

2016-11-0542



Florida Department of Transportation
3400 West Colonial
Fort Lauderdale, FL 33324

RICK SCOTT
GOVERNOR



U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960
772-562-3909 Fax 772-562-4288

FWS Log No. 04EF2000-2016-I-0542

October 18, 2018

The U.S. Fish and Wildlife Service has reviewed the information provided and finds that the proposed action is not likely to adversely affect any federally listed species or designated critical habitat protected by the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et. seq.). A record of this consultation is on file at the South Florida Ecological Service Office.

Via Electronic Mail

Roxanna Hinzman
Field Supervisor
South Florida Ecological Services Office
US Fish and Wildlife Service
1339 20th Street
Vero Beach, FL 32960

This fulfills the requirements of section 7 of the Act and further action is not required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.


Roxanna Hinzman, Field Supervisor
Date 10/30/18

Attn: John Wrublik

Subject: ESA Section 7 Consultation/Concurrence Request Letter
Project Name: State Road 869 / SW 10th Street Connector from SR 869/Sawgrass Expressway to I-95
Financial Management No.: 439891-1-22-02
Federal Aid Project No.: To be Determined
ETDM No.: 14291
County: Broward

Dear John:

The Florida Department of Transportation (FDOT) conducted a Project Development and Environment Study (PD&E) for the referenced project. The project extends from Florida's Turnpike / Sawgrass Expressway to I-95 (SR 869/Sawgrass Expressway MP 21.077 to MP 21.835 and SW 10th Street MP 0.00 to 1.427). The PD&E Study evaluated managed lane alternatives along SW 10th Street to connect the three limited access facilities (FL Turnpike, Sawgrass Expressway and I-95) and close the gap by providing a continuous link in the managed lanes network. The project from Powerline Road to Military Trail was screened through the Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST) and the programming screen was published December 9, 2016 (ETDM #14291 - <https://etdmpub.flh-etat.org/est/>). The project from West of the Florida's Turnpike to Powerline Road was screened through ETDM EST and the programming screen was published March 25, 2017 (ETDM #14280).

A Natural Resource Evaluation (NRE) has been prepared for the project and is attached. The project results in no wetland impacts and 2.31 acres of fill impacts in man-made surface waters (ditches, canals and stormwater ponds). The project corridor is located within the Core Foraging Areas of three active wood stork nesting colonies (Lox NC-4, Wakodahatchee, and one unnamed colony in Broward County) and the USFWS-designated Consultation Area for the Everglade snail kite. The project is not within any USFWS designated critical habitat.

Seven federally listed species were evaluated to determine if the proposed project will adversely affect these species. Based on review of available data, in conjunction with field reconnaissance and surveys, the following effects determinations have been made:

Species	Effect Determination
Florida bonneted bat	No effect
West Indian manatee	No effect
Everglade snail kite	May affect, not likely to adversely affect
Wood stork	May affect, not likely to adversely affect
Eastern indigo snake	May affect, not likely to adversely affect

There is a bald eagle nest located at the western end of the project (Nest ID BO003). A teleconference was conducted with USFWS – Atlanta Regional Office on September 5, 2018. Updated surveys will be conducted the nesting season prior to construction and additional coordination will occur at that time.

As part of the standard specifications, FDOT incorporates the most current versions of the Standard Protection Measures for the Eastern Indigo Snake during construction.

In addition to the standard specifications the FDOT commits to the following measures to protect the bald eagle nest and minimize effects on the nesting bald eagles:

- Conduct updated survey the nesting season prior to the start of construction and coordinate results with the USFWS.

The purpose of this letter is to request written concurrence on the effects to listed species. Enclosed is the NRE for your review. Please call me at 954-777-4325 if you have any questions.

Sincerely,


Ann Broadwell
Environmental Administrator
FDOT – District 4

cc: Robert E. Bostian, Jr. P.E., FDOT
Fernando Ascanio, FDOT
Scott Clark, FDOT
Cassie Piché, P.E. RS&H
Lynn Kiefer, Kimley-Horn and Associates, Inc.
Lisa Stone, Kimley-Horn