

WATER QUALITY IMPACT EVALUATION

Florida Department of Transportation

District Seven

US 41 (SR 45) Project Development and Environment (PD&E) Study

From Kracker Avenue to South of SR 676 (Causeway Boulevard)

Hillsborough County, Florida

Work Program Item Number: 430056-1

ETDM Number: 5180

Date: December 2025

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022, and executed by the Federal Highway Administration and FDOT.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
WATER QUALITY IMPACT EVALUATION CHECKLIST

650-050-37
ENVIRONMENTAL
MANAGEMENT
07/22

PART 1: PROJECT INFORMATION

Project Name:	US 41 from Kracker Ave to south of Causeway Blvd Project Development and Environment (PD&E) Study
County:	Hillsborough
FM Number:	430056-1
Federal Aid Project No:	
Brief Project Description:	Widening of US 41 from 4 to 6 lanes including intersection improvements, pedestrian and bicycle improvements, as well as off-site stormwater treatment and floodplain compensation sites

PART 2: DETERMINATION OF WQIE SCOPE

Does project discharge to surface or ground water? ☒ Yes ☐ No

Does project alter the drainage system? ☒ Yes ☐ No

Is the project located within a permitted MS4? ☐ Yes ☒ No
Name: _____

If the answers to the questions above are no, complete the applicable sections of Part 3 and 4, and then check Box A in Part 5.

PART 3: PROJECT BASIN AND RECEIVING WATER CHARACTERISTICS

Surface Water

Receiving water names: Kitchen Branch, Dug Creek/Tampa Bay, Bullfrog Creek, Alafia River, Archie Creek, Delaney Creek/Tampa Bay, Black Point Channel, Black Point Drain

Water Management District: Southwest Florida

Environmental Look Around meeting date: [Click here to enter a date.](#)
Attach meeting minutes/notes to the checklist.

Water Control District Name(s) (list all that apply): None

Groundwater

Sole Source Aquifer (SSA)? ☐ Yes ☒ No
Name _____

If yes, complete Part 5, D and complete SSA Checklist shown in Part 2, Chapter 11 of the PD&E Manual

Other Aquifer? ☐ Yes ☒ No
Name _____

Springs vents? ☐ Yes ☒ No
Name _____

Well head protection area? ☐ Yes ☒ No
Name _____

Groundwater recharge? ☐ Yes ☒ No
Name _____

Notify District Drainage Engineer if karst conditions are expected or if a higher level of treatment may be needed due to a project being located within a WBID verified as Impaired in accordance with Chapter 62-303, F.A.C.

Date of notification: [Click here to enter a date.](#)

PART 4: WATER QUALITY CRITERIA

List all WBIDs and all parameters for which a WBID has been verified impaired, or has a TMDL in [Table 1](#). This information should be updated during each re-evaluation as required.

Note: If BMAP or RAP has been identified in [Table 1](#), [Table 2](#) must also be completed.
Attach notes or minutes from all coordination meetings identified in [Table 2](#).

EST recommendations confirmed with agencies? ☒ Yes ☐ No

BMAP Stakeholders contacted? ☒ Yes ☐ No
Southwest Florida Water Management District

TMDL program contacted? ☐ Yes ☒ No

RAP Stakeholders contacted? ☐ Yes ☒ No

Regional water quality projects identified in the ELA? ☐ Yes ☒ No

If yes, describe:

Potential direct effects associated with project construction and/or operation identified? ☐ Yes ☒ No

If yes, describe:

Increased impermeable cover, construction phase impacts like erosion to be minimized through the use of BMPs. All floodplain impacts will be mitigated through floodplain compensation sites.

Discuss any other relevant information related to water quality including Regulatory Agency Water Quality Requirements.

