

Section 4(f) Resources

Florida Department of Transportation

SR 45 US 41 SR 44 WEST MARION CO LINE

District: FDOT District 7

County: Citrus County

ETDM Number: N/A

Financial Management Number: 237811-1-21-01

Federal-Aid Project Number: N/A

Project Manager: Kirk R. Bogen

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. Submitted pursuant 49 U.S.C. § 303.

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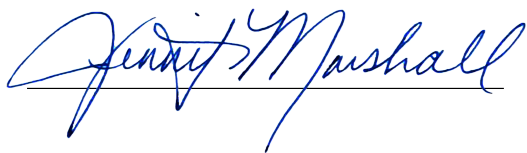
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Summary and Approval

Resource Name	Facility Type	Property Classification	Owner/Official with Jurisdiction	Recommended Outcome	OEM SME Action
Whispering Pines Park	This park is part of the Withlatchoochee State Forest.	Park/Rec Area	City of Inverness	<i>de minimis</i>	Concurrence 09-21-2022
Withlatchoochee State Trail	This facility is a trail.	Park/Rec Area	FDEP	Exception/Exemption	Determination 09-16-2022
Inverness Middle School	This facility is a middle school with recreation.	Park/Rec Area	Citrus County School Board	No Use	Determination 09-16-2022



January 8, 2023

Director of the Office of Environmental Management
Florida Department of Transportation

Whispering Pines Park

Facility Type: This park is part of the Withlachoochee State Forest.

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 1700 Forest Dr, Inverness, FL, 34453, USA

Latitude: 28.84000 Longitude: -82.34880

Description of Property:

Whispering Pines Park is approximately 299.828 acres located at 1700 Forest Drive, Inverness, FL 34453. The park is part of the Citrus Tract of the Withlacoochee State Forest (WSF) which is approximately 168,000 acres. The Whispering Pines Park is owned by the Trustees of the Internal Improvement Trust Fund (TIITF), leased by the Florida Department of Agriculture and Consumer Services (FDACS), and subleased by the City of Inverness.

Whispering Pines Park was created in 1965, to use for recreation. The management of the entire complex is accomplished by the City of Inverness Department of Parks & Recreation. City of Inverness is responsible for establishment and operation of recreational activities, facilities, and interpretive/educational programs. FDACS, WSF is responsible for cultural, invasive species, silvicultural, and wildlife activities.

Whispering Pines Park contains numerous recreational amenities, including trails for hikers and off-road bicyclists, shelters, athletic fields, athletic courts, swimming pool complex, and playground.

Owner/Official with Jurisdiction: City of Inverness

Recommended Outcome: *de minimis*

Yes No

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was there coordination with the Official(s) with Jurisdiction to identify an opportunity for a <i>de minimis</i> finding? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was the OWJ informed by the District of FDOT s intent to pursue a <i>de minimis</i> approval option? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was the OWJ informed in writing that their concurrence with a no adverse effect finding to the activities, features or attributes which qualify the property for protection may result in FDOT making a <i>de minimis</i> approval under Section 4(f)? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Did the OWJ concur that the proposed project, including any enhancement, mitigation and minimization of harm measures, will result in no adverse effects to the activities features or attributes of the property? |

Basis on Which the Determination was Made

Throughout the US 41 PD&E Study, Design Change Re-evaluation, and more recently during the Construction Advertisement Re-evaluation, the FDOT has coordinated with the FDACS and the City of Inverness to minimize impacts to the WSF, to provide mitigation for unavoidable impacts, and to provide benefits and accommodate requests by the FDACS. These actions are consistent with Chapter 253, Florida Statutes, and the policy established by the Board of Trustees (BOT) of the Internal Improvement Trust Fund for the Use of Natural Resource Lands by Linear Facilities and the Board's Policy for Incompatible Use of Natural Resource Lands.

