/R4/FWS/DOI] [attachment "WP_Previous_Alt.pdf" deleted by Todd Mecklenborg/R4/FWS/DOI] [attachment "WP_Current_Alt_wServRd.pdf" deleted by Todd Mecklenborg/R4/FWS/DOI] [attachment "Impact Comparison_Prev Alt vs Curr Alt w SR.xls" deleted by Todd Mecklenborg/R4/FWS/DOI]

**UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE (NPS)
CORRESPONDENCE**

CH2M HILL

225 East Robinson Street

Suite 505

Orlando FL 32801-4321

Tel 407.423.0030

Fax 407.839.5901



CH2MHILL

August 20, 2008

Ms. Jaime Doubek-Racine
National Park Service - RTCA Program
Florida Field Office
665 S. Orange Avenue, Suite H
Sarasota, FL 34236

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Orange, Lake, and Seminole Counties, Florida
FDOT Financial Project Nos.: 238275 1 22 01 and 240200 1 22 01
Coordination Regarding Wekiva National Wild and Scenic River

Dear Ms. Doubek-Racine,

On behalf of the Federal Highway Administration (FHWA), District Five of the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (Expressway Authority) are preparing an Environmental Assessment for the subject project. The proposed project would cross the Wekiva National Wild and Scenic River at the location of the existing SR 46 bridge within the corridor prescribed by the Florida legislature in the *Wekiva Parkway and Protection Act*.

An Advance Notification Package was distributed to the Florida State Clearinghouse, local and federal agencies, including the National Park Service (NPS), and other interested parties on February 23, 2005. Since that time, numerous alternative concepts in Orange, Lake, and Seminole Counties have been assessed and evaluated by the PD&E Study team for potential social, economic, and environmental impacts. Coordination activities with local and state governmental agencies, as well as many other stakeholders, and various public involvement efforts have been extensive.

The Wekiva River is both a National Wild and Scenic River and a State of Florida Aquatic Preserve. Aquatic Preserves are also considered Outstanding Florida Waters, which have been given additional protection against pollutant discharges that may lower the existing high water quality standards in their current natural state. The Wekiva River is most stringently protected by its own legislation under the *Wekiva River Protection Act* and the *Wekiva Parkway and Protection Act*, Florida Statutes, Chapter 369, Parts II and III, respectively. The Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study recommendations have been developed to adhere to the design criteria and recommendations prescribed by the above legislation. In addition to the legislation, the Wekiva Parkway will be included in the *Wekiva National Wild and Scenic River Comprehensive Management Plan* currently being updated by the NPS.

Ms. Jaime Doubek-Racine
National Park Service
August 20, 2008
Page 2

As the PD&E Study consultant to FDOT and the Expressway Authority, CH2M HILL has been coordinating with Pandion Systems, consultants to the NPS for the *Wekiva National Wild and Scenic River Comprehensive Management Plan*, since February 2007. We have provided information on and maps of the proposed project for inclusion in the updated management plan. As recently as August 11, 2008, CH2M HILL provided Pandion Systems with requested shape files of the conceptual plans for the Wekiva Parkway Recommended Preferred Alternative.

The *Draft Goals and Objectives for the Wekiva National Wild and Scenic River Comprehensive Management Plan* (Pandion Systems, Inc., 2007) are consistent with the "Guiding Principles" recommended by the Wekiva Basin Area Task Force, endorsed by the Wekiva River Coordinating Committee, and required by the *Wekiva Parkway and Protection Act*. These goals and objectives include:

- aggressively pursuing conservation easements and land purchases within the Wekiva Basin with priority on those parcels outlined by the *Wekiva Parkway and Protection Act*;
- ensuring that wildlife underpasses suitable for bears are constructed as planned and include fencing to encourage bear use; and
- ensuring that the new bridge constructed for the Wekiva Parkway be designed to limit visual and auditory intrusion on the Wekiva River.

The following paragraphs describe the components of the proposed expressway that meet the goals and objectives of the management plan.

Conservation Easements and Land Purchases

The portion of the study corridor in east Lake County is within the Wekiva River Protection Area and includes lands within Neighborhood Lakes, Rock Springs Run State Reserve, Seminole State Forest, and Wekiva River Mitigation Bank (formerly New Garden Coal). Both Neighborhood Lakes and the Wekiva River Mitigation Bank were identified for acquisition in the Wekiva Parkway and Protection Act. In July 2005, the state acquired a perpetual conservation easement over the mitigation bank to protect the land from future development. The agreement also addresses the required right-of-way for the Wekiva Parkway. In December 2006, Governor Jeb Bush and the Florida Cabinet approved the purchase of Neighborhood Lakes. The acquisition was completed in March 2007. This purchase secures right-of-way for Wekiva Parkway and protects against future development. The land not needed for right-of-way will become conservation lands of the State of Florida.

Ms. Jaime Doubek-Racine
National Park Service
August 20, 2008
Page 3

Wildlife Underpasses

As a part of the Preferred Alternative, FDOT proposes to replace the existing (western 52-foot wide opening and eastern 26-foot wide opening) wildlife underpasses along SR 46 with longer wildlife bridges of approximately 1,957 feet (western bridge) and 4,000 feet (eastern bridge). The existing 561-foot bridge over the Wekiva River will be replaced with a longer, higher bridge of approximately 2,150 feet in length. These longer bridges will open up the wildlife corridor between the Rock Springs Run State Reserve and the Seminole State Forest, and will enhance habitat connectivity. Many more species of wildlife will be able to safely move between the two public conservation areas. All of these bridge spans will function as wildlife crossings and will greatly improve the wildlife habitat continuity and movement corridors in the surrounding area, following construction of the Wekiva Parkway.

In addition to the above bridges, an 800-foot bridge will span a large floodplain within the recently acquired Neighborhood Lakes parcels. This bridge will also serve to maintain wildlife connectivity. Barriers or fencing to direct wildlife to these safe crossing points will be addressed during the final design phase of the project.

An exhibit depicting the proposed wildlife bridging through this area was previously provided to you by CH2M HILL. Also, we previously provided to you the proposed Wekiva River bridge plan, elevation and profile sheets, as well as a photo of the existing Wekiva River bridge and a conceptual rendering of the proposed bridge from the same vantage point.

Visual and Auditory Intrusion on the Wekiva River

The Wekiva River Basin Area Task Force envisioned the Wekiva Parkway as similar to well known scenic highways, and included promoting "a 'Parkway' look with appropriate natural buffers between the roadway and the adjacent areas" in the "Guiding Principles". FDOT and the Expressway Authority are committed to developing a landscape plan during the final design phase that will accentuate the natural environment. Consistent with the recommendations of the "Guiding Principles" to support the conservation of dark skies in the Wekiva River Protection Area, FDOT and the Expressway Authority will incorporate non-intrusive and minimal roadway and bridge lighting in the final design plans in appropriate areas for Wekiva Parkway.

There is no practical alternative to the proposed construction over the Wekiva National Wild and Scenic River and State Aquatic Preserve. The existing crossing is located at the narrowest point in the river. Any alternative alignment would necessitate filling and/or new bridges across a wider wetland reach, which could have far greater impacts. The proposed project includes all practical measures to minimize harm to the river and adjacent lands, such as lengthened and heightened channel spans over the river and lengthened bridge spans over the floodplain. In addition, the filled land supporting the existing bridge

Ms. Jaime Doubek-Racine
National Park Service
August 20, 2008
Page 4

abutment can be removed, which will restore the wildlife corridor immediately adjacent to the river.

As we have discussed, a proposed multi-use trail crossing of the river that will provide connectivity between the existing and proposed trail systems of Orange, Lake, and Seminole Counties will be accommodated. Questions regarding visual and auditory intrusion cannot be adequately addressed in a PD&E Study, but will be dealt with after preliminary engineering in the design phase.

After you have had an opportunity to review the information in this letter, as well as the materials previously sent to you, we would appreciate receiving a letter from NPS at your earliest convenience stating your opinion on, or providing a summary of, this consultation.

Sincerely,

CH2M HILL

Kathleen Jorza, E.I.

Copy: Bob Gleason, FDOT
Brian Stanger, FDOT
Joe Berenis, OOCEA
Gary Skaff, PBSJ
Mark Callahan, CH2M HILL
File 324126 - C31 W&SR



United States Department of the Interior



NATIONAL PARK SERVICE
Rivers, Trails, and Conservation Assistance
Southern Appalachian Field Office
175 Hamm Road, Suite C
Chattanooga, Tennessee 37405

IN REPLY REFER TO:

Electronic transmittal:

October 3, 2008

Kathleen Jorza
CH2M Hill
225 East Robinson Street
Suite 505
Orlando, Florida 32801-4321

Re: Early Consultation Regarding the Wekiva Parkway Realignment PD&E Study

Dear Ms. Jorza:

Thank you for your request regarding the PD&E study of the Wekiva Parkway Realignment project. We appreciate the opportunity to provide early coordination comments regarding the potential project impacts to the Wekiva Wild and Scenic River, a nationally significant resource, over which the National Park Service (NPS) has jurisdictional responsibilities.

As you know, the Wekiva Wild and Scenic River was established in 2000 under the Wild and Scenic Rivers Act (Act) (PL 90-542) as a “partnership” Wild and Scenic River, meaning that it is part of the National Wild and Scenic River System and is managed via partnership between the NPS and the Wekiva River Advisory Management Committee. Together, these entities are currently developing a Comprehensive River Management Plan (CRMP) in accordance with the Act. Once completed, the CRMP will serve as a guiding document for all management actions associated with the Wild and Scenic River designation.

The purpose for designating the Wekiva was to protect and enhance its free-flowing character, water quality, and outstandingly remarkable values (ORVs). The ORVs for the Wekiva include scenic/aesthetic values, recreational, geologic, fish and wildlife, historic (cultural and archaeological), and otherwise scientific values. Section 1, section 7, and section 10 responsibilities under the Act provide the context for evaluating potential environmental impacts to this nationally significant resource. Section 1(b) states:



“It is hereby declared to be the policy of the United States that certain selected rivers of the Nation...shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.”

Section 10(a) of the Act establishes an anti-degradation and enhancement policy that each component of the System:

“...shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without...limiting other uses that do not substantially interfere with public use and enjoyment of these values...primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeological and scientific features.”

The draft CRMP provides management objectives for the Wekiva. In addition to protecting the free-flowing nature and those values mentioned above, the plan specifically recommends protection of the riparian zone plant communities, particularly the presence of numerous invasive exotic species. It emphasizes the riparian zone’s importance to the diversity of wildlife, the maintenance of water quality, and the contribution of vital open space for the use and enjoyment of present and future generations in an increasingly urbanizing area.

To help achieve the above management goals, the Act prohibits, or imposes restrictions on, developments and activities that would directly and adversely affect those values. Pursuant to section 7(a) of the Act:

“no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration.”

“Water resources projects” are defined in regulations for implementing section 7 of the Act as any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act, or other construction of developments that would affect the free-flowing characteristics of a national wild and scenic river. Construction means any action carried on with Federal assistance affecting the free-flowing characteristics or the scenic or natural values of a WSR. The Act defines free-flowing as:

“...existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway.”

Most transportation crossings are considered water resource projects and could require evaluation under section 7(a) of the Act. Projects that would have a “direct and adverse” effect on the values for which a river was added to the System are prohibited. The NPS is responsible for evaluating projects and their effects on designated rivers. After such an evaluation, the Secretary of the Interior would exercise his authority to approve or deny permitting of the proposed Federal water resources project.

As a partnership Wild and Scenic River, the DOI relies on the Wekiva River Advisory Management Committee to assist in managing the Wekiva to meet the requirements of the Act,

including ensuring its ORVs are protected and enhanced, as currently being proposed in the Draft Wekiva Wild and Scenic River Management Plan. Although the NPS owns no lands or waters with the designated corridor of the Wekiva Wild and Scenic River, the NPS retains permitting responsibilities pursuant to section 7(a) of the Act.

Additionally, as a federally designated WSR, the Wekiva is a section 4(f) resource, pursuant to section 4(f) of the Department of Transportation Act of 1966. In accordance with this Act, NPS is responsible for reviewing federally funded road projects. Direct and indirect effects, including constructive use impacts to designated rivers are evaluated within the context of the Act, the river's designated ORVs, and efforts to avoid and/or mitigate harm to these resource values.

Generally, bridge replacements within an existing corridor crossing and of a similar size/capacity of the bridge which is to be removed would be more likely to be approved provided certain mitigation measures are in place. Conversely, a new bridge crossing outside of the existing corridor would likely be found to have a "direct and adverse effect" to the river's ORVs. In the case of the proposed Wekiva Parkway bridge crossing, the proposed structure lies within the existing corridor but is of substantially larger size and capacity. Constructive use impacts associated with the use of this 4(f) resource would also likely arise. As such, we believe all transportation alternatives, including the minimizing the proposed footprint, spanning the entire corridor without bridge supports being placed within the bed and banks of the river, and mass transportation should be carried forward in the planning process and fully evaluated in an appropriate environmental analysis document. Further, aesthetics of the structure should also be evaluated. Bridge crossings from other Wild and Scenic Rivers have employed various design techniques (e.g., weathered metal, color tinting, etc.) to minimize the visual intrusion created by the span. The ability to see the river while crossing the bridge should also be a component of the aesthetic assessment. Other design issues worthy of consideration include the angle of the bridge to the extent it can minimize visual intrusiveness, footing design to minimize scour, and other factors.

Our office is available for assistance to ensure any recommendations with the PD&E Study and subsequent Environmental Assessment are compatible with the Act, the draft management plan, and Section 4(f) of the Transportation Act. NPS personnel will potentially be available for meeting attendance and associated coordination and document review activities. While we may not be able to participate in all aspects of the project planning, the NPS would like to be involved in key decisions affecting the Wekiva, including conclusions related to the degree, magnitude, and intensity of impacts to the river and selection of alternatives that will be carried forward into future planning efforts.

I look forward to working cooperatively with you and the study sponsors to protect the Wekiva Wild and Scenic River.

Sincerely,

_____/s/_____
 Jeffrey R. Duncan, Ph.D.
 Southeastern Rivers Program Manager

Cc: David Vela, NPS Southeast Regional Director
Jaime Doubek-Racine, NPS RTCA Sarasota



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

October 14, 2008

719 South Woodland Boulevard
DeLand, FL 32720-6834

STEPHANIE C. KOPELOUSOS
SECRETARY

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
175 Hamm Road, Suite C
Chattanooga, TN 37405

Re: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Orange, Lake and Seminole Counties, Florida
FPID No.: 238275 1 22 01 and 240200 1 22 01
Wekiva Wild and Scenic River Consultation

Dear Mr. Duncan:

CH2M HILL, the Florida Department of Transportation consultant for the Wekiva Parkway Project Development and Environment (PD&E) Study, has forwarded to me your October 3, 2008 letter (attached) on the referenced subject. We appreciate you taking the time to respond to our request for a National Park Service (NPS) consultation letter. However, it was disappointing that your letter did not mention either the Wild and Scenic River consultation/coordination that our project team has conducted with the NPS Sarasota Office or the project design files and other information provided to the NPS consultant (Pandion Systems) for use in preparation of the Wekiva Wild and Scenic River Management Plan.

To date, the following have been provided to NPS and/or NPS consultants:

- Wekiva Parkway PD&E Study Advance Notification Package (February 23, 2005)
- Wekiva Parkway project information assistance to NPS consultant Pandion Systems (February 2007)
- Wekiva Parkway design files converted to GIS shape files for use by Pandion Systems, including roadway and pond right-of-way for the project (August 11, 2008)
- Preliminary Wekiva River bridge plans and information on proposed stormwater ponds and water quality enhancement (August 20, 2008)
- Formal Coordination Letter that included Wekiva Parkway project information particularly in regard to the Wekiva Wild and Scenic River and project consistency with legislation and management plans for the river (August 20, 2008)

Attached is a summary, based primarily on previously provided information, which addresses many of the points in your letter. Since a PD&E Study is only the preliminary engineering phase, other items in your letter will be addressed in the design phase. We believe the information provided demonstrates that the proposed Wekiva Parkway project, especially the Wekiva River bridge replacement, will be an enhancement over existing conditions. For example, the existing bridge (561 feet in length) has equal length spans of only 51 feet, whereas the proposed replacement bridge (2,150 feet in length) would have a channel span of 150 feet. This would lessen obstruction to channel flow and improve

Mr. Jeffrey Duncan
National Park Service
October 13, 2008
Page 2

recreational value. The longer bridge would also reduce impacts to the riparian habitat and improve connectivity for wildlife movement between state conservation lands. We would appreciate receiving your opinion on those aspects of the proposed project.

If you have any questions, please contact me at (386)943-5390. Also, I request that NPS send future project correspondence to me at:

Florida Department of Transportation
District Five, MS 501
719 S. Woodland Blvd.
DeLand, FL 32720-6834

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Gleason", with a stylized flourish at the end.

Bob Gleason
Environmental Administrator
District Five

Attachments:

NPS letter of October 3, 2008
Summary Information for NPS

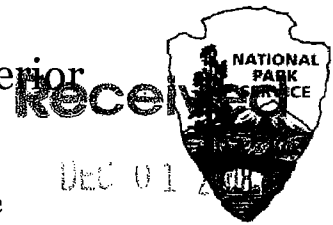
Copies to:

Brian Stanger, FDOT
Mark Callahan, CH2MHILL



United States Department of the Interior

NATIONAL PARK SERVICE
Rivers, Trails, and Conservation Assistance
Southern Appalachian Field Office
175 Hamm Road, Suite C
Chattanooga, Tennessee 37405



FDOT
Environmental Management

IN REPLY REFER TO:

Via US Mail:

November 26, 2008

Bob Gleason
Environmental Administrator
District 5, MS 501
Florida Department of Transportation
719 South Woodland Blvd.
Deland, FL 32720-6834

Re: Consultation Regarding the Wekiva Parkway Realignment PD&E Study

Dear Mr. Gleason:

Thank you for your letter dated October 14, 2008 regarding the initial consultation letter we wrote pursuant to the PD&E study of the Wekiva Parkway Realignment project. Thank you also for the additional information your letter provides. Unfortunately, NPS has no record of receiving your advanced notification package in 2005 as you reference. Further, our Sarasota office reports that any consultation regarding the project was very cursory and informal in nature consisting primarily of Pandion Systems providing information to CH2M Hill regarding the development draft management plan. Please note that Pandion Systems was a direct contractor with the Wekiva River Advisory Management Committee, and does not represent the NPS.

Regardless, as described in our previous letter, NPS has an obligation for determining whether any proposed federal water resources project is likely to have a direct and adverse effect on the resource values for which the river was designated. To make this determination, NPS will systematically review all relevant information concerning the project, its environmental impacts, and its environmental benefits in accordance with internal procedures. This process is typically triggered by the release of an EA or EIS by the federal agency that is providing assistance to the project. It would be helpful to know the status of and timeline related to the development of the appropriate NEPA document.

In the meantime, we would be willing to provide a preliminary Section 7 determination based on the information received to date and after conducting a site visit. The preliminary determination would be non-binding and pending a final determination based on information and environmental analysis contained within the EA or EIS. A preliminary determination can be provided to



provided to facilitate proactive communication and aid in identifying potential issues that could slow the process.

Please let me know if you would be open to conducting a site visit for the purpose of developing a preliminary Section 7 Determination. Thank you again for the additional information. It was very helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey R. Duncan', written over a horizontal line.

Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager

Cc: David Vela, NPS Southeast Regional Director
Jaime Doubek-Racine, NPS RTCA Sarasota



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
DeLand, FL 32720-6834

STEPHANIE C. KOPELOUSOS
SECRETARY

December 22, 2008

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
175 Hamm Road, Suite C
Chattanooga, TN 37405

Re: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Orange, Lake and Seminole Counties, Florida
FPID No.: 238275 1 22 01 and 240200 1 22 01
Wekiva Wild and Scenic River Consultation

Dear Mr. Duncan:

Thank you for your reply letter dated November 26, 2008. We would be pleased to conduct a site visit for the National Park Service (NPS). Please let me know who will be attending for NPS and provide a few candidate dates; we will then coordinate to arrange a mutually agreeable date and time for the site visit.

As an item of information, the Advance Notification package for the Wekiva Parkway PD&E Study was sent on February 23, 2005 to:

Regional Director
National Park Service
U.S. Department of the Interior
Southeast Regional Office
100 Alabama Street, SW
Building 1924
Atlanta, GA 30303

While we do not view the previous coordination our project team has undertaken with the NPS Sarasota office as cursory, and in fact the information flow has actually been from our project team to the Wekiva Wild & Scenic River Management Plan consultant, that is unimportant now as we move ahead. Your assistance is appreciated. I look forward to hearing from you concerning the site visit. My email address is Bob.Gleason@dot.state.fl.us.

Sincerely,

Bob Gleason
District Five Environmental Administrator

Copy: Brian Stanger, FDOT D5
Mark Callahan, CH2MHILL



United States Department of the Interior



NATIONAL PARK SERVICE
Rivers, Trails, and Conservation Assistance
Southern Appalachian Field Office
175 Hamm Road, Suite C
Chattanooga, Tennessee 37405

IN REPLY REFER TO:

Via electronic mail:

February 24, 2009

Bob Gleason
Environmental Administrator
District 5, MS 501
Florida Department of Transportation
719 South Woodland Blvd.
Deland, FL 32720-6834

Re: Site tour of Wekiva Parkway Wekiva Wild and Scenic River Crossing

Dear Mr. Gleason:

Thank you for the opportunity to tour the proposed Wekiva Parkway crossing of the Wekiva Wild and Scenic River in the existing Highway 46 corridor. In addition to touring the site with you and your team on the morning of February 5, 2009, I also had the opportunity to view the existing bridge from the water the previous day thanks to our partners with the Florida Department of Environmental Protection. Based on these preliminary observations combined with the materials you've provided to date, it appears that the project will offer many advantages to the river compared to the existing structure. However, as we discussed, our formal review process pursuant to section 7 of the Wild and Scenic River Act will not begin until an environmental impact state or other NEPA document is released for public comment. Nothing in this preliminary review should be considered binding.

My preliminary observations indicate any potential direct and adverse impacts associated with the project will likely be limited to construction related activities and the specific design of the bridge, specifically aesthetics that could affect the scenic "outstandingly remarkable value" (ORV) described in the Act. NPS is committed to continue to work closely with you, your project team, and other stakeholders to avoid any potential impacts to the ORVs that may arise from project. Specifically, as mentioned in our October 3, 2008 letter to Kathleen Jorza of CH2MHill, bridge designs that include measures to minimize visual intrusion (e.g., weathered or tinted metal) have been used in similar settings and would appear to be appropriate for your proposed project.

Please consider this letter a preliminary Section 7 review based on the information received to



date and after conducting a site visit. This preliminary assessment is non-binding and pending a final determination based on information and environmental analysis contained within the EIS. This preliminary assessment is provided to facilitate proactive communication and aid in identifying potential issues that could otherwise slow the process.

Thank you again for hosting the site visit, and I look forward to working with you as the project progresses. In the meantime, please feel free to contact me if you have questions or need additional information.

Sincerely,

_____/s/_____
Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager

Cc: David Vela, NPS Southeast Regional Director
Jaime Doubek-Racine, NPS RTCA Sarasota



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

May 5, 2009

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
175 Hamm Road, Suite C
Chattanooga, TN 37405

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Section 4(f) Recreation Resource – Wekiva Wild and Scenic River

Dear Dr. Duncan:

On behalf of the Federal Highway Administration (FHWA), in consultation with the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, we hereby request a concurrence letter from the National Park Service concerning the proposed Wekiva Parkway project and the subject Section 4(f) recreation resource. As you know, we have previously coordinated on this matter and you provided, at our request, an opinion letter (copy attached) dated February 24, 2009 on the minimization of impacts to the Section 4(f) recreation segment of the Wekiva Wild and Scenic River.

FHWA requires that we obtain a concurrence letter from "the officials having jurisdiction over the Section 4(f) lands" which provides the following specific information concerning the impacts of the proposed Wekiva Parkway project on the recreation segment of the Wekiva Wild and Scenic River:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;
- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

Mr. Jeffrey R. Duncan, Ph.D.
 May 5, 2009
 Page 2

To assist you in preparation of the requested concurrence letter, shown below are some of the data and information that was previously provided to you, as well as some additional information (note: use of the word "land" is standard Section 4(f) language, so for this purpose the word "river" or "resource" could be substituted):

- **Impairment to Section 4(f) Resource:** The amount and location of the land used for the proposed Wekiva Parkway project does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose. As you know, the replacement bridge over the Wekiva River is proposed to be 125 feet in width. Since the river width from bank to bank at that location varies between 200 feet and 250 feet, the average river width under the proposed bridge is estimated at 225 feet. Therefore, the area of the river from bank to bank that would be under the bridge is estimated at 28,125 square feet or approximately 0.65 of an acre. Since the recreation segment of the Wekiva Wild and Scenic River is approximately 8.1 miles long, having less than one acre of the river under the bridge would not impair the use of the remaining Section 4(f) resource, in whole or in part, for its intended purpose. Also, as you know, the wider spans of the proposed bridge would reduce flow impedance and enhance the river users' experience.
- **Proximity Impacts:** Proximity impacts, such as water runoff, visual intrusion, access and vibration, are not expected as a result of the proposed Wekiva Parkway project. It is unlikely that the proposed improvements will substantially impair the function, integrity, use, access, value or setting of this resource. Measures to reduce any noise impacts and visual intrusion are design phase activities that are to be coordinated with the National Park Service. Stormwater ponds are planned to provide treatment and to prevent the degradation of water quality due to the proposed project.
- **Assessment of Impacts Concurrence:** After National Park Service review of project documentation and a site visit to the Wekiva River, FDOT requested that the National Park Service provide their opinion on the minimization of project impacts and proposed mitigation measures. The response letter from the National Park Service dated February 24, 2009 states "Based on these preliminary observations combined with the materials you've provided to date, it appears that the project will offer many advantages to the river compared to the existing structure".

We look forward to receipt of the requested concurrence letter from the National Park Service, which specifically addresses items 1, 2 and 3 above, at your earliest convenience. If you have any questions or require further information, please contact me at (386) 943-5390 or Mr. Dave Lewis of CH2MHILL at (407) 423-0030.

Mr. Jeffrey R. Duncan, Ph.D.
May 5, 2009
Page 3

Sincerely,

A handwritten signature in black ink that reads "Bob Gleason". The signature is fluid and cursive, with the first name "Bob" and last name "Gleason" clearly legible.

Bob Gleason
District Environmental Administrator

Copy: Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority
Brian Stanger, District Environmental Management Engineer, FDOT District 5
Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
File: 324126 (C31)

Attachment: National Park Service letter dated February 24, 2009



United States Department of the Interior



NATIONAL PARK SERVICE
Rivers, Trails, and Conservation Assistance
Southern Appalachian Field Office
175 Hamm Road, Suite C
Chattanooga, Tennessee 37405

IN REPLY REFER TO:

Via electronic and US Mail:

June 9, 2009

Bob Gleason
Environmental Administrator
District 5, MS 501
Florida Department of Transportation
719 South Woodland Blvd.
Deland, FL 32720-6834

**Re: Wekiva Parkway, Wekiva Wild and Scenic River Crossing Request for
Concurrence regarding 4(f) lands**

Dear Mr. Gleason:

Thank you for your letter dated May 5, 2009 seeking concurrence from the National Park Service (NPS) regarding the subject of 4(f) recreational resources as they relate to the Wekiva Wild and Scenic River. As you know, the Wekiva River was designated as part of the National Wild and Scenic River System in 2000 pursuant to the Wild and Scenic Rivers Act (PL 90-542; 16 U.S.C. 1271 et seq). As such, the Wekiva is considered a 4(f) resource under the US Department of Transportation Act (Title 49 U.S.C Section 303 and Title 23 U.S.C. Section 138). Specifically, your letter requests concurrence in three areas related to Section 4(f): 1) that the amount and location of land does not impair the use of the remaining Section 4(f) lands; 2) that the proximity impacts of the project shall not impair the use of such land for its intended purpose; and 3) agreement, in writing, with the assessment of impacts of the proposed project and the proposed mitigation.

Regarding the amount and location of land, we concur that the proposed project is not likely to impair the use of remaining Section 4(f) lands. The proposed project lies within the corridor of the existing highway crossing, and although the project, as proposed, will have a larger footprint than the existing structure, the fact that the new structure will span more of the river channel and floodplain is of benefit to the protection of free flow as specified by the Wild and Scenic Rivers Act.

Regarding the notion that proximity impacts of the project on remaining 4(f) lands shall not impair the use of such lands for its intended purpose, we are not able to concur at this time. The



information provided to date by FDOT and CH2MHill provides no thorough evaluation of the potential project-related impacts associated with visual or auditory intrusions within the river corridor. The noise study conducted as a component of the PD&E study does not consider the proposed Wekiva River crossing as a sensitive site. Instead, your letter states that “Measures to reduce any noise impacts and visual intrusion are design phase activities that are to be coordinated with the National Park Service.” Although we welcome the opportunity to coordinate on this matter, it must be understood that these conditions represent important protected features and attributes that contribute to the Wekiva being a resource of national significance. Pursuant to Section 7(a) of the Wild and Scenic Rivers Act, “no department or agency of the United States shall assist by loan, grant, licenses, or otherwise in the construction of any water resources project that would have a direct and adverse effect of the values for which such river was established.” Further, aesthetics and auditory intrusions are listed as factors within the Draft Wekiva Wild and Scenic River Management Plan that may affect the “Outstandingly Remarkable Values” (ORVs) for which the river was designated by Congress. The aesthetics of the bridge as experienced from within the river corridor, an increase in noise and/or vibrations associated with the proposed project, and the increased traffic flow volume has the potential pose substantial impairment to one or more ORVs. Until such time as the proposed project is evaluated with respect to these potential impacts, we are unable to determine whether the project will “impair the use of such lands for its intended purpose.”

Finally, your letter requests agreement, in writing, with “the assessment of impacts” and “proposed mitigation” for impacts associated with the project. Again, for the reasons stated above, we cannot concur at this time. Until the potential for impacts to the Wekiva’s ORVs have been thoroughly evaluated and environmental commitments and mitigation with respect to these impacts have been clearly stated, we are unable to determine whether concurrence is warranted.

As stated in our February 24, 2009 letter, our comments to date with respect to project impacts are preliminary and based on information received to date. We look forward to continuing to work with FDOT and your consultants toward a final determination of impacts and adequacy of environmental commitments based on information and environmental analysis, typically contained within the EIS, pursuant to Section 7 of the Wild and Scenic Rivers Act and in accordance with procedures set forth by the Interagency Wild and Scenic Rivers Council.

Thank you again for consulting with the National Park Service. Please feel free to contact me if you have questions or need additional information.

Sincerely,

_____/s/_____
 Jeffrey R. Duncan, Ph.D.
 Southeastern Rivers Program Manager

Cc: David Vela, NPS Southeast Regional Director
 Jaime Doubek-Racine, NPS RTCA Sarasota



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

June 15, 2009

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
175 Hamm Road, Suite C
Chattanooga, TN 37405

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Section 4(f) Recreation Resource – Wekiva Wild and Scenic River

Dear Dr. Duncan:

We appreciate your response to our May 5, 2009 request for a concurrence letter from the National Park Service (NPS) concerning the proposed Wekiva Parkway project and the subject Section 4(f) recreation resource. In your letter of June 9, 2009 (copy attached), you provided NPS concurrence that the proposed project is not likely to impair the use of the remaining Section 4(f) resource. However, your letter states that the NPS is unable to concur at this time on proximity impacts, assessment of impacts or proposed mitigation until factors related to bridge aesthetics and potential auditory intrusion are more thoroughly evaluated.

The current PD&E Study is based on preliminary engineering of conceptual alignments; therefore, we have not yet developed information on specific design features of the proposed Wekiva Parkway bridge over the Wekiva River. However, as you mentioned in your letter, we have committed to coordinate with the NPS during the design phase on measures that will minimize the bridge's visual intrusion. With regard to that commitment, below is an excerpt from the "Measures to Minimize Harm" section of the Programmatic Section 4(f) Evaluation we are preparing for the Federal Highway Administration which addresses evaluation and minimization of visual and noise intrusion:

"FDOT will incorporate non-intrusive and minimal roadway and bridge lighting in the final design plans in appropriate areas to support the conservation of dark skies in the Wekiva River Protection Area. Additional design features related to the aesthetics of the Wekiva River bridge, such as

Mr. Jefferey R. Duncan, Ph.D.
June 15, 2009
Page Two

weathered metal or color tinting, will be evaluated by FDOT during the final design phase of the project. Measures to reduce visual intrusion or substantial noise impacts are design phase activities that will be coordinated with the National Park Service and the FDEP, Office of Coastal and Aquatic Managed Areas. In cooperation with permitting and review agencies during final design and construction, FDOT will employ all possible measures to minimize harm to the Wekiva River."

We look forward to continued coordination with the NPS as the project progresses. If you have any further questions at this time, please contact me at (386) 943-5390 or by email.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Gleason", followed by a long horizontal line.

Bob Gleason
District Environmental Administrator

Copy: Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority
Brian Stanger, District Environmental Management Engineer, FDOT District 5
Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
File: 324126 (C31)

Attachment: National Park Service letter dated June 9, 2009

Information on Revision of the Wekiva Parkway Alternative in East Lake County

The Wekiva Parkway & Protection Act (Florida Statutes, 2004) required that SR 46 in east Lake County west of the Wekiva River not be a continuous roadway for environmental reasons. As recommended by the Lake County Commission, the Wekiva River Basin Commission, and the Florida Department of Environmental Protection (in keeping with the mandates of the Act), the plans for Wekiva Parkway in east Lake County eliminated SR 46 as a through road from the Neighborhood Lakes area eastward to the Wekiva River. Those are the Wekiva Parkway plans that the National Park Service (NPS) has seen previously in our Section 4(f) coordination. At the time the Act was passed, it was assumed the Wekiva Parkway would not be a tolled roadway. However, after an extensive financial analysis estimated the total cost of construction of the project at \$1.8 billion, and with declining transportation dollars available to the Florida Department of Transportation (FDOT), it became evident that the Wekiva Parkway from SR 429 near Apopka in northwest Orange County through east Lake County to I-4 near Sanford in west Seminole County would not be financially feasible without tolls.

Citizens in the east Lake County area who live and work along existing SR 46 expressed concerns over having to pay a toll for a local trip. Local and state elected officials also expressed those concerns on behalf of their constituents. In mid 2009, the Orlando-Orange County Expressway Authority (OOCEA) and FDOT began analyzing options to provide a non-tolled service road in east Lake County along the Wekiva Parkway route. In response to those citizen and elected official concerns, a service road concept has been developed. The service road, which would be parallel to and on the north side of the Wekiva Parkway in east Lake County, is within the 300 foot right-of-way previously identified for the Wekiva Parkway (attached are two graphics which depict the alignment and the typical section; please zoom in on the PDF of the alignment for greater detail). The alignment of the Wekiva Parkway has not been changed. The previous Wekiva Parkway alternative had two local access interchanges west of the Wekiva River in east Lake County due to the elimination of SR 46. With the service road, those interchanges are no longer needed. However, a service road bridge over the Wekiva River will be needed for a non-tolled connection between Lake and Seminole Counties. The width of this 2 lane service road bridge would also accommodate a regional trail crossing of the river. The total area of bridge deck over the river, which may be viewed as a potential Wild & Scenic River impact, would increase slightly by approximately 0.31 acre, as shown below.

Estimated Potential Impact on Wekiva River

Wekiva Parkway Alternative with Service Road	0.96 acre
Previous Wekiva Parkway Alternative	<u>0.65 acre</u>
Estimated Increase in Potential Impact	0.31 acre

A Public Workshop on the service road alternative was held in Sorrento, Florida on December 17, 2009. FDOT and OOCEA are now moving ahead to revise the previous recommended Preferred Alternative for Wekiva Parkway in east Lake County to include the service road. We have been coordinating with Federal Highway Administration (FHWA) on the programmatic Section 4(f) evaluation for the Wekiva Wild & Scenic River, including our previous interaction with NPS. After you have had an opportunity to review this information on the service road and the resultant increased area of bridge deck over the Wekiva River, FHWA has indicated they would like to meet or teleconference with NPS, FDOT and OOCEA to discuss resolving the outstanding NPS concerns so we may reach agreement on Section 4(f) concurrence for potential proximity impacts and mitigation.

I will contact you about the scheduling of and arrangements for that meeting/teleconference with FHWA. In the meantime, if NPS has any questions about the service road concept, please contact Mr. Dave Lewis of CH2M HILL at (407)423-0001 Ext. 281.

Information sent by Bob Gleason, FDOT D5 on February 8, 2010 to Jeff Duncan, NPS



U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

July 16, 2010

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Phone: (850) 942-9650
Fax: (850) 942-9691 / 942-8308

www.fhwa.dot.gov/fldiv

In Reply Refer To:
HPR-FL

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
175 Hamm Road, Suite C
Chattanooga, TN 37405

Subject: Wekiva Parkway Project

Dear Dr. Duncan,

We would like to thank you for meeting with the Orlando-Orange County Expressway Authority (OOCEA), District 5 of the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA) on April 7, 2010, to assist in addressing possible impacts to the Wekiva Wild and Scenic River which may result from development of the proposed Wekiva Parkway (SR 429)/SR 46 Realignment project. This effort represents a critical part of the Project Development and Environment (PD&E) Study concerning the proposed project.

At this time, we are seeking NPS opinions and further concurrence concerning the Wekiva Parkway Project and its potential impacts to the Wekiva Wild and Scenic River recreational property. These actions are being requested pursuant to two laws, Section 4(f) of the USDOT Act and Section 7 of the Wild and Scenic Rivers Act.

Although there is substantial overlap between Section 7 and Section 4(f) requirements, they are not identical and compliance with one does not automatically constitute compliance with the other. This applies to both the substance and the timing of the findings. Satisfying Section 4(f) requirements generally occurs earlier in the process.

In order to streamline the Section 4(f) process, FHWA is seeking to apply the *Programmatic Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges* to this project rather than an Individual Section 4(f) Evaluation. In order to meet the applicability criteria for the Programmatic Section 4(f) Evaluation, FHWA requires specific opinions from the NPS, the Official with Jurisdiction, on the three criteria before determining if a programmatic evaluation is acceptable:

1. The amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose.
2. The proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and



Mr. Jeffrey R. Duncan, Ph.D.
July 16, 2010

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3. Agreement, in writing, from the Official with Jurisdiction with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

In previous correspondence (see Enclosures 1 and 2, dated February 24, 2009 and June 9, 2009), NPS concurred with Item 1 of the applicability criteria. However, the correspondence indicated that NPS could not concur with items 2 or 3 until after review of the Environmental Assessment, mitigation commitments, and certain aspects of bridge design. In order for FHWA, FDOT and OOCEA to receive the "non-binding preliminary Section 7 determination" and concurrence with items 2 and 3 for the Programmatic Section 4(f) Evaluation, NPS has stated that the avoidance of impairment of the Outstandingly Remarkable Values (ORVs) of the Wekiva River must be addressed through commitments to evaluate and mitigate potential impacts.

Preparation of the type of design information needed to satisfy this NPS request is typically undertaken after the environmental process is completed. However, the Section 4(f) determination must be completed prior to the signature of the final environmental document. Because of the timing of information available to complete these dependent, yet separate, consultation actions, we are proposing the below strategy be considered by the NPS.

