5.3 CONCEPTUAL MITIGATION SUMMARY

Construction of the Fort Hamer Alternative would result in a total of 4.34 acres of wetland impacts requiring compensatory mitigation. These impacts include 2.05 acres of fill, 1.01 acres of shading, and 1.28 acres of secondary impacts. The conceptual mitigation for these impacts consists of the creation of 4.5 acres of wetlands, including mangrove wetland, saltmarsh, and mixed forested hardwood wetlands.

Construction of the Rye Road Alternative would result in 2.51 acres of fill and 0.01 acre of shading impacts requiring compensatory mitigation. The conceptual mitigation for these impacts consists of the creation of 3.4 acres of mixed forested hardwood wetlands.

Details of the wetland mitigation plan and UMAM functional gain resulting from the mitigation sites would be developed during the state and federal permitting process and are subject to review and approval by the permitting and commenting agencies. As a result, the final size and design of the mitigation wetlands to be constructed may change during the permitting process.

Section 6.0
WETLANDS PERMITTING AND COORDINATION

Both state and federal agencies regulate impacts to surface waters (including wetlands) in Florida. These agencies include the USACE, SWFWMD, and FDEP. Other agencies, including the NMFS, FWS, EPA, and the Florida Fish and Wildlife Conservation Commission (FWC), review and comment on environmental permit applications. In addition, the FDEP regulates stormwater discharges from construction sites, and the USCG regulates bridge construction over navigable waters. It is anticipated that the following permits would be required for construction of either the Fort Hamer Alternative or the Rye Road Alternative:

- USCG Bridge Permit
- USACE Section 404 Dredge and Fill Permit
- SWFWMD Environmental Resource Permit
- FDEP National Pollutant Discharge Elimination System (NPDES) Permit

Coordination of the project was initiated on July 9, 2010 with the publication of NOI to prepare an EIS in the Federal Register. On July 20, 2010, the USCG invited the USACE and NMFS to participate as cooperating agencies for the EIS. The USACE responded that they agree to be a cooperating agency. The NMFS declined to be a cooperating agency due to manpower limitations. Copies of these correspondences are provided in Appendix C. Additional coordination of the project would be accomplished through the submittal of this document to the USACE, NMFS, FWS, and SWFWMD agencies.

The complexity of the permitting process would depend on the degree of the impact to jurisdictional areas. An individual permit would likely be required from the USACE. An individual permit requires compliance with the 404(b)(1) guidelines, including verification that all impacts have first been avoided to the greatest extent possible, that unavoidable impacts been minimized to the greatest extent possible, and lastly that unavoidable impacts have been mitigated in the form of wetlands creation, restoration, and/or enhancement.

The SWFWMD requires an Environmental Resource Permit (ERP) when construction of any project results in the creation of a new, or modification of an existing, surface water management system or results in impacts to waters of the state or isolated wetlands. In addition to potential wetland impacts, SWFWMD reviews water quality issues relating to the operation of the proposed project and water quantity attenuation resulting from project-related changes in land use. As with USACE permits, the complexity associated with the ERP permitting process would

depend on the size of the project and/or the extent of wetland impacts. Based on the findings in this report, an Individual ERP would be required by SWFWMD.

Federal law 40 Code of Federal Regulations (CFR) Part 122 prohibits point source discharges of stormwater associated with industrial activity, including certain construction activities pursuant to 40 CFR 122.26(b)(14)(x), to waters of the U.S. without a NPDES permit. Under the State of Florida's delegated authority to administer the NPDES program, applicants that have stormwater discharge associated with construction activity to surface waters of the state must file for and obtain either coverage under an appropriate generic permit contained in Chapter 62-621, F.A.C., or an individual permit issued pursuant to Chapter 62-620, F.A.C. A major component of the NPDES permit is the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP identifies potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the site and discusses good engineering practices that would be used to reduce the pollutants.

The USCG approves the locations and clearances of bridges constructed over navigable Waters of the U.S. through the issuance of bridge permits, under the authority of Section 9 of the *Rivers and Harbors Act of 1899* and the *General Bridge Act of 1946*. The USCG is required to ensure that environmental and navigational considerations are given careful attention in each bridge permitting decision. Bridge permit applications are submitted to and reviewed by the Bridge Administration Program within the appropriate USCG District Office. Any bridge permit associated with this project would be processed through the Seventh Coast Guard District Office in Miami, Florida. The application package is reviewed by both the District Commander and the USCG headquarters before a permit is issued or denied.

Section 7.0
REFERENCES

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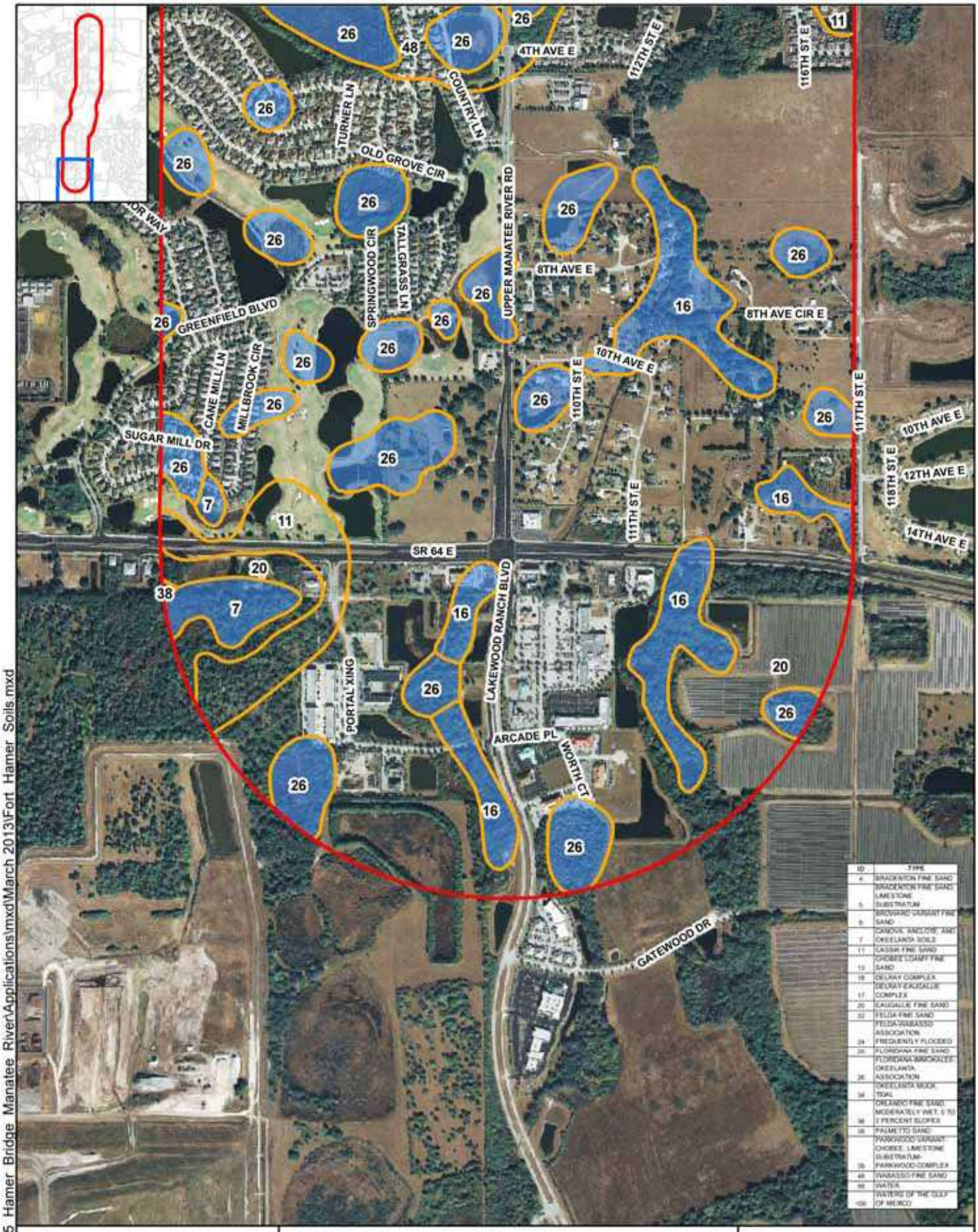
Appendix A

NRCS Soil Types within the Fort Hamer Alternative


4TH AVE E
112TH ST E
116TH ST E
COUNTRY LN
TURNER LN
OLD GROVE CIR
SPRINGWOOD CIR
TALLGRASS LN
UPPER MANATEE RIVER RD
8TH AVE E
8TH AVE CIR E
GREENFIELD BLVD
CANE MILL LN
MILLBROOK CIR
SUGAR MILL DR
10TH AVE E
110TH ST E
117TH ST E
12TH AVE E
14TH AVE E
111TH ST E
SR 64 E
LAKEWOOD RANCH BLVD
PORTAL XING
ARCADE PL
WORTH CT
GATEWOOD DR
Legend
Ft Hamer Alternative Study Area
20 NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure A1
NRCS Soil Types
within the Fort Hamer Alternative
Study Area
N
W
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0 500 1,000
Feet
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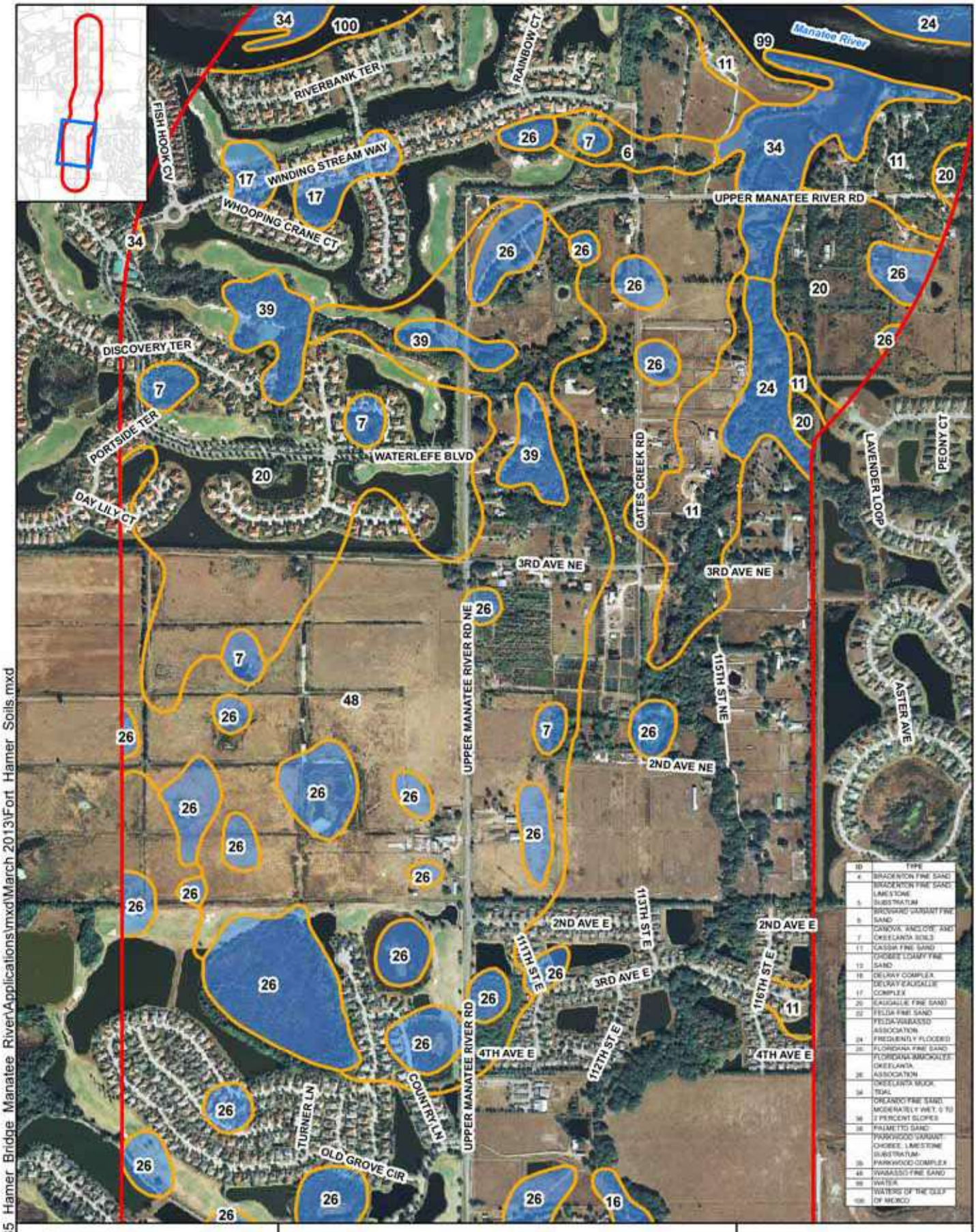

Legend

- Ft Hamer Alternative Study Area
- 20 NRCS Soils w/ ID
- Hydric NRCS Soils

Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010

Figure A2
NRCS Soil Types
within the Fort Hamer Alternative
Study Area

N W E S

0 500 1,000 Feet

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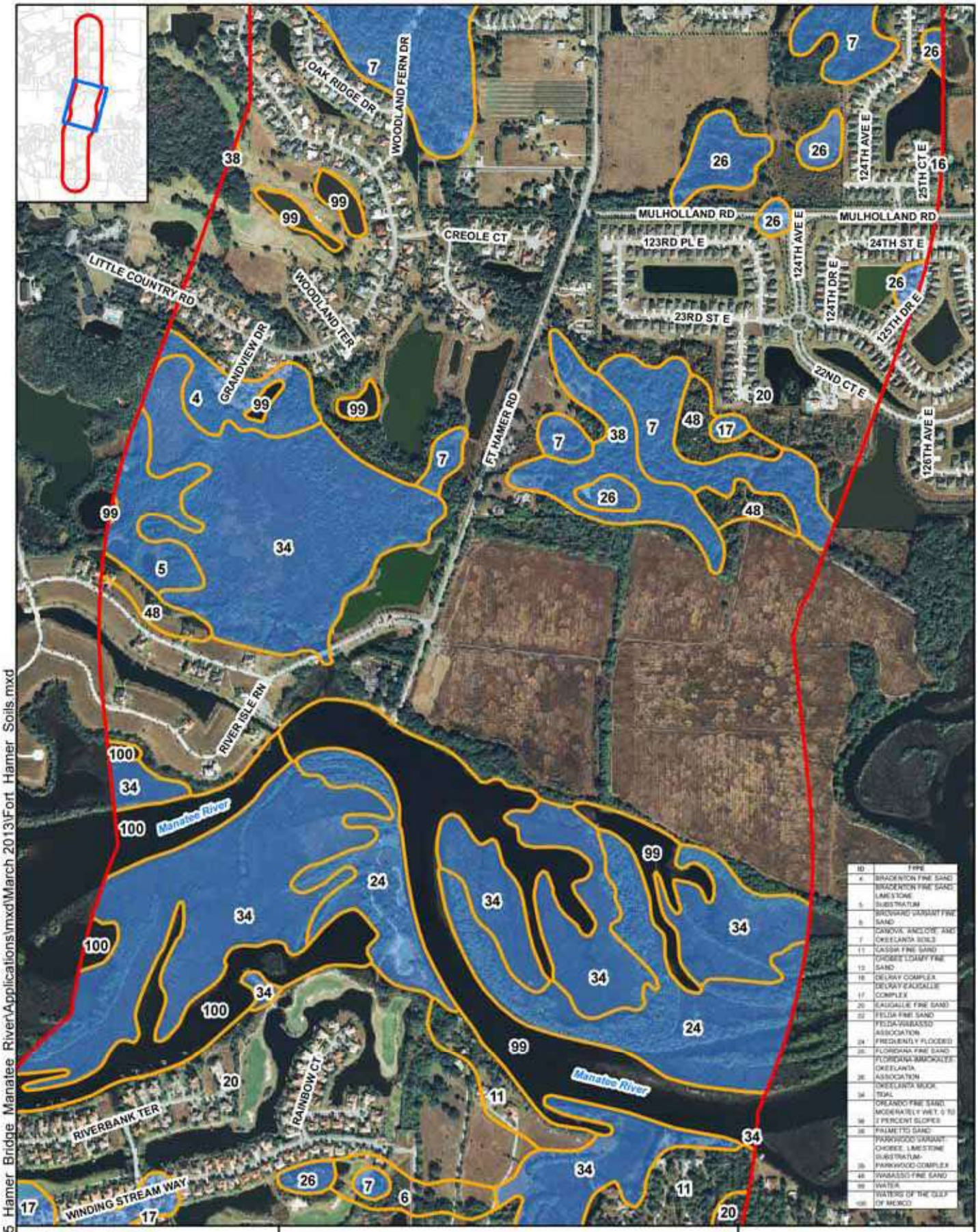
OAK RIDGE DR
WOODLAND FERN DR
CREOLE CT
LITTLE COUNTRY RD
WOODLAND TER
GRANDVIEW DR
FT HAMER RD
MULHOLLAND RD
123RD PL E
124TH AVE E
24TH ST E
124TH DR E
125TH DR E
23RD ST E
22ND CT E
25TH CT E
126TH AVE E
RIVER ISLE RN
Manatee River
RAINBOW CT
RIVERBANK TER
WINDING STREAM WAY
Manatee River
ID
TYPE
4 BRADENTON FINE SAND
5 BRADENTON FINE SAND, LIMESTONE SUBSTRATUM
6 BROWARD VARIANT FINE SAND
7 CANOVA, ANCLOTE, AND OKEELANTA SOILS
11 CASSIA FINE SAND
12 CHOBEE LOAMY FINE SAND
16 DELRAY COMPLEX
17 DELRAY-EAUGALLIE COMPLEX
20 EAUGALLIE FINE SAND
22 FELDA FINE SAND
24 FELDA-IMMOKALEE ASSOCIATION, FREQUENTLY FLOODED
25 FLORIDANA FINE SAND
26 FLORIDANA-IMMOKALEE-OKEELANTA ASSOCIATION
34 OKEELANTA MUCK, TIDAL
38 ORLANDO FINE SAND, MODERATELY WET, 0 TO 2 PERCENT SLOPES
48 PALMETTO SAND
99 WATER
100 WATERS OF THE GULF OF MEXICO
Legend
Ft Hamer Alternative Study Area
20 NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure A3
NRCS Soil Types
within the Fort Hamer Alternative
Study Area
N
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1,000
Feet
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RED ROOSTER RD
119TH TER E
122ND TER E
122ND PL E
51ST ST E
124TH AVE E
50TH CT E
49TH LN E
127TH ST E
GOLF COURSE RD
ROYCROFT TER
RYEGRASS LOOP
CREEKSIDE PARK DR
RIDGESTONE DR
SILKWOOD WAY
GLENRIDGE LN
ST CREEK TRL
LES PARTIN DR
FENNEMORE WAY
WARWICK CIR
KINGSFIELD DR
MALICKSON DR
FT HAMER RD
COLYAR LN
LARSON LN
SHREWSBURY LN
BANBURY CIR
DUNSTER LN
OLD TAMPA RD
WILDERNESS BLVD E
OAK RIDGE DR
MAPLE RIDGE DR
LITTLE COUNTRY RD
123RD CT E
30TH ST E
122ND PL E
124TH AVE E
MULHOLLAND RD
Legend
Ft Hamer Alternative Study Area
NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure A4
NRCS Soil Types
within the Fort Hamer Alternative
Study Area
N
W
E
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1,000
Feet
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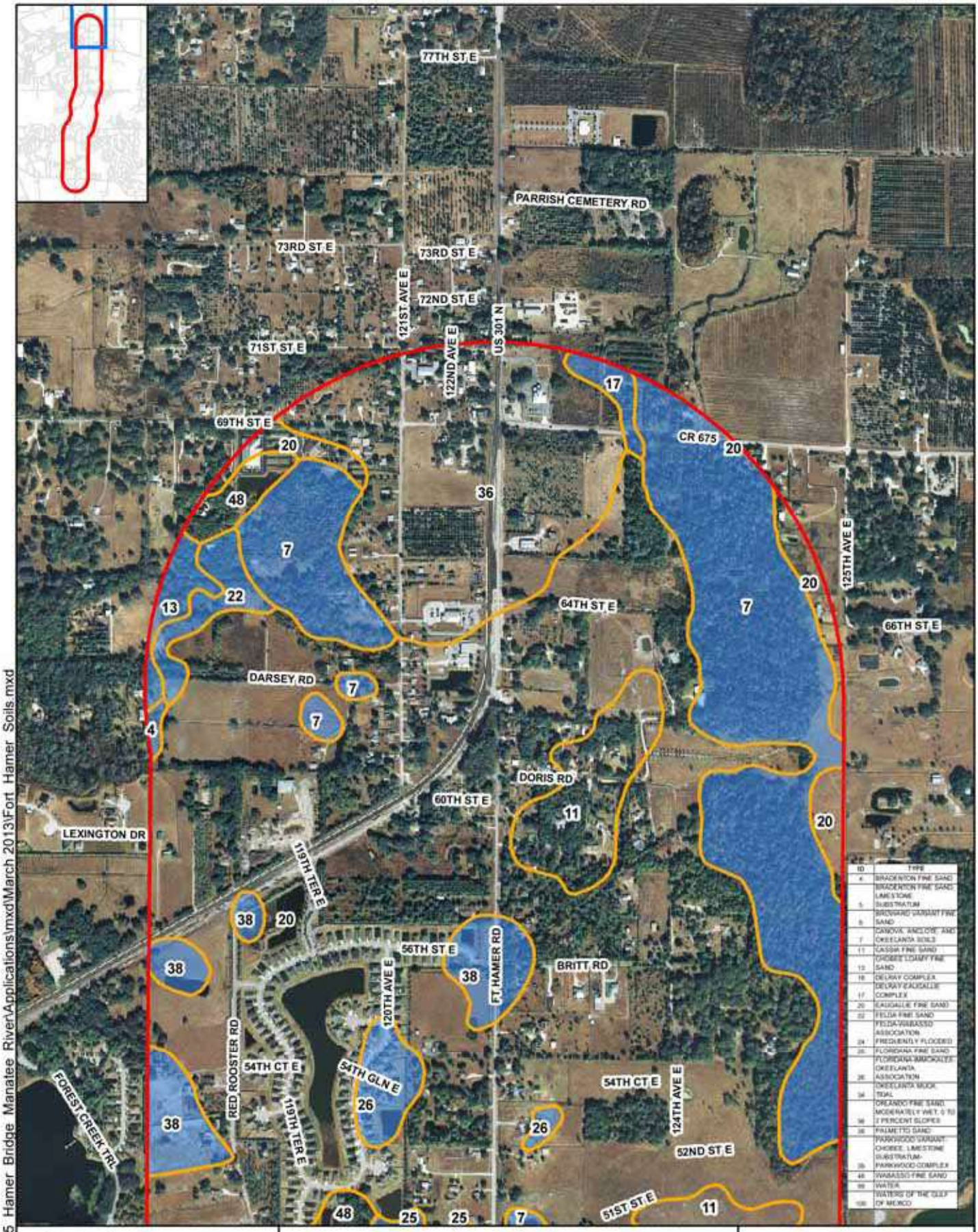

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Fort Hamer Bridge FEIS
Wetlands Evaluation Report

Appendix B

NRCS Soil Types within the Rye Road Alternative


Legend
Rye Road Alternative Study Area
20 NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B1
NRCS Soil Types
within the Rye Road Alternative
Study Area
0 500 1,000
Feet
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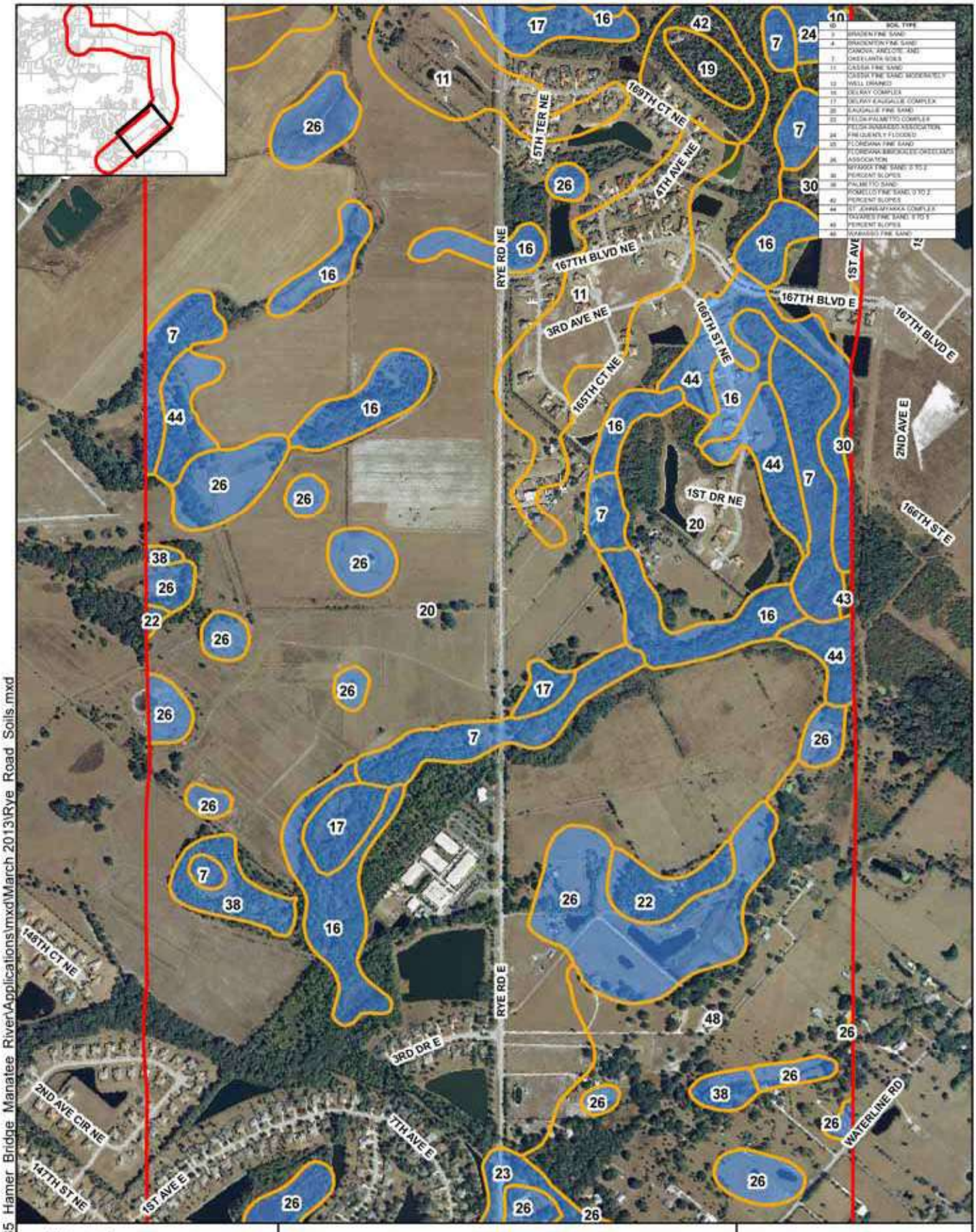
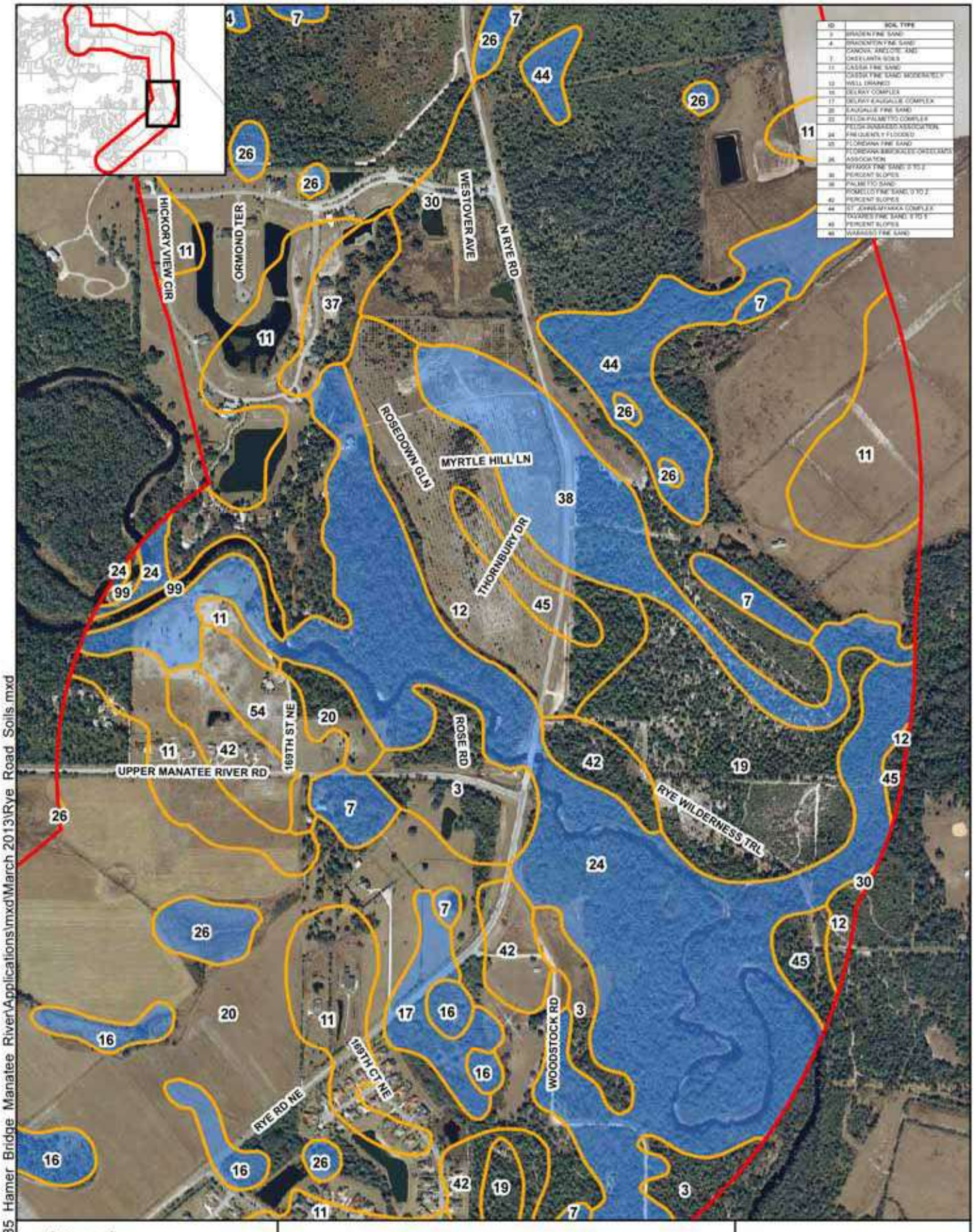
2ND AVE E
3RD AVE E
7TH AVE E
147TH ST E
WATERLINE RD
WOODVIEW WAY
6TH PL E
RYE RD E
135TH ST E
136TH CT E
137TH ST E
MILL RUN E
136TH ST E
134TH ST E
133RD ST E
PEREGRIN CIR
11TH TER E
15TH DR E
16TH DR E
17TH AVE E
145TH ST E
148TH CT E
21ST AVE E
22ND PL E
143RD CT E
141ST ST E
18TH PL E
22ND TER E
BRAMBLING CT
GREYHAWK BLVD
SR 64 E
POPE RD