Alafia River (WBID 1621G) has a BMAP for nutrients and dissolved oxygen. The project will be designed to provide a net environmental improvement for water quality and quantity requirements and best management practices (BMPs) will be utilized during construction. A pre application meeting was held with SWFWMD on May 27, 2025, regarding water quality requirements. This meeting superseded previous meetings that were held with SWFWMD in 2014 & 2015 during preparation of the State Environmental Impact Report. See Pond Siting Report for previous meeting notes

Figure showing WBIDs from the Pond Siting Report is attached.

PART 5: WQIE DOCUMENTATION

- ☐ A. No involvement with water quality
- ☐ B. No water quality regulatory requirements apply.
- ☒ C. Water quality regulatory requirements apply to this project (provide Evaluator's information below). Water quality and stormwater issues will be mitigated through compliance with the design requirements of authorized regulatory agencies.
- ☐ D. EPA Ground/Drinking Water Branch review required. ☐ Yes ☒ No
Concurrence received? ☐ Yes ☐ No
If Yes, Date of EPA Concurrence: [Click here to enter a date..](#)
Attach the concurrence letter

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022 and executed by FHWA and FDOT.

Evaluator Name (print): Jeffrey S Novotny

Title: Project Manager

Signature:

Date: 12/10/2025

Table 1: Water Quality Criteria

Receiving Waterbody Name (list all that apply)	FDEP Group Number / Name	WBID(s) Numbers	Classification (I,II,III,IIIL,IV,V)	Special Designations*	NNC limits**	Verified Impaired (Y/N)	TMDL (Y/N)	Pollutants of concern	BMAP, RA Plan or SSAC
Kitchen Branch	1/ Tampa Bay	1682	3M	N/A	Estuary	Yes	No	Fecal Coliform, Chlorophyll-a, Dissolved Oxygen	No
Dug Creek/ Direct Runoff to Tampa Bay	1/ Tampa Bay	1676A	3M	N/A	Estuary	Yes	No	Fecal Coliform, Chlorophyll-a, Dissolved Oxygen	No
Bullfrog Creek	2/ Tampa Bay Tributaries	1666A	3M	N/A	Estuary	Yes	Yes	Fecal Coliform, Chlorophyll-a, Historic Chlorophyll	No
Direct Runoff to Tampa Bay	1/ Tampa Bay	1664	3M	N/A	Estuary	No	No	None	No
Alafia River	2/ Tampa Bay Tributaries	1621G	3M	WSR	Estuary	Yes	Yes	Mercury, Chlorophyll-a, Dissolved Oxygen	BMAP
Archie Creek	1/ Tampa Bay	1628A	3M	N/A	Estuary	Yes	No	Fecal Coliform	No

Delaney Creek Popoff Canal	1/ Tampa Bay	1632	3M	N/A	Estuary	Yes	No	Fecal Coliform	No
Black Point Channel	1/ Tampa Bay	1637	3M	N/A	Estuary	No	No	None	No
Port Sutton Ditch/Black Point Drain	1/ Tampa Bay	1636	3M	N/A	Estuary	Yes	No	Fecal Coliform, Dissolved Oxygen	No

* ONRW, OFW, Aquatic Preserve, Wild and Scenic River, Special Water, SWIM Area, Local Comp Plan, MS4 Area, Other