FDOT and OOCEA are committed to providing and ensuring the appropriate commitments are made now to ensure receiving the non-binding preliminary Section 7 determination, including the implementation of a bridge design charrette process and any resulting mitigation measures (see Enclosure 3, dated June 28, 2010). Furthermore, OOCEA, FDOT, and FHWA will obtain the Section 7 determination from NPS prior to approving the final design documents for the Wekiva Parkway bridges over the Wekiva River. Please note that the commitments made to NPS by OOCEA and FDOT will still be applicable to the proposed project should FHWA Federal-aid funds not be used to further develop and build this project and should Section 7 still apply.

NPS can be assured that concurrence with the Section 4(f) criteria will not impact the application of the Section 7 requirement and FHWA can be assured that the selection of the build alternative and mitigations will not occur prior to the required feasible and prudent alternative analysis required by Section 4(f). For your ready reference, a detailed background document is provided in Enclosures 4 and 5 which supports this additional request for concurrence.

If the commitments outlined above and detailed in the enclosures assure NPS that the resulting information could provide what is needed to comply with Section 4(f) requirements, and ultimately Section 7, then we request a letter indicating that finding. If these commitments do not adequately serve the intended purpose, please let us know that as well. If they do not, we would request a meeting to see if the Programmatic Section 4(f) Evaluation can be used and/or develop another methodology for compliance with Section 7.

Mr. Jeffrey R. Duncan, Ph.D.
July 16, 2010

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We look forward to receipt of your responses on these matters and we appreciate your cooperation with the development of this project in a manner that fulfills the environmental and transportation needs for the State of Florida. If you believe it would be helpful to meet with OOCEA, FHWA and FDOT prior to deciding on your response, please feel free to contact George Hadley at 850-942-9650 x3011 or george.hadley@dot.gov to schedule a discussion.

Sincerely,



For: Martin C. Knopp, P. E.
Division Administrator
Federal Highway Administration

Enclosures: 1) NPS letter, dated February 24, 2009
2) NPS letter, dated June 9, 2009
3) FDOT/OOCEA Commitment letter, dated June 28, 2010
4) Background Information for Section 4(f) Concurrence, June 2010
5) FDOT Email with selected attachment on revised Wekiva Parkway alternative in east Lake County provided to NPS, dated February 8, 2010

cc: George Hadley, FHWA-FLDIV
George Lovett, FDOT D5 (MS-503)
Brian Stanger, FDOT D5
Mike Snyder, OOCEA
Roy Jackson, FDOT CEMO (MS-37)

ENCLOSURE #3



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 503
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

June 28, 2010

Mr. Martin Knopp
Florida Division Administrator
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Section 4(f) Recreation Resource - Wekiva Wild & Scenic River
Commitments to National Park Service

Dear Mr. Knopp:

As you know, the Florida Division of the Federal Highway Administration (FHWA), the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (OOCEA) have been coordinating with the National Park Service (NPS) over the past few years regarding the proposed Wekiva Parkway project. That coordination and consultation with NPS has been focused on identifying any potential impacts to the Wekiva Wild & Scenic River. Based upon discussions between FHWA, FDOT and OOCEA on June 10, 2010, FDOT and/or OOCEA hereby make the following commitments:

- To sponsor and conduct a bridge design charette process for the purpose of addressing and satisfactorily resolving the NPS concerns with regard to potential impacts of the proposed Wekiva River bridges on the Outstandingly Remarkable Values (ORVs) of the river. At a minimum, the parties invited to participate shall include NPS, the Wekiva River System Advisory Management Committee, FHWA and other stakeholders such as the Florida Department of Environmental Protection.
- To implement those mitigation measures identified in the design coordination process which are necessary to avoid or ameliorate impacts to the Wekiva River ORVs.
- To obtain the Section 7 determination from NPS prior to approving the final design documents for the Wekiva Parkway bridges over the Wekiva River.

These commitments will remain applicable for the proposed project should FHWA Federal-aid funds not be used to further develop and build the project and should Section 7 still apply.

Mr. Martin Knopp
FHWA
June 28, 2010
Page 2 of 2

We request that FHWA send a letter to NPS stating these commitments in order to assist all involved parties in moving forward toward completion of the Section 4(f) evaluation process for the Wekiva Wild & Scenic River. We appreciate FHWA's assistance and cooperation in this matter. Please let us know if there are any questions.

Sincerely,



Noranne Downs, P.E.
Secretary, District Five
Florida Department of
Transportation



Mike Snyder, P.E.
Executive Director
Orlando-Orange County
Expressway Authority

Copy: George Lovett, FDOT D5
Brian Stanger, FDOT D5
Joe Berenis, OOCEA
Mark Callahan, CH2MHILL



United States Department of the Interior



NATIONAL PARK SERVICE
Southeast Region
Wild and Scenic Rivers Program
535 Chestnut Street, Suite 207
Chattanooga, Tennessee 37402

IN REPLY REFER TO:

Via electronic and US Mail:

November 8, 2010

Mr. Brian Hutchings
Public Information Officer
4974 ORL Tower Road
Orlando, FL 32807

Re: Wekiva Parkway (S.R. 429)/S.R. 46 Realignment Project Development & Environment Study

Dear Mr. Hutchings:

Thank you for the opportunity to review the environmental assessment associated with the Wekiva Parkway PD&E Study. As you know, the Wekiva River was designated by Congress in 2000 as part of the National Wild and Scenic River System in 2000 in accordance with the Wild and Scenic Rivers Act (PL 90-542; 16 U.S.C. 1271 et seq). Specifically, the Section 7(a) of the Wild and Scenic Rivers Act requires that “no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect of the values for which such river was established.” Further, the Act requires that any federally-assisted water resources project will not adversely affect the river’s free flowing characteristics, water quality, or its “outstandingly remarkable values (ORVs).

In carrying out the Act, the National Park Service (NPS) is responsible for ensuring that these requirements are met. To this end, the NPS has been in ongoing informal consultation with the Florida Department of Transportation, the Orlando-Orange County Expressway Authority, the Federal Highway Administration (FHWA) and others for more than two years. On April 7, 2010, these parties met at the Florida Department of Transportation District 5 offices in Deland, FL to discuss interagency coordination as the project planning moves forward. A key outcome of that meeting was that FDOT and OOCEA will convene a design charette involving the Wekiva Wild and Scenic River System Advisory Management Committee, FHWA, Florida Department of Environmental Protection, NPS, and other interested stakeholders.

As noted in previous correspondence, the NPS is particularly concerned with various design aspects of the span as they relate to aesthetics and scenic, auditory intrusion within the Wekiva River corridor, night skies, and instream flow characteristics associated with the bridge supports. The



proposal for a secondary non-tolled span, while modestly increasing the overall footprint of the project, does not by itself create any additional design concerns; however design commitments will be needed for both spans collectively before NPS can issue a Section 7(a) Determination.

| Following the design charrette, it was agreed that FDOT and OOCEA will provide NPS with a tentative design upon which the Section 7(a) will be based. Only upon completion of the Section 7(a) Determination with a finding of no direct and adverse effect will NPS be able to provide a Section 4(f) concurrence letter to the FHWA allowing the project to proceed.

Thank you again for consulting with the National Park Service. Please feel free to contact me if you have questions or need additional information.

Sincerely,

_____/s/_____
Jeffrey R. Duncan, Ph.D.
Southeastern Wild and Scenic River Coordinator

Cc: D. Vela, NPS Southeast Regional Director
J. Doubek-Racine, NPS ,Wekiva Wild and Scenic River System, DFO
G. Hadley, FHWA
B. FDOT
D. Shelley, FDEP, Wekiva Aquatic Preserve



U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

August 26, 2011

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

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Fax: (850) 942-9691 / 942-8308

www.fhwa.dot.gov/fldiv

In Reply Refer To:
HPR-FL

Mr. Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
535 Chestnut Street, Suite 207
Chattanooga, TN 37402

Subject: NPS Concurrence for Section 4(f) Impacts to Wekiva Wild and Scenic River

Dear Dr. Duncan:

We have been working in conjunction with your agency, the Florida Department of Transportation (FDOT), and Orlando-Orange County Expressway Authority (OOCEA) for some months now on the development of an environmental document for the proposed project known as Wekiva Parkway. Pursuant to Section 4(f) of the USDOT Act, FHWA is seeking NPS opinion and concurrence concerning the Wekiva Parkway Project Section 4(f) impacts to and proposed mitigation for the Wekiva Wild and Scenic River recreational property.

In a November 8, 2010 letter, the National Park Service (NPS) stated that "only upon completion of the Section 7(a) Determination with a finding of no direct and adverse effect will NPS be able to provide a Section 4(f) concurrence letter to the FHWA allowing the project to proceed." As a result of your noted concerns and the request of the NPS, FDOT and OOCEA committed to several bridge design charettes.

Subsequently, FDOT and OOCEA have conducted three design charettes with all stakeholders present. These meetings produced a consensus on the general design for the bridge and features of the bridge approaches in order to avoid adversely impacting the Wild and Scenic Wekiva River. This design spans the river, and appears to include no acquisition of property from the designated recreational area of this Wild and Scenic River. In order to further minimize and mitigate its aesthetic impacts to the River and to the designated recreational area, bi-monthly meetings of the Wekiva River System Advisory Management Committee (WRSAMC) will be held which may produce additional revisions of the proposed bridge design. In addition, a new noise study of the auditory effects of the proposed bridge upon the recreational users of the Wild and Scenic River has been conducted, and its results described for the NPS at charrette #3.

Mr. Jeffrey R. Duncan, Ph.D.
August 26, 2011

FHWA is seeking to apply the *Programmatic Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges* to this project rather than an Individual Section 4(f) Evaluation. In order to meet the applicability criteria for the Programmatic Section 4(f) Evaluation, FHWA requires concurrence from the NPS, the Official with Jurisdiction, on three specific criteria before determining if a programmatic Section 4(f) evaluation is appropriate.

These criteria are:

1. The amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose.
2. The proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
3. Agreement, in writing, from the Official with Jurisdiction with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

In previous correspondence (dated February 24, 2009 and June 9, 2009), NPS concurred with Item 1 of the above applicability criteria. We believe that the requested charrette process demonstrates to the NPS that the commitment and intent of the FDOT and OOCEA is to avoid impairment of the Outstandingly Remarkable Values (ORVs) of the Wekiva River or of the recreational functions of the designated recreational area located in the vicinity of the proposed project. We believe that these efforts as well as FHWA's, FDOT's and OOCEA's commitment to comply with the provisions of Section 7(a) of the Wild and Scenic Rivers Act provide the assurances needed for NPS to concur with Items 2 and 3 above.

FHWA, FDOT, and OOCEA pledge to the NPS that concurrence with the Section 4(f) criteria will not compromise any additional approvals or consultations associated with the Section 7(a) compliance requirement. As a result of the requested NPS concurrence at this time, the FHWA can then make certain that the selection of the build alternative and mitigations will not occur prior to the required feasible and prudent alternative analysis required by Section 4(f).

If the process and commitments described above do indeed assure NPS that it can concur with the Section 4(f) requirements outlined earlier, we request a letter indicating that finding. The letter should address the remaining two requirements. If these commitments do not adequately serve the intended purpose, please let us know that as well.

Mr. Jeffrey R. Duncan, Ph.D.
August 26, 2011

We look forward to receipt of your responses on these matters and we appreciate your cooperation with the development of this project. If you believe it would be helpful to meet with OOCEA, FHWA and FDOT prior to deciding on your response, please feel free to contact Ms. Linda Anderson, FHWA, at 850-553-2226 or linda.anderson@dot.gov to schedule a discussion.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin C. Knopp". The signature is fluid and cursive, with the first name "Martin" being more prominent.

For: Martin C. Knopp
Division Administrator

cc: Ms. Linda Anderson, FHWA-FLDIV
Mr. Brian Stanger, FDOT D5
Mr. Roy Jackson, FDOT CEMO (MS-37)



United States Department of the Interior



NATIONAL PARK SERVICE
Science and Natural Resources Division
Wild and Scenic Rivers Program
535 Chestnut Street, Suite 207
Chattanooga, Tennessee 37405

October 7, 2011

Martin Knopp
Division Administrator
US Department of Transportation
Federal Highway Administration
545 John Know Rd. Suite 200
Tallahassee, FL 32303

Re: Request for NPS Concurrence for Section 4(f) Impacts to Wekiva Wild and Scenic River

Dear Mr. Knopp,

Thank you for your letter dated August 26, 2011 regarding National Park Service (NPS) concurrence on Section 4(f) impacts associated with the proposed Wekiva Parkway crossing of the Wekiva Wild and Scenic River. Based on the conditions proposed within your letter, particularly that NPS obligations and authorities under Section 7(a) of the Wild and Scenic Rivers Act will continue to be recognized as the project moves forward, the NPS does concur with all three Section 4(f) criteria as articulated in your letter, subject to an ultimate Section 7(a) Evaluation and Determination by the NPS.

To further clarify the process moving forward with respect to Section 7(a), the NPS would like to acknowledge and commend the efforts of the Orlando-Orange County Expressway Authority (OOCEA) in hosting the recent series of design charettes for the proposed Wekiva Parkway crossing of the Wekiva Wild and Scenic River. We believe the charrette process succeeded in identifying a suite of issues important to stakeholders surrounding the project as well as some potential solutions. Although the charrette stopped short of creating a set of design alternatives with the specificity needed for the NPS to conduct a formal Section 7(a) Determination, the process did move the project substantially in that direction.

As per verbal agreement during July's final charrette meeting between me, Linda Anderson of FHWA, and Mike Snyder of OOCEA, we look forward to continuing the bridge design discussions within the forum of regularly scheduled Wekiva River Advisory Management Committee (WRAMC) meetings. Alternatively, it may be more efficient for OOCEA and their consultants to consider working with the WRAMC to identify a subcommittee that could work directly with them to further refine the conceptual designs. I believe such a forum can be highly



advantageous to further refining the designs such that the final design does not adversely affect the river's free flow characteristics, water quality, or outstandingly remarkable values (ORVs). As previously stated, such an arrangement does not and cannot defer the authority of the Secretary, as delegated to the NPS, for making a final determination. Rather, it simply offers a means of continued stakeholder input and dialogue toward a suitable design outcome sufficient for the NPS to conduct a formal Section 7(a) Review and Determination. To that end, the NPS remains eager to continue informal consultation with FHWA and OOCEA to develop a design suitable for Section 7 analysis.

Specifically, we would encourage the OOCEA team and the WRAMC to consider addressing the issues as outlined on our decision support document distributed at the last charrette meeting. To reiterate the essence of that document, the replacement bridge should clearly demonstrate how conceptual design options address scenery and preserve or enhance that ORV. Effects on scenic values will be determined based on a visual contrast rating process that will evaluate how well the design and associated modifications repeat the surrounding landscape's fundamental visual elements of form, line, color, and texture as well as incorporate appropriate design principles and strategies to minimize visual contrasts between the proposed action and the characteristic with the surrounding environment. Bridge designs should provide specific provisions that describe how the recreational experience is enhanced by not adversely disrupting river users and by providing safe and appropriate multimodal transportation options on the structure itself. They should describe how wildlife passage both beneath the bridge and within the general vicinity is optimized without creating potentially adverse or hazardous conditions for wildlife and humans. Sound and light intrusions can adversely affect both humans and wildlife, and these features should also be explicitly addressed in the design. Finally, designs moving forward should document how free flow and water quality are optimized through the application of innovative stormwater capture, retention and treatment designs that meet state and federal regulations while improving water quality, free flow, wildlife, and recreational values.

The NPS is committed to further coordination with FHWA as we seek a mutually beneficial design that ultimately meets or exceeds the requirements of Section 7(a). In the meantime, please do not hesitate to contact me if I can be of assistance. I can be reached at (423) 987-6127, or by email at jeff_duncan@nps.gov. We look forward to continuing to work with you toward the ultimate goal of protecting and enhancing the Wekiva Wild and Scenic River.

Respectfully,

/s/

Jeffrey R. Duncan
Wild and Scenic Rivers Coordinator
Southeast Region

CC: David Vela, Regional Director, NPS
Gayle Hazelwood, Deputy Regional Director, NPS
Linda Anderson, FHWA
Mike Snyder, OOCEA
Brian Stanger, FDOT
Deborah Shelley, FDEP
Wekiva River Advisory Management Committee

**UNITED STATES DEPARTMENT OF THE INTERIOR (DOI),
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
CORRESPONDENCE**



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

ER08/0819

FEB 22 2012

Linda Anderson
Environmental Protection Specialist
Federal Highway Administration
545 John Knox Rd., Ste. 200
Tallahassee, FL 32303

Dear Ms. Anderson:

Thank you for the opportunity to review the final Section 4(f) evaluation for the Wekiva Parkway (SR 429)/SR 46 Realignment, Orange, Lake, and Seminole Counties, Florida. The Department of the Interior (Department) responded, through the National Park Service, in an October 7, 2011, letter regarding your request for concurrence for Section 4(f) impacts to the Wekiva Wild and Scenic River. Remaining at issue were two Section 4(f) properties consisting of the Bock House and Strite House.

The Department concurs that there is no feasible and prudent alternative to the use of Section 4(f) properties, which consist of the Bock House and Strite House, and that all possible planning has been done to minimize harm to those properties, as described in the Memorandum of Agreement executed by the Federal Highway Administration and Florida State Historic Preservation Officer on July 12, 2011.

Sincerely,

Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)
NATIONAL MARINE FISHERIES SERVICE (NMFS)
CORRESPONDENCE



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
 263 13th Avenue South
 St. Petersburg, Florida 33701-5505
 (727) 824-5317; FAX (727) 824-5300
<http://sero.nmfs.noaa.gov/>

August 12, 2010

F/SER4:BH/jk

(Sent via Electronic Mail)

Mr. Brian Stanger, P.E.
 Florida Department of Transportation, District Five
 719 South Woodland Boulevard, MS-501
 DeLand, FL 32720-6834

Dear Mr. Stanger:

NOAA's National Marine Fisheries Service (NMFS) reviewed your electronic mail dated August 10, 2010, and supporting documentation regarding the proposed construction of Wekiva Parkway and potential impacts to Essential Fish Habitat (EFH). The project includes the construction and expansion of a four lane highway beginning near Apopka in Orange County, Florida and ending near Sanford in Seminole County, Florida. The project would directly impact 97.56 acres of high to moderate quality freshwater wetlands. The Federal Highway Administration requires a letter of concurrence from NMFS to be included in the Florida Department of Transportation (FDOT) federal funding application. Acting on behalf of FDOT, CH2M Hill has determined that the project would not have a substantial adverse effect on EFH. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act (FWCA).

Project History

On April 8, 2005, NMFS participated in an interagency site inspection at the project site. On April 10, 2005, NMFS provided a letter to FDOT requesting information regarding avoidance and minimization of wetland impacts and compensatory mitigation to offset unavoidable impacts. Additionally, NMFS requested that FDOT provide an analysis of potential impacts to water quality, a summary of wetland impacts, wetland characterizations, and other potential impacts to NOAA trust fishery resources. At the time NMFS provided these comments, we believed the wetlands at the site were EFH. Further examination by NMFS indicates that these wetlands are not influenced by tide and are therefore inaccessible to federally managed fishery species.

Discussion and Conclusion

The project proposes impacts to 97.56 acres of high and moderate quality wetlands. These wetlands provide water quality functions, such as removal of sediments, excess nutrients, and contaminants, that benefit and support these aquatic ecosystems. Through hydrological connections, these wetlands also contribute plant material and other useable nutrients (both dissolved and particulate organic matter) into aquatic food webs that include recreationally, commercially, and ecologically important species within the St. Johns River and its estuaries.

The information provided states that the project would be mitigated at mitigation banks within the



affected watershed, by purchase of private lands adjacent to the roadway, and through the St. Johns River Water Management District's FDOT Mitigation Plan in accordance with 373.4137, Florida Statute. NMFS believes this is a viable approach for offsetting the loss of the ecological services provided by the wetlands at the project site. This approach will also ensure that the lost function and values will be replaced within the same watershed. Ultimately, the Jacksonville District Army Corps of Engineers will determine the appropriate amount of credits to be purchased and functions to be offset based on a functional assessment.

The wetlands that would be impacted by the project are freshwater in nature and are not influenced by the tide, including the site of the proposed crossing. Based on this information, NMFS concludes that the proposed work would not directly impact areas that support EFH or NOAA trust fishery resources and this project will not require an EFH Assessment. Therefore, NMFS is not providing comments or recommendations pursuant to the EFH requirements of the Magnuson-Stevens Fishery Conservation and Management Act (P.L. 104-297). Further consultation on this matter is not necessary unless future modifications are proposed and FDOT determines that the proposed action may result in adverse impacts to EFH.

Endangered Species Act

We are not aware of any threatened or endangered species or critical habitat under the purview of NMFS that occur within the project area. However, it should be noted that a "no effect" determination must be made by the action agency and the reasoning underlying the determination should be documented in a project file. Please coordinate closely with the U.S. Fish and Wildlife Service for other species listed under the Endangered Species Act that may require consultation.

We appreciate the opportunity to provide these comments. Questions should be directed to the attention of Mr. Brandon Howard in our West Palm Beach Field Office, which is co-located with the US Environmental Protection Agency at USEPA, 400 North Congress Avenue, Suite 120, West Palm Beach, FL 33401. He also may be reached by telephone at (561) 616-8880 extension 210, or by email at Brandon.Howard@noaa.gov.

Sincerely,

/ for 

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:

COE, (Andrew.W.Phillips@usace.army.mil)
FWS, (Todd_Mecklenborg@fws.gov)
FDOT, (Brian.Stanger@dot.state.fl.us)
FDOT, (Hannah.Hernandez@dot.state.fl.us)
CH2M Hill, (Rosanne.Prager@CH2M.com)
F/SER47, Howard, Getsinger

**STATE GOVERNMENT/AGENCY
CORRESPONDENCE**

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
(FDACS)**

DIVISION OF FORESTRY (DOF)

CORRESPONDENCE



Florida Department of Agriculture and Consumer Services
 CHARLES H. BRONSON, Commissioner
 The Capitol • Tallahassee, FL 32399-0800
 www.doacs.state.fl.us

July 9, 2007

Please Respond to:

Division of Forestry
 Forest Management Bureau
 3125 Conner Blvd. C-25
 Tallahassee, FL 32399-1650
 Telephone: (850) 488-6611
 Fax: (850) 921-6724

George Lovett
 Director of Transportation Development
 Florida Department of Transportation, District V
 719 South Woodland Boulevard MS 503
 Deland, Florida 32720-6834

RECEIVED

JUL 13 2007

CH2M HILL/ORL

Dear Mr. Lovett,

The Division of Forestry (Division) has reviewed the alignment alternatives for the Wekiva Parkway that were presented for public preview in the Summer of 2006 and at the Environmental Advisory Committee meeting in February 2007. Seminole State Forest (SSF), which is managed by the Division, will be impacted by the Wekiva Parkway as indicated in the current alternatives. The following comments are provided to indicate the Division's preferred alternatives, note any concerns and to address potential mitigation or land exchanges.

Lake County East CR46A Realignment

Preferred alternative for the Lake County East CR46A Realignment is Alternative 2. This realignment does not directly impact SSF other than to change the route used to access existing gates. The Division recommends the closure of the portions of CR46A that are not needed for local access. The Division does not support Alternative 1C that crosses the western portion of SSF or Alternative 1D which leaves in place a significant impediment to the western wildlife corridor.

Lake County East Local Access

Of the five Alternatives provided for the Lake County East Local Access, Alternative 5 is preferred. This alternative is desirable as it closely follows the footprint of the existing SR46. The two full diamond interchanges of Alternative 5 allow for the closure of SR46 adjacent to the central bridged area. This central bridged area is in the location of the first wildlife crossing installed on SR46 and represents the most frequently used wildlife corridor between SSF and Rock Springs Run State Reserve. The Division recommends the closure and removal of the portions of the existing SR46 that would no longer be needed for local access, in order to facilitate wildlife crossing.



George Lovett
Director of Transportation Development
Florida Department of Transportation
July 9, 2007
Page 2

Alternative 5 depicts a retention pond on approximately five acres just to the west of the Wekiva River. This parcel is surrounded by Seminole State Forest with ownership being approximately half private (Smialek) and half DOT. This parcel would be valuable to acquire as part of SSF to smooth out the southern boundary. The Division does not support the location of a retention pond on this parcel or on any adjacent public lands but would favor the use of natural flow conveyances.

Seminole staff members have worked with the representatives from the consultant CH2MHILL regarding maintaining current access to SSF. Lake County East Local Access Alternative 5 will not alter current access points. All of the alternatives being considered will allow safer public access to the south entrance of the forest. The Division requests that appropriate signage be installed to direct the public to the main south forest entrance currently located on the north side of SR46, opposite the intersection with Wekiva River Road.

Mitigation

The Division suggests that replacement acreage be provided for any portions of SSF that are used for Wekiva Parkway construction. This suggested replacement acreage should be within the Wekiva-Ocala Connector area and within the optimal boundary established for SSF. There are two small parcels of Seminole State Forest that are situated between CR46A and SR46 that would be impacted by nearly all of the alternatives. The Division recommends that DOT work with the Division of State Lands within the Department of Environmental Protection to replace the acres impacted from this project and add acres back to SSF.

All roadway designs should consider minimizing the necessity to move the gas line easement that parallels the existing SR46 further into the adjacent public lands.

If portions of CR46A and SR46 are closed, it is recommended that management of the closed sections be assigned to the adjacent public lands. Where practical, mitigating the restoration of the abandoned right-of-way to natural grade and replacement of vegetation along the closed road section would greatly improve wildlife movement.

George Lovett
Director of Transportation Development
Florida Department of Transportation
July 9, 2007
Page 3

Given the potential for dangerous wildfires in this area and the difficulties that an elevated and non-elevated high-speed highway will cause for prescribed burning, mitigation should include permanent electronic warning signs equipped with remote sensing weather stations to be located at strategic points along the parkway route that passes through or adjacent to the public lands.

The location of the signs needs to be accessible by the Division of Forestry or other emergency management agencies for warning of smoke on the highway and lowering of the speed limit during severe events in order to protect public safety. This suggested mitigation would be the minimum acceptable since the department of Environmental Protection and/or the Board of Trustees may have additional mitigation criteria associated with the impacts to conservation lands.

The Division of Forestry supports the recommendations from the Wekiva Coalition as it relates to this project. The Division welcomes the opportunity to continue to work with the Orlando-Orange County Expressway Authority throughout the parkway planning and construction phases to ensure that impacts to Seminole State Forest are minimized. The Forest is a fundamental link for the wildlife corridor between the Wekiva Basin and the Ocala National Forest. Every effort should be taken to preserve this link and to reduce barriers to wildlife movement.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

A handwritten signature in black ink that reads "Mike Long". The signature is fluid and cursive, with the first name "Mike" and last name "Long" clearly distinguishable.

Mike Long, Director
Division of Forestry

cc Mike Snyder, Orlando – Orange County Expressway Authority
Mark Callahan, CH2MHILL
Winnie Schreiber, Withlacoochee Forestry Center Manager
Joe Bishop, Forestry Supervisor II, SSF
Dennis Hardin, Forest Ecologist

From: Callahan, Mark/ORL
Sent: Tuesday, July 24, 2007 6:17 PM
To: Stewart, Linda
Cc: Stivender, Jim - Lake County; brian.stanger@dot.state.fl.us; Lewis, David/ORL
Subject: FW: CR 46A

Attachments: C-5 CR46A All Align Graphic.pdf; M Long Ltr 7-9-07.pdf
[Clarification from Division of Forestry.](#)

From: Lewis, David/ORL
Sent: Tuesday, July 24, 2007 6:12 PM
To: Callahan, Mark/ORL
Subject: FW: CR 46A

[For your response to Comm. Stewart.](#)

From: Bishop, Joe [mailto:bishopj@doacs.state.fl.us]
Sent: Tuesday, July 24, 2007 6:07 PM
To: Lewis, David/ORL
Cc: Long, Mike; Hardin, Dennis; Schreiber, Winnie; Mousel, Keith; Lovett, Ray
Subject: RE: CR 46A

Dave,

The reference to CR46A Realignment Alternative 2 in Mike Long's letter should have indicated Alternative 1A. The reference to Alternative 2 was from the older concept. The desire of the Division is to have the CR46A realignment are far to the west of the forest as possible and for the south widening of SR46.

Joe Bishop
Forestry Supervisor II
Seminole State Forest
Division of Forestry
9610 CR44
Leesburg, FL 34788
Office) 352-360-6677
Suncom) 668-6677
Fax) 352-315-4488

-----Original Message-----

From: David.Lewis2@CH2M.com [mailto:David.Lewis2@CH2M.com]
Sent: Tuesday, July 24, 2007 5:27 PM
To: Bishop, Joe
Cc: mark.callahan@ch2m.com
Subject: CR 46A

Joe:

In Mike Long's July 9, 2007 letter to George Lovett, his reference to CR 46A Realignment **Alternative 2** (highlighted in the attachment) has created some confusion among other stakeholders. That is an older alternative concept which would widen SR 46 to the south in the area of the CR 46A intersection. With the acquisition of Neighborhood Lakes, all concepts for some time now have shown the south widening of SR 46 under Alternative 1; you will recall as you review the attached graphic that we have been evaluating and discussing options for the realignment of Alternative 1 over the past months. Indeed, Mr. Long's letter indicates the Division of Forestry opposes Alternatives 1C and 1D, so I think what he meant to say is Alternative 1A or other similar alignment further to the west away from the Seminole State Forest

would be preferable. See the excerpt below from the March 20, 2007 meeting with you and FDEP*.

Please confirm, at your earliest convenience, that the reference in the letter to the older Alternative 2 was actually meant to indicate the Division of Forestry's preference for a CR 46A realignment alternative further to the west, such as Alternative 1A, with SR 46 widening to the south.

Thank you,

Dave

*Lake County: CR 46A Realignment

Mr. Callahan, referring to aerial based concept display boards, discussed the CR 46A Realignment alternatives. He said the west right-of-way line for Alternative 1 is on the property line of Scott Taylor's land and the Heathrow County Estates development. Other alternatives developed at the request of the Heathrow Country Estates Homeowners Association include: Alternative 1A - 50 feet east of the property line; Alternative 1B - 800 feet east of the property line; Alternative 1C - 2,700 feet east of the property line and into the Seminole State Forest; and Alternative 1D - along the existing CR 46A alignment through the Seminole State Forest. Mr. Callahan indicated he had told the Homeowners Association that Alternatives 1C and 1D are inconsistent with the Wekiva Parkway and Protection Act and he could not recommend either of them. Otherwise, Alternatives 1, 1A and 1B are acceptable and the landowners will be asked to decide which one is mutually agreeable. Someone on the phone from Tallahassee indicated FDEP would prefer Alternative 1 in light of acquisition discussions with landowner Scott Taylor for property to the north. The FDEP representatives and Joe Bishop indicated a letter would be prepared strongly objecting to Alternatives 1C and 1D.



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800
www.doacs.state.fl.us

Please Respond to:
Division of Forestry
3125 Conner Blvd
Tallahassee, FL
32399-1650

September 23, 2007

Mr. Brian Stanger
Florida Department of Transportation – District 5
719 South Woodland Boulevard, MS 542
DeLand, Florida 32720

Subject: Statement of Significance Seminole State Forest
Wekiva Parkway/SR 46 Realignment PD&E Study
Financial Project ID.: 238275 1 22 01 and 240200 1 22 01
Lake and Seminole Counties, Florida

Dear Mr. Stanger:

Attached are answers to the questionnaire supplied Ms. Kathleen Jorza of CH2M Hill and designed to facilitate the Determination of Applicability for Section 4(f) lands for the Wekiva Parkway PD&E Study. We believe the Seminole State Forest is very important to wildlife and public recreation and that development of the Wekiva Parkway may have significant impacts to recreation, access, wildlife and prescribed burning.

The Seminole State Forest contains 27,063 acres located north of SR 46 in Lake County, within the Wekiva River Protection Area. The forest was purchased with State Conservation and Recreation Land (CARL), Florida Forever and Save Our Rivers Funds, and is managed by the Florida Department of Agriculture and Consumer Services, Division of Forestry. The Florida Game and Fresh Water Fish Commission is a cooperating agency responsible for wildlife management within the forest. The Trustees of the Internal Improvement Trust Fund of the State of Florida hold title to the majority of the forest. The St. Johns River Water Management Authority owns 2,922 acres.

The Seminole State Forest is managed under the multiple use concept (see Florida Statutes Chapter 253.034(1)(a) and Chapter 589.04(3)) and offers many benefits to Florida's citizens and visitors. Management of the forest promotes recreation, timber, wildlife, wildlife



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Mr. Brian Sanger
 September 23, 2007
 Page 2

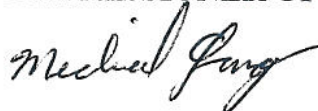
habitat, endangered species, watersheds, environmental education and many other values. Recreation opportunities include hiking, horseback riding, primitive camping, canoeing, wildlife viewing, fishing and hunting. Two hiking trails (Lower Wekiva and Sulphur Island) are included in the Florida Division of Forestry's Trailwalker Hiking Program and three horse trails are included in the Trail Trotter Program. Public parking areas and trailheads are located at the entrance on SR46 just west of the Wekiva River and on Brantley Branch Road in Cassia. In addition, five service entrances are located along SR 46 and nine service entrances are located along CR 46A.

Seminole State Forest is a component of the Wekiva-Ocala Greenway. The forest is located within the Wekiva River Protection Area as defined by Chapter 369, Part II, Florida Statutes. The Wekiva River and portions of its tributaries are designated as a National Wild and Scenic River, an Outstanding Florida Water, and an Aquatic Preserve. Management of the forest's natural resources has a significant role in the protection of the environmentally and ecologically sensitive Wekiva River Basin.

Seminole State Forest is a significant resource in meeting the conservation and recreational goals and objectives of the State of Florida due to the above mentioned natural resources and resource-based recreational opportunities. This letter as requested has been provided for documentation required for the evaluation and Determination of Section 4(f) Applicability on the Wekiva Parkway/SR 46 Realignment PD&E Study. Please let me know should you have any questions or need any additional information pertaining to our facility.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE



Mike Long, Director,
 Division of Forestry

Attachment

MCL/jb/edh

Cc: Winnie Schreiber, Withlacoochee Forestry Center Manager
 Ray Lovett, Lake Forest Area Supervisor
 Kathleen Jorza, CH2M Hill



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1. What is the location and size of the property?

Seminole State Forest is located in Lake County, north of SR 46. The forest is bounded on the east by the Wekiva River and the Lower Wekiva River Preserve State Park. Seminole Woods/Swamp is located to the west of the forest, and Rock Springs Run State Reserve and the Wekiva River Mitigation Bank (formerly known as New Garden Coal) are located south of the forest, separated by SR 46 and a small cluster of rural residential and commercial parcels.

2. What is the current and undeveloped acreage of the property?

Seminole State Forest is 10,952 hectares (27,063 acres) in size. Almost all of the property is undeveloped with the exception of a few management and recreational facilities.

3. Who owns the property and who is responsible for maintenance?

The majority of Seminole State Forest is owned by the State of Florida Board of Trustees of the Internal Improvement Trust Fund. The St. Johns River Water Management Authority owns 2,922 acres. The forest is managed by the Florida Department of Agriculture and Consumer Services, Division of Forestry. The Florida Game and Fresh Water Fish Commission is a cooperative manager and is responsible for wildlife management.

4. What type of facility is it and what is the overall function of or the available activities (i.e., ball playing, swimming, boating, etc.) on the property?

The property is designated a state forest and is managed under the multiple use concept (see Florida Statutes Chapter 253.034(1)(a) and Chapter 589.04(3)) and offers many benefits to Florida's citizens and visitors. Management of the forest promotes recreation, timber, wildlife, wildlife habitat, endangered species, watersheds, environmental education and many other values. Disturbed areas are to be restored to functioning natural communities. Recreation opportunities include hiking, horse back riding, primitive camping, canoeing, wildlife viewing, fishing and hunting. Two hiking trails (Lower Wekiva and Sulphur Island) are included in the Florida Division of Forestry's Trailwalker Hiking Program and three horse trails are included in the Trail Trotter Program.

5. Is parking provided? If so, how many spaces are allocated?

Twenty parking spaces are provided at the north entrance and twenty parking spaces are provide at the south entrance.

6. Are there any plans for proposed facilities? Are there any descriptions and/or maps of the facility available?

An upgrade to the restroom facilities is planned for the south parking area and the installation of a composting toilet is planned for the north parking area.

7. What type of access (pedestrian and vehicular) is provided to the facility? What is the approximate number of visitors to the property per year?

Two primary access points on the north and south end of the forest provide parking for dispersed recreation and access for pedestrians, motor vehicles, equestrians and bicycles. Approximately 55,000 visitors enter the forest each year.

8. What is the relationship to other similarly used lands in the vicinity?

The surrounding land uses are conservation and agricultural and include the Wekiva River Basin State Parks (Wekiwa Springs State Park, Rock Springs Run State Reserve, and Lower Wekiva River Preserve State Park) and three of four parcels identified for acquisition in the Wekiva Parkway and Protection Act (Seminole Woods, Wekiva River Mitigation Bank, and Neighborhood Lakes). These lands are existing and proposed components of the Wekiva-Ocala Greenway.

9. Are there any utility crossings?

Florida Gas Transmission operates two gas lines that traverse the southern portion of the forest just north of the SR46. Embark telephone and Sumter Electric COOP provides service to management facilities and residential facilities on the forest and crosses small portions of the forest to provide service to adjacent landowners.

10. Are there any known clauses that affect the ownership or jurisdiction of this property (i.e., lease, easement, covenants, restrictions, etc.)?

The majority of the property is operated under Lease/Management Agreement No.: 3936 with the Florida Department of Environmental Protection. A separate management lease agreement with St. Johns River Water Management District applies to 2,922 acres. St. Johns River Water Management District has a conservation easement. Some areas have outstanding mineral rights. The forest has no surplus acres. Various utility and ingress/egress easements are in effect for adjacent or landlocked landowners.

11. Are there any unusual characteristics of the property (i.e., flooding problems, terrain conditions, or other features, etc.) that either reduce or enhance the value of all or part of the property?

The property has significant ecological diversity which includes almost all of the naturally occurring vegetative communities found in Central Florida. The forest has over 5000 acres of scrub and has a scrub jay population of approximately 130 birds. Historically, the area in and around Seminole State Forest has had a high potential for wildfires. Prescribed fires on the state forests and other adjacent public lands can reduce the threat of wildfires but, as long as fuel levels remain high, the area will continue to be prone to large wildfires.

12. Were any Land and Water Conservation Funds (LWCF) used to purchase and/or make improvements to this property?

No. The forest was purchased with Preservation 2000, Florida Forever and Save Our River program funds.



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800

Please Respond to:
Division of Forestry
Forest Management Bureau
3125 Conner Blvd. / C25
Tallahassee, FL 32399-1650

May 30, 2008

Brian Stanger, Environmental Engineer
Fifth District Office
Department of Transportation
719 South Woodland Boulevard
Deland, Florida 32720

Dear Mr. Stanger:

The Division of Forestry (DOF) has reviewed the information provided in the Determination of Section 4(f) Applicability for the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study, October 2007. We appreciate your efforts to reduce the adverse effects of the project on the Seminole State Forest (SSF), and on your willingness to work with our staff and address our issues during this process. We appreciate your consideration and selection of an alternative that provides two full interchanges between CR46A and the Wekiva River, closes the existing section of SR46 between these points, and re-aligns CR46A to the west of the SSF.

