



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

February 10, 2010

Via Electronic mail

Mr. John Wrublik
United States Fish and Wildlife Service
South Florida Ecological Services Office
1339 20th Street
Vero Beach, FL 33702

RE: State Road: SR-820/Pines Blvd.
Financial Management No.: 421657-1-52-01
Description/Limits: RRR from SR 25/US 27 to East of NW 196th Ave.
Milling and Resurfacing/Rehabilitate
County: Broward

2010 FEB 16 PM 2:17
DIV OF TRANSPORTATION
TRAINING DIVISION

Dear John,

On behalf of the Federal Highway Administration (FHWA), the Florida Department of Transportation (FDOT) would like to initiate an Informal Section 7 Consultation, under the provisions of the Endangered Species Act (ESA), and establish a federal nexus as per the NEPA process associated with the federal funding budgeted for this project. No Army Corps of Engineers permit is required for this project.

Currently, the FDOT is proposing to mill and resurface the existing asphalt pavement and add sidewalk within the right of way along the SR-820/Pines Boulevard project limits. The project begins at US 27 and extends eastward approximately 1.365 miles to east of NW 196th Ave. A map of the project location is attached. No additional travel lanes are being proposed as part of this project and all of the proposed rehabilitation work will be performed within the existing FDOT right of way. This project is federally funded and is classified as a Programmatic Categorical Exclusion.

The scope of work involves the following:

- Milling and resurfacing the existing asphalt pavement
- Minor sidewalk on the south side of Pines Blvd., between 208th Ave and 209th Ave. (see attached plan sheets) to address safety concerns

A review of the FDOT's Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST) indicates the project is located within the Caracara and Snail Kite Consultation Areas. FWC Priority Wetlands were identified on the western portion of the project corridor. This wetland area contains 4 to 6 focal species. In addition, Wetland Hardwood Forests, made up of Melaleuca-Australian Pine, were identified adjacent to the southwest of the intersection of SR-820/Pines Boulevard and 208th Avenue, and Vegetated Non-Forested Wetlands were identified adjacent to the southwest of the intersection of SR-820/Pines Blvd. and SW 198th Ter.

In addition, an active bald eagle nest (Nest ID # BO002) is located approximately 205 feet from Pines Boulevard southwest of the intersection of Pines Boulevard and 208th Ave. The nest is located in a thick Melaleuca-Australian pine stand on city property. The scope of work is not anticipated to adversely affect the nesting eagles, as the existing road use will not change in nature or in size. A fence has been erected by the City of Pembroke Pines approximately 75 feet to the south of Pines Boulevard to prevent public disturbance of the active nest. All project activities within the current prescribed scope of work will occur within FDOT's existing right of way. Disturbance of the eagles is unlikely to occur during construction activities; however FDOT commits to the following:

- No work will be conducted during eagle nesting season (October 1 through May 15), and;
- FDOT will follow Bald Eagle Monitoring Guidelines (USFWS 2007d) for all site work and construction activities, and;
- The Contractor will avoid placement of heavy equipment within 50 feet of the nest tree at any time to avoid potential impacts to tree roots, and;
- FDOT will schedule construction activities so that construction farther from the nest occurs before construction closer to the nest, and;
- The Contractor will not work at night, and;
- The Contractor will retain tree and large vegetation for use as buffer and potential roost sites, and;
- No staging or stockpiling of equipment or material along the south side of Pines Blvd. between 208th Ave. and 209th Ave.

Based upon the proposed project activities and the commitments made, FDOT anticipates *no adverse affect* to any ESA listed species, and respectfully request concurrence from the United States Fish and Wildlife Service for the above referenced scope of work.

