Chasez, Heather

From: Chasez, Heather
Sent: Wednesday, January 29, 2020 10:55 AM
To: Martin Horwitz
Cc: Jackson, Roy
Subject: RE: Graham Swamp Trail / Flagler Co. LAP project (FPID No. 438635-1)

Hey Martin,

I spoke with Roy and he said that he does not consider the conservation easement area that the trail is going through a 4(f) resource because it is not open to the public for recreation currently and it is not being managed as a wildlife or waterfowl refuge. He also said that since the project is connecting to the Leigh Trail but not crossing over, that we don't need to do anything for that either.

As for the wetland permit, let me know if you get any feedback from the USACE about what type of permit, since if it is an individual I will need to talk to OEM and make sure they will keep it a Type I.

Cheers,

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

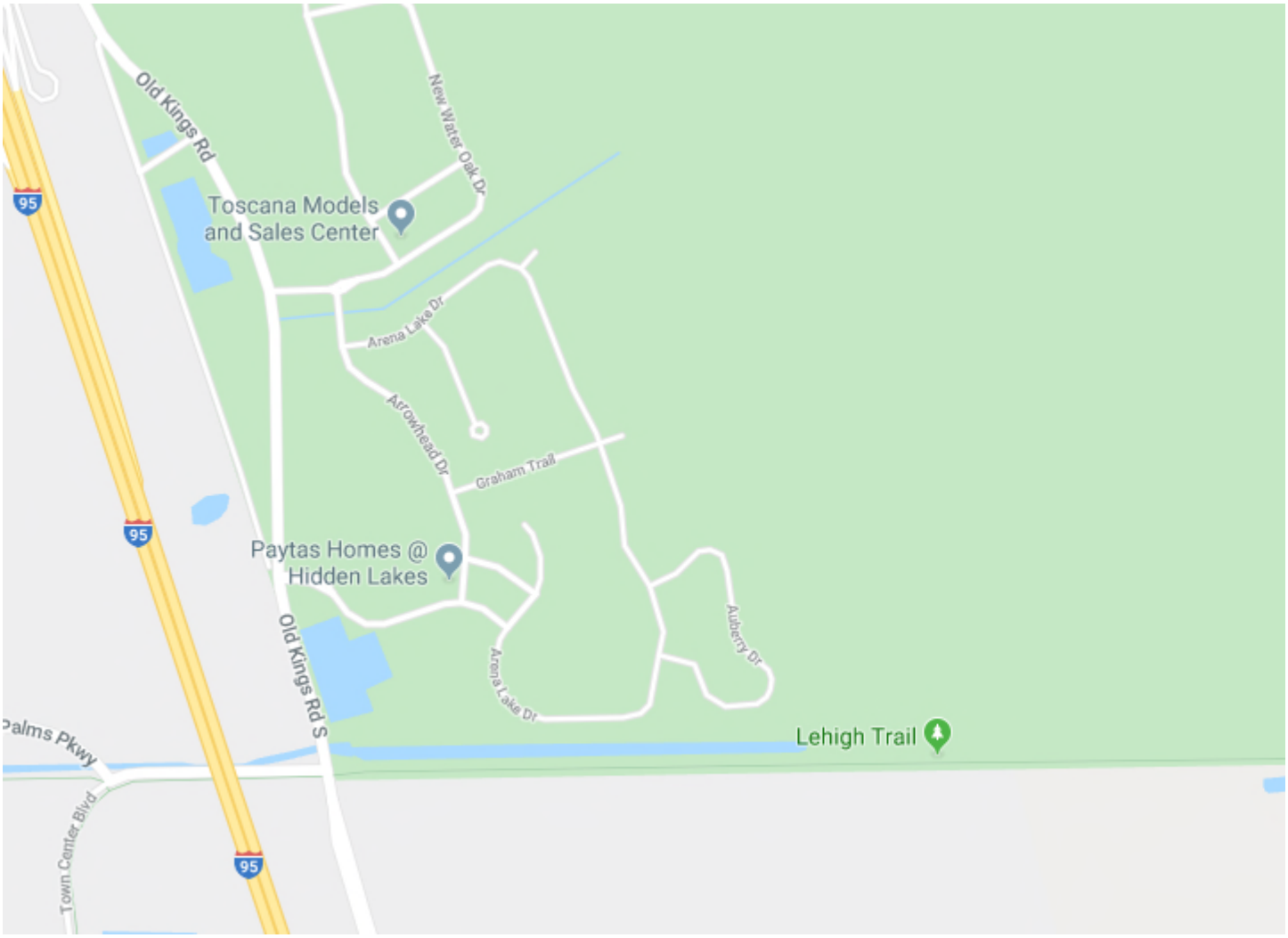
From: Martin Horwitz <MHorwitz@kcaeng.com>
Sent: Friday, January 03, 2020 9:31 AM
To: Chasez, Heather <Heather.Chasez@dot.state.fl.us>
Subject: RE: Graham Swamp Trail / Flagler Co. LAP project (FPID No. 438635-1)