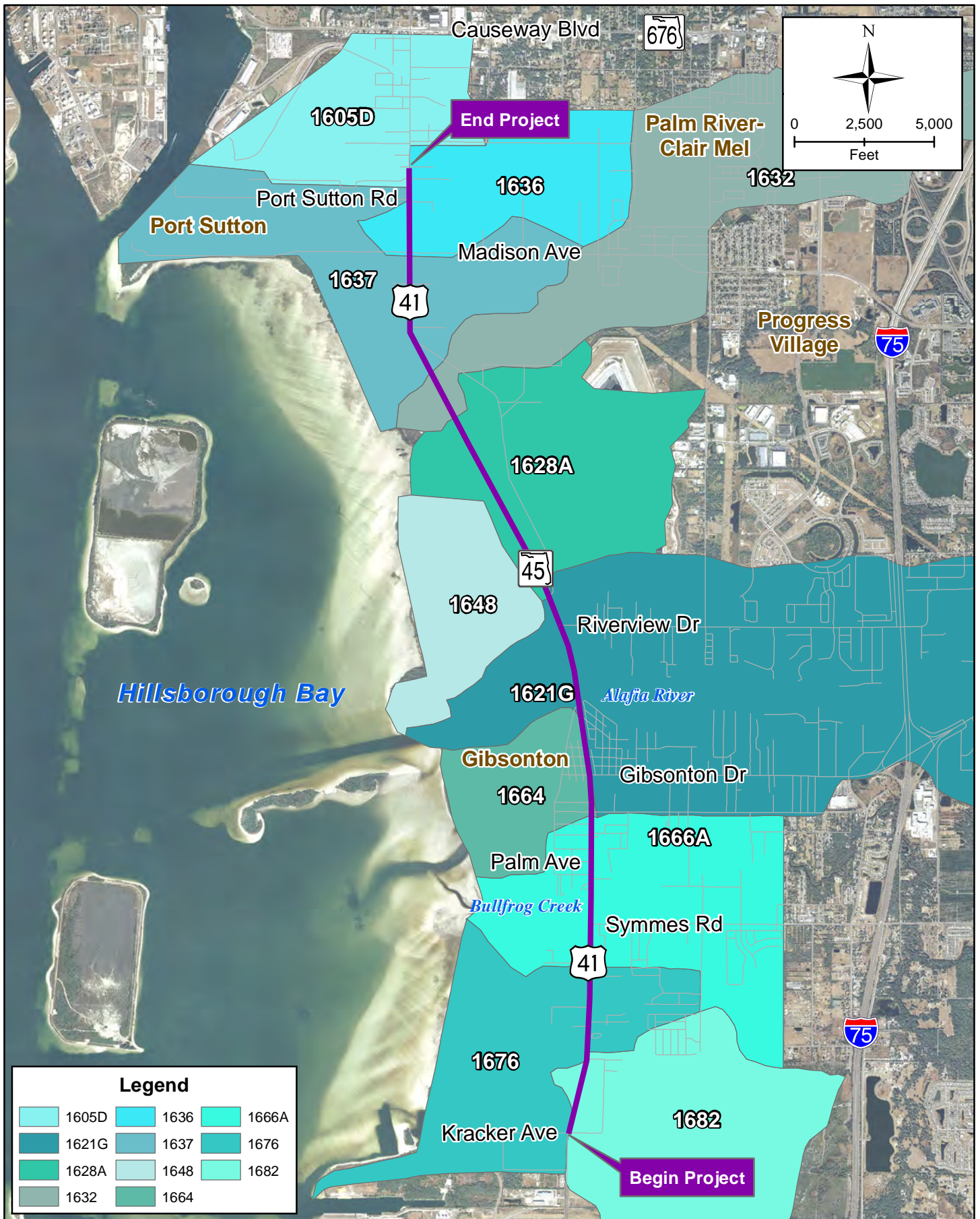
** Lakes, Spring vents, Streams, Estuaries

Note: If BMAP or RAP has been identified in [Table 1](#), [Table 2](#) must also be completed.

Table 2: REGULATORY Agencies/Stakeholders Contacted

Receiving Water Name (list all that apply)	Contact and Title	Date Contacted	Follow-up Required (Y/N)	Comments
Entire Project	EDTM Coordinators for US EPA, FDEP, and SWFWMD	October 2012	No	Early coordination initiated during ETDM Programming Screen published 4/10/2013
Entire Project	SWFWMD	May 27, 2025	No	Most recent meeting to discuss basin criteria, WBIDs, water quality considerations

[../../PPMTimeline/AllItems.aspx](http://../PPMTimeline/AllItems.aspx)



US 41 (SR 45) PD&E Study

From Kracker Avenue to South of SR 676
(Causeway Boulevard)

WPI Segment No. 430056 1 - Hillsborough County

Water Body ID (WBID) Map

THIS FORM IS INTENDED TO FACILITATE AND GUIDE THE DIALOGUE DURING A PRE-APPLICATION MEETING BY PROVIDING A PARTIAL "PROMPT LIST" OF DISCUSSION SUBJECTS. IT IS NOT A LIST OF REQUIREMENTS FOR SUBMITTAL BY THE APPLICANT.