In addition to the scope of work proposed for this project, the Department has also been asked by the City of Pembroke Pines and the Eagle Sanctuary Steering Committee to consider providing the following amenities:

- Eagle nest viewing platform, south side of Pines Boulevard
- Roadside parking, on Pines Boulevard
- Traffic Control Devices, such as roadside barriers to protect pedestrians

Currently, pedestrians gather in the median to view the nest activity, parking their cars along the shoulder of Pines Boulevard. During the nesting season significant pedestrian and car traffic exists creating safety concerns on Pines Boulevard. The amenities listed above have been requested to provide safe nest viewing opportunities within FDOT right of way and are not considered roadway improvements. No crosswalks currently exist at the intersection of Pines Boulevard and 209th Avenue for pedestrians and there is no sidewalk on the south side of Pines Boulevard adjacent to the forested area where the nest is located.

FDOT seeks USFWS guidance on the feasibility of the public's request for the listed additional amenities on the south side of Pines Boulevard.

At your convenience, the FDOT is available to assist the USFWS on any ESA issues related to this project. If you have any further questions or comments please contact me at (954) 777-4339.

Thank you for your timely assistance on this project.

Sincerely,



David Bogardus
Senior Environmental Specialist
FDOT – District Four

Attachments: Project Location Map
Highlighted Sidewalk Plan Sheets
FWC Bald Eagle Nest Map

Cc: Henry Oaikhena, FDOT
Lindsay Nester, FFWCC
Doug Young, South Florida Audubon Society
Sharron Williams, City of Pembroke Pines Representative
Reading file/Central file



FLORIDA DEPT. OF TRANSPORTATION DISTRICT IV
 ENVIRONMENTAL FEATURES IDENTIFICATION FIELD REVIEW
 BR 800 PINES BLVD
 US 27 TO SW 155TH AVE
 FINANCIAL PROJ. EST. C-121657-1-EX-01

