

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL DETERMINATION

1. GENERAL INFORMATION

County: Leon
Project Name: Capital Circle Northwest/Southwest (NW/SW) (SR 263) Expanded Project Development and Environment (EPD&E) Study
Project Limits: Capital Circle NW/SW (SR 263) from south of Orange Avenue (SR 371) to Tennessee Street (SR 10, US 90)
Project Numbers: Blueprint 2000 & Beyond Intergovernmental Agency Project #772
FPID: 415782-3-58-01
Federal Aid Project Number N/A

2. PROJECT DESCRIPTION

a. Existing: The limits of this Expanded PD&E Study extend along Capital Circle NW/SW (SR 263) from south of Orange Avenue (SR 371) to Tennessee Street (SR 10, US 90). The existing roadway within this project is a two-lane undivided facility with turn lanes at major intersections. The existing rural typical section for most of the project includes two 12-ft. travel lanes with 8-ft. outside shoulders (4 ft. paved) within a 100-ft. right-of-way width. In the vicinity of the Blountstown Highway (SR 20) intersection, an approximate ¼-mile section of Capital Circle has recently been reconstructed as a 4-lane divided urban roadway. There are no sidewalks or other provisions for pedestrians. Capital Circle is a major corridor around the city of Tallahassee; however, the existing roadway is deficient in terms of capacity and safety for future planned growth. The length of the Study is approximately 3 miles. The existing roadway bisects Gum Swamp, the project's principal natural feature, which is a 273-acre seasonally flooded wetland. Capital Circle NW/SW currently operates at level of service (LOS) D. The posted speed limit along the roadway, within the project limits, is 45 mph, and existing access classification is Class 5. Capital Circle is a designated state emergency evacuation route. Drainage conveyance is predominantly by ditches to outfalls, although there are storm sewer systems and/or stormwater treatment facilities at the intersections at Orange Avenue and Blountstown Highway. Significant structures include an overpass bridge at the CSX railroad and a bridge culvert at Gum Creek. See enclosed Project Location Map.

b. Proposed Improvements: The proposed project addresses capacity improvements of Capital Circle NW/SW to a controlled access facility, including the addition of through travel lanes and frontage roads. An at-grade intersection is proposed for Capital Circle and SR 20. The recommended alternative (the "Combination 3" alternative) typical section is an urban section consisting of six 12-ft. travel lanes with a 36-ft. depressed median, except through the Gum Swamp, where a narrower 22-ft. median will minimize wetland and floodplain impacts. The typical sections will also include 4-ft. bike lanes in each direction, a 5-ft. sidewalk along the east side and a multi-use meandering sidewalk along the west side. On-site stormwater will be conveyed to proposed stormwater management facilities via closed storm drain systems. The proposed right-of-way width is 230 ft. The existing bridge over the CSX Railroad (Bridge #550007) will be replaced and the existing culvert at Gum Creek (Bridge # 550078) will be replaced with a structure; both bridges will consist of two separate three-lane bridges. With these improvements, Capital Circle NW/SW is projected to operate at LOS C in design year 2030. Its access classification will not change. These improvements are part of an overall plan to improve transportation around the city of Tallahassee. Construction of improvements to Capital Circle NW/SW is scheduled to begin in the fall of 2008.

The Capital Region Transportation Planning Authority has identified the need for capacity improvements to this section of Capital Circle in its 2020 Long Range Transportation Plan (adopted December 2000). Upgrading the roadway is needed to improve travel service and to serve the population and economic growth projected for the region. The adopted 2020 Cost Feasible Plan includes the multi-laning of Capital Circle NW/SW to be funded by the extension of the Local Option Sales Tax (Blueprint 2000), approved in November 2000. Capital Circle from the Tallahassee Regional Airport to I-10, which includes the portion of the roadway addressed by this project, has been classified by Florida Department of Transportation (FDOT) as an Emerging Strategic Intermodal System (SIS) Connector facility.

3. CLASS OF ACTION

a. Class of Action:

- Environmental Assessment
- Environmental Impact Statement
- Type 2 Categorical Exclusion

b. Other Actions:

- Section 4(f) Evaluation
- Section 106 Consultation
- Endangered Species Assessment

c. Public Involvement:

1. 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. A public hearing was held on April 4, 2006, and a transcript is included with the environmental determination. Approval of this Type 2 Categorical Exclusion determination constitutes location and design concept acceptance for this project.
 An opportunity for a public hearing was afforded and a certification of opportunity is included with the environmental determination. Approval of this Type 2 Categorical Exclusion determination constitutes acceptance of the location and design concepts for this project.
3. A public hearing was held on (date) 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.
 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:** COE USCG FWS EPA NMFS NONE