**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
RESOURCE REGULATION DIVISION
PRE-APPLICATION MEETING NOTES**

**FILE
NUMBER:

PA 412441**

Date:	05/27/2025		
Time:	11:00		
Project Name:	US 41 (SR 45) PD&E Study From Kracker Av		
District Engineer:	Rob McDaniel		
District ES:	Al Gagne		
Attendees:	Eric Nelson		
County:	Hillsborough	Sec/Twp/Rge:	10/30/19
Total Land Acreage:	7 miles	Project Acreage:	7 miles

Prior On-Site/Off-Site Permit Activity:

- Multiple pre-application meetings, most recently PA 404523 held 2017. ERP No. 43191.001.

Project Overview:

- Widening from 4-lane to 8-lane section.

Environmental Discussion: (Wetlands On-Site, Wetlands on Adjacent Properties, Delineation, T&E species, Easements, Drawdown Issues, Setbacks, Justification, Elimination/Reduction, Permanent/Temporary Impacts, Secondary and Cumulative Impacts, Mitigation Options, SHWL, Upland Habitats, Site Visit, etc.)

- There are wetlands/surface waters located within the project area. Impacts are proposed.
- Provide the limits of jurisdictional wetlands and surface waters. Roadside ditches or other water conveyances, including permitted and constructed water conveyance features, can be claimed as surface waters per Chapter 62-340 F.A.C. if they do not meet the definition of a swale as stated under Rule 403.803 (14) F.S.
- Demonstrate elimination and reduction of wetland and surface water impacts. The elimination and reduction criteria can be found in subsection 10.2.1 of Applicant's Handbook Volume 1. Be advised that the use of subsection 10.2.1.2 (a) of the handbook may put the project in conflict with the state's 404 program. Coordination with the DEP, the during application review process, is recommended if the applicant wishes to use subsection 10.2.1.2 (a).
- Maintain minimum 15 foot, average 25 foot wetland and surface water area conservation area setback or address secondary impacts.
- Provide appropriate mitigation using UMAM for impacts, if applicable.
- The site is located in the both the Tampa Bay and Alafia River ERP Basins. Mitigation Banks that serve the Tampa Bay basin include the Nature Coast, Tampa Bay, Mangrove Point and Bigg Bullfrog Creek mitigation banks. Mitigation Banks that serve the Alafia basin include the Alafia River (credits currently suspended), Alafia River Wetland, Mangrove Point, and the Tampa Bay mitigation banks. For an interactive map of permitted mitigation banks and their service areas, use this [LINK](#). Be advised that use of a bank with a modified service area (i.e. a service area that is larger than the basin the bank is located in), may require the submittal of a cumulative impact analysis pursuant to subsection 10.2.8 of Applicant's Handbook volume 1.
- If the wetland mitigation is appropriate and the applicant is proposing to utilize mitigation bank credit as wetland mitigation, provide a letter of reservation of credits from the wetland mitigation bank. The wetland mitigation bank current credit ledgers can be found out the following link: <https://www.swfwmd.state.fl.us/business/epermitting/environmental-resource-permit>, Go to "ERP Mitigation Bank Wetland Credit Ledgers"
- Based on review of the U.S. Fish and Wildlife Service (USFWS) Bald Eagle nest locator map, the proposed project may be located within the 660 foot buffer of one or more Bald Eagle Nests. Pursuant to section 10.2.2 of Applicant's Handbook Volume 1, the applicant may be required to provide reasonable assurance that the proposed activity will not cause adverse impacts to the Bald Eagle, a federally protected species. It is advisable that the applicant coordinate with the USFWS early in the design phase of the project. The nest locator map can be found at: <https://www.arcgis.com/apps/webappviewer/index.html?id=9ade9794b8494d2b84c8dea339ea1428>

