

An aerial photograph of a residential and commercial area. A yellow highlight is present on the left side of the image, extending from the top to the bottom. The text is overlaid on the center of the image.

APPENDIX A

**PLANNING CONSISTENCY
SUPPORTING DOCUMENTS**

Transportation, Community, and System Preservation

FED FY	DIST	FUND ACT	PROJECT DESCRIPTION	CON-FERENCE AMOUNT	FHWA ALLOC. LESS RECISSION AND OR	ALLOC-ATION DATE	ITEM SEGMENT ENTRY	FAC	AGREE-MENT AMOUNT	UNOBLIG-ATED ALLOC-ATION OF FDOT'S BOOKS	LAPSE DATE	FAMO COMMENTS
2009	5	FY 2009 Omnibus Appropriations Act	Melbourne Airport Access Rd. and Interchange	\$ 1,003,865	\$ 939,618	6/30/2009	426905-1	L680	\$ 939,618		9/30/2012	SFT1-251 ACTIVE
2010	5	FFY2010 Appropriations Bill	Access to Melbourne International Airport	\$ 779,200	\$ 734,955	1/18/2013	426905-3	L68E	\$ 734,955		9/30/2013	Funds posted 1/18/2013 \$734,955 MULT-005

Demo ID	2005 FHWA Alloc.	2005 Award Date	2006 Award Date	2007 Award Date	2008 Award Date	2009 Award Date	Total Allocation Received
FL251	\$ 160,000	10/31/2005	3/14/2006	4/13/2007	2/20/2008	5/5/2009	\$ 719,921

Section 129	
FED FY	Award Date
2008	2/29/2008
2010	Jan-10

MADDOG: Standard Detail Report Default Summary							
Item Seg	Ph	Sq	Description	Fund	Area	Fed Proj	Total
426904-1	21			HPP	F251	SFTL-251-R	
	22			HPP	F251	SFTL-251-R	
426905-1	21			HPP	F251	SFT1-251-R	
	22			HPP	F251	SFT1-251-R	
426905-3	32			HPP	F251	MULT-005-R	
420651-1	38	1	Reserve Box	S125	F368		
426904-1	21	90		S125	F368	S129-354-R	
	22	91		S125	F368	S125-368-R	
420651-1	38	1	Reserve Box	S129	F354		
426904-1	21	90		S129	F354	S129-354-R	
	22	90		S129	F354	S129-354-R	
	31	1		S129	F354	W129-354-R	
426904-3	32	1		S129	F354	MULT-006-R	
426905-1	21	90		S129	F354	T129-354-R	
426905-3	32	1		S129	F354	MULT-005-R	
426904-3	31	1		ST10	F382	MULT-006-R	
	32	1		ST10	F382	MULT-006-R	
426905-3	32	1		ST10	F382	MULT-005-R	
426905-1	22	1	I-95 @ Ellis Rd. St. Johns Heritage Parkway I/C Study	TCSP		SFT1-251-R	148,717
426905-3	32	1	I-95 @ Ellis Rd. St. Johns Heritage Parkway	TCSP		MULT-005-R	734,955

HPP

DIST.	FUND ACT	PUBLIC LAW	DEMO ID	PROJECT DESCRIPTION	CONFERENCE AMOUNT	2005 FHWA ALLOC.	OBLIGATING AUTHORITY (HY10 FAR AMOUNT)	2005 AWARD DATE	2006 FHWA 20% ALLOC. LESS 1% RESCISSION	OBLIGATING AUTHORITY (FAR AMOUNT)	2006 AWARD DATE	2007 FHWA 20% ALLOC. & RABA	OBLIGATING AUTHORITY (FAR AMOUNT)	2007 AWARD DATE	2008 FHWA 20% ALLOC.	OBLIGATING AUTHORITY (FAR AMOUNT)	2008 AWARD DATE	2009 FHWA 20% ALLOC.	OBLIGATING AUTHORITY (FAR AMOUNT) FROM PAR	2009 AWARD DATE	ITEM SEGMENT	FAC	TOTAL ALLOCATION RECEIVED	Available Balance - HY10	Available Balance - LY10	FAMO COMMENTS
5	SAFETEA-LU	109-59	FL251	Interchanges at I-95/Ellis Road and between Grant Road and Micco Road, Brevard County	\$800,000	\$160,000	\$136,876	10/31/2005	\$158,400	\$137,884	3/14/2006	\$162,780	\$147,396	4/13/2007	\$160,000	\$147,922	2/20/2008	\$158,820	\$149,843	5/5/2009	426905-1 & 426905-2	HY10/LY10	\$719,921	\$0	\$0	Old description: Palm Bay Parkway from Emerson Drive to U.S. 192, Palm Bay, FL SFT1-251 & SFT2-251

ItemSeq	Ph	Sg	Sys	Description	SIS	Co	St	Box	WkMix	CC	Fund	Area	FAC	FdGp	St	Pay Sg	Vr	Fed Proj	Status	BD	Pg	B.E.	Category	AT	PDC Date	Amt 2009	Amt 2010	Amt 2011	Amt 2012	Amt 2013	Amt 2014	Amt 2015	Amt 2016	Amt 2017	Amt 2018	Total
426904-1	21	01	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	HPP	F251	HY10	F43	5	0	AD	SFTL-251-R	ACTIVE	05	00	55100100	INH	1	07/19/2010	0	3,124	0	0	0	0	0	0	0	0	3,124
													LY10	F43	5	0	AD	SFTL-251-R	ACTIVE	05	00	55100100	INH	1	06/30/2011	0	0	4,091	0	0	0	0	0	0	0	4,091
																									10/20/2010	0	4,392	0	0	0	0	0	0	0	0	4,392
	22	01	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	HPP	F251	HY10	F43	4	0	AD	SFTL-251-R	ACTIVE	05	00	55100100	088849	1	06/30/2010	0	133,751	0	0	0	0	0	0	0	0	133,751
													LY10	F43	4	0	AD	SFTL-251-R	ACTIVE	05	00	55100100	088849	1	06/22/2010	0	214,503	0	0	0	0	0	0	0	0	214,503
426905-1	21	01	01	I-95 @ ELLIS ROAD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	HPP	F251	LY10	F43	5	0	AD	SFT1-251-R	ACTIVE	05	00	55100100	INH	1	01/27/2011	0	0	3,315	0	0	0	0	0	0	0	3,315
																									10/11/2010	0	6,229	0	0	0	0	0	0	0	6,229	
	22	01	01	I-95 @ ELLIS ROAD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	HPP	F251	LY10	F43	4	0	AD	SFT1-251-R	ACTIVE	05	00	55100100	088849	1	06/30/2010	0	298,779	0	0	0	0	0	0	0	0	298,779
426905-3	32	01	01	I-95 INT @ ELLIS RD /ST JOHNS HERITAGE PKWY	SIS	70	010		0230	1	HPP	F251	LY10	F43	4	0	AD	MULT-005-R	ACTIVE	05	00	55100100	088849	1	01/18/2013	0	0	0	0	51,635	0	0	0	0	0	51,635
GRAND TOTAL				3 Item(s)																0	660,778	7,406	0	51,635	0	0	0	0	0	0	719,819					