Legend
Rye Road Alternative Study Area
20 NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B2
NRCS Soil Types
within the Rye Road Alternative
Study Area
0 500 1,000
Feet
Path: I:\Projects\12009385 Hamer Bridge Manatee River\Applications\mxd\March 2013\Rye Road Soils.mxd
RYE RD NE
RYE RD E
167TH BLVD NE
167TH BLVD E
1ST AVE E
2ND AVE E
3RD AVE NE
4TH AVE NE
5TH TER NE
166TH ST NE
166TH ST E
165TH CT NE
169TH CT NE
1ST DR NE
3RD DR E
7TH AVE E
2ND AVE CIR NE
147TH ST NE
148TH CT NE
WATERLINE RD



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Legend

- Rye Road Alternative Study Area
- 20 NRCS Soils w/ ID
- Hydric NRCS Soils

Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010

Figure B3
NRCS Soil Types
within the Rye Road Alternative
Study Area

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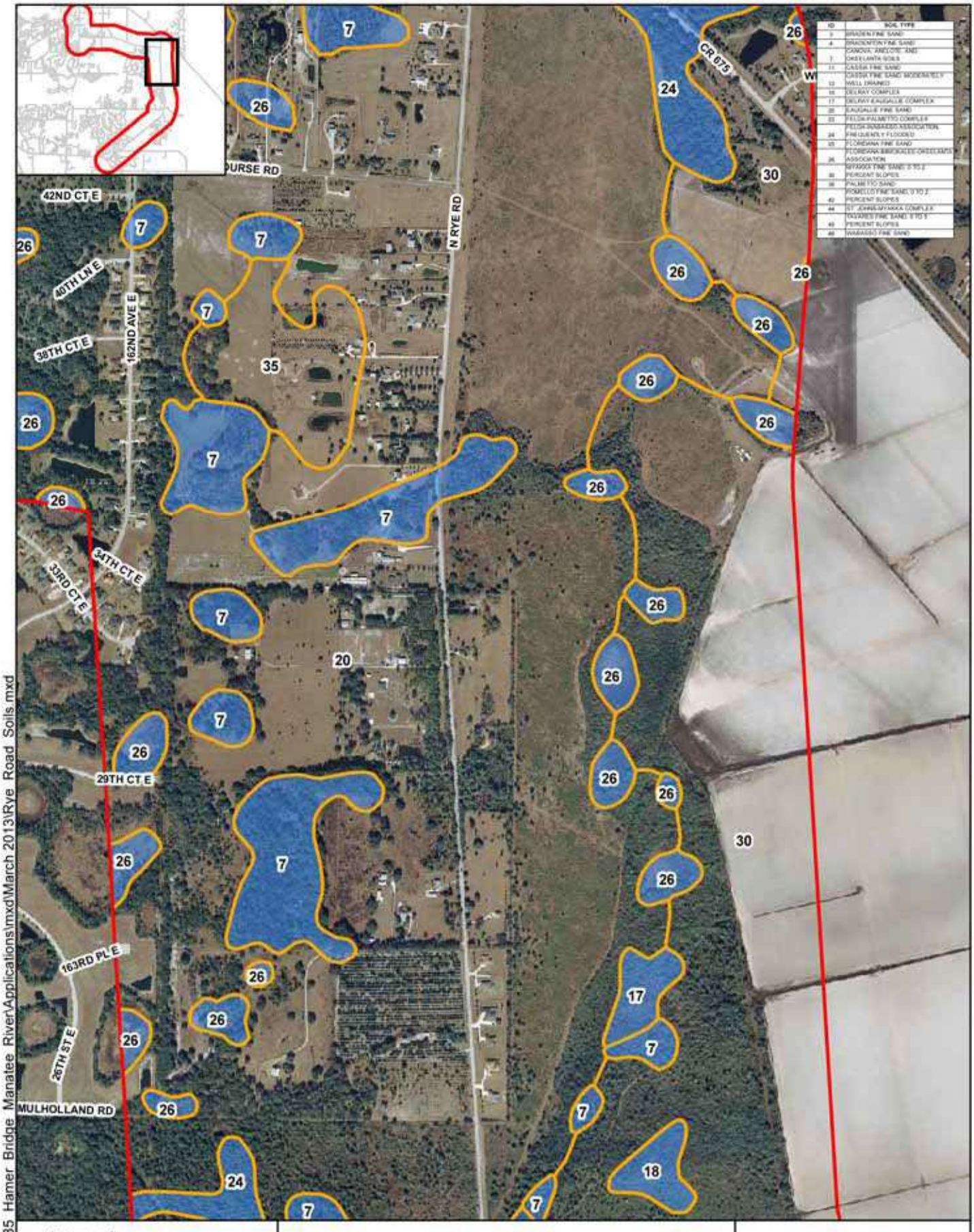
0 500 1,000
Feet


42ND CT E
40TH LN E
38TH CT E
162ND AVE E
N RYE RD
CR 675
34TH CT E
33RD CT E
29TH CT E
163RD PL E
26TH ST E
MULHOLLAND RD
Legend
Rye Road Alternative Study Area
NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B4
NRCS Soil Types
within the Rye Road Alternative
Study Area
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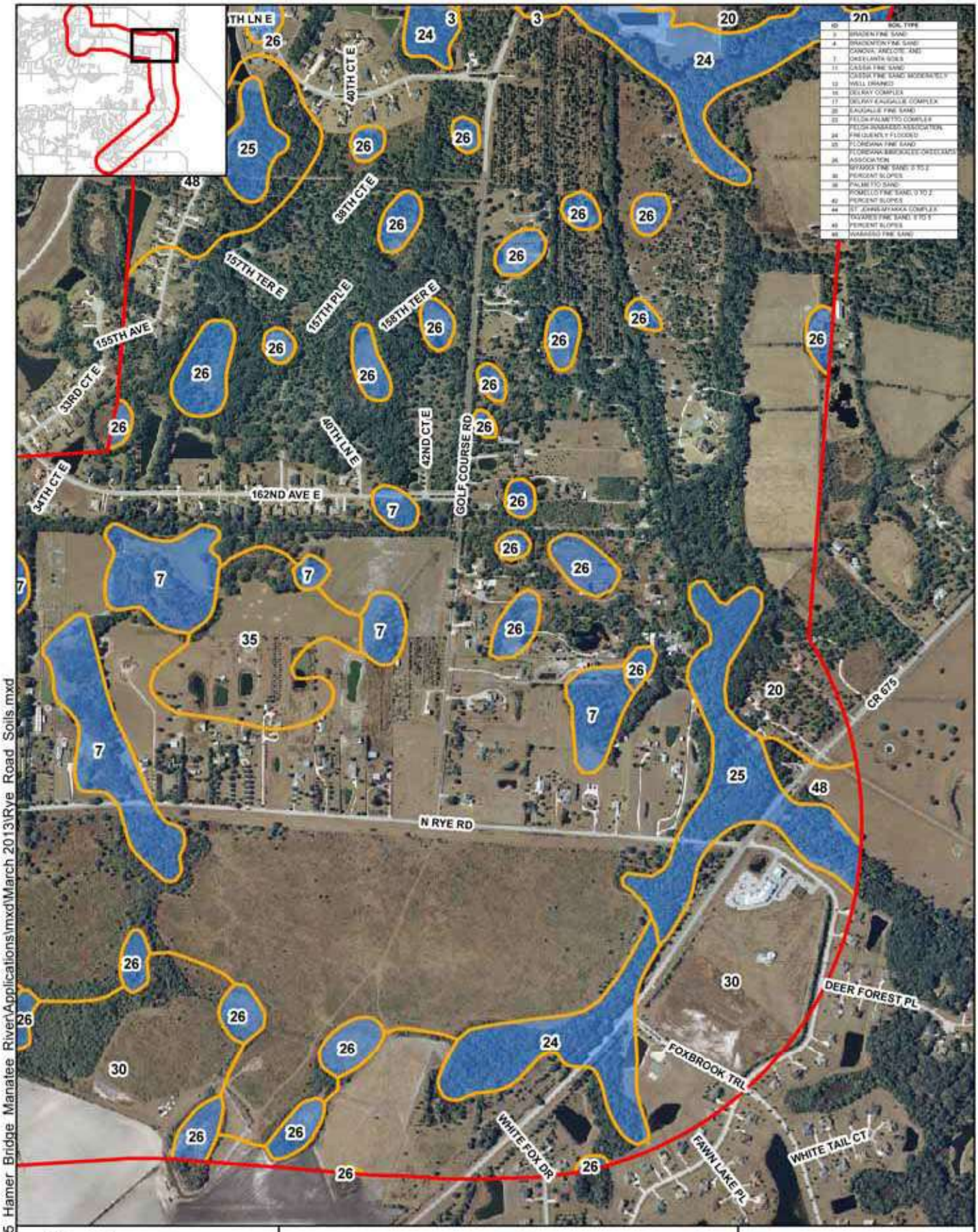
1,000
Feet
Path: I:\Projects\12009385 Hamer Bridge Manatee River\Applications\mxd\March 2013\Rye Road Soils.mxd


157TH TER E
157TH PL E
158TH TER E
155TH AVE
33RD CT E
34TH CT E
40TH CT E
39TH CT E
40TH LN E
42ND CT E
GOLF COURSE RD
162ND AVE E
N RYE RD
CR 675
DEER FOREST PL
FOXBROOK TRL
WHITE FOX DR
FAWN LAKE PL
WHITE TAIL CT
Legend
Rye Road Alternative Study Area
NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B5
NRCS Soil Types
within the Rye Road Alternative
Study Area
0 500 1,000
Feet
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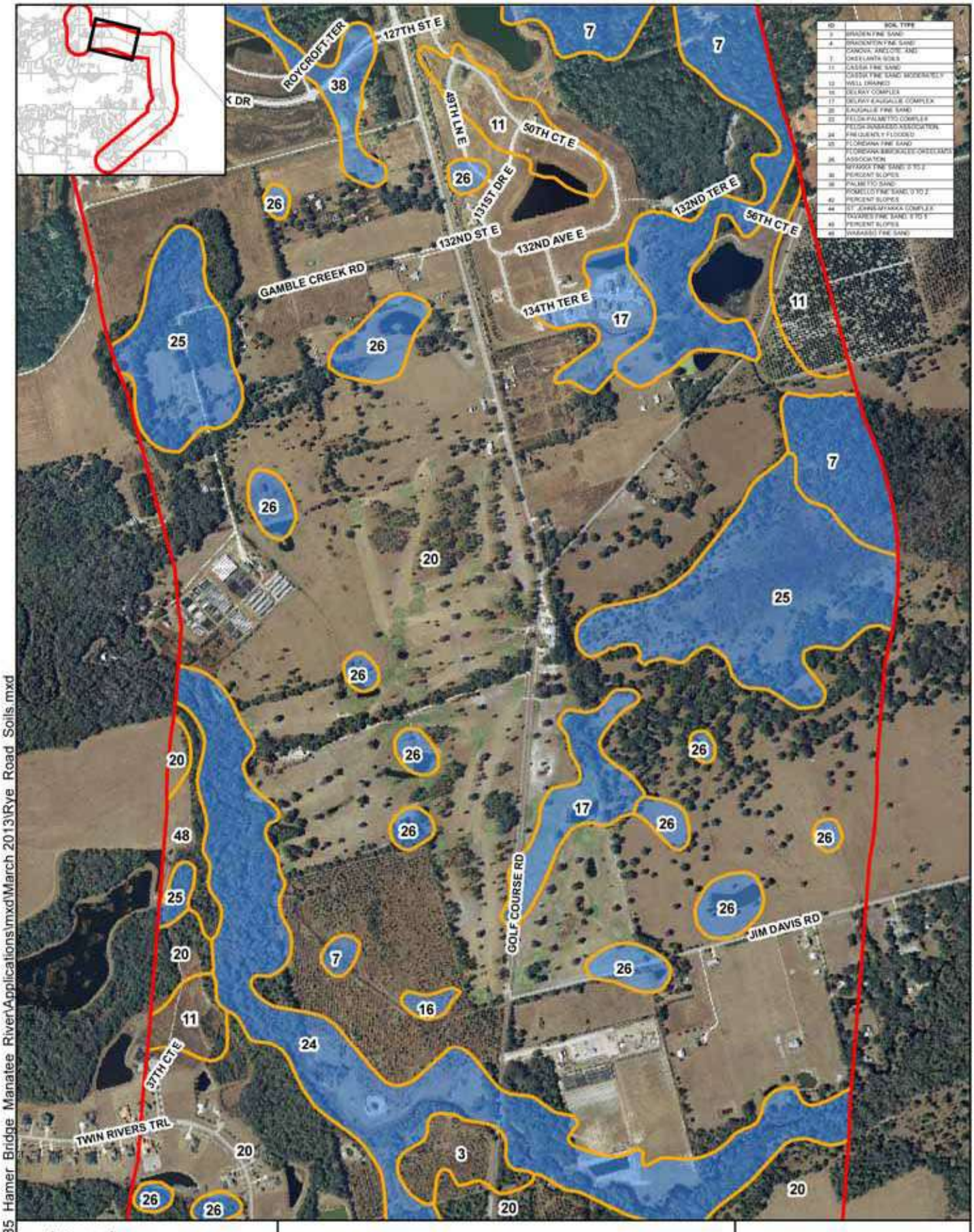
ROYCROFT TER
127TH ST E
49TH LN E
50TH CT E
1315T DR E
132ND ST E
132ND AVE E
132ND TER E
56TH CT E
GAMBLE CREEK RD
134TH TER E
GOLF COURSE RD
JIM DAVIS RD
37TH CT E
TWIN RIVERS TRL
Legend
Rye Road Alternative Study Area
NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B6
NRCS Soil Types
within the Rye Road Alternative
Study Area
0
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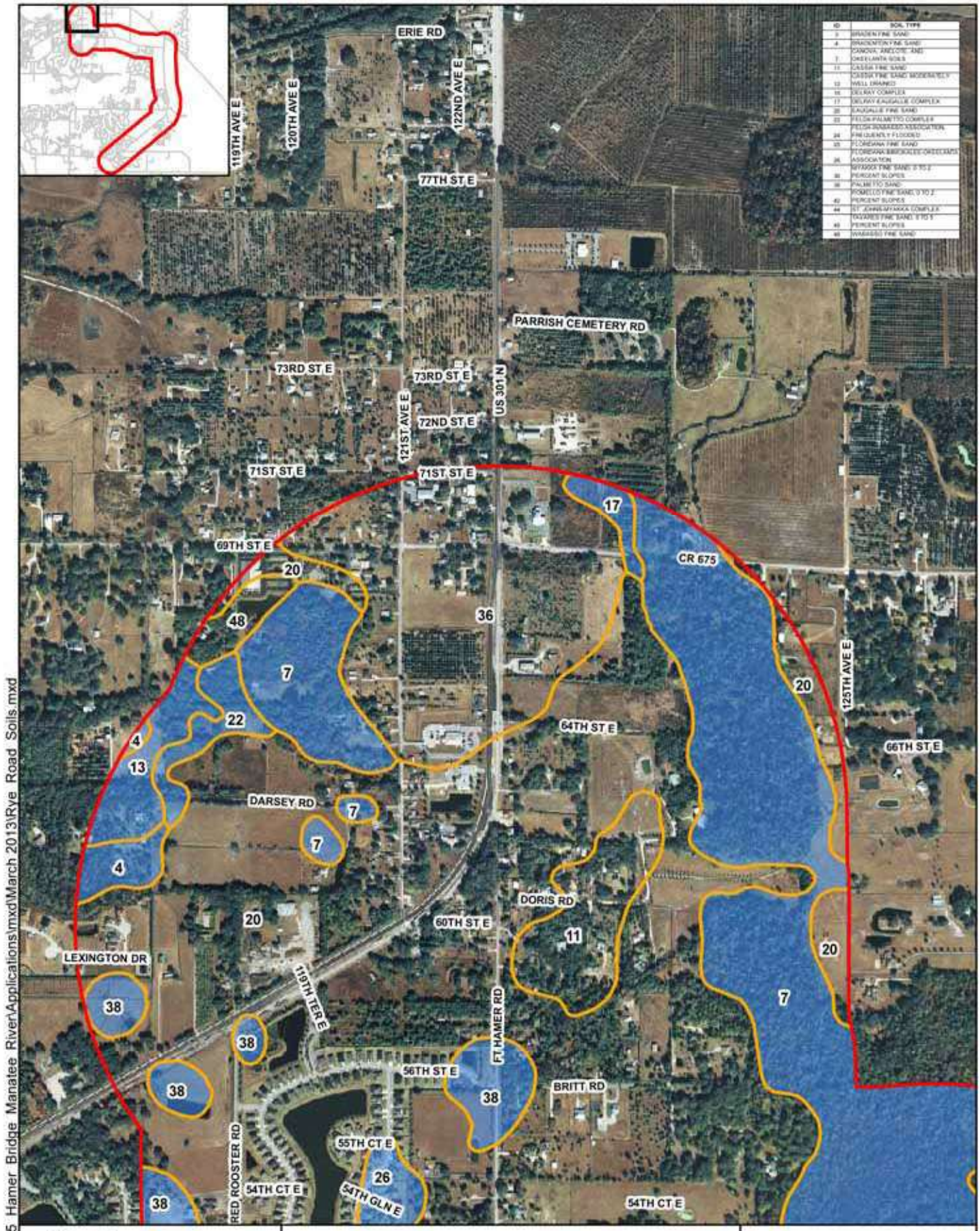
Feet
Path: I:\Projects\12009385 Hamer Bridge Manatee River\Applications\mxd\March 2013\Rye Road Soils.mxd


ERIE RD
119TH AVE E
120TH AVE E
122ND AVE E
77TH ST E
PARRISH CEMETERY RD
73RD ST E
US 301 N
121ST AVE E
72ND ST E
71ST ST E
69TH ST E
CR 675
125TH AVE E
64TH ST E
66TH ST E
DARSEY RD
DORIS RD
60TH ST E
LEXINGTON DR
119TH TER E
FT HAMER RD
56TH ST E
BRITT RD
55TH CT E
RED ROOSTER RD
54TH CT E
54TH GLN E
54TH CT E
Legend
Rye Road Alternative Study Area
20 NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B7
NRCS Soil Types
within the Rye Road Alternative
Study Area
N
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0 500 1,000
Feet
Path: I:\Projects\12009385 Hamer Bridge Manatee River\Applications\mxd\March 2013\Rye Road Soils.mxd


RED ROOSTER RD
119TH TER E
124TH AVE E
51ST ST E
52ND ST E
122ND TER E
122ND PL E
50TH CT E
GOLF COURSE RD
FOREST CREEK TRL
CHARLES PARTIN
FENNEMORE WAY
KINGSFIELD DR
WARWICK CIR
MALICKSON DR
ROYCROFT TER
CREEKSIDE PARK DR
RYEGRASS LOOP
COLYAR LN
LARSON LN
SHREWSBURY LN
DUNSTER LN
BANBURY CIR
OLD TAMPA RD
SILKWOOD WAY
GLENRIDGE LN
RIDGESTONE DR
WILDERNESS BLVD E
OAK RIDGE DR
MAPLE RIDGE DR
LITTLE COUNTRY RD
WOODLAND FERN DR
FT HAMER RD
123RD CT E
30TH ST E
30TH ST CIR E
122ND PL E
124TH AVE E
127TH PL E
SOIL TYPE
Legend
Rye Road Alternative Study Area
NRCS Soils w/ ID
Hydric NRCS Soils
Sources:
Aerial- FDOT, 2011
Soils- NRCS, 2010
Figure B8
NRCS Soil Types
within the Rye Road Alternative
Study Area
N
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Fort Hamer Bridge FEIS
Wetlands Evaluation Report

Appendix C

Agency Correspondence

APPENDIX C
AGENCY CORRESPONDENCE

Date	Source
08/19/99	NMFS to FDOT
08/06/01	SWFWMD to FDOT
08/17/01	NMFS to FDOT
10/03/01	FWS to FDOT
07/09/10	Federal Register 39555 and 39556
07/19/10	USCG Project Scoping Meeting Notification
07/20/10	USCG to USACE Tampa
07/20/10	USCG to USACE Jacksonville
07/20/10	USCG to NMFS Protected Resources Division
07/20/10	USCG to FWS
07/20/10	USC to EPA Region 4 South Florida Office
07/20/10	USCG to EPA Atlanta
07/20/10	USCG to NMFS
07/27/10	NMFS to USCG
07/29/10	USACE to USCG
08/24/10	FWS to USCG
07/24/13	USCG to NMFS
08/08/13	NMFS to USCG
08/27/13	NMFS to USCG
08/29/13	USCG to NMFS
09/18/13	USCG to NMFS
10/09/13	NMFS to URS
12/16/13	NMFS to USCG

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

August 19, 1999

Mr. Bryan Williams
District Environmental Manager
Florida Department of Transportation
Post Office Box 1249
Bartow, Florida 33830-1249

Dear Mr. Williams:

Subject: Advance Notification
Financial Management Number: 199668-1
Federal Aid Project Number: 888 650 A
Upper Manatee River Road from SR 64 to US 301
Manatee County, Florida

The National Marine Fisheries Service (NMFS) has reviewed the information provided with your letter, dated July 9, 1999, regarding the Project Development and Environmental Study of a new span across the Manatee River to connect State Road 64 and U.S. 301 in the proximity of Upper Manatee River Road and Fort Hamer Road in Manatee County, Florida.

A variety of wetland habitats occur in the project area. Notably, extensive areas of black needlerush salt marsh are common in this area of the Manatee River. Other aquatic habitats occurring in the area include mangrove wetlands and seagrasses. These aquatic resources are recognized by the NMFS as public trust resources that provide habitat and water quality functions that are essential to maintaining a viable fishery resource. These wetlands, in association with other aquatic habitats serve as nursery, forage, and/or refuge sites for estuarine finfish and invertebrates with commercial, recreational, and ecological importance. In addition to their habitat value these wetlands provide important water quality and control functions such as pollutant and sediment removal, wave attenuation, and flood water storage. The NMFS recommends that all practicable measures to avoid and minimize impacts to aquatic resources be considered during the design phase of the project.

Be advised that the project area wetlands are identified as Essential Fish Habitat (EFH) in the 1998 generic amendment of the Fishery Management Plans for the Gulf of Mexico. The generic amendment was prepared by the Gulf of Mexico Fishery Management Council as required by the 1996 amendment to the Magnuson-Stevens Fishery Conservation and Management Act. Federal agencies which permit, fund, or undertake activities which may adversely impact EFH must undertake an EFH Consultation with the NMFS. In that regard, it may be beneficial for the Florida Department of Transportation (FDOT) to address EFH in the Wetland Evaluation Report to assist

the various Federal funding and regulatory agencies in preparing their EFH Assessments for this project. EFH Assessments must include: 1) a description of the proposed action; 2) an analysis of the effects (including cumulative effects) of the proposed action on EFH, the managed fish species, and major prey species; 3) the Federal agency's views regarding the effects of the action on EFH; and 4) proposed mitigation, if applicable. Additional information regarding EFH can be found at http://galveston.ssp.nmfs.gov/.

In cases where two or more Federal agencies are undertaking, funding, and/or permitting an action one agency may assume the EFH Consultation responsibility for the project provided the NMFS is notified by the lead Federal agency that it is acting on behalf of the other agencies. Refer to 50 CFR Sections 600.920(b) and 600.920(c) (*Federal Register* Vol. 62, No. 244; December 19, 1997; Page 66556) for information regarding designation of consultation responsibility.

We appreciate the opportunity to provide you with our comments. Please direct related comments, questions, or correspondence to Mr. David N. Dale in St. Petersburg, Florida. He may be contacted at 727/570-5311 or at the letterhead address above.

Sincerely,

W. Mark Thompson for

Andreas Mager, Jr.
Assistant Regional Administrator
Habitat Conservation Division

cc:
COE-Jacksonville (M. Nowicki)
COE-Tampa (E. Summa)
SWFWMD-Brooksville (C. Hull)
USCG-Miami
EPA-Atlanta
FWS-Vero Beach
FHWA-Tallahassee
F/SER4
F/SER43-St Pete

Southwest Florida
Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

An Equal Opportunity Employer

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)
SUNCOM 578-2070

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

Venice Service Office
115 Corporation Way
Venice, Florida 34292-3524
(941) 486-1212 or
1-800-320-3503 (FL only)
SUNCOM 526-6900

Lecanto Service Office
3600 West Sovereign Path
Suite 226
Lecanto, Florida 34461-8070
(352) 527-8131
SUNCOM 667-3271

August 6, 2001

AUG 08 2001

Environmental Management

Ms. Gwen G. Pipkin
Environmental Project Manager
Florida Department of Transportation
Post Office Box 1249
Bartow, FL 33831-1249

RE: PD&E - Final Draft Wetland Evaluation Report (WER)
Upper Manatee River Road
FN: 199668-1-21-01 FPI: 888 650 A
Manatee County, Florida

Dear Ms. Pipkin:

The Southwest Florida Water Management District (SWFWMD) appreciates the WER concerning the above referenced project. It appears the SWFWMD might be able to provide appropriate mitigation for the proposed wetland impacts associated with the project. Depending on approval from the other federal and state regulatory agencies, this mitigation may include saltwater wetland restoration activities associated with Terra Ceia, a SWFWMD-SWIM project within the Manatee River Basin. The ability to mitigate the freshwater wetland impacts within an existing project site utilized for FDOT Mitigation (Rutland Ranch, SWFWMD - Land Management) will depend on the ability to eliminate and reduce impacts. Rutland Ranch is currently proposed to provide mitigation for freshwater wetland impacts associated with future expansion of SR 64.

As this Upper Manatee River Road project progresses, the SWFWMD would appreciate status updates and will continue evaluating mitigation options in preparation if this project does proceed into the design and permitting phase. This mitigation could include habitat enhancement & restoration of existing public lands (e.g. SWFWMD, FDEP, FFWCC, County), proposed public lands acquisition & habitat improvements, and/or habitat improvements associated with private mitigation banks. No private mitigation banks are currently available within the Manatee River Basin.

The capability to provide mitigation doesn't negate the FDOT from permitting requirements (reference ERP Manual, Part B, Chapter 3.2.1) to evaluate and justify design modifications to eliminate or reduce wetland impacts associated with proposed projects.

