

**RE-EVALUATION
FORM****1. GENERAL PROJECT INFORMATION**A. Re-evaluation Type: Design Change, Right of Way Phase, Construction AdvertisementB. Original approved Environmental Document:**Document Type:** Type 2 CE**Date of Approval:** 04/30/2002**Project Numbers:**

N/A

256423-1-22-01

3112-017-P

ETDM (if applicable)

Financial Management

Federal-Aid

Project Name: US 98 FROM US 301 SOUTH TO US 301 NORTH**Project Location:** FDOT District 7 (Pasco County)**Project Limits:** US 301 South to US 301 NorthC. Prior Re-evaluation(s):

There is no previous re-evaluation of this Environmental Document.

D. Project or project segment(s) being evaluated

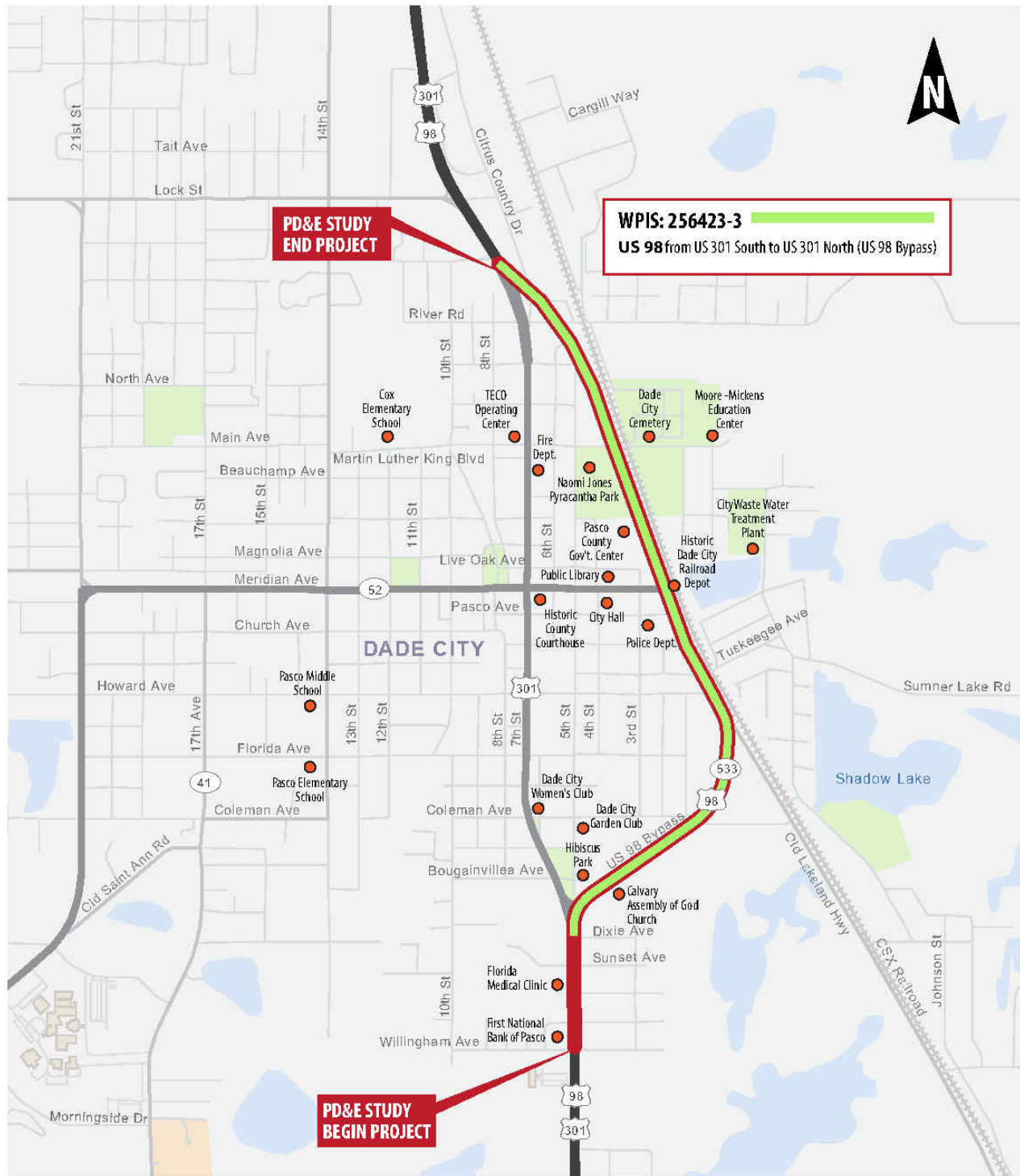
FAP Number	FM Number	Project/ Segment Name	Project/ Segment Location	Type				Project/ Segment Letting Type	Funding
				PE	DC	ROW	CON		
	256423-3-43-01	US 98 FROM US 301 SOUTH TO US 301 NORTH	District 7 - PASCO	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Design Build	Federal

2. PROJECT DESCRIPTION

A Type II Categorical Exclusion (CE) was approved by the Federal Highway Administration (FHWA) on April 30, 2002, to upgrade the US 98 Bypass from a two-lane to a four-lane divided urban facility, a distance of about 1.6 miles. The typical section consisted of two 12-foot lanes, 4-foot bike lanes, and 5-foot sidewalks in each direction. Left turn lanes will be accommodated within a 22-foot median. The improvements require a minimum of 102 feet of right-of-way (ROW). It is also proposed to improve traffic operations at the skewed intersections of US 301 South, CR 35A and US 301 North. Improved pedestrian crossings are proposed at Whitehouse Avenue, Martin Luther King Boulevard, Meridian Avenue, and Tuskegee Avenue. An optional intersection concept is provided that would bring US 301 North, River Road and the US 98 Bypass together at one location.

