

Executive Summary

In compliance with Presidential Executive Order 11990, and the Federal Highway Administration's (FHWA) Technical Advisory T6640.8A, Title 23, Code of Federal Regulations (CFR), Part 777, and Part Two, Chapter 27 of the Florida Department of Transportation's (FDOT's) *Project Development and Environment (PD&E) Manual*, field assessment of potential habitats of protected species within the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study project corridor were conducted.

The assessment consisted of field investigations and literature search of agency records, based in part on the Florida Natural Areas Inventory (FNAI) database and on records of occurrence for the Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park (FDEP 2005), and the Neighborhood Lakes Parcel (Morgan 2004 and 2005).

Species listed with the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish and Wildlife Conservation Commission (FWC) as endangered (E), threatened (T), or species of special concern (SSC) that were observed during field investigation for this study, or for which records of past occurrence in the study area are available, are described in this report.

Federal and State-listed species:

- American Alligator (*Alligator mississippiensis*) (T due to similarity of appearance / SSC)
- Eastern Indigo Snake (*Drymarchon corais couperi*) (T/T) - reported on state park lands
- Florida Scrub Jay (*Aphelocoma coerulescens*) (T/T) - nesting on state park lands and on private property
- Bald Eagle (*Haliaeetus leucocephalus*) (recently delisted; but under a required 5-year monitoring period)
- Wood Stork (*Mycteria americana*) (E/E) - foraging habitat in project area; nesting colony 10 miles north of SR 46

State-only listed species:

- Burrowing Owl (*Athene cunicularia floridana*) (SSC)- nesting on state property
- Florida Black Bear (*Ursus americanus floridanus*) (T) - movement corridors and habitat on state park land and on private property near SR 46
- Florida Sandhill Crane (*Grus canadensis pratensis*) (T) - nesting on state park land and on private property near SR 46, foraging in pastures
- Gopher Tortoise (*Gopherus polyphemus*) (T) - many on private property and state lands

- Sherman's Fox Squirrel (*Sciurus niger shermani*) (SSC) – on private property and state lands
- Wading Birds – foraging activity - little blue heron (*Egretta caerulea*) (SSC), snowy egret (*Egretta thula*) (SSC), tri-colored heron (*Egretta tricolor*) (SSC), and white ibis (*Eudocimus albus*) (SSC) (no nesting colonies were identified within a mile of the study area)

Public conservation lands that contain important wildlife habitat adjacent to portions of the project study area:

- Lower Wekiva River Preserve State Park
- Orange County Environmental Protection Division GreenPlace parcels purchased for conservation
- Rock Springs Run State Reserve
- Seminole State Forest
- Wekiwa Springs State Park
- Wolf Branch Sink Preserve

Privately owned conservation land:

- Wekiva River Mitigation Bank (former New Garden Coal) property

Recently acquired parcels for public conservation, as identified in the *Wekiva Parkway and Protection Act*, within the project study area:

- Neighborhood Lakes property
- 385 acres of the 628-acre collection of parcels known as Pine Plantation

Property purchased for possible conservation as identified in Recommendation 3 of the Wekiva River Basin Coordinating Committee *Final Report*:

- Former Silvestri parcels

Private lands with natural resources adjacent to or within the project study area:

- Doggett and Forman properties (north of Ondich Rd)
- Nesler property and Strite Trust parcel (north of Haas Road)

Special Waters Designation in or adjacent to the project study area:

- Rock Springs Run designated an Outstanding Florida Water
- Wekiva River designated an Outstanding Florida Water, Wild and Scenic River, and Aquatic Preserve

Riparian Habitat Protection Zone:

- The Wekiva River and Rock Springs Run designated protection zone of forested uplands adjacent to the river, per 40C-41 (3)(e)1.) Florida Administrative Code (F.A.C.)

Essential Fish Habitat (EFH):

- None in, or near, the project study area

Important [West Indian] Manatee Area (*Trichechus manatus*), as designated by USACE 2005:

- None in, or near, the project study area

Critical Habitat for threatened or endangered species (per Title 50 Code of Federal Regulations Part 17 and Part 226):

- None in, or near, the project study area

This proposed new roadway, with long bridges for wildlife underpasses, will have stormwater ponds located in previously disturbed areas to the greatest extent possible. No significant adverse effects to Special Waters or to EFH downstream of the project limits are anticipated as a result of the proposed roadway improvements. After construction of the bridges for wildlife underpasses, the net effect on the regional wildlife will be an enhanced connectivity between large tracts of public lands, which will benefit wildlife movements. A major project goal is the avoidance of any direct affect on listed species, as well as minimization of impacts to listed species habitats along the proposed corridor.

For the proposed Wekiva Parkway (SR 429)/SR 46 Realignment project, the USFWS provided a concurrence letter regarding federally-listed species in January of 2008, while the FWC staff issued a comment letter concerning state-listed species in May of 2008. Consultation with both agencies was re-initiated after the project was modified in Spring 2010. The modification from a non-tolled expressway with three full local access interchanges in east Lake County to a tolled expressway with a non-tolled service road within the 300-foot limited access right-of-way eliminated two of the local access interchanges and reduced the footprint of the proposed project. After review of information on the new concept in east Lake County, the USFWS indicated on May 10, 2010 that the revision was not a significant modification with new effects and reinitiation of consultation is not necessary. The same information was also provided to the FWC staff, however, due to the oil spill situation in the Gulf of Mexico they have been unable to respond. Copies of all concurrence-related letters and recent emails are included in **Appendix C**.

Coordination with state and federal wildlife agencies and environmental groups will continue into subsequent phases of the project, including the final design phase. Where protected species are determined to be present, the timing and location of construction activities, and specific minimization and mitigation measures will be implemented in accordance with regulatory guidelines established with the agencies during the permitting process.