To offset the unavoidable impacts to Park FDOT will provide the following as additional compensation:

- Provide to the Trustees a total of 16.511 acres (more or less), of replacement lands located at 15377 Samons Road in Brooksville, Hernando County.
- Restore the existing boundary fence along the new western right-of-way line of US 41 adjacent to the Park.
- Reconstruct the existing jogging/maintenance trail alongside the new boundary fence.
- Plant native trees and shrubs adapted to a sandhill site within the areas disturbed by construction.
- Long leaf pine survey for timber harvest by FFS within the proposed easement areas.
- Construct a new Park entrance across from the main entrance of the Inverness Regional Shopping Center.

Public Involvement Activities:

The FDOT notified the City of Inverness of our intent to pursue a Section 4(f) *de Minimis* determination on June 23, 2022. An Opportunity for Public Review and Comment was advertised on the project website, FDOT social media, in the Tampa Bay Times and Citrus County Chronicle, and within the Whispering Pines Park on July 10, 2022. A 17-day public comment period was initiated and ran until July 27, 2022. No public comments regarding the Whispering Pines Park were received.

OEM SME Concurrence Date: 09-21-2022

Withlacoochee State Trail

Facility Type: This facility is a trail.

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 1966 US-41, Inverness, FL, 34450, USA

Latitude: 28.84877 Longitude: -82.34449

Description of Property:

Withlacoochee State Trail is a 46 mile long paved 12 foot wide trail located at 3100 South Old Floral City Road, Inverness, FL 34450. It is officially designated as part of the Florida Greenways and Trail System and this state trail is also designated as a National Recreation Trail.

In the late 1800s, railroad entrepreneur Henry Plant established a rail line that ran from Croom to Inverness, Florida, thus completing the Plant System's West Coast Route. The Plant System eventually became the Atlantic Coast Line in 1902, the Seaboard Coast Line in 1967, and finally, CSX Transportation in 1980. In December 1989, CSX Transportation sold their 46 miles of ROW between Gulf Junction (Citrus Springs) and Owensboro Junction, six miles north of Dade City, to the state of Florida to establish the Withlacoochee State Trail. The corridor was one of the first purchased under the Florida Rails to Trails Program. The Withlacoochee State Trail is one of the longest, paved rail-trails in Florida.

Major activities that can take place on the Withlacoochee State Trail includes, but is not limited to, walking, biking, skating, horseback riding, bird watching, and viewing plants and wildlife.

Owner/Official with Jurisdiction: FDEP

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Improvement of railroad or rail transit lines that are or were in use for transportation purposes, provided the conditions in 23 CFR 774.13(a)(2) are met.

Exception/Exemption Justification:

Withlacoochee State Trail meets the circumstance in 23 CFR 774.13(a)(2) Improvement of railroad or rail transit lines that are in use or were historically used for the transportation of goods or passengers, including, but not limited to, maintenance, preservation, rehabilitation, operation, modernization, reconstruction, and replacement of railroad or rail transit line elements. Access to the Withlacoochee State Trail will be maintained during construction. The connection to the Withlacoochee State Trail will be improved with the construction of two shared use path connections along northbound and southbound US 41.

OEM SME Determination Date: 09-16-2022

Inverness Middle School

Facility Type: This facility is a middle school with recreation.

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 1950 US-41, Inverness, FL, 34450, USA

Latitude: 28.84872 Longitude: -82.34449

Description of Property:

Inverness Middle School is approximately 29.08 acres located at 1950 US 41 North, Inverness, FL 34450. The property is owned by the Citrus County School Board.

Inverness Middle School contains recreational amenities, including a soccer/football field, two softball fields, and four basketball/tennis courts. These existing recreational amenities are not abutting or adjacent to the proposed improvements for US 41. See attached the Inverness Middle School Recreational Facilities Map.

Access to Inverness Middle School is off of Middle School Road. The recreational amenities are also located off of Middle School Road. There is no direct access from US 41 and fencing is being installed between US 41 right-of-way and the recreational facilities within the Inverness Middle School property.