4. REVIEWERS' SIGNATURES

Blair A. Martin 8/11/06
District Environmental Management Office Engineer Date

Paul A. ... 8/9/06
Blueprint 2000 Project Manager Date

5. FHWA CONCURRENCE

[Signature] 08/16/2006
FHWA, Division Administrator Date

6. IMPACT EVALUATION

Topical Categories:

S M N N
I I O O
G N N I
N E N
V

REMARKS

A. SOCIAL IMPACTS

- | | | | | | |
|----------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------|
| 1. Land Use Changes | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 2. Community Cohesion | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 3. Relocation Potential | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 4. Community Services | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 5. Title VI Considerations | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 6. Controversy Potential | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |
| 7. Utilities and Railroads | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment A</u> |

B. CULTURAL IMPACTS

- | | | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------|
| 1. Section 4(f) lands | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment B</u> |
| 2. Historic Sites/Districts | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment B</u> |
| 3. Archaeological Sites | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment B</u> |
| 4. Recreation Areas | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>See Attachment B</u> |

8. COMMITMENTS AND RECOMMENDATIONS

The following commitments were made during the Expanded Project Development and Environment (EPD&E) Study process in order to minimize impacts of this project on the environment and local residents and business owners. These commitments will optimize the effectiveness of the planned improvements.

1. Minimize the impacts of constructing the Gum Swamp crossing by incorporating the following features into design: use of special retaining walls to minimize the roadway footprint through the swamp; provide several wildlife crossing culverts; replace the existing box culvert with a bridge structure; provide stormwater treatment prior to discharging into the swamp; and the purchase of nearby properties for wetland and floodplain preservation, restoration, and enhancement.
2. Develop a highly effective erosion control plan that will provide protection for the lakes and wetlands adjacent to the roadway corridor. The plans and specifications will reflect state of the art construction means and methods to achieve maximum protection against erosion where construction activities are occurring and prevent pollutants from mixing with stormwater. In addition, the amount of disturbed area will be minimized in sensitive areas, thereby reducing erosion potential. Evaluation and selection of the controls implemented shall exceed Best Management Practices, as defined by the Department of Environmental Protection.
3. Conduct signal warrant analyses at the intersection of the frontage roads with Capital Circle where full median openings are proposed. Signals will be installed at these locations, if warranted.
4. Provide bicycle lanes, sidewalks (both five foot parallel and ten foot multi-use), and pedestrian refuges at signalized intersections.
5. Develop a landscaping plan that will use vegetation that is appropriate for the area; will complement the natural areas along the project; and will minimize future maintenance needs.
6. Purchase sufficient right-of-way on SR 20 that will accommodate the proposed future improvements by FDOT.

Class of Action Determination

Attachment A – Social Impacts

- 1. Land Use Changes:** The project study area contains mainly commercial land uses and undeveloped land, with few scattered single-family residential uses adjacent to the project corridor. Land use of those parcels acquired for roadway and stormwater pond right-of-way will change to transportation and stormwater treatment uses, respectively. No surrounding land use is expected to change as a result of this project since zoning is under local jurisdiction. According to the Future Land Use Map, developed by the Tallahassee Leon County Planning Department (TLCPD) in conjunction with the Leon County Comprehensive Plan, future land use along the project is primarily Mixed Use Category B. Areas along this project that are not proposed as 'Mixed Use B' are the Apalachicola National Forest south of Orange Avenue, which is designated as Recreation/Open Space, and Gum Swamp north of the CSX railroad, which is designated as Government Operational. Gum Swamp is owned and managed by Leon County for the purpose of restoration and preservation of the swamp. Right-of-way will need to be acquired from both the Apalachicola National Forest and Gum Swamp.
- 2. Community Cohesion:** Residences along the project corridor are sparse and scattered. Since the project proposes to multi-lane an existing two-lane highway, the project will not divide any neighborhood or isolate any identifiable social group. This project has been developed in accordance with the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1968.
- 3. Relocation Potential:** A Conceptual Stage Relocation Plan has been prepared for this project. Relocations include 10 commercial properties and 4 residences.

In order to minimize the unavoidable effects of right-of-way acquisition and displacement of people, FDOT will carry out a right-of-way and relocation program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

FDOT provides advance notification of impending right-of-way acquisition. Before acquiring right-of-way, all properties are appraised on the basis of comparable sales and land use values in the area. Owners of property to be acquired will be offered and paid fair market value for their property rights.

No person lawfully occupying real property will be required to move without at least 90 days written notice of the intended vacation date and no occupant of a residential property will be required to move until decent, safe and sanitary replacement housing is made available. "Made available" means that the affected person has either by himself obtained and has the right of possession of the replacement housing, or that FDOT has offered the relocatee decent, safe and sanitary housing which is within his financial means and available for immediate occupancy.