The segment being evaluated with this Design Change, ROW, and Construction Advertisement Re-evaluation will widen about 1.6 miles of US 98 Bypass from US 301 South to US 301 North in Dade City, Pasco County. Improvements include widening from two to four-lanes, milling and resurfacing existing travel lanes, adding a two-way left turn lane, a 6-foot sidewalk on the east side and a wide, 10-foot sidewalk on the west side, adding two roundabouts, and constructing one Floodplain Compensation (FPC) and five Stormwater Management Facility (SMF) sites.

RE-EVALUATION FORM



PROJECT LOCATION MAP



Florida Department of Transportation

US 98from US 301 South to US 301 North
Pasco County, Florida

Work Program Item Segment (WPIS): 256423-1

US 98from US 301 South to US 301 North (US 98 Bypass)
Pasco County, Florida

Work Program Item Segment (WPIS): 256423-3

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The Segment below is consistent with FDOT's 5-Year Work Program.

Segment One - US 98 from US 301 South to US 301 North (US 98 Bypass) (WPIS: 256423-3) **Status: This segment is the subject of this Design Change, ROW, and Construction Advertisement Re-evaluation.**

3. CHANGES IN APPLICABLE LAW OR REGULATION

Are there changes in federal or state laws, rules, regulations, or guidance that require consideration since the date of the original Environmental Document or subsequent Re-evaluation(s)? Yes

Since approval of the Type II CE, the status of the following state and federally listed species has changed pursuant to Chapter 68A-27, F.A.C - Rules Relating to Endangered or Threatened Species and 50 CFR 17.11 and 17.12 - Endangered and Threatened Wildlife and Plants:

Bald Eagle delisted from state and federal listing but still protected by the Bald and Golden Eagle Protection Act in accordance with 16 U.S.C. 668 and the Migratory Bird Treaty Act in accordance with 16 U.S.C. 703-712.

Gopher tortoise state status changed from "species of special concern" to "threatened" and added to federal list of candidate species.

Wood stork status changed from "endangered" to "threatened". The Wood Stork Effect Determination Key was published in 2008.

The Eastern Indigo Snake Effect Determination Key was issued in September 2008.

The following state-listed species with the potential to occur in the project area were delisted by the FWC: the Sherman's fox squirrel, gopher frog, Florida mouse.

Florida burrowing owl state status changed from Species of Special Concern to State Threatened.

Florida black bear removed from the state listing, but still protected and managed by the Florida Fish and Wildlife Conservation Commission (FWC) pursuant to the Florida Black Bear Conservation Rule 68A-4.009, F.A.C.

The Imperiled Species Management Plan (ISMP) was also approved by the FWC in November 2016, with rule changes in effect as of January 2017, including changes in state listing statuses as detailed above.

Major changes to the noise regulations were made on July 13, 2010, with an effective date of July 13, 2011. Therefore, all noise re-evaluations conducted after July 13, 2011 will be performed in accordance with 23 CFR Part 772 dated July 13, 2010.

On November 9, 2020, the Eastern Black Rail (*Laterallus jamaicensis jamaicensis*) was listed as a threatened species under the Endangered Species Act (ESA), as amended.

On December 22, 2020, the US Environmental Protection Agency (USEPA) approved the State Section 404 program for Florida, which gives the responsibility of Section 404 authorization to the Florida Department of Environmental Protection

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(FDEP) for parcels with "Assumed Waters" as regulated under Chapter 62-331 (FAC) and approved in accordance with 40 CFR 233 as published in the Federal Register as 85 FR 83553.

4. EVALUATION OF MAJOR DESIGN CHANGES AND REVISED DESIGN CRITERIA

Are there major design changes, including but not limited to changes in the alignment(s), typical section(s), drainage/stormwater requirements, design control and criteria, or temporary road or bridge? Yes

The Conceptual plans dated September 2021 were evaluated and compared to the approved Type II CE Final Concepts dated 2002. Changes were made to the design, including typical sections, FPC and SMF sites, and the addition of two roundabouts. The new design shown in the Conceptual plans dated September 2021 will not require improvements at the southern end of the original PD&E Study limits from Willingham Avenue to Sunset Avenue. The typical section changes include the removal of the 22-foot median and 4-foot bike lanes, and changes to the sidewalks. The revised typical section shows one 10-foot lane and one 11-foot lane in each direction, a 12-foot two-way left turn lane or a 12 to 14-foot median, a 6-foot sidewalk on the east side, and a wide 10-foot sidewalk on the west side. There are no bike lanes. Design variations for median width, lane widths and for reducing the width of the separation of the wide sidewalk (10-foot) from the back of curb will be required.

The proposed project improvements begin north of Sunset Avenue in the Conceptual plans dated September 2021, which differs from the approved Type II CE Final Concepts dated 2002 that show improvements beginning south of Willingham Drive. At the intersection of 7th Street and US 301/US 98 Bypass, a roundabout was added instead of a signalized intersection, as shown in the approved Type II CE Final Concepts dated 2002. To accommodate the roundabout, roadway improvements along 7th Street extend just north of Bougainvillea Avenue, which differs from the approved Type II CE Final Concepts dated 2002. The extended project limits were included in the evaluated project area.

The proposed roadway is realigned to accommodate a roundabout at the intersection of US 301 and CR 35A/Old Lakeland Highway instead of a "T" intersection as shown in the approved Type II CE Final Concepts dated 2002.