This WER will be forwarded to the SWFWMD-Venice office for their review and files. They may have additional comments of this report and will be the responsible WMD office to review any potential ERP applications associated with this project. District One staff is encouraged to request assistance and guidance from Hugh Dinkler (SunCom 526-6900) and his staff.

When appropriate mitigation options are located and approved by the various federal and state environmental regulatory agencies, the SWFWMD is committed to comply with the statutory provisions (Section 373.4137, Florida Statutes) to provide mitigation for wetland impacts associated with FDOT projects. We look forward to continue working with you and others on this project and if you should have any questions or comments, please don't hesitate to call me at (352) 796-7211, ext. 4488, Suncom 628-4488, or via e-mail at mark.brown@swfwmd.state.fl.us.

Sincerely,

Mark Brown

Mark M. Brown, PWS, CPSS
Environmental Scientist

cc: FDOT Mitigation - Manatee River Basin File
SWFWMD - Venice, Hugh Dinker, Environmental Manager
SWFWMD - Tampa, SWIM, Brandt Henningsen, Ph.D., Senior Env. Scientist
SWFWMD - Brooksville, Clark Hull, Environmental Program Director

333-4.0

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

August 17, 2001

Gwen G. Pipkin
Florida Department of Transportation
District One Environmental Management Office
PO Box 1249
Bartow, Florida 33831-1249

Dear Ms. Pipkin:

Subject: Draft Wetland Evaluation Report
Upper Manatee River Road PD& E Study
Financial Project No.: 199668-1-21-01
Federal Project ID No.: 8888 650 A
Manatee County, Florida

The National Marine Fisheries Service (NMFS) has reviewed the draft Wetland Evaluation Report provided on July 19, 2001. The Florida Department of Transportation (FDOT) has made a determination that the subject project is expected to have minimal adverse impacts on Essential Fish Habitat. We find that the descriptions of fishery resources and habitats in the project area are adequate. Additionally, the report adequately describes the potential adverse impacts associated with the proposed activity. Compensatory mitigation is expected to be accomplished by the Southwest Florida Water Management District (SWFWMD) via the provisions of Florida Statute 373.4137.

The report identifies indirect impacts to vegetative communities that would be shaded by the bridge structure. However, FDOT anticipates mitigating only for the direct impacts (i.e. filling) on wetlands. In view of this, the NMFS finds that the project as currently proposed could have a more than minimal adverse impact on EFH and associated fishery resources. Recognizing that final project plans will be developed during the design stage of the project; appropriate mitigation will be determined via the FDOT/SWFWMD's Mitigation Core Group; and, that EFH consultation will be completed during the permitting phase, the NMFS provides the following:

Preliminary EFH Conservation Recommendation

Compensatory mitigation should be provided for lost and reduced wetland functions resulting from direct and indirect project impacts such as filling, dredging, and shading.

We appreciate the opportunity to provide you with our comments. Please direct related comments, questions, or correspondence to Mr. David N. Dale in St. Petersburg, Florida. He may be contacted at 727/570-5311 or at the letterhead address above.

Sincerely,

for Andreas Mager, Jr.
Assistant Regional Administrator.
Habitat Conservation Division

cc:
F/SER4
F/SER43
FWS-St. Petersburg
EPA-Atlanta
FDEP-Tampa
FFWCC-Punta Gorda

333-9.0

United States Department of the Interior

FISH AND WILDLIFE SERVICE
6620 Southpoint Drive South
Suite 310
Jacksonville, Florida 32216-0912

IN REPLY REFER TO:
FWS/R4/ES-JAFL

October 3, 2001

Ms. Gwen Pipkin
Florida Department of Transportation
801 N. Broadway
Bartow, Florida 33830

RECEIVED
OCT 09 2001
Environmental Management
Office

Re: Draft Wetland Evaluation Report
FWS Log No: 01-1034 (2) (St. Pete)

Dear Ms. Pipkin:

This is in response to your Draft Wetland Evaluation Report provided July 19, 2001, requesting our review and concurrence that the impacts proposed for the Upper Manatee River Road will not adversely impact federally listed species.

The project purpose is to improve north-south traffic circulation between I-75 and Rye Road/C.R. 675 and S.R. 64 and U.S. 301. Four potential corridors have been identified for the project; expansion of I-75, Upper Manatee River Road/Fort Hammer Road, Rye Road/C.R. 675, and Rye Road/Golf Course Road.

The Service finds that the report adequately describes the potential impacts to habitats in the project area. Compensatory mitigation is expected to be accomplished by the Southwest Florida Water Management District via the provisions of Florida Statute 373.4137.

The report discusses indirect impacts to vegetative communities that could be shaded by the bridge The FDOT expects to mitigate for direct impacts to wetlands. The Service will comment on the appropriateness of the mitigation proposed for direct and indirect wetland impacts through the FDOT Mitigation Review process and the Corps' permitting process.

At this time the impacts to sea grasses are minimal and therefore are not likely to adversely affect critical habitat for the West Indian manatee (*Trichecus manatus*).

We appreciate the opportunity to comment. If you have any question please contact Shelley Norton, (727) 570-5398, extension 14.

Sincerely,

Don Palmer

for Peter M. Benjamin
Asst. Field Supervisor

S: palmer\01-1034(2)\scm\10.03.01

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2010–0455]

Environmental Impact Statement; Fort Hamer Bridge, Manatee County, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of intent to prepare a National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS); request for comments; notice of public scoping meeting.

SUMMARY: The U.S. Coast Guard announces its intent to prepare an EIS for a proposed new bridge (Fort Hamer Bridge) crossing over the Manatee River in Manatee County, Florida. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road.

We request your comments on environmental concerns related to a new bridge over the Manatee River in Manatee County, Florida. This includes suggesting analyses, methodologies and possible sources of data or information related to a new bridge.

The Coast Guard will hold a public scoping meeting for citizens to provide oral and written comments relating to the proposed Fort Hamer Bridge and the preparation of an EIS. This meeting will be open to the public.

DATES: *Comment period:* Comments and related material must either be submitted to our online docket via *http://www.regulations.gov* on or before August 23, 2010, or reach the Docket Management Facility by that date.

Public meeting: A public scoping meeting will be held on Tuesday, August 17, from 4 p.m. to 8 p.m. to provide an opportunity for oral comments. If you would like to make an oral presentation at the meeting or submit written materials as part of the meeting record please provide your information identified by docket number USCG–2010–0455 to either the online docket via *http://www.regulations.gov* or the Docket Management Facility no later than August 3, 2010 using any one of the four methods listed under addresses. Requests to make oral comments or to submit written comments and related material may also be submitted to Coast Guard personnel specified at that meeting.

ADDRESSES: The public scoping meeting will be held at the Carlos E. Haile Middle School, 9501 E. State Road 64, Bradenton, Florida 34212–7240 and can be contacted at (941) 714–7240.

You may submit written comments identified by docket number USCG–2010–0455 using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these methods. For instructions on submitting comments, see the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: If you have questions regarding this notice, please contact Mr. Randall Overton, U.S. Coast Guard, telephone 305–415–6749, e-mail *randall.d.overton@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to participate in the scoping process by submitting comments and related material. The purpose of the scoping process is to ensure that the full range of issues related to the proposed action are addressed, and all significant issues identified, comments and suggestions are invited from all interested parties. All comments received will be posted, without change, to *http://www.regulations.gov* and will include any personal information you have provided.

Submitting comments: If you submit a comment, please include the docket number for this notice (USCG–2010–0455) and provide a reason for each suggestion or recommendation. We recommend that you include your name and a mailing address, an e-mail address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission. You may submit your comments and material online, or by fax, mail or hand delivery, but please use only one of these means.

To submit your comment online, go to *http://www.regulations.gov,* click on the "submit a comment" box, which will then become highlighted in blue. In the "Document Type" drop down menu select "Notices" and insert "USCG–2010–0455" in the "Keyword" box. Click "Search" then click on the balloon shape in the Actions column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

Viewing the comments: To view the comments as well as documents submitted to the docket go to *http://www.regulations.gov,* click on the "read comments" box, which will then become highlighted in blue. In the "Keyword" box insert USCG–2010–0455 and click "Search." Click the "Open Docket Folder" in the "Actions" column. You may also view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act: Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act, system of records notice regarding our public dockets in the January 17, 2008 issue of the **Federal Register** (73 FR 3316).

Information on service for individuals with disabilities: For information on facilities or services for individuals with disabilities or to request special assistance at the public meeting contact Mr. Randall Overton, U.S. Coast Guard, telephone 305–415–6749, e-mail *randall.d.overton@uscg.mil.*

Background and Purpose

The proposed bridge crossing is a priority project in the Financially Feasible Plan of the Sarasota-Manatee Metropolitan Planning Organization's (SMMPO) 2030 Long Range Transportation Plan. The project's Web site is *http://www.forthamerbridge.com.* According to the SMMPO, the proposed bridge is needed to provide an alternate

north/south route to the east of Interstate Highway 75 (I–75) and enhance emergency service access to northeast Manatee County. Further, a new bridge will serve to improve the level of service to the existing network of north Manatee County roadways as development expands through the Parrish area and northward in Manatee County. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road.

Alternatives under consideration include: (1) Taking no action; and (2) various build alternatives that satisfy the purpose and need. Build alternatives may include low, mid, and high-level fixed bridges, alternatives to the east, west and center of the project corridor, and other alternatives that may result from the scoping process. We are requesting your comments on environmental concerns that you may have related to a new bridge in northeast Manatee County. This includes suggesting analyses and methodologies for use in the EIS or possible sources of data or information we should consider.

Public Scoping Meeting

The Public Scoping Meeting is open to the public and will start with an informal open house, followed by an overview presentation and a formal public comment period.

At the open house, Coast Guard personnel will be available to provide more information about the National Environmental Policy Act (NEPA), EIS process, and the Fort Hamer Bridge design project. Project graphics providing basic information about the project and the NEPA EIS process will be on display during the informal portion of the meeting.

Attendees at the meeting, who wish to present testimony and have not previously made a request to do so, will follow those having submitted a request, as time permits. If a large number of persons wish to speak, the presiding officer may limit the time allotted to each speaker. Conversely, the public meeting may end early if all present wishing to speak have done so.

A court reporter will be present during both the informal open house and the formal public comment period to record verbal comments from the public. The public can submit written comments related to the EIS and the proposed action at any time during the meeting. Verbal comments will be recorded and transcribed, and the transcription will be placed in the public docket along with any written statements that may be submitted during the meeting. These comments and statements will be addressed by the Coast Guard as part of the EIS.

Scoping Process

Public scoping is an early and open process for determining the scope of issues to be addressed in this EIS and for identifying the issues related to the proposed action that may have a significant effect on the project environment. The scoping process begins with publication of this notice and ends after the Coast Guard has:

- Invited the participation of Federal, State, and local agencies, any affected Indian tribe, and other interested persons;
- Requested the Environmental Protection Agency, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the Federal Highway Administration, and the United States Army Corps of Engineers to serve as cooperating agencies in the preparation of this EIS. With this Notice of Intent, we are asking Federal, State, and local agencies with jurisdiction or special expertise with respect to environmental issues in the project area, in addition to those we have already contacted, to formally cooperate with us in the preparation of this EIS;
- Determined the scope and the issues to be analyzed in depth in the EIS;
- Allocated responsibility for preparing the EIS components;
- Indicated any related environmental assessments or environmental impact statements that are not part of this EIS;
- Identified other relevant environmental review and consultation requirements, such as Coastal Zone Management Act consistency determinations, and threatened and endangered species and habitat impacts;
- Indicated the relationship between timing of the environmental review and other aspects of the application process; and
- Exercised our option under 40 CFR 1501.7(b) to hold the public scoping meeting announced in this notice.

Once the scoping process is complete, the Coast Guard will prepare a draft EIS, and we will publish a **Federal Register** notice announcing its public availability. If you wish to be mailed or e-mailed the announcement of the EIS's notice of availability, please contact the person named in **FOR FURTHER INFORMATION CONTACT** or send a request to be added to our contact mailing list along with your name and mailing address or an e-mail address online, by fax, mail, or hand delivery according to the "Submitting comments" instructions above. Please include the docket number for this notice (USCG–2010–0455) in your request. If you provide comments on this notice, we will automatically add your contact information to our contact mailing list and you will automatically be sent an announcement of the draft EIS's notice of availability. We will provide the public with an opportunity to review and comment on the draft EIS. After the Coast Guard considers those comments, we will prepare the final EIS and similarly announce its availability and solicit public review and comment.

Dated: July 2, 2010.

Dana A. Goward,

Director, Office of Assessment, Integration and Risk Management.

[FR Doc. 2010–16721 Filed 7–8–10; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2489–09; DHS Docket No. USCIS 2010–0032]

RIN 1615–ZA95

Extension of the Designation of El Salvador for Temporary Protected Status and Automatic Extension of Employment Authorization Documentation for Salvadoran TPS Beneficiaries

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This Notice announces that the Secretary of Homeland Security has extended the designation of El Salvador for temporary protected status (TPS) for 18 months from its current expiration date of September 9, 2010, through March 9, 2012. This Notice also sets forth procedures necessary for nationals of El Salvador (or aliens having no nationality who last habitually resided in El Salvador) with TPS to re-register and to apply for an extension of their employment authorization documents (EADs) with U.S. Citizenship and Immigration Services (USCIS). Re-registration is limited to persons who previously registered for TPS under the designation of El Salvador and whose applications have been granted or remain pending. Certain nationals of El Salvador (or aliens having no nationality who last habitually resided in El Salvador) who have not previously

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Avenue (RM 432)
Miami Fl 33187
Staff Symbol: obr
Phone: 305-415-6749
Fax: 305-415-6763
Email: randall.d. overton@uscg.mil

16475/3889
1928
July 19, 2010

PROJECT SCOPING MEETING NOTIFICATION

Subject: Project Name: Fort Hamer Bridge, Manatee River Crossing
Project Limits: From approximately 900 feet north of Waterlefe Boulevard on Upper Manatee River Road to 1,600 feet south of Mulholland Road on Fort Hamer Road
County/State: Manatee County, Florida
USCG Docket Number: USCG-2010-0455

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) on the above referenced project. This letter is an invitation for you or someone from your agency to attend a scoping meeting. The scoping meeting will be held on Tuesday, August 17, 2010 from 4 p.m. to 8 p.m. at Carlos E. Haile Middle School, 9501 E. State Road 64, Bradenton, Florida 34212-7240.

The purpose of this scoping meeting is to:

1. Determine the scope and significance of issues and the degree of analysis required for the EIS. This will also include identification of the range of alternatives and potential impacts to be evaluated.

2. Identify issues which are not significant or which have been covered by prior environmental studies and eliminate them from detailed study. This would narrow discussion in the EIS to a brief description of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

3. Allocate assignments for sections of the EIS among lead and cooperating agencies with the lead agency (USCG) retaining responsibility for the EIS preparation.

4. Identify any environmental assessments or impact statements, which are being prepared and are related to, but are not part of, the scope of the EIS under consideration.

5. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS. Examples of additional requirements include surveys and studies required by the National Historic Preservation Act and the Endangered Species Act.

6. Identify permits, licenses, or entitlements that will be necessary.

7. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

16475/3889
July 19, 2010

URS Corporation Southern of Tampa, Florida has been retained by the County to develop the EIS and conceptual design features for the proposed project.

The proposed improvements would involve a new bridge crossing over the Manatee River in Manatee County, Florida. The project limits extend from approximately 900 feet north of Waterlefe Boulevard on Upper Manatee River Road to 1600 feet south of Mulholland Road on Fort Hamer Road
Alternatives that have been considered or are currently under consideration include:

1. Taking no action;
2. Constructing a low, mid, or high-level bridge;
3. Alternatives to the east, west and center of the project corridor; and
4. Alternate corridors.

The proposed bridge will provide an alternate north/south route to the east of Interstate Highway 75 (I-75) and enhance emergency service access to northeast Manatee County. The proposed bridge will improve the level of service to north Manatee County roadways as development expands through the Parrish area and northward in Manatee County.

This formal scoping meeting is necessary to aid the USCG and the County in project development and to increase interagency awareness of concerns. An agenda and project location map are enclosed to assist you in studying this project and outlining potential issues. If you have any questions prior to the meeting please contact: Randall Overton, U.S. Coast Guard, telephone 305–415–6749, e-mail *randall.d.overton@uscg.mil.*

Your agency's participation and cooperation in this preliminary issues identification effort is highly encouraged, and the USCG would appreciate being notified by August 3, 2010 whether your agency will attend this meeting.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
Miami, FL 33131-3050
Staff Symbol: dpb
Phone: 305-415-6749
Fax: 305-415-6763
Email: randall.d.overton@uscg.mil

16475/3889
1932
July 20, 2010

Mr. John Fellows
U.S. Army Corps of Engineers
10117 Princess Palm Avenue, Suite 120
Tampa, FL 33610-8302

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Mr. Fellows:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Regulatory Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

The proposed bridge crossing is a priority project in the Financially Feasible Plan of the Sarasota-Manatee Metropolitan Planning Organization's (SMMPO) 2030 Long Range Transportation Plan. The project's Web site is *http://www.forthamerbridge.com*. According to the SMMPO, the proposed bridge is needed to provide an alternate north/south route to the east of Interstate Highway 75 (I–75) and enhance emergency service access to northeast Manatee County. Further, a new bridge will serve to improve the level of service to the existing network of north Manatee County roadways as development expands through the Parrish area and northward in Manatee County. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road. Alternatives under consideration include: (1) Taking no action; and (2) various build alternatives that satisfy the purpose and need. Build alternatives may include low, mid, and high-level fixed bridges, alternatives to the east, west and center of the project corridor, and other alternatives that may result from the scoping process. We are requesting your comments on environmental concerns that you may have related to a new bridge in northeast Manatee County. This includes suggesting analyses and methodologies for use in the EIS or possible sources of data or information we should consider.

Your agency's involvement as a Cooperating Agency should entail those areas under its jurisdiction. Responsibilities of a Cooperating Agency include:

- Participation in the NEPA scoping and environmental review process at the earliest possible time.
- Providing comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assisting in the development of a project coordination plan, including a project schedule.
- Providing (on request of the lead agency) information and assisting with the preparation of environmental analyses including portions of the NEPA documents relevant to your agencies jurisdiction or area of special expertise.
- Providing staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identifying, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.

In response to a lead agency's request for assistance in preparing an environmental impact statement, a Cooperating Agency may reply that other program commitments preclude any involvement or their degree of involvement.

As a Cooperating Agency, you should expect the NEPA document to enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the Environmental Impact Statement will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further, we intend to utilize the Environmental Impact Statement and our subsequent Record of Decision as our decision-making documents.

We look forward to your response to our request for your agency to be a Cooperating Agency and to working with you on this project. The favor of a reply is requested by 12 August 2010. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this Environmental Impact Statement, please contact Randall D. Overton, USCG, Federal Permit Agent, at randall.d.overton@uscg.mil or 305-415-6749.

Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security

United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
Miami, FL 33131-3050
Staff Symbol: dpb
Phone: 305-415-6749
Fax: 305-415-6763
Email: randall.d.overton@uscg.mil

16475/3889
1932
July 20, 2010

Col. Paul Grosskruger, District Engineer
U.S. Army Corps of Engineers, Jacksonville District
Regulatory Branch
P.O. Box 4970
Jacksonville, FL 32232-0019

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Colonel Grosskruger:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Regulatory Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

The proposed bridge crossing is a priority project in the Financially Feasible Plan of the Sarasota-Manatee Metropolitan Planning Organization's (SMMPO) 2030 Long Range Transportation Plan. The project's Web site is *http://www.forthamerbridge.com*. According to the SMMPO, the proposed bridge is needed to provide an alternate north/south route to the east of Interstate Highway 75 (I–75) and enhance emergency service access to northeast Manatee County. Further, a new bridge will serve to improve the level of service to the existing network of north Manatee County roadways as development expands through the Parrish area and northward in Manatee County. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road. Alternatives under consideration include: (1) Taking no action; and (2) various build alternatives that satisfy the purpose and need. Build alternatives may include low, mid, and high-level fixed bridges, alternatives to the east, west and center of the project corridor, and other alternatives that may result from the scoping process. We are requesting your comments on environmental concerns that you may have related to a new bridge in northeast Manatee County. This includes suggesting analyses and methodologies for use in the EIS or possible sources of data or information we should consider.

Your agency's involvement as a Cooperating Agency should entail those areas under its jurisdiction. Responsibilities of a Cooperating Agency include:

- Participation in the NEPA scoping and environmental review process at the earliest possible time.
- Providing comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assisting in the development of a project coordination plan, including a project schedule.
- Providing (on request of the lead agency) information and assisting with the preparation of environmental analyses including portions of the NEPA documents relevant to your agencies jurisdiction or area of special expertise.
- Providing staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identifying, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.

In response to a lead agency's request for assistance in preparing an environmental impact statement, a Cooperating Agency may reply that other program commitments preclude any involvement or their degree of involvement.

As a Cooperating Agency, you should expect the NEPA document to enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the Environmental Impact Statement will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further, we intend to utilize the Environmental Impact Statement and our subsequent Record of Decision as our decision-making documents.

We look forward to your response to our request for your agency to be a Cooperating Agency and to working with you on this project. The favor of a reply is requested by 12 August 2010. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this Environmental Impact Statement, please contact Randall D. Overton, USCG, Federal Permit Agent, at randall.d.overton@uscg.mil or 305-415-6749.

Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
Miami, FL 33131-3050
Staff Symbol: dpb
Phone: 305-415-6749
Fax: 305-415-6763
Email: randall.d.overton@uscg.mil

16475/3889
1932
July 20, 2010

Mr. David Bernhart Assistant Administrator
National Marine Fisheries Service
Protected Resources Division
263 13th Avenue South
St. Petersburg, FL 33701

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Mr. Bernhart:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Protected Resources and Habitat Conservation Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

The proposed bridge crossing is a priority project in the Financially Feasible Plan of the Sarasota-Manatee Metropolitan Planning Organization's (SMMPO) 2030 Long Range Transportation Plan. The project's Web site is *http://www.forthamerbridge.com*. According to the SMMPO, the proposed bridge is needed to provide an alternate north/south route to the east of Interstate Highway 75 (I–75) and enhance emergency service access to northeast Manatee County. Further, a new bridge will serve to improve the level of service to the existing network of north Manatee County roadways as development expands through the Parrish area and northward in Manatee County. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road. Alternatives under consideration include: (1) Taking no action; and (2) various build alternatives that satisfy the purpose and need. Build alternatives may include low, mid, and high-level fixed bridges, alternatives to the east, west and center of the project corridor, and other alternatives that may result from the scoping process. We are requesting your comments on environmental concerns that you may have related to a new bridge in northeast Manatee County. This includes suggesting analyses and methodologies for use in the EIS or possible sources of data or information we should consider.

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Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
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16475/3889
1932
July 20, 2010

Ms. Linda Walker, Deputy Field Supervisor
U.S. Fish and Wildlife Service
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Ms. Walker:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Protected Resources and Habitat Conservation Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

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Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
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16475/3889
1932
July 20, 2010

Ms. Jan Rogers
Director
U.S. Environmental Protection Agency
Region 4 - South Florida Office Urban Outreach
400 N. Congress Avenue, Suite 120
West Palm Beach, FL 33401

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Ms. Rogers:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Regulatory Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

The proposed bridge crossing is a priority project in the Financially Feasible Plan of the Sarasota-Manatee Metropolitan Planning Organization's (SMMPO) 2030 Long Range Transportation Plan. The project's Web site is *http://www.forthamerbridge.com*. According to the SMMPO, the proposed bridge is needed to provide an alternate north/south route to the east of Interstate Highway 75 (I–75) and enhance emergency service access to northeast Manatee County. Further, a new bridge will serve to improve the level of service to the existing network of north Manatee County roadways as development expands through the Parrish area and northward in Manatee County. The proposed location for the Fort Hamer Bridge is in northeast Manatee County adjacent to Fort Hamer Park and will connect Fort Hamer Road and Upper Manatee River Road. Alternatives under consideration include: (1) Taking no action; and (2) various build alternatives that satisfy the purpose and need. Build alternatives may include low, mid, and high-level fixed bridges, alternatives to the east, west and center of the project corridor, and other alternatives that may result from the scoping process. We are requesting your comments on environmental concerns that you may have related to a new bridge in northeast Manatee County. This includes suggesting analyses and methodologies for use in the EIS or possible sources of data or information we should consider.

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We look forward to your response to our request for your agency to be a Cooperating Agency and to working with you on this project. The favor of a reply is requested by 12 August 2010. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this Environmental Impact Statement, please contact Randall D. Overton, USCG, Federal Permit Agent, at randall.d.overton@uscg.mil or 305-415-6749.

Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
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16475/3889
1932
July 20, 2010

Mr. Tom Welborn
Director
U.S. Environmental Protection Agency
Region 4 - South Florida Office
61 Forsyth Street, SW
Mail Code 9T25
Atlanta, GA 30303-8960

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Mr. Welborn:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Regulatory Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

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Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
Miami, FL 33131-3050
Staff Symbol: dpb
Phone: 305-415-6749
Fax: 305-415-6763
Email: randall.d.overton@uscg.mil

16475/3889
1932
July 20, 2010

Mr. Roy Crabtree Administrator
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Mr. Crabtree:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Protected Resources and Habitat Conservation Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

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Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

U.S. Department of Homeland Security
United States Coast Guard

Commander (dpb)
Seventh Coast Guard District

909 SE 1st Ave (Suite 432)
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16475/3889
1932
July 20, 2010

David Rydene, Ph.D.
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

Re: Invitation to be a Cooperating Agency on an Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida.

Dear Doctor Rydene:

The United States Coast Guard (USCG), in conjunction with Manatee County (County), is preparing an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge across the Manatee River, Manatee County, Florida. In accordance with 40 CFR 1501.6, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, we are requesting you be a Cooperating Agency on this environmental document. This request is based on your Protected Resources and Habitat Conservation Jurisdiction. Designation as a Cooperating Agency does not imply that your agency supports the proposed project.

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Thank you for your cooperation and interest in this project.

Sincerely,

BARRY DRAGON
Director, District Bridge Program
U.S. Coast Guard

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX 824-5300

July 27, 2010 F/SER46:DR/mt

Barry Dragon
Director, District Bridge Program
United States Coast Guard
Seventh Coast Guard District
909 SE 1st Avenue, Suite 432
Miami, Florida 33131-3050

Dear Mr. Dragon:

NOAA's National Marine Fisheries Service (NMFS) has received your letter inviting NMFS to be a cooperating agency on the Environmental Impact Statement for the proposed Fort Hamer Bridge across the Manatee River in Manatee County, Florida. While NMFS thanks you for the invitation to be a cooperating agency, we must decline the offer due to manpower limitations. We will have to will have to limit our project activities to participation in conference calls, attending occasional meetings, conducting on-site field investigations, and review of relevant project documents. Thank you again for the invitation. We look forward to coordinating with the Coast Guard on this project.

If you have questions regarding our response please contact me at the letterhead address or by calling (727) 824-5379.

Sincerely,

David R

David Rydene
Fishery Biologist
Habitat Conservation Division

cc:
F/SER4
F/SER46 - Rydene

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
10117 PRINCESS PALM AVENUE, SUITE 120
TAMPA, FLORIDA 33610

REPLY TO
ATTENTION OF

July 29, 2010

Tampa Regulatory Office
SAJ-2010-02223 (EIS-JPF)

Mr. Barry Dragon
Director, District Bridge Program
United States Coast Guard
909 SE 1st Avenue (Suite 432)
Miami, Florida 33131-3050

Dear Mr. Dragon:

This letter is written in reference to your correspondence dated July 20, 2010, in which you requested the United States Army Corps of Engineers (Corps) to become a cooperating agency during the review and preparation of the Environmental Impact Statement for the Fort Hamer Bridge across the Manatee River, Manatee County, Florida. The Corps agrees to become a cooperating agency with the United States Coast Guard.

The application has been assigned Corps file number SAJ-2010-02223, and the project has been assigned to John Fellows. Should you have any questions, please contact him at the letterhead address or by telephone (813) 769-7067, by fax (813) 769-7061 or by e-mail at John.P.Fellows@usace.army.mil.

The Corps' Jacksonville District Regulatory Division looks forward to working in tandem with your agency. Should you have any additional questions, please do not hesitate to contact me.

Sincerely,

Stephen R. Sullivan
Chief, South Permits Branch

Copies furnished:
RD
File
Randall Overton, USCG
(Via electronic mail: randall.d.overton@uscg.mil)

United States Department of the Interior
U. S. FISH AND WILDLIFE SERVICE
7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

FWS Log No. 41910-2010-R-0397

August 24, 2010

Barry Dragon
Director, District Bridge Program
U.S. Coast Guard
909 SE 1st Avenue (RM 432)
Miami, FL 33187

Dear Mr. Dragon,

On July 20, 2010 our office received a request from the Office of Environmental Policy and Compliance to conduct an environmental review on the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed Fort Hamer Bridge over the Manatee River located in Manatee County, Florida.