Our understanding is that the preferred alternative includes a bridge across the Wekiva River spanning approximately 2,150 feet, an eastern wildlife bridge spanning approximately 4,000 feet, a western wildlife bridge spanning approximately 1,957 feet, and a bridge on the Neighborhood Lakes property spanning approximately 800 feet. We believe these lengths represent the minimum needed to ensure adequate connectivity and do not support any further reductions in the bridged spans.

The DOF does not support the location of the retention pond on the north side of the Parkway immediately to the west of the Wekiva River. Instead, it would be favorable for the property to become part of the SSF and to be used to offset other areas directly impacted by the Parkway. Two small parcels of SSF that lie between CR46A and SR46 should be considered for retention ponds to reduce impacts elsewhere. These small parcels cannot be effectively managed as State Forest land now, or with the current Parkway design. The Cabanas property to the north of CR46A will be partially affected by the Parkway. The unaffected portion of the property should be considered as replacement acreage for areas impacted on Seminole State Forest.



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Mr. Brian Stanger
May 30, 2008
Page Two

On page 18, item number 7, "Access and Approximate Number of Visitors Per Year" the number of visitors to SSF should be changed from 55,000 to 32,000 per year.

Although the Determination document and the coordination thus far are an important effort toward minimizing and mitigating the impacts of the project to the land base and to wildlife, we continue to believe the most significant impact will be to fire management of the public land in the vicinity of this project. We believe this impact will be more important than the small percentage of public land that is directly impacted, and is arguably more important than the potential impacts to wildlife. Without active and effective fire management on the tens of thousands of acres of public land that occur in the Wekiva Basin Ecosystem, these lands will lose significant wildlife and recreational value. On the SSF alone, our long-term goal is to prescribe burn between 3200 and 8900 acres per year. Without an effective prescribed fire program on these lands to reduce fuels and maintain appropriate wildlife habitat, the potential for catastrophic wildfire increases with a resulting increase in the potential for serious accidents and road closures. We believe that permanent lighted signs that can be used to caution drivers and to reduce speed limits during smoke events, and remote weather stations that can be accessed by the agencies to obtain immediate and highly localized weather information are some of the solutions that must be implemented. While we agree that many important steps have been taken to minimize and mitigate the effects of this project, we are very concerned that the impact to fire management, which is the most important and long-lasting impact on wildlife, recreation and driver safety have been put off to the final design and construction phases. We can only hope that the Department of Transportation and its agents will recognize the serious nature of this concern and show the same willingness to consider this issue work with our staff as they have on the other issues.

Please contact me or Dr. Dennis Hardin (hardind@doacs.state.fl.us) or 850/414-8293 if you have additional questions or would like to discuss this further.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE



Mike Long, Director
Division of Forestry

MCL/edh

Cc: Winnie Schreiber, Withlacoochee Center Manager
Joe Bishop, Forestry Sup. II, Seminole State Forest



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

April 21, 2009

Mr. James R. Karels, Director
Division of Forestry
Florida Department of Agriculture and Consumer Services
3125 Conner Boulevard/C25
Tallahassee, Florida 32399-1650

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Section 4(f) Public Lands – Seminole State Forest

Dear Mr. Karels:

On behalf of the Federal Highway Administration (FHWA), in consultation with the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, we hereby request a concurrence letter from the Florida Department of Agriculture and Consumer Services (FDACS), Division of Forestry concerning the proposed Wekiva Parkway project and the subject Section 4(f) public lands. We have previously coordinated on this matter with your predecessor Mr. Mike Long, and he provided, at our request, an opinion letter (copy attached) dated May 30, 2008 on the minimization of impacts to the subject Section 4(f) lands.

FHWA requires that we obtain a concurrence letter from "the officials having jurisdiction over the Section 4(f) lands" which provides the following specific information concerning the impacts of the proposed Wekiva Parkway project on Seminole State Forest:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;
- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

Mr. James R. Karels
 April 13, 2009
 Page 2

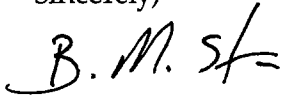
To assist you in preparation of the requested concurrence letter, information previously provided to the Division of Forestry in October 2007 in the *Determination of Section 4(f) Applicability* document is restated below:

- **Impairment to Section 4(f) Resource:** The amount and location of the land used for the proposed Wekiva Parkway project does not impair the use of the remaining Section 4(f) land, in whole, or in part for its intended purpose. Approximately 65 acres of Seminole State Forest will incur direct use impacts due to right-of-way requirements for roadway and stormwater ponds. A section of existing CR 46A from the northern limits of the CR 46A realignment to just northwest of the properties in the vicinity of the "hump" in SR 46 will be removed. As a result, approximately 13 acres of the existing CR 46A right-of-way will be added to Seminole State Forest due to the proposed improvements. The net impacts of approximately 42 acres represent less than 0.2 of one percent of the existing 27,063 acres. Approximately 4 acres will be required for the relocation of the existing 50-foot Florida Gas Transmission easement adjacent to the existing north right-of-way line of SR 46. Temporary impacts will occur within the 50-foot easement as a result of relocating the gas pipeline.
- **Proximity Impacts:** Proximity impacts, such as water runoff, visual intrusion, access and vibration, are not expected as a result of the proposed Wekiva Parkway project. It is unlikely that the proposed improvements will substantially impair the function, integrity, use, access, value or setting of this resource. Noise impacts are not expected to impact the existing primitive camping facilities due to the distance between the facilities and the proposed roadway. Stormwater treatment ponds are planned throughout the proposed corridor to provide treatment and to prevent the degradation of water quality due to the proposed project.
- **Assessment of Impacts Concurrence:** FDOT sent a written request on October 29, 2007 to the Division of Forestry land managers of the Seminole State Forest to provide their opinion on the minimization of project impacts and proposed mitigation measures. The response letter from the Division of Forestry dated May 30, 2008 states "We appreciate your efforts to reduce the adverse effects of the project on the Seminole State Forest and your willingness to work with our staff and address our issues during this process".

We look forward to receipt of the requested concurrence letter from the Division of Forestry, which specifically addresses items 1, 2 and 3 above, at your earliest convenience. If you have any questions or require further information, please contact me at (386) 943-5391 or Mr. Mark Callahan of CH2MHILL at (407) 423-0030.

Mr. James R. Karels
April 13, 2009
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "B. M. Stanger". The signature is fluid and cursive, with the first name "B." and last name "Stanger" clearly legible.

Brian Stanger, P.E.
District Environmental Management Engineer

Copy: Joe Bishop, Forestry Supervisor II, Seminole State Forest
Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority
Bob Gleason, Environmental Administrator, FDOT District 5
Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
File: 324126 (C19)

Attachments: FDACS, Division of Forestry letter dated May 30, 2008



Florida Department of Agriculture and Consumer Services
 CHARLES H. BRONSON, Commissioner
 The Capitol • Tallahassee, FL 32399-0800
www.doacs.state.fl.us

Please Respond to:
 Florida Division of Forestry
 3125 Conner Boulevard
 Tallahassee, Florida 32399-1650
 Phone: 850-488-4274

May 27, 2009

Mr. Brian Stanger, P.E.
 District Environmental Management Engineer
 Florida Department of Transportation
 719 South Woodland Boulevard
 Mail Station 501
 DeLand, Florida 32720

Subject: Section 4(f) Public Lands – Seminole State Forest
 Wekiva Parkway (SR 429)/SR 46 Realignment
 Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01

Dear Mr. Stanger:

This is in response to your letter of April 21, 2009, requesting a concurrence letter from the Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) concerning the subject referenced above. We appreciate your continued coordination with DOF on this project and, as stated previously, your efforts to reduce the adverse effects of the project on Seminole State Forest. As we stated in our letter to you of May 30, 2008, we believe the most significant impact will be to fire management of the public land in the vicinity of this project. Impacts on fire management seriously impair the use of the Section 4(f) land for its intended use. Because this issue has not been specifically addressed, we are unable to issue a full concurrence letter at this time.

The inhibitory impacts on prescribed burning programs by transportation facilities are well-demonstrated. Inhibitions to prescribed burning often result in the accumulation of fuels to dangerous levels that then result in wildfires. Smoke on the highway from either source is a safety hazard for motorists. Successional changes in vegetation due to declines in prescribed fire decrease the habitat suitability for many wildlife species known to inhabit Seminole State Forest, such as the Florida scrub jay. Wildfires cause serious damage to forests and impair their use for recreation and silvicultural management. We would rather not postpone the address of this issue until later in the design effort and believe it needs to be addressed by commitments sooner rather than later.



Mr. Brian Stanger, P.E.
May 27, 2009
Page Two

As referenced in our May 30, 2008, letter, we recommended installation of permanent, overarching, lighted, variable message signs at each end of the segment through public lands. Possible locations for these are west of the interchange that is west of Wildlife Crossing 1, and east of the Wekiva River Crossing. We believe these signs are essential to notify motorists of dangerous smoke conditions on the Parkway and to reduce speed or even to reroute traffic under the most severe conditions. A protocol for accessing the signs should be developed that involves the DOF, Division of Recreation and Parks in the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Florida Highway Patrol, DOT and local law enforcement agencies. Also, as stated in our May 30 letter, we believe one or more remote weather stations should be placed in this segment. The data from these stations should be accessible by agencies that conduct prescribed burning and that fight wildfires in order to obtain localized weather information that can be used in conducting burns or fighting wildfires.

Referring to our May 30, 2008, letter, we agree that many important steps have been taken to minimize and mitigate the effects of this project. We are very concerned that the impact to fire management has not been addressed at all and is not even mentioned in Endangered Species Biological Assessment. As previously stated, we believe that impacts to fire management are the most important and long-lasting impacts to wildlife, recreation and driver safety. These impacts are not mitigated by land acquisition.

We can concur that the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land. The approximately 65 acres of direct use impacts due to right-of-way requirements for roadway and stormwater ponds are probably the minimum that could be impacted and still construct a road that balances the interests of these conservation lands and transportation requirements. Approximately 13 acres of the existing CR 46A right-of-way will be removed and added to the Seminole State Forest. An additional 4 acres will be required for the relocation of the existing Florida Gas Transmission easement.

Pertinent to this point, we would like to have further discussion concerning the stormwater treatment pond located just west of the Wekiva River crossing and north of the Parkway. Our preference would be to relocate this pond and make the parcel part of the State Forest. Alternatively, we believe the area should be evaluated for the potential to use a flowage easement similar to what is being engineered for the widening of Interstate 75 through the Croom Tract of the Withlacoochee State Forest. This alternative uses flowage easements to direct stormwater to existing wetlands and depressions and negates the need for massive and unsightly dry holding areas. If there is no feasible solution but to construct the holding area, we would like to see the pond engineered to look as natural as possible to maintain visual quality objectives. Doing so would involve construction of a firebreak and fencing only along the southern boundary with the Parkway and would allow burning up to the edge of the holding area on the north, west and east boundaries.

Mr. Brian Stanger, P.E.
 May 27, 2009
 Page Three

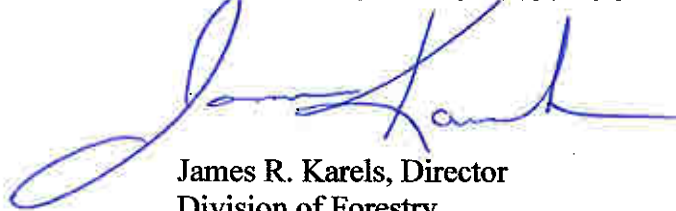
We cannot fully concur that the proximity impacts of the project on the remaining Section 4(f) land will not impair the use of such land for its intended purpose because the issue of smoke management has not been addressed, as described above. We can concur that proximity impacts, such as water runoff, noise, access and vibration, are not expected as a result of the proposed Wekiva Parkway Project. Unless the issue of smoke management is addressed, we believe the proposed project will substantially impair the function, integrity, use, value and setting of this resource.

This project in its current form will inhibit our ability to conduct prescribed burning. Without prescribed fire, fuels will accumulate and an area already known for its wildfire severity will suffer increased wildfire frequency. Smoke events from wildfires are very likely to affect the safety of motorists on this highway.

We would be happy to have further discussions with you on this subject. If you have any questions, please contact me or Dr. Dennis Hardin, Forest Ecologist (850/414-8293; hardind@doacs.state.fl.us) or Mr. Joe Bishop, SSF Forestry Supervisor II (352/360-6677; bishopj@doacs.state.fl.us).

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE



James R. Karels, Director
 Division of Forestry

JRK/edh

cc: Dennis Hardin, Forest Ecologist, DOF
 Joe Bishop, Forestry Supervisor II, Seminole State Forest
 Winnie Schreiber, Withlacoochee Forestry Center Manager
 Bob Gleason, Environmental Administrator, FDOT District 5
 Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
 Tim Breault, Director, Division of Habitat & Species Conservation, FFWCC
 Albert Gregory, Division of Recreation & Parks, FDEP/ DSL
 David Hankla, USFWS



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

May 29, 2009

Mr. James R. Karels, Director
Division of Forestry
Florida Department of Agriculture and Consumer Services
3125 Conner Boulevard/C-25
Tallahassee, Florida 32399-1650

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Section 4(f) Public Lands - Seminole State Forest

Dear Mr. Karels:

Thank you for your correspondence of May 27, 2009 (copy attached) in response to our request for a concurrence letter from the Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) concerning the proposed Wekiva Parkway project and the subject Section 4(f) public lands. We appreciate the concurrence provided by DOF on certain specific items. This letter is meant to address the concerns you expressed, especially in regard to fire management.

Over the past three years, we have coordinated with Mr. Joe Bishop, Forestry Supervisor II for Seminole State Forest, during the development of Wekiva Parkway alignment and access alternatives. We have discussed maintaining existing access points to Seminole State Forest and the provision of additional or replacement access, as appropriate. We have coordinated with Mr. Bishop, as well as the Florida Department of Environmental Protection (FDEP) Division of Recreation and Parks, to make certain that proposed project bridges will provide sufficient vertical clearance to accommodate fire management vehicles and equipment. Mr. Bishop has made it clear, as has DOF in the letter of May 30, 2008 and in your letter of May 27, 2009, that prescribed burns and smoke management are of paramount importance. That is understood and the significance to DOF is recognized by FDOT.

Since PD&E Studies are based on preliminary engineering of conceptual alternatives, specific items such as the two variable message signs suggested by DOF are usually not addressed until the final design phase. However, we will certainly commit to address that issue, in close coordination with DOF, early in the development of project design and construction plans. At FDOT, as at DOF, safety is always the primary consideration.

Mr. James R. Karels
May 29, 2009
Page 2

With regard to the stormwater pond and your suggested alternative for a flowage easement, we have previously discussed that type of approach in this portion of the project area with FDEP Central District staff. It may be a viable option, particularly in the vicinity of state conservation and park lands, for more compatibility with the natural environment. FDEP has indicated that approach should be further detailed and discussed during final drainage design, in order to adequately address any related permitting issues.

We hope this correspondence is responsive to your expressed concerns. We look forward to continued coordination with DOF as this important project progresses. If you have any questions or require further information, please contact me at (386) 943-5391 or by email at Brian.Stanger@dot.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "B. M. Stanger", with a stylized flourish at the end.

Brian Stanger, P.E.
District Environmental Management Engineer

Copy: Joe Bishop, Forestry Supervisor II, Seminole State Forest
Dennis Hardin, Forest Ecologist, Division of Forestry
Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority
Bob Gleason, Environmental Administrator, FDOT District 5
Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
File: 324126 (C19)

Attachment: Division of Forestry letter dated May 27, 2009

Information on Revision of the Wekiva Parkway Alternative in East Lake County*

The Wekiva Parkway & Protection Act (Florida Statutes, 2004) required that SR 46 in east Lake County west of the Wekiva River not be a continuous roadway for environmental reasons. As recommended by the Lake County Commission, the Wekiva River Basin Commission, and the Florida Department of Environmental Protection (in keeping with the mandates of the Act), the plans for Wekiva Parkway in east Lake County eliminated SR 46 as a through road from the Neighborhood Lakes area eastward to the Wekiva River. Those are the Wekiva Parkway plans that the Division of Forestry (DOF) has seen previously in our Section 4(f) coordination. At the time the Act was passed, it was assumed the Wekiva Parkway would not be a tolled roadway. However, after an extensive financial analysis estimated the total cost of construction of the project at \$1.8 billion, and with declining transportation dollars available to the Florida Department of Transportation (FDOT), it became evident that the Wekiva Parkway from SR 429 near Apopka in northwest Orange County through east Lake County to I-4 near Sanford in west Seminole County would not be financially feasible without tolls.

Citizens in the east Lake County area who live and work along existing SR 46 expressed concerns over having to pay a toll for a local trip. Local and state elected officials also expressed those concerns on behalf of their constituents. In mid 2009, the Orlando-Orange County Expressway Authority (OOCEA) and FDOT began analyzing options to provide a non-tolled service road in east Lake County along the Wekiva Parkway route. In response to those citizen and elected official concerns, a service road concept has been developed. The service road, which would be parallel to and on the north side of the Wekiva Parkway in east Lake County, is within the 300 foot right-of-way previously identified for the Wekiva Parkway (attached are two graphics which depict the alignment and the typical section; please zoom in on the PDF of the alignment for greater detail). The alignment of the Wekiva Parkway has not been changed. The previous Wekiva Parkway alternative had two local access interchanges west of the Wekiva River in east Lake County due to the elimination of SR 46. With the service road, those interchanges are no longer needed and impacts to Seminole State Forest lands have been reduced by approximately 8.2 acres, as shown below.

<u>Estimated Impact on Seminole State Forest Land</u>	
Previous Wekiva Parkway Alternative	64.7 acres
Wekiva Parkway Alternative with Service Road	<u>56.5 acres</u>
Estimated Impact Reduction	8.2 acres

A Public Workshop on the service road alternative was held in Sorrento, Florida on December 17, 2009. FDOT and OOCEA are now moving ahead to revise the previous recommended Preferred Alternative for Wekiva Parkway in east Lake County to include the service road. We have been coordinating with Federal Highway Administration (FHWA) on the programmatic Section 4(f) evaluation for public lands, which includes Seminole State Forest. After you have had an opportunity to review this information on the service road and the resultant reduced impacts to Seminole State Forest, FHWA has indicated they would like to meet with DOF, FDOT and OOCEA in Tallahassee to discuss resolving the outstanding DOF concerns so we may reach agreement on Section 4(f) concurrence for potential proximity impacts and mitigation.

I will contact you about the scheduling of and arrangements for that meeting with FHWA. In the meantime, if DOF has any questions about the service road concept, please contact Mr. Dave Lewis of CH2M HILL at (407)423-0001 Ext. 281.

*** Information provided in an email from Bob Gleason, FDOT District 5 to James Karels, DOF Director and Joe Bishop, Seminole State Forest Supervisor on February 8, 2010.**



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 503
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

March 25, 2010

Mr. James R. Karels, Director
Division of Forestry
Florida Department of Agriculture and Consumer Services
3125 Conner Boulevard/C25
Tallahassee, Florida 32399-1650

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
*Letter of Commitment Concerning Potential Impacts
to Section 4(f) Public Lands - Seminole State Forest*

Dear Mr. Karels:

As you know from previous coordination and correspondence, District Five of the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (OOCEA) are jointly conducting the subject PD&E Study for the proposed Wekiva Parkway project. As an integral part of that process, FDOT and OOCEA have coordinated on preliminary engineering over the past several years with Mr. Joe Bishop, the Division of Forestry (DOF) Supervisor for the Seminole State Forest, in order to minimize the potential impacts of the project on Seminole State Forest lands. We recently provided to DOF the attached information on the revised alternative in east Lake County which includes a service road for local trips. The service road allows the removal of two previously proposed local access interchanges which, along with the estimated 13 acres of existing CR 46A right-of-way that will be added to SSF as a result of the proposed project, further reduces the potential impact to Seminole State Forest to a net of approximately 45 acres. We have also communicated with you and Mr. Bishop during the on-going programmatic Section 4(f) evaluation process, in which you indicated in previous correspondence (please see attached letter of May 27, 2009) that certain specific commitments must be made by FDOT and/or OOCEA in order to gain DOF's full Section 4(f) concurrence.

As previously discussed with DOF, the Federal Highway Administration (FHWA) requires that officials with jurisdiction over Section 4(f) lands must fully concur with the following three items concerning potential impacts:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;

Mr. James Karels, Director
 Division of Forestry
 March 25, 2010
 Page 2 of 3

- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

In your letter of May 27, 2009, you stated that DOF fully concurs with Item 1 above. However, you indicated that DOF could not fully concur with Item 2 or Item 3 above. In order to gain DOF concurrence your letter listed the following concerns to be resolved:

- Smoke management to avoid impairment of intended use
- Avoid impairment of ability to conduct prescribed burning
- Relocation of a stormwater treatment pond or use of a flowage easement instead

Your letter requested that FDOT and/or OOCEA commit to the following specific items prior to the design and construction phases of the proposed project:

- Installation of permanent, overarching, lighted, variable message signs at each end of the segment through public lands to notify motorists of dangerous smoke conditions;
- Placement of one or more remote weather stations in this segment to obtain localized weather information that can be used in conducting prescribed burns or fighting wildfires; and
- Relocation of a proposed stormwater treatment pond located just west of the Wekiva River and north of the Wekiva Parkway, or as an alternative, evaluation of the potential for use of a flowage easement to direct stormwater to wetlands and depressions to avoid the need for an unsightly holding area.

We have recently had further discussions with Mr. Bishop concerning the requested commitments. As a result of that coordination, FDOT and OOCEA agree to make those commitments. In return we request a letter from DOF signed by you which provides full Section 4(f) concurrence with each of the three above-listed items required by FHWA. We request that DOF specifically states in the concurrence letter that these FDOT and OOCEA commitments are adequate mitigation for the impacts of the Wekiva Parkway project on Seminole State Forest lands.

FDOT and OOCEA hereby formally commit to DOF that the following will be provided for and/or addressed in the design and construction phases of the proposed Wekiva Parkway project:

- Installation of two permanent overhead variable message signs that can be utilized to notify motorists of dangerous smoke conditions;
- Assistance to DOF in the provision of one remote weather station to obtain data that can be used in conducting prescribed burns or fighting wildfires;

Mr. James Karels, Director
Division of Forestry
March 25, 2010
Page 3 of 3

- Addressing with the Florida Department of Environmental Protection during the drainage design/permitting phase the usage of flowage easements in state forest, park and conservation lands, and;
- Actively supporting involvement of a designated DOF representative in the design and construction phases of those portions of the proposed project in the Seminole State Forest area to avoid or ameliorate any proximity impacts.

We look forward to receipt of your concurrence letter.

If there are any questions, please contact either Noranne Downs at (386)943-5474 or by email at noranne.downs@dot.state.fl.us or Mike Snyder at 407-690-5311 or by email at snyderm@oocea.com.

Sincerely,



Noranne B. Downs, P.E.
Secretary, District Five
Florida Department of Transportation



Mike Snyder, P.E.
Executive Director
Orlando-Orange County Expressway Authority

Attachments: 1) Information on revised Wekiva Parkway alternative in east Lake County
provided to DOF on February 8, 2010
2) DOF letter dated May 27, 2009

Copy: George Lovett, FDOT D5
Brian Stanger, FDOT D5
Joseph Berenis, OOCEA
Joe Bishop, DOF
Dennis Hardin, DOF
Mark Callahan, CH2M HILL
File - PN 324126



Florida Department of Agriculture and Consumer Services
 CHARLES H. BRONSON, Commissioner
 The Capitol • Tallahassee, FL 32399-0800
 www.doacs.state.fl.us

Please Respond to:
 Florida Division of Forestry
 3125 Conner Boulevard
 Tallahassee, Florida 32399-1650
 Telephone: 850-488-4274

April 9, 2010

Ms. Noranne B. Downs, P.E.
 Secretary, District Five
 Florida Department of Transportation
 Mail Station 503
 719 South Woodland Boulevard
 Deland, Florida 32720-6834

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment Impacts Section 4(f) Lands –
 Seminole State Forest

Dear Ms. Downs:

The Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) has received and reviewed your letter dated March 25, 2010 which provides specific commitments and requests our full concurrence related to the subject impacts. We understand for the programmatic evaluation the Federal Highway Administration requires that officials with jurisdiction over Section 4(f) lands must fully concur with each of the following items concerning the impacts of the proposed Wekiva Parkway project:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;
- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

We have reviewed the information and commitments that the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (OOCEA) provided to us regarding the subject impacts. In summary, the proposed Wekiva Parkway project would require approximately 58 acres of Seminole State Forest (SSF) lands. The 58 acres is about 0.21 percent of the total acreage of SSF. We agree that the amount and location of the land to be used in SSF will not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose. Therefore, DOF fully concurs with Item 1 above.



Florida Agriculture and Forest Products
 Over \$100 Billion for Florida's Economy

Ms. Noranne Downs
 April 9, 2010
 Page Two

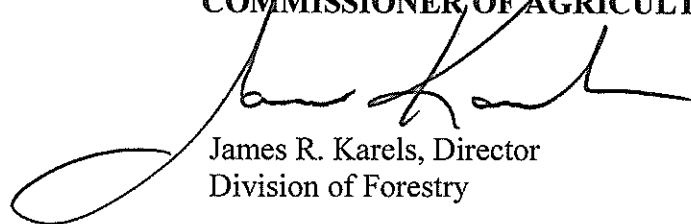
With regard to Item 2, FDOT and/or OOCEA have committed to the avoidance of any proximity impacts, particularly smoke management issues, which might impair the use of SSF for its intended purpose. Also, FDOT and/or OOCEA have committed to actively support the involvement of DOF in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of any such proximity impacts. We believe the potential acreage impacts of the Wekiva Parkway to our prescribed fire program and to smoke management of both prescribed fires and wildfires are more significant to the impairment of use of these Section 4f lands than the impacts that will occur as result of the actual foot print of the facility. The information and general commitments made by FDOT and OOCEA, and the processes of developing trust, communication and involvement we are establishing show that all parties are committed to developing specific mitigation for these impacts as the project proceeds. General mitigation approaches are addressed in the paragraph below. Therefore, DOF fully concurs with Item 2 above.

With regard to Item 3, DOF recognizes that FDOT and OOCEA have made important efforts to accommodate our requests during the preliminary engineering phase to avoid or minimize impacts to SSF, and we agree with the assessment of the impacts on the subject Section 4(f) lands. Furthermore, FDOT and/or OOCEA have made commitments in a letter of March 25, 2010, to Mr. James R. Karels, Director of DOF, and in both prior and subsequent conversations. These commitments are to install two permanent overhead variable message signs that can be used to notify motorists of dangerous smoke conditions, to provide funding up to \$75,000 (in 2010 dollars) either as advance or reimbursement to assist DOF in the provision of one or more remote weather stations to obtain data that can be used in conducting prescribed burns or fighting wildfires, and to address the usage of flowage easements during the drainage design/permitting phase. DOF hereby confirms that these commitments are adequate mitigation for the impacts of the Wekiva Parkway project on SSF. Therefore, DOF fully concurs with Item 3 above.

Please contact me if you have any questions. I may be reached at (850) 922-0135 or via email, karelsj@doacs.state.fl.us.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

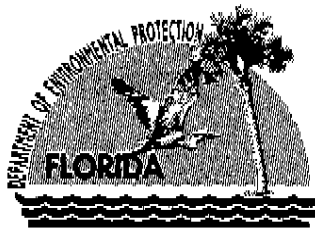


James R. Karels, Director
 Division of Forestry

JRK/edh

cc: Winnie Schreiber, Withlacoochee Center Manager
 Joe Bishop, Seminole State Forest Forestry Supervisor
 Dr. Dennis Hardin, Forest Ecologist

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)
CORRESPONDENCE



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

December 13, 2005

Mr. Mike Snyder, Executive Director
Orlando-Orange County Expressway Authority
525 South Magnolia Avenue
Orlando, Florida 32801

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Dear Mr. Snyder:

The Florida Department of Environmental Protection's Division of Recreation and Parks manages more than 39,100 acres of public lands within the Wekiva River Basin as part of Florida's state park system. These parks were acquired as part of a dedicated effort by State government to conserve lands for public outdoor recreation, wildlife habitat and watershed protection. We appreciate the work of the Orlando-Orange County Expressway Authority to further the protection of these areas while designing the Wekiva Parkway.

The Division would like to ensure that the Wekiva Parkway is constructed without harming the state parks of the Wekiva Basin. We are concerned that some of the proposed Parkway alignments and interchange locations could require the use of state park lands or have other direct or indirect effects on the parks. To prevent impacts to the parks, we request that the alignment of the Parkway follow the existing route of State Road 46 to the greatest extent possible. We also request that the location of the primary interchange with State Road 46 is thoughtfully selected to minimize any direct and indirect effects on the park. Finally, we support the elevation of the Parkway as much as possible through the State Road 46 corridor to prevent impacts on wildlife and enhance the management of public lands within the basin. At a minimum, elevations should be incorporated in the Parkway's design wherever public lands exist on both sides.

We believe that these modifications to the plan will protect Florida's valuable state parks while meeting the transportation needs of central Florida. We welcome the opportunity to discuss our concerns with you and look forward to working with your organization as this important project progresses.

Sincerely,

Mike Bullock
Director
Florida Park Service

MB/agw

cc: Vivian Garfein, Director
DEP Central District

"More Protection, Less Process"

Printed on recycled paper.



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

September 6, 2007

Mr. Brian Stanger
Florida Department of Transportation – District 5
719 South Woodland Boulevard, MS 501
DeLand, Florida 32720

Dear Mr. Stanger:

The Division of Recreation and Parks has been working with the coordination agencies involved in the planning of the Wekiva Parkway/State Road 46 Realignment to identify, minimize, mitigate, and monitor any negative effects of this project. Significant resources managed by the Division are within the planning boundary of the project and include Lower Wekiva River Preserve State Park (LWRPSP) and Rock Springs Run State Reserve (RSRSP). This letter provides a context to understand their significance and the role they play in providing outdoor recreational opportunities and protecting the environmentally and ecologically sensitive Wekiva River Basin.

LWRPSP and RSRPSP are managed along with Wekiwa Springs State Park, as one operational unit and collectively referred to as the Wekiva River Basin State Parks. Title to the parks is held by the Board of Trustees of the Internal Improvement Trust Fund (Trustees) of the State of Florida. The parks were purchased using EEL Bonds and P2000/CARL funding sources. LWRPSP is managed by the Division of Recreation and Parks under lease number 2950. RSRSP is managed under multiple agency management lease number 3571, with the Division of Recreation and Parks as lead agency. Other agencies involved in the management of this property include the Fish and Wildlife Conservation Commission, Division of Forestry and St. Johns River Water Management District. The basic policy and direction of management for both properties is contained in the approved *Wekiva Basin Parks Multi-Unit Management Plan* of April 22, 2005. The primary purpose of both parks is resource-based outdoor recreation and conservation.

The Wekiva River Basin State Parks are an important component of the Florida state park system. The parks are also part of a regional network of conservation lands known as the Wekiva-Ocala Greenway, a continuous natural corridor spanning from Orlando to the Ocala National Forest, and comprise the major portion of the Wekiva River Protection Area as defined by Chapter 369, Part II, Florida Statutes. Lands within this area provide essential wildlife habitat and critical water recharge and water quality functions within the rapidly growing Orlando metropolitan area.

The significance of park resources is reflected in a number of state and national designations associated with both LWRPSP and RSRPSP. The Wekiva River and portions of its tributaries,

Mr. Brian Stanger

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September 6, 2004

including Rock Springs Run, were designated a National Wild and Scenic River by the U.S. Department of Interior in October 2000. Park waters are designated Outstanding Florida Waters pursuant to Chapter 62-302 F.A.C., due to their special natural attributes. Wekiwa Springs Run, Wekiva River and portions of Blackwater Creek are a Florida Aquatic Preserve under the Florida Aquatic Preserve Act of 1975, section 258.35, Florida Statutes. RSRSR is established as a Type I Wildlife Management Area as defined by 39-14.002, Florida Administrative Code. The parks are also a component of the Florida Greenways and Trails System.

Lower Wekiva River Preserve State Park is located in Lake and Seminole Counties and stretches north approximately 12 miles from State Road 46 up to the Ocala National Forest. The Preserve lies between State Road 44 and the Seminole State Forest to the west and the St. Johns River to the east. The lower four miles of the Wekiva River and Black Water Creek cut through the southern portion of the park.

LWRPSP is comprised of approximately 17,405 acres and includes the state-imperiled floodplain marsh, scrub and sandhill natural communities. The latter is located along the State Road 46 frontage. Listed animal species recorded at the park include the Florida black bear, gopher tortoise, and Florida scrub-jay. The park also includes 10 cultural sites included in the Florida State Master Site File.

Public access to LWRPSP is provided at three locations. The northern entrance to the park is located off State Road 44 in Pine Lakes and provides access to equestrian facilities. The southern entrance is located on State Road 46, east of the Wekiva River Bridge and provides access to the Sand Hill Nature Trail. Katie's Landing is located on Wekiva Park Drive, one mile north of State Road 46 and provides access to the Wekiva River.

LWRPSP provides opportunities for horseback riding, hiking, mountain biking, primitive camping, fishing, paddling and nature observation. Visitor use is focused on the trail system that includes 23 miles of service roads and 18 miles of dedicated trails for horseback riding, hiking and biking. A portion of the Florida National Scenic Trail is located at the southern end of the park and the property is a designated stop on the East Section of the Great Florida Birding Trail. A trailhead and equestrian camping area with stalls, corrals and restroom is located at the north entrance of the park. The southern entrance provides trailhead access for hiking and a canoe/kayak launch on the Wekiva River is located at Katie's Landing.

Rock Springs Run State Reserve is located in Orange and Lake Counties. The park is bounded on the north by State Road 46, the Wekiva River Mitigation Bank, and a small number of rural residential parcels in Lake County, and on the east by the Wekiva River up to the abandoned Seaboard Coastline Railroad, and by Wekiva River Road from the former railroad line north to State Road 46. Wekiwa Springs State Park is adjacent to the Reserve on the southwestern boundary, separated by Rock Springs Run, and the recently acquired Neighborhood Lakes property forms the northwestern boundary. The Seminole State Forest and LWRPSP are located immediately north of State Road 46. The entrance to RSRSR is located on State Road 46 at the beginning of the road formerly known as County Road 433, approximately 3 miles west of the Wekiva River.

RSRPSP is comprised of approximately 14,011 acres and includes the state-imperiled floodplain marsh, sandhill, sandhill upland lake and scrub natural communities. Both scrub and sandhill are located along the State Road 46 frontage. Listed animal species recorded at the park include the Florida black bear, Florida scrub-jay, striped newt and gopher tortoise. The park also

Mr. Brian Stanger

Page 3

September 6, 2004

contains 17 cultural sites listed in the Florida State Master Site File, including a National Register site, Twin Mounds Archaeological District, and a historic cemetery, Ethel, the oldest known cemetery in Lake County.

RSRPSP provides opportunities for horseback riding, hiking, mountain biking, primitive camping, fishing, paddling and nature observation. Limited hunting is permitted within the Wildlife Management Area and is managed by the Fish and Wildlife Conservation Commission. Visitor use is focused on the trail system that includes 14 miles of hiking trails, 17 miles of equestrian trails, 15 miles of biking trails, and 32 miles of multi-use trails. A trail head kiosk is located on the main paved entrance road. Other public facilities include an equestrian concession and restroom.

As one can see, both LWRPSP and RSRSR provide numerous ecological and recreation benefits on a local, regional, state and even national level. The parks are truly significant in the conservation benefits and the resource-based recreation opportunities they provide. The Wekiva River Basin State Parks are important assets of the Florida state park system. It is imperative that their resource values are not diminished for future generations to enjoy.

This letter, as requested, has been provided for documentation required for the evaluation and Determination of Section 4(f) Applicability on the Wekiva Parkway/SR 46 Realignment PD&E Study. Please let me know should you have any questions or need any additional information.

Respectfully,



Michael Kinnison, GOC II
Office of Park Planning
Division of Recreation and Parks

cc: Larry Fooks
Cliff Maxwell
John Fillyaw



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 20, 2008

Brian Stanger, Environmental Engineer
Fifth District Office
Department of Transportation
719 South Woodland Boulevard
Deland, Florida 32720

Dear Mr. Stanger:

We have reviewed the materials you provided to John Fillyaw regarding the Wekiva Parkway/State Road 46 realignment project.

We appreciate your efforts to reduce the adverse effects of the project on Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park. Based on the supplemental information we received from Mr. Mark Callahan, it appears that the draft preliminary engineering drawings incorporate the main revisions that have been discussed in the past. Our understanding is that the project's final design will include (1) bridging across the Wekiva River spanning approximately 2,150 feet, (2) an eastern wildlife bridge spanning approximately 4,000 feet, (3) a western wildlife bridge spanning approximately 1,957 feet, and (4) a bridge on the Neighborhood Lakes property spanning approximately 800 feet. In our opinion, these bridge lengths represent the bare minimum needed to ensure adequate connectivity between the major tracts of public land. They should not be reduced further in subsequent design stages.

Just as a factual comment, the Neighborhood Lakes property that was acquired in March 2007 has not yet been added to Rock Springs Run State Reserve, as is stated in the Section 4(f) report. Discussions are still ongoing with Lake County, Orange County, the St. Johns River Water Management District, and the Board of Trustees of the Internal Improvement Trust Fund regarding a management lease for the property. We expect the lease to be completed soon.

Mr. Brian Stanger

Page Two

March 20, 2008

This letter does not serve as authorization from the Division of Recreation and Parks to begin construction on the project. Prior to any construction activities, an easement from the Board of Trustees of the Internal Improvement Trust Fund will be required. The easement will address project details such as access to park lands, coordination with park staff, and location of staging areas, among other matters.

I hope this information will be helpful. Please contact me at (850) 245-3051, or Albert.Gregory@dep.state.fl.us if you would like to discuss this further.

Sincerely,



Albert Gregory, Chief
Office of Park Planning
Division of Recreation and Parks

AG/agf

cc: Vivian Garfein, Director, Central District Office
Mike Bullock, Director, Florida Park Service
Scott Robinson, Assistant Director, Florida Park Service
Larry Fooks, Chief, Bureau of Parks District 3
Parks Small, Chief, Bureau of Natural and Cultural Resources
Warren Poplin, Manager, Lower Wekiva River Preserve State Park



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
DeLand, FL 32720

STEPHANIE C. KOPELOUSOS
SECRETARY

September 12, 2008

Ms. Ellen McCarron, Acting Director
Office of Coastal and Aquatic Managed Areas
Florida Department of Environmental Protection
3900 Commonwealth Blvd
Mail Station 235
Tallahassee, Florida 32399-3000

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Orange, Lake, and Seminole Counties, Florida
Financial Project Nos.: 238275 1 22 01 and 240200 1 22 01
Wekiva River Aquatic Preserve

Dear Ms. McCarron:

On behalf of the Federal Highway Administration (FHWA), District Five of the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (Expressway Authority) are preparing an Environmental Assessment for the Wekiva Parkway (SR 429)/SR 46 Realignment project. The Overall Layout for the Preferred Alternative is provided as *Attachment 1*. The proposed project traverses the Wekiva River Aquatic Preserve, as defined by Florida Statute 258.39 (30), within the corridor prescribed by the legislature in the *Wekiva Parkway and Protection Act*.