- A site visit by District staff will be required to verify the presence or absence of wetlands and/or surface waters. Prior to the site visit, District staff will contact the applicant or authorized agent to provide an approximate date of the site visit and to ensure that the project area is accessible. If wetlands or surface waters are discovered during the site visit, additional information may be required. A site visit will not be scheduled until the appropriate signatures on the application and the fee is submitted.
- On February 15, 2024, the U.S. District Court for the District of Columbia issued a decision vacating the U.S. Environmental Protection Agency's approval of Florida's application to assume Clean Water Act Section 404 permitting responsibilities in certain waters in Florida. In light of this decision, the U.S. Army Corps of Engineers (USACE) is currently the only entity in the State of Florida with authority to issue permits under Section 404 of the Clean Water Act. The USACE recognizes that either the District Court or an Appellate Court may issue a full or partial stay of the February 15th order at some point. In the interim, applicants may submit applications to the USACE for activities involving the discharge of dredged or fill material into formerly state-assumed waters. The USACE will begin processing any applications it receives, however applicants and stakeholders should recognize the uncertainty surrounding the current litigation. Further information can be found at these two links:

<https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/state-404-program>

<https://www.saj.usace.army.mil/Missions/Regulatory/>

Site Information Discussion: (SHW Levels, Floodplain, Tailwater Conditions, Adjacent Off-Site Contributing Sources, Receiving Waterbody, etc.)

- WBIDs need to be independently verified by the consultant - Multiple waterbodies:
 - WBID 1605D – Delaney Creek Tidal on the study list for dissolved oxygen.
 - WBID 1636 – Port Sutton Ditch on the study list for dissolved oxygen.
 - TB Estuary Reasonable Assurance Plan – requires improvement for nitrogen.
 - WBID 1632 – Delaney Creek Popoff Canal on the study list for dissolved oxygen.
 - WBID 1628A – Archie Creek (Tidal) on the study list for dissolved oxygen.
 - WBID 1621G – Alafia River above Hillsborough Bay impaired for nutrients and dissolved oxygen.
 - WBID 1666A – Bullfrog Creek on the study list for dissolved oxygen.
 - WBID 1676A – Dug Creek on the study list for dissolved oxygen.
 - WBID 1682 – Kitchen Branch on the study list for dissolved oxygen.
 - Document/justify SHWE's at pond locations, wetlands, and OSWs.
 - Determine normal pool elevations of wetlands.
 - Determine 'pop-off' locations and elevations of wetlands.
 - Provide documentation to support tailwater conditions for quality and quantity design
 - Contamination issues need to be resolved with the FDEP. Check FDEP MapDirect layer for possible contamination points within/adjacent to the project area. [FDEP MapDirect Link](#)
For known contamination within the site or within 100' beyond the proposed stormwater management system:
 - after the application is submitted, please contact FDEP staff listed below and provide them with the ERP Application ID # along with a mounding analysis (groundwater elevation versus distance) of the proposed stormwater management system that shows the proposed groundwater mound will not adversely impact the contaminated area. FDEP will review the plans submitted to the District and mounding analysis to determine any adverse impacts. Provide documentation from FDEP that the proposed construction will not result in adverse impacts. This is required prior to the ERP Application being deemed complete.
- FDEP Contacts:
- For projects located within Citrus, Hernando, Pasco, Hillsborough, Pinellas, Manatee, Polk and Hardee Counties: Phil Wilkerson; Philip.wilkerson@floridadep.gov
 - Stormwater retention and detention systems are classified as moderate sanitary hazards with respect to public and private drinking water wells. Stormwater treatment facilities shall not be constructed within 100 feet of an existing public water supply well and shall not be constructed within 75 feet of an existing private drinking water well. Subsection 4.2, A.H.V.II.
 - Any wells on site should be identified and their future use/abandonment must be designated.
 - Are there any high water data, flooding complaints or issues onsite or nearby?
 - District data collection site may be impacted by proposed construction. Contact data.maps@watermatters.org to coordinate relocation of District data collection site.