To our knowledge, our office has not commented on this proposal through FDOT's Efficient Transportation Decision Making (ETDM) system online or in accordance with the section 7 consultation process under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*)

Based on a cursory review of the study area we expect to have comments as this proposal progresses. Our environmental concerns are likely to include potential impacts to submerged aquatic vegetation (SAV) in the Manatee River as a result of the construction activities, the shading effects and the project footprint from a new bridge; impacts to Florida manatees during construction; impacts to unique freshwater marshes in the area; increased turbidity, sedimentation and nutrient loading in the Manatee River which is designated as an Outstanding Florida Waterway (OFW); contaminants entering the waterway from road run off; increased road kill; increased residential development and further fragmentation of wildlife habitat in a rural area; new connector roads, and/or road widening and hardening as an indirect result of a new bridge providing access to undeveloped areas.

We look forward to the opportunity to review the draft EIS as well as provide comments through the consultation process. Thank you for allowing us to comment early in the consultation process. We regret that we are unable to participate in the development of the EIS as a cooperating agency.

Sincerely,

for David L. Hankla
Field Supervisor

Pride, Tom

From: Randall.D.Overton@uscg.mil on behalf of Overton, Randall D CIV <Randall.D.Overton@uscg.mil>
Sent: Wednesday, July 24, 2013 10:47 AM
To: Pride, Tom; Peate, Martin
Subject: FW: ESA Section 7 Consultation Request and EFH Consultation Request for proposed bridge construction Manatee River
Attachments: NMFS ESA Section 7and EFH consultation request.pdf; WER Supplemental Update_19July2013.pdf; BA Supplemental Update_19July2013.pdf

FYSA - I sent consultation request to NMFS

-----Original Message-----
From: Overton, Randall D CIV
Sent: Wednesday, July 24, 2013 10:46 AM
To: 'nmfs.ser.esa.consultations@noaa.gov'
Cc: Sugarman, Shelly CIV; Dragon, Barry CIV; Mullen, Kevin P CTR
Subject: ESA Section 7 Consultation Request and EFH Consultation Request for proposed bridge construction Manatee River

Please find attached a request for ESA Section 7 and EFH Consultations for a proposed bridge construction project across the Manatee River. The proposed new bridge would be constructed across the Manatee River approximately 15 miles upstream from the mouth of the river. The bridge and associated roadway would be between Upper Manatee River Road (south of the Manatee River) to Fort Hamer Road (north of the Manatee River), near Parrish, Manatee County, Florida. Latitude 27o 31.165' N, Longitude 82o 25.720' W.

The attached letter " NMFS ESA Section 7and EFH consultation request" contains web links to the Wetland Evaluation Report (WER) and Biological Opinion (BA) prepared for the proposed project. WER and BA supplemental updates which slightly refine the WER and BA are attached to this email.

Randall Overton
Federal Permit Agent USCG
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Miami, Fl 33131
(305) 205-0795 Cell
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U.S. Department of Homeland Security
United States Coast Guard

Commander
Seventh Coast Guard District

909 S. E. First Avenue (Rm 432)
Miami, Fl 33131
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16450
July 24, 2013

National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701-5505

Dear Sir or Madam:

Through this letter, the U.S. Coast Guard wishes to initiate consultation in accordance with Section 7 of the Endangered Species Act (ESA) and to initiate consultation under the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) for Essential Fish Habitat.

The Coast Guard is the Lead Federal Agency (LFA) for a proposed bridge construction project in Manatee County, Florida. A Wetlands Evaluation Report (WER) and Biological Assessment (BA) were completed in conjunction with the proposed project. The WER and BA were included as appendices D and E of the Draft Environmental Impact Statement (DEIS) for the project (dated June 21, 2013). The DEIS can be found at http://www.uscg.mil/hq/cg5/cg551/CGLeadProjects.asp

Direct link to the WER:
http://www.uscg.mil/hq/cg5/cg551/CGLeadProjects_files/Fort%20Hamer%20DEIS%20June%202013/Appendix_D.pdf
Direct link to the BA:
http://www.uscg.mil/hq/cg5/cg551/CGLeadProjects_files/Fort%20Hamer%20DEIS%20June%202013/Appendix_E.pdf

Subsequent to publication of the DEIS, WER and the BA, in June, further refinements of the project design have necessitated minor revisions to the WER and the BA. The WER supplemental update and BA supplemental update are attached to the email which transmitted this letter.

The DEIS studies three alternatives. In addition to the No Build Alternative, two build alternatives were analyzed; the Fort Hamer Road Alternative, and the Rye Road Alternative. These two build alternatives are depicted on the next page.

Manatee County has submitted a preliminary bridge permit application for the Fort Hamer Alternative as their Locally Preferred Alternative (LPA). Therefore, this consultation request will focus on the impacts reasonably likely to be associated with the Fort Hamer Road Alternative (LPA).

The Fort Hamer Alternative consists of a new two-lane bridge crossing the Manatee River connecting the existing two-lane Upper Manatee River Road with the existing two-lane Fort Hamer Road. The construction limits of this alternative extend from just north of the back entrance of the Waterlefe subdivision to the north side of the Manatee River, a total of approximately 1.4 miles. The proposed bridge length is 2,570 feet. The study area for this alternative extends south to SR 64 and north to US 301 (6 miles) because of the increased traffic between these points that would result from this alternative.

Wetland and Essential Fish Habitat Impact:

Permanent unavoidable wetland impacts of the LPA occur in four wetland sites and total 4.34 acres (ac) (2.05 ac fill, 1.01 ac shading, 1.28 ac secondary); see Supplemental WER Update 2. The impacted wetland types include scrub, mixed hardwood swamp, salt marsh, mangrove, and stream (bottomland).

Temporary impacts to wetlands: It is anticipated that a temporary work trestle would be constructed across portions of the Manatee River to facilitate construction of the new bridge. It is anticipated that the temporary trestle would be 28 feet wide and would temporarily impact approximately 0.62 acres of wetland due to shading. Upon completion of construction the work trestle would be removed in its entirety.

Impacts to Essential Fish Habitat (EFH) with the LPA would total 2.91 ac of EFH (1.01 ac shading and 0.15 ac fill), principally to saltmarsh and bottomland, see Supplemental WER Update 9.

Compensatory wetland mitigation described in the proposed conceptual mitigation plan consists of onsite wetland creation by excavation and planting at three riverbank locations to provide approximately 2.2 ac of mixed hardwood swamp, 2.1 ac of tidal saltmarsh, and 0.2 ac of mangrove wetlands.

Proposed Construction Methodology and Potential Impacts:

(Excerpted from the Supplemental Update to BA– Update 1)
The Manatee River provides suitable habitat for the West Indian manatee in the Fort Hamer Alternative. Although no manatees were observed during field reviews, FNAI, FWS, and FWC have indicated that manatees are known to frequent the Manatee River and local residents have reported sightings of manatees in the vicinity of the Fort Hamer Alternative. The Manatee River within both build alternatives is designated as Critical Habitat for the manatee below the Lake Manatee Dam.

Potential threats to the manatee as a result of implementation of the Fort Hamer Alternative include collision with construction vessels and acoustic impacts during construction. The segment of river immediately downstream of the proposed location of the Fort Hamer Alternative Bridge is a posted "Idle Speed/No Wake" zone. In addition to observing all posted speed zones in the river, all construction vessels will be required to operate at "Idle Speed/No Wake" speeds within 0.5-mile upstream and downstream of the construction site. Additionally, the selected construction contractor will be required to implement the *Standard Manatee Conditions for In-Water Work* (Appendix F) for all construction activities within the river.

Acoustical effects on marine mammals, including manatees and dolphins – both of which have the potential to occur within the Fort Hamer Alternative Study Area, are an increasing concern with coastal and marine construction activities. Acoustic sources during bridge construction include blasting, boat motors, and installation of bridge piles. Blasting can be a significant acoustic source during bridge demolition; however, since demolition is not part of the Fort Hamer Alternative, no blasting will occur.

The use of motorized tugboats and support vessels will be required for construction of the Fort Hamer Alternative. However, the commitment to operate all vessels at "Idle Speed/No Wake" speeds will minimize potential motorized noise impacts to manatees and other marine fauna present in the river.

The installation of bridge pilings with hydraulic hammers (i.e., pile-driving) can generate acoustic vibrations within the water column. Although detailed construction methodologies for the Fort Hamer Alternative have not been developed, it is likely that many, if not all, of the bridge support pilings would be driven with a hydraulic hammer. A total of 54 24-in^2 pre-

stressed concrete pilings will be installed in the river channel, and an additional 137 24-in^2 concrete pilings will be installed in the adjacent wetlands and shallow embayment between Wetland 3 and Wetland 4 (part of River 1). To minimize potential adverse effects to manatees and dolphins observers will be in place to observe the river during all pile-driving operations. If any manatees or dolphins are observed in the river within a 0.25-mile radius of the hammer location, pile-driving operations will cease until the animal(s) has exited the 0.25-mile buffer on its own. To facilitate observation of manatees and dolphins (and to accommodate nearby human residents), all pile-driving activities will be conducted during daylight hours only. Finally, floating turbidity barriers with skirt lengths sufficient to reach the river bottom (approximately 12 feet maximum) will be placed around each piling during pile-driving operations. In addition to controlling turbidity, the barriers will lessen, though not eliminate, the acoustical vibrations generated during pile driving. With these commitments, it has been determined that the Fort Hamer Alternative "may affect, but is not likely to adversely affect" (MANLAA) the West Indian manatee.

Listed Species Impacts (information excerpted from BA):

Plants

Although federally- and state-listed plant species have been documented within Manatee County, none have been documented within 1 mile of either alternative and none were observed during field reviews. Based on this information, it has been determined that both the will have no effect on any federally- or state-listed plant species.

Fish

Mangrove Rivulus
State Species of Special Concern
While suitable habitat exists for the mangrove rivulus within the LPA, none were observed during the April 2010 field reviews and none have been documented within 1 mile of the alternative. Total impacts (shading, fill, and secondary) to mangrove habitat will be 0.20 acre. The conceptual wetlands mitigation for the project will result in the creation of 0.20 acres of mangrove habitat. (See the Wetlands Evaluation Report in Appendix D of the DEIS for a description of the proposed conceptual mitigation.) Therefore, a determination of MANLAA was made for the mangrove rivulus.

Reptiles and Amphibians:

Eastern Indigo Snake
Federally Threatened
While no eastern indigo snakes were observed during field reviews, suitable habitat for this species does exist within both build alternatives. The FWS and FWC approved standard protection measures for the eastern indigo snake (Appendix E of the BA) will be implemented during the clearing and construction phases for the selected alternative. As a result of this commitment, a determination of MANLAA was made for the eastern indigo snake.

Gopher Tortoise and Commensal Species
State Threatened/Species of Special Concern
Suitable habitat is available within the LPA for the gopher tortoise (state-listed as Threatened), Florida mouse (SSC), gopher frog (SSC), and pine snake (SSC). Gopher tortoise burrows were observed north of the Manatee River adjacent to the. The Florida mouse, gopher frog, and pine snake have not been documented within 1 mile of the LPA and none were observed during field reviews. Approximately 17 acres of suitable habitat (uplands) within the LPA construction limits will need to be surveyed for the presence of gopher tortoise burrows prior to construction. If gopher tortoises or their burrows are found in or within 25 feet of the construction limits of the selected alternative, Manatee County will coordinate with the FWC to secure permits needed to relocate the gopher tortoises and associated commensal species prior to construction. With this commitment, a determination of MANLAA was made for the gopher tortoise, Florida mouse, gopher frog, and pine snake.

Birds

Florida Scrub Jay
Federally Threatened
Suitable habitat for the Florida scrub jay does not exist within the Study Area and no scrub jays are reported within the study area. For these reasons, implementation of the LPA will have no effect on the Florida scrub jay.

Other Wading Birds
State Species of Special Concern
No wading bird rookeries are located within either alternative; however, the little blue heron, reddish egret, snowy egret, limpkin, tricolored heron, white ibis, and roseate spoonbill have the potential to forage in the drainage ditches and wetlands within both of the alternatives. A little blue heron, white ibis, snowy egret, and tricolored heron were observed in the LPA. The primary concern for impacts to these wading birds is the loss of habitat (wetlands) for foraging. All wetland impacts will be mitigated to prevent a net loss of wetland functions and values. Because lost foraging habitat would be replaced through wetland mitigation, a determination of no effect was made for these wading bird species.

Florida Burrowing Owl
State Species of Special Concern
Potentially suitable nesting and foraging habitat for the Florida burrowing owl exists within the limits of both build alternatives. However, no burrowing owls or their burrows were observed during field reviews and none have been documented within 1 mile of the two build alternatives. To avoid potential impacts to this species, Manatee County will resurvey appropriate upland habitats within the study area of the selected alternative for burrowing owls or their burrows prior to construction. If any burrows are located in the study area, Manatee County will coordinate with FWC to develop and implement the appropriate protection criteria prior to construction. With this commitment, a determination of no effect was made for the Florida burrowing owl.

West Indian Manatee
Federally Endangered
The Manatee River provides suitable habitat for the West Indian manatee in the LPA. The segment of river immediately downstream of the proposed bridge location is a posted "Idle Speed/No Wake" zone. In addition to observing all posted speed zones in the river, all construction vessels will be required to operate at "Idle Speed/No Wake" speeds within 0.5-mile upstream and downstream of the construction site. Additionally, the selected construction contractor will be required to implement the *Standard Manatee Conditions for In-Water Work* (Appendix F) for all construction activities within the river.

Acoustical effects on marine mammals, including manatees and dolphins – both of which have the potential to occur within the LPA Study Area, are an increasing concern with coastal and marine construction activities. Acoustic sources during bridge construction may include blasting, boat motors, and installation of bridge supports (pile-driving). Blasting can be a significant acoustic source during bridge demolition; however, since demolition is not part of the proposed action, no blasting will occur.

The use of motorized tugboats and support vessels will be required for construction of the LPA. However, the commitment to operate all vessels at "Idle Speed/No Wake" speeds will minimize potential motorized noise impacts to manatees and other marine fauna present in the river. To minimize potential adverse effects to manatees and dolphins observers will be in place to observe the river during all pile-driving operations. If any manatees or dolphins are observed in the river within a 0.25-mile radius of the hammer location, pile-driving operations will cease until the animal(s) has exited the 0.25-mile buffer on its own. To facilitate observation of manatees and dolphins (and to accommodate nearby human residents), all pile-driving activities will be conducted during daylight hours only. Also, floating turbidity barriers with skirt lengths sufficient to reach the river bottom (approximately 12 feet maximum) will be placed around each piling during pile-driving operations. In addition to controlling turbidity, the barriers will lessen, though not eliminate, the acoustical vibrations generated during pile driving.

Wood Stork
Federally Endangered
To compensate for the loss of SFH, implementation of the selected alternative 1) will include creation of habitat and foraging function equal, at a minimum, to that being impacted; 2) will not be contrary to the FWS Habitat Management Guidelines for the Wood Stork in the Southeast Region (Ogden, 1990), and 3) will be in accordance with the Clean Water Act, Section 404(b)1 guidelines.

Gopher Tortoise and Commensal Species
State Threatened/Species of Special Concern
Suitable habitat is available within the LPA for the gopher tortoise (state-listed as threatened), Florida mouse (SSC), gopher frog (SSC), and pine snake (SSC). Gopher tortoise burrows were observed north of the Manatee River adjacent to the LPA. The Florida mouse, gopher frog, and pine snake have not been documented within 1 mile of the LPA, and none were observed during field reviews. Approximately 17 acres of suitable habitat (uplands) within the LPA construction

Crested Caracara
Federally Threatened
The LPA is not located within the FWS consultation area for the crested caracara; however, suitable foraging and marginal nesting habitat exist. No crested caracara were observed during field reviews and none have been documented within 1 mile of this alternative. A determination has been made that the LPA will have no effect on the crested caracara.

Southeastern American Kestrel
State Threatened
While suitable nesting and foraging habitat exists for the southeastern American kestrel within the limits of both alternatives, no kestrels were observed during the field reviews. Due to its mobility and ability to use adjacent areas for nesting and foraging, it has been determined that LPA will have no effect the southeastern American kestrel.

Florida Sandhill Crane
State Threatened
Suitable nesting and foraging habitat is available within both build alternatives for the Florida sandhill crane. Sandhill cranes were observed within both build alternatives during field reviews. For both of the alternatives, wetland impacts would be mitigated to prevent a net loss of wetland functions and values. In addition, Manatee County will resurvey the selected alternative's study area for Florida sandhill crane nests prior to construction. If Florida sandhill crane nests are found within the study area, Manatee County will coordinate with the FWC to ensure project construction will not adversely impact this species. With this commitment, a determination of no effect was made for the Florida sandhill crane.

Wood Stork
Federally Endangered
Suitable nesting and foraging habitat for the wood stork is available within both build alternatives. Based on FWS data (2010a), both alternatives are located within the 15-mile CFA of two wood stork rookeries (see Figure 5). In order to make a determination of the build alternatives' potential effects on the wood stork, the construction impacts resulting from both build alternatives were assessed using the Wood Stork Effect Determination Key (FWS, 2010b). A review of FNAI and FWS information indicates that neither alternative is located within 2,500 feet of an active wood stork colony site; however, both alternatives are located within the CFA of two active wood stork nesting colonies. Either build alternative would impact more than 0.5 acre of suitable foraging habitat (SFH) (0.5 acre is the threshold for a "not likely to adversely affect" determination). The LPA would result in fill and shading impacts to 4.68 acres of SFH. To minimize adverse effects to the wood stork, the FWS recommends compensation be provided for impacts to foraging habitat (FWS, 2010b). Wetlands offered as compensation should be of the same hydroperiod and located within the CFAs of the affected wood stork colonies. To compensate for the loss of SFH, implementation of the selected alternative 1) will include creation of habitat and foraging function equal, at a minimum, to that being impacted; 2) will not be contrary to the FWS Habitat Management Guidelines for the Wood Stork in the Southeast Region (Ogden, 1990), and 3) will be in accordance with the Clean Water Act, Section 404(b)1 guidelines. Based on this assessment, and with this commitment, a determination of MANLAA was made for the wood stork.

Brown Pelican
State Species of Special Concern
Suitable nesting and foraging habitat exists for the brown pelican within the LPA and brown pelicans were observed flying over this alternative during the April 2010 field reviews. However, due to its mobility and ability to use adjacent surface waters and proposed mitigation sites for foraging, it has been determined that the LPA will have no effect on the brown pelican. Suitable nesting and foraging habitat does not exist for the brown pelican within the Rye Road Alternative. Therefore, it has been determined that the Rye Road Alternative will have no effect on the brown pelican.

Mammals:

Florida Mouse
See description under Gopher Tortoise and Commensal Species above.

Sherman's Fox Squirrel
State Species of Special Concern
While suitable nesting and foraging habitat exists for the Sherman's fox squirrel within both build alternatives, none were observed during the field reviews and none have been documented within 1 mile of either alternative. Due to its mobility and ability to use adjacent upland habitats for nesting and foraging, it has been determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on the Sherman's fox squirrel.

West Indian Manatee
Federally Endangered
The Manatee River provides suitable habitat for the West Indian manatee in the LPA. Though no manatees were observed during field reviews, FNAI, FWS, and FWC have indicated that manatees are known to frequent the Manatee River and local residents have reported sightings of manatees in the vicinity of the LPA. The Manatee River within both alternatives is designated as Critical Habitat for the manatee below the Lake Manatee Dam. To minimize potential adverse impacts to the manatee as a result of construction of the LPA, Manatee County will utilize the FWS and FWC approved *Standard Manatee Conditions for In-Water Work* (Appendix F) for all construction activities within the Manatee River. Manatee County will also coordinate with the FWS and the FWC to determine the appropriate, site-specific manatee protection measures to be implemented during construction (see above). With these commitments, a determination of MANLAA was made for the West Indian manatee

Proposed Avoidance, Minimization, Mitigation Measures:

Eastern Indigo Snake
Federally Threatened
While no eastern indigo snakes were observed during field reviews, suitable habitat for this species does exist within both build alternatives. The FWS and FWC approved standard protection measures for the eastern indigo snake (Appendix E-of the BA) will be implemented during the clearing and construction phases for the selected alternative.

limits will need to be surveyed for the presence of gopher tortoise burrows prior to construction. If gopher tortoises or their burrows are found in or within 25 feet of the construction limits of the selected alternative, Manatee County will coordinate with the FWC to secure permits needed to relocate the gopher tortoises and associated commensal species prior to construction

Summary of Coast Guard Determinations:

Based on the information contained in the BA and WER, including the supplemental updates, the Coast Guard determines:

For Federally-listed species, the listed species effect determination for the LPA (Fort Hamer Road Alternative) includes "may affect, but is not likely to adversely affect" or MANLAA, for three Federally-listed faunal species (Eastern indigo snake, West Indian manatee [Critical Habitat], and wood stork). A determination of No Effect was applied to one floral species and three avian species (Florida goldenaster, Florida scrub jay, Florida grasshopper sparrow, and crested caracara). See Appendix E (BA), Table 8, page E-49.

The listed species effect determination for this alternative includes "may affect, but is not likely to adversely affect" MANLAA for four Florida state-listed faunal species (gopher tortoise, pine snake, Florida mouse, and gopher frog). A determination of No Effect was applied to nine floral species and thirteen faunal species. See Appendix E (BA), Table 8, page E-49, 50.

Sincerely,

OVERTON.RANDALL.D.1111176970

RANDALL D. OVERTON
Bridge Management Specialist
U.S. Coast Guard

Enclosure: Wetland Evaluation Report (WER) as an embedded link
Biological Assessment (BA) as an embedded link
WER Supplemental update as an email attachment
BA Supplemental update as an email attachment

Copy: CGHQ-BRG-2 as an email

DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD

PROPOSED NEW BRIDGE ACROSS THE MANATEE RIVER, MILE 15.0,
AT PARRISH, MANATEE COUNTY, FLORIDA

SUPPLEMENTAL UPDATE

TO

WETLANDS EVALUATION REPORT (JUNE 2013)

SUPPLEMENT UPDATE PREPARED
JULY 19, 2013

OVERVIEW: In June 2013 Manatee County, in conjunction with the United States Coast Guard, prepared a Draft Environmental Impact Statement (DEIS) to document a study of proposed improvements to north/south traffic movements in eastern Manatee County. For the purposes of the DEIS, two build alternatives were evaluated (in addition to a No-Build Alternative). Appendix D of the DEIS contains a Wetlands Evaluation Report (WER) which documents and describes existing wetland and surface water habitats found within the study area for each build alternative and assesses the potential wetland and surface water impacts associated with each build alternative. Since publication of the DEIS and WER, additional design details of the preferred alternative (the Fort Hamer Alternative) have become available and allow refinement of the wetland impacts that would result from implementation of the Fort Hamer Alternative. This Supplemental Update presents the revised wetland impacts, including impacts to Essential Fish Habitat (EFH), and the calculation of functional loss associated with these impacts pursuant to the Uniform Mitigation Assessment Method (UMAM).

Update 1: Section 3.1, page 3-1. The following wetland impact minimization measure is added to the bullet list:

- For the Fort Hamer Alternative, the bridge supports have been consciously located outside of seagrass areas.

Update 2: Section 3.2.1. The entire section is revised as follows:

3.2.1 FORT HAMER ALTERNATIVE

Because a temporary work trestle may be used to construct this alternative, the potential wetland impacts have been separated into permanent and temporary impacts.

Permanent Impacts

Table 7 summarizes the unavoidable permanent wetland impacts that would result from implementation of the Fort Hamer Alternative. A total of 3.06 acres of wetlands would be directly impacted by the construction of this alternative; this includes 2.05 acres of dredge/fill impacts and 1.01 acres of shading impacts (2.05 +1.01 = 3.06). An additional 1.28 acres of wetlands are considered to have secondary impacts based on SWFWMD criteria. Thus, the Fort Hamer Alternative would result in 4.34 acres of permanent wetland impacts (3.06 + 1.28 = 4.34). All of these impacts would require compensatory mitigation.

TABLE 7
PERMANENT WETLAND IMPACT SUMMARY – FORT HAMER ALTERNATIVE

Wetland	FLUCFCS Classification[1]	FWS Classification[2]	Description	Direct Impact Acres		Secondary Impact Acres	Total Impact Acres
				Dredge/ Fill	Shading		
Wetland 1	617	PFO1C	Mixed Wetland Hardwoods	0.50	0.00	0.14	0.64
	631	PSS1C	Wetland Scrub	1.48	0.00	0.05	1.53
	Sub-total Wetland 1			**1.98**	**0.00**	**0.19**	**2.17**
Wetland 2	631	E2SS3A	Wetland Scrub	0.01	0.10	0.04	0.15
	642	E2EM1P	Saltmarsh	0.01	0.12	0.22	0.35
	Sub-total Wetland 2			**0.02**	**0.22**	**0.26**	**0.50**
Wetland 3	612	E2SS3N	Mangroves	0.01	0.05	0.05	0.11
	615	PFO1P	Stream & Lake Swamp (Bottomland)	0.01	0.21	0.22	0.44
	642	E2EM1N	Saltmarsh	0.03	0.50	0.51	1.04
	Sub-total Wetland 3			**0.05**	**0.76**	**0.78**	**1.59**
Wetland 4	642	E2EM1N	Saltmarsh	0.0003	0.03	0.06	0.09
	Sub-total Wetland 4			**0.0003**	**0.03**	**0.06**	**0.09**
			Total	**2.05**	**1.01**	**1.28**	**4.34**

Totals may not add due to rounding.

Shading impacts from low bridges (i.e., bridges with a height to width ratio of less than 0.7) have been shown to result in decreased vegetative growth beneath the bridge (Broome *et al.*, 2005). Approximately 48 percent of the proposed Fort Hamer Alternative bridge would have a height-to-width ratio of 0.7, including the structure over the saltmarsh surrounding the peninsula between the north and south shorelines of the river. The remaining 52 percent of the bridge would have a height-to-width ratio between 0.4 and 0.7. The extent of wetland shading for the Fort Hamer Alternative bridge would be further reduced by the north/south orientation of the bridge, which allows more sunlight beneath the bridge in the early morning and late afternoon hours.

Sparse (less than ten percent cover) patches of widgeon grass occur beneath the proposed Fort Hamer Alternative bridge, along the north bank of the main river channel adjacent to Wetland 3. Reduced productivity of the widgeon grass is possible in this area due to shading; however, the bridge structure would be approximately 32 feet above the water surface at this location. For this reason, and because of the north-south alignment of the structure, the total impact to widgeon grass as a result of shading is expected to be *de minimus*.

Temporary Impacts

It is anticipated that a temporary work trestle would be constructed across the Manatee River as part of this alternative. Design details of the trestle would be determined by the contractor (yet to be selected); however, the typical section would be designed based on the weight bearing capacity needed to support the construction equipment. A similar structure used on a recent construction project consisted of a 28-foot wide timber deck structure supported on steel pipe pilings and steel cross-beam supports. The trestle would be constructed adjacent and parallel to the permanent, two-lane bridge and would remain in place until construction of the bridge deck is completed.

A 28-foot wide trestle would result in 0.62 acre of temporary shading impacts to vegetated wetlands and temporary *de minimus* fill impacts to wetlands and the open water portion of the Manatee River. It is anticipated that a temporary trestle would create the least amount of impacts to the mangroves, saltmarshes, and shallow portions of the Manatee River compared to other construction methodologies. Construction and use of the temporary trestle should result in insignificant, temporary wetland impacts that would restore naturally after the structure is removed.

Update 3: Section 3.3, Table 9, pages 3-6 and 3-7. Table 9 is revised as shown below.