The Wekiva River Aquatic Preserve generally includes all state-owned sovereignty lands lying waterward of the ordinary high-water mark of the Wekiva River and the Little Wekiva River and their tributaries in Orange, Lake, and Seminole Counties. The prescribed corridor for the Wekiva Parkway (SR 429) is approximately one-half mile wide through the Preserve, at the boundary of Lake and Seminole Counties, with the existing SR 46 Wekiva River Bridge centered within the prescribed corridor. The Preferred Alternative for the Wekiva Parkway (SR 429) will utilize the existing Wekiva River crossing location within that corridor. Use of the existing crossing location will avoid additional impacts associated with construction of a new expressway through the remaining undeveloped, natural environment of the Wekiva River Aquatic Preserve.

The Preferred Alternative will bridge the entire width of the Wekiva River Aquatic Preserve and its adjacent 1,200-foot wide forested wetland. The proposed 2,150-foot long bridge is an expressway structure capable of carrying six lanes of traffic (three lanes in each direction) within a 300-foot limited access right-of-way. The bridge will replace the existing 561-foot long Wekiva River Bridge located within the existing FDOT SR 46 right-of-way, which varies in width from 180 feet on the Lake County side of the river to 200 feet on the

Ms. McCarron
 Page 2 of 4
 September 12, 2008

Seminole County side. A plan sheet depicting the proposed alignment and lengthened bridge is provided as ***Attachment 2***.

The Preferred Alternative will hold the existing south SR 46 right-of-way line, widening to the north through the Aquatic Preserve. Lands adjacent to the existing FDOT SR 46 right-of-way through the Aquatic Preserve include Seminole State Forest adjacent to the north right-of-way line of SR 46 west of the Wekiva River, a parcel owned by Seminole County adjacent to the north right-of-way line of SR 46 east of the river, and 4 privately owned vacant parcels.

The additional right-of-way width required north of the existing FDOT right-of-way will impact Seminole State Forest, the Seminole County parcel, and 2 privately owned parcels located on the island within the river. A Programmatic Section 4(f) Evaluation document detailing the impacts to Seminole State Forest, Rock Springs Run State Reserve, and Lower Wekiva River Preserve State Park was submitted to FHWA as part of this study. The Section 4(f) impact evaluation was coordinated with FDEP Division of Recreation and Parks, and FDACS, Division of Forestry. The impact assessment presented in that document includes the portion of Seminole State Forest located within the Wekiva River Aquatic Preserve. Coordination with FDEP, particularly regarding the development of alignment alternatives through Neighborhood Lakes, Rock Springs Run State Reserve, and Lower Wekiva River Preserve State Park, has been ongoing throughout the PD&E Study. Letters from FDEP and the Division of Forestry documenting the results of the coordination efforts are provided as ***Attachments 3 and 4***, respectively.

The additional right-of-way width required for the proposed project will also necessitate relocation of an existing Sovereign Submerged Lands (SSL) easement adjacent to the existing north SR 46 right-of-way line. The SSL easement was granted to Florida Gas Transmission for a 26" gas pipeline located 48.6 feet below the bottom of the Wekiva River. Both the directionally drilled pipeline and the encompassing easement will be relocated as a result of this project; however, the directional drilling send and receive locations will be located outside of the limits of the Aquatic Preserve and adjacent Riparian Habitat Protection Zone. In addition, the depth of the pipeline relative to the river bottom will be at least the depth of the existing pipeline. For these reasons, relocation of the pipeline will not impact the Wekiva River Aquatic Preserve.

Aquatic Preserves are also considered Outstanding Florida Waters, which have been given additional protection against pollutant discharges that may lower the existing high water quality standards in their current natural state. The Wekiva River is most stringently protected by its own legislation under the *Wekiva River Protection Act* and the *Wekiva Parkway and Protection Act*, Florida Statutes, Chapter 369, Parts II and III, respectively. The Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study recommendations have been developed to adhere to the design criteria and recommendations prescribed by the above legislation. The proposed project is consistent with the 1987 *Wekiva River Aquatic Preserve*

Ms. McCarron
Page 3 of 4
September 12, 2008

Management Plan, which identified concerns for stormwater quality and protection through preservation of habitats and living conditions in the most natural condition possible.

No adverse impacts to water quality are expected as a result of this project. The stormwater treatment system will be designed to satisfy current stormwater management criteria, including special basin criteria developed for the Wekiva River hydrologic basin. Water quality treatment will be improved over the existing conditions through the Aquatic Preserve and adjacent wetlands, where the Preferred Alternative follows the existing SR 46 alignment. SR 46 was constructed before stringent drainage criteria were developed. Consequently, there is currently no treatment of the pollutant runoff from the roadway and bridge. This project will provide stormwater treatment ponds located outside the Preserve boundaries that will provide filtration of the pollutant runoff prior to discharge to the abutting wetlands of the Wekiva River. The possibility of creating wood stork feeding areas at the pond sites near the Wekiva River has been discussed between members of the PD&E Study team and representatives of FDEP and NPS. This option will be further explored during the final design phase of the project.

There is no practical alternative to the proposed bridge construction in the Wekiva River Aquatic Preserve. Any alternative alignment would necessitate filling and/or new bridges across a wider wetland reach which could have far greater impacts. Temporary impacts due to construction will be assessed during the final design phase of the project. The proposed project includes all practical measures to minimize harm to the Wekiva River Aquatic Preserve such as a lengthened and heightened channel span over the river and a lengthened bridge span over the floodplain. The existing bridge does not span the entire length of the Aquatic Preserve or the wetlands abutting the Wekiva River, whereas the proposed bridge will span both. In addition, the filled land supporting the existing bridge abutment located within the Preserve boundaries can be removed, which will restore the wildlife corridor adjacent to the river.

The Wekiva River is also a National Wild and Scenic River. The Wekiva Parkway (SR 429) will be included in the *Wekiva National Wild and Scenic River Comprehensive Management Plan* currently being updated by the National Park Service (NPS). The PD&E Study team has been coordinating with the NPS for the management plan, providing information on and maps of the proposed project for inclusion in the updated management plan. The segment of the Wekiva River in the vicinity of the existing bridge crossing is classified as a recreational segment of the Wild and Scenic River. No impacts to the permitted recreational activities (canoeing and kayaking) are anticipated as a result of this project.

FDEP will be the permitting agency for the Environmental Resource Permit (ERP) which will be completed during the final design phase of the project. In addition to the ERP, a Federal Dredge and Fill Permit, a National Pollution Discharge Prevention and Elimination System Permit, and a Sovereign Submerged State Lands Public Easement will be required during the final design phase.

Ms. McCarron
Page 4 of 4
September 12, 2008

If you have any comments or questions on the information provided, please address them to me at:

Florida Department of Transportation - District Five
719 South Woodland Boulevard, MS 501
DeLand, Florida 32720

Sincerely,



for Bob Gleason
District Environmental Administrator

Attachments:

- 1 – Exhibit – Overall Preferred Alternative
- 2 – Concept Plan Sheet of proposed Wekiva River Bridge
- 3 – FDEP Letter
- 4 – FDACS Division of Forestry Letter

cc: Brian Stanger/FDOT
Mark Callahan/CH2M HILL
Vivian Garfein/FDEP (w/ Attachment)



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Mail Station 501
DeLand, FL 32720

STEPHANIE KOPELOUSOS
SECRETARY

April 21, 2009

Mr. Albert Gregory, Chief
Office of Park Planning
Division of Recreation and Parks
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
*Section 4(f) Public Lands – Rock Springs Run State Reserve and
Lower Wekiva River Preserve State Park*

Dear Mr. Gregory:

On behalf of the Federal Highway Administration (FHWA), in consultation with the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, we hereby request a concurrence letter from the Florida Department of Environmental Protection (FDEP), Division of Recreation and Parks concerning the proposed Wekiva Parkway project and the subject Section 4(f) public lands. As you will recall, we have previously coordinated on this matter and you provided, at our request, an opinion letter (copy attached) dated March 20, 2008 on the minimization of impacts to the subject Section 4(f) lands.

FHWA requires that we obtain a concurrence letter from "the officials having jurisdiction over the Section 4(f) lands" which provides the following specific information concerning the impacts of the proposed Wekiva Parkway on Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;
- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

Mr. Albert Gregory
 April 13, 2009
 Page 2

To assist you in preparation of the requested concurrence letter, information previously provided to FDEP, Division of Recreation and Parks in October 2007 in the *Determination of Section 4(f) Applicability* document is restated below:

Rock Springs Run State Reserve

- **Impairment to Section 4(f) Resource:** The amount and location of the land used for the proposed Wekiva Parkway project does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose. Direct use impacts to Rock Springs Run State Reserve are expected to occur as a result of the proposed improvements. The proposed alignment generally impacts the northern portions of Rock Springs Run State Reserve that are contiguous with existing SR 46. Right-of-way acquisition for roadway and stormwater ponds is estimated at approximately 124 acres of Rock Springs Run State Reserve. The existing public recreational areas (hiking, biking, and canoe trails) will not be impacted by the proposed improvements. The proposed right-of-way requirement of 124 acres represents less than 0.9 of one percent of the total existing 14,011 acres of Rock Springs Run State Reserve.
- **Proximity Impacts:** Proximity impacts, such as water runoff, visual intrusion, access and vibration, are not expected as a result of the proposed Wekiva Parkway project. It is unlikely that the proposed improvements will substantially impair the function, integrity, use, access, value or setting of this resource. Noise impacts due to the proposed project are not anticipated to impact public recreational facilities, such as the campground. Stormwater treatment ponds are planned throughout the proposed corridor to provide treatment and to prevent the degradation of water quality due to the proposed project. Additionally, the primary access points to Rock Springs Run State Reserve on existing SR 46 will remain.
- **Assessment of Impacts Concurrence:** FDOT, District Five sent a written request on October 29, 2007 to the FDEP, Division of Recreation and Parks land managers of the Rock Springs Run State Reserve to provide their opinion on the minimization of project impacts and proposed mitigation measures. The response letter from the FDEP, Division of Recreation and Parks dated March 20, 2008 states "We appreciate your efforts to reduce the adverse effects of the project on Rock Springs Run State Reserve...." and "...it appears that the draft preliminary engineering drawings incorporate the main revisions that have been discussed in the past".

Lower Wekiva River Preserve State Park

- **Impairment to Section 4(f) Resource:** The amount and location of the land used for the proposed Wekiva Parkway project does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose. Direct use impacts to Lower Wekiva

Mr. Albert Gregory
 April 13, 2009
 Page 3

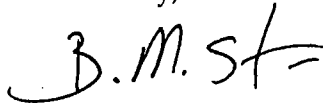
River Preserve State Park are expected to occur as a result of the proposed Wekiva Parkway alignment. Right-of-way acquisition for the proposed roadway improvement is approximately 4 acres. The proposed right-of-way acquisition of 4 acres represents less than 0.1 of one percent of the total existing 17,405 acres of the Lower Wekiva River Preserve State Park. An additional 3 acres will be required for the relocation of the existing 50-foot Florida Gas Transmission easement adjacent to the existing north right-of-way line for SR 46. Temporary impacts will occur within the 50-foot easement as a result of relocating the gas pipeline.

- **Proximity Impacts:** Proximity impacts, such as water runoff, visual intrusion, access and vibration, are not expected as a result of the proposed Wekiva Parkway project. It is unlikely that the proposed improvements will substantially impair the function, integrity, use, access, value or setting of this resource. Primitive horse camping facilities are only provided at the northern entrance to the park south of SR 44, which is outside the project area. Therefore, noise impacts are not expected to impact camping facilities. Stormwater treatment ponds are planned throughout the proposed corridor to provide treatment and to prevent the degradation of water quality due to the proposed project. A potential stormwater pond location on the Lower Wekiva River Preserve State Park was removed from consideration in response to FDEP's request to minimize impacts. The existing park access at the southern entrance on SR 46 will be maintained in the proposed condition.
- **Assessment of Impacts Concurrence:** FDOT, District Five sent a written request on October 29, 2007 to the FDEP, Division of Recreation and Parks land managers of the Lower Wekiva River Preserve State Park to provide their opinion on the minimization of project impacts and proposed mitigation measures. The response letter from the FDEP, Division of Recreation and Parks dated March 20, 2008 states "We appreciate your efforts to reduce the adverse effects of the project onLower Wekiva River Preserve State Park" and "...it appears that the draft preliminary engineering drawings incorporate the main revisions that have been discussed in the past".

We look forward to receipt of the requested concurrence letter from the FDEP Division of Recreation and Parks, which specifically addresses items 1, 2 and 3 above, at your earliest convenience. If you have any questions or require further information, please contact me at (386) 943-5391 or Mr. Mark Callahan of CH2MHILL at (407) 423-0030.

Mr. Albert Gregory
April 13, 2009
Page 4

Sincerely,

A handwritten signature in black ink, appearing to read "B.M. Stanger". The signature is fluid and cursive, with the first name "B.M." and the last name "Stanger" clearly distinguishable.

Brian Stanger, P.E.
District Environmental Management Engineer

Copy: Vivian Garfein, Director, FDEP Central District
Mike Bullock, Director, Florida Park Service
Warren Poplin, Manager, Wekiva River Basin State Parks
Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority
Bob Gleason, Environmental Administrator, FDOT District 5
Mark Callahan, Wekiva Parkway Project Manager, CH2MHILL
File: 324126 (C19)

Attachments: FDEP, Division of Recreation and Parks letter dated March 20, 2008

Information on Revision of the Wekiva Parkway Alternative in East Lake County*

The Wekiva Parkway & Protection Act (Florida Statutes, 2004) required that SR 46 in east Lake County west of the Wekiva River not be a continuous roadway for environmental reasons. As recommended by the Lake County Commission, the Wekiva River Basin Commission, and the Florida Department of Environmental Protection (in keeping with the mandates of the Act), the plans for Wekiva Parkway in east Lake County eliminated SR 46 as a through road from the Neighborhood Lakes area eastward to the Wekiva River. Those are the Wekiva Parkway plans that Wekiva River Basin State Parks management has seen previously in our Section 4(f) coordination. At the time the Act was passed, it was assumed the Wekiva Parkway would not be a tolled roadway. However, after an extensive financial analysis estimated the total cost of construction of the project at \$1.8 billion, and with declining transportation dollars available to the Florida Department of Transportation (FDOT), it became evident that the Wekiva Parkway from SR 429 near Apopka in northwest Orange County through east Lake County to I-4 near Sanford in west Seminole County would not be financially feasible without tolls.

Citizens in the east Lake County area who live and work along existing SR 46 expressed concerns over having to pay a toll for a local trip. Local and state elected officials also expressed those concerns on behalf of their constituents. In mid 2009, the Orlando-Orange County Expressway Authority (OOCEA) and FDOT began analyzing options to provide a non-tolled service road in east Lake County along the Wekiva Parkway route. In response to those citizen and elected official concerns, a service road concept has been developed. The service road, which would be parallel to and on the north side of the Wekiva Parkway in east Lake County, is within the 300 foot right-of-way previously identified for the Wekiva Parkway (attached are two graphics which depict the alignment and the typical section; please zoom in on the PDF of the alignment for greater detail). The alignment of the Wekiva Parkway has not been changed. The previous Wekiva Parkway alternative had two local access interchanges west of the Wekiva River in east Lake County due to the elimination of SR 46. With the service road, those interchanges are no longer needed and impacts to Rock Springs Run State Reserve (RSRSR) lands have been reduced by approximately 29 acres, as shown below.

Estimated Impact on RSRSR Land

Previous Wekiva Parkway Alternative	124.8 acres
Wekiva Parkway Alternative with Service Road	<u>95.8 acres</u>
Estimated Impact Reduction	29.0 acres

A Public Workshop on the service road alternative was held in Sorrento, Florida on December 17, 2009. FDOT and OOCEA are now moving ahead to revise the previous recommended Preferred Alternative for Wekiva Parkway in east Lake County to include the service road. With regard to this revision, FDOT and OOCEA have been coordinating with the Federal Highway Administration on the programmatic Section 4(f) evaluation for public lands, which includes RSRSR. There has been recent coordination in Tallahassee between FDOT, OOCEA and FDEP Deputy Secretary Ballard on the service road concept and the resultant reduced impacts to RSRSR. Also, FDOT and OOCEA have been discussing with Deputy Secretary Ballard and FDEP legal counsel a letter agreement on Section 4(f) concurrence for potential proximity impacts and mitigation.

This information is meant to provide an update on activities to the Wekiva River Basin State Parks management team. If you have any questions about the service road concept, please contact Mr. Dave Lewis of CH2M HILL at (407)423-0001 Ext. 281 or by email at David.Lewis2@ch2m.com.

****Information provided to FDEP, Division of Recreation and Parks (Wekiva River Basin State Parks Manager Warren Poplin) on February 8, 2010.***



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 30, 2010

Ms. Noranne B. Downs, P.E.
Secretary, District Five
Florida Department of Transportation
Mail Station 503
719 South Woodland Boulevard
DeLand, FL 32720-6834

DOCEA 10APR 2 AM 10:07

**Subject: Wekiva Parkway (SR 429)/SR 46 Realignment Impacts on
Section 4(f) Lands - Rock Springs Run State Reserve and
Lower Wekiva River Preserve State Park**

Dear Ms. Downs:

The Florida Department of Environmental Protection (FDEP) has reviewed the information on the subject impacts provided in previous coordination and discussions with you, including your related request for concurrence. We understand for the programmatic evaluation the Federal Highway Administration requires that officials with jurisdiction over Section 4(f) lands must fully concur with each of the following items concerning the impacts of the proposed Wekiva Parkway project:

- 1) the amount and location of the land to be used does not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose;
- 2) the proximity impacts of the project on the remaining Section 4(f) land shall not impair the use of such land for its intended purpose; and
- 3) agreement, in writing, with the assessment of the impacts of the proposed project on, and the proposed mitigation for, the Section 4(f) lands.

We have reviewed the information provided and the commitments made to us by the Florida Department of Transportation (FDOT) regarding the subject impacts. In summary, the proposed Wekiva Parkway project would require approximately 97 acres of the Rock Springs Run State Reserve (RSRSR) and approximately 4 acres of the Lower Wekiva River Preserve State Park (LWRPSP). The 97 acres is less than 0.7 percent of the total acreage of RSRSR, and the 4 acres is less than 0.1 percent of the total acreage of LWRPSP. We agree that the amount and location of the land to be used in RSRSR and LWRPSP will not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose. Therefore, FDEP fully concurs with Item 1 above.

Ms. Noranne B. Downs
 March 30, 2010
 Page 2

With regard to Item 2 above, FDOT has committed to the avoidance of any proximity impacts which might impair the use of RSRSR and LWRPSP for their intended purpose. Also, FDOT has committed to actively support the involvement of FDEP in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of any such proximity impacts. Therefore, FDEP fully concurs with Item 2 above.

With regard to Item 3 above, FDEP recognizes that FDOT has accommodated our requests during the preliminary engineering phase to avoid or minimize impacts to RSRSR and LWRPSP, and we agree with the assessment of the impacts on the subject Section 4(f) lands. FDEP appreciates that FDOT has included a total of approximately 8,500 feet of wildlife bridging in the proposed project to enhance habitat connectivity and the natural resource value of state lands in the Wekiva River Basin. Furthermore, FDEP recognizes that FDOT and the Orlando-Orange County Expressway Authority have made substantial contributions toward acquisition of conservation lands as a part of the Wekiva Parkway project. FDEP hereby confirms that the acquisition of those conservation lands within the Wekiva-Ocala Greenway area is, on an acre-for-acre, value-for-value basis, accepted as adequate mitigation for the impacts of the Wekiva Parkway project on RSRSR and LWRPSP. FDEP is prepared to strongly recommend to the Acquisition and Restoration Council that the acquisition of such conservation lands in the project area on an acre-for-acre, value-for-value basis be accepted by them as adequate mitigation for the impacts of the Preferred Alternative for the Wekiva Parkway. With their concurrence of the staff recommendation FDEP can fully concur with Item 3 above.

Please contact me if you have any questions. I can be reached at (850)245-2043 or via email at bob.g.ballard@dep.state.fl.us.

Sincerely,



Bob Ballard
 Deputy Secretary
 Land and Recreation

Cc: ☒ Mr. Mike Snyder, Executive Director, OOCEA
☐ Mr. George Lovett, Director of Transportation Development, FDOT, District 5
☐ Ms. Deborah Poppell, Director, Division of State Lands, FDEP
☐ Mr. Mike Bullock, Director, Division of Recreation and Parks, FDEP
☐ Mr. Lee Edmiston, Director, Office of Coastal and Aquatic Managed Areas, FDEP

**FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC)
CORRESPONDENCE**



CH2M HILL
 3011 SW Williston Road
 Gainesville, FL 32608
 P.O. Box 147009
 Gainesville, FL 32614-7009
 Tel 352.335.7991 x52471
 Fax 352.381.3900

February 4, 2008

Mr. Steve Lau
 Office of Environmental Services
 Florida Fish and Wildlife Conservation Commission
 255 154th Avenue
 Vero Beach, FL 32968-9041

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment Project Development
 and Environment (PD&E) Study
 Orange, Lake, and Seminole Counties, Florida
 Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Endangered Species Biological Assessment

Dear Mr. Lau:

On behalf of District Five of the Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority, we are providing for your review and comment the final draft *Endangered Species Biological Assessment* (ESBA) for the subject PD&E Study. This transmittal to you follows coordination with Ms. MaryAnn Poole, Director of the Office of Policy and Stakeholder Coordination for the Florida Fish and Wildlife Commission (FWC). The project is briefly described as follows:

- **The Wekiva Parkway**, a four-lane divided (expandable to six-lane divided) limited access facility, which would begin in Orange County at the planned terminus of the John Land Apopka Expressway at US 441 just west of CR 437 and extend to the north/northeast into Lake County, turning east and crossing the Wekiva River into Seminole County and terminating at I-4. The approximate length of the Wekiva Parkway is 20.94 miles, with 8.16 miles in Orange County, 7.37 miles in Lake County and 5.41 miles in Seminole County.
- **SR 46 Reconstruction and Realignment** which would begin at the SR 46/US 441 interchange in Lake County and extend along the existing SR 46 corridor to the east, then turning southeast on a new alignment and entering Orange County with a systems interchange connection at the Wekiva Parkway. It is expected that the SR 46 improvements would provide six-lane divided controlled access along the existing alignment from US 441 to east of Round Lake Road, while the remaining alignment to the southeast is expected to be limited access. The approximate length of the SR 46 Reconstruction and Realignment is 4.79 miles, with 4.01 miles in Lake County and 0.78 mile in Orange County.

Mr. Steve Lau
 Page 2 of 9
 February 4, 2008

The ESBA, dated October 2007, for this project is provided to you by CH2M HILL for review in advance of a request from FDOT for a FWC letter of agreement concerning project affects on State Listed Species. The ESBA has been conducted in accordance with the Florida Endangered Species Act of 1976 and the U.S. Endangered Species Act of 1973 to assess potential affects on protected species and their habitats within the project study limits. The assessment consisted of field investigations and literature searches of agency records, based in part on the Florida Natural Areas Inventory 2005 database and on previous records (2005) of occurrence for the Wekiva River Basin State Parks, including the Rock Springs Run State Reserve, and the Seminole State Forest records (2006, 2007).

State Listed Species

Results of observations or occurrence records of state listed endangered (E), threatened (T), or species of special concern (SSC) within the project area are briefly reviewed below. Based on the findings of database searches, field surveys, and regulatory agency coordination, the following project affects have been determined for this PD&E Study.

No direct adverse impacts to individuals or to regional populations of state listed species or their habitat are anticipated as a result of the proposed roadway improvements.

- This project will not adversely affect the Florida Manatee (E), the Bald Eagle (recently delisted, but under a 5-year continued monitoring requirement and protected by Federal Migratory Bird Treaty Act), the Crested Caracara (T), Osprey (not listed, but protected by Federal Migratory Bird Treaty Act), the Red-cockaded Woodpecker (SSC), the Snail Kite (E), Least Tern (T), Peregrine Falcon (E), Southeastern American Kestrel (T), Little Blue Heron (SSC), Tricolored Heron (SSC), Snowy Egret (SSC), White Ibis (SSC), or the Limpkin (SSC).
- The project may affect, but is not likely to adversely affect, the Florida Scrub Jay (T), the Wood Stork (E), the Burrowing Owl (SSC), the American Alligator (T), the Eastern Indigo Snake (T), the Sand Skink (T), Florida Black Bear (T), Sherman's Fox Squirrel (SSC), Florida Mouse (SSC), Florida Sandhill Crane (T), Gopher Tortoise (T), Gopher Frog (SSC), Florida Pine Snake (SSC), or the Short-tailed Snake (T). In fact, the proposed long bridges will improve the existing wildlife corridor connection in the conservation areas; and thus should significantly reduce wildlife-vehicle conflicts, particularly for the Black Bear.

Florida Manatee

Florida Manatees are seen in the St. Johns River near the mouth of the Wekiva River. No reports or agency records were found of manatees coming upstream in the Wekiva River as far as the SR 46 bridge. Ambient water quality in adjacent wetlands and surface waters will be maintained, or improved, by the stormwater treatment systems proposed in the project Preferred Alternative. Therefore, the project is not expected to have any negative direct or

Mr. Steve Lau
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indirect impacts to Essential Fish Habitat, Special Waters, or Important Manatee Areas downstream of the project limits. This project will not adversely affect the Florida Manatee.

Bald Eagle

During preparation of the ESBA, no active Bald Eagle nests were recorded (FWC) to be within one mile of the Preferred Alternative, although several nests occur in the broader region two to three miles from the study corridor. As this project progresses through final design and permitting phases, on-the-ground and possibly aerial surveys will be conducted to document any new eagle nests that may have been built adjacent to the Preferred Alternative alignment. This project will not adversely affect the Bald Eagle.

Crested Caracara

The Caracara was not directly observed and no nesting records have been documented in the project area. The project is outside the species' known range of central and south Florida. Open pasture or lowlands near cabbage palms, which are sometimes used by the Caracara, are found in the Neighborhood Lakes parcel purchased for conservation as a part of the Wekiva Parkway. This project will not adversely affect the Crested Caracara.

Florida Scrub Jay

The Preferred Alternative will avoid the scrub area where the three Scrub Jays and one Scrub Jay nest were found during this PD&E investigation. The area where the jays were observed can best be described as an overgrown sand pine community along Ondich Road in northwest Orange County. Much of the sand pine/oak area is poor quality for supporting jays. Management activities, such as mechanical thinning of the canopy and controlled burns, would be needed to improve the habitat. The road alignment was shifted east to avoid this area used by the jays. The habitat within the Preferred Alternative corridor is poorer quality, severely overgrown sand pine area. The Preferred Alternative corridor will be surveyed again for Scrub Jays during the permitting phase. The project may affect, but is not likely to adversely affect, the Florida Scrub Jay.

Osprey

One 19-year old FNAI occurrence record of Osprey nesting in 1988 on Sylvan Lake was found for Seminole County. The nest location was not confirmed during this PD&E study. The Preferred Alternative corridor will not impact the nest location as the roadway would be constructed about 2,000 feet to the east of the lake. The project area will be surveyed again for Osprey nests during the final design and permitting phases. This project will not adversely affect the Osprey.

Red-cockaded Woodpecker

The Red-cockaded Woodpecker (RCW) was not directly observed during specific surveys conducted in marginally-suitable pine lands adjacent to the corridor. No documented nesting colony has been recorded in the FNAI database for this area, or in records of the Wekiva River Basin State Parks or the Seminole State Forest. Coordination with USFWS, FWC, and state park and state forest staff on RCW occurrence and habitat will continue.

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throughout the design and permitting stages of the project. The project will not adversely affect the RCW.

Snail Kite

The Snail Kite was not directly observed during field investigations. No nesting records (FWC) have been documented this far north. No observations of the Snail Kite on Wekiva River Basin State Parks have been recorded. Suitable nesting habitat for this species is not available in the study corridor. The project will not adversely affect the Snail Kite.

Wood Stork

Wood Storks have not been directly observed in the project area during field investigations. An FNAI record of 1992 documents Wood Storks were observed foraging on a lake edge in the Wekiva Springs State Park (outside the project area), but are not known to nest on the any state park property. The nearest Wood Stork nesting colony is approximately ten miles from the project area as identified on the USFWS 2006 website. This puts the Wekiva Parkway study area inside of the Core Feeding Area (CFA) of two colonies. Coordination with USFWS and FWC will continue throughout the project design and permitting phases to ensure that the project has no adverse affect on wood storks. By balancing the acreage of project-impacted wetlands with mitigated wetlands in the same basin and with similar hydroperiod, this project may affect, but is not likely to adversely affect, the Wood Stork.

Burrowing Owl

During field investigations, only one area in the study corridor - the Neighborhood Lakes property in east Lake County - was found to have nesting Burrowing Owls. Two nests were observed. One nest had a pair of adult owls with two newly fledged young; the other nest had two adults and one young. The habitat of these owls is cattle range land with cabbage palm and prickly pear cactus scattered throughout, and several active gopher tortoise burrows. The Burrowing Owl nests will not be directly impacted by the Preferred Alternative. Both nests are outside the Preferred Alternative right-of-way. A minimization measure to habitat impact is the purchase, conservation, and management of the Neighborhood Lakes parcel, which would otherwise have been developed into a residential community regardless of the construction of the Wekiva Parkway. Conservation of this large parcel adjacent to other state-owned lands will ensure a long term suitable habitat for the Burrowing Owls. The project may affect, but is not likely to adversely affect, the Burrowing Owl.

American Alligator

The American Alligator, widely distributed across Florida, is common to all persistent Florida freshwater wetlands, and is potentially present in large or small waterways. Suitable habitat for this species is found throughout the project area, although no individual alligators were observed during field investigations. Within the Preferred Alternative, the alligator's most likely habitat is the Wekiva River. The existing bridge at the river will be significantly lengthened to span the forested floodplain. Wetlands, lakes, and the river will

Mr. Steve Lau
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be avoided to the extent possible, and proposed pond locations will not impact the river. This project may affect, but is not likely to adversely affect, the American Alligator.

Eastern Indigo Snake

The Eastern Indigo Snake was not directly observed during the field investigation; however, its presence in the Wekiva River Basin State Parks, Seminole State Forest, and the former Neighborhood Lakes property is highly likely. Impacts to the Rock Springs Run State Reserve and the Seminole Forest will be minimal, and the Neighborhood Lakes parcel was purchased for habitat conservation; a large portion of it is directly contiguous to the Rock Springs Run State Reserve. Additionally, the construction of four long bridges as part of the Wekiva Parkway project will open up the wildlife corridors by providing improved habitat connectivity between the Wekiva River Basin State Parks and the Seminole State Forest. This will minimize potential impacts (roadkill) to many wildlife species including the indigo snake. To further minimize potential impacts to this species or its habitat, standard protection measures for the Eastern Indigo Snake will be implemented during construction and during gopher tortoise permitted relocations. As a result, this project may affect, but is not likely to adversely affect, the Eastern Indigo Snake.

Sand Skink

No Sand Skink was directly observed during the field investigations along the Wekiva Parkway study corridor. FNAI occurrence record of the Sand Skink is reported for the southern end of the Wekiva Springs State Park, which is not near the Preferred Alternative alignment. The better quality scrub habitat near the project corridor, as stated previously, will be avoided. The poorest quality scrub habitat would be impacted by the construction of the project. The Preferred Alternative alignment will be surveyed again for evidence of Sand Skink during the permitting phase. The project may affect, but is not likely to adversely affect, the Sand Skink.

Florida Black Bear

No individual bears were observed directly during the field investigations, however, evidence of bears (paw prints, scat, and strands of hair on a barbed wire fence) was found in the area. FWC records of road kills and nuisance reports are well documented near SR 46 in the area of Rock Springs Run State Reserve, Neighborhood Lakes, Wekiva Springs State Park, and Seminole State Forest lands. The Wekiva Parkway/SR 46 Realignment project will have a positive (enhanced) effect on the regional population of the Florida Black Bear, because the FDOT will replace the existing 55-foot and 47-foot wide opening wildlife underpasses with longer bridges of approximately 1,956 feet and 3,995 feet as part of this Wekiva Parkway project. These longer span bridges will open up the wildlife corridor between the Rock Springs Run State Reserve and the Seminole State Forest, and will increase habitat connectivity.

Additionally, the existing 561-foot bridge over the Wekiva River will be replaced with a longer, higher span of approximately 2,140 feet in length. A bridge (approximately 800-feet) will be constructed over the marsh habitat in the center of the Neighborhood Lakes

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property. This will also serve as a large and small animal underpass, and will help reduce the potential for genetic isolation of a species caused by habitat fragmentation.

Sherman's Fox Squirrel

A fox squirrel was observed in the vicinity of the Preferred Alternative on the Wekiva River Mitigation Bank site during the field investigations in June 2005. Wildlife bridges primarily designed to serve black bears will also serve a variety of large and small wildlife species that utilize the public conservation lands north and south of SR 46. The project may affect, but is not expected to adversely affect, any regional populations of the Sherman's fox squirrel.

Florida Mouse

FNAI occurrence records document the Florida mouse in the project area. In preparation of permit applications, follow up field surveys will be needed to confirm the presence of Florida mouse in proposed construction areas in appropriate uplands. Preliminary investigation results of this study indicate that some gopher tortoise burrows will be impacted for any alignment through the Neighborhood Lakes parcels. However, most of the burrows will remain within the conserved portion of the parcels; which, without this project, would have been developed leaving a much smaller area in conservation. With adequate mitigation for unavoidable impacts, the project may affect, but is not expected to adversely affect, the continued existence of the Florida mouse.

Florida Sandhill Crane

Two (2) Florida sandhill cranes were observed in early April 2005 sitting on a nest in a marsh north of SR 46 between US 441 and Hacienda Hill. The Preferred Alternative will impact a small portion of the southern edge of the marsh, but will avoid the nest location. In addition, two stormwater ponds will be constructed in uplands adjacent to the marsh where the nest was observed. Considering the rapid growth in residential development at this location of US 441 and SR 46, these stormwater ponds will offer some buffering effect for future sandhill crane nesting activity. This nest location and other large marshes in the area, that could be potential nest locations, will remain; thus minimizing potential adverse affects to the regional sandhill crane population. Sandhill cranes were observed foraging in the pastures of Wekiva River Mitigation Bank conservation property.

Gopher Tortoise

Abundant suitable habitat for gopher tortoise exists in the area. Several tortoise burrows were found by conducting walking-transects through the Neighborhood Lakes property. New surveys will be conducted in the area during the permitting phase to map and count burrows that may be affected by construction of the Preferred Alternative. Survey methods proposed will be based on the FWC guidelines provided in the final Gopher Tortoise Management Plan. Proposed methods will be reviewed and approved by the FWC prior to conducting the field work.

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It is expected that a relocation-permit ("Conservation Permit Protected") and a mitigation contribution will be required. The type of permit requires that the gopher tortoises are relocated to an FWC authorized area protected by public ownership, conservation easement, or a legally binding instrument. It is expected that any burrows in the Preferred Alternative will be relocated to the preserved portion of the Neighborhood Lakes parcel and east of the parkway.

With the proposed conservation of recently acquired large parcels that are contiguous to existing conservation lands, adverse affect to the gopher tortoise population can be avoided. By far, the largest concentration of tortoises found during the study is on the Neighborhood Lakes property; the majority of it will be set aside for conservation and is contiguous to the Rock Springs Run State Reserve. This parcel (Neighborhood Lakes) would otherwise have been developed into a residential community irregardless of the approval and construction of the Wekiva Parkway. This project is not expected to adversely affect the regional population of the gopher tortoise.

Gopher Frog

Florida gopher frog was not directly observed during the field investigation along the Wekiva Parkway study corridor. FNAI occurrence records from 1994 and 1996 lists the gopher frogs as being found on the Wekiva Springs State Park and on Rock Springs Run State Reserve entrance road 1/3 of a mile south of SR 46. Suitable habitat for the frog, pine flatwoods with ephemeral marsh occurs in the area, and some habitat may be lost for construction of pond locations. However, gopher tortoise burrows on the Neighborhood Lakes parcels will be avoided by the Preferred Alternative to the greatest extent possible. In conjunction with preservation of over 1000 acres of pine/palmetto/cabbage palm uplands adjacent to shallow marshes on the Neighborhood Lakes parcels, this project is not expected to adversely affect any regional populations of the Florida gopher frog.

Florida Pine Snake

FNAI occurrence records of the Florida pine snake is reported for the southern end of the Wekiva Springs State Park. None were directly observed during the field investigations for this study. The Preferred Alternative will avoid the better quality scrub habitat, where the Florida pine snake may exist. The poorest quality scrub habitat would be impacted by the construction of the SR 46 Realignment. This project may affect, but is not expected to adversely affect, any regional populations of the Florida pine snake

Short-tailed Snake

No occurrence records are known of the short-tailed snake in the project area and none were observed. Coordination with FWC and FDEP park staff on all state-listed species in the project area will continue throughout the design and permitting stages of the project. Additional benefit to the wildlife inhabiting the remaining scrub in this area would be gained from active management of the conservation properties. By avoiding the better of the remaining scrub habitat this project is not expected to adversely affect any regional populations of the short-tailed snake.

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Least Tern

Least tern was not directly observed during field investigations. There are records of least tern being observed on the Wekiva Springs State Park property. There is a low probability of occurrence along this inland roadway corridor; and few, if any, flat roof tops that would be displaced by the project. This project is not expected to have an adverse affect on the least tern or potential nesting habitat.

Limpkin

The limpkin was not directly observed during field investigations. No occurrence FNAI records are known in the project area; however, there are records of limpkin on the Wekiva Springs State Park property. Suitable habitat exists in the Wekiva River floodplain. FDEP staff surveys from 2005 indicate that the Wekiva River limpkin population is a stable one (FDEP 2006). Any direct impacts to forested swamps will be minimal, as a long bridge over the river floodplain is proposed. Therefore, no significant habitat of the limpkin will be lost. This project is not anticipated to adversely affect the limpkin.

Peregrine Falcon

No suitable nesting habitat for the peregrine falcon exists along the project corridor, and no known nesting site has been documented. There are observation records of the falcon on the Wekiva Springs State Park property. Foraging habitat of open prairie exists, and will remain, in the expansive public conservation lands in the area as well as the newly acquired Neighborhood Lakes area. This project is not expected to adversely affect the peregrine falcon foraging potential

Southeastern American Kestrel

No known nesting sites have been documented along the project corridor. There are observation records of the southeastern American kestrel on the Wekiva Springs State Park property. Nesting habitat and open prairie foraging habitat exists throughout the project area, and in particular in the Wekiva Springs State Park and the Neighborhood Lakes area. Impacts to any potential habitat of the southeastern American kestrel will be offset through the land acquisition of the 1,600 acre Neighborhood Lakes parcels. No known records of southeastern American kestrel nests are available through FNAI for the project study corridor. This project is not expected to adversely affect any regional populations of the southeastern American kestrel.

Wading Bird Species

There are no documented colonies (nesting sites) of any of the SSC wading bird species (Little Blue Heron, Tricolored Heron, Snowy Egret, and White Ibis) within one mile of the project study area (FWC 2006f). On June 15, 2005 several adults and immature white ibis were observed feeding in a marsh and resting in trees at the edge of the marsh on the west-central part of the Neighborhood Lakes property; however, the Preferred Alternative will be approximately 2,000 feet to the east. Because of this project, the Neighborhood Lakes property will remain as a conservation area. The creation of new ponds will increase

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available foraging habitat. No nesting colonies will be directly impacted. This project is not expected to adversely affect any of these wading bird species.