At least one relocation specialist is assigned to each highway project to carry out the relocation assistance and payments program. A relocation specialist will contact each person to be relocated to determine individual needs and desires, and to provide

information, answer questions, and give help in finding replacement property. Relocation services and payments are provided without regard to race, color, religion, sex, or national origin.

All tenants and owner-occupant displaces will receive an explanation regarding all options available to them, such as (1) varying methods of claiming reimbursement for moving expenses; (2) rental replacement housing, either private or publicly subsidized; (3) purchase of replacement housing; and (4) moving owner-occupied housing to another location.

Financial assistance is available to the eligible relocate to:

1. Reimburse the relocate for the actual reasonable costs of moving from homes, businesses, and farm operations acquired for a highway project;
2. Make up the difference, if any, between the amount paid for the acquired dwelling and the cost of a comparable decent, safe and sanitary dwelling available on the private market;
3. Provide reimbursement of expenses, incidental to the purchase of a replacement dwelling;
4. Make payment for eligible increased interest cost resulting from having to get another mortgage at a higher interest rate. Replacement housing payments, increased interest payments, and closing costs are limited to \$22,500 combined total.

A displaced tenant may be eligible to receive a payment, not to exceed \$5,250, to rent a replacement dwelling or room, or to use as down payment, including closing costs, on the purchase of a replacement dwelling.

The brochures that describe in detail the Department's relocation assistance program and right-of-way acquisition program are "Your Relocation: Residential", "Your Relocation: Business, Farms and Nonprofit Organizations", "Your Relocation: Signs" and "The Real Estate Acquisition Process". All of these brochures are distributed at all public hearings and made available upon request to any interested persons.

4. **Community Services:** There are no churches, schools, hospitals or fire stations along the planned project. Major community services and facilities therefore should not be adversely affected by the planned action. The improvements should in fact improve community services such as emergency response time and evacuation time.
5. **Title VI Considerations:** Title VI of the Civil Rights Act of 1964 provides that no person shall, on the grounds of race, color, religion, sex, national origin, marital status, handicap, or family composition, be excluded from participation in, or be denied the benefits of, or be otherwise subject to discrimination under any program of the Federal, State, or local government. Title VIII of the Civil Rights Act of 1968 guarantees each person equal opportunity in housing. This project has been developed in accordance with the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1968. No one will be discriminated against or denied an opportunity to comment on the proposed project.

6. **Controversy Potential:** The Advance Notification package was submitted to the Florida State Clearinghouse in July 2004 and responses were received in September 2004. Most agencies responding to the Advance Notification had no comments; Florida Department of Environmental Protection (FDEP) noted that stormwater treatment and water quality certification may be required.

A Public Information Meeting (Alternatives Public Meeting) was held at Tallahassee Community College on June 30, 2005, to present alternative project alignments and solicit public input. The meeting was held from 6:00 p.m. to 8:00 p.m. Approximately 20 people signed in. Public comments addressed the following issues, in summary:

- Minimization of property acquisition;
- Minimization of impacts to Apalachicola National Forest;
- Potential mitigation of impacts to Bradford Brook Chain-of-Lakes;
- Desire for signalization of intersection of proposed frontage roads at Capital Circle near the power line easement.

A Public Hearing will be held in April 2006.

7. **Utilities and Railroads:** Capital Circle NW crosses one CSX Railroad via Bridge No. 550007. Coordination with the CSX Railroad confirms no future plans to widen or expand the existing CSX corridor. Further coordination will take place during the design phase to facilitate construction of a new bridge structure. Existing utilities along the corridor include water and sewer lines owned by the City of Tallahassee, overhead electric and telephone, and buried telephone. The relocation of utilities will also be coordinated prior to construction to avoid or minimize any impacts to the utilities or their customers.

Attachment B – Cultural Impacts

1. **Section 4(f) Lands:** Two potential Section 4(f) resources were identified along the planned project: the Lake Bradford Tract of the Apalachicola National Forest and the Gum Swamp. ~~Two separate Determination of Section 4(f) Applicability documents~~ were prepared, one for each resource. In a letter dated February 27, 2006, the Federal Highway Administration (FHWA) stated their determination that Section 4(f) does not apply to the Gum Swamp with respect to this project. In a letter dated February 27, 2006, FHWA stated their determination that Section 4(f) does not apply to the Lake Bradford Tract with respect to this project. See Appendix A.
2. **Cultural Resources:** A Cultural Resource Assessment, conducted in accordance with the procedures contained in ~~36 CFR Part 800~~ and including background research and a field survey coordinated with the ~~State Historic Preservation Office (SHPO)~~, was performed for the project. As a result of the assessment, four historic resources and six archaeological sites were identified along this project. The Federal Highway Administration, after application of the National Register Criteria of Significance, found that the sites were not eligible for listing on the *National Register of Historic Places (NRHP)*. The SHPO rendered the same opinion. Based on the fact that no additional archaeological or historical sites or properties are expected to be encountered during subsequent project development, the Federal Highway Administration, after consultation with the SHPO, has determined that no National

Register properties would be impacted. The SHPO coordination letter, dated July 25, 2005, is shown in Appendix B.