Water Quantity Discussions: (Basin Description, Storm Event, Pre/Post Volume, Pre/Post Discharge, etc.)

- Demonstrate that post development peak discharges from proposed project area will not cause an adverse impact for a 25-year, 24-hour storm event.
- Demonstrate that site will not impede the conveyance of contributing off-site flows.
- Demonstrate that the project will not increase flood stages up- or down-stream of the project area(s).
- Delineate the area and quantify the volume of any fill placement within riverine floodplain.
- Watershed Model information may be available for download using the following link:
<https://watermatters.sharefile.com/d-s8c9019e00fd243908654e733a6b2016c>
- Provide equivalent compensating storage for all 100-year, 24-hour riverine floodplain impacts if applicable. Providing cup-for-cup storage in dedicated areas of excavation is the preferred method of compensation if no impacts to flood conveyance are proposed and storage impacts and compensation occur within the same basin. In this case, tabulations should be provided at 0.5-foot increments to demonstrate encroachment and compensation occur at the same levels. Otherwise, storage modeling will be required to demonstrate no increase in flood stages will occur on off-site properties, using the mean annual, 10-year, 25-year, and 100-year storm events for the pre- and post-development conditions.
- Please be aware that if there is credible historical evidence of past flooding or the physical capacity of the downstream conveyance or receiving waters indicates that the conditions for issuance will not be met without consideration of storm events of different frequency or duration, applicants shall be required to provide additional analyses using storm events of different duration or frequency than the 25-year 24-hour storm event, or to adjust the volume, rate or timing of discharges. [Section 3.0 Applicant's Handbook Volume II]

Water Quality Discussions: (Type of Treatment, Technical Characteristics, Non-presumptive Alternatives, etc.)

- Provide water quality treatment for entire project area and all contributing off-site flows.
- In addition, if the project discharges to an impaired water body, must provide a net environmental improvement.
The ongoing PD&E study was initiated prior to the date stipulated in the June 28, 2024 stormwater quality rule. It is anticipated that the project will be grandfathered-in and not need to meet the new performance standards for water quality treatment.
- Net improvement
-Refer to Rule 62-330.301(2), F.A.C.
-Portions of the project must demonstrate a net improvement for nutrients. Applicant may demonstrate a net improvement for the parameters of concern by performing a pre/post pollutant loading analysis based on existing land use and the proposed land use. Refer to ERP Applicant's Handbook Vol. II Subsection 4.1(g).
- On June 28, 2024, Senate Bill 7040, which updates Florida's stormwater rules and design criteria, was signed into law. The updates affect the water quality treatment performance standards, Operation & Maintenance (O&M) requirements, and Dam Safety requirements. Further information regarding the updated rules and design criteria, implementation timeline and grandfathering provisions can be found at the following link: <https://floridadep.gov/water/engineering-hydrology-geology/content/erp-stormwater-resource-center>

Sovereign Lands Discussion: (Determining Location, Correct Form of Authorization, Content of Application, Assessment of Fees, Coordination with FDEP)

- Coordination with the Tampa Port Authority for projects located in Hillsborough County is recommended.

Operation and Maintenance/Legal Information: (Ownership or Perpetual Control, O&M Entity, O&M Instructions, Homeowner Association Documents, Coastal Zone requirements, etc.)

- The permit must be issued to the entity that owns or controls the property.
- Provide evidence of ownership or control by deed, easement, contract for purchase, etc. Evidence of ownership or control must include a legal description. A Property Appraiser summary of the legal description is NOT acceptable.

Application Type and Fee Required:

- SWERP New Individual – Sections A, C, and E of the ERP Application.
- Consult the [fee schedule](#) for different thresholds.

