

NATURAL RESOURCES EVALUATION

ADDENDUM

**Florida Department of Transportation
District One**

**SR 29 Immokalee
Project Development and Environment (PD&E) Study
from Oil Well Road to SR 82
Collier County, Florida**

**Financial Management Number: 417540-1-22-01
ETDM Number: 3752**

August 2018

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

ADDENDUM

INTRODUCTION

The Florida Department of Transportation (FDOT) District One is conducting a Project Development and Environment (PD&E) Study, in accordance with the National Environmental Policy Act (NEPA), to assess the need for capacity and traffic operational improvements along a two-lane undivided section of SR 29 extending 15.6 miles from Oil Well Road (southern terminus) to SR 82 (northern terminus) in unincorporated Collier County, Florida.

On July 20, 2018, FDOT submitted a *Natural Resources Evaluation* (NRE) to the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (FWS), National Marine Fisheries Service (NMFS), Florida Fish and Wildlife Conservation Commission (FWC), and South Florida Water Management District (SFWMD) for review and comment. The NRE was prepared to document the natural resources analysis performed to support decisions related to the evaluation of the project alternatives and to summarize potential impacts to wetlands, federal and state protected species, and protected habitats. Measures considered to avoid, minimize, and mitigate for potential impacts were also discussed.

On August 2, 2018, FDOT received a comment from FWC with a concern that there was not a discussion of the FWC Conservation Easement at the Immokalee Regional Airport. While the easement was mentioned in the discussion of potential impacts to Florida scrub jay (*Aphelocoma coerulescens*), in other sections of the document it was not identified as a conservation easement located within the project area and potentially impacted by the proposed alternatives. Therefore, this *NRE Addendum* is being submitted to supplement and clarify the NRE.

Specifically, the *NRE Addendum* identifies the location of the conservation easement on the Immokalee Regional Airport property by updating **Section 1.3.3 Conservation Areas** and discusses potential project impacts to the gopher tortoise (*Gopherus polyphemus*) by updating **Section 2.3.1 Federally-Listed and State-Listed/Protected Wildlife Species** of the NRE. The additional text is shown as underlined to assist in identifying.

All findings and conclusions of the NRE remain the same as stated in the original document.