- 3. Recreation Areas:** The only recreation area within the project limits is the Apalachicola National Forest. There will be no impacts to recreational areas within the forest.

Attachment C – Natural Environment

- 1. Wetlands:** Three wetland types were identified within the Capital Circle NW/SW study area: forested wetland, man-made conveyance and retention (ditches, swales, retention ponds/sumps), and sinkhole pond. Seven wetlands (including Gum Swamp), nineteen ditches, two stormwater ponds, and one sinkhole pond were identified within or near the impact zone of this project; four of the wetlands, ten of the ditches, and none of the ponds would be directly impacted by the recommended alternative. The recommended alternative would impact a total of 5.63 acres of all wetland types. Wetland condition was assessed using the Wetland Rapid Assessment Procedure (WRAP). Based on WRAP scores for impacted wetlands, the functional loss associated with the recommended alternative would be 4.15 acres. Final decisions on which mitigation measures to use for this project have not yet been reached; however, the full complement of mitigation alternatives will be considered in the study of this project, including avoidance, minimization, compensation, preservation, and creation. Wetland impacts which will result from the construction of this project will be mitigated pursuant to S. 373.4137 F.S. to satisfy all mitigation requirements of Part IV Chapter 373, F.S. and 33 U.S.C.s. 1344.
- 2. Water Quality:** Although additional impervious surface will be added due to the improvements, there should be no degradation of surface water or groundwater quality. The surface water receptors along this project are Bradford Brook Chain-of-Lakes and Gum Swamp; ultimately Lake Munson. Karst features are known to occur along the project. Stormwater run-off will be treated, and impacts to the adjacent water bodies and groundwater will be avoided by use of approved treatment techniques.

The proposed stormwater management facilities design includes at a minimum, the water quality requirements as required by the Florida Department of Environmental Protection (FDEP) in 62-25 FAC and Leon County. Therefore, no further mitigation for water quantity will be needed. The Bradford Brook Chain-of-Lakes watershed is protected by special provisions of Section 10-191 of the Leon County *Land Development Code*. A Water Quality Impact Evaluation (WQIE) checklist has been completed and is available in the project file.

- 3. Floodplains:** Based on Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA), the existing Capital Circle NW/SW encroaches on two areas of 100-year floodplain. The lower encroachment in the vicinity of Cascade Drive is classified as Zone A (areas of 100-year flood; base flood elevations and flood hazard factors not determined). The proposed right-of-way will encroach upon 3.34 acres of Zone A. The upper area at Gum Swamp is classified by FEMA as Zone AE (base flood elevation 60 ft. NGVD). The proposed right-of-way will encroach upon 2.97 acres of Zone AE. The project is consistent with FEMA,

state and local agencies for the administration of the National Flood Insurance Program.

4. **Coastal Zone Consistency:** A letter from the Florida Department of Environmental Protection (FDEP), dated January 21, 2005, states that the referenced project (Blueprint 2000 Project #772) is consistent with the Florida Coastal Management Program (FCMP). See Appendix C.
5. **Wildlife and Habitat:** General wildlife and floral surveys of existing habitats within the project corridor were conducted to determine the presence or potential occurrence of threatened and endangered floral and faunal species. An Endangered Species Biological Assessment was prepared for this project to document the results. The field investigations conducted to date have not revealed the existence of the Eastern indigo snake. However, upon the recommendation of the US Fish and Wildlife Service (USFWS), construction precautions for this species will be implemented. With these precautions, no impact on the Eastern indigo snake is expected. There are several bald eagle occurrences in the northern part of the county but none are located within 1 mile of this project. The Florida Fish and Wildlife Conservation Commission (FWC) database and information from USFWS show three rookeries within the 18 mile USFWS-recommended buffers for the wood stork, but this project will have no effect on the rookeries. Active gopher tortoise burrows are present just south of the study area, but no gopher tortoises or their burrows were observed during field studies for this project. No Critical Habitat(s) were identified within the study area for any species. An Endangered Species Biological Assessment (ESBA) was prepared for this project

The surveys did show evidence of more common wildlife species such as whitetail deer and armadillos. No feral hog sign was evident. Various species of hawks were seen on a regular basis throughout the project area. Various songbirds, crows, grackles and woodpeckers are plentiful throughout the project area. One black racer (*Coluber constrictor priapus*) was observed and one great egret (*Ardea alba*) was observed.