Owner/Official with Jurisdiction: Citrus County School Board

Relationship Between the Property and the Project

The Inverness Middle School property abuts northbound US 41 between Middle School Road and with Withlacoochee State Trail. Along this portion of the project includes widening the mainline of US 41 in addition to constructing a 12-foot wide shared use path that ties into the proposed 6-foot sidewalk to the south and Withlacoochee State Trail to the north. Additional right-of way is also being acquired for the widening of the driveway at Middle School Drive. This will also allow for better turning movement for buses at this location. A protective fence barrier is also being installed by the FDOT within the School Board parcel at the request of the School Board to limit access to the roadway and existing drainage facilities along US 41.

The FDOT purchased right-of-way from the Citrus County School Board in August 2021 including Parcels 124A and 124B to accommodate mainline improvements, Temporary Construction Easement 700 for drainage, and Cure Agreement 900 for the installation of fencing.

Yes No

☐☒

Will the property be "used" within the meaning of Section 4(f)?

Recommended Outcome: No Use

OEM SME Determination Date: 09-16-2022

Resource Attachments

Whispering Pines Park

US 41_PLM_Whispering Pines Park

257165 3 US 41 Section 4f de Minimis Request for Concurrence WPP City Signed 081722

WhisperingPinesPark

Withlacoochee State Trail

US 41_PLM_Withlacoochee State Trail

Inverness Middle School

US 41_PLM_Inverness Middle School

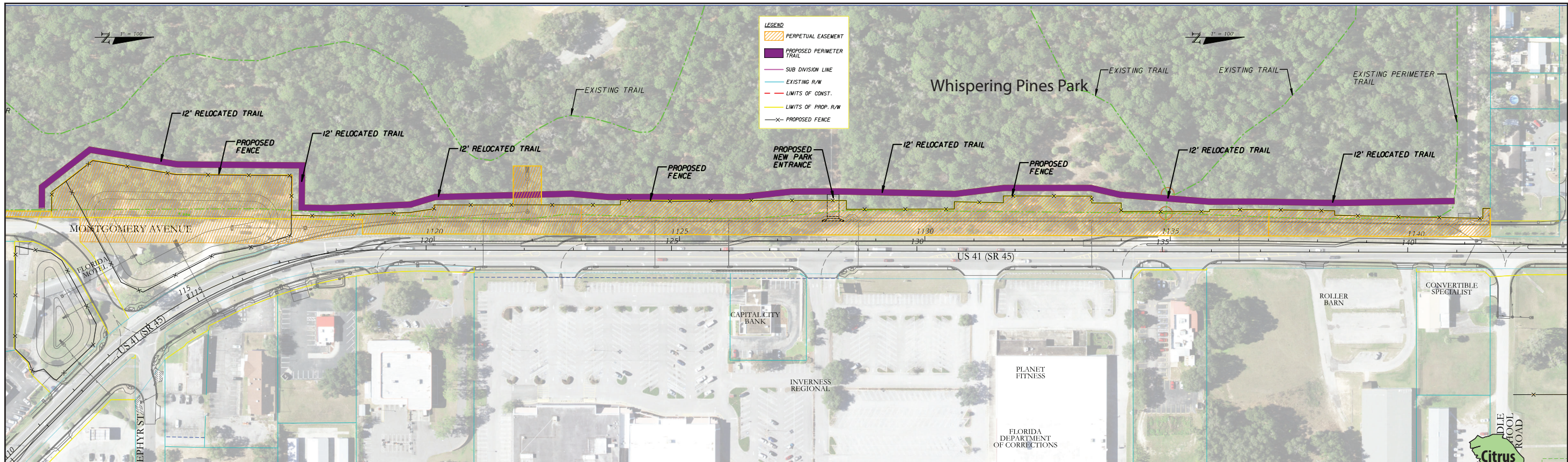
Whispering Pines Park

Contents:

US 41_PLM_Whispering Pines Park

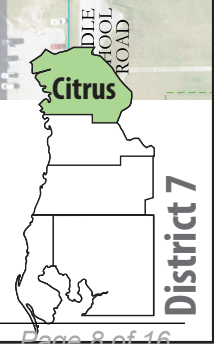
257165 3 US 41 Section 4f de Minimis Request for Concurrence WPP City Signed 081722

WhisperingPinesPark



US 41 (SR 45)
Citrus County, Florida
FPID: 257165-3

**Whispering Pines Park
Location Map**



www.fltdot.gov

Because the project involves a National Environmental Protection Act (NEPA) action, an evaluation of potential recreational impacts for the resources protected under Section 4(f) of the US Department of Transportation Act was required. As a result, a Section 4(f) Programmatic Determination was approved by FHWA on August 4, 1999 in coordination with The Florida

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 the Federal Highway Administration (FHWA) and FDOT. A Project Development and Environment (PD&E) Study was completed for this project and a Type 2 Categorical Exclusion (CE) was approved by the Federal Highway Administration (FHWA) on February 21, 1996. A Design Change Reevaluation was completed and approved by FHWA on August 4, 1999. The Design Change Reevaluation documented the Preferred Alternative widening to the west of US 41 (SR 45) into Whispering Pines Park.

The Florida Department of Transportation (FDOT) is designing improvements to US 41 State Road (SR) 45 from SR 44 to south of the Withlacoochee Trail Bridge in Citrus County. SR 44 to Montgomery Avenue is approximately 0.40 miles in length and improvements will include an urban 5-lane facility roadway with two 11-foot travel lanes, a 6-foot bike lane in both directions separated by a 12-foot bi-directional center left turn lane with a design speed of 40 mph. The section from Montgomery Avenue to south of Withlacoochee Trail Bridge is approximately 0.70 miles in length and improvements will include an urban 4-lane divided facility roadway with two 11-foot travel lanes, a 6-foot bike lane, 5-foot sidewalk in both directions. The alignment of the proposed widening is designed to minimize impacts to the greatest extent possible. The project also includes the construction of stormwater management facility (SMF) sites to offset surface water impacts along the project corridor.

Dear Mr. Williams,

Subject: US 41 (SR 45) from SR 44 to South of the Withlacoochee Trail Bridge
Citrus County
Work Program Item Segment Number: 257165-3
Request for Concurrence for Section 4(f) de Minimis for Whispering Pines Park

Mr. Eric C. Williams, GISP
 City Manager
 City of Inverness
 212 West Main Street
 Inverness, FL 34450

August 9, 2022

JARED W. PERDUE, P.E.
 SECRETARY

11201 North McKinley Drive
 Tampa, FL 33612

RON DESANTIS
 GOVERNOR

Florida Department of Transportation



Deena Woodward, FDOT OEM
 Byra Cash, FDOT D7
 Randall Worley, City of Inverness

Robin Rhinesmith, FDOT D7
 Allison Conner, FDOT D7
 Katasha Cornwell, FDOT OEM

cc:

Environmental Management Engineer
 Planning & Environmental Management Office (PLEMO)
 Florida Department of Transportation – District Seven

Kirk Bogen, P.E.
 AAD982EAC0D7401

Kirk Bogen
 Documented by:

Sincerely,

Should you have any questions regarding the project, please contact me toll free at (800) 226-7220, extension 6448 or via email at Kirk.Bogen@dot.state.fl.us.

FDOT now requests concurrence on the *de Minimis* determination. If you concur with the FDOT's assessment that the widening of US 41 will result in de minimis impacts to Whispering Pines Park, then please sign and date the concurrence block at the bottom of this letter and return it to my attention at the address below.