The preferred SMF and FPC sites indicated in the approved Type II CE Final Concepts dated 2002 have been relocated in the Conceptual plans dated September 2021. The previously identified sites are no longer being considered, except at the Naomi Jones Pyacantha Park, as indicated below. The relocated sites are as follows:

- SMF 100-1 (formerly 100A - SMF 1) - located on the west side of the proposed roundabout at 7th Street and US 301/US 98 Bypass, 1.02 acres. This pond utilizes the remainder of the parcel that is impacted from the roundabout improvements.
- SMF 200-1 (formerly 200A SMF 1 and 200A SMF 2) - located on the south side of the proposed roundabout at the intersection of US 301 and CR 35A/Old Lakeland Highway, 3.75 acres. This pond utilizes part of the remainder of the parcel that is impacted from the roundabout improvements. The ROW remained the same.
- SMF 300-1 (formerly 300A - SMF 1) - located on the southwest quadrant of Pasco Avenue and US 301, 0.61 acres. This pond utilizes the remainder of the parcel that is impacted from the roadway improvements and requires acquisition from two new parcels.
- SMF 300-2 (formerly 300A - SMF 2) - located on the northwest quadrant of Pasco Avenue and US 301, 0.61 acres. This pond utilizes the remainder of the parcel that is impacted from the roadway improvements and requires acquisition from three new parcels.
- SMF 300-3 (formerly 300A - SMF 3) - located at the Naomi Jones Pyacantha Park, 2.19 acres. This pond is in a similar location to the preferred pond site 300B (0.90 acres) and FPC site 300-3 (0.75 acres) from the approved Type II CE.

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- FPC-1 - located just east of Wilson Street, south of Shadow Lake, 4.92 acres.

5. PUBLIC INVOLVEMENT

Were there additional public involvement activities? No

6. PROJECT or SEGMENT(S) PLANNING CONSISTENCY

Segment FM Number: 256423-3-43-01

Currently Adopted CFP-LRTP	Comments				
Yes	<p>Pasco County Metropolitan Planning Organization (MPO) Mobility 2045 Long Range Transportation Plan (LRTP), amended June 10, 2021, shows the project name, limits, description, and PE/ROW/DSB costs shown in the MPO's LRTP Cost Affordable Plan is consistent with the MPO's Transportation Improvement Program (TIP) and FDOT State Transportation Improvement Program (STIP).</p> <p>Pasco County MPO LRTP page ES-20, FY23, Design \$1,970,000, ROW \$20,250,000, and Construction \$30,800,000. Total Funding \$53,020,000. The project funding is in the current TIP FY 2022 - 2026 (Committed).</p>				
Phase	TIP/STIP	Currently Approved	\$	FY	Comments
PE (Final Design)	TIP	Yes	\$2,024,374 \$508,750	FY22 FY23	Funding shown in the TIP and STIP is WITHIN allowable variance of 20% AND \$2M. Project Improvements shown in the TIP are consistent with the STIP.
PE (Final Design)	STIP	Yes	\$3,606,280 \$508,750	FY22 FY23	Funding shown in the LRTP and STIP is WITHIN allowable variance of 50% AND \$50M. Project Improvements shown in the LRTP are consistent with the STIP.
R/W	TIP	Yes	\$24,666,056 \$300,000	FY22 FY23	Funding shown in the TIP and STIP is WITHIN allowable variance of 20% AND \$2M. Project Improvements shown in the TIP are consistent with the STIP.

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R/W	STIP	Yes	\$24,846,718 \$300,000	FY22 FY23	Funding shown in the LRTP and STIP is WITHIN allowable variance of 50% AND \$50M. Project Improvements shown in the LRTP are consistent with the STIP.
Construction	TIP	Yes	\$33,008,101	FY23	Funding shown in the TIP and STIP is WITHIN allowable variance of 20% AND \$2M. Project Improvements shown in the TIP are consistent with the STIP.
Construction	STIP	Yes	\$33,008,101	FY23	Funding shown in the LRTP and STIP is WITHIN allowable variance of 50% AND \$50M. Project Improvements shown in the LRTP are consistent with the STIP.

[\[4 - 256423-3_LRTP_6-10-2021\]](#)[\[5 - 256423-3_G1-STIP_2-21-2022\]](#)[\[9 - 256423-3_TIP_2-10-2022\]](#)**7. EVALUATION OF CHANGES IN IMPACTS****a. SOCIAL & ECONOMIC****Are there changes in impacts to the social, economic, land use, mobility, and/or aesthetic effects?** No

The approved Type 2 CE identified existing minority and low income community within the project corridor. Based on desktop analysis, there does not appear to be changes in the project corridor and minority and low income community are still present within the project corridor.

Are there changes in right-of-way needs? Yes

The Conceptual plans dated September 2021 were evaluated and compared to the approved Type II CE Final Concepts dated 2002. Changes were made to the design, including typical sections, FPC and SMF sites, and the addition of two roundabouts.

The proposed project improvements begin north of Sunset Avenue in the Conceptual plans dated September 2021, which differs from the approved Type II CE Final Concepts dated 2002 that show improvements beginning south of Willingham Drive. At the intersection of 7th Street and US 301/US 98 Bypass, a roundabout was added instead of a signalized intersection, as shown in the approved Type II CE Final Concepts dated 2002. The roundabout requires additional right-of-way (ROW) on the west side and impacts three new parcels which were not previously impacted. ROW impacts on the southeast side of US 301 and US 98 bypass were eliminated with the addition of the roundabout, compared to the approved Type II CE Final Concepts dated 2002. Roadway improvements along 7th Street extend just north of Bougainvillea Avenue, which differs from the approved Type II CE Final Concepts dated 2002. The extended project limits

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were included in the evaluated project area. ROW is still required on the north side of US 301 for the mainline roadway improvements from the roundabout to Dick Jarrett Way and match the approved Type II CE Final Concepts dated 2002.

The proposed roadway is realigned to accommodate a roundabout at the intersection of US 301 and CR 35A/Old Lakeland Highway instead of a "T" intersection as shown in the approved Type II CE Final Concepts dated 2002.