Given the above conclusions and commitments, it can be stated that the proposed project will not adversely affect or jeopardize the existence of any federally threatened or endangered species, even if they are known or expected to occur in the project vicinity. Informal coordination with USFWS has occurred during the project and the agency has reviewed the ESBA. USFWS has concurred with the finding that the project is not likely to adversely affect protected species (see Appendix D.)

Attachment D – Physical Impacts

1. **Noise:** Noise levels for three residences will exceed FHWA Noise Abatement Criteria (66 dBA for residential sites) with the recommended alternative. The existing noise levels for these residences range from 60.7 to 65.6 dBA; predicted noise levels in 2030 with the recommended alternative range from 66.7 to 67.4 dBA. Based on the noise analysis performed to date, there are no apparent solutions available to mitigate the noise level changes identified in the Noise Study Report. Three barriers were analyzed for the affected noise-sensitive sites. The results of the analysis indicate that none of the barriers are reasonable and feasible to reduce

predicted traffic noise levels. A Noise Study Report was prepared for this project, detailing this analysis.

Construction of the planned project will have a temporary effect on the noise sensitive sites adjacent to the project corridor. Trucks, earth moving and pile driving equipment, pumps and generators are construction noise sources. The contractor will adhere to the latest edition of the FDOT's *Standard Specifications for Road and Bridge Construction* as related to the control of construction noise and vibration.

- Air:** A CO Florida 2004 analysis has been performed for the Blountstown Highway (SR 20) intersection with the highest traffic volumes and lowest operating link speeds. The screening model results include the one-hour and eight-hour carbon monoxide (CO) concentrations. Neither standard was equaled or exceeded at the closest receptor location. Therefore, the project will not have a significant impact on air quality. The project is in an area which has been designated as attainment for all the air quality standards under the criteria provided in the Clean Air Act Amendments of 1990; therefore, conformity does not apply.

The air quality impact during construction will be temporary and will primarily be in the form of emissions from diesel-powered construction equipment and dust from embankment and haul road areas. Air pollution associated with the creation of airborne particles will be effectively controlled through the use of watering or the application of other controlled materials in accordance with FDOT's *Standard Specifications for Road and Bridge Construction* as directed by the Project Engineer.

- Construction:** Construction impacts will be temporary and transient, and should not cause any long-term adverse impacts to the surrounding environment. Construction noise and vibration will be controlled by adherence to the controls listed in the latest edition of the FDOT *Standard Specifications for Road and Bridge Construction* or additional special provisions, as necessary. If these measures do not prove adequate for limiting construction noise, alternatives approved by Blueprint 2000 and/or FDOT can be utilized as directed by the Project Engineer.

A sediment and erosion control plan will be prepared and implemented during construction. At a minimum, best management practices outlined in the Florida Department of Environmental Protection (FDEP) *Land Development Manual* will be used. A National Pollutant Discharge Elimination System permit will be required, which will include preparation of a Stormwater Pollution Prevention Plan. These measures will also prohibit undue base floodplain encroachments. A portion of Capital Circle SW within the project area is in the City of Tallahassee Bradford Brook Chain of Lakes Special Development Zone; construction activities in this area will be required to meet best management practices detailed in Section 10-191 of the Leon County *Land Development Code*.

- Contamination:** Field reconnaissance, FDEP files, and a First Search Technology environmental database search found 73 potential hazardous material and/or contamination sites within the project area. No federal or state Superfund sites are located within the project area. Sixteen of the 73 sites had documented discharges and/or cleanup monitoring systems and were, therefore, ranked as **Medium** risk. Thirty-three of the 73 sites were determined to handle hazardous materials and were, therefore, rated as a **Low** risk. The remaining 24 sites were not found in any

database and were, therefore, ranked as **None**. This information is documented in the Contamination Screening Evaluation Report prepared for this project. The proposed project contains no known significant contamination.

APPENDIX A



U.S. Department
of Transportation

**Federal Highway
Administration**

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

(850) 942-9650

In Reply Refer To: HPO-FL

February 27, 2006

Mr. Edward Prescott, P.E.
District Three Secretary
Florida Department of Transportation
Post Office Box 607
Chipley, Florida 32428

Dear Mr. Prescott:

Subject: Section 4(f) Determination
Gum Swamp, Capital Circle Northwest/Southwest (SR263) Expanded PD&E
From South of Orange Avenue (SR 371) To Tennessee Street (SR10, U.S. 90)
Financial-aid Project #: 415782-3-58-01, Blueprint 2000 Project
Leon County

The Federal Highway Administration (FHWA) reviewed the information for the subject project for Determination of Section 4(f) Applicability. The project consists of capacity and safety improvements to Capital Circle NW/SW (SR263); with multiple travel and bicycle lanes in each direction and a meandering sidewalk along one side, from south of Orange Avenue to Tennessee Street.