Federally Listed Species

Initial coordination with the US Fish and Wildlife Service has been completed and a concurrence letter has been received by FDOT (see attachment). As previously described, this project will not adversely affect the federally listed species: Florida Manatee (E), the Bald Eagle (delisted), the Crested Caracara (T), Osprey (not listed, but protected by Federal Migratory Bird Treaty Act), the Red-Cockaded Woodpecker (E), or the Snail Kite (E). The project may affect, but is not likely to adversely affect, the Florida Scrub Jay (T), the Wood Stork (E), the Burrowing Owl (not listed, but protected by Federal Migratory Bird Treaty Act), the American Alligator (T), the Eastern Indigo Snake (T), or the Sand Skink (T).

Public Hearing

The ongoing PD&E Study will conclude with a formal public hearing which is currently scheduled for July, 2008. Please advise within thirty (30) days of this letter if there are any inaccuracies or issues we have failed to identify that will need to be addressed.

If you have any questions about this request or the ESBA, please contact me at (352) 335-7991 extension 52471.

Sincerely,



Rosanne M. Prager
Senior Environmental Scientist
CH2M HILL

c: MaryAnn Poole/FWC
Bob Gleason/FDOT
Joe Berenis/OOCEA
Brian Stanger/FDOT, District 5
Mark Callahan/CH2M HILL
File: 324126 (C27)



Florida Department of Transportation

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STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2008

Mr. Steve Lau
Florida Fish and Wildlife Conservation Commission
Office of Environmental Services
255 154th Avenue
Vero Beach, FL 32968-9041

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Endangered Species Biological Assessment

Dear Mr. Lau:

At the request of the Florida Department of Transportation (District Five) and the Orlando-Orange County Expressway Authority, on February 4, 2008 our project consultant CH2M HILL provided for your review and comment the subject final draft *Endangered Species Biological Assessment* (ESBA). A copy of the transmittal letter is attached. The ESBA was conducted in accordance with the Florida Endangered Species Act of 1976 and the U.S. Endangered Species Act of 1973 to assess potential affects on protected species and their habitats within the project study limits. The assessment consisted of field investigations and literature searches of agency records, based in part on the Florida Natural Areas Inventory 2005 database and on previous records of occurrence for Wekiva River Basin State Parks (2005), including Rock Springs Run State Reserve, and Seminole State Forest records (2006, 2007).

State Listed Species

Based on the findings of database searches, field surveys, and regulatory agency coordination on state listed endangered (E) and threatened (T) species or species of special concern (SSC) within the project area, the following project affects have been determined for this PD&E Study:

No direct adverse impacts to individuals or to regional populations of state listed species or their habitat are anticipated as a result of the proposed roadway improvements.

- This project will not adversely affect the Florida Manatee (E), the Bald Eagle (recently delisted, but is under a five year continued monitoring requirement and protected by the Federal Migratory Bird Treaty Act), the Crested Caracara (T), the Osprey (not listed, but protected by the Federal Migratory Bird Treaty Act), the Red-cockaded Woodpecker

Mr. Steve Lau
 March 4, 2008
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(SSC), the Snail Kite (E), the Least Tern (T), the Peregrine Falcon (E), the Southeastern American Kestrel (T), the Little Blue Heron (SSC), the Tricolored Heron (SSC), the Snowy Egret (SSC), the White Ibis (SSC) or the Limpkin (SSC).

- The project may affect, but is not likely to adversely affect, the Florida Scrub Jay (T), the Wood Stork (E), the Florida Sandhill Crane (T), the Burrowing Owl (SSC), the American Alligator (T), the Florida Black Bear (T), the Sherman's Fox Squirrel (SSC), the Florida Mouse (SSC), the Gopher Tortoise (SSC), the Gopher Frog (SSC), the Eastern Indigo Snake (T), the Florida Pine Snake (SSC) or the Short-tailed Snake (T). In fact, the three long wildlife bridges proposed in the project will provide improved habitat connectivity in the conservation areas which should significantly reduce vehicle-wildlife conflicts, particularly for the Florida Black Bear.

We hereby request a Florida Fish and Wildlife Conservation Commission (FWC) letter indicating agreement on the potential affects of the subject project on state listed species as identified in the ESBA and in the CH2M HILL letter of February 4, 2008.

Federally Listed Species

No direct adverse impacts to individuals or to regional populations of federally listed species or their habitat are anticipated as a result of the proposed roadway improvements. After review of the ESBA and other coordination, the U.S. Fish and Wildlife Service provided a letter of concurrence dated January 15, 2008. A copy of that letter is attached.

Public Hearing

The ongoing Wekiva Parkway/SR 46 Realignment PD&E Study will conclude with a formal public hearing which is currently scheduled for July, 2008.

If you have any questions about this request for a letter indicating FWC agreement, please contact me at (386) 943-5390 or, if you have questions about the ESBA, please contact Ms. Rosanne Prager of CH2MHILL at (352) 335-7991, Extension 52471.

Sincerely,



Bob Gleason
 Environmental Administrator
 District Five

Attachments: 2

Copy: Mary Ann Poole/FWC
 Joe Berenis/OOCEA
 Brian Stanger/FDOT, District 5
 Mark Callahan/CH2MHILL
 Rosanne Prager/CH2MHILL



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May 5, 2008

Mr. Bob Gleason, Environmental Administrator
Florida Department of Transportation
District 5
719 South Woodland Boulevard
DeLand, FL 32720-6834

Re: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environmental (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01
Endangered Species Biological Assessment

Dear Mr. Gleason:

The Species Conservation Planning Section, Division of Habitat and Species Conservation of the Florida Fish and Wildlife Conservation Commission (FWC) has coordinated an agency review of the reference document, and provides the following comments and recommendations.

Project Description

The project includes the construction/new alignment of the Wekiva Parkway (State Road [SR] 429) as a four-lane (expandable to six-lane) divided, limited-access roadway beginning in Orange County and extending north and east into Lake County, crossing the Wekiva River and terminating in Seminole County, for a total distance of approximately 21 miles. The project also includes the reconstruction and realignment of SR 46, beginning in Lake County, extending east and southeast to the Wekiva Parkway, for a total distance of about 5 miles.

The Endangered Species Biological Assessment (ESBA) conducted in support of the Wekiva Parkway (SR 429)/SR Realignment PD&E Study investigated potential habitats and occurrences of fish and wildlife listed as endangered, threatened, or species of special concern by the U.S. Fish and Wildlife Service (USFWS) or the FWC. The assessment consisted of field investigations and literature searches of agency records, based in part on the Florida Natural Areas Inventory database and records of occurrence for the Rock Springs Run State Reserve, Lower Wekiva State Park, and the Neighborhood Lakes Parcel. The ESBA presented the methodologies used and summarized results of the surveys conducted for the PD&E study.

You requested a letter from the FWC indicating agreement on the potential affects of the project on State-listed species as identified in the referenced document and an accompanying letter from the consultants conducting the work.

Potentially Affected Resources

The potentially affected resources include the following State-listed species and their habitats: Florida manatee (*Trichechus manatus latirostris* – endangered [E]), Sherman's fox squirrel (*Scirus niger shermani* – species of special concern [SSC]), Florida mouse (*Podomys floridanus* - SSC), burrowing owl (*Athene cunicularia* - SSC), crested caracara (*Caracara cheriway* – threatened [T]), Florida sandhill crane (*Grus canadensis pratensis* - T), least tern (*Sterna antillarum* - T), limpkin (*Aramus guarauna* - SSC), peregrine falcon (*Falco peregrinus* - E), red-cockaded woodpecker (*Picoides borealis* - SSC), Florida scrub jay (*Aphelocoma coerulescens* - T), southeastern American kestrel (*Falco sparverius paulus* - T), snail kite (*Rostrhamus socialbilis plumbeus* - E), wood stork (*Mycteria Americana* - E), little blue heron (*Egretta caerulea* - SSC), snowy egret (*Egretta thula* - SSC), tricolored heron (*Egretta tricolor* - SSC), white ibis (*Eudocimus albus* - SSC), American alligator (*Alligator mississippiensis* - SSC), eastern indigo snake (*Drymarchon corais couperi* - T), Florida pine snake (*Pituophis melanoleucus mugitus* - SSC), gopher frog (*Rana capito* - SSC), gopher tortoise (*Gopherus polyphemus* - T), sand skink (*Neoseps reynoldsi* - T), short-tailed snake (*Stilosoma welaka* - T), and the bluenose shiner (*Pteronotropis welaka* - SSC).

Many of the State-listed species also are listed by the USFWS, and we concur with the USFWS' assessment of potential affects on these species that they provided you in their January 15, 2008, to you. These species include the Florida (West Indian) manatee, crested caracara, red-cockaded woodpecker, snail kite, Florida scrub jay, eastern indigo snake, and sand skink. We also concur, based on our review of the information in the ESBA, with the determination that the project will have no effect on the bald eagle (no longer listed by the State as threatened), least tern, limpkin, peregrine falcon, southeastern American kestrel, little blue heron, snowy egret, tricolored heron, and white ibis. Finally, we concur, based on our review of the information in the ESBA, with the determination that the project may affect, but not adversely affect, Florida black bear, Sherman's fox squirrel, Florida mouse, burrowing owl, Florida sandhill crane, American alligator, Florida pine snake, gopher frog, gopher tortoise, and short-tailed snake.

The bluenose shiner was listed in Table 4-1 of the ESBA as a listed species potentially occurring within or adjacent to the project study area; however, we did not see an analysis of the potential affects of the project on this species as was available for other listed species. We believe the project may affect the bluenose shiner, but without information on what actions may be taken to avoid or minimize such affects, we cannot state whether or not the project will have adverse effects on the fish.

Potential Effects of the Project

The primary negative affect of the project on the affected species will likely be habitat loss and or habitat degradation. Some individuals may be directly harmed by project activities including habitat loss from land clearing for new right-of-way, and the construction of offsite drainage retention areas for stormwater management. Habitat loss will also occur due to indirect and cumulative impacts far outside the project area from increased residential and commercial development facilitated by improved access to the

area. Habitat will also be lost as the existing regional road network is improved in the future for improved connection to the Wekiva Parkway. Stormwater runoff from this new roadway could also adversely affect area streams, wetlands and groundwater from chemical pollutants such as oils and greases, and by increased sedimentation. Therefore, the cumulative effect of the project will result in potential adverse effects to listed species from secondary habitat loss and habitat degradation. These adverse effects are being addressed in part by a regional initiative to acquire public land along with the implementation of other measures to avoid and minimize impacts.

The project also has some additional aspects that will benefit wildlife. The proposed bridge extensions will improve the existing landscape habitat linkage between conservation lands, and will likely reduce the impact of fragmentation and wildlife mortalities resulting from vehicles on the roadway.

Concerns and Recommendations

Florida black bear: The Florida black bear will likely benefit from the project due to the proposed bridges replacing the current wildlife underpasses structures. The proposed longer and higher bridges should improve habitat connectivity between conservation lands for the bear, help reduce habitat fragmentation, and reduce wildlife mortality on the roadway. We recommend that you also consider roadway informational signage (e.g., bear crossing, wildlife warnings, etc.) to inform motorists that bears and other wildlife occur in the area bisected by the road, and the installation of one-way gates that would permit bears to escape the roadway should they get inside the fences as noted in the ESBA.

Sherman's fox squirrel: In regards to Sherman's fox squirrels, we recommend follow-up surveys be conducted to identify and mark potential nest trees for avoidance during the breeding season. This non-contact survey would not require an FWC permit.

Florida mouse: We concur with the ESBA determination that follow-up surveys for Florida mice in the construction areas will be needed. An FWC scientific collecting permit will be required because such a survey requires handling Florida mice.

Burrowing owl: The ESBA did not indicate there would be any direct impacts on burrowing owls. We recommend you continue coordinating with the FWC regarding burrowing owls as more information is obtained on the number of nests and owls.

Florida sandhill crane: Florida sandhill cranes have been known to nest in wetlands within highway interchanges, creating a hazard for motorists as well as for the cranes themselves. We recommend that such areas not be made attractive to cranes while maximizing the attractiveness of the stormwater ponds that are away from the roadway.

Florida pine snake and short-tailed snake: Florida pine snakes and short-tailed snakes may occur in the scrub habitats that will be impacted by the project. We recommend the project maximize the use of poor quality, previously impacted areas and minimize the clearing of high quality scrub. We also recommend that the scrub habitat being set aside

in the conservation areas be actively managed in the future to ensure it remains viable and productive habitat.

Gopher tortoise and gopher frog: The project will impact gopher tortoises and gopher frogs. We recommend you review the final Gopher Tortoise Management Plan (<http://myfwc.com/imperiledspecies/pdf/GT-Mgmt-Plan.pdf>) and the Gopher Tortoise Permitting Guidelines (<http://myfwc.com/permits/Protected-Wildlife/GopherTortoisePermitGuidelines.pdf>) to determine the type of permit and mitigation that may be needed.

Bluenose shiner: In regards to the bluenose shiner, we recommend a follow-up survey to determine if the fish is present in the segment of the Wekiva River within the project area. A scientific collecting permit will be necessary as the fish, if found, will need to be handled.

Summary

The Wekiva Parkway (SR 429)/SR 46 Realignment Project will likely have impacts on several listed species, but with careful planning and certain considerations, those impacts can be minimized and not adversely affect listed species populations. We encourage you to continue coordinating with us as this project moves into the permitting and construction phases, and we request an opportunity to review and provide agency comments on the draft environmental document which addresses fish and wildlife and habitat resources. Please be aware that if future surveys or other project activities are likely to directly handle or harm a listed species, FWC permits may be necessary.

Thank you for giving us the opportunity to comment. Please contact Dr. Brad Gruver at 850-488-3831 or brad.gruver@myfwc.com if you have questions.

Sincerely,



Mary Ann Poole, Director
Office of Policy and Stakeholder Coordination

map/bjg
ENV 1-13-2
Wekiva Parkway SR 46_1282
cc: Ms. Rosanne Prager, CH2MHILL

From: Lewis, David/ORL
Sent: Wednesday, May 19, 2010 8:21 AM
To: 'Gruver, Brad'
Cc: Brian.Stanger@dot.state.fl.us; Callahan, Mark/ORL
Subject: RE: Wekiva Pkwy - T&E Species Coordination

We certainly understand. FDOT is submitting project documentation to the Federal Highway Administration now for their review and approval, so the results of the FWC review would be appreciated at your earliest convenience. Thank you.

From: Gruver, Brad [mailto:Brad.Gruver@MyFWC.com]
Sent: Wednesday, May 19, 2010 8:15 AM
To: Lewis, David/ORL
Subject: RE: Wekiva Pkwy - T&E Species Coordination

No, I think I have what I need. The oil spill has changed priorities and I have not been able to review this yet. Do you have a date by which you have to have my review?

/brad/
Bradley J. Gruver, Ph.D.
Species Conservation Planning Section
Division of Habitat and Species Conservation
Florida Fish and Wildlife Conservation Commission
850-488-3831

From: David.Lewis2@CH2M.com [mailto:David.Lewis2@CH2M.com]
Sent: Wednesday, May 19, 2010 8:13 AM
To: Gruver, Brad
Cc: Brian.Stanger@dot.state.fl.us; Mark.Callahan@CH2M.com
Subject: FW: Wekiva Pkwy - T&E Species Coordination

Hi Dr. Gruver:

Is there anything else we can provide to FWC to assist in your evaluation? If so, please let us know. Thank you.

Dave

From: Lewis, David/ORL
Sent: Monday, May 10, 2010 3:26 PM
To: 'Gruver, Brad'
Cc: Brian.Stanger@dot.state.fl.us; Callahan, Mark/ORL
Subject: RE: Wekiva Pkwy - T&E Species Coordination

Dr. Gruver:

Thank you for getting back to us so quickly. In response to your question: the proposed rural two-lane, two-way service road is within the previously identified 300 foot right-of-way for the Wekiva Parkway (SR 429) expressway. The service road is on the north side of, and parallel to, the expressway. Therefore, there is no additional right-of-way needed for the service road. The reduction in land impact is because, with the service road providing local access, there would no need for the two local access interchanges and ramps that were part of the previous alternative. That means less right-of-way is required for the current alternative. Looking at the spreadsheet and zooming in on the two PDFs sent previously will show that the previous alternative with those two interchanges and related ramps required quite a bit more land (i.e., +63.6 acres) compared to the current

alternative with the service road. Most (58%) of those acreage reductions were on public lands (i.e., -37.2 acres): FDEP (Rock Springs Run State Reserve, -29 acres) and Division of Forestry (Seminole State Forest, -8.2 acres). I hope this adequately responds to your question. Please let me know if you need further information. Thank you.

Dave

From: Gruver, Brad [mailto:Brad.Gruver@MyFWC.com]
Sent: Monday, May 10, 2010 2:44 PM
To: Lewis, David/ORL
Subject: RE: Wekiva Pkwy - T&E Species Coordination

Mr. Lewis:

I'm reviewing the changes, and will likely need to have a couple of other folks do so as well. One question I'm sure to get asked, and you likely explained this to me on the phone and I don't recall, is "how do you add a service road that was not in the original plan and have that addition reduce the lands impacted?" A quick answer to that may speed things up a little.

/brad/
Bradley J. Gruver, Ph.D.
Species Conservation Planning Section
Division of Habitat and Species Conservation
Florida Fish and Wildlife Conservation Commission
850-488-3831

From: David.Lewis2@CH2M.com [mailto:David.Lewis2@CH2M.com]
Sent: Monday, May 10, 2010 11:36 AM
To: Todd_Mecklenborg@FWS.gov; Gruver, Brad
Cc: Brian.Stanger@dot.state.fl.us; Mark.Callahan@CH2M.com; Rosanne.Prager@CH2M.com
Subject: Wekiva Pkwy - T&E Species Coordination

To: Mr. Todd Mecklenborg, USFWS and Dr. Brad Gruver, FWC:

We are providing the following to you on behalf of the Florida Department of Transportation (FDOT). There has been a revision to the recommended Preferred Alternative for the proposed Wekiva Parkway (SR 429) in east Lake County to incorporate a service road for local trips. This revision has resulted in reduced impacts to state park and conservation lands compared to the previous alternative. We are seeking your respective opinions on the need for and/or approach to an updated USFWS concurrence letter and an updated comment letter from FWC (copies of the Jan. 15, 2008 USFWS letter and the May 5, 2008 FWC letter are attached). I spoke to Dr. Gruver about this recently, and explained the new concept and that there are reduced impacts to public lands, wildlife bridges are proposed for the service road at the same locations as the Wekiva Parkway mainline, etc. He indicated that he would like to know USFWS's opinion on the approach to updating the letters. I told Dr. Gruver we would provide graphics and data tables to allow a comparison to the previous alternative. Nothing else has changed on the recommended Preferred Alternative from what you have seen previously.

Attached are PDFs which depict the previous alternative and the current alternative. You will need to zoom in on them to see more detail. You will note the previous alternative had two interchanges for local access which are not required in the current alternative. Also, most of the proposed service road is within the previously identified 300 foot right-of-way for Wekiva Parkway. Those are the primary reasons why the impacts to public lands have been reduced. A spreadsheet is attached which provides more information on impact reduction. Both the Florida Department of Environmental Protection (Rock Springs Run State Reserve) and the Florida Department of Agriculture and Consumer Services, Division of Forestry (Seminole State Forest) have given their full Section 4(f) concurrence for the current alternative.

After you have had an opportunity to review this information, please let us know how you would like to proceed. We need to include the updated USFWS concurrence letter and the updated FWC comment letter in the Environmental Assessment document we are preparing now, so a response at your earliest convenience will be

greatly appreciated. Thank you.

Dave Lewis
CH2MHILL
(407)423-0001 Ext. 281



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July 1, 2010

F-59 (Sheet 1 of 2)

Mr. Brian Stanger, P.E.
District Environmental Management Engineer
Florida Department of Transportation, District Five
719 South Woodland Blvd., Mail Station 501
DeLand, FL 32720-6834
Brian.Stanger@dot.state.fl.us

Re: Proposed Changes to Wekiva Parkway, Multiple Counties

Dear Mr. Stanger:

We were notified on May 10, 2010, of a potential change in the preferred alternative to the proposed Wekiva Parkway in east Lake County, Florida. The Species Conservation Planning Section, Division of Habitat and Species Conservation, of the Florida Fish and Wildlife Conservation Commission (FWC) coordinated an agency review of this proposed change and provides the following comments and recommendations.

Project Description

The proposed change to the Wekiva Parkway project would incorporate a service road for local trips. The proposed rural two-lane, two-way service road is on the north side of, parallel to, and within the previously identified 300-foot right-of-way for the expressway. There is no additional right-of-way needed for the service road. Consultants for the Florida Department of Transportation (FDOT) have noted that this change reduces the impacts to State Park and conservation lands because with the service road providing local access, there is no need for two local access interchanges and ramps that were part of the previous alternative, thus reducing the amount of right-of-way required for the proposed alternative.

Comments and Recommendations

We previously provided comments on May 5, 2008, on the Wekiva Parkway project and find that these comments remain applicable. We do not foresee any new impacts to fish and wildlife resources, including listed species, from the modification involving construction of a proposed service road. There is, however, the potential for the bluenose shiner (*Pterontropis welaka*), a State-listed Species of Special Concern (SSC), to occur in the Wekiva River, and it appears that FDOT's consultants have not sampled to document if this species is present, as we recommended in our previous letter. We therefore recommend that FDOT concur that the species may occur within the project area and commit to the development of Best Management Practices to avoid and minimize adverse impacts to the bluenose shiner during work proposed in and around the Wekiva River. These measures include developing plans and taking actions to minimize loss of wetland and aquatic vegetation, reduce impacts to the Wekiva River and associated tributary streams (including dredging and shoreline modification), and protecting water quality, including plans to reduce roadside runoff and prevent increased turbidity and

sedimentation in nearby receiving waters. FDOT should coordinate formulation and approval of these protection plans for the bluenose shiner and associated habitat features with FWC biologist Dr. Jeffery Wilcox. Dr. Wilcox may be contacted at 850-410-0656, x17338 or Jeffrey.Wilcox@MyFWC.com.

Thank you for giving us the opportunity to review this potential change in the preferred alternative to the proposed Wekiva Parkway (SR 429). Please contact Dr. Brad Gruver (850-488-3831 or Brad.Gruver@MyFWC.com) if you have questions.

Sincerely,



Mary Ann Poole
Commenting Program Administrator

map/bjg

ENV 1-13-2

Wekiva Parkway_SR 46_1282_070110

cc: Mr. David Lewis, CH2MHILL (David.Lewis2@CH2M.com)

**FLORIDA DEPARTMENT OF STATE
DIVISION OF HISTORICAL RESOURCES
STATE HISTORIC PRESERVATION OFFICER
(SHPO)
CORRESPONDENCE**



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. David C. Gibbs
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, FL 32303

June 27, 2007

RE: DHR Project File Number: 2007-5191
Received by DHR: May 6, 2007
Project: *Cultural Resource Assessment Survey, Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study*
County: Orange, Lake, and Seminole

Dear Mr. Gibbs:

Our office received and reviewed the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, 36 CFR Part 800: Protection of Historic Properties, and Chapter 267, Florida Statutes. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with the appropriate agencies in accordance with the National Historic Preservation Act of 1966 as amended, on undertakings that may affect historic properties and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

Results of the survey identified one previously recorded historic resource (8OR7946) and 14 newly recorded historic resources (8OR6197-6198, 8OR6232, 8SE1953, 8SE1955, 8SE2191-2193, and 8LA3409-3414). One newly recorded archaeological site (8LA3353) was also identified. Our office concurs that two of the resources, the *Paul Bock House* (8OR7946) and *43 Rainey Road* (8OR6232) are potentially eligible for listing in the National Register of Historic Places. We also agree that 11 of the remaining resources (8OR6197, 8SE1953, 8SE1955, 8SE2191-2193, and 8LA3409-3413) are ineligible for listing. We request the following additional information on the remaining resources:

- **Seaboard Coast Line Railway (8LA3414).** Please provide more details and photographs regarding the integrity of the segment within the area of potential effect.
- **2424 Boch Road (8OR6198).** This building's form is consistent with an original function such as a school or church. Additional research should be conducted to determine the building's original use and to uncover any possible historical associations. Also, please submit additional photographs that show all elevations.

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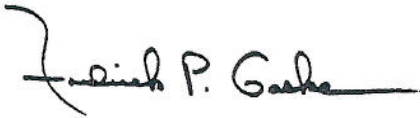
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Mr. David C. Gibbs
June 27, 2007
Page 2

- **6229 Plymouth-Sorrento Road.** Because this building is located directly within the project limits, our office should be consulted about the potential eligibility of this house when the property becomes accessible.
- **Gravestone of Anthony Frazier.** Please record this object on a Florida Master Site File.

We look forward to further consultation with your office regarding this project. If you have any questions, please contact Sherry Anderson, Architectural Historian, Transportation Compliance Review Program, by email sanderson@dos.state.fl.us, or at 850-245-6432.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick P. Gaske", with a long horizontal flourish extending to the right.

Frederick P. Gaske, Director, and
State Historic Preservation Officer

XC: Bob Gleason, FDOT, District Five
Mark Callahan, CH2M Hill
Ken Hardin, Janus Research
Marion Almy, ACI



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

Mr. David C. Gibbs
 Federal Highway Administration
 545 John Knox Road, Suite 200
 Tallahassee, FL 32303

October 10, 2007

RE: DHR Project File Number: 2007-5191 (b)
 Received by DHR: May 6, 2007; additional information received September 11, 2007
 Project: *Cultural Resource Assessment Survey, Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study*
 County: Orange, Lake, and Seminole

Dear Mr. Gibbs:

We have received and thank you for the additional information regarding the *Seaboard Coast Line Railway* (8LA3414), *2424 Boch Road* (8OR6198), and the *Gravestone of Anthony Frazier* (8OR9251). Our office concurs that 8OR6198 and 8OR9251 are ineligible for listing in the National Register of Historic Places. It appears that there are enough intact portions of the *Seaboard Coast Line Railway*, both inside and outside the area of potential effect, to convey its significance in the areas of community planning and development and transportation. Based on the minimum criteria for listing under "Florida's Historic Railroad Resources" Multiple Property cover nomination, this resource appears to be potentially eligible.

Although surveyors could not access 6229 Plymouth-Sorrento Road, this property will need to be evaluated if it is going to be affected by the project. We look forward to further consultation with your office regarding this project. If you have any questions, please contact Sherry Anderson, Architectural Historian, Transportation Compliance Review Program, by email sanderson@dos.state.fl.us, or at 850-245-6432.

Sincerely,

Frederick P. Gaske, Director, and
 State Historic Preservation Officer

XC: Bob Gleason, FDOT, District Five
 Mark Callahan, CH2MHill
 Amy Streelman, Janus Research

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<input type="checkbox"/> Director's Office (850) 245-6300 • FAX: 245-6436	<input type="checkbox"/> Archaeological Research (850) 245-6444 • FAX: 245-6452	<input checked="" type="checkbox"/> Historic Preservation (850) 245-6333 • FAX: 245-6437	<input type="checkbox"/> Historical Museums (850) 245-6400 • FAX: 245-6433
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FLORIDA DEPARTMENT OF STATE

Kurt S. Browning

Secretary of State

DIVISION OF HISTORICAL RESOURCES

Mr. David C. Gibbs
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, FL 32303

March 6, 2008

RE: DHR Project File Number: 2008-964
Project: *Additional Information related to the Cultural Resource Assessment Survey, Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study*
Counties: Orange, Lake, and Seminole

Dear Mr. Gibbs:

According to information received and as well as a review of available records, it appears that the majority of the *Seaboard Coast Line Railway* (8LA3414) east of U.S. 441 to Sanford has lost its historic integrity. Some of the segment has been destroyed by the construction of I-4 near Sanford and some of it has been incorporated into a rails to trails project. The rails have been removed throughout most of the remaining portion east of U.S. 441. Consequently, our office concurs that this portion of the former *Sanford to Lake Eustis Railroad* is ineligible for listing in the National Register of Historic Places. The railroad west of U.S. 441 is not a part of this evaluation and additional information would be needed to assess this section. It should also be noted that there appears to be a railroad trestle over U.S. 441 located within this project's area of potential effect. It is unclear if this resource is historic but our office requests that the trestle be recorded and evaluated if over 50 years of age.

Concerning the *Paul Bock House*, it is our understanding that a case study is currently being conducted and we look forward to continuing consultation on this resource. If you have any questions, please contact Sherry Anderson, Architectural Historian, Transportation Compliance Review Program, by email sanderson@dos.state.fl.us, or at 850-245-6432.

Sincerely,

Frederick P. Gaske, Director, and
State Historic Preservation Officer

XC: Bob Gleason, FDOT, District Five
Amy Streelman, Janus Research

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May 28 08 01:06p

p. 2



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

May 19, 2008

Mr. James Christian
 Federal Highway Administration
 545 John Knox Road, Suite 200
 Tallahassee, FL 32303

RE: DHR Project File Number: 2008-3009
 Received by DHR: April 14, 2008
 Project: *Addendum Cultural Resource Assessment Survey (CRAS) Wekiva Parkway/SR 46 Realignment*
 Financial Project ID Numbers: 238275-1-22-02 and 240200-1-22-01
 Counties: Orange, Lake and Seminole

Dear Mr. Christian:

Our office reviewed this project in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, 36 CFR Part 800: Protection of Historic Properties, and Chapter 267, *Florida Statutes*. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with agencies in accordance with the National Historic Preservation Act of 1966 as amended, on undertakings that may affect historic properties and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

One archaeological site (8LA3585) and nine buildings (8LA3581-3583, 8OR7943, 8OR6226-6229, and 8OR9844) were recorded as a part of this addendum. The *Strite House* (8OR9844) is considered to be potentially eligible for listing in the National Register of Historic Places. The remaining resources are ineligible. Our office concurs with these findings and looks forward to further consultation regarding the *Strite House* as well as the *Bock House*, which was identified in the original CRAS. Please note that 23 *Rainey Road* (8OR6232), also identified in the original CRAS as potentially eligible, is no longer in the project's area of potential effect. If you have any questions, please contact Sherry Anderson, Architectural Historian, Transportation Compliance Review Program, by email sanderson@dos.state.fl.us or at 850-245-6432.

Sincerely,

Frederick P. Gaske, Director, and
 State Historic Preservation Officer

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U.S. Department of Transportation
Federal Highway Administration

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

FLORIDA DIVISION

FLDIV Facsimile Numbers: (850) 942-9691 or (850) 942-8308

Date: September 24, 2008

To: Bob Gleason	Phone: 386-943-5390 Fax: 386-736-5059
---------------------------	--

From: Cathy Kendall	Phone: (850) 942-9650, Ext. 3012 Fax: (850) 942-9691
-------------------------------	---

MESSAGE

Cover Page Plus 1 Pages

Bob,

It looks like you were not copied on this letter from SHPO on the Wekiva Parkway project. Please see their comments following their concurrence of "adverse effect".

I believe we will need to have a consultation meeting with them regarding the effects and avoidance/minimization possibilities. Please let us know when you would like to do this and who all would need to come to this meeting.

Thanks,
Cathy

Confidentiality Note

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SEP 17 08 7:12AM

F-64 (Sheet 2 of 2)



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning

Secretary of State

DIVISION OF HISTORICAL RESOURCES

Mr. David C. Gibbs
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, FL 32303

September 10, 2008

RE: DHR Project File Number: 2008-5789
Project: *Section 106 Determination of Effects, Wekiva Parkway (SR 429)/SR 46 Realignment Project*
Counties: Orange, Lake, Seminole

Dear Mr. Gibbs:

Our office reviewed the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, 36 CFR Part 800: Protection of Historic Properties, and Chapter 267, Florida Statutes. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with the appropriate agencies in accordance with the National Historic Preservation Act of 1966 as amended, on undertakings that may affect historic properties and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

We concur that the Preferred Alternative (Alternative 1) would have an adverse effect on the *Paul Bock House* (8OR7946) and the *Strite House* (8OR9844). Please note that the *Strite House* was not identified until 2008 but the Preferred Alternative was chosen in 2007 indicating that this property was not taken into consideration during the decision making process. Alternative 2, which would effectively avoid both houses, appears to be a prudent and feasible alternative when comparing the overall impacts and costs (Exhibit B-3). Furthermore, two Section 106 alternatives, A & B, were developed but excluded because adverse effects could not be eliminated. Minimization efforts combined with mitigation *can* lessen the severity of such impacts and we would like to discuss these options further. Due to the potential impacts to two Section 4(f) properties, our office requests a meeting between the parties. If you have any questions, please contact Sherry Anderson, Architectural Historian, by email sanderson@doh.state.fl.us or at 850-245-6432.

Sincerely,

A handwritten signature in black ink, reading "Frederick P. Gaske".

Frederick P. Gaske, Director, and
State Historic Preservation Officer

XC: Roy Jackson, CEMO, FDOT

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**Federal Highway
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Florida Division

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Tallahassee, Florida 32303**

(850) 942-9650

October 29, 2008

In Reply Refer To: ENV-FL

DHR Project File Number: 2008-5789

Wekiva Parkway (SR 429)/SR 46

Realignment PD&E Study

Orange, Lake, and Seminole Counties

Section 106 Determination of Effects

Mr. Frederick Gaske
State Historical Preservation Officer
Division of Historical Resources
500 South Bronough Street
Tallahassee, FL 32399-0250

Received

OCT 30 2008

FDOT
Environmental Management

Dear Mr. Gaske:

As part of the ongoing Section 106 consultation required by the National Historic Preservation Act for the Wekiva Parkway project, the Federal Highway Administration's (FHWA's) Florida Division Office received correspondence dated September 10, 2008 from the Division of Historical Resources, State Historic Preservation Officer (SHPO) after review of the *Draft Section 106 Determination of Effect Case Study Report* (July 2008). The letter concurs that the recommended Preferred Alternative would have an adverse effect on both the *Paul Bock House* (8OR7946) and the *Strite House* (8OR9844).

We would like to schedule a coordination meeting as soon as possible with the SHPO, District Five of the Florida Department of Transportation, and the Orlando-Orange County Expressway Authority to discuss the potential effects and to address your comments. The purpose of this letter is to confirm the need for additional consultation.

**MOVING THE
AMERICAN
ECONOMY**

Mr. Frederick P. Gaske
October 29, 2008

F-65 (Sheet 2 of 2)

Thank you for the continued coordination that the SHPO has provided throughout the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study. Project staff will be in contact with your office to schedule a consultation meeting and discuss the agenda.

If you have any further questions or would like additional information prior to the consultation meeting, please contact Ms. Cathy Kendall at (850) 942-9650 extension 3012, or Mr. George Hadley at extension 3011.

Sincerely,

/s/Cathy Kendall
For: David C. Gibbs
Acting Division Administrator

Enclosure: SHPO Letter (September 10, 2008)

cc: Ms. Marjorie Bixby, FDOT (CEMO)
Mr. Bob Gleason, FDOT (District 5)



BW

FLORIDA DEPARTMENT OF STATE

Dawn K. Roberts

Interim Secretary of State

DIVISION OF HISTORICAL RESOURCES

Received

JUL 14 2010

**FDOT
Environmental Management**

Ms. Cathy Kendall
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

July 6, 2010

RE: DHR Project File Number: 2010-2928/Received by DHR: June 11, 2010
Project: *Section 106 Documentation and Determination of Effects Case Study Report for the
Wekiva Parkway (SR 429/SR 46) Realignment Project Development and Environment
(PD&E) Study*
County: Orange, Lake, and Seminole

Dear Ms. Kendall:

This office received and reviewed the above-referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, 36 CFR Part 800: Protection of Historic Properties, and Chapter 267, *Florida Statutes*. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with the appropriate agencies in accordance with the National Historic Preservation Act of 1966 as amended, on undertakings that may affect historic properties.

This project proposes to construct the Wekiva Parkway (SR 429) as a limited-access expressway that will complete the Western Beltway (SR 429), a regional transportation corridor around the Orlando Metropolitan area, linking I-4 (SR 400) in Osceola County to I-4 (SR 400) in Seminole County. Cultural Resource Assessment Surveys undertaken in 2007 and 2008 resulted in the identification of two significant historic properties within the project's area of potential effects (APE) – the Paul Bock House (8OR7946) and the Strite House (8OR9844). Because the project would likely have an adverse effect on the National Register of Historic Places (NRHP)-eligible Paul Bock House (8OR7946) and Strite House (8OR9844), the Florida Department of Transportation undertook an effort to develop and evaluate alternatives that could possibly avoid or minimize adverse effects to the historic properties. The submitted revised draft report outlines this effort.

In a letter dated September 10, 2008, this office concurred with the Federal Highway Administration's (FHWA) finding that project's "locally-recommended alternative" (Orange County Alternative 1) would adversely effect [as per 36 C.F.R. Part 800, § 800.5(d)(2)] the NRHP-eligible Paul Bock House and Strite House because the historic integrity of both properties would be greatly compromised as a result of the proposed improvements.

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☐ Director's Office
850.245.6300 • FAX: 245.6436

☐ Archaeological Research
850.245.6444 • FAX: 245.6452

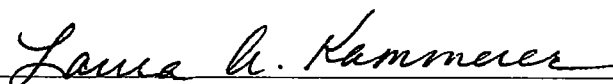
☒ Historic Preservation
850.245.6333 • FAX: 245.6437

Ms. Cathy Kendall
DHR Project File Number: 2010-2928
July 6, 2010
Page 2

This office reviewed the June 2010 revised draft case study report and we maintain concurrence with FHWA's initial finding that the locally-recommended alternative will have an adverse effect on the two historic properties within the APE. Furthermore, after a comparison of the four alternatives presented in the revised draft study report (the locally-recommended alternative, the two minimization alternatives, and the avoidance alternative) as well as the information included in Table 4-1 (Page 4-5), this office prefers that the Orange County Avoidance Alternative 2 be selected for the ultimate location of the corridor. Although the locally-recommended alternative and the two minimization alternatives would not necessarily result in the demolition of the historic buildings associated with the Bock and Strite properties, they would most certainly result in the removal of historic landscape components that are integral to the significance of both properties. The introduction of the proposed new transportation facility into this predominantly rural/agricultural setting will also negatively impact the historic/cultural landscape within the general vicinity, as the case study report notes that the area is one of the few remaining in the region that retains both historic structures and their associated agricultural land. The location of the corridor to the north of Boch Road would not only avoid the Bock and Strite properties, but would also lessen the indirect impacts that the project could have on nearby historic parcels, including the Haas Bungalow property. As required by 36 CFR Part 800.6, this office will continue consultation to develop alternatives to avoid, minimize or mitigate the adverse effects associated with the project and looks forward to future discussions to address these efforts.

If you have any questions concerning our comments, please contact Jennifer Ross, Architectural Historian, Transportation Compliance Review Program, via electronic mail at jrross@dos.state.fl.us, or at 850.245.6333.

Sincerely,



Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

PC: William Walsh, FDOT District 5, Deland
Roy Jackson, FDOT CEMO, Tallahassee/#5500



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Martin C. Knopp, P.E.
US Department of Transportation
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

July 12, 2011

Attn: Linda Anderson

Re: Memorandum of Agreement between the Federal Highway Administration and the Florida State Historic Preservation Officer in Regards to the Wekiva Parkway Project and Adverse Effects to the Bock House (8OR7946) and the Strite House (8OR9844), Orange County

Dear Mr. Knopp:

In accordance with the procedures contained in 36 CFR Part 800, this office reviewed and signed five copies of the above-referenced Memorandum of Agreement. We are returning four of the signed original copies of the Agreement, and retaining one for our files.