AFCOM

FIGURE 1

2007 AERIAL IMAGERY

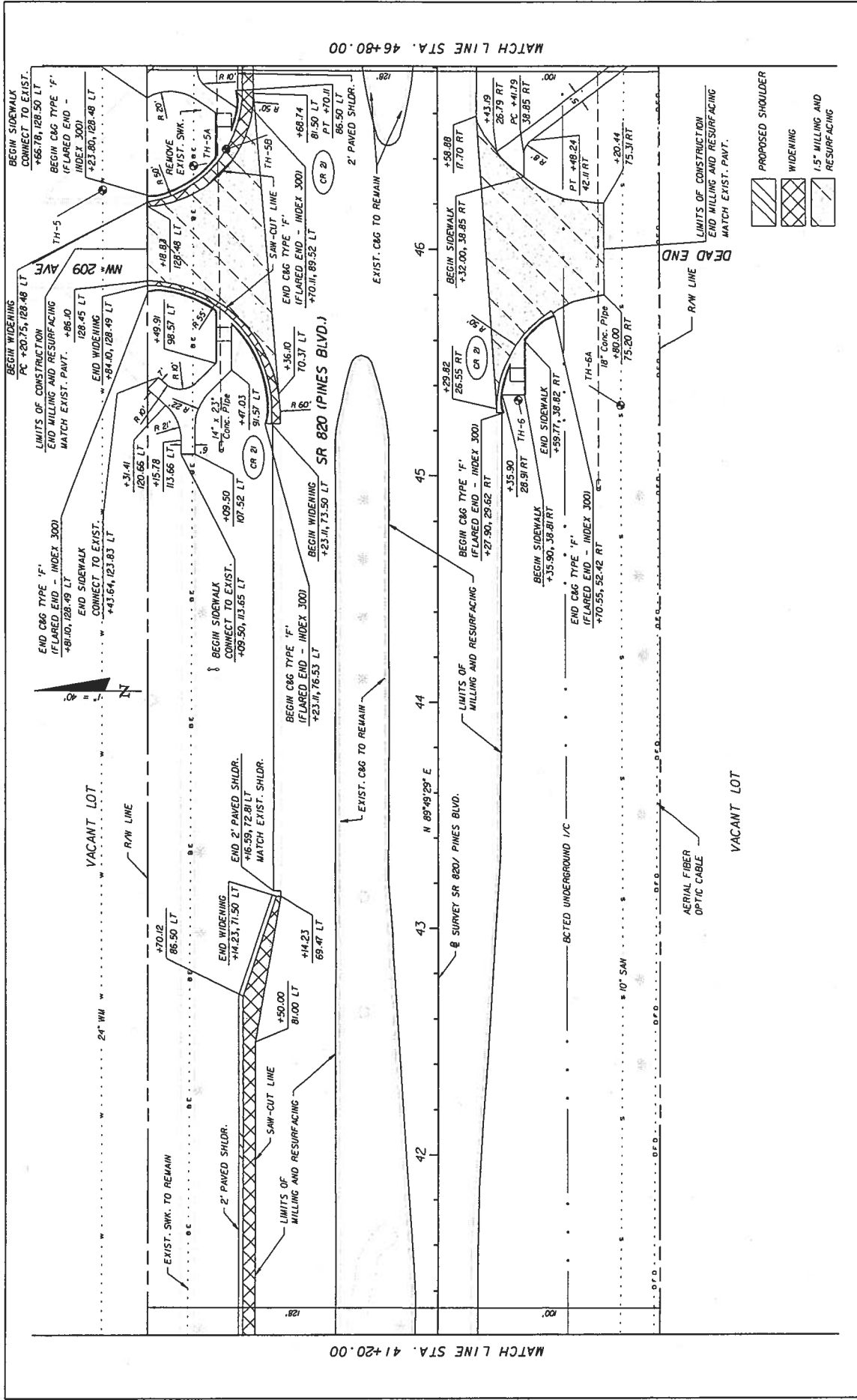
SITE PLAN

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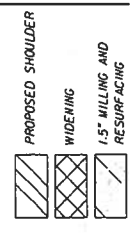
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