From just south of Tuskegee Avenue to Church Avenue, the proposed roadway improvements requires additional ROW on the east side near the CSX Railroad, between Tuskegee Avenue and Pasco Avenue for approximately 900-feet. This impacts one new parcel.

In addition, on the east side near the CSX Railroad from Live Oak Avenue north approximately 200-feet, new ROW is identified. Also, on the east side of US 98 from Live Oak Avenue to the northern limits of the project, proposed right of way identified in the approved Type II CE Final Concepts dated 2002 is no longer required.

On the west side of the US 301, from Buford Avenue to Church Avenue, Church Avenue to Pasco Avenue, Pasco Avenue to Meridian Avenue, and from Live Oak Avenue to north of Martin Luther King Boulevard, at Pond Avenue, San Francisco Avenue and Whitehouse Avenue, ROW acquisition is consistent with the approved Type II CE Final Concepts dated 2002. ROW acquisition was eliminated from Meridian Avenue to Live Oak Avenue on the west side.

The intersection of US 301 and US 98 was realigned in the Conceptual plans dated September 2021 to utilize the existing 7th Street connection to US 301 and to provide dual left turns from northbound 7th Street to westbound US 301/northbound US 98.

The preferred FPC and SMF sites have been revised since the approved Type II CE Final Concepts dated 2002. The revised sites are as follows:

- SMF 100-1 (formerly 100A - SMF 1) - located on the west side of the proposed roundabout at 7th Street and US 301/US 98 Bypass, 1.02 acres. This pond utilizes the remainder of the parcel that is impacted from the roundabout improvements.
- SMF 200-1 (formerly 200A SMF 1 and 200A SMF 2) - located on the south side of the proposed roundabout at the intersection of US 301 and CR 35A/Old Lakeland Highway, 3.75 acres. This pond utilizes part of the remainder of the parcel that is impacted from the roundabout improvements. The ROW remained the same.
- SMF 300-1 (formerly 300A - SMF 1) - located on the southwest quadrant of Pasco Avenue and US 301, 0.61 acres. This pond utilizes the remainder of the parcel that is impacted from the roadway improvements and requires acquisition from two new parcels.
- SMF 300-2 (formerly 300A - SMF 2) - located on the northwest quadrant of Pasco Avenue and US 301, 0.61 acres. This pond utilizes the remainder of the parcel that is impacted from the roadway improvements and requires acquisition from three new parcels.
- SMF 300-3 (formerly 300A - SMF 3) - located at the Naomi Jones Pyacantha Park, 2.19 acres. This pond is in a similar location to the preferred pond site 300B (0.90 acres) and FPC site 300-3 (0.75 acres) from the approved Type II CE.
- FPC-1 - located just east of Wilson Street, south of Shadow Lake, 4.92 acres. This requires acquisition from two new parcels.

Is there a change in anticipated relocation(s)? Yes

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The proposed relocations were previously identified in the approved Type 2 CE. The number of relocations has been reduced from six residential and six business relocations to four residential and four business relocations.

Are there changes in impacts to Prime or Unique Farmlands? N/A

b. CULTURAL

Are there changes in impacts to cultural resources pursuant to Section 106 of the National Historic Preservation Act (historic sites/districts and archaeological sites)? No

A Cultural Resource Assessment Survey (CRAS) Update Technical Memorandum was prepared to update the previous PD&E Study CRAS. This CRAS Update included historic and archaeological field survey for recent design changes, including the six (6) off-site SMF sites, one off-site FPC site, one access easement for 300A - SMF 3, and additional proposed mainline ROW that was not previously surveyed. This CRAS Update also included a Historic Resources Survey Update (HRSU) for the mainline corridor to identify, record and evaluate historic resources constructed in 1975 or earlier that were not included in the previous 2000 PD&E Study CRAS or other previous CRAS.

Historic Sites/Districts:

Historic resources field survey resulted in the identification of 33 new historic resources (8PA03311 - 8PA03343); and the identification and re-evaluation of 15 extant previously recorded historic resources (8PA00415; 8PA01213, 8PA01214, 8PA01216, 8PA01218, 8PA01219, 8PA01222, 8PA01224, 8PA01227, 8PA01266, 8PA01267, 8PA02642, 8PA02644, 8PA02645, and 8PA02802) within the historic APE. Furthermore, 12 previously recorded historic resources (8PA01209, 8PA01210, 8PA01211, 8PA01212, 8PA01215, 8PA01217, 8PA01220, 8PA01221, 8PA01223, 8PA01225, 8PA01226, and 8PA01265) were confirmed as demolished.

Of the 48 identified historic resources, 45 appear ineligible for individual listing in the NRHP. These include 44 buildings and one linear resource, Old Lakeland Highway (8PA03343).

A total of three historic resources within the historic APE are listed, determined eligible, or appear potentially individually eligible for listing in the NRHP. These include the NRHP-listed Dade City ACL Railroad Depot (8PA00415), the South Florida Railroad - Pemberton Ferry Branch/Richloam Railroad (8PA02802), and the newly identified Former Jones Nursing Home (8PA03331). The Dade City ACL Railroad Depot (8PA00415) was listed in the NRHP in July 1994 and is significant under Criteria A and C in the areas of Transportation, Community Planning and Development, and Architecture. The South Florida Railroad - Pemberton Ferry Branch/Richloam Railroad (8PA02802) appears eligible at the local level for listing in the NRHP under Criteria A and C in the areas of Transportation and Engineering. The Former Jones Nursing Home (8PA03331) was identified during this survey and appears eligible for listing in the NRHP at the local level under Criterion A in the areas of African American History and Health/Medicine. This resource is adjacent to (west of) 300A - SMF 3 and not within proposed ROW. The other historic resources associated with the SMF sites are NRHP-ineligible.