TABLE 9
REPRESENTATIVE UMAM SCORES[1] FOR WETLANDS (FOR FILL/SHADE IMPACTS)

Wetland	FLUCFCS Classification[2]	FWS Classification[3]	Description	Location and Landscape Support		Water Environment		Community Structure		Score (sum/30)		Delta
				Current	With	Current	With	Current	With	Current	With	
Fort Hamer Alternative												
Wetland 1[4]	617 (Fill)	PFO1C	Mixed Wetland Hardwoods	4	0	7	0	8	0	0.63	0	0.63
	631 (Fill)	PSS1C	Wetland Scrub	4	0	6	0	7	0	0.57	0	0.57
Wetland 2	631 (Fill)	E2SS3A	Wetland Scrub	6	0	4	0	4	0	0.47	0	0.47
	631 (Shade)			6	5	4	3	4	0	0.47	0.27	0.20
	642 (Fill)	E2EM1P	Saltmarsh	6	0	8	0	7	0	0.70	0	0.70
	642 (Shade)			6	5	8	7	7	0	0.70	0.40	0.30
Wetland 3	612 (Fill)	E2SS3N	Mangroves	7	0	8	0	8	0	0.77	0	0.77
	612 (Shade)			7	6	8	6	8	0	0.77	0.40	0.37
	615 (Fill)	PFO1P	Stream Swamp (Bottomland)	7	0	8	0	7	0	0.73	0	0.73
	615 (Shade)			7	6	8	6	7	0	0.73	0.40	0.33
	642 (Fill)	E2EM1N	Saltmarsh	7	0	8	0	8	0	0.77	0	0.77
	642 (Shade)			7	6	8	6	8	0	0.77	0.40	0.37
Wetland 4	642 (Fill)	E2EM1N	Saltmarsh (Shoreline)	5	0	8	0	6	0	0.63	0	0.63
	642 (Shade)			5	4	8	7	6	0	0.63	0.37	0.27
Rye Road Alternative												
Wetland 5	510	PUB2Jx	Stream (Channelized)	5	4	7	6	4	0	0.53	0.33	0.20
Wetland 6	618	PSS1C	Willow	3	0	5	0	5	0	0.43	0.00	0.43
Wetland 7	510	PUB2Jx	Stream (Channelized)	5	4	4	3	4	0	0.43	0.23	0.20
Wetland 8	510	PUB2Jx	Stream (Channelized)	5	4	7	6	6	0	0.60	0.33	0.27
Wetland 9	615	PFO1C	Stream Swamp (Bottomland)	5	4	4	3	7	0	0.53	0.23	0.30
Wetland 10	615	PFO1C	Stream Swamp (Bottomland)	7	0	7	0	7	0	0.70	0.00	0.70
Wetland 11	510/615	R2UB2/PFO1C	Stream and Stream Swamp (Bottomland)	3	2	7	6	7	0	0.57	0.27	0.30
Wetland 12	510/615	R2UB2/PFO1C	Stream and Stream Swamp (Bottomland)	3	2	7	6	7	0	0.57	0.27	0.30
Wetland 13	510/615	R2UB2/PFO1J	Stream and Stream Swamp (Bottomland)	3	2	6	5	6	0	0.50	0.23	0.27

Continued on next page

Wetland	FLUCFCS Classification[2]	FWS Classification[3]	Description	Location and Landscape Support		Water Environment		Community Structure		Score (sum/30)		Delta
				Current	With	Current	With	Current	With	Current	With	
Wetland 14	615	PFO1J	Stream and Stream Swamp (Bottomland)	7	0	7	0	6	0	0.67	0.00	0.67
Wetland 15	630	PFO1C	Wetland Forested Mixed	7	0	8	0	7	0	0.73	0.00	0.73

[1] UMAM scores have not been approved by permitting agencies and are subject to change during the permitting process.
[2] FDOT, 1999.
[3] Cowardin, *et al.*, 1979.
[4] Assumes no mitigation required for impacts to open water portion of Wetland 1 (FLUCFCS 530 – Pond) because this pond is being incorporated into the proposed surface water management system. No mitigation is required for shading to unvegetated open surface waters.

Update 4: Section 3.3, Table 10, page 3-8. Table 10 is revised as shown below.

TABLE 10
REPRESENTATIVE UMAM SCORES[1] FOR WETLANDS
(FOR SECONDARY IMPACTS)

Wetland	FLUCFCS[2]	FWS Classification[3]	Description	Location & Landscape Support		Water Environment		Community Structure		Score (sum/30)		Delta
				Current	With	Current	With	Current	With	Current	With	
Wetland 1	617	PFO1C	Mixed Wetland Hardwoods	4	3	7	7	8	8	0.63	0.60	0.03
	631	PSS1C	Wetland Scrub	4	3	6	6	7	7	0.57	0.54	0.03
Wetland 2	631	E2SS3A	Wetland Scrub	6	5	4	4	4	4	0.46	0.43	0.04
	642	E2EM1P	Saltmarsh	6	5	8	8	7	7	0.70	0.67	0.03
Wetland 3	612	E2SS3N	Mangroves	7	6	8	8	8	8	0.77	0.73	0.04
	615	PFO1P	Stream & Lake Swamp (Bottomland)	7	6	8	8	7	7	0.73	0.70	0.03
	642	E2EM1N	Saltmarsh	7	6	8	8	8	8	0.77	0.73	0.04
Wetland 4	642	E2EM1N	Saltmarsh (Shoreline)	5	4	8	8	6	6	0.63	0.60	0.03

1 - UMAM scores have not been approved by permitting agencies and are subject to change during the permitting process.
2 - Florida Department of Transportation (FDOT), *Florida Land Use, Cover and Forms Classification System Handbook* (FLUCFCS) (Third edition, 1999).
3 - U.S. Fish and Wildlife Service (FWS), *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin, *et al.*, 1979).

C-47

Update 5: Section 3.3, Table 11, page 3-9 and 3-10. Table 11 is revised as shown below.

TABLE 11
UMAM SUMMARY FOR DREDGE/FILL/SHADE WETLAND IMPACTS

Wetland	FLUCFCS Classification[1]	FWS Classification[2]	Description	Delta	Impact Acres	Functional Loss
Fort Hamer Alternative						
Wetland 1	617	PFO1C	Mixed Wetland Hardwoods	0.63 fill	0.50	0.32
	631	PSS1C	Wetland Scrub	0.57 fill	1.48	0.84
			Sub-total – Wetland 1		***1.98***	***1.16***
Wetland 2	631	E2SS3A	Wetland Scrub	0.47 fill 0.20 shade	0.009 0.103	0.004 0.021
	642	E2EM1P	Saltmarsh	0.70 fill 0.30 shade	0.009 0.116	0.006 0.035
			Sub-total – Wetland 2		***0.24***	***0.07***
Wetland 3	612	E2SS3N	Mangroves	0.77 fill 0.37 shade	0.005 0.054	0.004 0.020
	615	PFO1P	Stream & Lake Swamp (Bottomland)	0.73 fill 0.33 shade	0.009 0.214	0.007 0.071
	642	E2EM1N	Saltmarsh	0.77 fill 0.37 shade	0.034 0.497	0.026 0.184
			Sub-total – Wetland 3		***0.81***	***0.31***
Wetland 4	642	E2EM1N	Saltmarsh (Shoreline)	0.63 fill 0.27 shade	0.0003 0.027	0.0002 0.007
			Sub-total – Wetland 4		***0.03***	***0.01***
			Total – Fort Hamer Alternative		**3.06**	**1.56**
Rye Road Alternative						
Wetland 5	510	PUB2Jx	Stream (Channelized)	0.20	0.06	0.01
Wetland 6	618	PSS1C	Willow	0.43	0.19	0.08
Wetland 7	510	PUB2Jx	Stream (Channelized)	0.20	0.03	0.01
Wetland 8	510	PUB2Jx	Stream (Channelized)	0.27	0.08	0.02
Wetland 9	615	PFO1C	Stream Swamp (Bottomland)	0.30	0.07	0.02
Wetland 10	615	PFO1C	Stream Swamp (Bottomland)	0.70	0.61	0.43
Wetland 11	510/615	R2UB2/PFO1C	Stream and Stream Swamp (Bottomland)	0.30	0.20	0.06
Wetland 12	510/615	R2UB2/PFO1C	Stream and Stream Swamp (Bottomland)	0.30	0.40	0.12

Continued on next page

Wetland	FLUCFCS Classification[1]	FWS Classification[2]	Description	Delta	Impact Acres	Functional Loss
Wetland 13	510/615	R2UB2/PFO1J	Stream and Stream Swamp (Bottomland)	0.27	0.22	0.06
Wetland 14	615	PFO1J	Stream and Stream Swamp (Bottomland)	0.67	0.14	0.09
Wetland 15	630	PFO1C	Wetland Forested Mixed	0.73	0.52	0.38
			Total Functional Loss – Rye Road Alternative		**2.52**	**1.28**

[1] FDOT, 1999.
[2] Cowardin, *et al.*, 1979.

Update 6: Section 3.3, Table 12, page 3-11. Table 12 is revised as shown below.

TABLE 12
UMAM SUMMARY FOR FORT HAMER ALTERNATIVE SECONDARY WETLAND IMPACTS

Wetland	FLUCFCS Classification[1]	FWS Classification[2]	Description	Delta	Impact Acres	Functional Loss
Wetland 1	617	PFO1C	Mixed Wetland Hardwoods	0.03	0.14	0.004
	631	PSS1C	Wetland Scrub	0.03	0.046	0.001
			Sub-total – Wetland 1		**0.19**	**0.005**
Wetland 2	631	E2SS3A	Wetland Scrub	0.03	0.036	0.001
	642	E2EM1P	Saltmarsh	0.03	0.215	0.006
			Sub-total – Wetland 2		**0.25**	**0.007**
Wetland 3	612	E2SS3N	Mangroves	0.04	0.054	0.002
	615	PFO1P	Stream & Lake Swamp (Bottomland)	0.03	0.219	0.007
	642	E2EM1N	Saltmarsh	0.04	0.508	0.02
			Sub-total – Wetland 3		**0.78**	**0.03**
Wetland 4	642	E2EM1N	Saltmarsh (Shoreline)	0.03	0.063	0.002
			Sub-total – Wetland 4		**0.06**	**0.002**
			Totals (rounded)		**1.28**	**0.04**

[1] FDOT, 1999.
[2] Cowardin, *et al.*, 1979.

Update 7: Section 3.3, page 3-11. The second paragraph is revised as follows:

Table 13 summarizes the wetland impacts and UMAM functional loss for each build alternative. A total of 4.34 acres of unavoidable wetland impacts for the Fort Hamer Alternative would require mitigation. As shown in Table 13, these 4.34 acres of wetland impacts would result in a UMAM functional loss of 1.60.

Update 8: Section 3.3, Table 13, page 3-12. Table 13 is revised as shown below.

TABLE 13
WETLAND IMPACTS AND UMAM FUNCTIONAL LOSS

Wetland	Fill/Shade		Secondary		Total	
	Acres	Functional Loss	Acres	Functional Loss	Acres	Functional Loss
Fort Hamer Alternative						
Wetland 1	1.98	1.16	0.19	0.005	2.17	1.16
Wetland 2	0.24	0.07	0.25	0.007	0.49	0.08
Wetland 3	0.81	0.32	0.78	0.03	1.59	0.34
Wetland 4	0.03	0.01	0.06	0.002	0.09	0.01
Totals (rounded)	**3.06**	**1.56**	**1.28**	**0.04**	**4.34**	**1.60**
Rye Road Alternative						
Wetland 5	0.06	0.01	No Secondary Impacts for Rye Road Alternative		0.06	0.01
Wetland 6	0.19	0.08			0.19	0.08
Wetland 7	0.03	0.01			0.03	0.01
Wetland 8	0.08	0.02			0.08	0.02
Wetland 9	0.07	0.02			0.07	0.02
Wetland 10	0.61	0.43			0.61	0.43
Wetland 11	0.20	0.06			0.20	0.06
Wetland 12	0.40	0.12			0.40	0.12
Wetland 13	0.22	0.06			0.21	0.06
Wetland 14	0.14	0.09			0.14	0.09
Wetland 15	0.52	0.38			0.52	0.38
Totals (rounded)	**2.52**	**1.28**			**2.52**	**1.28**

Note: Numbers may not add due to rounding.

Update 9: Section 4.5, page 4-4. The first paragraph of Section 4.5 is revised as follows:

As described previously, Wetlands 2, 3, 4, and River 1 (Manatee River) within the Fort Hamer Alternative qualify as EFH. As shown in **Table 15**, the Fort Hamer Alternative would impact 0.15 acre of EFH due to fill and 1.01 acres of EFH due to shading. The Rye Road Alternative would not affect habitats designated as EFH.

Update 10: Section 4.5.1, pages 4-4 and 4-5. This section is revised as follows:

4.5.1 FORT HAMER ALTERNATIVE

The presence of bridge pilings/footings within the wetlands and open water portion of the Manatee River would result in 0.15 acre of fill. These impacts are not expected to adversely affect populations of red drum, gray snapper, pink shrimp, stone crab, and their prey populations.

A total of 1.01 acres of Wetlands 2, 3, and 4 would be subjected to permanent shading impacts from the bridge (all of which qualifies as designated EFH). These impacts would not affect the hydrology of the affected wetlands but would likely result in a decrease of vegetation beneath the bridge. As stated previously, approximately 48 percent of the structure would have a height-width ratio of 0.7, including that portion of the structure over the saltmarsh in Wetland 3. Because of the bridge height in this area and the north-south orientation of the bridge, the 1.01 acres of shading impacts are expected to have minimal adverse effects to red drum, gray snapper, pink shrimp, and stone crab populations and their prey species.

The temporary work trestle described previously would result in 0.62 acre of temporary shading impacts to wetlands. These impacts are expected to be minimal and should restore naturally following removal of the structure.

Water quality degradation could affect designated EFH within the Fort Hamer Alternative Study Area. To minimize potential water quality impacts, the project would be constructed in accordance with all permit conditions for maintaining water quality during construction and during operation of the facility. All stormwater runoff from the roadway and bridge structure would be directed to stormwater treatment ponds; no stormwater runoff would be directly discharged to the Manatee River or adjacent wetlands. For these reasons, no water quality induced adverse impacts to EFH or EFH-dependent species are anticipated for the Fort Hamer Alternative.

Pride, Tom

From: Randall.D.Overton@uscg.mil on behalf of Overton, Randall D CIV <Randall.D.Overton@uscg.mil>
Sent: Friday, August 09, 2013 9:34 AM
To: Peate, Martin; Pride, Tom
Subject: FW: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)
Attachments: Ft Hamer Rd Bridge_NMFS Proposed Alternative Alignments.docx; NMFS response to Ft Hamer Bridge 2013 DEIS.docx

Please take a look at the NMFS commits attached and below. The issue concerning alignment was raised by NMFS in the past; we should take a closer look and discuss

From: david.rydene@noaa.gov [mailto:david.rydene@noaa.gov]
Sent: Thursday, August 08, 2013 12:14 PM
To: Overton, Randall D CIV
Subject: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Hi Randy,

The two attached documents represent NMFS comments on the Draft Environmental Impact Statement regarding the proposed new Fort Hamer Road Bridge crossing the Manatee River in Manatee County, Florida. I can provide the comments in a letter format if you prefer.

I had a couple of editorial comments that are not included in our response. In "Section 1.2 PURPOSE AND NEED FOR ACTION", the first sentence reads "The purpose of this Proposed Action **it** to provide...", but it should be "The purpose of this Proposed Action **is** to provide...".

Also, they use both the terms "secondary impacts" and "indirect impacts" in the document. They should probably just stick with "indirect impacts" throughout the document.

Give me a call or email if you have any questions.

Thanks, Dave

--
David Rydene, Ph.D.
Fish Biologist
National Marine Fisheries Service
Habitat Conservation Division
263 13th Avenue South
St. Petersburg, FL 33701
Office (727) 824-5379
Cell (813) 992-5730
Fax (727) 824-5300

NMFS response to 2013 Fort Hamer Bridge DEIS (Docket Number USCG-2010-0455)

NOAA's National Marine Fisheries Service (NMFS) staff has reviewed the Draft Environmental Impact Statement (DEIS) published on July 5, 2013, for the proposed new bridge crossing the Manatee River in the vicinity of Fort Hamer Road in Manatee County, Florida. NMFS offers the following comments on the DEIS.

Cited studies (i.e. the Sarasota/Manatee Metropolitan Planning Organization's Long Range Transportation Needs Plan) indicate that a total of 28 lanes crossing the Manatee River will be needed to meet the area's transportation needs by 2035. At present only 16 lanes cross the river and the addition of the proposed bridge would only bring the total number of lanes to 18. This will only marginally improve the envisioned 2035 traffic situation. Another 10 lanes crossing the river would be needed to meet the predicted 2035 traffic needs, as either the construction of new bridges or the widening of existing bridges. The DEIS states that even if the proposed Fort Hamer Bridge is built, two more lanes east of I-75 will be needed by 2035 (Section 1.2.1). The DEIS does not indicate whether these two additional lanes would be added to the Rye Road Bridge or the Fort Hamer Bridge.

NMFS continues to believe that impacts to the salt marsh/mangrove peninsula are avoidable, and that the Fort Hamer Alternative, as proposed, does not represent the Least Environmentally Damaging Practicable Alternative. In addition, if the bridge (as proposed) is built and then widened at some point in the future, even further impacts to these important estuarine wetlands would result. NMFS proposes two slightly different alignments that would avoid direct impacts to the salt marsh/mangrove peninsula (see attached document).

NMFS recommends that an Endangered Species Act Section 7 consultation on smalltooth sawfish (*Pristis pectinata*) be conducted. This listed species has the potential to occur in the project area. The use of smalltooth sawfish construction conditions should required during construction activities. A section on this smalltooth sawfish should be added to the Biological Assessment portion of the DEIS.

The bridge should be designed to convey all stormwater off the bridge and into appropriate stormwater treatment systems. This will prevent degraded water from being discharged into the Manatee River and reaching estuarine habitats at the project site and downstream. A commitment to convey stormwater off the bridge for treatment at upland facilities is made in Section 4.3.7 of the DEIS.

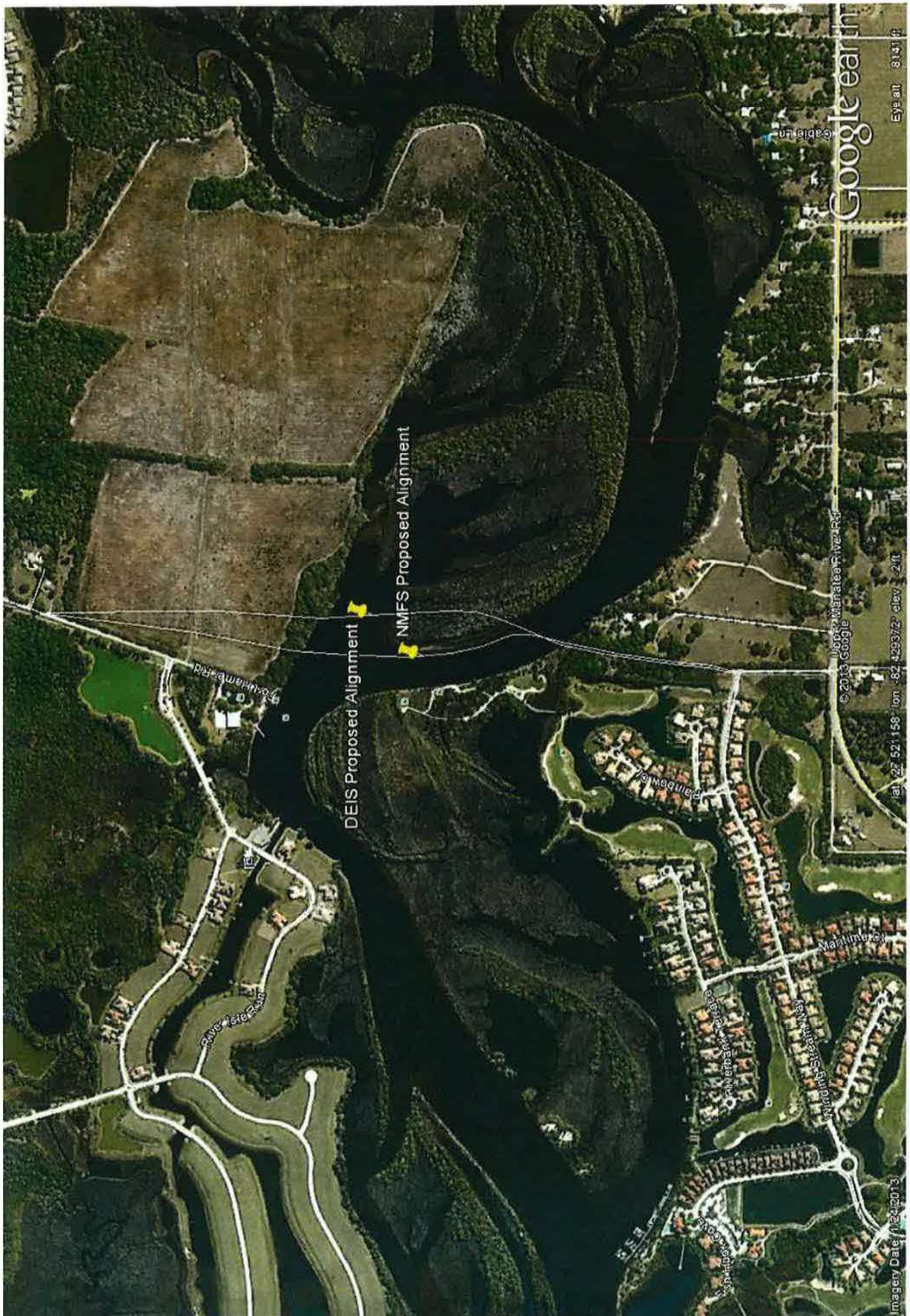
Before mitigation is finalized and permits are issued, a better effort must be made to quantify the amount of mangroves that are interspersed within those areas identified now (in the DEIS Wetland Evaluation Report) as simply salt marshes (FLUCFCS code 642). These mixed salt marsh/mangrove areas are found on both the peninsular area and on the southern shore of the river where the bridge would make landfall.

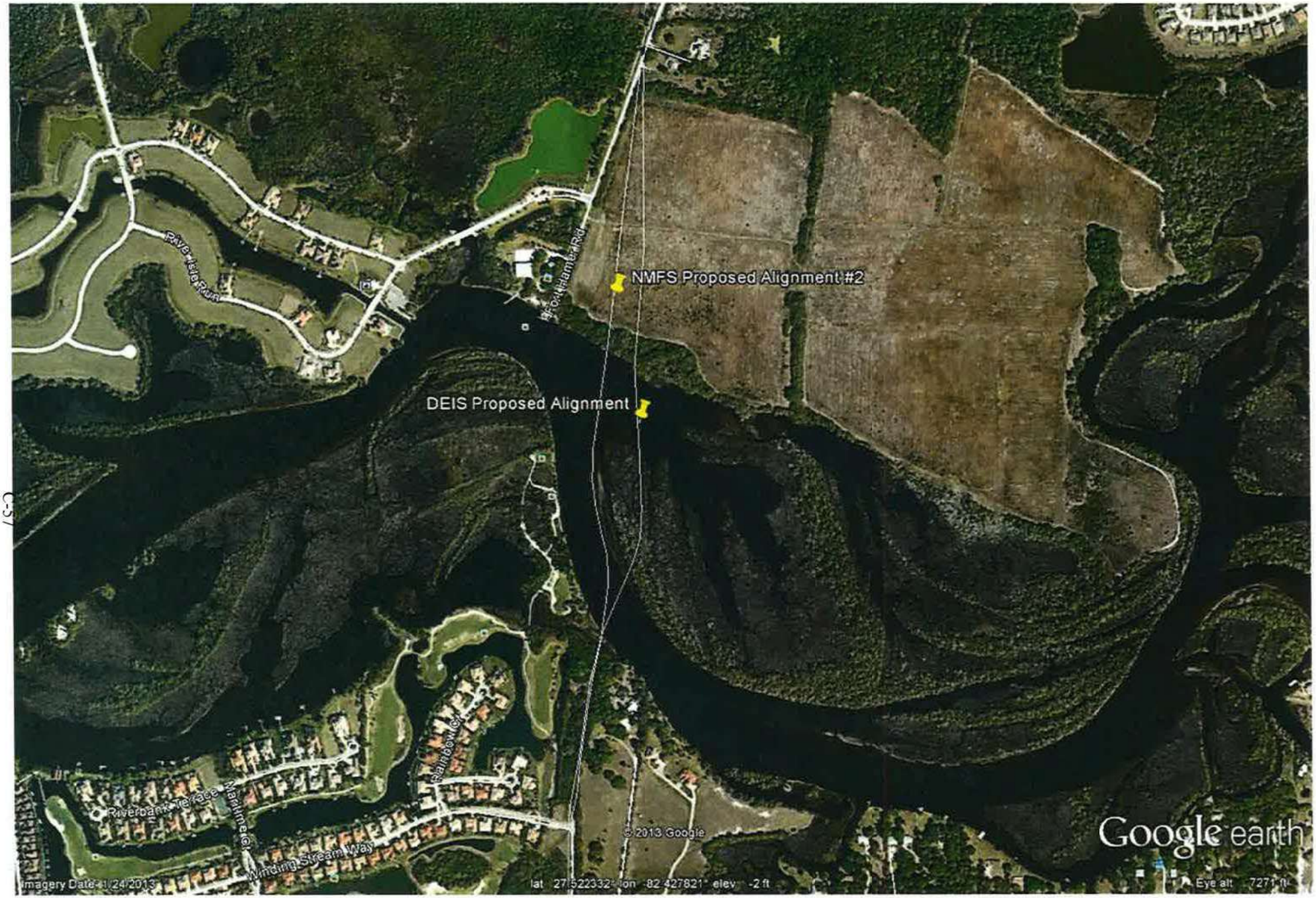
Although some wetland impacts will be temporary (e.g. from the work trestle) and these wetlands may recover after some period of time, the loss of ecological function during this recovery period should be factored into the compensatory mitigation scheme as a time lag metric. A thorough review of the UMAM scores and proposed compensatory mitigation should be conducted with all involved resource

and permitting agencies in an effort to reach consensus on the final scores and compensatory mitigation scenario.

A statement is made in Section 4.5.1 of the Essential Fish Habitat portion of the Wetland Evaluation Report (Appendix D) that the project will result in "*de minimus* to minimal adverse impacts to red drum, gray snapper, pink shrimp, and stone crab populations and their prey species." with no explanation of how the conclusion was reached. Some explanation of the analysis used to reach the conclusion should be provided.

Thank you for the opportunity to review the DEIS and provide comments related to NMFS trust resources.


DEIS Proposed Alignment
NMFS Proposed Alignment
Google earth
Upper Manatee River Rd
© 2013 Google
Imagery Date: 1/24/2013


NMFS Proposed Alignment #2
DEIS Proposed Alignment
Riverbank Terrace
Rainbow Ct
Winding Stream Way
© 2013 Google
Google earth
Imagery Date: 1/24/2013
lat 27.522332° lon -82.427821° elev -2 ft
Eye alt 7271 ft

C-57

D-161

Pride, Tom

From: David Rydene - NOAA Federal <david.rydene@noaa.gov>
Sent: Tuesday, August 27, 2013 2:21 PM
To: Overton, Randall D CIV
Cc: Pride, Tom
Subject: Re: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Hi Randy,

I need an estimate of how the long the overall bridge construction should take, and how long the in-water pile driving should take.

Thanks, Dave

On Thu, Aug 22, 2013 at 1:42 PM, Overton, Randall D CIV <Randall.D.Overton@uscg.mil> wrote:

Dave,

Here's what I got from the project consultants:

The installation of bridge pilings with hydraulic hammers (i.e., pile-driving) can generate acoustic vibrations within the water column. Although detailed construction methodologies for the Fort Hamer Alternative have not been developed, it is likely that many, if not all, of the bridge support pilings would be driven with a hydraulic hammer. A total of 54 24-in^2 pre-stressed concrete pilings will be installed in the river channel, and an additional 137 24-in^2 concrete pilings will be installed in the adjacent wetlands and shallow embayment between Wetland 3 and Wetland 4 (part of River 1).

Thanks,

Randy

From: david.rydene@noaa.gov [mailto:david.rydene@noaa.gov]
Sent: Thursday, August 22, 2013 1:21 PM

To: Overton, Randall D CIV
Subject: Re: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Hi Randy,

Do you have any information on the Ft. Hamer bridge's design details in terms of the anticipated number of piles that will be driven, size and type of piles (e.g. Bridge Engineering Report), or would someone with Manatee County or their consultants have something along those lines ?

Thanks, Dave

On Tue, Aug 13, 2013 at 10:45 AM, Overton, Randall D CIV <Randall.D.Overton@uscg.mil> wrote:

Dave,
Thank you for your input on the DEIS. We are working with the consultant to address all your concerns and comments. Additional I submitted a consultation request for section 7 of ESA and EFH under MSFCA via the NMFS SERO website. Have you seen the consultation request?

Thanks again,
Randy

-----Original Message-----
From: david.rydene@noaa.gov [mailto:david.rydene@noaa.gov]
Sent: Thursday, August 08, 2013 12:14 PM
To: Overton, Randall D CIV
Subject: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Hi Randy,

The two attached documents represent NMFS comments on the Draft Environmental Impact Statement regarding the proposed new Fort Hamer Road Bridge crossing the Manatee River in Manatee County, Florida. I can provide the comments in a letter format if you prefer.

I had a couple of editorial comments that are not included in our response. In "Section 1.2 PURPOSE AND NEED FOR ACTION", the first sentence reads "The purpose of this Proposed Action it to provide...", but it should be "The purpose of this Proposed Action is to provide...".

Also, they use both the terms "secondary impacts" and "indirect impacts" in the document. They should probably just stick with "indirect impacts" throughout the document.

Give me a call or email if you have any questions.