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Selection Criteria

MAIN	Managing District:	Not specified	Budgeting District:	Not specified
	Geographic District:	Not specified	County:	Not specified
	Economic Region:	Not specified	Version:	G1
	Fiscal Year:	2009	Number of Years:	10
	Type Request:	Standard	Show Entire Item:	No
	Output Format:	Default	Effective Date:	05/11/2014
			Effective Time:	17:15:01
OPTIONAL	Transportation System(s):	Not specified	Contract Class(es):	Not specified
	Phase(s):	Not specified	Work Mix(s):	Not specified
	Program Number(s):	Not specified	Box Code(s):	Not specified
	Estimate Status(es):	2,4,5,6, , ,	Fund Code(s):	HPP
	Fund Group:	Not specified	Fund Type:	Not specified
	Federal Appropriation(s):	Not specified	Item Group:	Not specified
	SAMAS Category:	Not specified	Program Plan Category:	Not specified
	Program Plan Sub-Category:	Not specified	Program Plan Group:	Not specified
	Project Manager Contains:	Not specified	Project Description Contains:	Not specified
	Airport Site:	Not specified	JACIP Project ID:	Not specified
	Seaport ID:	Not specified	Transit System:	Not specified
	Roadway ID:	Not specified	Beginning Milepost:	Not specified

ItemSeq	Ph	Sg	Sys	Description	SIS	Co	St	Box	WkMix	CC	Fund	Area	FAC	FdGp	St	Pay	Vr	Fed	Status	BD	Pg	B.E.	Category	AT	PDC Date	Amt 2009	Amt 2010	Amt 2011	Amt 2012	Amt 2013	Amt 2014	Amt 2015	Amt 2016	Amt 2017	Amt 2018	Total
420651-1	38	01	03	RESERVE BOX FOR ALL FEDERAL EARMARKS TO BE PROGRAMMED ON PROJECTS		99	005	RV	8420	8	S125	F368		F43	2	1	AD			05	00	55100100	088849	1	05/07/2014	0	0	0	0	0	0	0	619,644	0	0	619,644
426904-1	21	90	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S125	F368	56A0	F43	4	0	AD	S129-354-R	ACTIVE	05	00	55100100	INH	1	06/28/2013	0	0	0	0	0	9,135	0	0	0	0	9,135
															5	0	AD	S129-354-R	ACTIVE	05	00	55100100	INH	1	06/28/2013	0	0	0	0	35,865	0	0	0	0	0	35,865
	22	91	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S125	F368	56A0	F43	4	0	AD	S125-368-R	ACTIVE	05	00	55100100	088849	1	03/01/2011	0	0	47,856	0	0	0	0	0	0	0	47,856
GRAND TOTAL				2 Item(s)																0	0	47,856	0	35,865	9,135	0	619,644	0	0	712,500						

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Selection Criteria

MAIN	Managing District:	Not specified	Budgeting District:	05
	Geographic District:	Not specified	County:	Not specified
	Economic Region:	Not specified	Version:	G1
	Fiscal Year:	2009	Number of Years:	10
	Type Request:	Standard	Show Entire Item:	No
	Output Format:	Default	Effective Date:	05/11/2014
			Effective Time:	17:15:01
OPTIONAL	Transportation System(s):	Not specified	Contract Class(es):	Not specified
	Phase(s):	Not specified	Work Mix(s):	Not specified
	Program Number(s):	Not specified	Box Code(s):	Not specified
	Estimate Status(es):	2,4,5,6, , ,	Fund Code(s):	S125
	Fund Group:	Not specified	Fund Type:	Not specified
	Federal Appropriation(s):	Not specified	Item Group:	Not specified
	SAMAS Category:	Not specified	Program Plan Category:	Not specified
	Program Plan Sub-Category:	Not specified	Program Plan Group:	Not specified
	Project Manager Contains:	Not specified	Project Description Contains:	Not specified
	Airport Site:	Not specified	JACIP Project ID:	Not specified
	Seaport ID:	Not specified	Transit System:	Not specified
	Roadway ID:	Not specified	Beginning Milepost:	Not specified
	Bridge:	Not specified	Ending Milepost:	Not specified
	Emergency ID:	Not specified	List All Item Groups?	No
REQUIRED	Report Level:	Standard Detail	Distribution Area Type:	
	Item Status From:	000	Distribution Area:	F368
	Item Status To:	100	Fund Allocation Type:	H
	Minimum \$:	1 (Estimated or Committed)	Exclude Boxed Items?	No
REPORT	Report Option:	Calculated (Years Across)		
	Sort Order:	None Specified		

SECTION 129

FED FY	DIST.	FUND ACT	PUBLIC LAW	DEMO ID	PROJECT DESCRIPTION	CONFERENCE AMOUNT	FHWA ALLOC. LESS 2% DEDUCTION	AWARD DATE		FAC	Agreement	unobligated	FAMO COMMENTS
2008	5	Consolidated Appropriations Act	110-161	S129 FL354	Palm Bay Parkway, Palm Bay, FL	\$2,760,000	\$2,704,800	2/29/2008	426904-1 & 426905-1	LY90	\$696,716	\$1,507,887	S129-354 & T129-354 & W129-354 & MULT-006

ItemSeq	Ph	Sg	Sys	Description	SIS	Co	St	Box	WkMix	CC	Fund	Area	FAC	FdGp	St	Pay Sg	Vr	Fed Proj	Status	BD	Pg	B.E.	Category	AT	PDC Date	Amt_2009	Amt_2010	Amt_2011	Amt_2012	Amt_2013	Amt_2014	Amt_2015	Amt_2016	Amt_2017	Amt_2018	Total	
420651-1	38	01	03	RESERVE BOX FOR ALL FEDERAL EARMARKS TO BE PROGRAMMED ON PROJECTS		99	005	RV	8420	8	S129	F354		F43	2	1	AD			05	00	55100100	088849	1	05/05/2014	0	0	0	0	0	0	0	0	0	0	1,497,888	
426904-1	21	90	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S129	F354	LY90	F43	4	0	AD	S129-354-R	ACTIVE	05	00	55100100	INH	1	05/05/2014	0	0	0	0	0	24,634	0	0	0	0	0	24,634
															5	0	AD	S129-354-R	ACTIVE	05	00	55100100	INH	1	06/28/2013	0	0	0	0	1,363	0	0	0	0	0	1,363	
																									06/30/2011	0	0	13,209	0	0	0	0	0	0	0	13,209	
																									07/16/2012	0	0	0	26,561	0	0	0	0	0	0	26,561	
	22	90	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S129	F354	LY90	F43	4	0	AD	S129-354-R	ACTIVE	05	00	55100100	088849	1	08/22/2013	0	0	0	0	0	113,507	0	0	0	0	113,507	
																									10/26/2010	0	498,634	0	0	0	0	0	0	0	0	498,634	
	31	01	01	I-95 @ N OF MICCO RD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S129	F354	LY90	F43	5	0	AD	W129-354-R	ACTIVE	05	00	55100100	INH	1	06/28/2013	0	0	0	0	2,002	44,843	0	0	0	0	0	46,845
																									06/29/2012	0	0	0	3,153	0	0	0	0	0	0	3,153	
426904-3	32	01	01	I-95 INT @ ST JOHNS HERITAGE PKWY/PALM BAY PK WY N OF MICCO RD	SIS	70	014		0230	9	S129	F354	LY90	F43	4	0	AD	MULT-006-R	ACTIVE	05	00	55100100	088849	1	06/28/2013	0	0	0	0	325,311	0	0	0	0	0	325,311	
																									07/25/2013	0	0	0	0	0	4,060	0	0	0	0	4,060	
426905-1	21	90	01	I-95 @ ELLIS ROAD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	S129	F354	LY90	F43	5	0	AD	T129-354-R	ACTIVE	05	00	55100100	INH	1	01/27/2011	0	0	18,808	0	0	0	0	0	0	0	0	18,808
426905-3	32	01	01	I-95 INT @ ELLIS RD /ST JOHNS HERITAGE PKWY	SIS	70	010		0230	1	S129	F354	LY90	F43	4	0	AD	MULT-005-R	ACTIVE	05	00	55100100	088849	1	01/18/2013	0	0	0	0	1,192	0	0	0	0	0	1,192	
																									04/23/2014	0	0	0	0	0	129,634	0	0	0	0	129,634	
GRAND TOTAL								5	Item(s)																	0	498,634	32,017	29,714	329,868	316,678	1,497,888	0	0	0	0	2,704,799