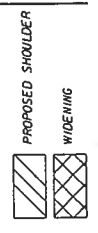
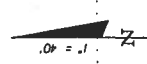
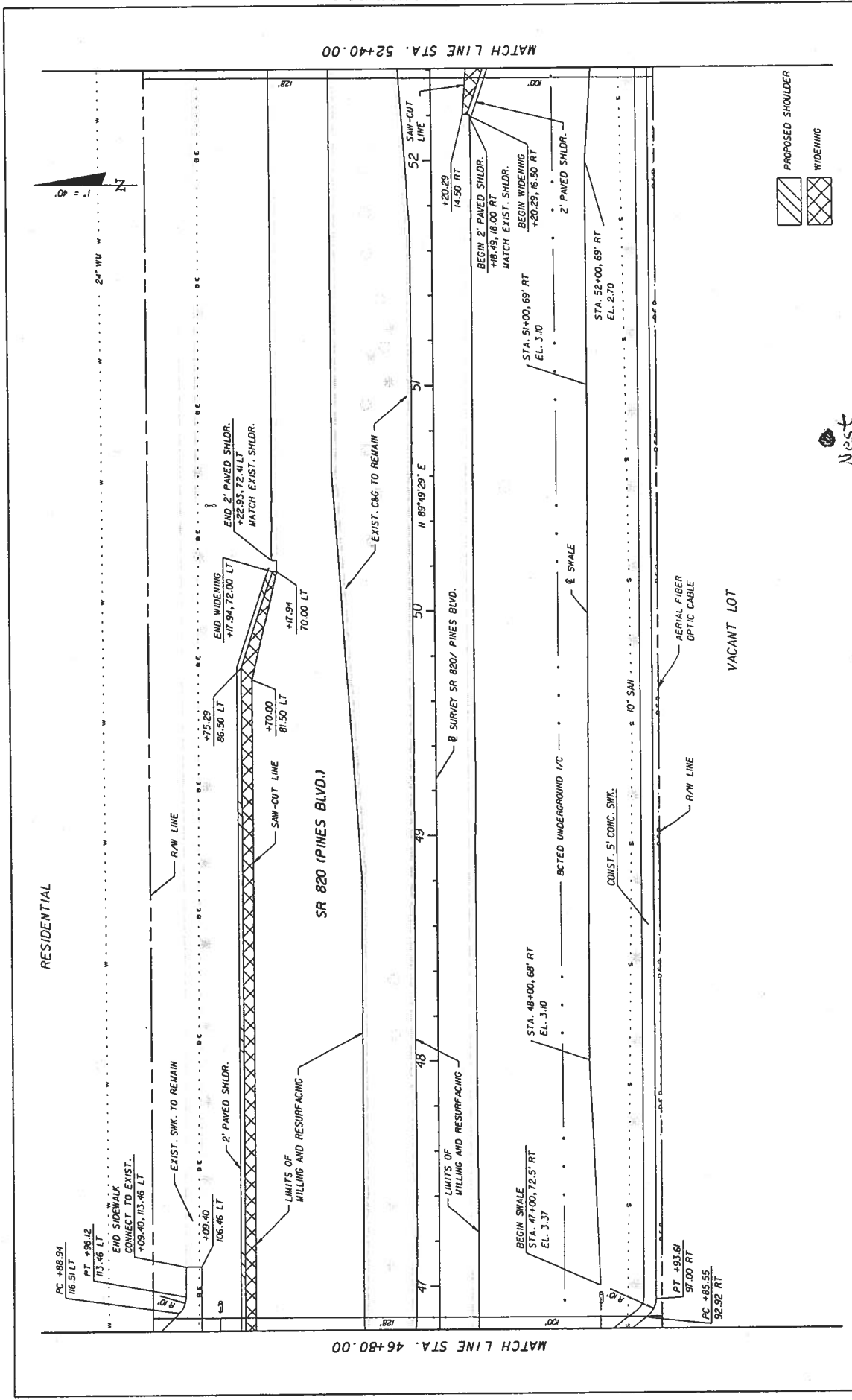
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REVISIONS		DESCRIPTION
DATE	BY	