With reference to the Draft Determination of Section 4(f) Applicability Report October 2005, prepared for Blue Print 2000 by H.W. Lochner, Inc., an initial determination has been made for the Gum Swamp. It has been determined that Section 4(f) would not be applicable to the Gum Swamp because the area has not been formally designated as a wildlife or waterfowl refuge, or a recreation area and is not open for public use. FHWA concurs with the determination, and the project may proceed with further development of the PD&E.

If you have any questions, please contact Mr. BSB Murthy at (850) 942-9650 Extension 3038.

Sincerely yours,

For: David C. Gibbs
Division Administrator





Florida Department of Transportation

JEB BUSH
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

DENVER J. STUTLER, JR.
SECRETARY

Transmittal Memorandum

**District 3 Environmental Management Office
Post Office Box 607 1074 Highway 90
Chipley, Florida 32428-0607**

RECEIVED

MAR 07 2006

DATE: March 6, 2006

TO: Paul Hiers, P.E., Project Manager
Blueprint 2000 Intergovernmental Agency

FROM: Laura Haddock, Environmental Scientist
District 3 Environmental Management Office

COPIES: File

SUBJECT: **4(f) Determination from FHWA**
Blueprint 2000 Project: Capital Circle (SR 263) NW/SW
From South of Orange Ave (SR 371) to Tennessee St (SR 10/US 90)
County: Leon
FPID # 415782-3-58-01

BLUEPRINT2000

Attached, please find copies of the letters from BSB (FHWA) providing a "not applicable" determination regarding Section 4(f) for Gum Swamp and the Lake Bradford tract in regards to the above referenced project.

Please feel free to direct any questions or comments you may have to me at 850/415-9560 or you may email me at: laura.haddock@dot.state.fl.us.

Thanks.

A handwritten signature in cursive script that reads "Laura".



U.S. Department
of Transportation

**Federal Highway
Administration**

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

(850) 942-9650

In Reply Refer To: HPO-FL

February 27, 2006

Mr. Edward Prescott, P.E.
District Three Secretary
Florida Department of Transportation
Post Office Box 607
Chipley, Florida 32428

RECEIVED

MAR 2 2006

Environmental Management

Dear Mr. Prescott:

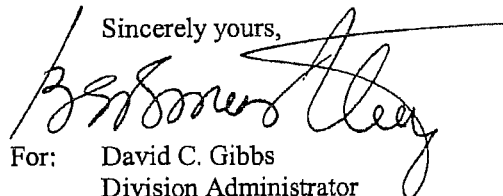
Subject: Section 4(f) Determination of Applicability
Apalachicola National Forest, Lake Bradford Tract
Capital Circle Northwest/Southwest (SR263) Expanded PD&E
From South of Orange Avenue (SR 371) to Tennessee Street (SR10, U.S. 90)
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With reference to the Draft Determination of Section 4(f) Applicability Report July 2005, prepared for Blue Print 2000 by H.W. Lochner, Inc., an initial determination has been made for the Lake Bradford Tract of the Apalachicola National Forest. The Lake Bradford Tract meets the criteria for Section 4(f) applicability. It is publicly owned and is open to the entire public, and identified as a significant recreational resource. However, the Apalachicola National Forest is a multiple use land holding, so Section 4(f) would apply only to those specific areas designated for a Section 4(f) and determined to be significant for that type of use. Based on the input from the U.S. Forest Service, it has been indicated that the portion of the Lake Bradford Tract west of Capital Circle SW, is not likely to be used for the recreational purposes intended for the tract. It is the determination of FHWA that the western portion of the Lake Bradford Tract is therefore not a significant recreational resource. Section 4(f) requirements would therefore apply only to the portion of Lake Bradford Tract east of Capital Circle SW. Section 4(f) would not apply to the portion of the tract west of Capital Circle SW.

Please coordinate with the FHWA FL Division Office for additional reporting needs for the eastern portion of the Lake Bradford Tract. If you have any questions, please contact Mr. BSB Murthy at (850) 942-9650 Extension 3038.

Sincerely yours,



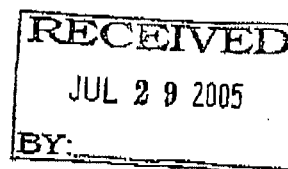
For: David C. Gibbs
Division Administrator



APPENDIX B



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES



Ms. Marion Almy
Archaeological Consultants, Inc.
8110 Blaikie Court, Suite A
Sarasota, FL 34240

July 25, 2005

Re: DHR Project File No. 2005-7501 / Received by DHR: July 19, 2005
Cultural Resource Assessment Survey Capital Circle NW/SW (SR263) from South of Orange Avenue (SR371) to Tennessee Street (SR10, US 90), Leon County, Florida

Dear Ms. Almy:

Our office received and reviewed the above referenced survey report in accordance with procedures contained in Leon County's Natural Features Inventory requirements and with Chapter 267, *Florida Statutes*, for assessment of possible adverse impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the *National Register of Historic Places (NRHP)*, or otherwise of historical, architectural or archaeological value.