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Selection Criteria

MAIN	Managing District:	Not specified	Budgeting District:	05
	Geographic District:	Not specified	County:	Not specified
	Economic Region:	Not specified	Version:	G1
	Fiscal Year:	2009	Number of Years:	10
	Type Request:	Standard	Show Entire Item:	No
	Output Format:	Default	Effective Date:	05/11/2014
			Effective Time:	17:15:01
OPTIONAL	Transportation System(s):	Not specified	Contract Class(es):	Not specified
	Phase(s):	Not specified	Work Mix(s):	Not specified
	Program Number(s):	Not specified	Box Code(s):	Not specified
	Estimate Status(es):	2,4,5,6, , ,	Fund Code(s):	S129
	Fund Group:	Not specified	Fund Type:	Not specified
	Federal Appropriation(s):	Not specified	Item Group:	Not specified
	SAMAS Category:	Not specified	Program Plan Category:	Not specified
	Program Plan Sub-Category:	Not specified	Program Plan Group:	Not specified
	Project Manager Contains:	Not specified	Project Description Contains:	Not specified

FED FY	DIST.	FUND ACT	PUBLIC LAW	DEMO ID	PROJECT DESCRIPTION	CONFERENCE AMOUNT	FHWA ALLOC. LESS 2% DEDUCTION	AWARD DATE		ITEM SEGMENT	FAC	Agreement
2010	5	Consolidated Appropriations Act, 2010	111-117	ST10 FL382	St. John's Heritage Parkway interchange, Cities of Melbourne and Palm Bay, Brevard, Fl	\$2,000,000	\$1,999,658	Jan 2010	426905-3 & 426904-3	426905-3 & 426904-3	56C0	

ItemSeq	Ph	Sq	Sys	Description	SIS	Co	St	Box	WkMix	CC	Fund	Area	FAC	EdGr	St	Pay	Vr	Fed	Status	BD	Pg	B.E.	Category	AT	PDC Date	Amt 2009	Amt 2010	Amt 2011	Amt 2012	Amt 2013	Amt 2014	Amt 2015	Amt 2016	Amt 2017	Amt 2018	Total																								
426904-3	31	01	01	I-95 INT @ ST JOHNS HERITAGE PKWY/PALM BAY PK WY N OF MICCO RD	SIS	70	014		0230	9	ST10	F382	56C0	F43	5	0	AD	MULT-006-R	ACTIVE	05	00	55100100	INH	1	09/20/2012	0	0	0	0	15,000	0	0	0	0	0	15,000																								
	32	01	01	I-95 INT @ ST JOHNS HERITAGE PKWY/PALM BAY PK WY N OF MICCO RD	SIS	70	014		0230	9	ST10	F382	56C0	F43	4	0	AD	MULT-006-R	ACTIVE	05	00	55100100	088849	1	06/28/2013	0	0	0	0	972,691	12,137	0	0	0	0	984,828																								
426905-3	32	01	01	I-95 INT @ ELLIS RD /ST JOHNS HERITAGE PKWY	SIS	70	010		0230	1	ST10	F382	56C0	F43	4	0	AD	MULT-005-R	ACTIVE	05	00	55100100	088849	1	01/18/2013	0	0	0	0	999,829	0	0	0	0	0	999,829																								
GRAND TOTAL																									2 Item(s)		0	0	0	0	1,987,520	12,137	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,999,657

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Selection Criteria

MAIN	Managing District:	Not specified	Budgeting District:	05
	Geographic District:	Not specified	County:	Not specified
	Economic Region:	Not specified	Version:	G1
	Fiscal Year:	2009	Number of Years:	10
	Type Request:	Standard	Show Entire Item:	No
	Output Format:	Default	Effective Date:	05/11/2014
			Effective Time:	17:15:01
OPTIONAL	Transportation System(s):	Not specified	Contract Class(es):	Not specified
	Phase(s):	Not specified	Work Mix(s):	Not specified
	Program Number(s):	Not specified	Box Code(s):	Not specified
	Estimate Status(es):	2,4,5,6, , ,	Fund Code(s):	ST10
	Fund Group:	Not specified	Fund Type:	Not specified
	Federal Appropriation(s):	Not specified	Item Group:	Not specified
	SAMAS Category:	Not specified	Program Plan Category:	Not specified
	Program Plan Sub-Category:	Not specified	Program Plan Group:	Not specified
	Project Manager Contains:	Not specified	Project Description Contains:	Not specified
	Airport Site:	Not specified	JACIP Project ID:	Not specified
	Seaport ID:	Not specified	Transit System:	Not specified
	Roadway ID:	Not specified	Beginning Milepost:	Not specified
	Bridge:	Not specified	Ending Milepost:	Not specified
	Emergency ID:	Not specified	List All Item Groups?	No
	REQUIRED	Report Level:	Standard Detail	Distribution Area Type:
Item Status From:		000	Distribution Area:	F382
Item Status To:		100	Fund Allocation Type:	H
Minimum \$:		1 (Estimated or Committed)	Exclude Boxed Items?	No
REPORT	Report Option:	Calculated (Years Across)		
	Sort Order:	None Specified		

TRANSPORTATION, COMMUNITY AND SYSTEM PRESERVATION

FED FY	DIST.	FUND ACT	PROJECT DESCRIPTION	CONFERENCE AMOUNT	FHWA ALLOC. LESS RESCISSION AND/OR	ALLOCATION DATE	ITEM SEGMENT ENTRY	FAC	AGREEMENT AMOUNT	UNOBLIGATED ALLOCATION OF FDOT'S BOOKS (FP16)	Lapse Date	FAMO COMMENTS
2009	5	FY 2009 Omnibus Appropriations Act	Melbourne Airport Access Rd. and Interchange	\$1,003,865	\$939,618	6/30/2009	426904-1 & 426905-1	L680	\$939,618		09/30/2012	SFT1-251 ACTIVE
2010	5	FFY2010 Appropriations Bill	Access Road to Melbourne International Airport	\$779,200	\$734,955	1/18/2013	426905-3	L68E	\$734,955		9/30/2013	funds posted 1/18/2013 \$734,955 MULT-005