Thanks, Dave

--
David Rydene, Ph.D.
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Habitat Conservation Division

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Fax (727) 824-5300

Pride, Tom

From: Randall.D.Overton@uscg.mil on behalf of Overton, Randall D CIV <Randall.D.Overton@uscg.mil>
Sent: Thursday, August 29, 2013 1:25 PM
To: david.rydene@noaa.gov
Cc: Pride, Tom
Subject: RE: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Dave,
I will send a new consultation letter and included the smalltooth sawfish. I will also get the pile driving information for the temporary work trestle and incorporate the information into the new letter.

Thanks,
Randy

From: david.rydene@noaa.gov [mailto:david.rydene@noaa.gov]
Sent: Thursday, August 29, 2013 11:52 AM
To: Overton, Randall D CIV
Subject: Re: NMFS comments on the Fort Hamer Road Bridge DEIS (Docket # USCG -2010-0455)

Hi Randy,

I was looking at the USCG Section 7 consultation request letter again today and noticed that it does not include a determination or request for smalltooth sawfish consultation. Could you send a modified letter or addendum ?

Also, I will need pile driving information for the temporary work trestle, as was provided for the actual bridge pile driving.

Thanks, Dave

On Thu, Aug 22, 2013 at 1:42 PM, Overton, Randall D CIV <Randall.D.Overton@uscg.mil> wrote:

Dave,

Here's what I got from the project consultants:

The installation of bridge pilings with hydraulic hammers (i.e., pile-driving) can generate acoustic vibrations within the water column. Although detailed construction methodologies for the Fort Hamer Alternative have not been developed, it is likely that many, if not all, of the bridge support pilings would be driven with a hydraulic hammer. A total of 54 24-in^2 pre-stressed concrete pilings will be installed in the river channel, and an additional 137 24-in^2 concrete pilings will be installed in the adjacent wetlands and shallow embayment between Wetland 3 and Wetland 4 (part of River 1).

Thanks,

Pride, Tom

From: Randall.D.Overton@uscg.mil on behalf of Overton, Randall D CIV <Randall.D.Overton@uscg.mil>
Sent: Wednesday, October 09, 2013 10:13 AM
To: Pride, Tom
Cc: Peate, Martin
Subject: FW: Consultation letter for Ft. Hamer and response to NMFS Comments to DEIS
Attachments: NMFS ESA Section 7and EFHrevisedconsultation request - SEP2013.pdf; Sea Turtle and Smalltooth Sawfish Construction Conditions.pdf

This is the email that transmitted the revised NMFS consultation letter

-----Original Message-----
From: Overton, Randall D CIV
Sent: Wednesday, September 18, 2013 2:58 PM
To: 'david.rydene@noaa.gov'
Subject: Consultation letter for Ft. Hamer and response to NMFS Comments to DEIS

Dave,
I have attached a revised consultation letter for the Ft Hamer project.
Included in the attached letter is consultation request for the smalltooth sawfish, as requested. I've learned a lot about the smalltooth sawfish from this project and research after our discussion.

Also included as an attachment to the letter is a response to your comments to the DEIS for the project.

Please let me know if I can provide anything else.

Thank you,

Randall Overton
Federal Permit Agent USCG
909 SE 1st Ave Suite 432
Miami, Fl 33131
(305) 205-0795 Cell
(305) 415-6736 Office

U.S. Department of Homeland Security
United States Coast Guard

Commander
Seventh Coast Guard District

909 S. E. First Avenue (Rm 432)
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Phone: (305) 415-6736
Fax: (305) 415-6763
Email: randall.d.overtont@uscg.mil

16450
September 18, 2013

David Rydene, Ph.D.
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701-5505

Dear Dr. Rydene,

On July 24, 2013, the U.S. Coast Guard requested initiation of consultation in accordance with Section 7 of the Endangered Species Act (ESA) and to initiate consultation under the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) for Essential Fish Habitat for the proposed new bridge over the Manatee River in Manatee County, Florida. Project related documents made available to the NMFS included the Draft Environmental Impact Statement (DEIS), Wetlands Evaluation Report (WER) and subsequent update, and Biological Assessment (BA) and subsequent update.

On August 8, 2013, your office provided comments on the above-referenced documents and requested additional information for NMFS' review. Attachment A to this letter contains a copy of your comments and responses to those comments as prepared by the project consultant.

Comment No. 3 of the NMFS comments recommends that an ESA Section 7 consultation on smalltooth sawfish (*Pristis pectinata*) be conducted as the species has the potential to occur in the project area. Also, in an email dated August 29, 2013 the NMFS requested a modified consultation request that addresses the smalltooth sawfish. Through this letter the Coast Guard requests initiation of ESA Section 7 consultation for the smalltooth sawfish. We have included the following information regarding the smalltooth sawfish to facilitate your review of the project and to further the consultation process. This same information is being incorporated into the revised BA which will be included in the Final EIS.

Smalltooth Sawfish *(Pristis pectinata):*
ESA Endangered [U.S. - Distinct Population Segment (DPS) listed April 1, 2003]
Smalltooth sawfish inhabit shallow coastal waters of tropical seas and estuaries throughout the world. They are usually found in shallow waters (less than 32 ft (10 m)), very close to shore over muddy and sandy bottoms. They are often found in sheltered bays, on shallow banks, and in estuaries or river mouths. They prefer warmer water temperature of 22-28 degrees Celsius. They are known to ascend inland in river systems, and have been shown to have a salinity preference of 18-24 parts per thousand. In September 2009 NMFS issued a Final Rule (74 FR 45353) to designate critical habitat for the U.S. distinct population segment (DPS) of smalltooth sawfish (*Pristis pectinata*). The critical habitat consists of two units: the Charlotte Harbor

Estuary Unit, which comprises approximately 221,459 acres of coastal habitat; and the Ten Thousand Islands/Everglades Unit (TTI/E), which comprises approximately 619,013 acres of coastal habitat. The two units are located along the southwestern coast of Florida between Charlotte Harbor and Florida Bay (*NMFS OPR website*). Neither the Fort Hamer Alternative nor the Rye Road Alternative occurs within the vicinity of designated critical habitat for the smalltooth sawfish.

Potentially suitable habitat for the smalltooth sawfish occurs along the sandy bottom of the Manatee River within the Fort Hamer Alternative. No smalltooth sawfish have been documented in the Manatee River by the Florida Natural Areas Inventory (FNAI) and none were observed during field reviews for the project. Potential threats to the smalltooth sawfish as a result of implementation of the Fort Hamer Alternative include collision with construction vessels and entanglement in lines and floating turbidity barriers.

Due to the very shallow depths and narrow confines of the river at the Rye Road Alternative, potentially suitable habitat for the smalltooth sawfish is considered non-existent within the Rye Road Alternative. As a result, the Coast Guard has determined that implementation of the Rye Road Alternative will have no effect on the smalltooth sawfish.

Other species under NMFS purview (Sea turtles, Shortnose and Gulf sturgeon, North Atlantic right whales and other whales, Johnson seagrass, Elkhorn and Staghorn Coral): The Coast Guard has made a No-Effect determination for the above-listed species because the project is being proposed outside the known range and habitat of these species. A note will be made to the project files documenting the no-effect determination.

Proposed Avoidance, Minimization, Mitigation Measures:

To minimize potential impacts and interaction with the smalltooth sawfish the applicant (Manatee County) has committed to the implementation of standard NMFS (SERO) approved Sea Turtle and Smalltooth Sawfish Construction Conditions (Revised: March 23, 2006). – Attached to transmittal email.

Summary of Coast Guard Determinations:

Based on the information and commitments contained in this consultation letter, the BA and WER, including the supplemental updates, the Coast Guard determines:

The LPA (Fort Hamer Bridge Alternative) May Affect, but is not Likely to Adversely Affect (MANLAA) the smalltooth sawfish.

Additional Information Regarding Proposed Construction Methodology and Potential Impacts:

16450
18 September 2013

In emails dated August 27 and 29, 2013 the NMFS requested additional information regarding the length of work and the temporary work trestle. The following information is provided in response to these requests.

It is anticipated that construction of the proposed bridge for the Fort Hamer Alternative will take a total of twenty (20) months, including approximately six (6) months of in-water work for pile-driving and construction of the pile caps.

The design of the temporary work trestle is dependent upon contractor needs and will be finalized following selection of the construction contractor. However, for such work platforms contractors typically use steel pipe piles, 18 to 24 inches in diameter, driven in place with a hydraulic hammer. Based on the consultant's preliminary layout of the temporary work trestle, approximately 136 steel piles would be needed to support the structure. It is expected that the temporary structure would remain in place for 14 to 18 months during construction of the bridge.

Sincerely,

RANDALL D. OVERTON
Bridge Management Specialist
U.S. Coast Guard

Enclosure: 1) Attachment A – Responses to NMFS comments dated August 8, 2013
2) Sea Turtle and Smalltooth Sawfish Construction Conditions (Revised: March 23, 2006) as an email attachment

Copy: CGHQ-BRG-2 as an email

ATTACHMENT A

NMFS response to 2013 Fort Hamer Bridge DEIS (Docket Number USCG-2010-0455)

Transmitted via email on 8 August 2013 by David Rydene (NMFS) to Randy Overton (USCG)

URS responses to NMFS comments are shown in **Bold.**

NOAA's National Marine Fisheries Service (NMFS) staff has reviewed the Draft Environmental Impact Statement (DEIS) published on July 5, 2013, for the proposed new bridge crossing the Manatee River in the vicinity of Fort Hamer Road in Manatee County, Florida. NMFS offers the following comments on the DEIS.

Comment No. 1: Cited studies (i.e. the Sarasota/Manatee Metropolitan Planning Organization's Long Range Transportation Needs Plan) indicate that a total of 28 lanes crossing the Manatee River will be needed to meet the area's transportation needs by 2035. At present only 16 lanes cross the river and the addition of the proposed bridge would only bring the total number of lanes to 18. This will only marginally improve the envisioned 2035 traffic situation. Another 10 lanes crossing the river would be needed to meet the predicted 2035 traffic needs, as either the construction of new bridges or the widening of existing bridges. The DEIS states that even if the proposed Fort Hamer Bridge is built, two more lanes east of I-75 will be needed by 2035 (Section 1.2.1). The DEIS does not indicate whether these two additional lanes would be added to the Rye Road Bridge or the Fort Hamer Bridge.

Response: At this time it is unknown where additional lanes would be added in the future. The current project is funded solely by Manatee County and the County currently does not have additional lanes funded. Likewise, the FDOT currently has no plans to add additional lanes east of I-75. The addition of any lanes across the river following construction of the Fort Hamer Alternative would require additional studies and documentation in accordance with NEPA.

Comment No. 2: NMFS continues to believe that impacts to the salt marsh/mangrove peninsula are avoidable, and that the Fort Hamer Alternative, as proposed, does not represent the Least Environmentally Damaging Practicable Alternative. In addition, if the bridge (as proposed) is built and then widened at some point in the future, even further impacts to these important estuarine wetlands would result. NMFS proposes two slightly different alignments that would avoid direct impacts to the salt marsh/mangrove peninsula (see attached document).

Response: With any design it is best to have the bridge as perpendicular to the river as possible for several reasons:

1. **There are fewer piers in the water which provides a better "line-of-sight" between piers for the boaters;**
2. **In consideration of line-of-sight, currents, and wind, it is easier and safer to navigate between piers that are arranged perpendicular to the river, thus providing a safer condition for boaters;**
3. **With fewer piers there will be less scour and degradation of the river bottom;**
4. **A greater number of piers is more likely to result in a tailwater condition, i.e., upstream flooding due to greater restriction;**

5. **The channel span length is shorter, which provides for a more economical bridge;**

6. **The vertical profile is lower due to a shallower superstructure depth;**

7. **Long-term maintenance costs are reduced due to simpler geometrics and materials.**

The alignments suggested by NMFS will require a longer channel span due to the heavy skew at the centerline of river in order to provide the USCG minimum 75-foot horizontal clearance. The channel span length will increase from approximately 145 feet to 260 feet. Longer and heavier beams at large skews are much more complicated and difficult to erect. These longer lengths will require steel to be used for the beams which requires constant maintenance painting due to the close proximity of the brackish water. The increase in bridge costs for the NMFS alignment will be approximately $6 million dollars. In addition there will be approximately twice as many piers in the water compared to the Fort Hamer alignment shown in the DEIS. Although not currently planned, if the bridge is ever widened to four lanes, it will effectively obstruct one third of the river width for a length of almost one thousand feet. Finally, a relatively sharp curve on the bridge as suggested by the NMFS proposed alignment would introduce additional safety concerns for bridge users and would require substantial vehicle speed restrictions. As a result of these considerations, alternative bridge alignments are not considered practicable.

Comment No. 3: NMFS recommends that an Endangered Species Act Section 7 consultation on smalltooth sawfish (*Pristis pectinata*) be conducted. This listed species has the potential to occur in the project area. The use of smalltooth sawfish construction conditions should required during construction activities. A section on this smalltooth sawfish should be added to the Biological Assessment portion of the DEIS.

Response: We have conducted an evaluation of the potential project effects on the smalltooth sawfish. The Coast Guard is submitting this information to the NMFS along with a request for ESA Section 7 consultation on the species. The use of NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions during construction will be a commitment in the Final EIS.

Comment No. 4: The bridge should be designed to convey all stormwater off the bridge and into appropriate stormwater treatment systems. This will prevent degraded water from being discharged into the Manatee River and reaching estuarine habitats at the project site and downstream. A commitment to convey stormwater off the bridge for treatment at upland facilities is made in Section 4.3.7 of the DEIS.

Response: The stormwater conveyance system has been designed to capture and treat all stormwater from the bridge. No water will be discharged from the bridge to the Manatee River.

Comment No. 5: Before mitigation is finalized and permits are issued, a better effort must be made to quantify the amount of mangroves that are interspersed within those areas identified now (in the DEIS Wetland Evaluation Report) as simply salt marshes (FLUCFCS code 642). These mixed salt marsh/mangrove areas are found on both the peninsular area and on the southern shore of the river where the bridge would make landfall.

Response: We have revisited the project area in an effort to further quantify the extent of mangroves in these areas. Within Wetland 2 both red and black mangroves occur within the 0.59-acre area identified as wetland scrub. The mangroves occur sporadically in this area and are interspersed with

salt bush, wax myrtle, and Brazilian pepper. The total area occupied by mangroves within this area is estimated at 0.1 acre.

The saltmarsh portion of the peninsula north of the river contains very widely scattered red mangrove trees with most being less than three feet tall. Of the 1.58 acres of saltmarsh identified in this area, less than 200 square feet is estimated to consist of mangroves.

Comment No. 6: Although some wetland impacts will be temporary (e.g. from the work trestle) and these wetlands may recover after some period of time, the loss of ecological function during this recovery period should be factored into the compensatory mitigation scheme as a time lag metric. A thorough review of the UMAM scores and proposed compensatory mitigation should be conducted with all involved resource and permitting agencies in an effort to reach consensus on the final scores and compensatory mitigation scenario.

Response: We will factor a time lag into the UMAM scoring for the temporary wetland impacts. Application has been made for environmental permits from the SWFWMD and USACE; both of these agencies are reviewing the UMAM scoring for the proposed impact and mitigation areas and the acceptability of the proposed mitigation.

Comment No. 7: A statement is made in Section 4.5.1 of the Essential Fish Habitat portion of the Wetland Evaluation Report (Appendix D) that the project will result in "*de minimus* to minimal adverse impacts to red drum, gray snapper, pink shrimp, and stone crab populations and their prey species." with no explanation of how the conclusion was reached. Some explanation of the analysis used to reach the conclusion should be provided.

Response: The first paragraph of Section 4.5.1 is being revised as follows and as an explanation of the analysis used to reach the conclusion referenced above:

4.5.1 FORT HAMER ALTERNATIVE

The presence of bridge pilings/footings within the wetlands and open water portion of the Manatee River would result in 0.15 acre of fill. These impacts are not expected to adversely affect populations of red drum, gray snapper, pink shrimp, stone crab, and their prey populations.

A total of 1.01 acres of Wetlands 2, 3, and 4 would be subjected to permanent shading impacts from the bridge (all of which qualifies as designated EFH). These impacts would not affect the hydrology of the affected wetlands but may result in a decrease of vegetation and secondary productivity beneath the bridge. As stated previously, approximately 48 percent of the structure would have a height-width ratio of 0.7 or greater, including that portion of the structure over the saltmarsh and mangroves in Wetland 3. The mid-point of the bridge, and consequently the highest part of the bridge, occurs over these marsh/mangrove habitats and allows stormwater to flow in equal volumes from the bridge to the stormwater ponds located at each end of the structure. Thus, 75 percent of the total permanent shading area (0.76 acre of the 1.01 acres) occurs beneath that portion of the bridge with a height-width ratio of 0.7 or greater. The remaining 25 percent of shading area (0.25 acre) occurs beneath portions of the bridge with a height-width ratio of less than 0.7.

Broome et al. (2005) report that above-ground biomass, stem height, stem count, number of flowers, and basal area were greatly reduced beneath bridges at height-width ratios less than 0.5. At a height-width ratio of 0.68 adverse bridge shading effects on vegetation were still detected although greatly

diminished. Likewise, they showed a strong correlation of bridge height-width ratio with secondary productivity with benthic invertebrate density and diversity significantly lower beneath bridges with a height-width ratio less than 0.7. Broome et al. (2005) concluded, "Data indicates that shading by bridges having height-width ratios greater than 0.7 do not adversely impact the productivity or function of the underlying marsh..." Based on this analysis, the 0.25 acre of permanent shading area beneath the proposed bridge would be expected to result in reduced productivity and ecological function beneath the bridge. The remaining 0.76 acre of shading would have minimally reduced productivity and function. Shading beneath the bridge may be further reduced due to the north-south orientation of the bridge; more sunlight will be present under the bridge during the morning and late afternoon hours compared to a bridge with an east-west axis. Based on this information, we conclude that the 1.01 acres of permanent shading beneath the bridge will have minimal adverse effects to red drum, gray snapper, pink shrimp, and stone crab populations and their prey species.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.

b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.

c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.

d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.

e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.

f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006
O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc

Pride, Tom

From: David Rydene - NOAA Federal <david.rydene@noaa.gov>
Sent: Wednesday, October 09, 2013 10:04 AM
To: Pride, Tom
Subject: Re: Bridge over Manatee River at Ft Hamer - additional NMFS questions

Thanks Tom !

On Wed, Oct 9, 2013 at 7:52 AM, Pride, Tom <tom.pride@urs.com> wrote:

David,

On October 2 you had called and asked for clarifying information regarding the temporary trestle and pile-driving associated with the proposed bridge over the Manatee River at Fort Hamer. Each question is listed below followed by our response:

- What is the length of the temporary trestle on the south side of the river and the length of the temporary trestle on the north side of the river? **Response: The south side trestle is approximately 270 feet and the north side trestle is approximately 1,650 feet.**

- Other than the pilings/piers are there any other structures or rip-rap to be placed in the river or wetlands adjacent to the river? **Response: There are no other structures planned in the river. At the end bents, the Preliminary Bridge Hydraulic Report recommends sod or equivalent geotextile/armoring for the slope at the wetland/upland interface. The current design does not include any rip-rap or other armoring below the wetland boundary. If, during construction, it is determined that riprap armoring is required below the wetland boundary a permit modification for the additional impact and required mitigation will be submitted.**

- How long (approximately) will it take to drive each concrete pile for the main bridge and how long will it take to drive each pipe pile for the temporary trestle? How many of each can be driven each day? **Response: It varies throughout Florida depending on the soil conditions and hammer used by the contractor. Concrete piles can be driven in as quickly as 15 minutes or as long as 45-90 minutes. Assuming 60 minutes per pile, approximately 6 to 8 concrete piles could be driven in one day. The steel pipe piles are vibrated in place and take between 15 and 45 minutes each. Assuming 30 minutes for each pile, approximately 14 to 16 steel pipe piles can be driven per day.**

- Is there a potential for the contractor to use water jetting to start the piles? **Response: The Geotechnical Report recommends preformed pile holes to start the piles, but there is always the potential that the contractor may want to use water jetting to start the piles.**

I hope this information is helpful for your review. Please do not hesitate to contact me with any questions or if you need additional information.

Thank you,

Tom Pride

Manager, Environmental Sciences

URS Corporation

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Tampa, FL 33607-1462

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December 16, 2013 F/SER46:DR

Office of the Commander (dpb)
Seventh Coast Guard District
Brickell Plaza Federal Building
909 Southeast First Avenue (Room 432)
Miami, Florida 33131-3028

Dear Commander:

NOAA's National Marine Fisheries Service, Habitat Conservation Division (NMFS), has reviewed the documents (Public Notice 11-13, Draft Environmental Impact Statement, and supplemental updates to the Biological Assessment and Wetland Evaluation Report) provided by the United States Coast Guard regarding the construction of a new bridge spanning the Manatee River in Manatee County, Florida.

The proposed new bridge project site is located at 27.522423°N, 82.428585°W over the Manatee River in Manatee County, Florida. This portion of the Manatee River is tidally influenced and salt marsh and mangroves are present within the limits of proposed construction. Some submerged aquatic vegetation (widgeon grass, *Ruppia maritima*), a salt-tolerant freshwater species, also occurs in the area. There is currently no bridge structure at the site. Manatee County (the applicant) proposes the construction of a new two-lane bridge. The northern end of the bridge would connect with existing Fort Hamer Road, and the southern end would tie into Upper Manatee Road/Lakewood Ranch Boulevard. The project length would be approximately 2,318 feet. At its highest point the bridge would be 26 feet above Mean High Water. The project is expected to take 20 months to complete.

Construction of the bridge is expected to result in permanent and temporary impacts to salt marsh and mangrove habitats. These habitats are utilized by federally-managed fish species and their prey, and are considered Essential Fish Habitat under Magnuson-Stevens Fishery Conservation and Management Act. Permanent loss of salt marsh due to the project is estimated at 1.48 acres and permanent loss of mangroves is estimated at 0.11 acres. Temporary impacts to salt marsh due to the installation of two temporary work trestles is estimated at 0.62 acres. The work trestles will be in place for 14-18 months.

NMFS staff has reviewed the Conceptual Mitigation Plan contained in Appendix D (Wetland Evaluation Report) of the Draft Environmental Impact Statement. Compensatory mitigation to offset wetland impacts will be undertaken in the vicinity of the project and involve wetland creation efforts. NMFS believes that the proposed compensatory mitigation for salt marsh and mangrove impacts due to the project will be adequate to offset the loss of ecological function provided by these habitats. The final compensatory mitigation plan should include a monitoring component to ensure that the compensatory mitigation is successful. In the event that mitigation is not successful, a contingency

mitigation plan will need to be developed to offset the loss of ecological function and include a time lag factor to account for the time period that those lost functions have not been present.

If you have questions regarding our views on this project, please contact Dr. Dave Rydene in our St. Petersburg, Florida office. Dr. Rydene may be reached at the letterhead address or by calling (727) 824-5379.

Sincerely,

Virginia M. Fay

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:
F/SER4
F/SER46 - Rydene

DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD FINAL ENVIRONMENTAL IMPACT STATEMENT

FOR

PROPOSED NEW BRIDGE ACROSS THE MANATEE RIVER, MILE 15.0,
AT PARRISH, MANATEE COUNTY, FLORIDA

APPENDIX E

BIOLOGICAL ASSESSMENT

JANUARY 2014

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Section 1.0
INTRODUCTION

Manatee County (the County) has prepared a Final Environmental Impact Statement (FEIS), in conjunction with the United States Coast Guard (USCG), to document a study of proposed improvements to north/south traffic movements in eastern Manatee County, Florida and to evaluate the potential impacts associated with those improvements. The objective of this transportation study is to identify the type, conceptual design, and location of improvements necessary to provide additional capacity for the projected north/south travel demand. The FEIS has been developed to satisfy the requirements of the *National Environmental Policy Act of 1969* (NEPA) and other related federal and state laws, rules, and regulations that apply to the Proposed Action.

For the purpose of the FEIS, two build alternatives are being evaluated. **Figure 1** shows the location, study areas, and construction limits of these alternatives. The study area of each alternative is defined as the area contained within a 0.5-mile buffer of the centerline. The two build alternatives are described below.

- **Fort Hamer Alternative** – This build alternative consists of a new two-lane bridge crossing the Manatee River connecting the existing two-lane Upper Manatee River Road with the existing two-lane Fort Hamer Road. The construction limits of this alternative begin just north of the main entrance of the Waterlefe subdivision and terminate on the north side of the Manatee River approximately 2,000 feet south of Mulholland Drive, a total of approximately 1.4 miles. The study area for this alternative extends south to State Road (SR) 64 and north to U.S. Highway (US) 301 because of the increased traffic between these points that would result from this alternative.

- **Rye Road Alternative** – This build alternative consists of a new two-lane crossing the Manatee River adjacent to the existing Rye Road Bridge and the expansion of Rye Road from two to four lanes from SR 64 north to Golf Course Road, Golf Course Road from two to four lanes from Rye Road to Fort Hamer Road, and Fort Hamer Road from two to four lanes from Golf Course Road to US 301, a total of 10.2 miles.

A Biological Assessment (BA) is required as part of the FEIS due to the presence of listed species and designated critical habitat within the study area for each build alternative. This BA describes the habitats and listed species potentially present within each build alternative and the effects that implementation of each build alternative would have on listed species and critical habitat.

FIGURE 1
LOCATION MAP – FORT HAMER AND RYE ROAD ALTERNATIVES

1.1 PROJECT NEED

Manatee County is proposing to add additional travel lanes across the Manatee River in eastern Manatee County. The purpose of the Proposed Action is to improve regional mobility by providing an alternative north/south transportation route between high-growth areas of Manatee County located east of Interstate 75 (I-75) and separated by the Manatee River. Studies have shown that there is a strong demand for multiple crossings over this waterway to alleviate the traffic burden on I-75. Several specific factors demonstrate the need for the Proposed Action, including:

- Accommodate existing and projected growth in eastern Manatee County,
- Improve the Level of Service (LOS) of the local roadway network,
- Improve emergency response times, and
- Improve evacuation capacity across the Manatee River.

The current river crossings located at I-75 and Rye Road create a circuitous route in eastern Manatee County that increases travel time/distance, reduces LOS, increases emergency response times, and are at capacity for evacuation scenarios.

1.2 ALTERNATIVES CONSIDERED

The Proposed Action is intended to service the demand for two additional lanes of capacity across the Manatee River east of I-75 and the other elements of the Purpose and Need statement noted in Section 1 of the FEIS. East of I-75, opportunities exist where existing roadways can be connected with a new crossing (Fort Hamer Alternative) or an existing bridge and roadway can be expanded (Rye Road Alternative). Other alternatives were considered preliminarily, but were discounted due to their obvious impacts to the natural and human environment or failure to meet the project's Purpose and Need.

For example, new crossing locations between I-75 and Fort Hamer Road would require not only a new crossing of the Manatee River, but miles of new roadway traversing established and growing residential developments, thus, displacing hundreds of residents. Natural environment impacts in this area were also obviously greater than those utilizing existing transportation corridors. A crossing location between Fort Hamer Road and Rye Road had similar issues related to residential developments, but substantially greater natural environment impacts due to the curvilinear nature of this section of the Manatee River, width of the 100-year floodplain, and habitats found along the river. For these reasons, alternatives that either did not utilize or expand existing transportation corridors were considered to be unreasonable and were not carried forward in the DEIS for further analysis.

Within the Fort Hamer Alternative, three bridge concept alternatives were evaluated:

- Bascule Concept
    - Single leaf bascule (moveable) bridge with a 10-foot vertical clearance
- Mid-Level Fixed Concept
    - Fixed span bridge with a 26-foot vertical clearance
- High-Level Fixed Concept
    - Fixed span bridge with a 40-foot vertical clearance

A vessel survey was conducted during the Memorial Day weekend 1999 to determine vessel type, size, and usage along this portion of the Manatee River. At the time it was determined that a vertical clearance (air draft) of 26 feet would accommodate all vessels in this portion of the Manatee River. These results were presented to the USCG and a vertical clearance of 26 feet was found acceptable.

Due to the length of time since that survey was conducted, a second vessel survey was conducted in spring 2011. All property owners with water access between Fort Hamer Road and Rye Road were identified using the Manatee County Property Appraisers Office database and mailed a questionnaire. Based on the response of that survey, three respondents noted they had vessels that exceeded 26 feet in height. A subsequent field review in December 2011 indicated that one of these vessels (a small sailboat) was sunk in place at the owner's dock. The second vessel consisted of a houseboat with a flagpole that exceeded 26 feet in height; however, it was noted that the houseboat required less than 26 feet vertical clearance if the flagpole was lowered. The third vessel was a sailboat with a permanently mounted mast exceeding 26 feet in height. The results of both vessel surveys are provided in Appendix A of the FEIS.

Based on the estimated total lifetime cost (construction, maintenance, and operations) of the Bascule Bridge Concept ($106,142,880 - $111,083,600) and the very low number of vessels needing unlimited vertical clearance, it was recommended the Bascule Bridge Concept for the Fort Hamer Alternative be eliminated for further consideration.