In January and February 2005, Archaeological Consultants, Inc. (ACI) conducted an archaeological and historical cultural resource assessment survey of the SR263 project corridor on behalf of H. W. Lochner, Inc.

A review of the Florida Master Site File indicated that six archaeological sites were recorded within or adjacent to the project area. The Cascade Lakes site (8LE30), a lithic scatter, was located within the project area during ACI's investigation. Due to low research potential and the lack of intact features or cultural strata, it is the opinion of ACI that 8LE30, as present within the project's area of potential effect (APE), is not eligible for listing in the *NRHP*.

No archaeological evidence was recovered for the remaining five previously identified sites (8LE1608, 8LE534, 8LE190, 8LE1692, and 8LE517) recorded within the project's APE. ACI has submitted updated Florida Master Site File Site Forms indicating the modified site boundaries resulting from their investigation.

Two previously unrecorded archaeological sites were identified within the project area. The Broke Pipe site (8LE5216) represents a prehistoric short-term campsite. Due to low research potential and the lack of intact features or cultural strata, it is the opinion of ACI that 8LE5216, as present within the project's area of potential effect (APE), is not eligible for listing in the *NRHP*.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6436

Archaeological Research
(850) 245-6444 • FAX: 245-6436

Historic Preservation
(850) 245-6323 • FAX: 245-6437

Historical Museums
(850) 245-6100 • FAX: 245-6433

Southeast Regional Office
(954) 467-4990 • FAX: 467-4991

Northeast Regional Office
(904) 825-5045 • FAX: 825-5044

Central Florida Regional Office
(813) 272-3843 • FAX: 272-2340

Ms. Almy
July 25, 2005
Page 2

The Pensacola & Georgia Railroad Segment site (8LE5218) was also identified within the project area. This railroad segment is still in active use today. It is the opinion of ACI that this segment of the railroad does not appear to meet eligibility criteria for listing in the *NRHP*.

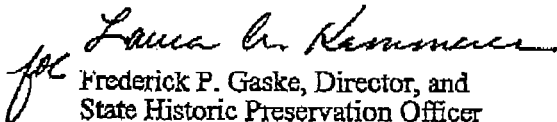
In addition to archaeological remains, four historic buildings were recorded within the project's APE. These buildings (8LE5219-5222) have all undergone some degree of modern alteration that detracts from their historic architectural integrity. Due to these alterations and the lack of historic associations, it is the opinion of ACI that these buildings do not appear eligible for listing in the *NRHP*.

It is the opinion of ACI that the proposed development will have no effect on cultural resources listed or eligible for listing in the *NRHP*, or otherwise of historical, architectural or archaeological value. ACI recommends no further investigation of the subject parcel.

Based on the information provided, our office concurs with these determinations and finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

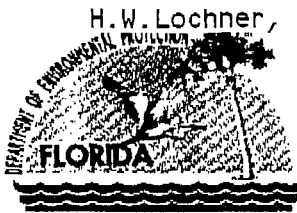
If you have any questions concerning our comments, please contact Beth Chambless, Historic Sites Specialist, by phone at (850) 245-6333, or by electronic mail at ejchambless@dos.state.fl.us. Your continued interest in protecting Florida's historic properties is appreciated.

Sincerely,


Frederick P. Gaske, Director, and
State Historic Preservation Officer

Xc: Rodney Cassidy – City of Tallahassee Growth Management Department

APPENDIX C



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

January 21, 2005

Mr. James Shepherd
Project Manager, Blueprint 2000
City of Tallahassee - Leon County
1311 Executive Center Drive, Suite 109
Tallahassee, FL 32301

RE: Department of Transportation – Advance Notification – Capital Circle NW/SW (SR 263)
from South of Orange Avenue to Tennessee Street, Expanded PD&E Study –
Tallahassee, Leon County, Florida.
SAI # FL200407288362

Dear Mr. Shepherd:

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 above-referenced advance notification.

The Department of Environmental Protection (DEP) notes that the activity may require stormwater treatment pursuant to Subsections 62-25.020(4) and 62-25.040(3), *Florida Administrative Code (F.A.C.)*. Additionally, a Wetland Resource Permit, pursuant to Rule 62-312, *F.A.C.*, and water quality certification may be required if wetland impacts are unavoidable. The applicant is advised to contact Mr. Michael Hogan regarding stormwater permit requirements and Mr. Tom Franklin to set up a pre-application meeting to address potential wetland impacts to the adjacent Gum Swamp. Both DEP contacts can be reached at the DEP Northwest District Branch Office in Tallahassee by calling (850) 488-3704.