Allocation Outstanding

Closed - FV09 status

Funds are being returned to FHWA for redistribution

FTA TRANSFER

emailed about font color in red 4/10/14

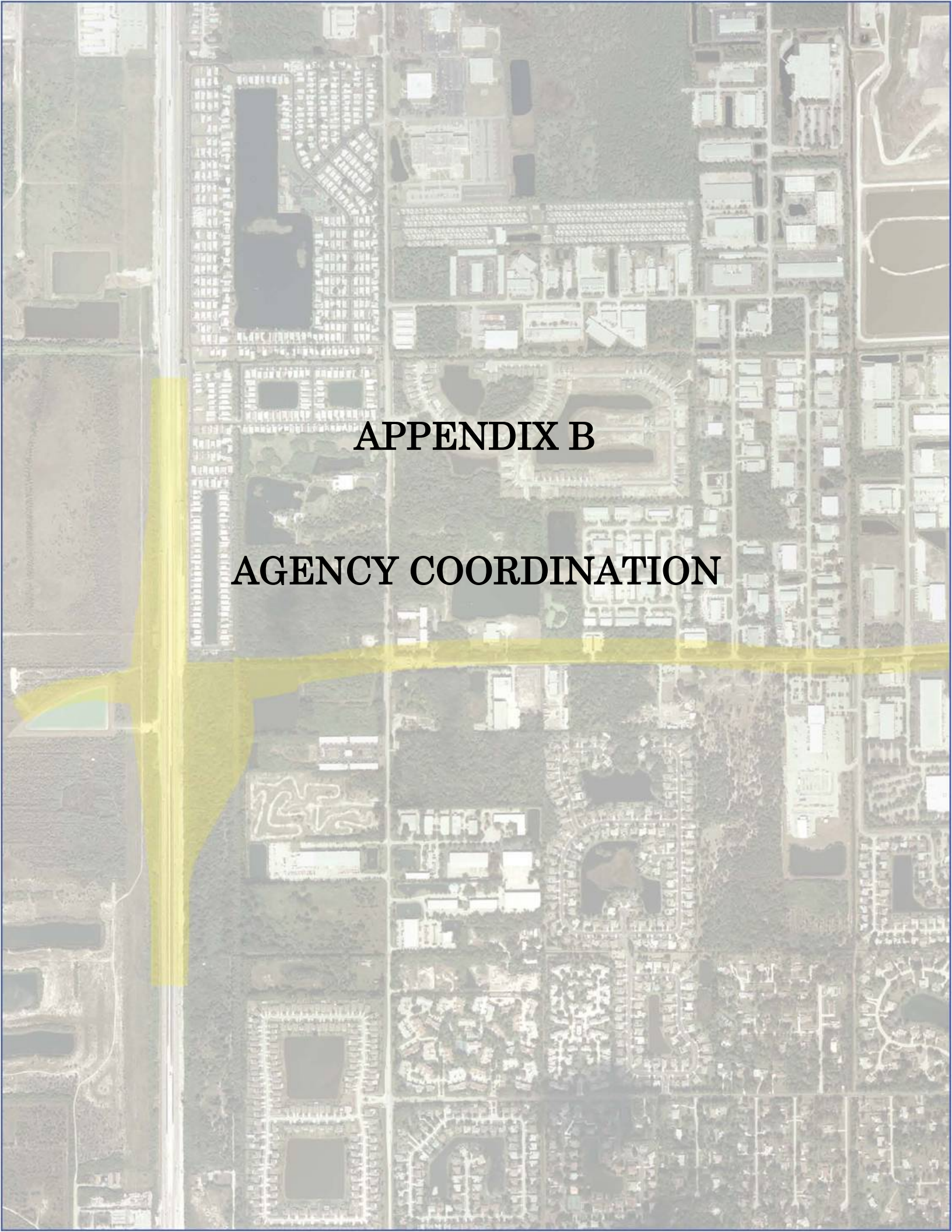
ItemSeg	Ph	Sg	Sys	Description	SIS	Co	St	Box	WkMix	CC	Fund	Area	FAC	FdGp	St	Pay Sg	Vr	Fed Proj	Status	BD	Pg	B.E.	Category	AT	PDC Date	Amt 2009	Amt 2010	Amt 2011	Amt 2012	Amt 2013	Amt 2014	Amt 2015	Amt 2016	Amt 2017	Amt 2018	Total
240216-4	28	01	09	SR 46 WIDENING SR 415 TO CR 426 SEMINOLE COUNTY	77	070	XX	9999	5	TCSP	L680	F43	4	0	AD	TCSP-045-U	ACTIVE	05	00	55100100	088849	1	06/30/2010	0	0	533,520	0	0	0	0	0	0	0	0	0	533,520
415030-2	43	01	09	SR 434 FROM SMITH STREET TO FRANKLIN STREET	77	014		0219	4	TCSP	L680	F43	4	0	AD	TCSP-035-U	ACTIVE	05	00	55100100	088777	1	05/07/2014	0	0	0	0	0	139,597	0	0	0	0	0	0	139,597
424186-1	48	01	06	SE 92ND LOOP (BELLEVIEW BYPASS) FROM US27/441 TO SR35	36	014		0002	5	TCSP	L680	F43	5	0	AD	S129-344-R	ACTIVE	05	01	55100100	088777	1	04/11/2011	0	0	444,600	0	0	0	0	0	0	0	0	0	444,600
		02	06	SE 92ND LOOP (BELLEVIEW BYPASS) FROM US27/441 TO SR35	36	014		0002	5	TCSP	L68E	F43	5	0	AD	S129-344-R	ACTIVE	05	01	55100100	088777	1	01/04/2011	0	0	471,609	0	0	0	0	0	0	0	0	0	471,609
426905-1	22	01	01	I-95 @ ELLIS ROAD ST JOHNS HERITAGE PARKWAY INTERCHANGE STUDY	SIS	70	010		9999	4	TCSP	L680	F43	4	0	AD	SFT1-251-R	ACTIVE	05	00	55100100	088849	1	06/28/2013	0	0	0	0	0	148,717	0	0	0	0	0	148,717
																								10/25/2010	0	790,900	0	0	0	0	0	0	0	0	0	790,900
426905-3	32	01	01	I-95 INT @ ELLIS RD /ST JOHNS HERITAGE PKWY	SIS	70	010		0230	1	TCSP	L68E	F43	4	0	AD	MULT-005-R	ACTIVE	05	00	55100100	088849	1	01/18/2013	0	0	0	0	734,955	0	0	0	0	0	0	734,955
GRAND TOTAL					5 Item(s)																					0	790,900	1,449,729	0	862,117	288,314	0	0	0	0	3,391,060

Redisplay Options:

[View Report \(Ctrl+Home\)](#) [Redisplay in Printer friendly Format](#)
[Redisplay as Excel + Include Descriptions: Item, County, Item Status, Workmix](#) [About Excel Reports](#)

Selection Criteria

MAIN	Managing District:	Not specified	Budgeting District:	05
	Geographic District:	Not specified	County:	Not specified
	Economic Region:	Not specified	Version:	G1
	Fiscal Year:	2009	Number of Years:	10
	Type Request:	Standard	Show Entire Item:	No
	Output Format:	Default	Effective Date:	05/11/2014
			Effective Time:	17:15:01
OPTIONAL	Transportation System(s):	Not specified	Contract Class(es):	Not specified
	Phase(s):	Not specified	Work Mix(s):	Not specified
	Program Number(s):	Not specified	Box Code(s):	Not specified
	Estimate Status(es):	2,4,5,6, , ,	Fund Code(s):	TCSP
	Fund Group:	Not specified	Fund Type:	Not specified
	Federal Appropriation(s):	Not specified	Item Group:	Not specified
	SAMAS Category:	Not specified	Program Plan Category:	Not specified
	Progam Plan Sub-Category:	Not specified	Program Plan Group:	Not specified
	Project Manager Contains:	Not specified	Project Description Contains:	Not specified
	Airport Site:	Not specified	JACIP Project ID:	Not specified
	Seaport ID:	Not specified	Transit System:	Not specified
	Roadway ID:	Not specified	Beginning Milepost:	Not specified
Bridge:	Not specified	Ending Milepost:	Not specified	
Emergency ID:	Not specified	List All Item Groups?	No	
REQUIRED	Report Level:	Standard Detail	Distribution Area Type:	
	Item Status From:	000	Distribution Area:	ALL
	Item Status To:	100	Fund Allocation Type:	H
REPORT	Minimum \$:	1 (Estimated or Committed)	Exclude Boxed Items?	No
	Report Option:	Calculated (Years Across)		
	Sort Order:	None Specified		