As the Official with Jurisdiction, on June 1, 1983, you provided input that Whispering Pines Park qualifies as a public recreation area. FDOT notified you of our intent to pursue a Section (f) *de Minimis* determination on June 23, 2022. An Opportunity for Public Review and Comment was advertised on July 10, 2022. A 17-day public comment period was initiated and ran until July 27, 2022. No public comments regarding the Whispering Pines Park were received.

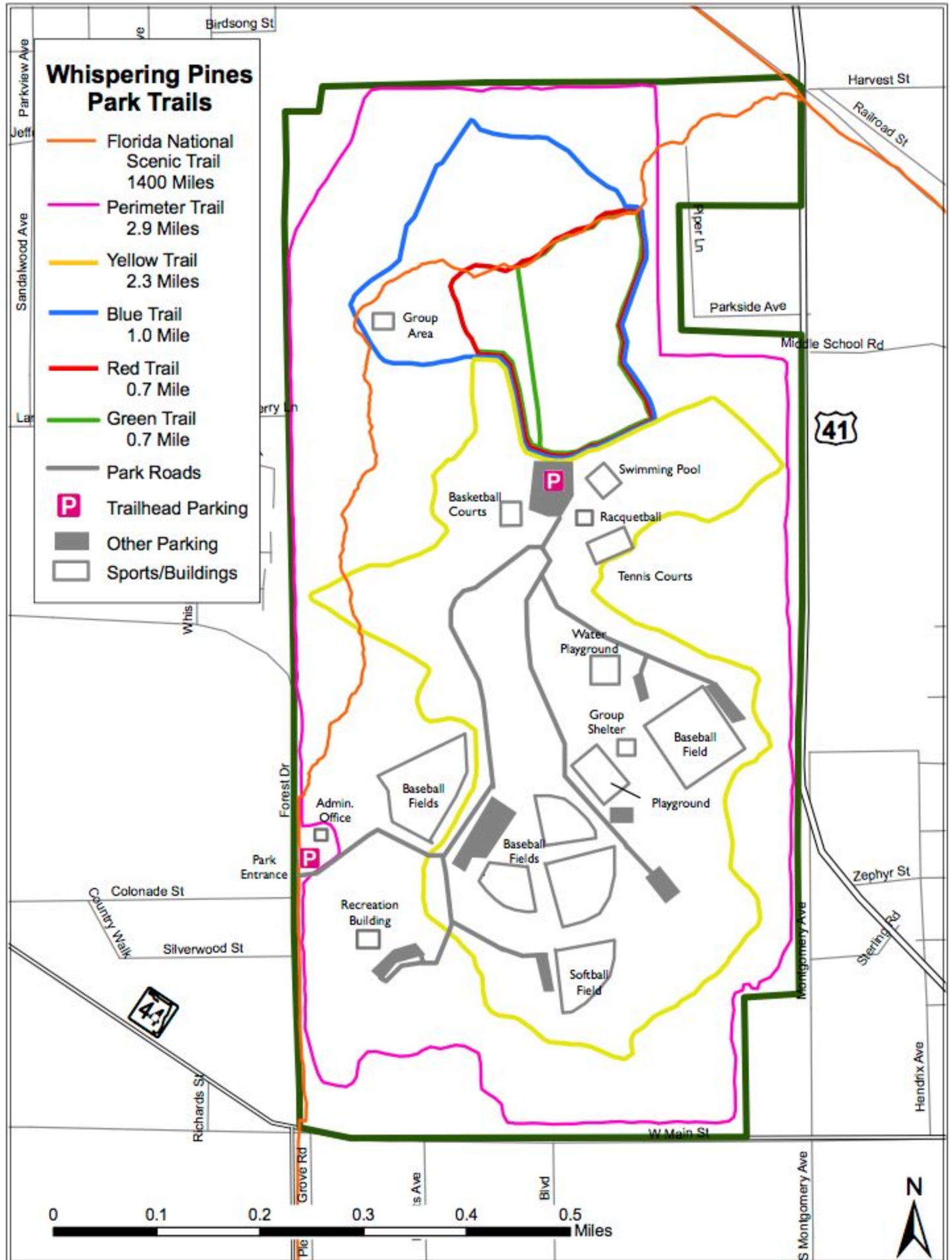
The purpose of this letter is to seek your written concurrence for the Section 4(f) *de Minimis* determination consistent with 23 CFR 774, that the proposed project will not result in adverse effects to the activities, features, or attributes of the Whispering Pines Park that qualify under Section 4(f). A *de Minimis* impact involves the use of Section 4(f) property that is generally minor in nature. A *de Minimis* impact is one that, after taking into account avoidance, minimization, mitigation, and enhancement measures, results in no adverse effects to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).