If there are any questions, please contact Ginny Jones, Architectural Historian, by phone at 850.245.6333, or via electronic mail at gljones@dos.state.fl.us.

Sincerely,

Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

Enclosures (4)

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

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☐ Archaeological Research
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☒ Historic Preservation
850.245.6333 • FAX: 245.6437



Florida Department of Transportation

RICK SCOTT
GOVERNOR

District Five, MS-501
719 S. Woodland Blvd.
DeLand, FL 32720-6834

ANANTH PRASAD, P.E.
SECRETARY

July 26, 2011

Mr. Martin C. Knopp, P.E.
Division Administrator
Federal Highway Administration
Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, FL 32303

Attn: Ms. Cathy Kendall

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake and Seminole Counties, Florida
Financial Project ID: 238275 1 22 01 and 240200 1 22 01
DHR Project File Number: 2008-5789
Request for Concurrence on *Section 106 Documentation and
Determination of Effects Case Study Report (July 2011)*

Dear Mr. Knopp:

In accordance with the procedures contained in 36 CFR Part 800 (Protection of Historic Properties), the *Cultural Resource Assessment Survey (CRAS) Addendum* (October 2007, Revised March 2008, Updated Final May 2010) for the subject project was previously submitted by the Federal Highway Administration (FHWA), Florida Division Office to the Division of Historical Resources, State Historic Preservation Officer (SHPO). **The SHPO provided a concurrence letter on May 19, 2008** that concurred with the findings of the *CRAS Addendum*. Pursuant to the National Historic Preservation Act of 1966 (PL 89-665, as amended) and Section 800.5 of its implementing regulation 36 CFR 800, the *Draft Section 106 Documentation and Determination of Effects Case Study Report* (July 2008, revised June 2010) was submitted by FHWA to the SHPO for two (2) historic resources that will be adversely affected - the Paul Bock House (8OR7946) and the Strite House (8OR9844). **The SHPO provided concurrence letters on September 10, 2008 and July 6, 2010** stating that the Proposed Build Alternative would have an adverse effect on both the Bock House and the Strite House.

The Bock House and the Strite House are both individually eligible for listing in the National Register of Historic Places (NRHP). The Bock House and the Strite House are the only significant historic resources within the Area of Potential Effects for the proposed Wekiva Parkway project. No other historic resources were identified within the project Area of Potential Effects during the investigation. No archaeological sites were identified, nor are expected to be encountered during subsequent project development.

Mr. Martin C. Knopp
 FHWA FL Division
 July 26, 2011
 Page 2 of 4

The Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study, under joint management of the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, has evaluated and analyzed alignment alternatives since early 2005. The proposed direct and indirect effects to the Bock House and Strite House as a result of the Proposed Build Alternative are summarized below.

The Paul Bock House (8OR7946)/2626 Boch Road property contains two contributing structures - the main house (constructed circa 1900) and one outbuilding (a historic garage/tenants' quarters). There are also seven non-contributing structures (outbuildings) on the property including a car port, pump house, a modern mobile home, a modern nursery, two metal sheds, and former feed shed.

- The Bock House would not be directly impacted by the Proposed Build Alternative but the property on which the house is located would be directly impacted. Approximately 10 acres from the southern portion of the 14-acre Bock property would be impacted by the proposed improvements. The Bock House would be approximately 300 feet from the edge of the travelway and approximately 210 feet from the right-of-way fence. The proposed improvements would impact one metal shed and the former feed shed that are non-historic and non-contributing.
- The existing direct access to Boch Road would be maintained.
- The project traffic noise level increase near the Bock House (from 42.7 dBA existing to 61.2 dBA in Design Year 2032) would not exceed either the FHWA noise abatement criteria of 67 dBA for residential areas or the FDOT approach criteria of 66 dBA, but would exceed the FDOT increase threshold of 15 dBA requiring noise abatement analysis. Due to the sparsely populated area in which the Bock House is located, it does not meet the FDOT cost reasonable test for a noise barrier.
- In the vicinity of the Bock House, the Wekiva Parkway profile would be approximately 16 feet to 25 feet above the existing ground elevation; therefore, the viewshed from the historic resource would be affected.

The Strite House (8OR9844)/6229 Plymouth Sorrento Road property contains the main house (constructed circa 1910) and three contributing structures (historic garage, historic water tower, and historic swimming pool).

- Approximately 19.5 acres from the northern portion of the 48-acre Strite property would be impacted by the proposed improvements. This right-of-way impact would directly impact the Strite House, the historic garage and historic water tower. The acquisition would also take the original driveway, the front lawn, and land on which associated citrus groves were sited.
- The remaining 28.5 acres would permit existing direct access to both Haas Road and Plymouth Sorrento Road. However, the existing driveway from Plymouth Sorrento

Mr. Martin C. Knopp
FHWA FL Division
July 26, 2011
Page 3 of 4

Road will need to be relocated to the southern portion of the property due to the right-of-way acquisition for the proposed improvements.

- Substantial noise impacts are not anticipated as the potential relocation of the Strite House would involve on-site relocation of the Strite House residence on the remaining 28.5 acres allowing sufficient room to relocate the residence a minimum of 500 feet from the proposed improvements to avoid substantial noise impacts.
- In the vicinity of the Bock House, the Wekiva Parkway profile would be approximately 16 feet to 25 feet above the existing ground elevation; therefore, the viewshed from the historic resource would be affected.

As a result of the Section 106 consultation with the property owners, FHWA, the SHPO and other stakeholders, the enclosed *Section 106 Documentation and Determination of Effects Case Study Report* was revised and a *Memorandum of Agreement* has been executed to document measures to minimize and/or mitigate effects to the two NRHP eligible historic resources. **Please process the enclosed Case Study Report and the attached sufficiency/concurrence form, and forward them to the SHPO for review and concurrence.** The second copy of the report is for FHWA files. If additional information is required to further substantiate the determination, please feel free to contact me at (386) 943-5391 or by email at Brian.Stanger@dot.state.fl.us.

Sincerely,



Brian M. Stanger, P.E.
District Environmental Management Engineer
District Five

Enclosures: 2 copies of *Section 106 Documentation and Determination of Effects Case Study Report*
(July 2011)

Attachment: Sufficiency/Concurrence Form

Copies: Joe Berenis, P.E., OOCEA (w/o enclosure)
Massoud Moradi, P.E., Atkins (w/ enclosure)
Roy Jackson, FDOT CEMO (w/ enclosure)
Mark Callahan, P.E., CH2M HILL (w/o enclosure)

Mr. Martin C. Knopp
 FHWA FL Division
 July 26, 2011
 Page 4 of 4

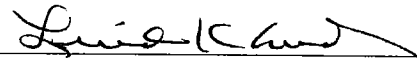
The FHWA finds the attached determination of effects documentation complete and sufficient, and ✓ approves/_____ does not approve the above recommendations and findings.

The FHWA requests the SHPO's opinion on the sufficiency of the attached documentation and the SHPO's opinion on the effects contained in this cover letter and in the comment block below.

FHWA Comments: I AM APPROVING THE VERSION OF THE CASE STUDY THAT INCORPORATES MY COMMENTS
 FOOT'S RESPONSES OF 9/2/11 AND 9/29/11 RESPECTIVELY (TO BE PRODUCED) INTO THE JULY 2011 DRAFT.
 PLEASE ADDRESS COMMENTS + OPINION TO: LINDA ANDERSON, FHWA. ATTACHED

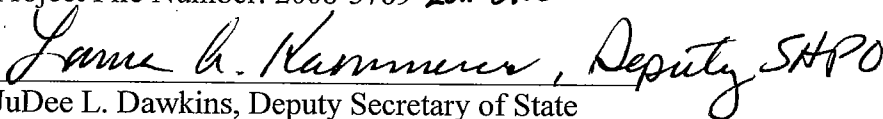
e: linda.anderson@dot.gov. P: 850-553-2226.

PLEASE CC: BRIAN STANGER, FOOT DS; PHILLIP BELL, FHWA; AND
 ROY JACKSON, FOOT CMO

/s/ 
 Martin C. Knopp, P.E.
 Division Administrator, Florida Division
 Federal Highway Administration

10-11-11
 Date

The Florida State Historic Preservation Officer finds the attached determination of effects complete and sufficient and concurs with the effects provided in this cover letter for SHPO/DHR
 Project File Number: ~~2008-5789~~ 2011-3905


 JuDee L. Dawkins, Deputy Secretary of State

10/18/2011
 Date

Cultural, Historical and Information Programs
 Interim Florida State Historic Preservation Officer
 Florida Department of State, Division of Historical Resources

FHWA Review of Section 106 Case Study of Effects for Wekiva Parkway (SR 429)/SR46 Realignment, Orange, lake and Seminole Counties, Florida, Financial Project #'s: 238275 1 22 01 and 240200 1 22 01 Reviewer: Linda Anderson, Environmental Protection Specialist, FHWA Date: September 7, 2011			FDOT and OOCEA Responses to FHWA Review Comments on the Section 106 Case Study prepared for Wekiva Parkway PD&E Study Date: September 29, 2011
Comment #	Comment location/reviewer	Comment	Response
	General Comment	Why was the MOA signed and circulated prior to the conclusion of the Section 106 Case Study when it is based on the Case Study?	<i>In order to complete Section 6 – Conclusions in the Case Study, the measures to minimize/mitigate harm had to be agreed to by FHWA and the SHPO. Please see attached October 29, 2008 letter from FHWA to the SHPO. That agreement on minimization/mitigation measures was accomplished in the executed MOA. The need to prepare and complete the MOA was discussed at the Second Section 106 Consultation meeting in Apopka on August 16, 2010, which FHWA and SHPO staff attended. Please see the highlighted portions of the attached summary of that meeting. Also attached is a copy of an email string between FHWA and the SHPO during the period June 8 -15, 2011 regarding review and approval of the MOA.</i>
		Please add FMSF for Strite House to Section 106 Case Study.	<i>The Florida Master Site File (FMSF) forms for the Strite House are in the Cultural Resource Assessment Survey (CRAS) report addendum which was previously submitted to FHWA and the SHPO; the updated forms for the Bock House property included in the Case Study were for the significance reevaluation of the out-buildings requested by the landowner, as discussed at the Second Section 106 Consultation meeting (please see the explanation provided on page 5-4 of the Case Study).</i>
	p.4-3, par. 3	States that “No Build” alt. did not meet P&N, so was not included in alternatives analysis. It needs to be added per PD&E	<i>The sentence on page 4-3 states that the No Build Alternative “was not included in the alternatives</i>

		Manual, Part 2, p. 12-13, par. 2: “The Case Study report also includes a description and evaluation of all potential alternatives considered to avoid or minimize impacts to the property(ies) including the ‘no build’ alternative.”	<i>comparison” (i.e., the comparison of Build Alternatives 1, 1A, 1B and 2). As discussed in Section 1.5 – Development of Alternatives on page 1-11 under Section 1.5.1 – No Build Alternative, the analysis of alternatives did include the No Build Alternative. The text in the sentence on page 4-3 will be revised to clarify this.</i>
	p.4-5, Table 4-1	<p>Please make the following changes:</p> <ol style="list-style-type: none"> 1) Add No Build alternative to this table. 2) Quantify the Florida Scrub Jay habitat Impact for all alternatives. 3) Replace N/A with data for noise categories and distance from edge of travel lanes. N/A appears to apply to whether noise abatement measures are applicable, but the descriptive criteria for these columns is about noise levels, not abatement. (should make this change for noise chapter as well-not logical as is). 	<p>1) Table 4-1 is entitled “Comparison of Orange County <u>Build</u> Alternatives”. It is meant to show a relative comparison of impacts for the four Build Alternatives. As requested, the No Build Alternative will be added to the table, and it will show no impacts under any of the evaluation criteria categories in the table.</p> <p>2) The acreage will be quantified for Florida Scrub Jay habitat impact of all alternatives and included in the table; as shown on Table 4-1, the habitat impacts of Alternatives 1, 1A and 1B are similar, but Alternative 2 will have an additional 24.4 acres of impact and will be about 400 ft. closer to Scrub Jay sighting/nesting areas (please see details and maps provided in Appendix B).</p> <p>3) Comment 3 appears to be referring to Table 4-2. The N/A in the columns under the Strite House for Alternatives 1 and 1A does not mean whether noise abatement measures are applicable. What N/A means for the evaluation criteria “increase in noise level” and “distance from travel lanes” is, under both alternatives, the house would be displaced; its existing location is within the proposed right-of-way for Alternatives 1 and 1A. A footnote will be added to Table 4-2 to clarify this.</p>

	Exh. 4-6	Please include realignment of Boch Road in Legend.	<i>The requested addition to the Legend in Exhibit 4-6 will be incorporated.</i>
	p.4-10, sect. 4.3.4, bul. 5	Please provide some explanation of “high community cohesion impacts.” Seems like this would occur regardless of alternative.	<i>As noted in Section 4.3.4 – Alternative 2 (Avoidance) on page 4-10, the impacts are discussed in more detail in Appendix B. As indicated in Appendix B, Alternative 2 (the Avoidance Alternative) would result in the displacement of seven additional residential dwellings, which is about 20% of the residences within a relatively small cluster of about 35 homes in a rural setting. Alternative 2 would also displace three additional businesses. It would also require relocation of Boch Road and alteration of existing access to it for several parcels. For these reasons, Alternative 2 is expected to impact community cohesion and, based on comments received from area residents at public workshops, is expected to generate a high degree of public controversy. The text on page 4-10 will be revised to reference this information. Also, a footnote will be added to Table 4-1 to clarify “high” impact of Alternative 2 under “Community Disruption” Evaluation Criteria. These impacts would not occur with any of the other alternatives considered (i.e., Alternatives 1, 1A and 1B).</i>
	p.4-14, par. 1	Please show potential pond location on Exh. 4-7. Where are the four acres of contiguous property?	<i>As requested, the pond location will be shown on Exhibit 4-7. The four acres contiguous with the Bock House are located north of the proposed right-of-way line, south of Boch Road and east of the house, including the area labeled “Former Citrus Groves” on Exhibit 4-7. This information will be added to the text on page 4-14 to provide clarification.</i>

	p.4-14m par. 4	Is the noise analysis based on the revised 23CFR772? It needs to be, for both this document and the EA. I assume that the noise data/conclusions are based on the old criteria as third draft of EA was completed in 2010. Any project for which LDCA is not granted by July 13, 2011 must meet new criteria described in revised 23CFR772. FDOT has revised PD&E Manual, Part 2, Chapter 17 to address changes in the CFR.	<i>The noise analysis will be evaluated and revised as necessary to be in compliance with amended 23 CFR 772 and the updated FDOT PD&E Manual, Part 2, Chapter 17 (Noise). As requested, the updated noise information will be incorporated in both the Section 106 Case Study and the Environmental Assessment (EA).</i>
	p.5-2, par. 2	Was Alt. 1 the only alternative presented at the Public Hearing? Were all the alternatives discussed in this Case study presented to the public? All alternatives studied must be described at Hearing (PD&E, Part 1, Chapter 11, Section 11-2.9.5.1, pp.11-38.	<i>At the Public Hearing, all of the Initial and Viable Alternatives analyzed in the PD&E Study were addressed and were depicted on large display boards for public review. For the two historic resources, the Section 106 Case Study and the Individual Section 4(f) Evaluation were specifically referenced and both documents, which contain the alternatives discussed in the Case Study, were made available in hard copies and on-line before, during and after the Public Hearing for public review. It was clearly stated at the Public Hearing that the Proposed Build Alternative would have adverse effects on the Strite House and Bock House historic resources.</i>
	p.5-4, par. 3	Please provide a summary of Public Hearing comments regarding Alt. 1, 1a, 1b, and 2, and effects to the Boch and Strite Houses.	<i>There were no public comments received during or after the Public Hearing regarding the alternatives and/or effects to the Bock House and Strite House properties. Comments from the affected property owners and other stakeholders have been addressed during the course of the PD&E Study public involvement process and in the two Section 106 Consultation meetings held on April 21, 2008 and August 16, 2010. Subsequent to the Public Hearing comment period, the affected property owners have contacted the Study Team to inquire about</i>

			<i>the status of the project. This information will be added to the text on page 5-4.</i>
	p.5-4	Please describe how Alt. 1 was selected as the preferred alternative, on which the MOA was based. Please provide documentation of consultation (after Public Hearing and comment period) with FHWA on the selection of the preferred alternative.	<i>Following the Public Hearing and comment period, the Preferred Alternative was selected at duly noticed public meetings/hearings held by the Seminole County Expressway Authority Board on November 9, 2010, the Lake County Board of County Commissioners on December 7, 2010, and the Orlando-Orange County Expressway Authority Board on December 14, 2010. This information will be added to the text on page 5-4. FHWA executed the MOA, which references the Proposed Build Alternative, on June 27, 2011. It is anticipated that FHWA's acceptance of the updated Environmental Assessment document, which is now being prepared for FHWA review with information added on the Public Hearing and Section 106/Section 4(f) matters, will constitute further FHWA consultation with approval to prepare the FONSI.</i>
	p.6-1, par. 3	MOA is dated June 2010, not 2011. Please revise.	<i>The date of the MOA will be corrected to read June 2011.</i>



U.S. Department
of Transportation
**Federal Highway
Administration**

Florida Division

**545 John Knox Road, Suite 200
Tallahassee, Florida 32303**

(850) 942-9650

October 29, 2008

In Reply Refer To: ENV-FL
DHR Project File Number: 2008-5789
Wekiva Parkway (SR 429)/SR 46
Realignment PD&E Study
Orange, Lake, and Seminole Counties
Section 106 Determination of Effects

Mr. Frederick Gaske
State Historical Preservation Officer
Division of Historical Resources
500 South Bronough Street
Tallahassee, FL 32399-0250

Received
OCT 30 2008
FDOT
Environmental Management

Dear Mr. Gaske:

As part of the ongoing Section 106 consultation required by the National Historic Preservation Act for the Wekiva Parkway project, the Federal Highway Administration's (FHWA's) Florida Division Office received correspondence dated September 10, 2008 from the Division of Historical Resources, State Historic Preservation Officer (SHPO) after review of the *Draft Section 106 Determination of Effect Case Study Report* (July 2008). The letter concurs that the recommended Preferred Alternative would have an adverse effect on both the *Paul Bock House* (8OR7946) and the *Strite House* (8OR9844).

We would like to schedule a coordination meeting as soon as possible with the SHPO, District Five of the Florida Department of Transportation, and the Orlando-Orange County Expressway Authority to discuss the potential effects and to address your comments. The purpose of this letter is to confirm the need for additional consultation.

**MOVING THE
AMERICAN
ECONOMY**

Mr. Frederick P. Gaske
October 29, 2008

2

Thank you for the continued coordination that the SHPO has provided throughout the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study. Project staff will be in contact with your office to schedule a consultation meeting and discuss the agenda.

If you have any further questions or would like additional information prior to the consultation meeting, please contact Ms. Cathy Kendall at (850) 942-9650 extension 3012, or Mr. George Hadley at extension 3011.

Sincerely,

/s/Cathy Kendall
For: David C. Gibbs
Acting Division Administrator

Enclosure: SHPO Letter (September 10, 2008)

cc: Ms. Marjorie Bixby, FDOT (CEMO)
Mr. Bob Gleason, FDOT (District 5)

MEETING SUMMARY

CH2MHILL

Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study

Cultural Resources Consultation Meeting #2 - August 16, 2010

ATTENDEES: Jerry Holder/ Representing Property Owner "Strite House"
 Beth Arnold/ Representing Property Owner "Strite House"
 Royce Howell/ Representing Property Owner "Bock House"
 Jack Prickett/ Representing Property Owner "Bock House"
 Angela Nicols/ Apopka Historical Society
 Tana Porter/ Orange County Regional History Center
Agencies & Consultants:
 George Hadley/ FHWA
 Linda Anderson/ FHWA
 Jennifer Ross/ DHR Architectural Historian, State Historic Preservation
 Roy Jackson/ FDOT Central Office (by phone)
 Brian Stanger/ FDOT District Five Project Manager
 Mike Snyder/ OOCEA Executive Director
 Michelle Maikisch/ OOCEA Public Affairs
 Deborah Keeter/ PBS&J for OOCEA
 Mark Callahan/ CH2M HILL Project Manager
 Tara Jones/ CH2M HILL
 Ken Hardin/ Janus Research
 Amy Streelman/ Janus Research

FROM: CH2M HILL

MEETING DATE: August 16, 2010, 1:00 P.M to 4:00 P.M.

LOCATION: Apopka City Hall, City Council Chambers, 120 East Main Street, Apopka, FL 32703

SUBJECT: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
 Orange, Lake and Seminole Counties, Florida
 DHR Project File Number: 2007-5191

FDOT, in cooperation with OOCEA, held the second Cultural Resource Section 106 Consultation meeting on August 16, 2010, at Apopka City Hall in Orange County. This meeting was scheduled as part of the Section 106 review process. The meeting focused on the proposed effects to historic resources and potential mitigation measures in order to complete a Memorandum of Agreement (MOA) and the Section 106 Case Study for the subject project. A PowerPoint presentation was given. Handouts included a copy of the presentation slides, and plan sheets of the proposed build alternative and the avoidance alternative. The draft Section 106 Case Study, Section (4) Individual Evaluation, Cultural Resource Assessment Survey (CRAS) and engineering documents prepared for this study were available at the meeting for reference.

Introduction

Following introductions, Tara Jones/CH2M HILL explained the purpose of today's meeting was to discuss potential effects of the proposed build alternative and mitigation measure as it relates to the following two properties and historic resources:

- Paul "Bock House" at 2626 Boch Road, Apopka, FL 32712, in Orange County
Property Owner: Adelpha Howell (private)
Status: Determined potentially eligible for listing in the National Register of Historic Places (NRHP) (SHPO Letter dated June 27, 2007; DHR File Number 2007-5191)
- "Strite House" at 6229 Plymouth-Sorrento Road, Apopka, FL 32712, in Orange County
Property Owner: Jerry Holder (private)
Status: Determined potentially eligible for listing in NRHP (SHPO Letter dated May 19, 2008; DHR File Number 2008-3009)

Adverse effects are anticipated to both properties (per SHPO letter dated September 10, 2008; DHR File Number 2008-5789), therefore invoking Section 106 and Section 4(f) processes. Part of today's meeting was to discuss solutions to mitigate the adverse effects. The first Cultural Resource (CR) Section 106 Consultation meeting was held on April 21, 2008. Tara summarized the outcome of that first meeting which included the documentation of the cultural resources and alternatives analysis in the Section 106 Case Study, and development of avoidance/minimization alternatives to the Bock House.

Project Review

Mark Callahan/CH2M HILL provided the project background and a brief review of the project to date. Mark explained that the proposed action was part of the Wekiva Beltway completion program. Due to the unique and sensitive environmental resources within the study area, the State of Florida formed the Wekiva Basin Area Task Force and a Wekiva Basin Coordinating Committee to evaluate the Wekiva Basin Area. As a result, the study corridor and project development processes included the protection of Wekiva River, the *Wekiva Parkway and Protection Act* and recommendations of the Wekiva River Basin Coordinating Committee. No changes have been made to the study corridor since the last CR Consultation meeting held in April 2008. Constraints considered within the study area during the corridor and alternatives development included public parks and recreations areas, wetlands, floodplains, archaeological and historic sites, threatened and endangered species habitat, and residences and businesses. These constraints were considered in the evaluation of the proposed build alternative and the avoidance/minimization alternatives. The focus of the following discussions would be in the constrained Orange County portion of the study area in the vicinity of the Bock and Strite properties.

Alternatives Development

Mark reviewed the alternatives development process. Numerous initial and viable alignments were assessed and evaluated for potential environmental impacts. The initial alternatives were presented at the Public Workshops held in November 2005. The viable alternatives were presented at the Public Workshops held in July/August 2006. A draft CRAS for the viable alternatives was prepared in April 2007. Following the Public

Workshops and opportunities for public and agency input, the proposed build alternative was identified. After receiving input from the first CR Consultation meeting, the avoidance/minimization alternatives were developed/refined and the draft Section 106 Case Study report was submitted by FDOT to FHWA for review.

Mark provided an overview of the initial and viable alternatives developed in the vicinity of the Bock and Strite properties. Major constraints that influenced the alternatives development included:

- two conservation properties known as the former “Fazio” and former “Strite” properties, recently purchased by Orange County Environmental Protection;
- a seepage spring located on the parcel currently owned by the Strite family which is directly north of the former “Strite” property;
- Rock Springs Run State Reserve in Lake County (avoided by having a more westerly alignment through the Neighborhood Lakes property);
- Residential areas along Bock Road and other residences.

Viable Alternative “Orange County Alternative 1” (OC Alternative 1) was refined for the proposed build alternative. Viable Alternative “Orange County Alternative 2” (OC Alternative 2) was refined for the avoidance build alternative. Handouts were provided showing OC Alternatives 1 and 2.

Section 106 Process by Ken Hardin

Ken Hardin of Janus Research then reviewed the Section 106 process. Ken explained that today’s meeting was part of the Section 106 process which requires consultation with affected and interested parties, SHPO and FHWA. Part of the process involves the assessment of effects and determination of adverse effects to resources that are listed on or eligible for listing on the National Register of Historic Places (NRHP). Ken explained that the two resources, the Bock House and the Strite House, have both been determined to be eligible for listing on the NRHP and that this determination was made by SHPO. The effects to these properties have been assessed as “adverse”, and now measures must be taken, as part of the Section 106 and Section 4(f) processes, to avoid/minimize the effects.

Ken explained that an undertaking is considered to have an “adverse effect” when the effect on a historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association (FDOT’s PD&E Manual, Part 2 Chapter 12).

Ken pointed out that today’s meeting was one of the opportunities that allows for input on solutions. Ken went on to explain the mitigation measures would be legally documented in a MOA signed by FHWA, SHPO, FDOT and OOCEA. Ken also pointed out that if there is failure to agree on the effects and mitigation of adverse effects to the cultural resources, then the issues goes into “dispute” and further consultation is required.

Special Issues and Effects related to Historic Resources by Amy Streelman

Amy Streelman of Janus Research reviewed the special characteristics of the resources and the effects due to the proposed action. Amy explained that, as part of the PD&E study, a

CRAS was performed. Cultural resources within an area of potential effect were identified, evaluated and documented in the CRAS. According to research performed and collected by the local historic societies and museums, Amy stated that 43 pre-1905 structures are left in the study area; structures that were 50 years and older are included in the survey; and that the Bock House was documented in the CRAS and were provided to FDOT and SHPO for concurrence with the findings. Based on the CRAS, SHPO has determined that the Bock and Strite properties are eligible for NRHP listing.

Bock House (8OR7946): Amy discussed the Bock House, contributing characteristics and its significance in the area of Architecture as an example of a turn-of-the-century Cracker farmstead. Contributing features include the Bock House facing Boch Road and the property. The other structures on the property were not considered contributing to the significance of the property's NRHP-listing eligibility. As a result of the proposed build alternative, no contributing structures will be directly impacted. Impacts include approximately 10 acres of direct impact on the south end of the property, and visual and noise impacts introduced by the traffic on the proposed expressway. These impacts have resulted in a determination of adverse effects.

Strite House (8OR9844): Amy discussed the Strite House, contributing characteristics and its significance in the area of Architecture as an example of a turn-of-the-century Cracker farmstead. Contributing structures include the Strite House, the garage, water tower, the former swimming pool, and the agricultural fields. As a result of the proposed build alternative, the house, water tower and garage (all contributing structures) will be directly impacted and displaced. Impacts include approximately 20 acres of direct impact, and visual and noise impacts introduced by the traffic on the proposed expressway. These impacts have resulted in a determination of adverse effects.

A discussion followed about the significance of the setting, property and contributing structures to the eligibility status of the properties. Jerry Holder asked about how the property contributes to or is associated with the historic status. The study team responded that the property does contribute to the significance of the resource, as does the setting, and the context of the former farmhouse and buildings related to the land, its former uses and the agricultural way of life. All of these characteristics contribute to the "story" of the property, its historic uses and the families that reside there. Royce Howell stated that the storage sheds are currently used for storage, and the uses of them have changed and evolved over time. The team stated that the sheds were not verified in the field, and were considered non-contributing to the Bock House properties based on aerial maps and available research. For a structure to be considered potentially historic, it would have to be 50 years or older. It was noted that the proposed action affects the rural setting and the history or "story" of the property and the area.

Comparative Evaluation of Alternatives

Tara presented the potential impacts that may result due to the minimization alternatives (Alternative 1A and Alternative 1B), the avoidance alternative and refinements (Alternative 2), in comparison to the proposed build alternative (Alternative 1).

Alternative 1A (minimization) was developed at the request of the SHPO to minimize direct impacts to the Bock property by shifting the alignment further south to avoid impacts to existing mature oak trees and former citrus groves. Similar to Alternative 1, Alternative 1A

would result in direct use impacts to both the Bock and Strite properties. Similar to Alternative 1, this alternative would not directly impact the Bock House. Alternative 1A would increase the impacts to land use and contributing structures for the Strite House as compared to Alternative 1. Both Alternative 1 and Alternative 1A would require relocation or removal of the Strite House.

Alternative 1B (minimization) was developed at the request of the SHPO to minimize direct impacts to the Bock property and reduce impacts to the Strite property by shifting the alignment as far south as geometrically possible to avoid directly impacting the Strite House. Similar to Alternative 1, Alternative 1B would result in direct use impacts to both the Bock and Strite properties. Similar to Alternative 1, this alternative would not directly impact the Bock House. Alternative 1B would result in direct use impacts to the Strite property and divide the parcel.

Alternative 2 (avoidance) would not directly impact either the Bock House or Strite House properties as the alignment is further west and further north than Alternative 1. It requires the realignment of Boch Road. In order to totally avoid impacts to the Bock and Strite properties, Boch Road would have to be realigned under the proposed mainline requiring additional bridging.

The comparative evaluation is documented in the Section 106 Case Study. Alternative 2 would have more impacts to the environmental comparison to Alternative 1 including (additional impacts): 24.4 acres of habitat impacts for the Florida Scrub Jay, 14.1 acres of floodplain, 7 residences displaced, 3 businesses displaced, and community cohesion issues. Alternative 2 also has higher estimated right-of-way and construction costs (additional \$18.4 million in 2008 dollars, 30% higher compared to Alternative 1).

Therefore, Alternative 2 (avoidance) is not considered a reasonable alternative for further evaluation.

Discussion of Mitigation Measures

A discussion followed about the Section 106 process and the need for a preservation covenant. Jerry Holder stated that he understood the purpose of the study but would like a better understanding of the next steps, the process and what this means to his family, and schedule. As it relates to the relocation of the Strite house and its historic status, Mr. Holder wanted more information - about who moves it, and who decides where to move it, and what options exist - so he could communicate with his family. Mr. Holder said that he was not opposed to the moving of the house but would like to be involved in the siting of the house and have control over the future family homestead and appropriate treatment of the house. Ken Hardin stated that FDOT and OOCEA are constrained to what can be done to the historic house and contributing structures; however there are no constraints for the property owner. George Hadley of FHWA further clarified that in the MOA FHWA may require the property owner(s) to sign a preservation covenant that requires the property owner to keep the characteristics of the house that makes it eligible for NRHP listing. This preservation covenant may be required even if FHWA does not fund this portion of the project. Roy Jackson (by phone) added that there are incidences where a preservation covenant is not necessary if agreeable by all parties involved. The preservation covenant is used when tax dollars are involved in funding the relocation of historic structures. Roy

indicated that there was room to work with preservation covenant. The MOA can be changed and amended. Acquisition of land is a separate process.

Royce Howell was concerned the impacts to the existing landscaping and impacts to remaining land due to future screening options – would trees be planted in the right-of-way and if so what side of the fence – and would any screening occur prior to construction to allow for growth. Ken indicated that there would be opportunities prior to construction to plan for screening options. Mr. Howell was also concerned with long-term effects 10-20 years from now, tax implications, effects to “Save Our Homes” assessments, and zoning as a result of alterations to the historic house should mitigation measures include sound proofing or relocation. Mark said that we would verify with the FDOT right-of-way staff.

Ken requested input from the local historians, Tana Porter and Angela Nicols. They noted that there are no local restrictions or preservation ordinances in place in Apopka. There is a desire to inform and educate the public of the rich history of the area. Ken indicated that research and documentation could be provided to the historical societies. Ken also discussed other useful media such as videos (4th grade level), posters, and exhibits. They noted that the 1995 survey of Orange County is dated and the site files are incomplete, and the local historians would like new survey of the area historic resources. There are concerns about impacting resources that cannot be replaced. It was noted that these houses were a part of the Bay Ridge area. Historic American Building Survey (HABS) standard photography and documentation as a potential mitigation measure was discussed.

The local historians were also concerned that the relocation of historic structures would affect its eligibility for NRHP listing. Ken clarified that historic structures, if relocated correctly, will retain its NRHP-listing eligibility. Jennifer Ross of SHPO added to the discussion that in order to retain historic status, it helps if the house is moved on the same parcel. Jerry Holder indicated there is a 5-acre property south of Haas Rd to which the house could be moved which may be his family’s preference as it is further from the proposed expressway and is surrounded by conservation lands formerly owned by the Strite family. Jennifer indicated that due to the road dividing the properties, that this location may not be ideal and that SHPO may prefer the house to be near the original site.

The property owners and the local historical society requested copies of the CRAS and Section 106 documents.

In summary, potential measures to minimize and/or mitigate effects to the Bock House Property include:

- HABS standard photography and documentation,
- Repairs to structures, and
- Landscape screening between the structures and the proposed roadway.

Potential measures to minimize and/or mitigate effects to the Strite House Property include:

- HABS standard photography and documentation,
- Repairs to structures,
- Landscape screening between the structures and the proposed roadway, and
- Relocate house, garage and water tower (the property owner has proposed several relocation options).

In addition, a historic resources survey may be considered in the rural areas of Orange County such as Tangerine, Plymouth, Bay Ridge, and Rock Springs, which includes some of the County's earliest agricultural communities. As part of this survey after the boundaries are determined, historic resources that are 50 years and older would be documented with Florida Master Site File forms and their significance would be evaluated according to criteria established by the National Register of Historic Places.

Next Steps

Mark discussed the following next steps. OOCEA and FDOT will continue to proceed with the next steps in the PD&E and Section 106 processes, which involves the distribution of the Draft EA for comment, public hearing and development appropriate and acceptable minimization and mitigation measures for the resources that will be adversely affected by the project. George Hadley noted that the public hearing provides public and agency opportunity to review the study documents; the public hearing addresses all applicable federal and state laws including Section 106 consistent with the National Environmental Policy Act (NEPA). He said the MOA cannot be formally submitted until after the Public Hearing and a locally preferred alternative is identified. Signatories on the MOA would include FDOT, OOCEA, FHWA and SHPO. The MOA is a plan and considers what the agencies are able to fund. Changes to the MOA may be made through the design phase and can be renegotiated with input from the property owners. It was noted that right-of-way acquisition may start in a couple of years. Royce expressed concerns with environmental impacts. Mark acknowledged his concerns and the uniqueness of this project through rural communities and the efforts made by the Task Force to address those issues. The public hearing is tentatively scheduled for October 2010.

ACTION ITEMS:

- Follow up with FDOT and OOCEA right-of-way on tax and zoning implications on improved buildings
- Send hard copy and cd pdf of draft Case Study to Jerry Holder
- Send hard copy and cd pdf of draft Case Study to Royce Howell
- Scan in sign in sheet and send to all attendees
- Revisit “non-contributing” structures on Bock property – Royce Howell indicated that the out buildings are contributing to historic use of land
- After the public hearing and identification of the locally preferred alternative, prepare draft MOA for review and comment by FHWA and SHPO.
- Provide hard copies Final CRAS, Case Study and MOA to Historical Society (after Public Hearing) for their library
- Provide final copies of Final CRAS, Case Study and MOA to property owners.

From: George.Hadley@dot.gov [<mailto:George.Hadley@dot.gov>]
Sent: Wednesday, June 15, 2011 12:34 PM
To: Stanger, Brian; Snyder, Mike
Cc: Karen.Brunelle@dot.gov; Phillip.Bello@dot.gov; Jackson, Roy; Cathy.Kendall@dot.gov; Linda.Anderson@dot.gov; Joseph.Sullivan@dot.gov; Ginny.Jones@dos.myflorida.com
Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Brian, SHPO has reviewed and their comments are in this email string. The MOA is okay.

George Hadley, Environmental Coordinator
FHWA Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2224
george.hadley@dot.gov

From: Jones, Ginny L. [<mailto:Ginny.Jones@dos.myflorida.com>]
Sent: Wednesday, June 15, 2011 8:54 AM
To: Hadley, George (FHWA); Kendall, Cathy (FHWA); Jackson, Roy
Cc: McManus, Alyssa M.; Kammerer, Laura; McClarnon, Daniel P.
Subject: RE: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Good Morning,
After reviewing the Draft Wekiva Pkwy MOA, SHPO does not have any comments and finds it acceptable. We look forward to receiving the final version.

Please feel free to contact me if you have any questions.

Thanks,
Ginny

Ginny Jones, MA/Architectural Historian/Transportation Compliance Review Program/Division of Historical Resources/Florida Department of State
R.A. Gray Building/500 South Bronough Street/Tallahassee, Florida 32306-0250
850.245.6333 (main)/850.245.6432 (direct)/1.800.847.7278 (toll free)/gljones@dos.state.fl.us (electronic)

We Need Your Help! The Division of Historical Resources is updating Florida's Statewide Comprehensive Historic Preservation Plan. Please share your ideas, concerns and suggestions, or take a few moments to complete our survey at: www.surveymonkey.com/s/HistoricPreservationCompPlan2011-2015

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation.
[DOS Customer Satisfaction Survey](#)

From: McManus, Alyssa M.
Sent: Wednesday, June 08, 2011 9:58 AM
To: Jones, Ginny L.
Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Alyssa McManus

Compliance Review Architectural Historian
Division of Historical Resources

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation.

[DOS Customer Satisfaction Survey](#)

From: George.Hadley@dot.gov [<mailto:George.Hadley@dot.gov>]

Sent: Wednesday, June 08, 2011 9:51 AM

To: McManus, Alyssa M.

Cc: Cathy.Kendall@dot.gov; Karen.Brunelle@dot.gov

Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

I see that Laura is out until the 20th. Are you or others able to review and comment? If so, please provide comments.

George Hadley, Environmental Coordinator
FHWA Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2224
george.hadley@dot.gov

From: Hadley, George (FHWA)

Sent: Wednesday, June 08, 2011 9:47 AM

To: Kammerer, Laura

Cc: Snyder, Mike; 'Stanger, Brian'; Brunelle, Karen (FHWA); Kendall, Cathy (FHWA); Anderson, Linda (FHWA); Sullivan, Joseph (FHWA); Jackson, Roy

Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Laura, the attached MOA is acceptable to the Division. Please review and send your comments on the MOA. There have been minor revisions involving removing reference to noise reduction from landscaping (landscaping is still to occur) and the other change is to remove 10 years from the stipulation for preservation covenants. The covenant time period would be developed as part of the covenant.