Since there is one NRHP-listed historic property and two potentially NRHP-eligible historic properties, the CRAS Update explained that additional coordination with the SHPO was anticipated for a later date during the design phase (see coordination described below).

The CRAS Update was submitted to the State Historic Preservation Officer (SHPO) on July 21, 2021 for review and concurrence. The SHPO concurred with the NRHP-eligibility determinations on September 1, 2021. Since the Dade City ACL Railroad Depot (8PA415) is listed in the NRHP and was evaluated for project effects during the PD&E Study,

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updated potential project effects will be evaluated, in consultation with the SHPO, later during design.

A Section 106 Consultation Update Technical Memorandum (March 2022) was prepared to assess potential project effects to the three NRHP-listed or eligible historic properties within the project APE (8PA00415, 8PA02802 and 8PA03331), that were identified in the CRAS Update (2021) and described above. The Section 106 consultation was prepared in accordance with 36 CFR 800.5 and evaluated potential changes in location, setting aesthetics/visual, use, access, noise, and air quality. Based on the Conceptual Plans dated September 2021, no ROW will be acquired from these three resources and the project does not involve any improvements that will directly or indirectly affect these three historic properties. The proposed project as it is presently conceived will result in No Adverse Effects on 8PA00415, 8PA0331, or the portions of 8PA02802 that fall within the project APE. The Section 106 Consultation Update Technical Memorandum (March 2022) was submitted to the SHPO on March 7, 2022, for review and concurrence. The SHPO concurred with the No Adverse Effects finding on March 8, 2022. There is no change in status.

Archaeological Sites:

Archaeological field survey included both ground surface reconnaissance and excavation of 58 shovel tests within the archaeological APE. No additional shovel tests were placed within the existing roadway ROW or where it will be slightly expanded because those areas were covered during the 2000 PD&E Study CRAS. Based on the results of the field survey, no archaeological sites were identified that are listed, determined eligible, or potentially eligible for the NRHP.

The CRAS Update was submitted to the SHPO on July 21, 2021 for review and concurrence. The SHPO concurred on September 1, 2021. There is no change in status.

[\[2 - 256423-2 US 98 Bypass _Sec 106 Update_Transm Letter_KLC-3-8-2022\]](#)[\[6 - 256423-3 US 98 Bypass CRAS Update SHPO Concurrence Letter 090121\]](#)

Are there changes in effects to Section 4(f) of the Department of Transportation Act protected resources or other protected public lands? Yes

A review of the Pasco County Parks and Recreation website and ETDM EST on August 9, 2021 identified Hibiscus Park, Polly Touchton Park, and Naomi Jones Pyracantha Park located within the project limits.

Based on the Conceptual plans dated September 2021, no acquisition or occupation of land of Hibiscus Park on either a temporary or permanent basis is required, no meaningful proximity impacts to this property is proposed, and no impacts to the access and usage of this property is anticipated. Therefore, the project will have no use of Hibiscus Park. OEM approved the No Use determination on November 18, 2021.

Based on the Conceptual plans dated September 2021, no acquisition or occupation of land of Polly Touchton Park on either a temporary or permanent basis is required, no meaningful proximity impacts to this property is proposed, and no impacts to the access and usage of this property is anticipated. Therefore, the project will have no use of Polly Touchton Park. OEM approved the No Use determination on November 18, 2021.

The Conceptual plans dated September 2021 included one SMF site SMF 300-3 (formerly 300A - SMF 3) located at the Naomi Jones Pyracantha Park. FDOT coordinated with Pasco County, the Official with Jurisdiction. Naomi Jones Pyracantha Park is owned by Pasco County and the amenities were provided by the City of Dade City. It is not considered significant for the purposes of Section 4(f) because the major purpose of this property is for drainage, recreation activities are a secondary purpose of this property. Pasco County concurred on August 2, 2021 that this property's major use/purpose is not for park or recreational activities and therefore confirms that this property is not a Section 4(f) protected

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resource.

[8 - 256423 3 US 98 Bypass Section 4(f) NJP Pasco County Response 080221]

[Section 4\(f\) Report](#)

Are there changes in impacts to lands purchased under Section 6(f) of the Land and Water Conservation Fund Act? N/A

Are there changes in impacts to recreational areas or protected lands? No

c. NATURAL

Are there changes in impacts to protected species and habitat, wetlands and other surface waters, and/or essential fish habitat? Yes
Protected Species and Habitat

A Natural Resources Evaluation (NRE) was completed in July 2021 that evaluated potential involvement of the proposed improvement, including the FPC and SMFs sites, with protected species or their habitat. Based on desktop analyses and field surveys conducted in June 2021, it was determined that suitable habitat exists in the proposed improvement for federally and state protected species. Below is a summary of project involvement with potential suitable habitat for each of these species and their respective effect determinations. All federally listed species are also state listed as federally-designated species. The proposed improvement "may affect, but is not likely to adversely affect" federally listed species based on the use of current US Fish and Wildlife Service (USFWS) effect determination keys or was determined to have "no effect" on federally listed species based on a lack of suitable habitat. Therefore, no additional coordination or consultation with the USFWS is required. For state-listed species, the NRE was submitted to the FWC for review and comment on July 30, 2021. The FWC provided a letter stating their agreement with the determinations of effects and proposed implementation measures and commitments for protected species on August 20, 2021. A review of the Conceptual Plans dated September 2021 was conducted to determine if there are changes to protected species habitat involvement since the submittal of the NRE. Two modifications to pond sites were identified. One of these modifications is the expansion of ELA 300A SMF-2 north into an adjacent parcel (Parcel 113). Parcel 113 is a flat, vacant upland lot with a few scattered trees. This parcel was partially field reviewed in 2021 as it is adjacent to and adjoining the originally proposed ELA 300A SMF-2 and partially intersects the previously proposed US 98 and Meridian Avenue ROW. A desktop review of Parcel 113 was conducted in February 2022. The revised ELA 300A SMF-2 parcel does not result in the potential for additional protected species habitat that was not previously considered or modify effect determinations. In addition, the current design increases the size of FPC Site 1 from 4.22 acres to 5.50 acres. However, FPC Site 1 remains on the same site evaluated in the NRE, and its expansion does not introduce additional protected species habitat that was not previously considered or modify effect determinations. Therefore, there have been no modifications that will result in a change to the protected species or protected species habitat involvement documented in the NRE. No federal or state listed plant species were identified as having the potential to occur in the project area. Therefore, coordination with the Florida Department of Agriculture and Consumer Services (FDACS) is not required.