In comments received after the date of the Clearinghouse's initial letter, dated September 24, 2004, the Florida Fish and Wildlife Conservation Commission (FWC) notes several recommendations to avoid, minimize, and/or mitigate project impacts to fish and wildlife resources. Please see the enclosed FWC letter for more information.

Based on the information contained in the advance notification and the comments provided by our reviewing agencies, the state has determined that the allocation of federal funds for the subject project is consistent with the Florida Coastal Management Program. The

"More Protection, Less Process"

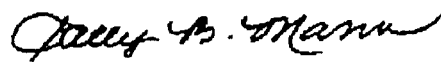
Printed on recycled paper.

Mr. James Shepherd
January 21, 2005
Page 2 of 2

applicant must, however, address the issues identified by DEP staff 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 permitting reviews.

Thank you for the opportunity to review the project. Should you have any questions regarding this letter, please contact Ms. Lori Cox at (850) 245-2187.

Sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/lec
Enclosures

cc: Dick Fancher, DEP, Northwest District
Angie Patterson, H.W. Lochner (*via facsimile*)

APPENDIX D



U.S. Fish and Wildlife Service
1601 Balboa Avenue
Panama City, Florida 32405
(850) 769-0552 Fax (850) 763-2177

Project Number# 4-P-05-181

LOCHNER

H.W. LOCHNER, INC., 2840 Plaza Place, Suite 202, Raleigh, North Carolina 27607

This project, as proposed, should have minimal impacts to fish and wildlife resources (16 USC 661 et seq.) and is not likely to adversely affect any species under the Endangered Species Act.

June 27, 2006

Gail A. Carmody
Gail A. Carmody, Project Leader

6/30/06
Date

Ms. Mary Mittiga
Ecologist
U.S. Fish and Wildlife Service
1601 Balboa Avenue
Panama City, FL 32405

RECEIVED
JUN 23 2006

RE: Endangered Species Biological Assessment (ESBA)
Capital Circle NW/SW (SR 263) Expanded PD&E Study
Blueprint 2000 & Beyond Intergovernmental Agency Project #772
FWS No. 4-P-05-181
Leon County, Florida

Dear Ms. Mittiga:

The Blueprint 2000 & Beyond Intergovernmental Agency in conjunction with the Florida Department of Transportation (FDOT), District 3, proposes to improve Capital Circle NW/SW from south of Orange Avenue (SR 371) to Tennessee Street (SR 10, US 90), in Leon County, Florida. The existing roadway within this 3-mile project is a two-lane undivided facility with turn lanes at major intersections. The proposed project addresses capacity improvements of Capital Circle NW/SW to a controlled access facility, including the addition of through travel lanes, frontage roads, and necessary intersection improvements.

Biologists from our firm have reviewed existing data on known locations of listed species and habitat and conducted field surveys to determine the presence or potential occurrence of listed species in the project area. No listed species or Critical Habitat(s) were identified within the study area. Although the surveys have not revealed the existence of the Eastern indigo snake in the study area, upon the recommendation of your agency, construction precautions will be taken for this species. Wetlands impacted by the project, which could provide foraging habitat for wading birds, will be mitigated to satisfy the requirements of 33 U.S.C.s 1344 Part IV Chapter 373, F.S. The results of data review and field surveys are documented in the enclosed Endangered Species Biological Assessment (ESBA) prepared for this study. Given the above conclusions and commitments, it is our finding that the proposed project will not adversely affect or jeopardize the existence of any federally threatened or endangered species.

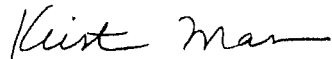
Your review of an earlier draft of the ESBA, documented in a letter dated April 20, 2005, indicated concern about the potential for stormwater ponds constructed for the project to act as an "attractive nuisance" for feeding wood storks, which could potentially expose the animals to unhealthy levels of pollutants. We appreciate your concern and will ensure that reasonable steps are taken during the design of the project to limit this impact. However, a function of the stormwater ponds is to collect pollutants in the roadway's runoff, so it is unlikely that this risk

can be eliminated. It is also unlikely, given budgetary constraints, that a formal monitoring program for pollutant concentrations could be established.

The purpose of this letter is to request your review of the enclosed proposed project plans, and their potential effect on protected species, and to request any further available information regarding protected species in the project area.

We appreciate your review of the enclosure at your earliest convenience, as well as your input regarding protected species. Please contact me at 919-571-7111 if you need additional information or have questions about the enclosed information.

Sincerely,
H.W. Lochner, Inc.



Kristin Maseman
Senior Environmental Planner

Enclosures: One (1) copy of ESBA