APPENDIX B

AGENCY COORDINATION



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 41910-2014-I-0106

February 25, 2014

Mr. William G. Walsh
Environmental Administrator
FDOT District 5
719 South Woodland Blvd
DeLand FL 32720-6800

RE: I-95/Ellis Road Interchange and Ellis Road from I-95 to Wickham Road (CR509)
Financial ID No. 426905-1-22-01
Federal Aid No. SFT1 251 R

Dear Mr. Walsh:

The US Fish and Wildlife Service (Service) has completed its review of a proposal to create a new interchange at I-95 and Ellis Road, extend Ellis road from its' western terminus to I-95 (approximately .4 miles) and widen the existing Ellis road east to Wickham Road. Ellis Road is currently a two lane undivided highway from John Rodes Blvd (SR 511) until it reaches the intersection of Lake Ibis road where it becomes a four lane divided highway that terminates at Wickham Road. The proposal involves widening Ellis road to a four lane divided highway in order to accommodate future traffic levels and provide a direct route from I-95 to the Melbourne airport in Brevard County, Florida.

The Service has reviewed the information provided by FDOT in the WEBAR (dated January 2013) and subsequent surveys for federally listed species, regarding the presence or absence of species within the action area and we provide the following timeline of actions:

February 2013- FDOT submitted a Wetland Evaluation and Biological Assessment Report (WEBAR) to the Service. The WEBAR indicated habitat for listed species was present and would be impacted but surveys for federally listed species would be completed at a later date.

May 2013 - The Service informed FDOT that surveys for listed species needed to be completed before a determination of effect could be made. The Service cannot concur with a 'May Affect but Not Likely to Adversely Affect' (MANLAA) determination before surveys are completed for federally listed species.

December 2013 - FDOT submitted the results of a Florida scrub-jay (*Aphelocoma coerulescens*) (FLSJ) survey conducted in October 2013 at pond site 4A. Although FLSJs were seen at three call stations, the FDOT concluded that a bird was “just passing through” the area. FDOT made a MANLAA determination based on survey results.

January 2014 - The Service asked for further information on the FLSJ survey data, including the direction of flight to and from the call stations, as per the survey protocol. After further internal review, the Service concluded there was not enough information to delineate the amount of occupied habitat and did not agree that the birds were transient. The guidelines state that a minimum of five days is required for the survey effort, however in many cases additional time is needed to discern territorial boundaries.

January 2014 - The Service coordinated a survey for Audubon’s crested caracara (*Polyborus plancus*) with the environmental consultant through emails, phone calls and site visits. The lead Recovery biologist for caracara from the South Florida Ecological Services office met with the consultant in the field to assist in survey design. FDOT decided to postpone this survey and conduct it in the future depending on the timing of the start of construction.

January 2014 - FDOT sent a letter to the Service requesting concurrence on federally listed species, based on the information contained in the January 2013 WEBAR, and the inclusion of specific language recently developed by the Service, Federal Highway Administration (FHWA) and FDOT, that would allow the project to move forward.

Endangered Species Act Coordination

Our comments are for the purpose of providing informal consultation in accordance with section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Fish and Wildlife Coordination Act (FWCA) (16 U.S.C. 661 *et seq.*), and the Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. 703-712 *et seq.*).

Wood Stork (*Mycteria Americana*)

The project corridor is approximately 2.04 miles long and passes through the Core Foraging Area (CFA) of at least six active nesting colonies of the endangered wood stork. Extensive canals, ditches and numerous wetlands are within the action area and wood storks have been documented foraging in these wetlands. The Service has determined that the loss of wetlands within a CFA due to an action could result in the loss of foraging habitat for the wood stork. To minimize adverse effects to the wood stork and other wetland dependent species, we recommend that impacts to suitable foraging habitat be avoided. The amount of wetland impacts for the preferred alternative and final design should be quantified. FDOT should utilize the Wood Stork Effect Determination Key developed with the Army COE to reach an effect determination. The amount of wetland mitigation needed and where it will be purchased should also be disclosed in order to reach a MANLAA determination.

Florida Scrub-Jay (*Aphelocoma coerulescens*)

At one time this species could be found throughout Brevard County in suitable habitats (scrubby-flatwoods, oak-scrub and coastal scrub). Recent declines are attributable to habitat conversion and lack of management. A survey was conducted (Oct. 2013) in suitable habitat surrounding a potential pond site known as 4A (28.100308N, 80.681572W). Florida scrub-jays responded to call tapes at three call stations and may be utilizing the only area of suitable habitat in this location. Therefore, this project is a 'May Affect' for the Florida scrub-jay and the Service will request additional information if this project moves forward, in order to determine the amount of occupied habitat. FDOT indicated that there is an alternative, existing pond, to the east that could be utilized and would avoid impacts to suitable jay habitat.

Audubon's Crested Caracara (*Polyborus plancus*)

The caracara is a resident, diurnal, non-migratory species that occurs in Florida as well as the Southwestern U.S. and Central America. Only the Florida population, which is isolated from the remainder of the species, is listed as threatened under the ESA. Suitable habitat for this species includes wet and dry prairies, improved pastures and lightly wooded areas. Cabbage palms, cypress, scrub oaks and saw palmetto may be habitat indicators as to the presence or absence of this species. Suitable habitat can be found within the project corridor and may be impacted by this proposal (WEBAR Jan 2013). The Service coordinated with FDOT and their consultant through emails, phone calls and site visits (Jan 2014) to assist with survey design and protocol. FDOT has decided to postpone the 2014 survey.

Eastern Indigo Snake (*Drymarchon corais couperi*)

Suitable habitat for this species can be found within the project corridor. The new interchange, roadway and wider, divided, highway are likely to increase the number of amphibian and reptile deaths as the animals attempt to cross the wider roadway. Direct effects for this species include mortality from additional vehicle traffic and attempts to cross wider roadways. Indirect effects from increased commercial and residential development in this portion of Brevard County as a result of the new roadways (WEBAR page 6-22) will result in further habitat fragmentation and mortality. FDOT has agreed to utilize the new eastern indigo snake guidelines (dated August 2013) found on our office website, <http://www.fws.gov/northflorida/>. Generally, a complete gopher tortoise survey is needed within the ROW in order to utilize the effect determination key. The Service also recommends that plastic netting, frequently used on roadsides under grass or seed, be eliminated from the construction design. Studies have shown that plastic netting entraps many species of snakes and does not deteriorate over time. Biodegradable matting or a similar material should be used to reduce direct, indirect and cumulative effects to this federally listed species and many other common species of snakes found in this area.

Gopher Tortoise (*Gopherus polyphemus*)

Gopher tortoises are long-lived reptiles that occupy upland habitat throughout Florida including forests, pastures, and yards. They dig deep burrows for shelter and forage on low-growing plants. Gopher tortoises share these burrows with more than 350 other species, and are therefore referred to as a keystone species. In July 2011, the Service determined that listing the eastern population of the tortoise as Threatened under the Endangered Species Act is warranted. However, it is precluded from doing so at this time due to higher priority actions and a lack of sufficient funds. Therefore, the tortoise was placed on the candidate conservation list and should

be listed as a candidate species in FDOT documents. Gopher tortoises are a threatened wildlife species and are protected by state law. State permitting guidelines for avoidance, minimization and mitigation should be followed.