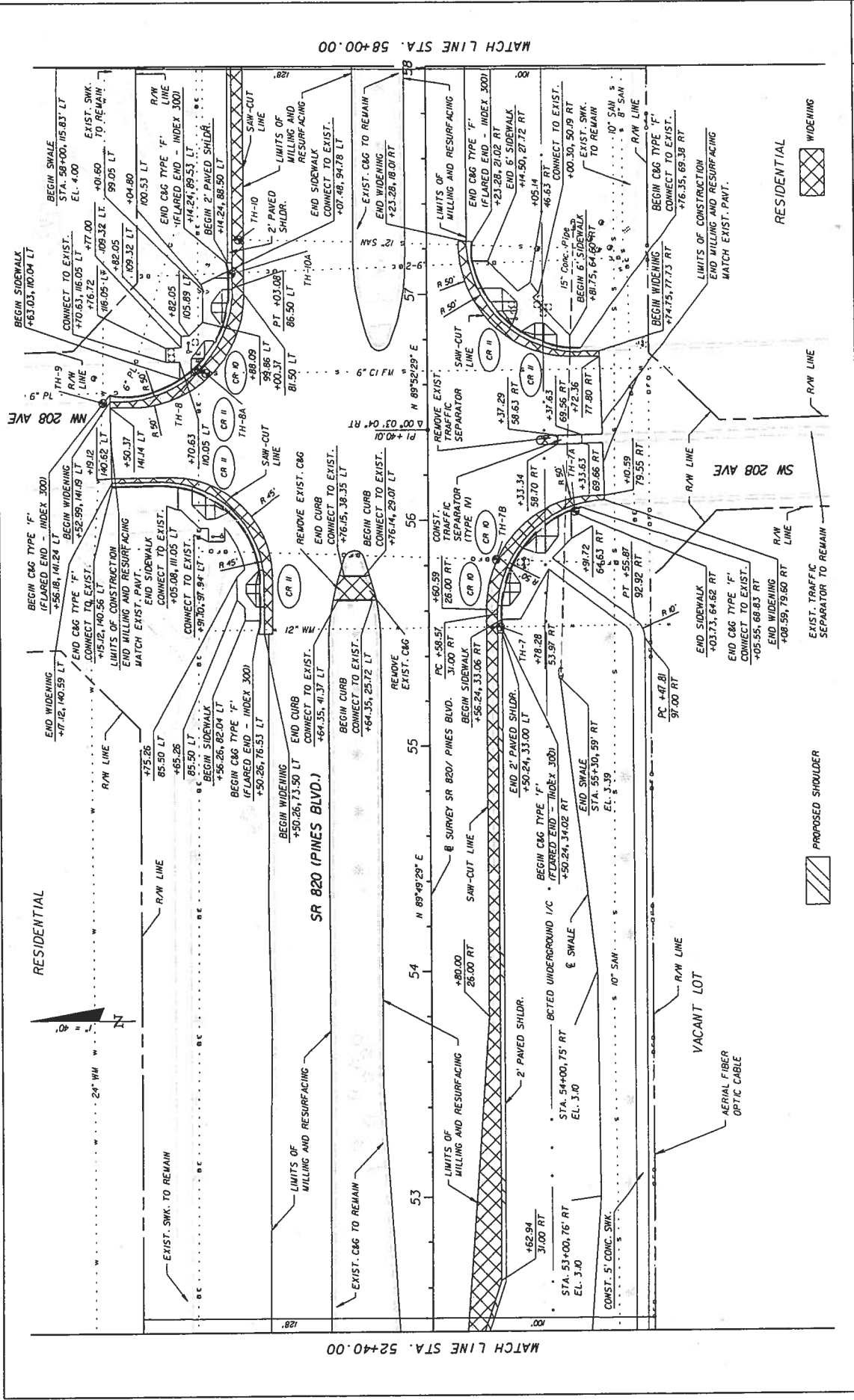
STATES OF FLORIDA		ROADWAY PLANS
DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COURT	FINANCIAL PROJECT ID
820	BROWARD	421657-1-52-01
Jacobs Engineering Group Inc. 800 Fairway Dr., Suite 800 Fort Lauderdale, FL 33444 CERTIFICATE OF AUTHORIZATION No. 2822 ENGINEER OF RECORD Aligned Station, P.E. No. 60075		
SHEET NO. 12 DATE: 12/01/2009 TIME: 2:52:13 PM FILE: C:\E\0365\0365\0365.dwg PL140029.dwg		



