

APPENDIX D

**ADVANCE NOTIFICATION (AN) AND RESPONSES
RECEIVED**

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SEP 30 2003
Public Works
Department



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Neon
Orig: A. Stiverden

Florida Department of Transportation

719 South Woodland Boulevard
DeLand, Florida 32720-6800

JEB BUSH
GOVERNOR

September 22, 2003

JOSE ABREU
SECRETARY

FILE
COPY

RECEIVED
SEP 29 2003
S.C.C. OFFICE

Lauren Milligan, Environmental Consultant
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 47
Tallahassee, FL 32399-3000

Dear Ms. Milligan:

**SUBJECT: Advance Notification for CR 466A from Lake/Sumter County line to US 441/US 27
Financial Project Number: 415671-1
Lake County, Florida**

The attached Advance Notification Package is forwarded to your office for processing through appropriate State agencies in accordance with Executive Order 95-359. Distribution to local and Federal agencies is being made as noted.

Although more specific comments will be solicited during the permit coordination process, we request that permitting and permit reviewing agencies review the attached information and furnish us with whatever general comments they consider pertinent at this time.

This is a Federal-aid action and the Florida Department of Transportation in coordination with Lake County, in consultation with the Federal Highway Administration, will determine what degree of environmental documentation will be necessary. The determination will be based upon in-house environmental evaluations and comments received through coordination with other agencies. Please provide a consistency review for this project in accordance with the State's Coastal Zone Management Program.

In addition, please review this improvement's consistency, to the maximum extent feasible, with the approved Comprehensive Plan of the local government jurisdiction pursuant to Chapter 163, Florida Statutes.

We are looking forward to receiving your comments on the project within 45 days. Should additional review time be required, a written request for an extension of time must be submitted to our office within the initial 45-day comment period.

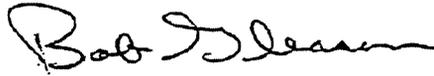
Your comments should be addressed to:

Page 2

Mr. Robert B. Gleason
District Environmental Management Office
Florida Department of Transportation-District V
719 South Woodland Boulevard
DeLand, Florida 32720

Your expeditious handling of this notice will be appreciated.

Sincerely,

A handwritten signature in black ink that reads "Bob Gleason". The signature is written in a cursive style with a large, stylized "B" and "G".

Bob Gleason
District V Environmental Administrator

Attachments



NB9 - GB - LN

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702-2432

November 12, 2003

Mr. Bob Gleason
District Environmental Management Office
Florida Department of Transportation - District 5
719 Woodland Boulevard/MS 4-373
DeLand, Florida 32720

Subject: Advance notification.
CR 466A
FPID: 415671-1
Lake County, Florida

Dear Mr. Gleason:

This responds to your letter regarding advance notification for the widening of CR 466A, in Lake County, Florida. The Florida Department of Transportation requests National Marine Fisheries Service (NOAA Fisheries) comments on the project.

At this time we do not have specific comments or recommendations to provide. NOAA Fisheries may provide comments and recommendations during our review of the public notice (if any) for Department of the Army authorization of the project and in connection with our review of any related environmental documents prepared by your department. If, during project planning and development, you determine that design features may adversely affect Essential Fish Habitat (EFH), consultation required by the Magnuson-Stevens Fishery Conservation and Management Act should be initiated. In accordance with the July 19, 2000, "findings" between our agencies and the Federal Highway Administration, EFH consultation may be conducted during the project development or environmental assessment phase of project planning.

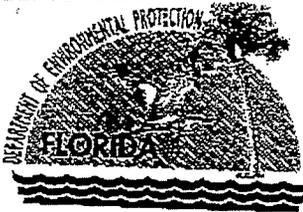
Thank you for providing the opportunity to provide comments early in the planning process. Mr. George Getsinger, at our Jacksonville Office, is available if further assistance is needed. He may be reached at 6620 Southpoint Drive South, Suite #310, Jacksonville, Florida 32216, or by telephone at 904/ 232-2580 ext. 121.

Sincerely,

David H. Rackley

MB
Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division





Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

November 26, 2003

Mr. Robert B. Gleason
District Environmental Management Office
Florida Department of Transportation – District V
719 South Woodland Boulevard
DeLand, Florida 32720

RE: U.S. Department of Transportation – Advance Notification – CR 466A
(Miller Street) PD&E Study from Lake/Suwannee County Line to US 441/US 27
Financial Project ID: 415671-1 – Fruitland Park, Lake County Florida

SAI: FL200309304060C

Dear Mr. Gleason:

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 the review of the above-referenced advance notification.