The bridge height is the basis for the controversy related to the Waterlefe subdivision located immediately southwest of the proposed Fort Hamer Alternative crossing. The High-Level Fixed Bridge would increase the vertical clearance to 40 feet and be contradictory to the issues raised by that community. Additionally, because of the estimated total lifetime cost (construction, maintenance, and operations) of the High-Level Fixed Bridge Concept ($14,906,580 - $26,016,350) and the very low number of vessels needing a 40-foot vertical clearance, it was recommended the High-Level Fixed Bridge Concept for the Fort Hamer Alternative be eliminated for further consideration.

1.3 ALTERNATIVES RECOMMENDED FOR FURTHER EVALUATION

As a result of the preliminary evaluation of alternatives discussed above, it was determined that three alternatives would be considered "reasonable" for further, detailed analysis and evaluation in the DEIS:

- No-Build Alternative,
- Fort Hamer Alternative, and
- Rye Road Alternative.

The No-Build Alternative does not include any road capacity improvements other than the road safety improvements and scheduled maintenance already funded to be constructed in the Manatee County Capital Improvement Program (CIP), or improvements provided by private nongovernment entities, such as developers. For comparative purposes, the No-Build Alternative was retained and evaluated against the two build alternatives throughout the EIS process. The

results of the No-Build Alternative analyses are presented in Chapter 2 of the FEIS. This BA only addresses the two build alternatives.

The Fort Hamer Alternative consists of a new two-lane bridge crossing the Manatee River connecting the existing two-lane Upper Manatee River Road with the existing two-lane Fort Hamer Road. The construction limits of this alternative extend from just north of the main entrance of the Waterlefe subdivision to the north side of the Manatee River, a total of approximately 1.4 miles. The length of the proposed bridge is approximately 2,570 feet. A conceptual plan view of the bridge, bridge approaches, and stormwater/floodplain features are shown on **Figure 2**. The proposed roadway and bridge typical sections for the Fort Hamer Alternative are shown in **Figure 3**.

The Rye Road Alternative consists of a new two-lane, 350-foot-long bridge crossing the Manatee River parallel to the existing Rye Road Bridge. To accommodate the two new lanes over the river, this alternative also includes the expansion of Rye Road from two to four lanes from SR 64 north to Golf Course Road, Golf Course Road from two to four lanes from Rye Road to Fort Hamer Road, and Fort Hamer Road from two to four lanes from Golf Course Road to US 301, a total of approximately 10.2 miles. Unlike the Fort Hamer Alternative, conceptual locations of the stormwater/floodplain compensation ponds have not been developed for the Rye Road Alternative since this alternative has not been advanced to preliminary design. The proposed roadway and bridge typical sections for the Rye Road Alternative are shown in **Figure 4**.

1.4 PREFERRED ALTERNATIVE

The analysis presented in Chapter 2 of the FEIS resulted in the determination that the No-Build Alternative does not meet the stated Purpose and Need. The analysis further showed the Rye Road Alternative only minimally improves the local roadway network LOS and only minimally accommodates planned and approved growth in the area. The Rye Road Alternative does not improve emergency response times. After consideration of each alternative's ability to meet the stated Purpose and Need and the social, cultural, natural environment, and physical impacts of the No-Build Alternative and the two build alternatives, **the Fort Hamer Alternative has been selected as the preferred alternative**.

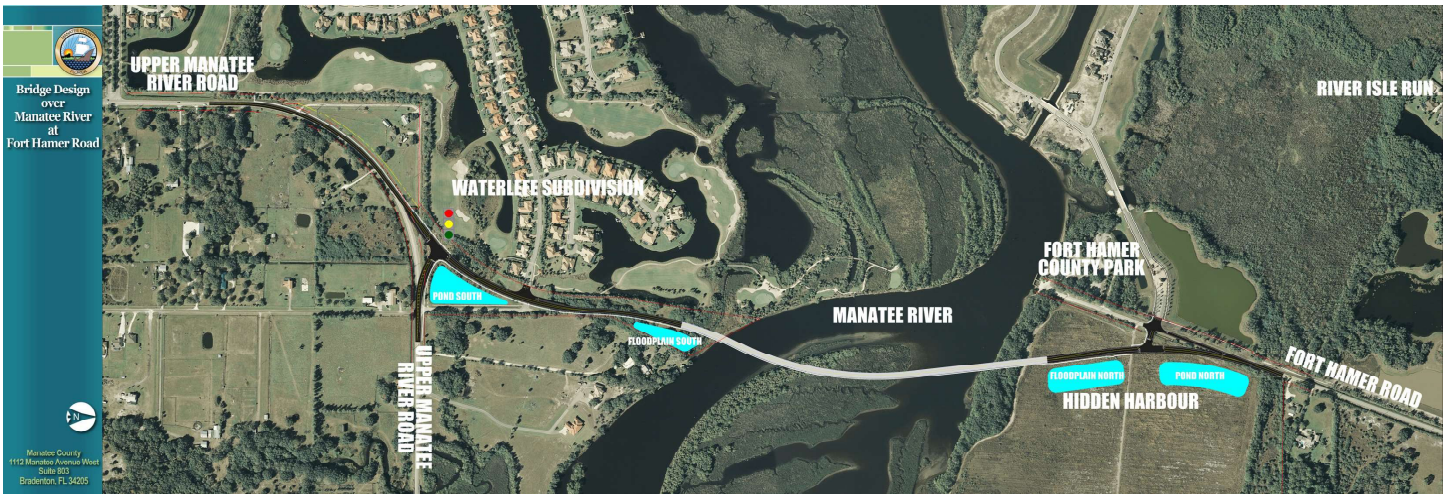
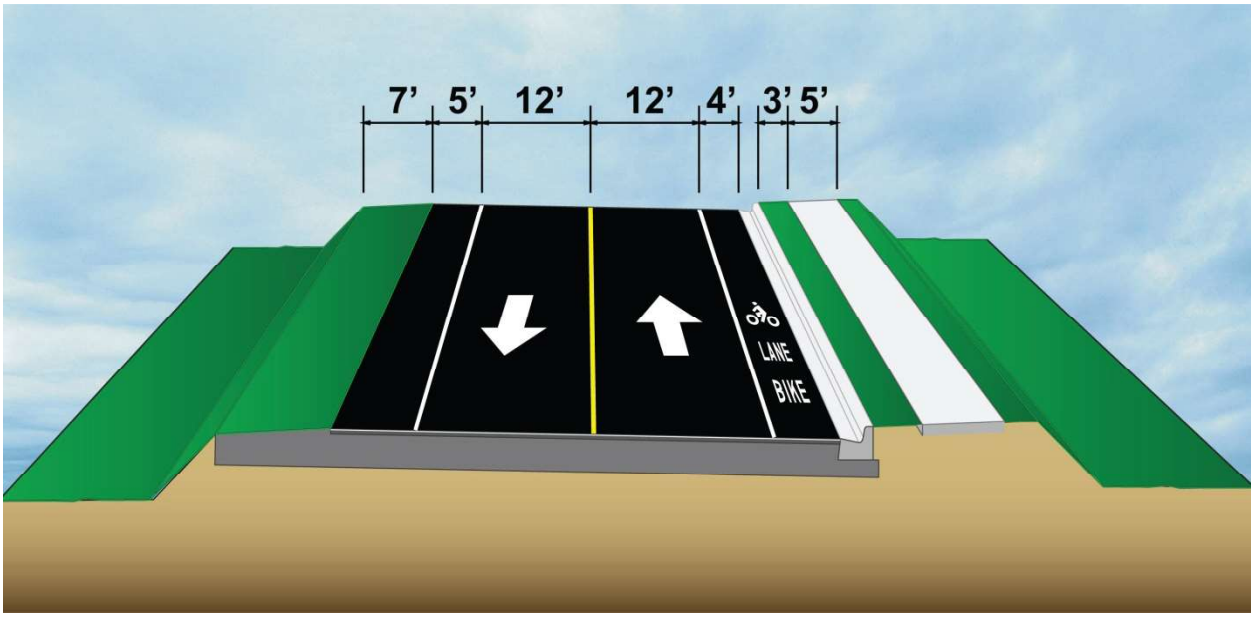


FIGURE 2
FORT HAMER ALTERNATIVE
CONCEPTUAL PLAN VIEW OF
BRIDGE AND APPROACHES

FIGURE 3
FORT HAMER ALTERNATIVE TYPICAL SECTIONS

ROADWAY TYPICAL SECTION



BRIDGE TYPICAL SECTION

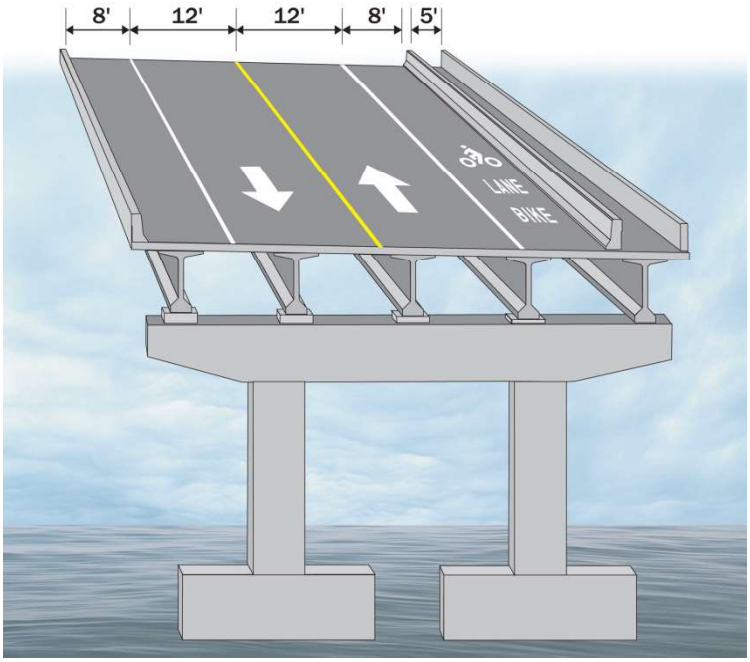
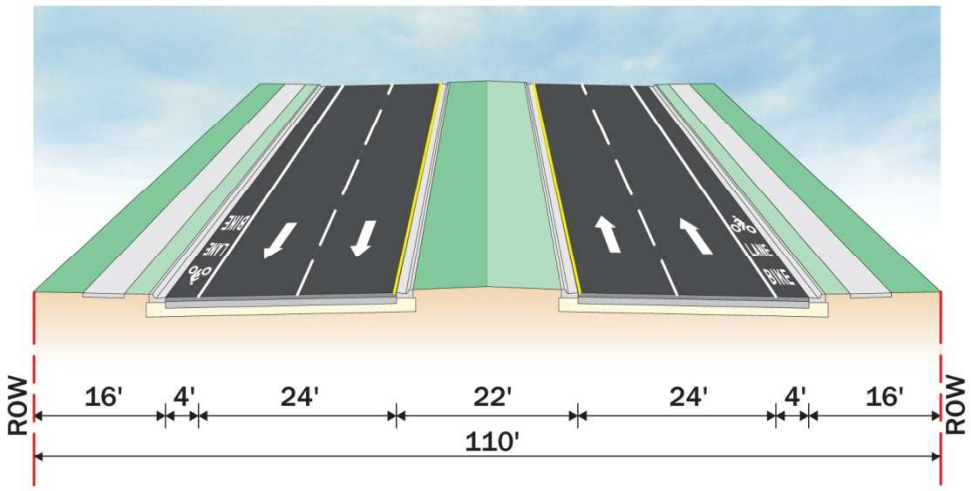
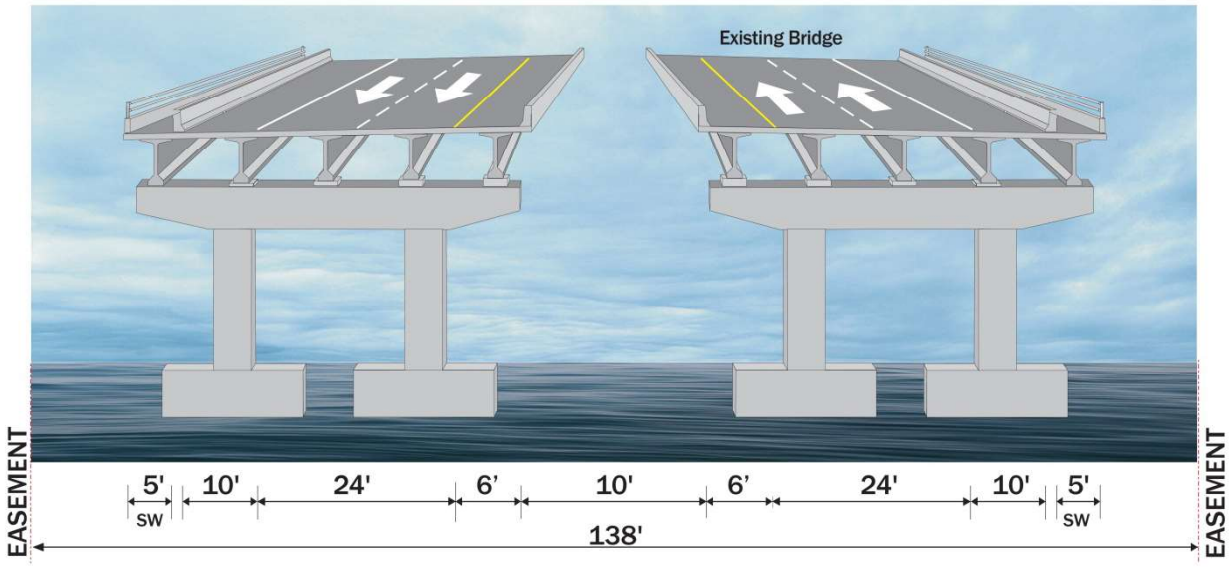


FIGURE 4
RYE ROAD ALTERNATIVE TYPICAL SECTIONS

ROADWAY TYPICAL SECTION



BRIDGE TYPICAL SECTION



Section 2.0
METHODOLOGY

This section describes the data collection and field review methodology for quantifying and describing the existing environmental conditions within the study area of each build alternative.

2.1 DATA COLLECTION AND AGENCY COORDINATION

Each study area was evaluated for potential occurrences of federally- and state-listed plant and animal species in accordance with Section 7 of the *Endangered Species Act of 1973*, as amended (ESA), and Chapters 5B-40 and 68A-27 Florida Administrative Code (F.A.C.). The evaluation included coordination with the U.S. Fish and Wildlife Service (FWS), the National Marine Fisheries Service (NMFS), and the Florida Fish and Wildlife Conservation Commission (FWC).

Agency coordination of the project was initiated on July 9, 2010 with the publication of the Notice of Intent (NOI) to prepare an EIS in the Federal Register (2010). On July 10, 2010 the USCG invited the FWS and NMFS to participate as cooperating agencies for the EIS. Both the FWS and NMFS declined to be a cooperating agency. The DEIS for the proposed action was released for public review on July 5, 2013. A copy of the BA was provided as Appendix E of the DEIS. On July 24, 2013 the USCG initiated consultation with the NMFS and FWS pursuant to Section 7 of the ESA.

On August 8, 2013 the NMFS responded with comments on the BA and requested additional information for NMFS' review, including a recommendation that an ESA Section 7 consultation on smalltooth sawfish be conducted. In an email dated August 29, 2013 the NMFS requested a modified consultation request that addresses the smalltooth sawfish. In emails dated August 27 and 29, 2013, the NMFS requested additional information regarding project-related impacts to estuarine resources. In a letter dated September 18, 2013, the USCG provided responses to the NMFS' comments and requested initiation of ESA Section 7 consultation for the smalltooth sawfish. On October 2, 2013 the NMFS requested additional information regarding project impacts and construction methodology. A response to this request was provided to NMFS on October 9, 2013. On December 11, 2013, the NMFS issued an ESA concurrence letter to the USCG.

The FWS provided comments on the DEIS, BA, and ESA Section 7 consultation request on August 23, 2013. The USCG responded to the FWS with additional information on September 13, 2013. On November 29, 2013, the FWS issued an ESA concurrence letter to the USCG.

This BA has been revised to reflect the comments provided by NMFS and FWS and includes the additional information requested by these agencies. Copies of all correspondence with federal and state agencies are included in Appendix A.

The evaluation also included literature searches and field reviews to identify habitats and the potential occurrence of listed species and any designated critical habitat located within each build alternative. The reviews and database searches included the following:

- High resolution orthorectified color aerial imagery (FDOT, 2011);
- U.S. Geological Survey (USGS) 7.5 minute Topographical Quadrangle Map, Parrish, FL, 1973 (Photo revised 1987) (USGS, 1987), Rye, FL (USGS, 1979), and Lorraine, FL, (USGS, 2009);
- Florida Land Use, Cover and Forms Classification System (FLUCFCS) Geographic Information System (GIS) Database (SWFWMD, 2009);
- Florida Department of Transportation (FDOT), *Florida Land Use, Cover and Forms Classification System Handbook* (FLUCFCS) 3rd Edition (FDOT, 1999);
- FWS, Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979);
- FWS, *Endangered and Threatened Wildlife and Plants*, 50 Code of Federal Regulations (CFR) 17.11 and 17.12;
- FNAI maps and database, http://www.fnai.org/bioticssearch.cfm. (FNAI, 2012a);
- FWC, Eagle Nest Locator website, https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx. (FWC, 2011);
- GIS wood stork data for active colonies (FWS, 2010a);
- Florida's Endangered and Threatened Species (FWC, 2009);
- Notes on Florida's Endangered and Threatened Plants: Botany Contribution No. 38, 4th edition (FDACS, 2003); and
- Nature*Serve* Explorer maps and database, Updated *Mon Jun 21 14:43:31 2010 UTC*. http://www.natureserve.org/explorer/. (NatureServe, 2010).

2.2 FIELD REVIEWS

Prior to field reviews, the approximate boundaries of upland and wetland communities within each build alternative's study area were mapped on true color aerial photographs. Environmental scientists familiar with Florida natural communities conducted field reviews within the limits of the Fort Hamer Alternative in April, May, June, and December 2010 to verify upland and wetland community boundaries. Field reviews of the Rye Road Alternative were conducted in February and March 2011. During the field reviews, each vegetative community type identified

within each alternative was visually inspected to document community boundaries, dominant vegetation, and to assess the potential occurrence of listed species.

All vegetative cover/land use types within the limits of both alternatives were classified using the FLUCFCS (FDOT, 1999; SWFWMD, 2009). In addition to FLUCFCS, wetland communities were also classified using the FWS *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin, *et. al.*, 1979). Wetland boundaries within each alternative were approximated using Chapter 62-340, F.A.C., *Delineation of the Landward Extent of Wetlands and Surface Waters*, and the criteria found within the U.S. Army Corps of Engineers (USACE) 2010 *Regional Supplement to the USACE Wetlands Delineation Manual: Atlantic and Gulf Coastal Plain Region* (Version 2.0) (ERDC/EL TR-10-20) (USACE, 2010).

Section 3.0
ENVIRONMENTAL CHARACTERISTICS OF THE STUDY AREAS

This section describes the land use/vegetative communities present within the study areas of the Fort Hamer and Rye Road Alternatives. Appendices B and C provide maps of the land use/vegetative communities within the Fort Hamer Alternative Study Area and the Rye Road Alternative Study Area, respectively.

3.1 FORT HAMER ALTERNATIVE

The study area for the Fort Hamer Alternative is located in west-central Manatee County along the Manatee River. I-75 and the developed urban areas of Bradenton and Palmetto lie west of the study area, while predominantly rural areas occur east of the study area. The Fort Hamer Alternative Study Area and surrounding areas have experienced considerable growth and development within the past decade. During this time, residential subdivisions and golf course amenities have been constructed within and immediately adjacent to the study area; however, much of the study area remains in agriculture, forested uplands, open land, and surface waters (including wetlands).

3.1.1 UPLANDS

As shown in **Table 1**, uplands account for 74.3 percent of the Fort Hamer Alternative Study Area. Of this percentage, developed lands (including residential areas, golf courses, and roadways) make up the largest area (42.8 percent), followed by agriculture (25.5 percent). Undeveloped non-agricultural and forested upland areas account for only 6.0 percent of the Fort Hamer Alternative Study Area. Upland forested areas within the study area generally consist of small remnant patches of shrub and brushland, Brazilian pepper (*Schinus terebinthifolius*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), and hardwood conifer mixed.

TABLE 1
LAND USE/VEGETATIVE COVER TYPES WITHIN
THE FORT HAMER ALTERNATIVE STUDY AREA

	FLUCFCS Classification[1]	FWS Classification[2]	Description	Acres	Total Acres	Percent of Study Area
Uplands						
Developed Lands	110	N/A	Residential – Low Density	605.5		
	120	N/A	Residential – Medium Density	741.2		
	130	N/A	Residential – High Density	119.4		
	140	N/A	Commercial and Services	73.9		
	150	N/A	Industrial	0.1		
	170	N/A	Institutional	50.3		
	182	N/A	Golf Courses	196.8		
	185	N/A	Parks	5.2		
	740	N/A	Disturbed Land	25.0		
	814	N/A	Roads and Highways	34.4		
	830	N/A	Utilities	8.2		
			Total Developed Lands		***1,860.0***	***42.8***
Agriculture	210	N/A	Cropland and Pastureland	828.8		
	214	N/A	ROW Crops	26.8		
	220	N/A	Tree Crops	6.3		
	230	N/A	Feeding Operations	43.7		
	240	N/A	Nurseries and Vineyards	65.5		
	250	N/A	Specialty Farms	5.6		
	261	N/A	Fallow Cropland	131.5		
			Total Agriculture		***1,108.2***	***25.5***
Open Lands	190	N/A	Open Land	157.4		
			Total Open Lands		***157.4***	***3.6***
Forested Lands	320	N/A	Shrub and Brushland	38.6		
	410	N/A	Upland Coniferous Forest	11.8		
	411	N/A	Pine Flatwoods	15.5		
	422	N/A	Brazilian Pepper	2.9		
	427	N/A	Live Oak	6.5		
	428	N/A	Cabbage Palm	0.3		
	434	N/A	Hardwood Conifer Mixed	29.5		
			Total Forested Lands		***105.1***	***2.4***
			Total Uplands		***3,230.7***	***74.3***
Surface Waters						
Freshwater Lakes and Reservoirs	530	POWHx	Ponds, Reservoirs (includes stormwater ponds)	228.8		
			Total Freshwater Lakes and Reservoirs		***228.8***	**5.3**

Continued on next page

TABLE 1 (CONTINUED)
LAND USE/VEGETATIVE COVER TYPES WITHIN
THE FORT HAMER ROAD ALTERNATIVE STUDY AREA

	FLUCFCS Classification[1]	FWS Classification[2]	Description	Acres	Total Acres	Percent of Study Area
Drainage Ditches	510	PEM2Jx	Creeks and Upland-Cut Drainage Ditches	17.5		
			Total Freshwater Ditches		***17.5***	**0.4**
Freshwater Wetlands	615	PFO1P	Stream and Lake Swamps (Bottomland)	272.7		
	617	PFO1C	Mixed Wetland Hardwoods	17.0		
	619	PFO3Y	Exotic Wetland Hardwoods	1.1		
	630	PFO6/7E	Wetland Forested Mixed	176.0		
	631	PSS1C	Wetland Shrub	1.7		
	641	PEM1E	Freshwater Marshes	121.8		
	643	PEM2B	Wet Prairies	21.6		
	644	PEM1H	Emergent Aquatic Vegetation	9.6		
			Total Freshwater Wetlands		***621.5***	**14.3**
Estuarine Streams	510	E1UB2L & E1UB2N	Streams and Waterways (including rivers)	123.5		
			Total Estuarine Streams		***123.5***	**2.8**
Estuarine Wetlands	612	E2SS3N	Mangrove Swamps	11.7		
	631	E2SS3A	Wetland Shrub	0.6		
	642	E2EM1N & E2EM1P	Saltwater Marshes	113.2		
			Total Estuarine Wetlands		***125.5***	**2.9**
			Total Surface Waters		***1,116.8***	***25.7***
			Total Land Use/Vegetative Cover		**4,347.5**	**100.0**

[1] FDOT, 1999.
[2] Cowardin, *et al.,* 1979.

3.1.2 SURFACE WATERS

As shown in Table 1, wetlands and other surface waters account for 25.7 percent of the Fort Hamer Alternative Study Area. The Fort Hamer Alternative Study Area is bisected by the Manatee River, which has a relatively slow current and is tidally influenced at this location. The mean high water and mean low water elevations of the river at the Fort Hamer Park boat ramp are +0.53 feet and -1.21 feet NAVD 88 (North American Vertical Datum), respectively. Large expanses of salt marsh, dominated by black needlerush (*Juncus roemerianus*), occur on both sides of the main channel. These marshes are interspersed with long, narrow depositional formations supporting mangroves, stream swamps, and mixed wetland forested habitats.

Within the study area, natural wetland systems north of the river include a large freshwater marsh on the west side of Fort Hamer Road and a large stream swamp east of Fort Hamer Road. The freshwater marsh is ringed by a narrow band of mixed wetland hardwoods which, in turn, are surrounded by residential developments and stormwater ponds. These wetlands drain south through the large freshwater marsh and eventually to the Manatee River via a small creek located along the western boundary of Fort Hamer Park. The stream swamp east of Fort Hamer Road is bordered by a residential development to the north and vacant land (former agricultural fields) to the south. This swamp drains east to Gamble Creek, a large tributary to the Manatee River.

Few natural wetland systems remain on the south side of the Manatee River within the study area. Narrow, mixed forested wetlands that drain to the Manatee River are located within the Waterlefe subdivision adjacent to the river and in a low-density residential area on both sides of Upper Manatee River Road. Several other small, isolated wetlands are scattered throughout the study area south of the river. Numerous excavated stormwater ponds and golf course ponds are located throughout the western half of the study area on both sides of the river.

3.2 RYE ROAD ALTERNATIVE

The Rye Road Alternative Study Area is located east of the Fort Hamer Alternative and west of the Manatee River dam. Compared to the Fort Hamer Alternative Study Area, the Rye Road Alternative Study Area is more rural with the largest single land use consisting of agriculture. Other rural habitats within this study area consist of forested uplands, open land, and surface waters (including wetlands). Along the Fort Hamer Road portion of the study area, low density residences are present along with some improved pasture. Along the western portion of Golf Course Road, a subdivision has been built west of Spencer Parrish Road. Between Gamble Creek Road and Jim Davis Road, a golf course and associated buildings are located on the north side of Golf Course Road. Along the eastern portion of Golf Course Road, more residences are present among large areas of forested uplands and agriculture habitats. Rural areas are most prominent in the northern and central portions of Rye Road. Commercial and residential areas occur along the southern portion of Rye Road.

3.2.1 UPLANDS

As shown in **Table 2**, uplands account for 79.8 percent of the Rye Road Alternative Study Area. Of this percentage, agriculture lands make up the largest area (32.0 percent). Developed lands (including residential areas, golf courses, parks, and roadways) make up 28.4 percent of the study area. Undeveloped uplands, including open land (non-agricultural), shrub and brushland, and forested areas account for 19.4 percent of the study area.