George Hadley, Environmental Coordinator
FHWA Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2224
george.hadley@dot.gov

**LOCAL GOVERNMENT/AGENCY
CORRESPONDENCE**

**ORANGE COUNTY
CORRESPONDENCE**



ENVIRONMENTAL PROTECTION DIVISION

Lori Cunniff, *Manager*

Leeds Commerce Center
800 Mercy Drive, Suite 4
Orlando, Florida 32808-7896
407-836-1400 • Fax 407-836-1499
www.OrangeCountyFL.net

F-69 (Sheet 1 of 1)

December 28, 2005

Mr. Mark Callahan, Vice President
CH2M Hill, Inc.
225 East Robinson Street, Suite 505
Orlando Florida 32801-4321

Subject: Proposed Alignment of Wekiva Parkway

Dear Mr. Callahan:

Thank you for meeting with Beth Jackson, Elizabeth Johnson, and me on December 1, 2005. The purpose of the meeting was to review the general aspects of the proposed alignments of the Wekiva Parkway and the potential impacts to Orange County Green PLACE properties.

The following outlines the Orange County Environmental Protection Division's (Division) opinion on the alignments:

- The Division prefers that the final alignment of the Wekiva Parkway completely avoid impacting two Green Place properties known as the Fazio Property and Strite Property.
- If the alignment is unable to avoid either of these parcels, the Division requests that the alignment avoid fragmenting the parcels.
- If the alignment is unable to avoid the Fazio Property, the Division requests that the alignment avoid impacting the onsite portion of Lake Lucie.
- The Division requests that the road alignment avoids impacts to the seepage springs located on the parcel north of the Strite Property that is currently owned by the Strite Family.
- The Division requests that the alignment through the Neighborhood Lakes parcel should be located to a more westerly alignment in order to avoid impacts to the Rock Springs Preserve.
- The Division would like to go on record that the preferred alignment is Green OC 17.

We hope this information is helpful to you during the planning and preliminary design phases of this project. If you have any specific questions, please contact me at (407) 836-1405 or Beth Jackson at (407) 836-1481.

Sincerely,

Lori Cunniff, CEP
Manager

BJ/ERJ/LC: rb

c: Elizabeth R. Johnson, Environmental Supervisor, Environmental Protection Division
Beth Jackson, Program Manager, Environmental Protection Division



ENVIRONMENTAL PROTECTION DIVISION

Lori Cunniff, Manager
800 Mercy Drive, Suite 4
Orlando, Florida 32808-7896
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www.ocepd.org

F-70 (Sheet 1 of 2)

October 30, 2008

Mr. Mark Callahan, Vice President
CH2M Hill, Inc.
225 East Robinson Street, Suite 505
Orlando, Florida 32801-4321

**Subject: Request for Additional Information
Wekiva Parkway Alignment**

Dear Mr. Callahan:

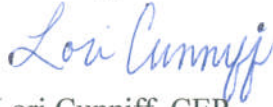
Thank you for having your office contact us regarding the issue of the seepage spring. As discussed in the December 28, 2005, letter from the Orange County Environmental Protection Division (EPD) (attached), EPD requested that the road alignment avoid impacts to the seepage spring located on the parcel north of the Strite property that is currently owned by the Strite Family. Mr. David Lewis contacted our office to request additional information regarding the benefits of not impacting the seepage spring. It is the opinion of EPD to avoid impacts to the seepage spring for the following reasons:

1. An impact to the seepage spring would be contrary to goals as outlined in Orange County's Wekiva Study Area Comprehensive Policy Plan Amendments for the Wekiva Parkway Protection Act dated December 18, 2007. The County's Goal 1 under Conservation Element states that "Orange County shall conserve, protect, and enhance the County's natural resources including air, surface water, ground water, vegetated communities, wildlife listed as threatened, endangered or species of special concern, soils, floodplains, recharge areas, wetlands, and energy resources to ensure that these resources are preserved for the benefit of present and future generations." There is a sink located at the east end of this wetland that contributes to water recharge and the area is considered to have a high recharge value. Loss of this attribute could cause adverse impacts to water resources.
2. An impact to the seepage spring would be contrary to policy as stated under the Transportation Element, Policy 1.3.5 of the aforementioned document. It states that "The County will coordinate with the FDOT, the Orlando/Orange County Expressway Authority, and other appropriate entities to help ensure that new limited access roadways which are constructed by them avoid or minimize negative impacts to existing neighborhoods, wildlife corridors, and sensitive natural areas."
3. This high volume seepage spring is one of the only significant wetland areas in close proximity to the Strite property (Parcel# 2496) and is considered an important wildlife resource for wildlife using the Strite property. Removal of the wetland may cause negative impacts to wildlife that use the Strite property. This wetland provides important wildlife watering, resting, feeding, nesting, and cover habitat. It is also critically important as a breeding habitat for amphibians (frogs, toads, etc.). Loss of this habitat would impact wetland and recharge areas as stated in item number 1 and could impact wildlife corridors and sensitive natural areas as stated in item number 2.

October 30, 2008
Wekiva Parkway Alignment
Page 2

We hope this information is helpful to you during your planning of this project. If you have any specific questions, please contact me at (407) 836-1405 or Beth Jackson at (407) 836-1481.

Sincerely,



Lori Cuniff, CEP
Manager

Attachment

MR/ERJ/LC:rb

- c: Elizabeth R. Johnson, Environmental Programs Administrator, Environmental Protection Division
Beth Jackson, Environmental Program Supervisor, Environmental Protection Division
Mark Rizzo, Sr. Environmental Specialist, Environmental Protection Division

**LAKE COUNTY
CORRESPONDENCE**



CITY OF MOUNT DORA

F-71 (Sheet 1 of 3)

510 North Baker Street

P. O. Box 176

Mount Dora, Florida 32756-0176

Telephone 352-735-7100

FAX 352-383-4801

December 16, 2005

JAN 17 2006 10:42

Mike Snyder
Executive Director
Orlando-Orange County
Expressway Authority
525 South Magnolia Avenue
Orlando, Florida 32801

RE: Wekiva Parkway

Dear Mr. Snyder:

Please find enclosed a copy of the City of Mount Dora Resolution 2005-28, approved by the Mount Dora City Council on December 6, 2005.

As previously requested by the Expressway Authority, the City Council has formalized in the resolution its concerns regarding the Wekiva Parkway and the interchange at U.S. Hwy. 441 and State Road 46.

On behalf of Mayor Jim Yatsuk and the City Council, thank you for your attention to this important matter.

Sincerely,

Michael Quinn
City Manager

MQ/mcm

enc.

RESOLUTION NO. 2005-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MOUNT DORA, FLORIDA, PERTAINING TO THE WEKIVA
PARKWAY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Mount Dora has been supportive of the efforts to date of the Orlando-Orange County Expressway Authority and the Florida Department of Transportation to create the Wekiva Parkway System; and

WHEREAS, the Orlando-Orange County Expressway Authority and the Florida Department of Transportation have been cooperative partners with Mount Dora and other communities in this effort; and

WHEREAS, Mount Dora is continually engaged in long term planning, which planning now necessarily takes into account the Wekiva Parkway System; and

WHEREAS, Mount Dora's future well being as a thriving community will be directly impacted by the Wekiva Parkway System, particularly as that system relates to access to those parcels on Mount Dora's Future Land Use Map designated as employment center; and

WHEREAS, the Wekiva Parkway System is to be designed to have the least impact possible on environmentally sensitive lands; and

WHEREAS, the Wekiva Parkway System will stimulate opportunities for both positive and negative impacts; and

WHEREAS, the most recent iteration of the Wekiva Parkway System plan is a cause for some concern to the City Council; and

WHEREAS, the westernmost alignment crosses the environmentally sensitive Wolf Branch Sink property, while the eastern alignments more readily serve the employment center areas without adversely impacting residential areas; and

WHEREAS, the existing traffic analysis of State Road 46 conducted by the Lake-Sumter Metropolitan Planning Organization shows that State Road 46 will need to be a six lane highway at the time the Wekiva Parkway System is under construction;

NOW, THEREFORE, be it resolved that:

Section 1. The City Council urges the Orlando-Orange County Expressway Authority and the Florida Department of Transportation to examine design alternatives to the interchange at U. S. Highway 441 and State Road 46 that will discourage unintended vehicular traffic movement on State Road 46 west of the interchange, and which will provide a separate, safe bicycle and pedestrian crossing over or under U. S. Highway 441, and to provide for landscaping and buffering

along the portion of State Road 46 west of the interchange so as to maintain the quality of life that exists.

Section 2. The City Council urges the Orlando-Orange County Expressway Authority and the Florida Department of Transportation to select an alignment and connection to State Road 46 that is east of the current intersection of State Road 46 and Round Lake Road, and to abandon the route shown by the westernmost alignment.

Section 3. The City Council urges the Orlando-Orange County Expressway Authority and the Florida Department of Transportation to expand the travel lanes on State Road 46 from two lanes to six lanes at the time of initial construction of the Wekiva Parkway System, and to provide a separate bicycle/pedestrian trail or lane along State Road 46 at that time. The council believes this alternative transportation trail or lane will provide much needed interconnectivity and will benefit the school system and the children within the school system.


Section 4. The City Council hereby reasserts its desire to work cooperatively with the Orlando-Orange County Expressway Authority and the Florida Department of Transportation in creating the Wekiva Parkway System.

Section 5. This resolution shall take effect immediately upon its final adoption by the City Council.

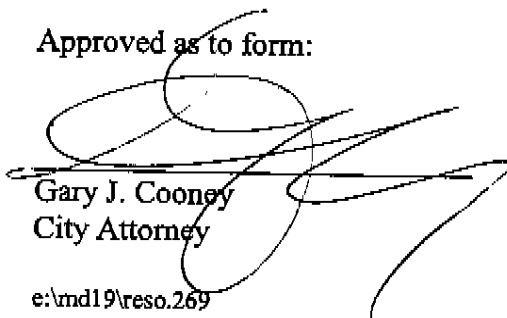
PASSED AND RESOLVED this 6th day of December, 2005, by the City Council of the City of Mount Dora, Florida.


James E. Yatsuk, Mayor
City of Mount Dora

Attest:


Michael Quinn, City Clerk
City of Mount Dora

Approved as to form:


Gary J. Cooney
City Attorney

e:\md19\reso.269



**Lake County
WATER AUTHORITY**

Michael J. Perry, Executive Director • James C. Watkins, Secretary-Treasurer

F-72 (Sheet 1 of 1)

107 North Lake Avenue • Tavares, Florida 32778-3119 • (352) 343-3777 • Fax (352) 343-4259 • E-mail: info@lcwa.org • www.lcwa.org

May 2, 2006

Mark S. Callahan, P.E.
Vice President
CH2M HILL
225 East Robinson Street
Suite 505
Orlando, FL. 32801-4321

Subject: Wolf Branch Sink Preserve/Wekiva Parkway Alignment

Dear Mr. Callahan:

Thank you for appearing before the February 22, 2006 Lake County Water Authority Board of Trustees and providing the members an overview of the Wekiva Parkway alignments.

As per your request, I have enclosed a copy of the approved February meeting minutes that reflect the action taken by the Board to recommend that the alignment alternative, which divides Wolf Branch Sink Preserve, be eliminated from further consideration. This motion was approved by a vote of 7-0. Please pass this information along to whomever it may concern.

If you desire further information regarding the 154.57-acre Wolf Branch Sink Preserve, purchased by the Water Authority in 1992 for the protection and preservation of the Wolf Branch Sinkhole, please call the Water Authority at 352-343-3777. Thank you for your time and consideration in this matter.

Sincerely,

Michael J. Perry
Executive Director

MJP/pab

Enclosure: Copy of February 22, 2006 LCWA Board Approved Minutes

BOARD OF TRUSTEES

District One Ann Weltstein Griffin	District Two Nancy H. Fullerton	District Three Larry M. Everly, Sr.	District Four Stan Bainter	District Five Everett A. Kelly	At-Large Sean M. Parks	At-Large Robert W. Taylor
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CITY OF MOUNT DORA

Office of the City Manager

510 North Baker Street
Mount Dora, FL 32757

(352) 735-7126

Fax: (352) 383-4801

Email: citymgr@cityofmoundora.com

June 11, 2007

Mark S. Callahan, P.E.
CH2M HILL
225 East Robinson Street
Suite 505
Orlando, FL 32801-4321

Re: Wekiva Parkway PD&E Interchange Recommendation

Dear Mark:

Thank you for your informative presentation and update to our City Council at the May 15th meeting concerning your recommendation on the interchange design. At our subsequent meeting on June 5th, the City Council further discussed the issue and has directed me to send you this clarifying letter of the Council's position with respect to the interchange design.

While we recognize that the final design determination is still several months away, please accept this letter as the Mount Dora City Council's current position. Per the current information provided and reviewed, the City of Mount Dora favors Alternative 1 which calls for a grade separated interchange with an outside ramp. Our position is supported by our belief that this alternative accomplishes the following:

1. Serves better capacity demand on US441 by allowing through traffic and not requiring the traffic to stop at an interchange signal.
2. Reduces the frequency of rear-end collisions and signal running by not having the potential conflict of a signalized intersection.
3. As traffic volume increases, we would not have the queue length normally associated with at-grade intersections.
4. Air and noise pollution impacts would be reduced significantly to surrounding neighborhoods.
5. The LOS would be less impacted on the approach legs.
6. Alternatives to an at-grade crossing for pedestrians and bicycles could be explored and considered.

You previously indicated that additional traffic information would be provided for our review, and we remain open to further discussions regarding the final design of this important roadway. From the previous traffic count projections, it appears that there is

very little change between the two alternatives from a volume basis. We understand that the cost difference is significant, but not a large sum relative to the project total or the impact mitigation associated with similar projects. We would like to understand further the height projections for the elevated ramps since that was another issue of concern to some of the local residents in the area.

We appreciate the efforts of the Expressway Authority and Florida DOT in providing us the detailed information to date. We are very supportive of the project and look forward to its speedy completion to serve the residents of this regional area.

Sincerely,



Michael Quinn
City Manager

Cc: Joseph A. Berenis, P.E. Deputy Executive Director
Orlando-Orange County Expressway Authority
Noranne B. Downs, P.E. Dir. Of Transportation Development
Florida Department of Transportation
City Council



*Brans
FY files*

October 24, 2007

Ms. Norrane Downs
District V Secretary
Florida Department of Transportation
719 South Woodward Boulevard
Deland, Florida 32720

Received
OCT 29 2007
D5 Executive Suite

RE: Realignment of CR 46A

Dear Ms. Downs:

On August 28, 2007, the Lake County Board of County Commissioners was asked to clarify their position on the alignment of the CR 46A Corridor in east Lake County. At that meeting, the Commission approved sending a letter signed by the Chairman to your office outlining which of the options they approved. The Option selected is the option that concerns Mr. Taylor's property east of Heathrow Estates. Under this option, we are requesting that a 100 foot buffer be established between Heathrow and the right of way of CR 46A. We are also requesting right of way of CR 46A be limited to a 150 foot width.

Therefore, the total width required is 250 feet. It is our understanding that the entire portion in this area would come from Mr. Taylor's property.

Sincerely,

Welton G. Cadwell
Chairman

Received
OCT 30 2007
FDOT
Environmental Management



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 S. Woodland Blvd.
DeLand, FL 32720

STEPHANIE C. KOPELOUSOS
SECRETARY

November 27, 2007

The Honorable Welton G. Cadwell, Chairman
Marion County Board of County Commissioners
P.O. Box 7800
Tavares, FL 32778-7800

Dear Chairman Cadwell:

Thank you for your letter dated October 31, 2007 to Noranne Downs expressing support for the City of Mount Dora's request for a grade separated interchange at SR 46 and US 441 to be constructed as part of the Wekiva Parkway project. District Secretary Downs has asked me to respond on her behalf.

The Department appreciates the comments from Lake County and the City of Mount Dora regarding our study alternatives for this intersection. During the design phase, the final decision will be made whether to construct an at-grade intersection or a grade separated interchange at SR 46 and US 441. That decision will be made after considering traffic demands and operational issues at this important intersection.

Applying this criteria today, the Department has determined that an at-grade intersection will meet the needs of the traveling public. We have been unable to justify the additional estimated expense of \$20 million to build the requested grade separated interchange. The Department looks forward to continuing this discussion with Lake County and the City of Mount Dora during the project's design phase.

Thank you again for your letter and Lake County's support of the Wekiva Parkway project study.

Sincerely,

George S. Lovett
Director of Transportation Development

cc: James Yatsuk, Mayor – City of Mount Dora
Michael Quinn, City Manager – City of Mount Dora
Jim Stivender, Director – Lake County Public Works Department
Mike Snyder, Executive Director – OOCEA
Mark Callahan, Project Manager - CH2M Hill



**CITY OF
MOUNT
DORA
CITY COUNCIL**

F-76 (Sheet 1 of 2)

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Fax: 352-735-1406

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352-735-7183
Fax: 352-735-3681

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1300 N. Donnelly St.
Mount Dora, FL 32757

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Fax: 352-383-4623

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1250 N. Highland St.
Mount Dora, FL 32757
352-735-7151
Fax: 352-735-1539

W. T. Bland Public Library
1995 N. Donnelly St.
Mount Dora, FL 32757
352-735-7180
Fax: 352-735-0074

Website:
www.cityofmoundora.com

February 1, 2011

Noranne Downs, FDOT District 5 Secretary
719 S. Woodland Blvd
Deland, FL 32724

Received

FEB 03 2011

D5 Executive Suite

Dear Ms. Downs,

The City of Mount Dora is appreciative of the Florida Department of Transportation and Orlando Orange County Expressway Authority's efforts to work with and involve the City in the process of planning for the future improvements to S.R. 46 and S.R. 441. The City of Mount Dora wholeheartedly supports the Wekiva Parkway project and the protections it will afford to the wildlife and ecology of the Wekiva River. However, the intersection of S.R. 441 and S.R. 46 which lies within the incorporated boundaries of The City of Mount Dora, will have a striking and permanent impact on the future of the community. Conceptual renderings, which have been provided for the City Council's information, comment and feedback, have caused concerns in two primary areas.

First, the City Council strongly advises that it would prefer reconsideration of currently proposed elevations of S.R. 46 and S.R. 441. If overpass structures are required at the junction of these routes, those structures and improvements that will be built at the intersection should be of the lowest possible profile and elevation to minimize and mitigate the impacts of the installation and construction of the structure. This will also diminish the visibility and noise that traffic on those structures will create for existing neighborhoods within the City of Mount Dora. The Council requests that the Florida Department of Transportation consider the lowering of the existing State Route 441 roadway as a potential method to lower the profile of any infrastructure built so that it does not tower over the neighborhood of existing, quaint homes that will surely be impacted by this project.

Second, the roadway project would not be a completed transportation corridor without provision for safe, quality pedestrian and bicycle crossings and pathways. To date the presentations to the City Council have been lacking in appropriate detail to assure that accommodations for alternative forms of transportation relative to these critical elements will be included in the project. Mount Dora is dedicated to the provision of a comprehensive trail plan connecting the City to other communities. A critical component of that transportation system includes connectivity to existing trails within Seminole

County. Access to that existing trail network is consistent with plans for all of Lake County. We ask you review your plans and provide for this critical alternative transportation link.

Your continued promise to work with the City of Mount Dora is greatly appreciated and we look forward to further discussions as the project moves forward. We ask that our concerns be reviewed and that the City Council be updated as to progress made toward addressing our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa DeMarco', with a stylized, cursive script.

Melissa DeMarco
Mayor



Florida Department of Transportation

**RICK SCOTT
GOVERNOR**

719 S. Woodland Blvd.
DeLand, FL 32720

**OFFICE OF THE
SECRETARY**

March 15, 2011

The Honorable Melissa DeMarco
Mayor, City of Mount Dora
City Hall
510 North Baker Street
Mount Dora, FL 32757

Subject: Wekiva Parkway (S.R. 429)/S.R. 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake, and Seminole Counties, Florida
Financial Management Nos.: 238275-1-22-01 and 240200-1-22-01

Dear Mayor DeMarco:

Thank you for your February 1, 2011 letter regarding the intersection of S.R. 441 & S.R. 46 in the City of Mount Dora. Your letter requests significant modifications of the intersection concept in the preferred build alternative of the nearly completed PD&E study. The Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (OOCEA) have been coordinating with the City of Mount Dora and Lake County on the subject PD&E Study since 2005. During that time, we have evaluated several alternatives for the proposed modification of the U.S. 441/S.R. 46 interchange. The preferred build concept for this intersection is a product of those various meetings.

FDOT and OOCEA intend to proceed with the current Proposed Build Alternative for the U.S. 441/S.R. 46 interchange in order to complete the PD&E Study. That concept is based on preliminary engineering; final design will follow in the next phase. As committed to in Section 6.01.A of the enclosed Interlocal Agreement between Lake County and OOCEA, reasonable design modifications will be considered and addressed with the County Engineer as appropriate. The City of Mount Dora will certainly be involved in that process as well. Therefore, consideration of any modifications to the currently proposed U.S. 441/S.R. 46 interchange concept will be deferred to the final design phase. FDOT will own, operate and maintain the reconstructed interchange as noted in item 3 of the enclosed Memorandum of Understanding (MOU) between FDOT, OOCEA and Lake County.

Regarding planning for a trail network, the multi-use trail is addressed in Sections 5.01.F, 5.02, and 6.01.C of the previously referenced Interlocal Agreement. OOCEA is not responsible for the design, construction or maintenance of the trail; however, OOCEA will make reasonable accommodations for the trail in the design of the roadway project. In support of the future trail, Lake-Sumter MPO is considering adding a PD&E phase for the trail into its project priority list.

The Honorable Melissa DeMarco

March 15, 2011

Page 2

We look forward to continued coordination with the City of Mount Dora as the Wekiva Parkway/S.R. 46 Realignment project progresses into the design phase. Please contact me at 386-943-5474, or Brian Stanger, District Environmental Management Engineer, at 386-943-5391 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "no name downs", with a stylized flourish at the end.

Noranne Downs, P.E.

District Five Secretary

Enclosures: Interlocal Agreement & MOU

cc (w/o enclosures): Mike Snyder, OOCEA
 George Lovett, FDOT
 Brian Stanger, FDOT
 Mark Callahan, CH2M HILL

**SEMINOLE COUNTY
CORRESPONDENCE**

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION



August 16, 2005

Mr. Mark S. Callahan, P.E., Project Manager
CH2MHill
225 E. Robinson Street, Suite 505
Orlando, FL 32801

RE: Wekiva Parkway – Trail Facility

Dear Mr. Callahan:

As we discussed last week, Seminole County is formally requesting that the Wekiva Parkway Corridor accommodate a multi-use trail in Seminole County and that the crossing at the Wekiva River be either part of the bridge or a separate structure to provide a facility for trail users. As you are aware, Seminole County has an extensive plan for trails and the Florida National Scenic Trail Program designates State Road 46 as part of that system. On a preliminary basis, it would appear that the logical place for a trail would be on the south side of the road and if there is a frontage road concept, it should be a fairly easy item to accommodate the trail.

We appreciate your consideration and the cooperation of the OOCEA in this matter.

Sincerely,

SEMINOLE COUNTY

Jerry McCollum, P.E.
County Engineer

JM/dr

c: Mike Snyder, P.E., Executive Director, Orlando/Orange County Expressway Authority
W. Gary Johnson, P.E., Director, Department of Public Works
Pam Hastings, Manager, Department of Public Works Administration
Cindy Matheny, AICP, Principal Coordinator

→ Anna Brewer
F-79 (Sheet 1 of 1)



Seminole Soil & Water Conservation District
Conserve All Ways, Inc.

108 W. Commercial Street, Sanford, FL 32771
Office: 407-321-8212 ♦ Fax: 407-321-1208 ♦ SSWCB.org



Monday, December 05, 2005

Mr. George M. Gilhooley
District Secretary
FDOT
719 S Woodland Blvd.
Deland, FL 32720

Mr. George M. Gilhooley:

The Seminole Soil and Water Conservation District Board has reviewed the "Update on the Wekiva Parkway and SR 46 Bypass" and would like to make the following observations.

A key component to making this project a success is the acquisition all lands identified in the Wekiva Parkway and Protections Act signed by Governor Bush at Wekiva Springs State Park June 29, 2004. The commitment of the governor was clear and unequivocal: These lands must be acquired. Please follow the policy, as established, and acquire the entire Neighborhood Lakes Property and all other properties recognized.

Obviously, the eastern most proposed routes through the Rock Springs Run State Reserve flies in the face of the expressed intent of the Wekiva Parkway and Protection Act. The western most routes, under consideration, are the only ones that the Seminole Soil and Water Conservation District can consider supporting.

In order to maintain wildlife corridors and minimize environmental impacts, roads traversing public conservation land should be bridged. Arterial connector roads and major interchanges need to be kept out of these vital areas.

The Seminole Soil and Water Conservation District is responsible for conserving the natural resources of Seminole County. This project will impact our area and the natural system throughout the entire region; therefore we must provide all possible safeguards to ensure the "protection for Florida's land and waters." (Jeb Bush, June 29, 2004)

Respectfully,

Michael Barr, Chair

RECEIVED
DEC 08 2005
EXECUTIVE OFFICES

CC: Wekiva River Basin Commission



Seminole Soil & Water Conservation District
Conserve All Ways, Inc.

108 W. Commercial Street, Sanford, FL 32771
 Office: 407-321-8212 ♦ Fax: 407-321-1208 ♦ SSWCB.org



Tuesday, August 01, 2006



Michael Barr
Chair

Mary Brooks
 Orlando-Orange County Expressway Authority
 10151 University Blvd. Suite 222
 Orlando, Florida 32817

Dear Ms. Brooks



Sean Concannon
Treasurer

The Seminole Soil and Water Conservation District Board would like to make the following comments following the presentation at the Sanford Civic Center on the Wekiva Parkway PD & E study.

- 1) Keep the Lower Wekiva River State Preserve in contact for Seminole County residents. We are the second densest county in the state and should not compromise these lands to build retention ponds or relocate the natural gas pipeline. Preserving all of our conservation lands should be a top priority.
- 2) Align CR46A outside of public conservation lands and connect it with SR46 west of the Wekiva Parkway
- 3) Keep interchanges out of areas that will encourage unwise planning decisions that promote growth. We must protect the Wekiva Springs water-shed to protect the health of the springs and our potable water supply.
- 4) To protect our wildlife, eliminate SR46 adjacent to the Wekiva Parkway's bridged segments.
- 5) To protect Rock Springs Run State Reserve, SSWCD would recommend against the most eastern route through the south end of the Neighborhood Lakes Property. Once again, we do not want to compromise our existing natural lands.
- 6) Keep SR46 a two land road to protect the Lower Wekiva River State Preserve.

In addition to the above recommendations, we continue to strongly encourage the acquisition of all lands identified in the Wekiva Parkway and Protections Act. This is essential to the success of the overall project.

Thank you for your consideration.

Respectfully,

Michael Barr, Chair



Leslee Berryman
Secretary



Danny DeCiryman
Supervisor

**MISCELLANEOUS
CORRESPONDENCE**

The Wekiva Coalition

Mike Snyder, Executive Director
Orlando-Orange County Expressway Authority
525 South Magnolia Avenue
Orlando, Florida 32801

Denver Stutler, Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

July 18, 2005

Dear Mr. Snyder and Secretary Stutler:

As you will recall, our Wekiva Coalition of environmental organizations played an important part in the development and advocacy of recommendations leading to passage of the Wekiva Parkway and Protection Act. We would like to continue working with the Expressway Authority, the Department of Transportation, and their consultants to ensure that the project meets the design and resource protection goals outlined by the two task force committees and legislation. To this end, our coalition is developing a specific conceptual alignment consistent with the Wekiva Parkway and Protection Act that achieves those objectives and will welcome the opportunity to meet with you to discuss our proposal.

The Wekiva Coalition's principle objective is to establish and strengthen a non-fragmented, substantial and contiguous corridor of conservation land secured by public ownership or permanent easement. Recognizing that the viability of this corridor depends on the appropriate alignment and design of the Wekiva Parkway, we have begun to meet with state land managers and project consultants to discuss how the facility, its associated structures, and appurtenant roadway system can facilitate resource protection goals. We believe that the following principles are consistent with this purpose and critical to success of the project:

- To provide habitat connectivity and allow for the unimpeded movement of wildlife, bridging of land should occur within the basin wherever public lands exist on both sides of the Wekiva Parkway.
- The Wekiva Parkway should be consolidated with existing roadways including SR46 and CR46A, so that all regional through-traffic is carried on a single bridged facility rather than on multiple surface roads that cross public conservation land.
- In order to minimize habitat loss, maximize connectivity and reduce roadway barriers to wildlife movement, the major interchange that brings regional traffic from SR46 and CR46A should be located outside of the envelope of public lands and west of Rock Springs Run State Reserve.
- Access to isolated privately-owned parcels and public recreation lands within the corridor may be accomplished by minimal slip-ramp structures connecting to the Wekiva Parkway or unimproved truncated roads designed for local access only.
- Anticipated improvements to the Wekiva Parkway should be considered so that necessary environmental considerations, such as adequate light penetration for bridged sections and future stormwater needs, are addressed in advance.
- Specific alignment decisions should be governed by that which is in the best interest of the larger ecological landscape rather than by a desire to avoid discrete impacts.

If designed to protect the long-term integrity of the Wekiva system as a contiguous landscape, we maintain that the Wekiva Parkway will indeed become a premier example of regional leadership and lasting testimony to the style of innovation to which the Expressway Authority and Department of Transportation subscribe. We look forward to discussing the project with you in the near future.

The Wekiva Coalition

Contact: Nancy Prine (407-898-9200)

*The Nature Conservancy • Friends of the Wekiva River • Audubon of Florida • Defenders of Wildlife •
Orange Audubon Society • Seminole Audubon Society • Sierra Club • Lake County Conservation Council •
Alliance to Protect Water Resources • 1000 Friends of Florida*

CC:

Governor Jeb Bush

Senator Lee Constantine

Orlando-Orange County Expressway Authority Board

Gary Johnson, Executive Director, Seminole County Expressway Authority

George Gilhooly, District 5 Secretary, Florida Department of Transportation

*The Nature Conservancy • Friends of the Wekiva River • Audubon of Florida • Defenders of Wildlife •
Orange Audubon Society • Seminole Audubon Society • Sierra Club • Lake County Conservation Council •
Alliance to Protect Water Resources • 1000 Friends of Florida*



The Nature Conservancy in Florida
222 S. Westmonte Drive, Suite 300
Altamonte Springs, FL 32714

tel [407] 682.3664
fax [407] 682.3077
nature.org

Brian Manwaring
Public Involvement Coordinator
CH2M HILL
225 E. Robinson Street, Suite 505
Orlando, Florida 32801-4321

October 20, 2005

RE: Wekiva Parkway PD&E Study, EAC Meeting October 14, 2005

Dear Mr. Manwaring,

Please accept the following comments on behalf of the Florida Chapter of The Nature Conservancy regarding preliminary alignments for the Wekiva Parkway presented to the Environmental Advisory Committee (EAC) on Friday, October 14, 2005. The comments and concerns expressed here are consistent with principles outlined by the *Wekiva Coalition* of environmental organizations in its letter to the Florida Department of Transportation and Orlando-Orange County Expressway Authority dated July 18, 2005, and are consistent with the proposed conceptual alignment presented by the Wekiva Coalition to Mike Snyder, Executive Director of the Expressway Authority, and Mark Callahan of CH2M HILL in September. (Please see the attached references).

- The eastern alignments of the Wekiva Parkway through the Neighborhood Lakes property unnecessarily impact Rock Springs Run State Reserve (RSRSR). The Wekiva Parkway and Protection Act calls for the acquisition of Neighborhood Lakes as a component of the parkway project, therefore the preferred alignment should avoid public lands to the greatest extent possible and appropriately utilize this tract as a substantial buffer to RSRSR. This is also important to providing for the continued use of prescribed fire on public land. The Nature Conservancy strongly recommends removing the easternmost alignments from consideration and aligning the Wekiva Parkway to coincide to the greatest extent possible with the present location of SR46 adjacent to this section of RSRSR.
- The primary interchange with SR46 should not be located in the center of the basin as suggested by the preliminary set of alignments. An interchange located on the Wekiva Mitigation Bank property would force SR46 west of this point to receive capacity improvements needed to accommodate substantial traffic accessing the parkway from much of East Lake County. This would in turn result in two parallel major multi-lane roadway facilities crossing public conservation land, the Wekiva Parkway and SR46, both of which would then require substantial bridging. This is an unnecessary duplication of infrastructure, defeats an important purpose of the Wekiva Parkway project, and constitutes a two mile intrusion into the Wekiva ecologic corridor. Furthermore, a major interchange at this location would likely spawn nearby highway frontage development located in the worst possible place within the center of the basin. Consistent with the Wekiva Parkway and Protection Act, all regional east-west traffic should be consolidated onto a single facility, the Wekiva Parkway, with an interchange appropriately located outside of the envelope of public lands and west of Rock Springs Run State Reserve. This can be accomplished by locating the principle interchange in the

northern pasture of the Neighborhood Lakes tract as recommended by the *Wekiva Coalition*. From a mobility standpoint, this will also provide a much more effective connection for the north-south movement of traffic between East Lake County and Orange County. Any remaining need to access isolated pockets of private land along the Wekiva Parkway can be accommodated with very minimal slip-ramp structures, similar to the access feature proposed immediately west of the river. (Please see the attached suggested alignment produced by the *Wekiva Coalition*, involving a single primary interchange west of RSRSR and two minimal slip-ramps.)

- In addition to considering typical wetland impacts, special consideration should be given to how the Wekiva Parkway may impact karst features. A number of known unique geologic formations including sinks and seepage slopes dominate the topography of Northwest Orange County, such as along the northwestern “spur” alignment to SR46 west of Sorrento and in the vicinity of Haas Road.
- Securing some portion of the identified “scrub property” in Northwest Orange and Lane counties for preservation should not be construed as a substitute for achieving land acquisition objectives of the Wekiva Parkway and Protection Act. The long-term habitat value of the identified scrub property is entirely dependent on its preservation as a large contiguous intact parcel that can be effectively managed. If the property is bisected or carved into fragments by the road project, or if presence of the Parkway negatively impacts the resident scrub jay population or inhibits the ability for the property to be effectively managed by normal processes (including prescribed fire) then its habitat value will be substantially diminished or lost.
- The Wekiva Parkway can only be truly effective as a beltway if it is a completely limited-access facility to its termination at I-4 in Seminole County, consistent with objectives of the Wekiva Parkway and Protection Act. The proposed alignment that terminates at the junction of SR417 and I-4 appears to provide the best regional transportation solution. It also minimizes environmental impacts by avoiding the Seminole County Black Wilderness Area and Riverside Ranch property along the St Johns River. Both of these areas contain valuable wetlands, including cypress swamp. The Nature Conservancy requests that the western north alignment in Seminole County that substantially impacts the Black Bear Wilderness Area be removed from consideration.

Your consideration of these comments is appreciated. Please do not hesitate to contact my office at The Nature Conservancy with any questions. We look forward to working with the Expressway Authority, Department of Transportation and CH2MHILL in making the Wekiva Parkway project a success.

Sincerely,



Keith Schue
Ocala-Wekiva Conservation Project Coordinator
The Nature Conservancy

CC: Mike Snyder, Executive Director, OOCEA
Wayne Rich, Esquire, OOCEA
Mark Callahan, CH2MHILL
TNC records

LAKE~SUMTER METROPOLITAN PLANNING ORGANIZATION

RESOLUTION 2007 -

RESOLUTION OF THE LAKE~SUMTER METROPOLITAN PLANNING ORGANIZATION (MPO) ESTABLISHING POSITIONS ON KEY COMPONENTS OF THE PROPOSED WEKIVA PARKWAY / STATE ROAD 46 PROJECT INCLUDING SUPPORT OF ALTERNATIVE 1 REGARDING THE US 441 / SR 46 INTERCHANGE; SUPPORTING A NEW ALIGNMENT OF CR 46-A; SUPPORTING THE WEKIVA TRAIL TO BE INLCUED IN THE DESIGN OF THE WEKIVA PARKWAY; AND AUTHORIZING TRANSMISSION OF POSITIONS TO REGIONAL AGENCIES INVOLVED IN THE WEKIVA PARKWAY PROJECT

WHEREAS, the Lake~Sumter Metropolitan Planning Organization (MPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Lake-Sumter Planning Area; and

WHEREAS, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. require that the urbanized area, as a condition for the receipt of federal capital or operating assistance, has a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the MPO Area includes all of Lake County making the Lake~Sumter MPO the designated regional transportation planning agency for local governments of Lake County; and

WHEREAS, the Wekiva Parkway project, including improvements to State Road 46 east of Mount Dora, is a project mandated by the Wekiva Parkway and Protection Act signed into law by Governor Jeb Bush on June 29, 2004; and

WHEREAS, the Florida Department of Transportation has partnered with the Orlando-Orange County Expressway Authority (OOCEA) for the completion of a planning, development and environmental (PD&E) study to determine the best alignments of roadways included in the project; and

WHEREAS, OOCEA, in conjunction with FDOT, has contracted consulting firm CH2M HILL for the two-year study, with said study to conclude in early 2008 with a selection of preferred alternatives; and

WHEREAS, the Lake County Board of County Commissioners and the City Council of Mount Dora have taken formal action to establish positions on key issues affecting their jurisdictions; and

WHEREAS, the Lake~Sumter MPO provides a regional context to transportation issues within the Lake-Sumter region and therefore, should provide formal comment on the Wekiva Parkway study.

NOW, THEREFORE, BE IT RESOLVED by the Lake~Sumter MPO that:

- Section 1. The MPO supports “Alternative 1” of the study regarding the proposed interchange of US 441 and SR 46, a position also supported by the City of Mount Dora, which entails a separated-grade interchange.

- Section 2. The MPO, consistent with the Lake County Board of County Commissioners, supports an alignment of CR 46-A that would remove the roadway from the Seminole State Forest and realign the roadway south to the Wekiva Parkway through the property identified in the study as the “Taylor Property,” with the following stipulations:

- (a) a 100-foot buffer is requested between the properties identified as Heathrow Estates and the new right-of-way;
- (b) the new right-of-way for this portion of CR 46-A should not exceed 150 feet;
- (c) as the roadway is designed in conjunction with Lake County, FDOT and other transportation partners, CR 46-A should be designed as a tree-lined boulevard with emphasis on a substantial vegetative buffer of canopy trees to the west to lessen the impacts on Heathrow Estates; the design should include bicycle and pedestrian facilities, preferably a paved multi-purpose trail that could potentially connect to the Wekiva Trail, with such trail or bicycle/pedestrian facilities crossing CR 46-A or future CR 46 lighted for safety at the intersection of such facilities in a manner consistent with "dark skies" ordinance.
- (d) when the roadway is designed and as right-of-way is constructed, planning should address the long-term need of a four-lane facility, however, at the time of construction, the roadway should be built only to the capacity that is needed at the time of construction.

Section 3. The MPO has established the Wekiva Trail as a top-priority trail project in need of study and therefore, supports that design of the Wekiva Parkway and SR 46 include the proposed trail per the Lake County Trail Master Plan so that an east-west trail connection between Mount Dora and Seminole County can be achieved and so that a north-south connection between the West Orange Trail in Apopka and the future Wekiva Trail in Sorrento can be achieved, which may require utilization of rights-of-way acquired as part of the Wekiva Parkway project.