Hey Heather,

The parcel that the trail is proposed to go through is not open to the public for recreation. The parcel is under conservation easement (CE) with language that allows for a trail (County CE section III.3 Roads, Trails and Firebreaks) pdf pg. 221 of env. report and attached. The areas open to the public within Graham Swamp Conservation Area include Lehigh Trail, Graham Swamp Mountain Bike Trails and Lehigh Trailhead which are all located north of the proposed trail. Based on the definition of Significance in Sect. 4(f) PD&E Ch. (applied to the entire property), the county may say it's a significant recreation area.

If considered significant, I think the project qualifies as a Sect. 4(f) exemption per Sect. 4(f) Part 2 Ch. 7 in section 7.3.3 Exemptions 3.(1)(iii) since the recorded CE (real estate instrument) references the a future trail.

County website: http://www.flaglercounty.org/departments/graham_swamp_preserve.php



Thanks,

Martin Horwitz
Sr. Environmental Scientist/Project Manager
Email: MHorwitz@kcaeng.com
Work: 407.426.7307 x5510
Cell: 321.276.0942
111 N. Magnolia Ave, STE 1050, Orlando, FL 32801

From: Chasez, Heather <Heather.Chasez@dot.state.fl.us>
Sent: Thursday, January 2, 2020 4:46 PM
To: Martin Horwitz <MHorwitz@kcaeng.com>
Subject: RE: Graham Swamp Trail / Flagler Co. LAP project (FPID No. 438635-1)

Hey Martin,

Thanks for the information. I forget if I have asked this before, but is the Graham Swamp Conservation Area, which the trail goes through, open to the public for recreation and considered a significant recreation area by the County? I have attached an image and the criteria it must meet to be a 4(f) resource. Please let me know if it applies.

Hope your holidays were nice,

Heather Chasez
Environmental Specialist IV
Project Compliance Coordinator
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719 S. Woodland Blvd.
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From: Martin Horwitz [mailto:MHorwitz@kcaeng.com]
Sent: Thursday, January 02, 2020 2:22 PM
To: Chasez, Heather <Heather.Chasez@dot.state.fl.us>
Subject: Graham Swamp Trail / Flagler Co. LAP project (FPID No. 438635-1)

EXTERNAL SENDER: Use caution with links and attachments.

Good Afternoon Heather,

After further research, the Lehigh Trail which we propose to connect Graham Swamp Trail to is no longer sub leased from FDEP Office of Greenways and Trails. Attached is the documentation of the release of the sublease and lease to Flagler County for Lehigh Trail. Hopefully this helps make the Sect. 4(f) exemption more straight forward. I have also attached the environmental report submitted to SJRWMD and USACE with the permit applications.

SJRWMD is proposing to amend the lease, pending a complete application and SJRWMD Board approval. USACE has just started reviewing. We have under 0.5 acres of permanent wetland impacts but I'm not sure if USACE will issue a nationwide or individual permit due to temporary, shading and secondary impacts along with the existing conservation easements.

Let me know if you have any questions or need additional information.

Files attached to this message

Filename	Size	Checksum (SHA256)
19-11-19_Environmental Report_Graham Swamp Trail.pdf	46.7 MB	5cc21eb3f33609a84747253ec9fc37dd55d4c11f459da75996e1102569d688ca

Please click on the following link to download the attachments:
https://fta.kcaeng.com/message/arAvQ4V7yagBRmT2HUhjBE

This email or download link can be forwarded to anyone.

The attachments are available until: **Saturday, 1 February.**

Message ID: arAvQ4V7yagBRmT2HUhjBE

Happy New Year!

Martin Horwitz
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