Everglades Snail Kite (*Rostrhamus sociabilis plumbeus*)

Now officially known simply as a snail kite, the subspecies from Florida and Cuba was listed as endangered in 1967. The range of the Florida population of snail kites is restricted to watersheds in the central and southern part of the state. Because of a highly specific diet composed almost entirely of apple snails (*Pomacea paludosa*), survival of the snail kite depends directly on the hydrology and water quality of these watersheds. No known nesting sites are found within the action area. The Service has determined that this project would have 'No Effect' on this species.

The FDOT has determined the project 'May Affect but is Not Likely to Adversely Affect' the following species: Florida scrub-jay, Audubon's crested caracara, eastern indigo snake, Everglades snail kite and wood stork. In a letter, dated January 31, 2014, FDOT requested a concurrence with a MANLAA determination for all of these species at this time.

The Service does not have enough information to provide concurrence or non-concurrence with FDOT's determination [pursuant to Section 7 of the ESA, as described in 50 § CFR402.14]. In order to comply with Section 7 of the ESA, FDOT has committed to reinitiate consultation with the Service prior to advancing the project to construction. At the time of re-initiation, FDOT will provide additional information, as needed, which will allow the Service to complete our analysis of the project's effects on the species noted above and complete consultation on the project. The FDOT must document this commitment in the final environmental document for the project and in documents for any subsequent re-evaluations of the project.

Bald eagles are no longer listed under the ESA. Coordination with the Office of Migratory Birds is recommended if a nest tree is located within the action area. Information about the new eagle guidelines can be found at (<http://www.fws.gov/migratorybirds/BaldEagle.htm>).

FDOT determined that the project would have 'No Effect' on federally listed plants due to the lack of suitable habitat or occurrence records in the right-of-way.

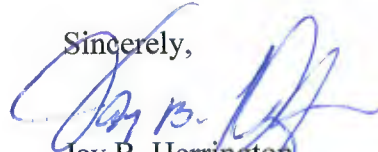
Fish and Wildlife Coordination Act

The FDOT is statutorily obligated to mitigate all wetland impacts according to the Clean Water Act and the Section 404 permitting process through the Army Corps of Engineers. In addition, the State of Florida also requires the demonstration of avoidance, minimization and mitigation of wetland impacts. During the design and permitting phase the FDOT has committed to avoiding and minimizing the direct and indirect effects of this project on wetland ecosystems. The January 2013 WEBAR states that the Preferred Alternative will impact 4.17 acres of forested wetlands and 4.20 acres of wet prairie/marsh. Additionally, 13.2 acres of surface waters will be directly impacted. The need to reinitiate consultation will allow the Service to review the final design for the interchange as well as all of the pond locations and wetland impact acreages. The Preferred Alternative avoids any direct impacts to the FDEP Conservation Easement west of I-95.

This letter does not represent a biological opinion as described in Section 7 of the ESA nor a final concurrence with project effects on listed species as determined by the FDOT. New information regarding species presence, changes to and refinement of the proposed project design, and potential adverse effects not initially considered may increase the risk of adverse effects to a level at which take is reasonably certain to occur. All additional information available will be evaluated when ESA consultation is reinitiated.

If you have any questions, please contact Jane Monaghan at (904)731-3119.

Sincerely,



Jay B. Herrington
Field Supervisor

cc: Scott Sanders-FFWCC
Andrew Phillips-ACOE



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

May 27, 2015

Dr. Heath Rauschenberger
Deputy Field Supervisor
U.S. Fish and Wildlife Service
North Florida Ecological Services Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

**SUBJECT: I-95/Ellis Road Interchange and Ellis Road from I-95 to Wickham Road
Project Development & Environment (PD&E) Study
2015 Protected Species Surveys and Reinitiation of Informal Consultation
Brevard County, Florida
FPID: 426905-1**

Dear Dr. Rauschenberger,

Please find enclosed the species survey reports for the Audubon's crested caracara (*Polyborus plancus audubonii*) and the Florida scrub-jay (*Aphelocoma coerulescens*), as well as the determination letter for the Eastern indigo snake (*Drymarchon corais couperi*), for the above referenced PD&E Study. In February 2013, the Florida Department of Transportation, District 5 (FDOT) submitted the Wetland Evaluation and Biological Assessment Report, dated January 2013, to the U.S. Fish and Wildlife Service (USFWS) requesting "may affect, not likely to adversely affect" (MANLAA) determinations be granted for federally listed species with the understanding that surveys would be completed at a later date. In May 2013, USFWS responded that without species specific surveys, they could not grant a MANLAA determination. As Section 7 effects determinations are required by the Federal Highway Administration (FHWA) in order to grant Location Design Concept Acceptance (LDCA) for this project, surveys for the federally-listed species potentially affected were conducted. Below is a brief summary of the survey results and agency coordination performed for each of these species:

Audubon's crested caracara

During the FDOT's Efficient Transportation Decision Making (ETDM) process, USFWS identified suitable Audubon's crested caracara (caracara) habitat west of I-95, within the proposed project corridor. In January 2014, FDOT's environmental consultant (E Sciences, Incorporated) met with Brian Powell, the USFWS Species Recovery Lead, to conduct a field inspection to assist in the identification of suitable caracara habitat and development of a draft survey design. Mr. Powell concurred that suitable habitat exists in various areas within 1500 meters of the proposed project corridor west of I-95. Due to the schedule of the project it was determined that the survey should occur during the 2015 nesting season. In

Dr. Heath Rauschenberger
May 27, 2015

December 2014, FDOT's environmental consultant (E Sciences, Incorporated) met with the current USFWS Species Recovery Lead for caracara, Heather Tipton, to obtain additional guidance on survey design. Following coordination with USFWS, a final survey design was prepared and submitted to USFWS for concurrence prior to beginning the survey in 2015. On January 5, 2015, USFWS provided concurrence with the proposed methodology. Additional coordination with Ms. Tipton occurred several times during the survey timeframe between January and May to obtain additional guidance on adjustment of survey station locations, observation status, and clarification of recent recommendations regarding the survey methodology. During the survey three caracara sightings were recorded, but no evidence of nesting was observed. The lack of nest trees, and the failure of observed caracaras to display territorial behavior or nesting behavior, indicates those caracaras are not using the proposed project corridor for nesting. Additionally, only during one of the three caracara observations was scouting or foraging behavior noted and this occurred on April 30, 2015. Since this scouting or foraging behavior was only witnessed at the termination of the nesting season and with the absence of observed nesting behavior within the survey area, we believe that a *"may affect, not likely to adversely affect"* determination is warranted for the Audubon's crested caracara.

Eastern indigo snake

The proposed project corridor was evaluated for the potential to impact the Eastern indigo snake (indigo snake). To determine this potential, the habitat within the project corridor was assessed and a 95% gopher tortoise survey was performed. It was determined that only one acre of xeric habitat occurs within the project corridor and only one gopher tortoise burrow was located. Due to the habitats and land uses within the project corridor, it is unlikely that additional gopher tortoise burrows would be located. Additionally, the closest indigo snake observation, according to the Florida Fish and Wildlife Conservation Commission's (FWC) Wildlife Observation Database, is approximately 34 miles southwest of the project corridor. Using this information with the USFWS Eastern Indigo Snake Programmatic Effect Determination Key, the project was given a *"not likely to adversely affect"* determination.