Section 4. The MPO shall transmit this resolution to appropriate regional transportation partners including but not limited to:

- 1. Florida Department of Transportation – Central Office
- 2. FDOT – District 5
- 3. Orlando-Orange County Expressway Authority
- 4. METROPLAN ORLANDO
- 5. Orange County
- 6. Seminole County
- 7. Florida Turnpike Enterprise
- 8. CH2M HILL
- 9. Wekiva Commission

DULY PASSED AND ADOPTED this _____ day of _____, 2007.

Lake~Sumter Metropolitan Planning Organization

David Yeager, Chairman

This _____ day of _____, 2007.

Approved as to Form and Legality:

Sanford A. Minkoff, Attorney



324126
S.C. D. Lewis

F-84 (Sheet 1 of 2)

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

719 South Woodland Boulevard
Deland, FL 32720

STEPHANIE C. KOPELOUSOS
SECRETARY

December 5, 2008

Mr. Harry Barley
Executive Director
Metroplan Orlando
One Landmark Center
315 East Robinson Street
Suite 355
Orlando, Florida 32801

RCVD
12/8/08

Re: Wekiva Parkway PD&E Study

Dear Mr. Barley:

This letter is in response to the letter from Mighk Wilson to Mark Callahan of CH2MHill dated October 3, 2008, requesting that the Department plan for nonmotorized and light motorcycle travel as an element of the Wekiva Parkway. We have taken a careful look at this request and while we agree in general that efforts should be made to plan for facilities to serve nonmotorized and light motorcycle traffic in the area surrounding the Wekiva Parkway, we do not believe it is appropriate to directly make that effort a part of the Wekiva Parkway project.

With regard to the Federal requirement cited by Mr. Wilson, our information indicates that in the areas where parts of State Road 46 will be removed, that facility does not constitute an existing major route for nonmotorized transportation traffic or light motorcycles. In addition, nothing that is being done to existing State Road 46 as part of the Wekiva Parkway project will have a significant adverse impact of the safety for those modes of transportation. Accordingly, the cited Federal requirement has not been violated. In addition, I would note for you that the Federal Highway Administration has not imposed any requirements on this project under that Federal law and the application of that law to this project lies solely within their discretion.

With regard to the application of the Florida State Law cited by Mr. Wilson, I would point out that the Wekiva Parkway is planned as a limited access facility. Accordingly, the Florida Statutes dealing specifically with the use of limited access facilities by bicycles and pedestrians take precedence over the more general statute referenced by Mr. Wilson and we would not be required to plan for bicycle and pedestrian use of a limited access facility. This conclusion is consistent with the list of exceptions set forth in the bicycle and pedestrian statute.

Although we do not believe that facilities for bicycles and pedestrians should directly be part of the Wekiva Parkway project, as stated above, we do believe that efforts should be made in general to plan for such facilities. In this situation, we believe that the most appropriate approach to that should be to initiate a separate feasibility study to develop a viable alternative to construct a multi-use trail. Doing a separate study for the trail project provides greater flexibility for construction of the trail (the trail could be constructed before the Wekiva Parkway, at the same time, or after, depending on funding being available). I will be happy to set up a meeting with all of the funding partners for this multi-use trail project.

Mr. Harry Barley
December 5, 2008
Page 2 of 2

Thank you for your consideration of this matter. Please feel free to call me or George Lovett if you wish to discuss this matter further.

Sincerely,

A handwritten signature in black ink that reads "Noranne Downs". The signature is written in a cursive, flowing style.

Noranne Downs, P.E.
District Five Secretary

cc: Mike Snyder, OOCEA
Mark Callahan, CH2M Hill
George Lovett, FDOT



Audubon OF FLORIDA

Seminole Audubon Society

May 18, 2010

Martin Knopp
Division Administrator
Federal Highway Administration
545 John Knox Road
Suite 200
Tallahassee, Florida 32303

RE: Wekiva Parkway Project, Orlando Orange County Expressway Authority and District 5, Florida Department of Transportation.

Dear Mr. Knopp:

The undersigned organizations have been deeply involved in efforts to construct the Wekiva Parkway, connecting the Western Beltway (SR 429) to the Eastern Beltway (SR 417) in Orange, Lake, and Seminole Counties.

Our principal concern has been the impact of this project upon the important environmental resources in the Wekiva River basin ecosystem. The Wekiva River has been designated an Aquatic Preserve, Outstanding Florida Water, and a National Wild and Scenic River. In addition, hundreds of millions of dollars of state environmental land acquisition funding have been spent to acquire lands to establish a manageable wildlife corridor connecting Wekiwa Springs State Park and related state land preservation holdings with the Ocala National Forest. The Wekiva Parkway will inevitably have to pass through this area.

Our organizations have participated in comprehensive efforts to plan for the construction of this roadway, which have involved the Florida Legislature (passage of the Wekiva

Parkway and Protection Act with unanimous, bipartisan support in 2004), and deliberations of the Wekiva Basin Area Task Force and Wekiva River Basin Coordinating Committee, two multi-disciplined bodies appointed under Executive Orders issued by the Governor to consider regional implications of the Wekiva Parkway from a land use, natural resource, and economic perspective. In addition, our organizations have engaged in continuing beneficial communication with OOCEA, Florida DOT District 5, and consultants for these agencies during the PD&E study which is nearing completion in conjunction with this project.

This prior involvement has resulted in the location of a preferred corridor for highway construction which minimizes to the greatest extent practicable the environmental impacts of the project.

Further, our conclusions are that the PD&E study as we understand it today has embodied outstanding, if not unprecedented efforts to protect the environmental resources of the Wekiva basin ecosystem. The elements of roadway design, including proposed mitigation, extensive elevated wildlife crossing segments, both for the proposed expressway and the new frontage road which will replace the current local traffic capacity for SR 46, will substantially reduce the environmental impacts caused by roadways in this area and improve ecosystem connectivity within the Wekiva River basin. In other words, once the project is built, environmental impacts should be substantially less than those resulting from the existence of SR 46 through this area today.

The purpose of this letter is to encourage FHWA to promptly take steps to allow OOCEA/Florida DOT, District 5 to hold the final PD&E public hearing so that this project may move on to the detailed project design and land acquisition phases. Further, the purpose of this letter is to endorse what we understand is the preliminary decision of FHWA to handle this project in the NEPA process under an "Environmental Assessment" leading to a Finding of No Significant Environmental Impact "FONSI" determination.

We believe it is very important for the final PD&E public hearing to occur during the late summer or early fall of 2010.

In conclusion, please know that our respective organizations place a high priority on seeing the decision timeframe for this project expedited, and knowing that the environmental benefits from project construction will be soon forthcoming.



Jay Exum
President, Friends of the Wekiva River
P.O. Box 6196, Longwood FL 32791



Andy McCloud
Director of Government Affairs
The Nature Conservancy, Florida Chapter
222 South Westmonte Drive,
Suite 300
Altamonte Springs, FL 32714

Sincerely,



Charles Lee
Director of Advocacy
Audubon of Florida
1101 Audubon Way, Maitland, FL 32751



Faith Jones, President
Seminole Audubon Society
P.O. Box 2977
Sanford FL 32771-2977

Appendix G

Study Area Development

APPENDIX G

Study Area Development

For the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study

The purpose of the following information is to describe the development of the study area for the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study being conducted by Florida Department of Transportation, District Five and the Orlando-Orange County Expressway Authority.

The alternatives for this project were identified and evaluated in a multi-step process to allow opportunity for public and agency input throughout the study. The multi-step process involved the following: define the purpose and need, study area development, and alternatives development. The following discussions summarize the process to identify the most reasonable study area for alternatives development. The purpose and need and the development of the alternatives within the study area, including the No Build Alternative, are summarized in the preceding *Sections 2 and 3* of this *Environmental Assessment*.

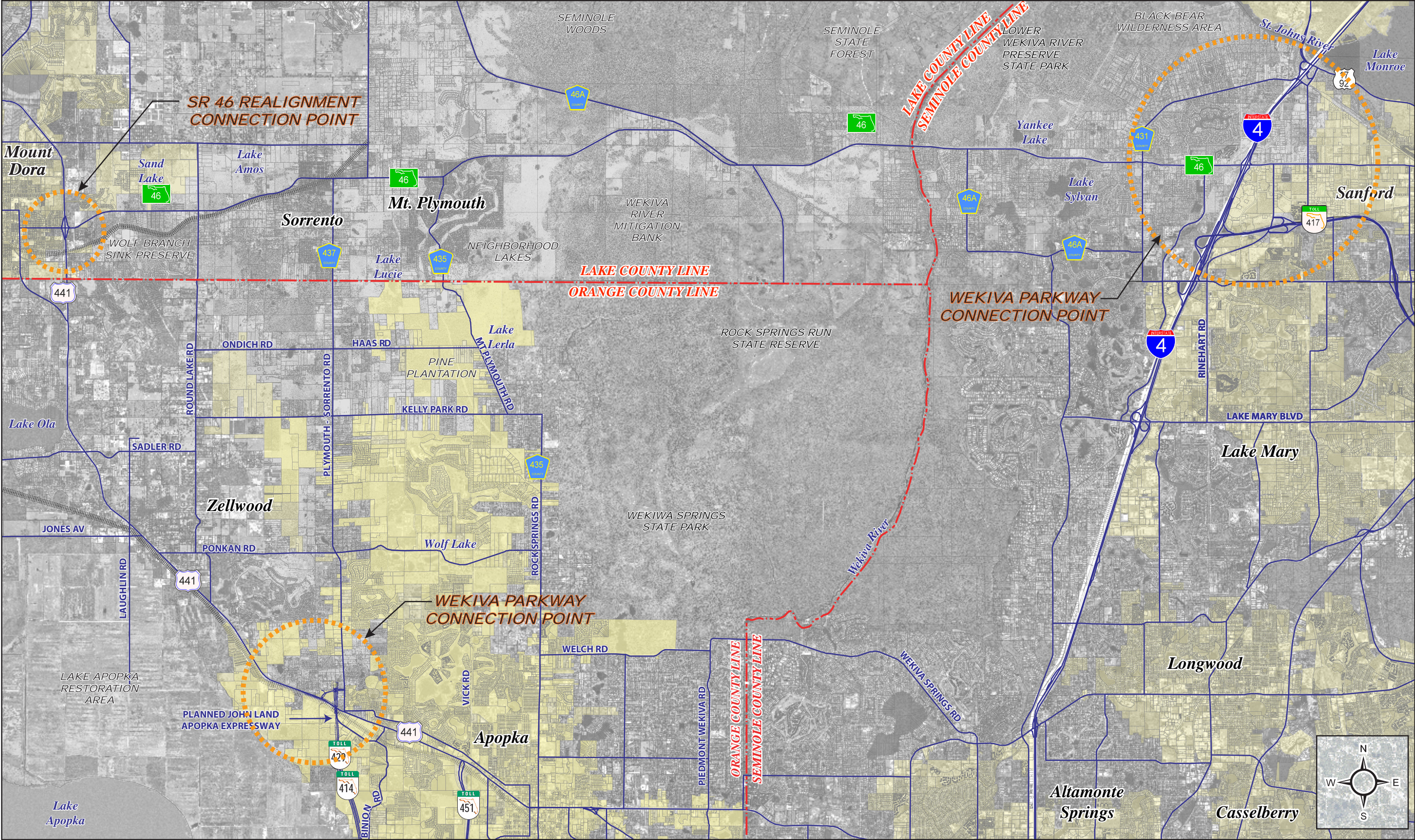
1. Land Suitability Mapping

A process called land suitability mapping (LSM) was used to develop the project study area. The land suitability mapping process involves using Geographic Information System (GIS) databases to identify, map, and analyze sensitive environmental features. In addition to GIS databases, information was obtained from several other sources including field reviews, agency coordination, and previous engineering and planning studies such as the SR 429 (*Western Expressway*) *Northern Extension Concept Development and Feasibility Study*.

The identification of a study area was preceded by a comprehensive data collection and mapping effort to identify social, cultural, natural and physical environmental features. The general aerial base map for the development of the Wekiva Parkway study area showing the connection points based on traffic needs and systems connections, consistent with constraint concerns, is shown in **Exhibit G-1**. The following sections discuss the major constraints within this region.

1.1. Social Environment

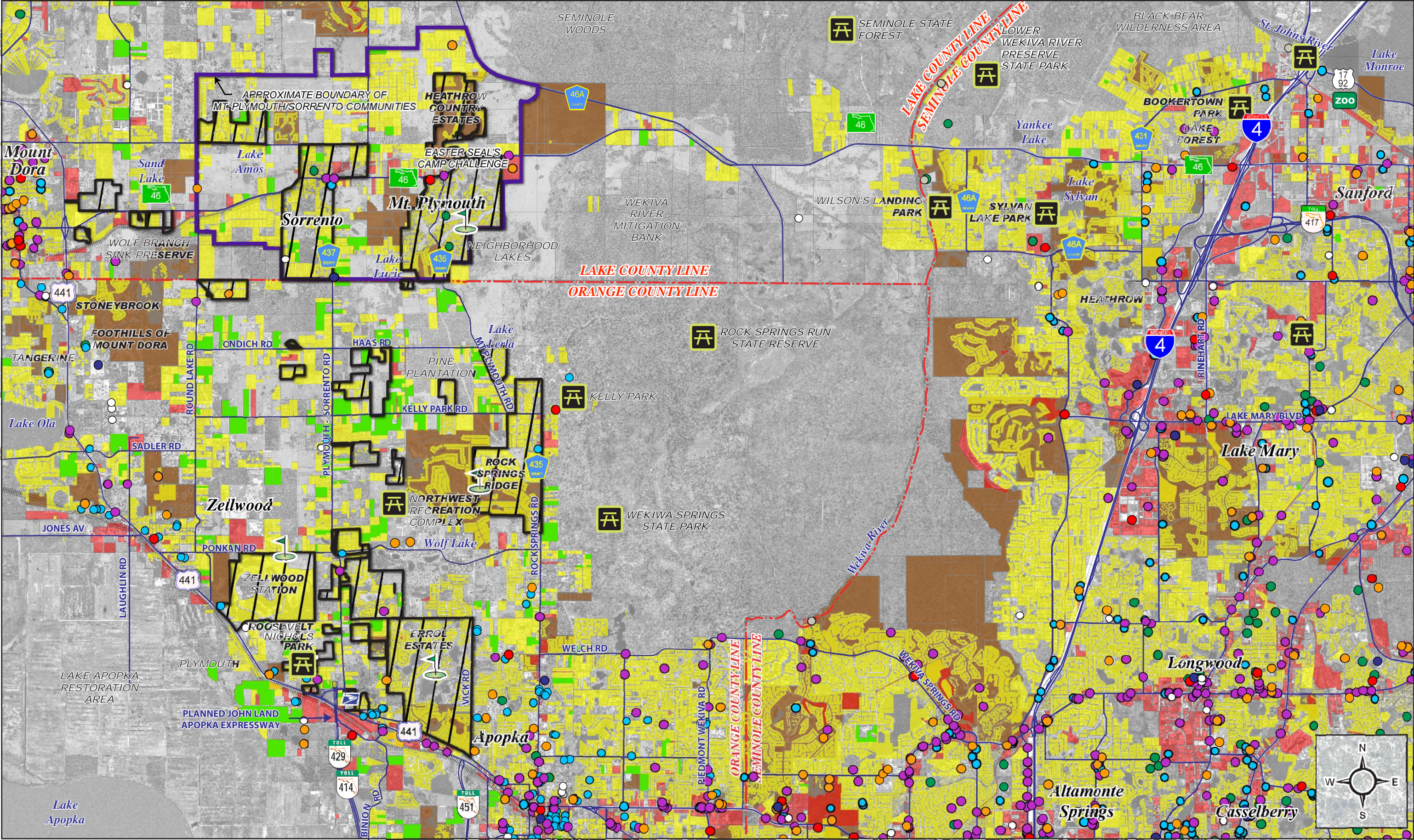
The social environment characteristics within the study area include existing residential neighborhoods and developments, conservation/recreational lands, foliage nurseries and community facilities. In general, the study area has experienced tremendous growth in recent years as the Orlando metropolitan area spreads outward. Since 2005, several new subdivisions were built and developments were approved primarily east of Plymouth Sorrento Road in Orange County. These characteristics within the study area are graphically illustrated on **Exhibit G-2**.



LEGEND

- Connection Points
- City Limits

Exhibit G-1
Connection Points



LEGEND

○ Cemeteries	● Culture Centers/Churches	● Neighborhood Community Parks	■ Residential	■ Foliage & Landscape Nurseries	⛶ Parks & Recreation
○ Boat Ramps	● Law Enforcement	● Firestations	■ Commercial	🏌️ Golf Courses	▨ Major Orange and Lake County Neighborhoods
	● Schools	● Social Services	■ Planned or Developing Communities	📮 Post Office	

Exhibit G-2
Social Environment

WEKIVA PARKWAY
Project Development and Environment Study

The majority of the study area falls within unincorporated portions of Orange, Seminole and Lake Counties. The Cities of Apopka, Mount Dora, Lake Mary and Sanford are within or adjacent to the study area. Other unincorporated communities and/or major developments include: Plymouth, Tangerine, Sorrento, Mt. Plymouth, Stoneybrook, Foothills of Mount Dora, Zellwood Station, Errol Estates, Rock Springs Ridge, Heathrow Country Estates, Lake Forest, and Heathrow. In an effort to preserve and protect the historical nature, existing development patterns and community cohesiveness of rural communities, Orange County has identified several Rural Settlements and Preservation Districts including Zellwood Station, Zellwood, Tangerine, Rainbow Ridge, and North Apopka/Wekiva. Much of the remaining areas consist of low density residential, agricultural, and State owned conservation and recreation lands, including Rock Springs Run State Reserve, Seminole State Forest, and Lower Wekiva River Preserve State Park.

Foliage nurseries collectively define the unique character and identity of the City of Apopka, also known as the “Indoor Foliage Capital of the World.” The majority of the foliage nurseries are located along and east of Plymouth Sorrento Road.

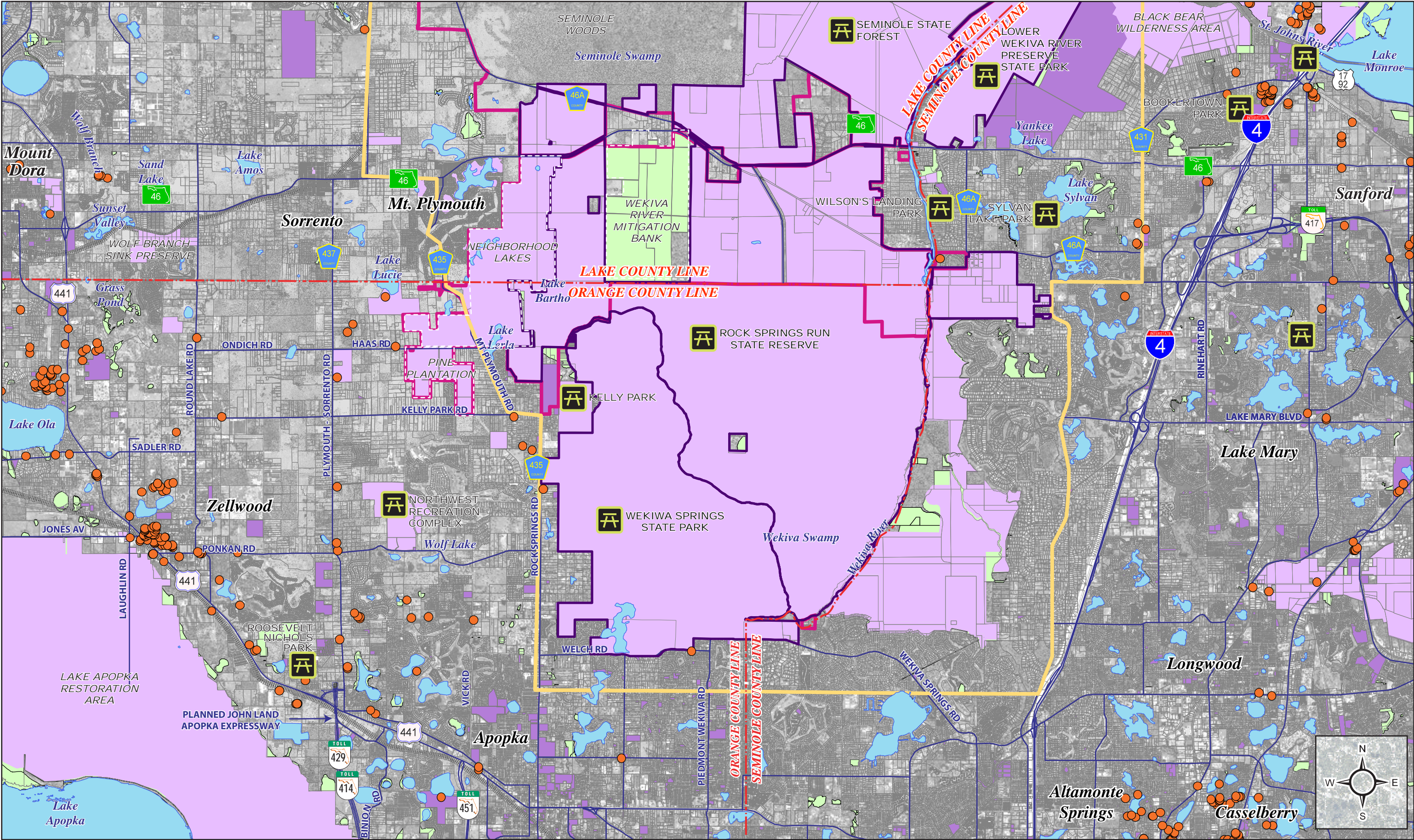
Community facilities are located throughout the study area including Wolf Lake Elementary, Wolf Lake Middle School, the Northwest Recreation Complex/Apopka Little League Park, Kelly Park/Rock Springs, Wilson’s Landing, Roosevelt Nichols Park, Lake Sylvan Park, Bookertown Park, Errol Estates Country Club golf course, and Rock Springs Ridge Golf Club.

1.2. Cultural Environment

The primary resources include several public conservation lands, proposed conservation lands, trails, parks and recreation, and historic and archaeological resources. The cultural environment resources within the study area are illustrated on **Exhibit G-3**.

The boundaries of the Wekiva River Protection Area (WRPA) extend from CR 435 in Orange County to Orange Boulevard in Seminole County. The 1988 *Wekiva River Protection Act* ensures that the rural density and character of the lands within the WRPA is preserved. The majority of the publicly held conservation and recreation lands within the study area are located within the WRPA including Kelly Park/Rock Springs, Wekiwa Springs State Park, Rock Springs Run State Reserve, Seminole State Forest, and Lower Wekiva River Preserve State Park. Vast areas of floodplains and wetlands including the Wekiva Swamp south of SR 46, and Seminole Swamp, north of SR 46 are located within the WRPA, primarily west of the Wekiva River. The Lake Apopka Restoration Area was acquired as part of the Lake Apopka Restoration Project which includes marsh and floodplain restoration to improve the water quality in Lake Apopka.

A desktop review of historical literature and data was conducted to identify any potential historic and archaeological sites within the study area. This data was updated with the examination of the Florida Master Site File and relevant Cultural Resource Assessment Survey (CRAS) reports for the study area. In accordance with the procedures contained in 36 CFR Part 800, a CRAS was completed for the PD&E Study.



LEGEND

- Lakes
- Potential Historic Sites
- Public Conservation / Recreation Lands
- Other Public Lands
- Other Designated Conservation Lands
- Wekiva-Ocala Greenway Florida Forever BOT Project
- Wekiva River Protection Area
- State Park Boundaries
- Parks & Recreation

Exhibit G-3
Cultural Environment

Potential Section 4(f) Resources

Potential Section 4(f) resources are defined as public park and recreation lands, wildlife and waterfowl refuges, and historic/archaeological sites of significance protected under Section 4(f) of the U.S. Department of Transportation Act (USDOT) of 1966 [Title 49, USC, Section 303] and [Title 23, USC, Section 138]; as amended. Impacts to Section 4(f) resources must be avoided unless there is no feasible and prudent avoidance alternative to use of land and all possible planning to minimize harm is implemented or there is a *de minimus* impact on the property. The applicability of eligible Section 4(f) resources is determined by FHWA.

Environmental resources such as public parks and recreational facilities, public conservation lands and NRHP eligible historic and archaeological resources may be determined to be eligible Section 4(f) resources. Potential Section 4(f) resources within the study area include the following existing public conservation lands:

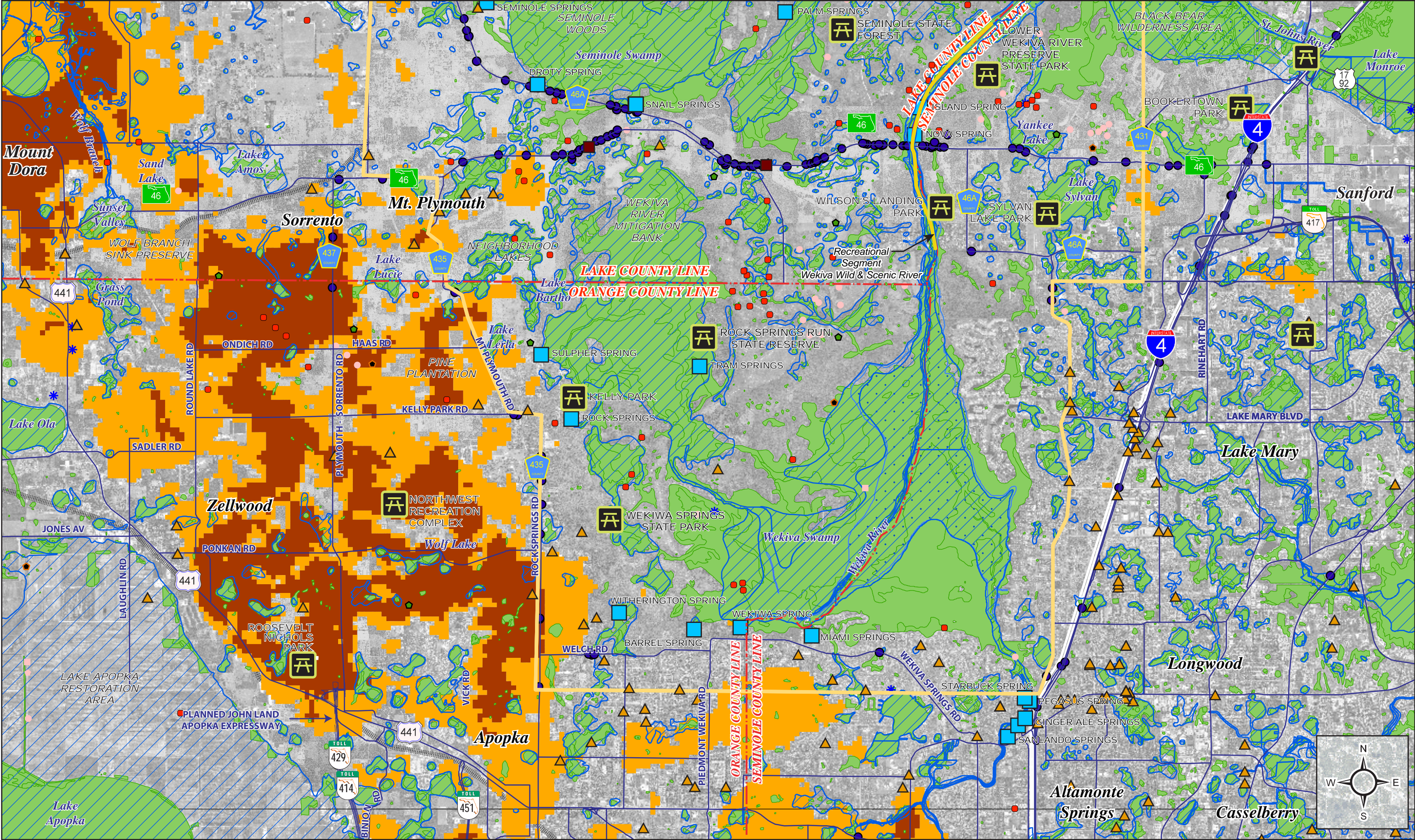
- Kelly Park/Rock Springs
- Northwest Recreation Complex/Apopka Little League
- Roosevelt Nichols Park
- Wekiwa Springs State Park
- Rock Springs Run State Reserve
- Seminole State Forest
- Lower Wekiva River Preserve State Park
- Wilson's Landing
- Lake Sylvan Park
- Black Bear Wilderness Area
- Bookertown Park
- Wekiva Wild & Scenic River
- Wekiva River Aquatic Preserve
- St. Johns River Aquatic Preserve

Planned public park and recreation lands, wildlife and waterfowl refuges, and newly identified historic/archaeological sites may also be determined eligible Section 4(f) resources if they are considered significant. Changes in public ownership and land uses for these types of planned developments were monitored during the PD&E Study to determine potential Section 4(f) applicability.

1.3. Natural Environment

The natural environment constraints include numerous lakes, floodplains, wetlands, the Wekiva River Basin ecosystem and springshed, public conservation lands, numerous karst features including sinkholes and springs, and a natural wildlife area that connects to the Ocala National Forest. The natural environment resources within the study area are illustrated on **Exhibit G-4**. Given the preponderance of springs in the Wekiva basin, special considerations were given to the high recharge areas primarily in Northwest Orange County recognizing the recharge areas are an integral component to the area springshed and the ultimate continued function of the spring systems. The critical area of recharge is shown in Exhibit G-4 in red and orange.

Wekiva River and its tributaries of Rock Springs Run, Seminole Creek, and Black Water Creek are included in the designations of the Wekiva River Aquatic Preserve, Outstanding Florida Water, and State and National Wild & Scenic River. Several springs and seepage springs are located within the study area, particularly along the western boundary of the WRPA. Wolf Branch Sink in Lake County is a unique geologic feature known as a “stream to sinkhole” system with a direct connection to the Floridan Aquifer.



- LEGEND**
- | | | | |
|------------------------|--------------------|---------------------|-------------------------------------|
| ● Black Bear Road Kill | □ Aquatic Preserve | □ Springs/Seepage | ★ Bald Eagle |
| ◆ Gopher Tortoise | □ Floodplain | ■ Wildlife Crossing | ★ Black Bear Observed |
| | ■ Wetland | ▲ Sinkhole | ● Threatened and Endangered Species |
| | | | ■ Wekiva River Protection Area |
| | | | ■ Recharge Rate 12-20 in/yr |
| | | | ■ Recharge Rate > 20 in/yr |

Exhibit G-4
Natural Environment

The existing SR 46 area is located within an area of higher ground within the WRPA. The area west of the WRPA is on an upland ridge between several large lakes to the west and the WRPA to the east. The sandy soils of this upland area provide critical recharge to the Wekiva springshed.

The 100-year floodplain areas are located mainly within the wetland areas shown in Exhibit G-4. The floodplains of the Wekiva River, the St. Johns River, and Yankee Lake north of SR 46, are interconnected. Natural lands in the region between the rivers include Lower Wekiva Preserve State Park, Seminole County's Yankee Lake Regional Wastewater Treatment Facility and Black Bear Wilderness Area, and lands of the St. Johns River Water Management District. The historical connection with Sylvan Lake, south of SR 46, is maintained by cross drains.

A desktop review of GIS databases and Strategic Habitat Conservation Areas was conducted for potential threatened and endangered species occurrences and species habitat within the study area. These sites, as shown on Exhibit G-4, of approximate locations of threatened and endangered species occurrences are primarily near the conservation lands. An Endangered Species Biological Assessment was prepared as part of the PD&E study.

1.4. Physical Environment

The primary physical constraints include utilities, railroads, and potential contamination sites. Major utilities within the study area include natural gas transmission lines, overhead electric transmission lines, the Plymouth Regional Water Plant, and Seminole County's Yankee Lake Regional Wastewater Treatment Facility.

Florida Gas Transmission has 24 inch and 26 inch gas transmission lines that generally run from northwest to southeast within an easement west of and adjacent to Mt. Plymouth Road (CR 435). Overhead electric and cable lines are also located within the easement. 12 inch and 26 inch gas transmission lines run parallel to SR 46 from Mount Plymouth to west of Orange Boulevard in Seminole County. The gas transmission lines then turn to the north within a Progress Energy electric transmission line easement and continue across the St. Johns River into Volusia County.

There are two railroad lines within the study area. An inactive railroad line owned by CSX and leased by Florida Central Railroad is located in west Lake County. Many sections of the former railroad area that extended north of the current terminus have been sold. An active railroad line owned and operated by CSX is located in the vicinity of US 17-92 in the northeastern portion of the study area. The railroad crosses the St. Johns River west of the I-4 bridge over the river.

Many potential contamination sites were identified in the study area, none of which were identified as major constraints. As part of the Contamination Screening Evaluation Report prepared for this PD&E study, various agricultural sites were analyzed further to determine if any residual pesticide or herbicides in soils are a concern for potential contamination.

2. Study Area Guiding Principles

The recommended study area is intended to meet the purpose and need of the project and minimize impacts to the social, cultural, natural and physical environment.

A study area is a large area that is wide enough to contain several options for transportation improvements. The following “Guiding Principles” were used to identify the general study area within which a range of alternatives would be evaluated:

- Follows, where feasible, existing road alignments through environmentally sensitive areas;
- Minimizes direct impacts to wetlands;
- Minimizes impacts on springshed and ground water recharge areas;
- Serves an identified long-term regional transportation need;
- Attempts to improve the connectivity of existing wildlife areas;
- Relieves or removes traffic demands on SR 46 and provides a North-South connection from SR 46 to US 441 with limited interchanges;
- Minimizes impacts to habitat and species;
- Avoids, or mitigates if required, impacts on conservation lands and their proper management;
- Seeks to minimize impacts on existing neighborhoods and residential communities; and,
- Does not encourage or promote additional development from already approved land uses.

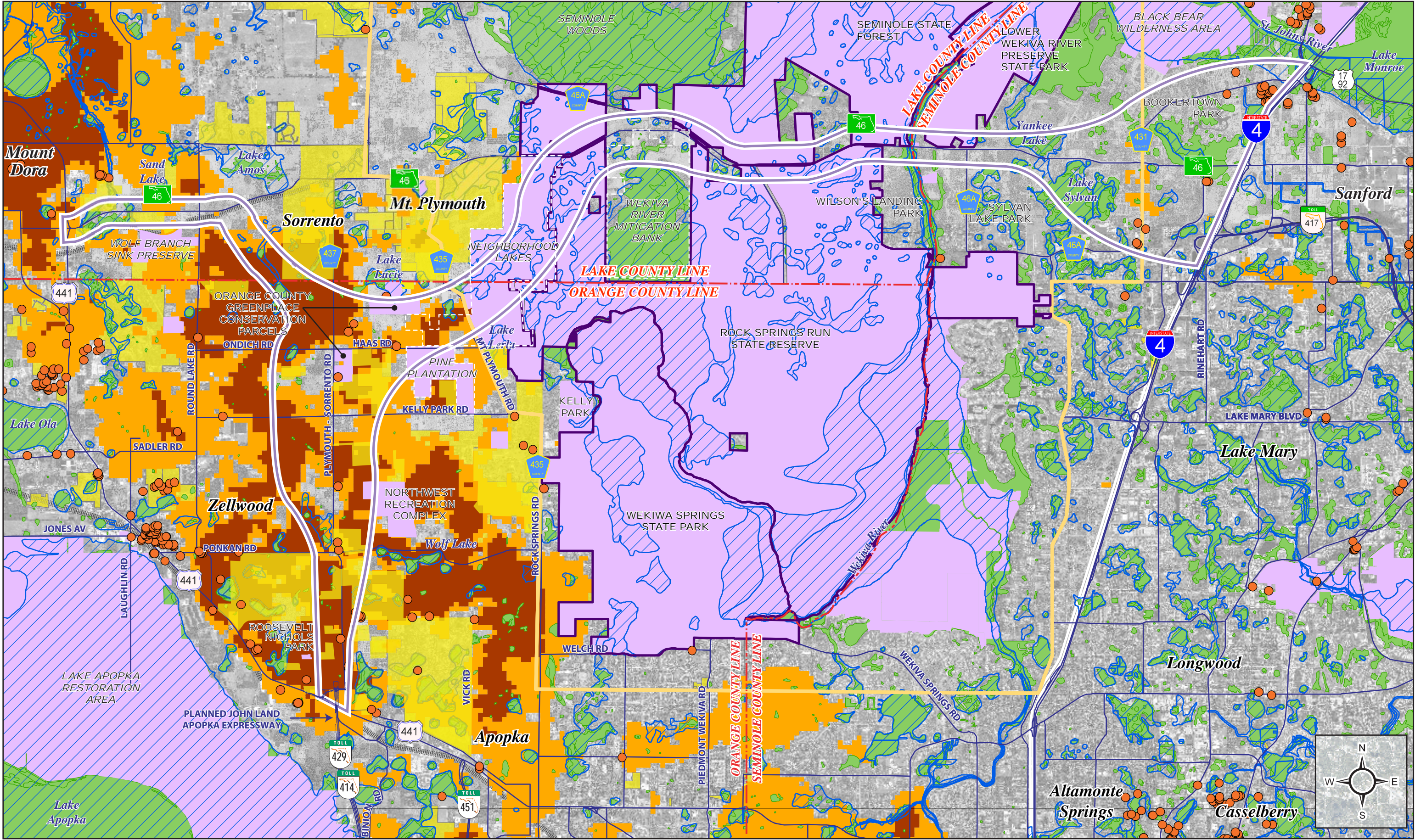
3. Composite Constraint Mapping

The major features from the social, cultural, and natural environmental constraints were layered together to create a composite area map showing the major constraints and areas of concern (see **Exhibit G-5**). Areas without major constraints represent the most reasonable areas for alternatives development. These areas have fewer environmental constraints compared to other locations.

Exhibit G-5 illustrates the specific areas and resources that are unique to this region and the Wekiva River Basin ecosystem:

- public parks, conservation and recreations areas (potential Section 4(f) involvement),
- archaeological and historic sites (potential Section 106 and Section 4(f) involvement),
- threatened and endangered species habitat (potential Section 7 involvement),
- wetlands,
- floodplains,
- neighborhoods and developing communities, and
- extensive critical recharge areas and springsheds.

Based on the extensive coordination and evaluations that were performed, the Wekiva Parkway study area, as shown in Exhibit G-5, was recommended for further analysis in the next step of the alternatives development process. *The Wekiva Parkway study area represents the location that best meets the purpose and need of the proposed project while minimizing impacts to the environment.*



LEGEND

- Wekiva Parkway Study Area
- Public Conservation/Park & Recreation Lands

- Existing and Planned Neighborhoods (Orange and Lake Counties)
- Wekiva River Protection Area
- Wetland

- Potential Historic Sites
- Recharge Rate 12- 20 in/yr
- Recharge Rate > 20 in/yr

- Floodplains
- State Park Boundary

Exhibit G-5
Composite Constraints Map

4. Study Area Coordination

The Wekiva Parkway study area was developed through extensive evaluations and analyses conducted by the Wekiva Basin Area Task Force, the SR 429 Northwest Extension Working Group, and the Wekiva Basin Coordinating Committee.

The Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study area is a combination of two previous studies: the Western Beltway and the SR 429 Northwest Extension. The purpose and need for those studies was previously documented by FDOT and the Expressway Authority and were presented to the Wekiva Basin Area Task Force, the Wekiva Basin Coordinating Committee, the East Central Florida Planning Council, and the Florida Department of Community Affairs.