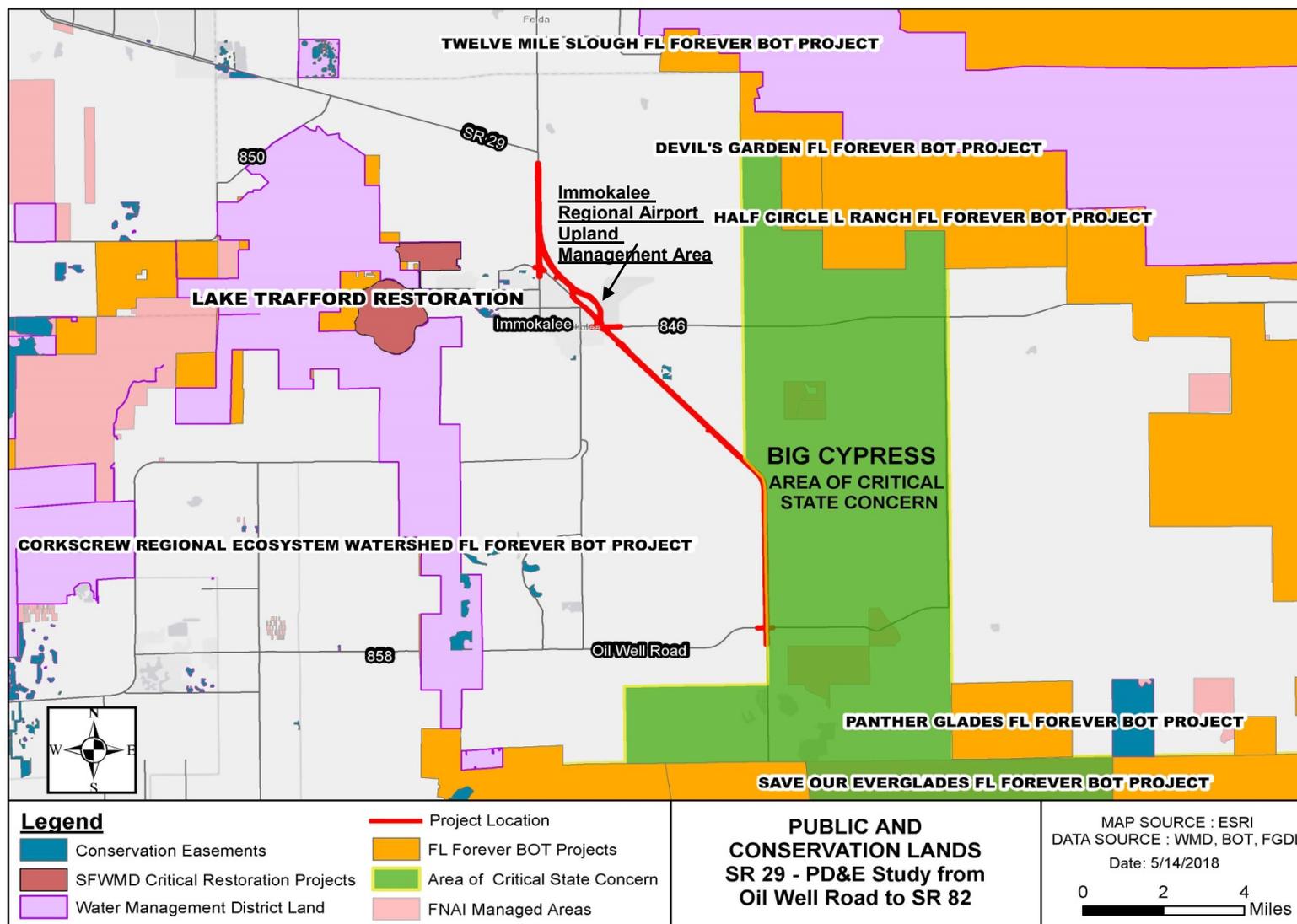
1.3.3 CONSERVATION LANDS

As shown in **Figure 1-3**, there are several publicly-owned lands and conservation areas located within an approximate five-mile radius of the project corridor. The Big Cypress Area of Critical State Concern borders the existing SR 29 corridor to the east. Lake Trafford Restoration Area (a South Florida Water Management District Critical Restoration Project) occurs approximately five miles east of the project study area. Additionally, several Florida Forever Board of Trustees land acquisition projects are located within an approximate five-mile radius along both sides of the project study area.

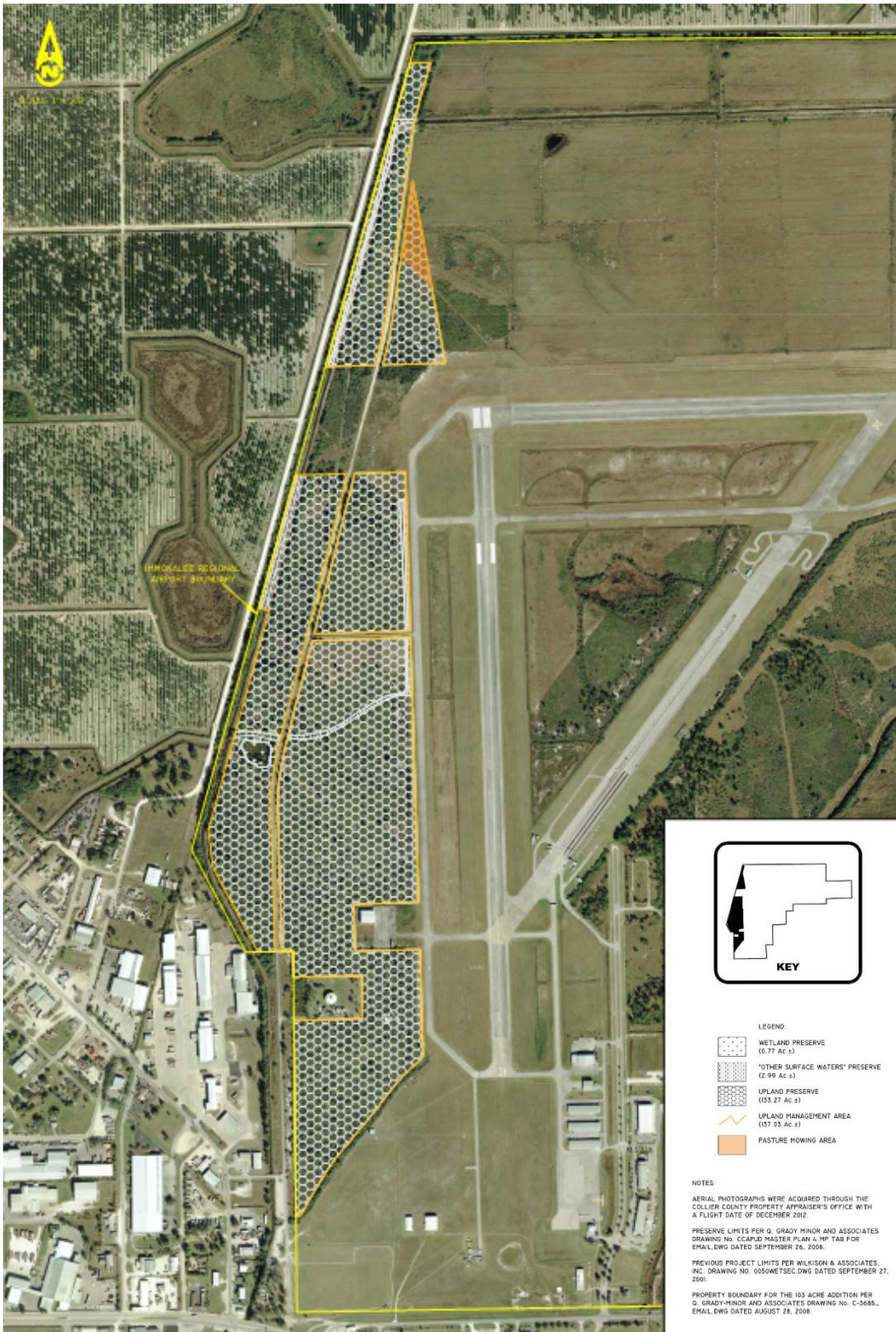
In addition, the Immokalee Airport Conservation Easement, consisting of two parcels totaling 154.28 acres is located at the Immokalee Regional Airport (See **Figure 1-4**). In 1999, the FWC issued an Incidental Take Permit (No. COL-36) for the development activities at the Immokalee Regional Airport. The permit required that gopher tortoises (*Gopherus polyphemus*) be relocated within the property boundary in order to minimize taking. As a result, the Upland Management Area (UMA) was established along the western boundary of the airport property and placed under conservation easement to the FWC. The UMA provides gopher tortoise habitat and serves as a relocation area for gopher tortoises excavated as a result of on-site development activities. The UMA is also protected for the Florida scrub jay (*Aphelocoma coerulescens*). In 1998, the FWS issued a Biological Opinion (BO) (FWS Log No. 4-197-F-556) to the Federal Aviation Administration (FAA) that included a plan to manage and preserve the UMA for the benefit of the Florida scrub jay. This NRE addresses potential impacts to species located within the easement that will be impacted by the Build Alternatives.