Federally Listed Species

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- Eastern Indigo Snake (*Drymarchon corais couperi*) - The eastern indigo snake is federally listed as Threatened. There is suitable habitat within the proposed improvement for this species. Standard Protection Measures for the Eastern Indigo Snake will be implemented during construction. The project was evaluated in accordance with the Eastern Indigo Snake Programmatic Effect Determination Key which was first published in 2007 and last amended in 2013. Based on the Key, proposed improvement "may affect, not likely to adversely affect" the eastern indigo snake.
- Wood Stork (*Mycteria americana*) The wood stork is federally listed as Threatened. The proposed improvement is within the designated Core Foraging Area (CFA) of four wood stork colonies. Suitable foraging habitat (SFH) is within the project limits but is limited to roadside ditches and a SMF. Impacts to SFH is anticipated to be 0.5 acre (ac) or less. Because proposed SMFs and the FPC site will replace functions lost as a result of the proposed improvement, no net loss of SFH will occur. Based on the Effect Determination Key for the Wood Stork in Central and North Peninsular Florida (2008), the proposed improvement "may affect, not likely to adversely affect" the wood stork.
- Florida Scrub-Jay (*Aphelocoma coerulescens*) - The Florida scrub-jay is federally listed as Threatened. The project is within the USFWS Consultation Area for the Florida scrub-jay. However, no suitable habitat for the Florida scrub-jay is present within the project area. The proposed improvement is anticipated to have "no effect" on the Florida scrub-jay.
- Eastern Black Rail (*Laterallus jamcensis jamaicensis*) - The eastern black rail is federally listed as Threatened. There is no suitable habitat for the eastern black rail in the proposed improvement. The proposed improvement will have "no effect" on the eastern black rail.
- Federally Listed Plant Species - There are no federally listed plant species anticipated to occur in the proposed improvement based on the FNAI biodiversity matrix, USFWS IPaC database, and USFWS distribution and range data.

State-Listed Species

- Gopher Tortoise (*Gopherus polyphemus*) - The gopher tortoise was reclassified from a Species of Special Concern to a state-designated Threatened species in 2007. A potential gopher tortoise burrow was observed in the proposed FPC site and potential suitable habitat is found within the proposed improvement. Prior to construction, the FDOT will conduct a 100% gopher tortoise survey in suitable habitat, coordinate with the FWC to permit and relocate gopher tortoises located in the proposed improvement if needed, and provide compensation as required through the permitting process. With these measures in place, there is "no adverse effect anticipated" to the gopher tortoise.
- Florida pine snake (*Pituophis melanoleucus mugitus*) - The Florida pine snake is a state-listed Threatened species. There is no suitable habitat present within the study area. There is "no effect anticipated" to the Florida pine snake.
- Florida Burrowing Owl (*Athene cunicularia floridana*) - The Florida burrowing owl is a state-listed Threatened species. None have been observed to date during field reviews. However, limited habitat occurs in the proposed improvement that is suitable for the Florida burrowing owl. Therefore, species-specific surveys will be conducted in appropriate habitat prior to construction and appropriate actions taken in accordance with FWC guidelines if the species is observed. With these provisions in place, there is "no adverse effect anticipated" to the Florida burrowing owl.
- Florida Sandhill Crane (*Grus canadensis pratensis*) - The Florida sandhill crane is a state-listed Threatened species. A Florida sandhill crane was observed within SMF F1 during June 2021 field reviews and suitable foraging habitat for the sandhill crane is within the proposed improvement but is limited to roadside ditches and an existing SMF. Impacts to suitable foraging habitat is anticipated to be 0.5 acre or less. Because proposed SMFs and the FPC site will replace functions lost as a result of the proposed improvement, no net loss of suitable foraging habitat will occur. No suitable nesting habitat occurs within the proposed improvement. Because there will be no net loss of habitat for the Florida sandhill crane, there is "no adverse effect anticipated".

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- State-listed wading birds-Based on aerial reviews, suitable foraging habitat for state-listed wading birds (little blue heron, tricolored heron) is within the proposed improvement but is limited to roadside ditches and an existing SMF. Impacts to suitable foraging habit is anticipated to be 0.5 acre or less. Because proposed SMFs and the FPC site will replace functions lost as a result of the proposed improvement, no net loss of suitable foraging habitat will occur. No suitable nesting habitat occurs within the proposed improvement. Because there will be no net loss of habitat for state-listed wading birds, there is "no adverse effect anticipated" to state-listed wading birds.
- State-Listed Plant Species - There is no suitable habitat for state-listed plant species that potentially occur in Pasco County within the vicinity of the proposed improvement.