The St. Johns River Water Management District (SJRWMD) notes that the project will require an Environmental Resource Permit (ERP) pursuant to Subsection 40-C4.041 (1), *Florida Administrative Code (F.A.C.)*. In addition, the project is located within the Ocklawaha River Hydrologic Basin and is subject to special basin criteria pursuant to 40C-41.063(2)(a) and 40C-41.063(2)(b), *F.A.C.* The submittal states that the project design will attempt to avoid or minimize impacts to wetlands. Please note that design modifications to reduce or eliminate adverse wetland and surface water impacts *must* be explored, as described in subsection 12.2.1.1 of the District's ERP Applicant's Handbook. The SJRWMD will review the road alignment and stormwater structure locations to determine if all options available to eliminate or reduce impacts to wetlands and surface waters have been researched and substantively evaluated. Mitigation for wetland and other surface water impacts can only be approved after the elimination and reduction criteria have been adequately addressed. Please see the attached SJRWMD comments for further information.

Based on the information contained in the advance notification and the enclosed state agency comments, the state has determined that, at this stage, the allocation of federal funds for the above-referenced project is consistent with the Florida Coastal Management Program

"More Protection, Less Process"

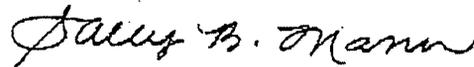
Printed on recycled paper.

Mr. Robert Gleason
SAI FL200309304060C
Page 2

(FCMP). The applicant must, however, address the concerns identified by reviewing agency staff. All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews.

Thank you for the opportunity to review this project. If you have any questions regarding this letter, please contact Ms. Pauline Blankenship at (850) 245-2163.

Sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/pb

Enclosures

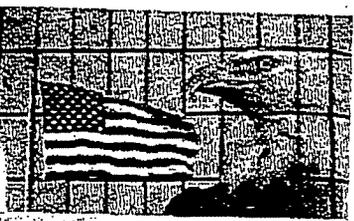
cc: Mr. Scott Edwards, Florida Department of State
Ms. Traci Wallace, Florida Fish and Wildlife Conservation Commission
Mr. Geoffrey Sample, St. Johns River Water Management District
Ms. Barbara Bess, Florida Department of Environmental Protection



Florida

Department of Environmental Protection

"More Protection. Less Process"



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Project Information	
Project:	FL200309304060C
Comments Due:	October 29, 2003
Letter Due:	November 28, 2003
Description:	DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - CR 466A (MILLER STREET) PD&E STUDY, FROM LAKE/SUMTER COUNTY LINE TO US 441/US 27 - FINANCIAL PROJECT NO.: 415671-1 - FRUITLAND PARK, LAKE COUNTY, FLORIDA.
Keywords:	DOT - CR 466A PD&E STUDY AT FRUITLAND PARK - LAKE CO.
CEQA #:	20.205
Agency Comments:	
E. CENTRAL FL RPC - EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL	
N/C	
LAKE - LAKE COUNTY	
No Final Comments Received	
ENVIRONMENTAL POLICY UNIT - OFFICE OF POLICY AND BUDGET, ENVIRONMENTAL POLICY UNIT	
No Comment	
COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS	
Released Without Comment	
FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	
No Final Comments Received	
STATE - FLORIDA DEPARTMENT OF STATE	
NC/Consistent	
ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Central District staff notes that the closed Lady Lake landfill is located 3/4 mi'e south of CR 466 off Rolling Acres Road. The landfill has a solid waste, post closure permit to monitor ground water and landfill gas migration. A portion of the site is currently used as a residential drop-off center for solid waste, recyclable materials, and household hazardous waste.	
SOUTHWEST FLORIDA WMD - SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT	
No Final Comments Received	
ST. JOHNS RIVER WMD - ST. JOHNS RIVER WATER MANAGEMENT DISTRICT	
Comments will be submitted via email due to length.	

For more information please contact the Clearinghouse Office at:

AGENCY CONTACT AND COORDINATOR (SCH)
 3900 COMMONWEALTH BOULEVARD MS-47
 TALLAHASSEE, FLORIDA 32399-3000
 TELEPHONE: (850) 245-2161
 FAX: (850) 245-2190

Visit the [Clearinghouse Home Page](#) to query other projects.

STATE CLEARINGHOUSE

SAI #: FL200309304060C DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - CR 466A (MILLER STREET) PD&E STUDY, FROM LAKE/SUMTER COUNTY LINE TO US 441/US 27 - FINANCIAL PROJECT NO.: 415671-1 - FRUITLAND PARK, LAKE COUNTY, FLORIDA.

Comment Entered On-line: 10/28/2003

Comments:

An Environmental Resource Permit (ERP) will be required for the proposed activities by the St. Johns River Water Management District, pursuant to subsection 40-C 4.041 (1), F.A.C. A more detailed review of the project will be made at the time of permit application, with the proposed project reviewed according to the criteria set forth in the ERP Applicants Handbook (A.H.), Sections 10, 11, and 12.

The project is located within the Ocklawaha River Hydrologic Basin and is subject to special basin criteria 40C-41.063(2)(a), F.A.C. and 40C-41.063(2)(b), F.A.C. Attenuation of the peak rate of off-site discharge is required for both the 25-year/24-hour and 10-year/24-hour storm events. Attenuation of the peak rate of off-site discharge is required for the mean annual storm event when the amount of imperviousness served by the surface water management system exceeds 50%.

