Southwest-Central Florida Connector

Avoidance & Minimization Considerations

October 30, 2019
Define
Avoidance & Minimization

Review
State & Federal Regulation & Laws

Identify
Natural, cultural, social, and physical resources
Examples
Transportation and the environment

Create
Composite Map

Discuss
Questions & approach
“Altogether eliminating an adverse environmental impact from a transportation decision by not taking a certain action or parts of an action.”

Avoidance is the first step in the evaluation process
- Includes determining which environmental resource, at the maximum extent possible, cannot be impacted by transportation decisions

Avoidance alternatives
- Are those that entirely avoid the use of the environmental resource

Avoidance alternatives consider shifts
- Reduced footprints and other modifications in the project development to preserve and protect the environmental resource
"Reduce adverse impacts on the environment by a transportation decision by limiting the magnitude of the action and its implementation."

- **Minimization** efforts should be pursued
- **Minimization** measures to reduce the impact to environmental resources

If no feasible and prudent **avoidance** alternatives exist

- Choosing the alternative that has **reduced** impacts

Evaluations based on availability, feasibility, viability, and cost

- The alternative that will cause the **least** overall impact (after factoring in mitigation measures) must be considered

Considerations resulting in use of an environmental resource without a feasible and prudent **avoidance** alternative
The **purpose** of the **Endangered Species Act** is to *protect* and *recover* imperiled species and the ecosystems upon which they depend.

It is **administered** by the U.S. Fish and Wildlife Service (USFWS) and the U.S. National Oceanic and Atmospheric Administration (NOAA) Fisheries Service.

The FWS **maintains** a list of endangered species, which include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees.

Under the Endangered Species Act, species may be listed as either **endangered** or **threatened**.

- "**Endangered**" means a species is in danger of extinction throughout all, or a significant portion of its range.

- "**Threatened**" means a species is likely to become endangered within the foreseeable future.

All species of plants and animals (except pest insects) are eligible for listing as endangered or threatened.
The **Clean Water Act** is a U.S. Federal law that regulates the discharge of pollutants into the nation’s surface waters, including lakes, rivers, streams, wetlands, and coastal areas.

The **purpose** of the **Clean Water Act** is to **restore** and **maintain** clean and healthy waters.

It is administered by the U.S. Army Corps of Engineers (USACE) and **overseen** by the U.S. Environmental Protection Agency (EPA).

Proposed activities are regulated through a permitting process. An individual permit is required for potentially significant impacts.

Prior to applying for a permit, the permittee must first show:

- Steps have been taken to **avoid** impacts to wetlands, streams and other aquatic resources
- Potential impacts have been **minimized**
- A viable alternative **does not** exist that is less damaging to the aquatic environment
- The nation’s waters would **not** be significantly degraded
- Compensation will be provided for all remaining unavoidable impacts
The Department of Transportation Act (1966) prohibits the Federal Transit Administration (FTA) and other USDOT agencies from using land from publicly owned parks, recreation areas (including recreational trails), wildlife and waterfowl refuges, or public and private historic properties, unless:

- there is no feasible and prudent alternative to the use of the land
- the action includes all possible planning to minimize harm to the property resulting from use.

Florida Historical Resources Act governs the use of publicly-owned archaeological and historical resources located on state property, both on land and in the water.

Administered by the Florida Division of Historical Resources,

The purpose of Florida’s historic preservation program is to identify, register, protect, and preserve significant historical resources.
Historic Preservation

National Register of Historic Places (NRHP):
- list of districts, structures, and objects deemed worthy of preservation for their historic significance

State Historic Preservation Office (SHPO) Evaluation
Surveys and recognizes historic properties, and reviews nominations for properties to be listed under the NRHP

Listed On National Registered of Historic Places (NRHP)
Meets one of the four criteria: be associated with a historical event or person, have distinctive architecture/construction or likely to yield information about history
Eligible for the National Register
- 351 historical structures
- 14 bridges
- 7 historic cemeteries

Historic districts
Archaeological sites

Source: National Register of Historic Places, April 2019
Avoid historic cemeteries completely
Avoid any resource that is on the National Register of Historic Places
Avoid other historic bridges, structures, buildings to the maximum extent feasible
Threatened & Endangered Species

1. American Crocodile
2. Wood Stork
3. Crested Caracara
4. Florida Scrub-Jay
5. Florida Panther
6. Eastern Indigo Snake
7. West Indian Manatee
8. Florida Bonneted Bat
9. Everglade Snail Kite
10. Florida Grasshopper Sparrow
11. Ivory-Billed Woodpecker
12. Red-cockaded Woodpecker
13. Bluetail Mole Skink
14. Sand Skink
15. Gulf Sturgeon

Source: US Fish & Wildlife Service, August 2018
Avoidance & Minimization in Action

CAUTION: MANATEE HABITAT
All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:
Wildlife Alert:
1-888-404-FWCC (3922)
cell: FWC or DEP

ATTENTION:
THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON
THIS SITE!!!
Avoidance & Minimization in Action

Name: Florida Panther  Status: Endangered

SR 80 wildlife underpass under construction

Wildlife crossing and fencing

Panther Focus Areas

Source: US Fish & Wildlife Service; Florida Fish and Wildlife Conservation Commission
Distinct ecosystem that is flooded by water, either permanently or seasonally

Four Categories:
- Estuarine/Marine – wetlands associated with estuary/ocean
- Lacustrine – wetlands associated with lakes
- Riverine – wetlands associated with rivers (flowing water)
- Palustrine – freshwater wetlands
Avoid wetland impacts if possible
If impacts are unavoidable, then impacts are minimized to the maximum extent feasible
Wetland mitigation practices to be discussed at a later Task Force meeting

Source: ifas.ufl.edu
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Composite GIS Map Concept

Overlay several layers on one map

Identify opportunities & constraints

Parcels
Wetlands
Floodplains
Land Use
Composite Overlay
Conservation Lands Composite GIS Map

- National Parks
- State Parks
- State Forests
- Wildlife Management Areas
- Florida Forever Lands
- Conservation Easements

Legend:
- Conservation Easements
- Managed Conservation Lands
- Florida Forever Projects
Water Quality Composite GIS Map

- Springs
- Open Water
- Outstanding Florida Waters
- Aquatic Preserves
Agriculture Composite Map

Farmlands of Local and Unique Importance

Agriculture & Silviculture
- Cropland and Pasture
- Feeding Operations
- Nurseries and Vineyards
- Other Open Lands (Rural)
- Tree Crops
- Tree Plantations
Florida Ecological Greenways Network
Priority 1 areas are critical landscape linkages
Florida Panther
Caracara
Sand and Blue-tailed Mole Skink
- Managed Conservation Lands
- Agricultural and Silviculture Lands
- SHPO Resource Groups (NRHP eligible and potential eligible)
- Florida Panther Focus Area
Do you have any questions?

Are we missing important layers?

What is most important to you?
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