Other Protected Species

- Bald Eagle (*Haliaeetus leucocephalus*)- Although no longer listed under the ESA, protection for the bald eagle is afforded through the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). The USFWS regulates activities if an active eagle nest is within 660 feet of a proposed activity. There are no active nests observed or documented in the proposed improvement. However, there is suitable nesting habitat within the proposed improvement, and bald eagles have been observed in the vicinity. Therefore, pre-construction surveys for active nests will be conducted and appropriate coordination with USFWS Office of Migratory Birds (OMB) will be initiated if a bald eagle nest is observed within 660 feet of the project.
- Florida Black Bear (*Ursus americanus floridanus*) - The Florida black bear is no longer listed as an imperiled species by the FWC. However, it is afforded protection under the FWC Florida Black Bear Conservation Rule (Rule 68A-1.004, FAC). The closest black bear related call was documented approximately four miles north of the proposed improvement, and the proposed improvement is not within any black bear range. The Florida black bears are considered unlikely to be in the study area.

Critical Habitat

The study area was evaluated for Critical Habitat designated by Congress in 50 CFR 17. Based on a review of the USFWS's most current available online Critical Habitat Mapper GIS data, there is no Critical Habitat within the study area. Therefore, the proposed action will not result in the destruction or adverse modification of critical habitat.

Wetlands or Other Surface Waters

Field delineations conducted in June 2021 confirmed that no wetlands will be impacted by the proposed improvements. The NRE prepared in July 2021 evaluated eight (8) other surface waters (OSWs) within the proposed improvements, including five (5) areas previously identified as wetlands in the 2000 Wetland Evaluation Report (WER). The 2000 WER identified these five areas as wetlands, Florida Land Use, Cover and Forms Classification System (FLUCFCS) codes indicate these areas would be considered OSW under current delineation criteria. One area (Wetland 1A) identified in the 2000 WER is not considered under the current evaluation as no wetland or OSW was observed in its indicated location during the 2021 field surveys.

Based on the 2021 field reviews, the current evaluation identified three additional OSWs in the proposed improvement that were not indicated in the 2000 WER, for a total of eight OSWs. Seven of the OSWs are roadside ditches that serve as stormwater conveyance that are anticipated to be filled in order to accommodate the construction of the additional lanes. The total anticipated permanent impact to OSWs is 1.19 ac. The eighth OSW is existing SMF F1 that will be altered but is

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not jurisdictional to SWFWMD or FDEP as a permitted SMF (under ERP 4409878.001 issued to Pasco County). There is no permanent impact to SMF F1. SWFWMD provided comments on the NRE that are to be considered and addressed as needed during permitting of the project in a memorandum dated August 19, 2021.

Compensatory mitigation for the impacts to OSWs is not anticipated to be required. Additional SMFs and a FPC site are proposed which will replace the function of the OSWs to be impacted.

A review of the Conceptual plans dated September 2021 was conducted to determine if there are changes to wetland and OSW involvement since the submittal of the NRE. Two modifications to pond sites were identified. One of these modifications is the expansion of ELA 300A SMF-2 north into an adjacent parcel (Parcel 113). Based on prior field review and the 2022 desktop review, there are no wetlands or OSW located on the parcel. In addition, the size of FPC Site 1 increased from 4.22 acres to 5.50 acres. However, impacts are not proposed to wetland or OSWs, including the adjacent Shadow Lake, as a result of increasing the size of the FPC site. Therefore, there have been no modifications that will result in a change to wetland and OSW involvement documented in the NRE.

Essential Fish Habitat (EFH)

No EFH is located within the project area. There is no change in status.

[\[3 - FPID 2564233_US 98_Wood Stork Key\]](#)[\[7 - 256423 3 US 98 Bypass NRE_FWC Letter 082021\]](#)[\[10 - FPID 2564233_US 98_Eastern Indigo Snake Key\]](#)

Are there changes in impacts to designated Aquatic Preserves, Coastal Barrier resources, Wild and Scenic Rivers, Nationwide Rivers Inventory Rivers, and/or Outstanding Florida Waters? No

Are there changes in impacts to Floodplains or Water Resources? Yes
Floodplains

Floodplain impacts will occur in the proposed improvement. A FPC site is proposed to provide the necessary floodplain compensatory storage. Floodplain compensatory storage will be reviewed and approved as required by SWFWMD during the ERP application process. Therefore, it has been determined that floodplain encroachment is anticipated to be minimal.

Water Quality

The most recent stormwater management plan includes six SMFs and a FPC site which are included in this Re-evaluation. Water quality improvements will be done in accordance with the stormwater regulatory design criteria as required by the FDOT Drainage Manual and the SWFWMD ERP Applicant Handbook Volume II. The stormwater management system will be reviewed and approved by the SWFWMD during the ERP process to assure compliance with state water quality requirements.

d. PHYSICAL

Are there changes in Air Quality? No

**RE-EVALUATION
FORM****What is the status of Highway Traffic Noise?**

A review of the Conceptual plans dated September 2021 found that the approved Type II CE Final Concepts dated 2002 evaluated in the March 2002 Noise Study Technical Memorandum are similar to the current project design. Differences between the concepts primarily consist of the addition of two roundabouts, removal of the 22-foot median and 4-foot bike lanes, changes to the sidewalks, changes to lane widths, the addition of two-way left turn lanes, a 6-foot sidewalk on the east side and a wide, 10-foot sidewalk on the west side, and FPC and SMF sites. These minor changes will not result in a change in horizontal alignment that halves the distance from the nearest lane to nearby noise sensitive receptors.

The traffic noise evaluation performed in support of the approved Type II CE used FHWA's Traffic Noise Model version 1.0b. Since then, FHWA has released TNM 2.5. Additionally, FHWA's 23 Code of Federal Regulations (CFR) 772 was amended (effective July 13, 2011) to include additional land uses and modify the NAC levels and land use assignments that were not previously considered. Therefore, a new noise analysis is needed to reevaluate traffic noise for the project using TNM version 2.5 and the amended 23 CFR 772 regulations.