The submittal states that there are wetlands located within the project boundary. Based on a cursory review of files, this project does not appear to have a Formal Wetland Determination (FWD). Wetlands and other surface waters located in portions of the project not currently permitted for regulated activities are subject to verification at the time of permit application submittal.

The submittal states that the project design will attempt to avoid or minimize impacts to wetlands. Please note that design modifications to reduce or eliminate adverse wetland/surface water impacts must be explored, as described in subsection 12.2.1.1, ERP A.H. The District will review the road alignment and stormwater structure locations to determine if all options available to eliminate or reduce impacts to wetlands/surface waters have been researched and substantively evaluated. Mitigation for wetland and other surface water impacts can only be approved after the elimination and reduction criteria have been adequately addressed.

Wetlands provide habitat for fish and wildlife and may potentially provide nesting or significant foraging habitat for listed species. The submittal and a review of the Florida Fish and Wildlife Conservation Commission bald eagle nesting records indicate that an active bald eagle nest lies adjacent to the proposed road construction. The applicant will be required to address direct, secondary and cumulative impacts to fish and wildlife habitat resulting from the proposed project. Please note that one cannot address only the right-of-way footprint when reviewing the area for habitat value for wetland dependent species. The on-site and adjacent wetlands may be part of a mosaic of systems that provide a corridor for feeding, shelter and movement from surface waters to other wetland and upland habitats. At the time of application, the applicant must consider the direct loss of habitat or other ecological functions provided to aquatic and wetland dependent species, including listed species, and the secondary and cumulative (within the drainage basin) loss of wetland habitat and the ecological functions that they provide.

McDowell, Lindy

From: Geoffrey Sample [gsample@sjrwmd.com]
Sent: Tuesday, October 28, 2003 8:16 AM
To: McDowell, Lindy
Subject: clearinghouse item comments - FL200309304060C

See attached - sent via email due to length.

<<2424-4060C.doc>>

10/28/2003

COUNTY: LAKE
SAI-DOT-AN
2003-0894

DATE: 9/29/2003
COMMENTS DUE DATE: 10/29/2003
CLEARANCE DUE DATE: 11/28/2003
SAI#: FL200309304060C

MESSAGE:

STATE AGENCIES	WATER MNGMNT. DISTRICTS	OPB POLICY UNIT	RPCS & LOC GOVS
COMMUNITY AFFAIRS	ST. JOHNS RIVER WMD	ENVIRONMENTAL POLICY UNIT	
ENVIRONMENTAL PROTECTION			
FISH and WILDLIFE COMMISSION			
X STATE			

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- X Federal Assistance to State or Local Government (15 CFR 930, Subpart F).
Agencies are required to evaluate the consistency of the activity.
- Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - CR 466A (MILLER STREET) PD&E STUDY, FROM LAKE/SUMTER COUNTY LINE TO US 441/US 27 - FINANCIAL PROJECT NO.: 415671-1 - FRUITLAND PARK, LAKE COUNTY, FLORIDA.

To: Florida State Clearinghouse

AGENCY CONTACT AND COORDINATOR (SCH)
3900 COMMONWEALTH BOULEVARD MS-47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190

EO. 12372/NEPA Federal Consistency

- No Comment
- Comment Attached
- Not Applicable
- No Comment/Consistent
- Consistent/Comments Attached
- Inconsistent/Comments Attached
- Not Applicable

From:

Division of Historical Resources
Bureau of Historic Preservation

Division/Bureau:

Reviewer: S. EDWARDS LAR

Date: 10-14-03 10-14-03

CRAS WILL BE CONDUCTED

John Hattler
10/15/03

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OCT 20 2003

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BUREAU OF
HISTORIC PRESERVATION

OIP/OLGA

COUNTY: LAKE

DATE: 9/29/2003

COMMENTS DUE DATE: 10/29/2003

CLEARANCE DUE DATE: 11/28/2003

SAI#: FL200309304060C

MESSAGE:

STATE AGENCIES	WATER MNGMNT. DISTRICTS	OPB POLICY UNIT	RPCS & LOC GOVS
COMMUNITY AFFAIRS	ST. JOHNS RIVER WMD	X ENVIRONMENTAL POLICY UNIT	
ENVIRONMENTAL PROTECTION			
FISH and WILDLIFE COMMISSION			
STATE			

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To: Florida State Clearinghouse

AGENCY CONTACT AND COORDINATOR (SCH)
 3900 COMMONWEALTH BOULEVARD MS-47
 TALLAHASSEE, FLORIDA 32399-3000
 TELEPHONE: (850) 245-2161
 FAX: (850) 245-2190

EO. 12372/NEPA Federal Consistency

- No Comment
- No Comment/Consistent
- Comment Attached
- Consistent/Comments Attached
- Not Applicable
- Inconsistent/Comments Attached
- Not Applicable

From:

Division/Bureau: *OPB - Env - Policy*
 Reviewer: *[Signature]*
 Date: *10/10/03*

RECEIVED

OCT 15 2003

OIP/OLGA