Other: (Future Pre-Application Meetings, Fast Track, Submittal Date, Construction Start Date, Required District Permits – WUP, WOD, Well Construction, etc.)

- An application for an individual permit to construct or alter a dam, impoundment, reservoir, or appurtenant work, requires that a notice of receipt of the application must be published in a newspaper within the affected area.

Provide documentation that such noticing has been accomplished. Note that the published notices of receipt for an ERP can be in accordance with the language provided in Rule 40D-1.603(10), F.A.C.

- Provide a copy of the legal description (of all applicable parcels within the project area) in one of the following forms:
 - a. Deed with complete Legal Description attachment.
 - b. Plat.
 - c. Boundary survey of the property(ies) with a sketch.
- The plans and drainage report submitted electronically must include the appropriate information required under Rules 61G15-23.005 and 61G15-23.004 (Digital), F.A.C. The following text is required by the Florida Board of Professional Engineers (FBPE) to meet this requirement when a digitally created seal is not used and must appear where the signature would normally appear:

ELECTRONIC (Manifest): *[NAME] State of Florida, Professional Engineer, License No. [NUMBER] This item has been electronically signed and sealed by [NAME] on the date indicated here using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies*

DIGITAL: *[NAME] State of Florida, Professional Engineer, License No. [NUMBER]; This item has been digitally signed and sealed by [NAME] on the date indicated here; Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.*

- Provide soil erosion and sediment control measures for use during construction. Refer to ERP Applicant's Handbook Vol. 1 Part IV Erosion and Sediment Control.
- Demonstrate that excavation of any stormwater ponds does not breach an aquitard (see Subsection 2.1.1, A.H.V.II) such that it would allow for lesser quality water to pass, either way, between the two systems. In those geographical areas of the District where there is not an aquitard present, the depth of the pond(s) shall not be excavated to within two (2) feet of the underlying limestone which is part of a drinking water aquifer. [Refer to Subsection 5.4.1(b), A.H.V.II]
- On June 28, 2024, Senate Bill 7040, which updates Florida's stormwater rules and design criteria, was signed into law. The updates affect the water quality treatment performance standards, Operation & Maintenance (O&M) requirements, and Dam Safety requirements. Further information regarding the updated rules and design criteria, implementation timeline and grandfathering provisions can be found at the following link: <https://floridadep.gov/water/engineering-hydrology-geology/content/erp-stormwater-resource-center>
- Please be aware that applications not deemed complete by December 28, 2025 are subject to the water quality treatment performance criteria established in Senate Bill 7040, on June 28, 2024. Further information regarding the updated rules and design criteria, implementation timeline and grandfathering provisions can be found at the following link: <https://floridadep.gov/water/engineering-hydrology-geology/content/erp-stormwater-resource-center>
- On February 15, 2024, the U.S. District Court for the District of Columbia issued a decision vacating the U.S. Environmental Protection Agency's approval of Florida's application to assume Clean Water Act Section 404 permitting responsibilities in certain waters in Florida. In light of this decision, the U.S. Army Corps of Engineers (USACE) is currently the only entity in the State of Florida with authority to issue permits under Section 404 of the Clean Water Act. The USACE recognizes that either the District Court or an Appellate Court may issue a full or partial stay of the February 15th order at some point. In the interim, applicants may submit applications to the USACE for activities involving the discharge of dredged or fill material into formerly state-assumed waters. The USACE will begin processing any applications it receives, however applicants and stakeholders should recognize the uncertainty surrounding the current litigation. Further information can be found at these two links:

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<https://www.saj.usace.army.mil/Missions/Regulatory/>

Disclaimer: The District ERP pre-application meeting process is a service made available to the public to assist interested parties in preparing for submittal of a permit application. Information shared at pre-application meetings is superseded by the actual permit application submittal. District permit decisions are based upon information submitted during the application process and Rules in effect at the time the application is complete.