A Noise Study Report Addendum (NSRA) was prepared in March 2022. Results of the analysis predicted that exterior noise levels may approach, meet, or exceed the NAC for the design year 2045 conditions at seven residences. However, noise barriers were found to not be cost reasonable or feasible (the ability of a noise barrier to provide the required insertion loss was affected by restrictions on the physical length of a barrier due to required property access/driveways). Therefore, based on the results of the traffic noise analysis, there are no feasible and reasonable noise abatement measures to mitigate the predicted noise levels at the impacted residences.

What is the status of Contamination?

The Level I Contamination Screening Evaluation Report (CSER) dated March 2001 identified 25 sites as possible for having the potential for Contamination. The following four sites, rated as having a MEDIUM or HIGH potential for contamination, have no new information in FDEP OCULUS and will be further analyzed through a Level II CSER:

1. HIGH - Site No. 23W - Pat's Food Mart (a.k.a United 500)
2. MEDIUM - Site No. 25W - Git In Go Food Store/Texaco (formerly Presto Food Mart)
3. HIGH - Site No. 30W - J.H. Williams Oil Company, Inc.
4. MEDIUM - Site No. 36E - La Pasa Dita (formerly Cracker Shack, a.k.a. United 500)

A review of FDEP OCULUS completed on April 11, 2022 identified one additional site as possible for having the potential for Contamination. The following site will also be further analyzed through a Level II CSER:

1. MEDIUM - United 547 - 38220 Buford Avenue Dade City 33525

A Level II CSER will be completed when Phase II plans are provided during Design Build and after ROW has been acquired.

Are there changes in impacts to Utilities and Railroads? No

Updated coordination with the utility companies having facilities within the project's ROW is currently underway and will be completed prior to construction letting.

Coordination is underway with CSX.

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Are there changes in impacts to Navigation? N/A

8. COMMITMENT STATUS

Are there prior commitments from the Environmental Document or previously approved re-evaluation(s)? Yes

Are there new environmental commitments? Yes

List new environmental commitments added since approval of the original Environmental Document or most recent Re-evaluation.

- Surveys to update locations of bald eagle nests will be conducted prior to construction and proper coordination will occur with the USFWS if it is determined that a bald eagle nest is within 660 feet or less of the proposed improvement.
- Surveys for the Florida burrowing owl will be conducted prior to construction. If it is determined that individuals or nest areas could be impacted by the proposed improvement, the FDOT will coordinate with FWC to determine appropriate avoidance and minimization measures during construction.
- The USFWS *Standard Protection Measures for the Eastern Indigo Snake* will be implemented to assure that the eastern indigo snake will not be adversely impacted by the project.

[\[1 - 256423 1 US 98 Bypass PCR 031622\]](#)

9. STATUS OF PERMITS**Federal**

None anticipated.

State

Segment	Name	Descriptor	Status	Date
256423-3-43-01	DEP or WMD Environmental Resource Permit (ERP)		Needed	
256423-3-43-01	DEP National Pollutant Discharge Elimination System Permit		Needed	

Local

None anticipated.

Other

None anticipated.

10. CONCLUSION

- ☒ The project has been re-evaluated pursuant to 23 CFR § 771.129. The FDOT has determined that no changes to the project affect the original decision. Therefore, the Administrative Action remains valid and the project can advance.

11. DISTRICT REVIEW AND APPROVAL

Name and title of FDOT Preparer: Robin Rhinesmith, FDOT District Seven Environmental Administrator

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 December 14, 2016 and executed by the Federal Highway

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Administration and FDOT.

OEM approval required? Yes

Robin Rhinesmith

March 25, 2022

District approving authority or designee

Date

Electronically signed within SWEPT
on March 25, 2022 1:52:36 PM EDT
(electronic signature on file)**12. OEM CONCURRENCE**

Jennifer Marshall, P.E.

April 18, 2022

Print Name

Date

Director of the Office of Environmental Management or Designee

Electronically signed within SWEPT
on April 18, 2022 6:38:51 AM EDT
(electronic signature on file)**13. Links to Supporting Documentation**

- 1 - [25642312201-CE2-D7-256423_1_US_98_Bypass_PCR_031622-2022-0316.pdf](#)
- 2 - [25642312201-CE2-D7-256423-2_US_98_Bypass__Sec_106_Update_Transm_Letter_KLC-3-8-2022-2022-0308.pdf](#)
- 3 - [25642312201-CE2-D7-FPID_2564233_US_98_Wood_Stork_Key-2022-0216.pdf](#)
- 4 - [25642312201-CE2-D7-256423-3_LRTP_6-10-2021-2022-0223.pdf](#)
- 5 - [25642312201-CE2-D7-256423-3_G1-STIP_2-21-2022-2022-0223.pdf](#)
- 6 - [25642312201-CE2-D7-256423-3_US_98_Bypass_CRAS_Update_SHPO_Concurrence_Letter_090121-2021-0901.pdf](#)
- 7 - [25642312201-CE2-D7-256423_3_US_98_Bypass_NRE_FWC_Letter_082021-2021-0820.pdf](#)
- 8 - [25642312201-CE2-D7-256423_3_US_98_Bypass_Section_4\(f\)_NJP_Pasco_County_Response_080221-2021-0803.pdf](#)
- 9 - [25642312201-CE2-D7-256423-3_TIP_2-10-2022-2022-0223.pdf](#)
- 10 - [25642312201-CE2-D7-FPID_2564233_US_98_Eastern_Indigo_Snake_Key-2022-0216.pdf](#)
- 11 - [\\$this.files.get\(\\$key\).sweptProjectFile.fileName](#)