Florida scrub-jay

In the Wetland Evaluation and Biological Assessment Report, dated January 2013, habitat that had the potential to support the Florida scrub-jay (scrub-jay) was identified within the study area. In May 2013, USFWS was consulted and a scrub-jay survey was recommended. In response to this recommendation, in October 2013 E Sciences, Incorporated (E Sciences) evaluated the habitats within the proposed project corridor and identified potential suitable scrub-jay habitat at one proposed pond site location, Pond 4A. Subsequently, a survey was performed by E Sciences in October 2013 and one scrub-jay was observed during a single survey event. Upon further consultation with USFWS (correspondence dated January and February, 2014), a spring survey was recommended to further evaluate the use of that site by scrub-jays. Although Pond 4A is no longer needed for this project, a portion of the property adjacent to the right-of-way is slated to be used for the relocation of the L-15 Canal. In order to evaluate this area for potential impacts to scrub-jays, FDOT requested E Sciences perform another scrub-jay survey in March 2015. No scrub-jays were observed or heard during the March 2015 survey event. Due to the marginal habitat, the elimination of Pond 4A from the project, the small area of impact, and the absence of scrub-jays during the March 2015 survey, we believe that a *"may affect, but is not likely to adversely affect"* determination is warranted for the Florida scrub-jay.

Dr. Heath Rauschenberger

May 27, 2015

We ask that you review the enclosed documents and provide concurrence with the FDOT's determinations for these species. I appreciate your assistance with this project. Please contact me at your earliest convenience if you have any concerns or require additional information. I can be reached by phone at 386-943-5411 or by email at william.walsh@dot.state.fl.us.

Sincerely,



FW William G. Walsh
Environmental Administrator
FDOT, District Five

Cc Catherine Owen, FDOT District Five
Joseph Sullivan, FHWA
Heather Chasez, E Sciences

Enclosures:
Audubon's Crested Caracara Survey Report
Eastern Indigo Snake Effect Determination
Florida Scrub-Jay Survey Memorandum



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 41910-DOT- 2015-I-0330

July 29, 2015

Mr. William G. Walsh
Florida Department of Transportation
Environmental Administrator
District Five
605 Suwannee Street
Tallahassee, Florida 32399-0450

RE: I-95/ Ellis Road Interchange Protected Species Surveys

Dear Mr. Walsh:

The U.S. Fish and Wildlife Service (Service) has completed its review of the 2015 Protected Species Surveys and Informal Consultation for the I-95/ Ellis Road Interchange from I-95 to Wickham Road, submitted in May 27, 2015, and additional information submitted via email on July 6, 2015. The survey information was used to support of the Florida Department of Transportation's (FDOT) determination of "may affect, not likely to adversely affect" for the species listed below in the letter. The Service provides the following comments in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*).

Audubon's Crested Caracara (*Polyborus plancus audubonii*)

The caracara is a resident, diurnal, non-migratory species that occurs in Florida as well as the Southwestern U.S. and Central America. Only the Florida population, which is isolated from the remainder of the species, is listed as threatened under the Act. Suitable habitat for this species includes wet and dry prairies, improved pastures and lightly wooded areas. Cabbage palms, cypress, scrub oaks and saw palmetto may be habitat indicators as to the presence or absence of this species. The Service coordinated with FDOT and their consultant through emails, phone calls, and site visits to assist with survey design and protocol. During the survey period only three caracara sightings were recorded, but no evidence of nesting behavior or territorial displays were observed. Based the survey data and behavior of the caracara's observed, the Service concurs with the "may affect, not likely to adversely affect" determination.

Eastern Indigo Snake (*Drymarchon corais couperi*)

The eastern indigo snake occurs in a broad range of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. FDOT used the Service's Eastern Indigo Snake Programmatic Effect Key and project specific habitat assessments, and gopher tortoise surveys to analyze potential impacts to the

species. According to the habitat assessment, the proposed project will affect less than one acre of xeric habitat and will impact only one active gopher tortoise. Based on land use, proposed impacts to snake refugia (e.g. gopher tortoise burrow), historical observation data, and FDOT's commitment to implement the *Standard Protection Measures for the Eastern Indigo Snake*, the Service concurs with a 'may affect, but not likely to adversely affect' determination for the Eastern indigo snake.

Florida Scrub Jay (*Aphelocoma coerulescens*)

Potential habitat for the Florida scrub jay occurs at the proposed pond location, Pond 4A, and one scrub-jay was observed on October 11, 2013, during a single survey event. The Service recommended further evaluation and spring surveys based on these results. However, FDOT's final design eliminated Pond 4A from the project plan and proposed to minimize impacts to the area. As designed, impacts are slated to occur only on a portion of the property adjacent to Ellis Road for the proposed relocation of a canal. Because of the known occurrence in the area, FDOT conducted surveys for the species in March 2015, on the section adjacent to the right-of-way that is slated to be used for the canal location; no jays were observed. Based on avoidance, minimization, and survey data from the proposed canal relocation right-of-way, the Service concurs with a 'may affect, but not likely to adversely affect' determination for the Florida scrub jay.

Thank you for your cooperation and based on FDOT's determination and the Service's concurrence, no further action is required. Reinitiating consultation is required if new information reveals effects of the agency action may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; the agency action is subsequently modified in a manner that causes an effect to a listed species or critical habitat not considered in this consultation; if unauthorized take of any listed species (Audubon's crested caracaras, eastern indigo snake, or Florida scrub jay) occur during construction; or a new species is listed or critical habitat designated that may be affected by the action. If you have any questions regarding this response, please contact Ms. Tera Baird, of my staff at (904) 731-3196 or Ms. Lourdes Mena at (904) 731-3119.

Sincerely,



Jay B. Herrington
Field Supervisor

cc:

Catherine Owen, FDOT District Five
Joseph Sullivan, FHWA



Florida Department of Transportation

RICK SCOTT
GOVERNOR

719 South Woodland Boulevard
DeLand, Florida 32720

JIM BOXOLD
SECRETARY

October 1, 2015

Lourdes Mena
U.S. Fish and Wildlife Service
North Florida Ecological Services Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

**SUBJECT: I-95/Ellis Road Interchange and
Ellis Road from I-95 to Wickham Road (CR 509) PD&E Study
Wood Stork (*Mycteria americana*) Effects Determination Concurrency
FDOT FPID No. 426905-1-22-01**

Dear Ms. Mena,

The Florida Department of Transportation District 5 (FDOT) has completed its review of impacts to wood stork core foraging area habitat for the subject project. The PD&E study limits begin west of I-95 at the terminus of the future extension of the St. Johns Heritage Parkway (SJHP) north of US Highway 192, and extends north, then eastward to the location of the proposed I-95/Ellis Road interchange. The interchange will extend eastward to connect with Ellis Road at the intersection of Ellis Road and John Rodes Boulevard. The PD&E study area continues east from John Rodes Boulevard to its terminus at Wickham Road. The PD&E concept includes a typical section from the SJHP to the proposed bridge over I-95 consisting of a limited access right-of-way approximately 255 feet in width to include a 4-lane divided rural section with eight-foot sidewalks and open drainage swales. The proposed bridge will be approximately 127 feet in width including four travel lanes with a north bound turn lane and sidewalks.