The Immokalee Airport Conservation Easement has also been identified as a Section 4(f) resource in accordance with Section 4(f) of the Department of Transportation Act of 1966 and meets the definition of a significant resource. Central Alternative #2, will result in approximately 4.45 acres of direct impact (2.9% of the total 154.28 acres) to the Immokalee Airport Conservation Easement. Mitigation would be required to offset these impacts. Through coordination with the FWC, they have identified six priority parcels contiguous to the Platt Branch Wildlife and Environmental Area (WEA) in Highlands County, FL as the preferred potential site options for mitigation. FDOT has committed to further coordination with the FWC and compensatory land acquisition targeting the six priority parcels identified by FWC to offset impacts resulting from the improvement of SR 29.

**FIGURE 1-3
CONSERVATION LANDS**



**FIGURE 1-4
IMMOKALEE REGIONAL AIRPORT UPLAND MANAGEMENT AREA**



2.3.1 FEDERALLY-LISTED AND STATE-LISTED/PROTECTED WILDLIFE SPECIES

State-Listed Species

Reptiles

Gopher Tortoise (*Gopherus polyphemus*): The gopher tortoise is state-listed as threatened due to habitat degradation and declining number of individuals. Gopher tortoises require well-drained, loose sandy soils for burrowing and low-growing herbs and grasses for food. These conditions can be found in a variety of habitats including dry prairies, pine flatwoods, and disturbed or maintained sites. Suitable habitat for these species is present within both Build Alternatives, and several gopher tortoise burrows were observed within the project study area during field reviews. Gopher tortoise burrows were identified at the Upland Management Area (UMA) of the Immokalee Regional Airport. Central Alternative #2 would result in minor impacts to the UMA and gopher tortoise burrows located in its footprint. For these reasons, the gopher tortoise was determined to have a ‘high’ probability of occurrence within the project study area.

Current FWC regulations require a permit for any ground disturbance activity occurring within 25 feet of a potentially occupied gopher tortoise burrow. Based on current FWC regulations, any gopher tortoises located within 25 feet of right of way under FDOT ownership/control (or where granted authorized access) must be relocated to a permitted recipient site. The selected Build Alternative will be surveyed for potential gopher tortoise utilization during the design and permitting phase. If gopher tortoises or potentially occupied burrows are found within the project area, the FDOT will coordinate with the FWC to secure all permits needed to relocate the tortoises and, if necessary, any additional listed species found to be utilizing the burrows. Therefore, FDOT has determined that implementation of either Build Alternative will have “***No adverse effect anticipated***” on the gopher tortoise.