Department of Agriculture and Consumer Services' Florida Forest Service (FFS; formerly Division of Forestry [DOF]) and the City of Inverness, which included a mitigation plan to offset unavoidable impacts to Whispering Pines Park. Since the Section 4(f) Programmatic Determination was approved, pond siting and design changes required additional right-of-way, thereby necessitating an updated Section 4(f) Determination. Based on the Final Concept Development Plans, additional right-of-way needs, and the proposed improvements to the Whispering Pines Park included with the project, the FDOT has determined that the project qualifies as a Section 4(f) *de Minimis* pursuant to Title 23 Code of Federal Regulations Part 774 (23 CFR 774).

US 41 (SR 45) from SR 44 to South of the Withlacoochee Trail Bridge, Citrus County
 Request for Concurrence for Section 4(f) *de Minimis* for Whispering Pines Park
 WPIS No. 257165-3

<p>I concur that the FDOT's assessment that the widening of US 41 will result in de Minimis impacts to Whispering Pines Park and will not adversely affect the activities, features, or attributes of this significant Section 4(f) resource.</p>	
<p>_____ 8/17/22 (Date)</p>	<p>_____ L. C. Williams (Signature) Mr. Eric C. Williams, GISP City Manager (or designee)</p>

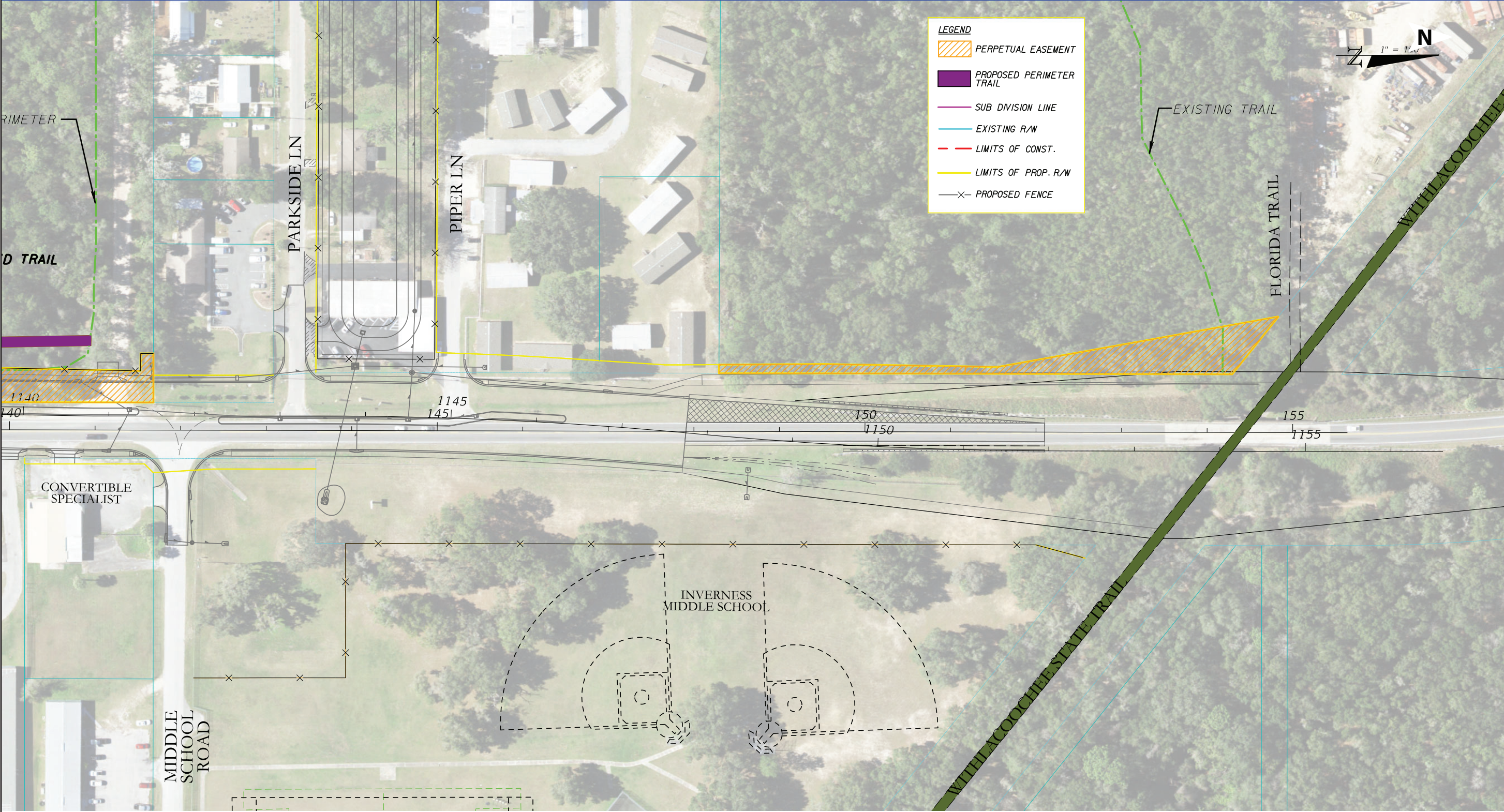
US 41 (SR 45) from SR 44 to South of the Withlacoochee Trail Bridge, Citrus County
Request for Concurrence for Section 4(f) *de Minimis* for Whispering Pines Park
WPIS No. 257165-3



Withlacoochee State Trail

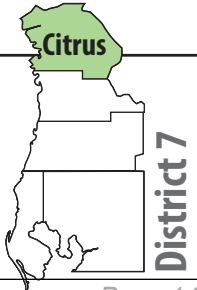
Contents:

US 41_PLM_Withlacoochee State Trail



US 41 (SR 45)
Citrus County, Florida
FPID: 257165-3

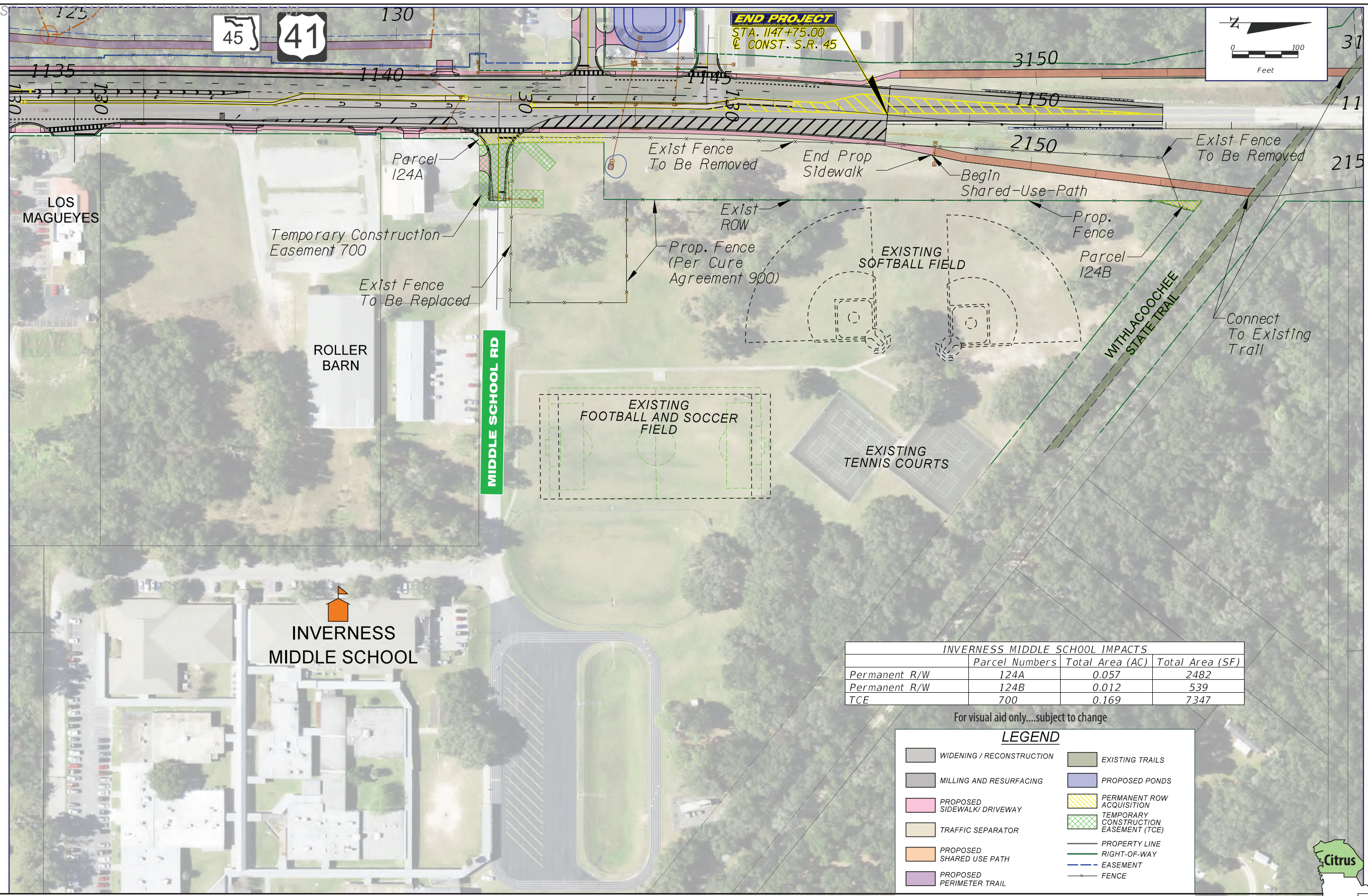
**Withlacoochee State Trail
Location Map**



Inverness Middle School

Contents:

US 41_PLM_Inverness Middle School



INVERNESS MIDDLE SCHOOL IMPACTS			
	Parcel Numbers	Total Area (AC)	Total Area (SF)
Permanent R/W	124A	0.057	2482
Permanent R/W	124B	0.012	539
TCE	700	0.169	7347

For visual aid only...subject to change

LEGEND

WIDENING / RECONSTRUCTION

MILLING AND RESURFACING

PROPOSED SIDEWALK/ DRIVEWAY

TRAFFIC SEPARATOR

PROPOSED SHARED USE PATH

PROPOSED PERIMETER TRAIL

EXISTING TRAILS

PROPOSED PONDS

PERMANENT ROW ACQUISITION

TEMPORARY CONSTRUCTION EASEMENT (TCE)

PROPERTY LINE

RIGHT-OF-WAY

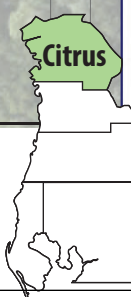
EASEMENT

FENCE



US 41 (SR 45)
Citrus County, Florida
FPID: 257165-3

**Inverness Middle School
Location Map**



District 7