The adjoining typical section for Ellis Road from the bridge to John Rodes Boulevard will include a limited access right-of-way approximately 320 feet in width to accommodate a 4-lane divided urban section with sidewalks, bike lanes, and closed drainage. In January 2013, the PD&E Study identified the Preferred Alternative from John Rodes Boulevard to Wickham Road as a Standard 45 mph Urban Best Fit Alternative consisting of a 4-lane divided urban section with a 22-foot grass median, a 4-foot-wide bicycle lane, 5-foot sidewalk and curb and gutter stormwater collection.

The Service issued a determination of “not likely to adversely affect” (FWS Log NO. 41910-DOT-2015-I-0330) for the Audubon’s crested caracara (*Polyborus plancus audubonii*), Florida scrub-jay (*Aphelocoma coerulescens*), and Eastern Indigo snake (*Drymarchon corais couperi*) for this project on July 29, 2015. This determination however did not address wood storks (*Mycteria americana*). The project is located within the core foraging area (CFA) of six (6) previously documented wood stork colonies. The CFAs are described as follows:

SW Lake Washington, Brevard County
Lake Washington, Brevard County
US 192 East, Brevard County, No. 612138
US 192 West, Brevard County
Brevard, No. 616119
Valkaria, Brevard County, No. 616003

Although the wood stork colonies associated with each CFA were documented as once being active, the Florida Fish and Wildlife Conservation Commission Water Bird Locator website, which documents survey data from the 1970’s, 80’s and 90’s, was consulted to evaluate the current status of each CFA. Only the colony located at or near the location of Florida Water Bird Atlas No. 616303 was documented as an active wood stork colony in the 1990’s (March 1999). All others noted above were only documented as being active in either the 1970’s or 80’s.

Impacts to suitable foraging habitat within each of the CFA noted above, occurring as a result of the proposed project consists of approximately 21.29 acres of herbaceous wetlands and 1.45 acres of ditches and borrow pond littoral zone. Approximately 0.66 acres of suitable foraging habitat will be created through the construction of the stormwater management ponds serving the proposed project. The remaining 22.08 acres of impacts to suitable foraging habitat will be replaced through the purchase of herbaceous mitigation bank credits at the Mary A Ranch Wetland Mitigation Bank. The Mary A Ranch mitigation bank is located within CFA Colony No. 616003 and No. 616119. In addition, it should be noted that the Mary A Ranch mitigation bank is located less than 2 miles from the further extent of each of the other CFA encompassing the project. Furthermore, the boundary between those CFA’s defined by a 15 miles radius vs. those defined by an 18 mile radius is established in USFWS guidance using the location of local county boundaries.

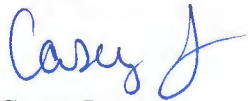
Therefore, although only two of the six CFA’s share a common location with the proposed project and the Mary A Ranch mitigation bank, it is likely due to variability in the actual

foraging area extents for wood stork in this region that newly established wood stork colonies within each of the remaining four CFA's would also benefit from suitable habitat established at the Mary A Ranch mitigation bank.

Given the above information, we respectfully request your concurrence that with appropriate mitigation from the Mary A Ranch Mitigation Bank, the proposed project would result in an effects determination of "not likely to adversely affect" for the wood stork. Should any design changes increase the amount of impacts to wood stork foraging habitat, the FDOT commits to purchase the appropriate mitigation to offset these impacts.

Please feel free to contact me if you have any questions regarding this request.

Sincerely,



Casey Lyon

District Environmental Permit Coordinator

Florida Department of Transportation, District 5

Cc: William Walsh, FDOT District 5, Environmental Management Office
Mary McGehee, FDOT District 5, Environmental Management Office
David Mahnken, E Sciences



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 04EF1000-2016-I-0007

October 9, 2015

Casey Lyon
Environmental Permit Coordinator
Florida Department of Transportation, District 5
719 S. Woodland Blvd.
Deland, FL 32720

RE: I-95/Ellis Road Interchange and Ellis Road from I-95 to Wickham Road (CR 509) Project
Development & Environment (PD&E) Study Wood Stork Effects Determination
Brevard County, Florida
FDOT FPID Number: 426905-1-22-01

Dear Ms. Lyon:

The U.S. Fish and Wildlife Service (Service) has completed its review of the Wood Stork (*Mycteria americana*) information provided in the Wetland Evaluation and Biological Assessment Report (WEBAR) and the request for concurrence for the I-95/Ellis Road Interchange and Ellis Road from I-95 to Wickham Road (CR 509) Project PD&E Study determination. The Service received a request from the Florida Department of Transportation (FDOT) for informal consultation on October 1, 2015, to review FDOT's effects determination for impacts to wood storks from the proposed study. The PD&E study includes the future extension of the St. John's Heritage Parkway and extends to the proposed location of the I-95/Ellis Road interchange. A proposed bridge over I-95 and right-of-way is also included in the Study. The Service provides the following comments in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*).


The Service has reviewed FDOT's effects determination and commitments, as well as the information provided in the WEBAR, and the most recent data for wood stork colonies in Brevard County for potential impacts to species listed under the Endangered Species Act. The proposed project will impact 21.29 acres of herbaceous wetlands and 1.45 acres of ditches and borrow pond littoral zone. FDOT identified core foraging areas of six (6) wood stork colonies within the proposed project's impact area. To offset impacts to wetlands used as wood stork core foraging areas (CFA) FDOT proposes the creation of 0.66 acres of stormwater management ponds, which will serve the proposed project, and the purchase of 22.08 acres of herbaceous wetlands in the Mary A. Ranch Wetland Mitigation Bank. The mitigation bank is located within two of the six wood stork colonies CFA (No. 616003 and No. 616119) identified by FDOT.

Telemetry data from birds tracked from 2004-2014 shows that wood storks used the area around the proposed project and were active in at least five of the identified colonies within the 13-mile

suitable core foraging habitat buffer. The Kemper Ranch, Deseret Ranch, Grange Island BC49, Brevard County Maintenance Shop, Micco South BC52, and Lake Poinsett colonies were all active in Brevard County in 2014. None of these active colonies are within 2,500 feet of the proposed project. It is also our understanding that FDOT's commitments were taken into account in their effects determination. The Service identified the Micco South BC53 and the Grange Island BC49 as active colonies having their CFAs within 13 miles of the Mary A. Ranch mitigation bank. In addition, all of the other colonies identified are within the service area of the mitigation bank. After analyzing our data and the information provided by FDOT the Service concurs with FDOT's determination of "may affect not likely to adversely affect".

Thank you for considering the effects of your proposed project on fish and wildlife, and the ecosystems upon which they depend. Although this does not represent a biological opinion as described in Section 7 of the Act, it does fulfill the requirements of the Act. Should changes to the proposed project occur or new information regarding fish and wildlife resources become available, further consultation with the Service should be initiated to assess any or further potential impacts. If you have any questions, please contact Lourdes Mena at (904)731-3119.

Sincerely,


for Jay B. Herrington
Field Supervisor

cc: Joe Sullivan, FHWA
William Walsh, FDOT District 5

An aerial photograph of a residential and commercial area. A yellow highlighted path or boundary runs vertically on the left side, then horizontally across the middle, and then curves back to the left. The area contains various buildings, parking lots, and green spaces.

APPENDIX C

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. “Taking” of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. “Take” is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336
Panama City Field Office – (850) 769-0552
South Florida Field Office – (772) 562-3909

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5" x 11" paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).
2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.
3. Periodically during construction activities, the applicant's designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.



ATTENTION:

THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON THIS SITE!!!

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

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- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

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contacted if a live or dead eastern indigo
snake is encountered:**

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Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

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August 12, 2013

ATTENTION:
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SNAKES MAY BE PRESENT ON
THIS SITE!!!



Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.