REVISIONS		DESCRIPTION	
DATE	BY	DATE	DESCRIPTION

Jacobs Engineering Group Inc. 800 Fidelity Drive, Suite 900 Deerfield Beach, FL 33441 CERTIFICATE OF AUTHORIZATION No. 2822 ENGINEER OF RECORD Michael Corbett, P.E. No. 82015		STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION COUNTY: BROWARD ROAD NO.: 820 FINANCIAL PROJECT ID: 421657-1-52-01
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DATE	BY	DESCRIPTION	REVISIONS	DATE	BY	DESCRIPTION

STATES OF FLORIDA		DEPARTMENT OF TRANSPORTATION	
COUNTY		FINANCIAL PROJECT ID	
820	BROWARD	421657-1-52-01	
Jacobs Engineering Group Inc. 800 Palmyra Drive, Suite 800 Fort Lauderdale, FL 33304 CERTIFICATE OF AUTHORIZATION No. 2822 ENGINEER OF RECORD MILDRED GARCIA, P.E., No. 60515			

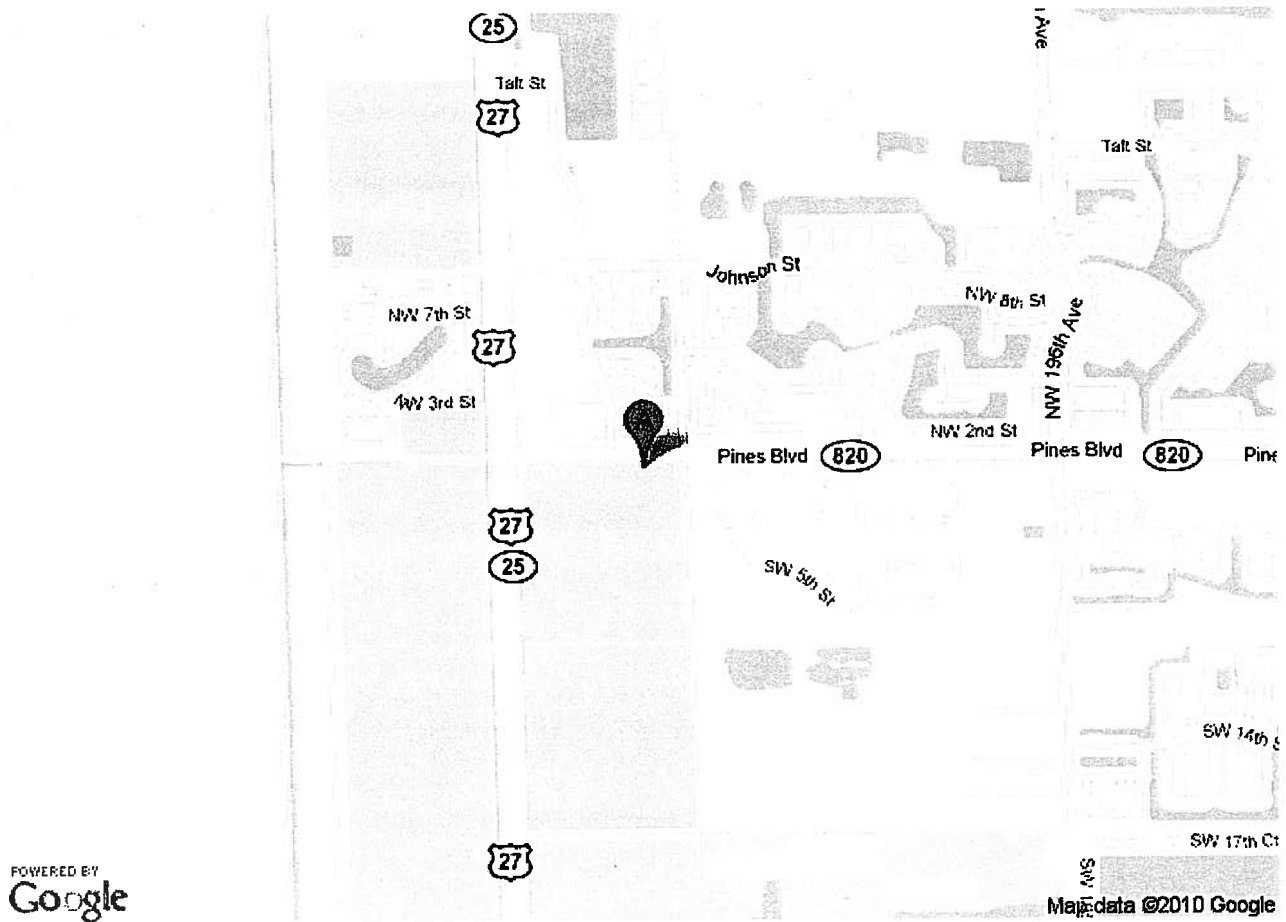
SHEET NO.	14
ROADWAY PLANS	
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This report was generated using the bald eagle nest locator at www.MyFWC.com/eagle/mapping on 2/10/2010 11:25:11 AM.

Search Entered: (NESTID='BO002'); All Search Results

1 record(s) were found; 1 record(s) are shown

Bald Eagle Nest Map:



Bald Eagle Nest Data Search Results:

Results per page: All

Let-ter	Nest ID	County	Latitude	Longitude	Town-ship	Ran-ge	Sec-tion	Gaz Page	Last Known Active	Last Sur-veyed	Act 05	Act 06	Act 07	Act 08	Act 09
A	BO002	Broward	26 00.44	80 25.59	51S	39E	15	114	2008	2008	-	-	-	Y	*

"Y" denotes an active nest

"U" denotes a nest that was visited but status was undetermined

"N" denotes an inactive nest

"*" denotes a nest that was not surveyed

"-" denotes an unobserved nest