TABLE 2
LAND USE/VEGETATIVE COVER TYPES WITHIN THE RYE ROAD ALTERNATIVE STUDY AREA

	FLUCFCS Classification[1]	FWS Classification[2]	Description	Acres	Total Acres	Percent of Study Area
Uplands						
Developed Lands	110	N/A	Residential – Low Density	788.8		
	120	N/A	Residential – Medium Density	846.7		
	129	N/A	Medium Density Under Construction	72.6		
	140	N/A	Commercial and Services	52.3		
	142	N/A	Wholesale Sales and Services	0.5		
	143	N/A	Professional Services	2.3		
	148	N/A	Cemeteries	3.8		
	170	N/A	Institutional	7.0		
	171	N/A	Educational Facilities	12.5		
	175	N/A	Governmental	6.3		
	182	N/A	Golf Courses	164.0		
	740	N/A	Disturbed Land	1.5		
	814	N/A	Roads and Highways	155.0		
	833	N/A	Water Supply Plant	0.9		
	834	N/A	Sewage Treatment	0.3		
			Total Developed Lands		***2,114.2***	***28.4***
Agriculture	210	N/A	Cropland and Pastureland	503.7		
	211	N/A	Improved Pasture	1065.7		
	212	N/A	Unimproved Pasture	41.5		
	220	N/A	Tree Crops	66.6		
	221	N/A	Citrus Groves	92.7		
	224	N/A	Abandoned Groves	108.0		
	240	N/A	Nurseries and Vineyards	31.1		
	241	N/A	Tree Nursery	7.8		
	242	N/A	Sod Farms	316.8		
	250	N/A	Specialty Farms	4.4		
	260	N/A	Other Open Lands (Rural)	139.9		
			Total Agriculture		***2,378.1***	***32.0***
Open Lands	190	N/A	Open Land	354.5		
	193	N/A	Urban Land in Transition without positive indicators of intended activity	3.6		
			Total Open Lands		***358.1***	***4.8***
Forested Lands	320	N/A	Shrub and Brushland	307.0		
	321	N/A	Palmetto Prairies	63.3		
	410	N/A	Upland Coniferous Forests	14.9		
	411	N/A	Pine Flatwoods	83.6		

Continued on next page

TABLE 2 (CONTINUED)
LAND USE/VEGETATIVE COVER TYPES WITHIN THE RYE ROAD ALTERNATIVE STUDY AREA

	FLUCFCS Classification[1]	FWS Classification[2]	Description	Acres	Total Acres	Percent of Study Area
Forested Lands (continued)	412	N/A	Longleaf Pine-Xeric Oak	118.4		
	413	N/A	Sand Pine	110.6		
	422	N/A	Brazilian Pepper	0.5		
	427	N/A	Live Oak	63.0		
	434	N/A	Hardwood-Conifer Mixed	303.9		
	436	N/A	Upland Scrub, Pine and Hardwoods	15.4		
	438	N/A	Mixed Hardwoods	2.05		
			Total Forested Lands		***1,082.6***	***14.6***
			Total Uplands		***5,933.0***	***79.8***
Surface Waters						
Freshwater Lakes and Reservoirs	520	POWH	Lakes	0.2		
	530	POWHx	Reservoirs (includes stormwater ponds)	172.4		
	534	POWHx	Reservoirs less than 10 acres	13.2		
			Total Freshwater Lakes and Reservoirs		***185.7***	**2.5**
Drainage Ditches	510	PUB2Jx/PEM1 Jx/R2UB2	Upland-Cut Drainage Ditches/Channelized Creeks	31.0		
			Total Freshwater Ditches		***31.0***	**0.4**
Freshwater Streams	510	R2UB2	Streams and Waterways (including rivers)	28.7		
			Total Freshwater Streams		***28.7***	***0.4***
Freshwater Wetlands	615	PFO1P	Stream and Lake Swamps (Bottomland)	814.4		
	617	PFO1C	Mixed Wetland Hardwoods	12.9		
	618	PSS1C	Willow and Elderberry	2.8		
	621	PFO2C	Cypress	7.9		
	630	PFO1C	Wetland Forested Mixed	133.9		
	641	PEM1C	Freshwater Marshes	169.8		
	643	PEM1C	Wet Prairies	102.3		
	644	PAB3	Emergent Aquatic Vegetation	8.2		
	653	PUB2	Intermittent Ponds	0.9		
			Total Freshwater Wetlands		***1,252.9***	***16.9***
			Total Surface Waters		***1,498.3***	***20.2***
			Total Land Use/Vegetative Cover		**7,431.3**	**100.0**

[1] FDOT, 1999.
[2] Cowardin, *et al.,* 1979.

Within the Rye Road Alternative Study Area, the Rye Preserve occupies 145 acres on both sides of Rye Road where it crosses the Manatee River. Portions of this park were originally acquired in 1986 with a grant from the National Park Service (NPS) Land and Water Conservation Fund (LWCF). At that time, the recreation area located north of the Manatee River and east of Rye Road was named "Rye Wilderness Park." Manatee County has since expanded the recreation area and renamed the facility "Rye Preserve." The Preserve features hiking trails, horseback trails, picnic areas, playground, and a canoe/kayak launch, in addition to camping and fishing opportunities.

3.2.2 SURFACE WATERS

Rye Road crosses the Manatee River immediately north of its intersection with Upper Manatee River Road. At this location, the river is relatively narrow (approximately 73 feet wide) and shallow with a moderately swift current. Streams and lake swamps (bottomland) surround each side of this river crossing and consist predominately of red maple (*Acer rubrum*), sweetbay (*Magnolia virginiana*), laurel oak (*Quercus laurifolia*), swamp dogwood (*Cornus foemina*), water oak (*Quercus nigra*), pop ash (*Fraxinus caroliniana*), and cabbage palm.

Golf Course Road crosses Gamble Creek approximately 900 feet east of Jim Davis Road. Gamble Creek flows north to south into the Manatee River. At this crossing, this channelized stream has a moderately swift current and shallow water depth. Adjacent land use types consist of abandoned citrus groves, improved pasture, and upland live oak forests.

Natural wetland systems within the Rye Road Alternative Study Area include several channelized creeks surrounded by forested wetlands. Dominant vegetation within these forested wetlands consists of red maple, laurel oak, cabbage palm, and sweetbay. These forested floodplain forests are bordered by either residential areas and/or agriculture fields. All eventually flow to the Manatee River either directly or via connected creeks.

In the southern portion of the study area, isolated freshwater marshes are dominated by torpedo grass (*Panicum repens*), pickerelweed (*Pontederia cordata*), and primrose willow (*Ludwigia peruviana*).

Throughout the Rye Road Alternative Study Area, several isolated reservoirs are present that serve as either livestock ponds, water management facilities for residential subdivisions/golf courses, or have been excavated by private landowners.

Freshwater wetlands and other surface waters make up 20.2 percent of the Rye Road Alternative Study Area.

Section 4.0
LISTED SPECIES WITHIN THE PROJECT ALTERNATIVES

The assessment of the potential presence of listed species within each build alternative began with a review of all listed species previously documented in Manatee County. **Table 3** provides a summary table of all the federally- and state-listed plant and animal species documented in Manatee County, their federal and state status, their habitat preferences, whether suitable habitat for the species is present in the build alternatives, and whether the species has been documented in the study area of the alternatives. The assessment of the potential presence of listed species within the two build alternatives was based on the following criteria:

- Geographic range of each species. Species accounts of each species were reviewed to assess whether its historic or current documented range overlapped the study areas.
- Presence of suitable habitat. The habitat requirements of each species were reviewed and compared against the results of the habitat mapping of the study areas. Consideration was given to nesting, denning, and foraging habitat requirements for each species.
- Documented occurrences. The known presence of species within the study areas was documented based on the FNAI Element Occurrence Report (contained in Appendix A), agency correspondence, and field observations.

As a result of this assessment, each species in Table 3 was considered to either have or not have the potential to occur within the two build alternatives study areas. The following subsections describe only the listed species with a potential to occur within the Fort Hamer Alternative or Rye Road Alternative study areas.

4.1 PLANTS

Golden Leather Fern

The golden leather fern (*Acrostichum aureum*) is state-listed as threatened by the FDACS. It is a member of the maidenhair fern (*Pteridaceae*) family and occurs in tropical hardwood hammocks, freshwater marshes, and estuarine wetlands. The golden leather fern is similar to the common leather fern (*A. danaeifolium*) except that the golden leather fern has fewer pairs of pinnae that do not typically overlap.

TABLE 3
LISTED SPECIES[1] DOCUMENTED IN MANATEE COUNTY AND
THEIR POTENTIAL TO OCCUR IN THE FORT HAMER AND RYE ROAD ALTERNATIVES STUDY AREAS

Scientific Name	Common Name	Federal Status[2]	State Status[3]	Habitat	Habitat Available in Study Area?		Species Documented in Study Area?[4]	
					FH	RR	FH	RR
Plants								
Acrostichum aureum	Golden leather fern	NL	T	Brackish and freshwater marshes.	Yes	No	No	No
Bonamia grandiflora	Florida bonamia	T	E	Scrub and sandhill.	No	No	No	No
Calopogon multiflorus	Many-flowered grass pink	NL	E	Wet prairies and savannahs.	Yes	No	No	No
Chrysopsis floridana	Florida goldenaster	E	E	Scrub and sandhill.	No	Yes	No	No
Cladonia perforata	Perforate reindeer lichen	E	E	Sand pine and rosemary scrub.	No	No	No	No
Eragrostis pectinacea var. tracyi	Sanibel lovegrass	NL	E	Disturbed sites such as roadsides, railroad embankments, gardens, and cultivated fields.	Yes	Yes	No	No
Glandularia (Verbena) tampensis	Tampa vervain	NL	E	Live oak–cabbage palm hammocks and pine–palmetto flatwoods.	Yes	Yes	No	No
Gossypium hirsutum	Wild cotton	NL	E	Disturbed sites such as roadsides, railroad embankments, gardens, and cultivated fields.	Yes	Yes	No	No
Lechea cernua	Nodding pinweed	NL	T	Deep sands/ancient dunes under mature scattered pine or oak, but is more frequently in sandy openings.	No	No	No	No
Matelea floridana	Florida spiny-pod	NL	E	Upland hardwood forests.	Yes	Yes	No	No
Pteroglassaspis (Eulpohia) ecristata	Giant orchid	NL	T	Sandy pinelands and fields.	Yes	Yes	No	No
Rhynchospora megaplumosa	Large-plumed beaksedge	NL	E	Sands and sandy peats of pine flatwoods scrub and flatwoods-sand-scrub transition.	No	Yes	No	No
Fish								
Rivulus marmoratus	Mangrove rivulus	NL	SSC	Primarily coastal brackish and saltwater areas; usually collected from mangrove or high salt marsh habitats.	Yes	No	No	No
Pristis pectinata	Smalltooth sawfish	E	FE	Shallow coastal waters, estuaries, and river mouths over muddy or sandy bottoms.	Yes	No	No	No

Continued on next page

TABLE 3 (CONTINUED)
LISTED SPECIES[1] DOCUMENTED IN MANATEE COUNTY AND
THEIR POTENTIAL TO OCCUR IN THE FORT HAMER AND RYE ROAD ALTERNATIVES STUDY AREAS

Scientific Name	Common Name	Federal Status[2]	State Status[3]	Habitat	Habitat Available in Study Area?		Species Documented in Study Area?[4]	
					FH	RR	FH	RR
Reptiles								
Alligator mississippiensis	American alligator	T (S/A)[5]	F T(S/A)	Rivers, swamps, lake bayous, ponds, marshes.	Yes	Yes	Yes	Yes
Caretta caretta	Loggerhead turtle	T	FT	Marine coastal and oceanic waters; nest on coastal sand beaches.	No	No	No	No
Cheloia mydas	Green turtle	E	FE	Marine coastal and oceanic waters; nest on coastal sand beaches.	No	No	No	No
Dermochelys coriacea	Leatherback turtle	E	FE	Marine coastal and oceanic waters; nest on coastal sand beaches.	No	No	No	No
Drymarchon corais couperi	Eastern indigo snake	T	FT	Mesic flatwoods, upland pine forest, sandhill scrub.	Yes	Yes	No	No
Gopherus polyphemus	Gopher tortoise	NL	T	Sandhill, scrubby flatwoods, xeric hammock.	Yes	Yes	No	No
Lepidochelys kempii	Kemp's Ridley turtle	E	FE	Marine coastal and oceanic waters; nest on coastal sand beaches.	No	No	No	No
Pituophis melanoleucus mugitis	Pine snake	NL	SSC	Sandhill, scrubby flatwoods, xeric hammock.	Yes	Yes	No	No
Amphibians								
Rana capito	Gopher frog	NL	SSC	Sandhill communities, sand pine scrub, xeric oak hammocks, dry prairies, pine flatwoods, and ruderal sites.	Yes	Yes	No	No
Birds								
Aphelocoma coerulescens	Florida scrub jay	T	FT	Fire-dominated, low-growing oak scrub on well-drained sandy soils.	No	Yes	No	Yes
Aramus guarauna	Limpkin	NL	SSC	Mangroves, freshwater marshes, swamps, springs, ditches and swales, and pond and river margins.	Yes	Yes	No	No
Athene cunicularia floridana	Florida burrowing owl	NL	SSC	Very open areas such as prairies, sand hills, and farm land.	Yes	Yes	No	No
Caracara cheriway	Crested caracara	T	FT	Open grassland habitats and improved pastures with cabbage palms. Nesting generally occurs within cabbage palms.	Yes	Yes	No	No

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TABLE 3 (CONTINUED)
LISTED SPECIES[1] DOCUMENTED IN MANATEE COUNTY AND
THEIR POTENTIAL TO OCCUR IN THE FORT HAMER AND RYE ROAD ALTERNATIVES STUDY AREAS

Scientific Name	Common Name	Federal Status[2]	State Status[3]	Habitat	Habitat Available in Study Area?		Species Documented in Study Area?[4]	
					FH	RR	FH	RR
Charadrius nivosus	Snowy plover	NL	T	Restricted to dry, sandy beaches, where they nest in shallow depressions, usually near some vegetation or debris.	No	No	No	No
Charadrius melodus	Piping plover	T	FT	Found on open, sandy beaches and on tidal mudflats and sand flats along both coasts.	No	No	No	No
Egretta caerulea	Little blue heron	NL	SSC	Mangroves, freshwater marshes, swamps, springs and spring runs, swales, and pond and river margins.	Yes	Yes	Yes	Yes
Egretta rufescens	Reddish egret	NL	SSC	Mangroves, freshwater marshes, swamps, springs, ditches and swales, and pond and river margins.	Yes	Yes	No	No
Egretta thula	Snowy egret	NL	SSC	Mangroves, freshwater marshes, swamps, springs and spring runs, swales, and pond and river margins.	Yes	Yes	Yes	No
Egretta tricolor	Tricolored heron	NL	SSC	Mangroves, freshwater marshes, swamps, springs and spring runs, swales, and pond and river margins.	Yes	Yes	Yes	No
Eudocimus albus	White ibis	NL	SSC	Mangroves, freshwater marshes, swamps, springs and spring runs, swales, and pond and river margins.	Yes	Yes	Yes	Yes
Falco sparverius paulus	Southeastern American kestrel	NL	T	Open areas with long leaf pine, small turkey and live oaks.	Yes	Yes	No	No
Grus canadensis pratensis	Florida sandhill crane	NL	T	Dry prairies, freshwater marshes, and wet prairies.	Yes	Yes	Yes	Yes
Haematopus palliatus	American oystercatcher	NL	SSC	Large areas of beach, sandbar, mud flat, and shellfish beds for foraging. Sparsely vegetated, sandy areas for nesting, along with beach wrack and marsh grass.	No	No	No	No
Haliaeetus leucocephalus	Bald eagle[6]	NL	NL	Nests in tall trees- Forages near bodies of water.	Yes	Yes	No	No
Mycteria americana	Wood stork	E	FE	Nests in inundated forested wetlands- Forages in freshwater marshes, swamps, flooded pastures.	Yes	Yes	Yes	Yes
Pelecanus occidentalis	Brown pelican	NL	SSC	Mainly coastal, feeding in shallow estuarine waters, and (less often) far offshore.	Yes	No	Yes	No

Continued on next page

TABLE 3 (CONTINUED)
LISTED SPECIES[1] DOCUMENTED IN MANATEE COUNTY AND
THEIR POTENTIAL TO OCCUR IN THE FORT HAMER AND RYE ROAD ALTERNATIVES STUDY AREAS

Scientific Name	Common Name	Federal Status[2]	State Status[3]	Habitat	Habitat Available in Study Area?		Species Documented in Study Area?[4]	
					FH	RR	FH	RR
Platalea ajaja	Roseate spoonbill	NL	SSC	Coastal mangrove islands, Brazilian pepper on man-made dredge spoil islands, shallow water of variable salinity, including marine tidal flats and ponds, coastal marshes, mangrove-dominated inlets and pools, and freshwater sloughs and marshes.	Yes	No	No	No
Rynchops niger	Black skimmer	NL	SSC	Coastal waters, including beaches, bays, estuaries, sandbars, tidal creeks (foraging), and also inland waters of large lakes, phosphate pits, and flooded agricultural fields.	No	No	No	No
Sterna antillarum	Least tern	NL	T	Coastal areas throughout Florida, including beaches, lagoons, bays, and estuaries.	No	No	No	No
Mammals								
Podomys floridanus	Florida mouse	NL	SSC	Sand pine scrub, pine flatwoods, sand hill communities, longleaf-xeric oak.	Yes	Yes	No	No
Sciurus niger shermani	Sherman's fox squirrel	NL	SSC	Mature, fire-maintained longleaf pine-turkey oak habitats, pine flatwoods.	Yes	Yes	No	No
Trichechus manatus	West Indian manatee	E	FE	Coastal waters, bays, rivers, and (occasionally) lakes.	Yes	No	Yes	No

Notes:
FH = Fort Hamer Road Alternative RR = Rye Road Alternative
E = endangered, F = Federally, T = threatened, SSC = species of special concern, T (S/A) = threatened due to similarity in appearance, NL = not listed
[1] As reported by the FNAI "FNAI Tracking List, Manatee County" http://www.fnai.org. FNAI, 2012b.
[2] As listed by the FWS in 50 CFR 17 (http://www.fws.gov/endangered/), updated March 2013.
[3] Plant species listed by the FDACS pursuant to Chapter 5B-40, F.A.C., updated 2007. Animal species listed by the FWC pursuant to Rules 68A-27.003 through 68A-27.005, F.A.C. (http://myfwc.com/wildlifehabitats/imperiled/), updated January 2013.
[4] Documented presence in the study area based on reported occurrences by FNAI (FNAI, 2012a) or visually observed during field reviews.
[5] The American Alligator is federally-listed as threatened due to its similarity of appearance to the American crocodile, which occurs in the southern tip of Florida. The final rule (52 FR 21059) for the American alligator designation removes federal agency responsibilities for the alligator under Section 7 of the Endangered Species Act.
[6] The bald eagle is neither state- nor federally-listed; however, this species is federally-protected by the *Bald and Golden Eagle Protection Act* and the *Migratory Bird Treaty Act* (MBTA). The bald eagle is also managed in Florida by the FWC's bald eagle rule (68A-16.002, F.A.C.). One nest is documented, but it is just outside of the Fort Hamer Alternative Study Area.

Fort Hamer Alternative: Suitable habitat for this species is available in the Fort Hamer Alternative along the tidal estuarine marshes adjacent to the Manatee River. According to FNAI, the golden leather fern has been documented in Manatee County, but not within 1 mile of this alternative. No golden leather ferns were identified during the field reviews.

Rye Road Alternative: Suitable habitat for this species does not exist within this alternative. According to FNAI, this species has not been documented within 1 mile of the Rye Road Alternative.

Many-Flowered Grass-Pink

The many-flowered grass-pink (*Calopogon multiflorus*) is state-listed as endangered by the FDACS and is a member of the orchid (*Pteridaceae*) family. This species occurs in old fields, pine savanna, and scrub oak communities and typically flowers in summer through fall.

Fort Hamer Alternative: Suitable habitat for this species is available in the Fort Hamer Alternative within the fallow crop fields north of the Manatee River. According to FNAI, the many-flowered grass-pink has been documented within Manatee County, but not within 1 mile of the alternative. No many-flowered grass-pinks were observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species does not exist within this alternative. According to FNAI, this species has not been documented within 1 mile of the Rye Road Alternative.

Florida Goldenaster

The Florida goldenaster (*Chrysopsis floridana*) is federally- and state-listed as endangered by both the FDACS and FWS. It grows in open, sunny areas of sand pine-evergreen oak scrub on excessively-drained white sand.

Fort Hamer Alternative: Suitable habitat for this species does not exist within this alternative. According to FNAI, this species has not been documented within 1 mile of the Fort Hamer Alternative.

Rye Road Alternative: Approximately 15 acres of scrub habitat occurs within the Rye Road Alternative study area approximately 0.25 mile north of the Rye Road bridge. The FNAI does not report any documented occurrences of this species within 1 mile of the Rye Road Alternative.

Sanibel Lovegrass

Sanibel lovegrass (*Eragrostis pectinata* var. *tracyi*) is state-listed as endangered by the FDACS. This species is a member of the grass (*Poaceae*) family and occurs on drier, compact soils of disturbed beach dunes, maritime hammocks, coastal strands, coastal grasslands, roadsides, railroad embankments, gardens, and cultivated fields.

Fort Hamer Alternative: Suitable habitat for this species is available in the Fort Hamer Alternative along the roadsides and within the fallow crop fields north of the Manatee River. According to FNAI, Sanibel lovegrass has been documented within Manatee County, but not within 1 mile of this alternative. No sanibel lovegrass was observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species is available within the pastures and roadsides. Based on review of FNAI data, Sanibel lovegrass has not been documented within 1 mile of this alternative and none were observed during the field reviews.

Tampa Vervain

The Tampa vervain (*Glandularia tampensis*) is state-listed as endangered by the FDACS. This species is a member of the verbena (*Verbenaceae*) family and occurs in sandy coastal hammocks and dunes, clearings, well-drained live oak-slash or longleaf pine-saw palmetto flats, and disturbed areas.

Fort Hamer Alternative: Suitable habitat for this species is available in this study area within the fallow crops fields and live oak hammock north of the Manatee River. According to FNAI, Tampa vervain has been documented within Manatee County, but not within 1 mile of the alternative. No Tampa vervain was observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species is available in the Rye Road Alternative within the live oak hammocks and pine flatwoods. According to FNAI, Tampa vervain has not been documented within 1 mile of this alternative and none were observed during the field reviews.

Wild Cotton

Wild cotton (*Gossypium hirsutum*) is state-listed as endangered by the FDACS. This species is a member of the mallow (*Malvaceae*) family and occurs on disturbed sites such as roadsides, railroad embankments, gardens, and cultivated fields with direct exposure to sunlight.

Fort Hamer Alternative: Suitable habitat for this species is available in the Fort Hamer Alternative along the roadsides and within the fallow crops fields north of the Manatee River. According to FNAI, wild cotton has been documented within Manatee County, but not within 1 mile of this alternative. No wild cotton was observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species is available in the Rye Road Alternative within the improved and unimproved pastures. According to FNAI, no wild cotton has been documented within 1 mile of this alternative and no wild cotton was observed during the field reviews.

Florida Spiny-Pod

The Florida spiny-pod (*Matelea floridana*), also known as Florida milkvine, is state-listed as endangered by the FDACS. The Florida spiny-pod is a vine in the milkweed (*Asclepiadaceae*) family that occurs in a variety of wooded habitats from fairly moist woods, such as those in lime

sink areas, to dry, open oak-hickory or oak-hickory-pine upland forests. The most vigorous flowering populations occur where there has been a recent, canopy-opening disturbance. This species may not flower at all in areas where the understory and overstory are continuous, but will flower after fire.

Fort Hamer Alternative: Potentially suitable habitat for this species is available in the Fort Hamer Alternative within the forested uplands north and south of the Manatee River; however, this habitat is not desirable because of fire suppression and dense canopies. FNAI indicates the Florida spiny-pod has been documented in Manatee County, but not within 1 mile of this alternative. This species was not observed during the field reviews.

Rye Road Alternative: Potentially suitable habitat for this species is available in the upland forested areas within the alternative; however, this habitat is not desirable because of fire suppression and dense canopies. According to FNAI, the Florida spiny-pod has not been documented within 1 mile of the Rye Road Alternative and this species was not observed during the field reviews.

Giant Orchid

The giant orchid (*Pteroglassaspis ecristata*) is state-listed as threatened by the FDACS. This species is a member of the orchid (*Orchidaceae*) family and occurs in sandy pinelands and herbaceous fields.

Fort Hamer Alternative: Suitable habitat for this species is available in the Fort Hamer Alternative within the fallow crop fields north of the Manatee River. According to FNAI, the giant orchid has been documented within Manatee County, but not within 1 mile of this alternative. This species was not observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species is available in the Rye Road Alternative within the pastures and cropland. According to FNAI, the giant orchid has not been documented within 1 mile of this alternative and none were observed during the field reviews.

Large-Plumed Beaksedge

The large-plumed beaksedge (*Rhynchospora megaplumosa*) is state-listed as endangered by the FDACS. This species is a member of the sedge (*Cyperaceae*) family and occurs in sands and sandy peats of pine flatwoods scrub and flatwoods-sand-scrub transition.

Fort Hamer Alternative: Suitable habitat for this species does not exist within this alternative. According to FNAI, this species has not been documented within 1 mile of the Rye Road Alternative.

Rye Road Alternative: Suitable habitat for this species is available in the Rye Road Alternative within the pine flatwoods and longleaf-xeric oak habitats. According to FNAI, the large-plumed beaksedge has not been documented within 1 mile of this alternative and none were observed during the field reviews.

4.2 FISH

Mangrove Rivulus

The mangrove rivulus (*Rivulus marmoratus*) is state-listed as a species of special concern by the FWC. This species occurs primarily in coastal brackish and saltwater areas with low oxygen content and hard-bottom areas with silt cover. They are usually collected from mangrove or high salt marsh habitats.

Fort Hamer Alternative: Potentially suitable habitat for this species does exist within the saltmarsh and mangrove habitats within this alternative. The mangrove rivulus has been documented in Manatee County, but not within 1 mile of the Fort Hamer Alternative. No mangrove rivulus were observed during field reviews.

Rye Road Alternative: Suitable habitat for this species does not exist within the Rye Road Alternative and none have been documented within 1 mile of the alternative.

Smalltooth Sawfish

The smalltooth sawfish (*Pristis pectinata*) is federally-listed as endangered by the NMFS. This fish inhabits shallow coastal areas, estuaries, and river mouths throughout the world where water temperatures range from 22-28 degrees Celsius. In Florida, they occur along the Atlantic and Gulf coasts but are more common along the peninsular tip of Florida.

Fort Hamer Alternative: Potentially suitable habitat for this species occurs along the sandy bottom of the Manatee River within this alternative. No smalltooth sawfish have been documented in the Manatee River and none were observed during field reviews.

Rye Road Alternative: Due to the very shallow depths and narrow confines of the river within this alternative, potentially suitable habitat for the smalltooth sawfish is considered non-existent within the Rye Road Alternative.

4.3 REPTILES AND AMPHIBIANS

American Alligator

The alligator is federally-listed as "threatened due to similarity of appearance." Alligators are common in coastal Florida, and in many parts of their range the alligator is not actually endangered or threatened. Similarity of appearance to a listed species is a regulatory designation used to facilitate the enforcement of the Endangered Species Act. It is used when a species is so similar to a listed species that enforcement personnel would have substantial difficulty in attempting to differentiate between the listed and unlisted species. The American alligator has this designation due to its similarity of appearance to the endangered American crocodile (*Crocodylus acutus*) and other rare crocodilians. The final rule (52 FR 21059) for the American alligator designation removes federal agency responsibilities for the alligator under Section 7 of the Endangered Species Act.

Eastern Indigo Snake

The eastern indigo snake *(Drymarchon corais couperi)* is listed as threatened by the FWS. The indigo snake is found in a variety of habitats including mesic flatwoods, swamps, wet prairies, xeric pinelands, and scrub areas.

Fort Hamer Alternative: Suitable habitat is available for this species within the wetland and upland habitats throughout this alternative. Based on review of FNAI data, the eastern indigo snake has been documented within Manatee County, but not within 1 mile of the Fort Hamer Alternative. No eastern indigo snakes were observed during the field reviews.

Rye Road Alternative: Suitable habitat is available for this species within the agricultural areas, upland forests, wetland forests, and shrub and brushland. Based on review of FNAI data, the eastern indigo snake has not been documented within 1 mile of the Rye Road Alternative and no eastern indigo snakes were observed during the field reviews.

Gopher Tortoise and Commensal Species

The gopher tortoise (*Gopherus polyphemus*) is state-listed as threatened by the FWC and is a federal candidate species under the ESA. The gopher tortoise requires well-drained, loose sandy soils for burrowing, and low-growing herbs and grasses for food. These conditions can be found in a number of habitats including dry prairies, pine flatwoods, and disturbed or maintained sites. Gopher tortoise burrows may also harbor the Florida mouse (*Podomys floridanus*), pine snake (*Pituophis melanoleucus mugitis*), and gopher frog (*Rana capito*), which are listed as species of special concern by the FWC.

Fort Hamer Alternative: During the field reviews, gopher tortoise burrows were observed in fallow cropland north of the Manatee River adjacent to the Fort Hamer Alternative. The Florida mouse, pine snake, and gopher frog have not been documented within 1 mile of this alternative and were not observed during field reviews.

Rye Road Alternative: During the field reviews, no gopher tortoise burrows were observed within the Rye Road Alternative. However, suitable foraging and burrow habitat is available within the improved and unimproved pastures and in xeric habitats immediately adjacent to the alternative. The Florida mouse, pine snake, and gopher frog have not been documented within 1 mile of this alternative and were not observed during the field reviews.

4.4 BIRDS

Florida Scrub Jay

The Florida scrub jay (*Aphelocoma coerulescens*) is federally-listed as threatened by the FWS. This species occupies oak-dominated scrub habitat that are maintained with periodic burns. Both build alternatives are located within the designated FWS consultation area for the Florida scrub jay.

Fort Hamer Alternative: Small pockets of shrub and brushland occur within the Fort Hamer Alternative study area; however, it is not fire-maintained and does not offer suitable habitat for the Florida scrub jay. No Florida scrub jays are documented within the Fort Hamer Alternative study area.

Rye Road Alternative: Approximately 15 acres of potentially suitable scrub jay habitat occurs within the Rye Road Alternative study area approximately 0.25 mile north of the Rye Road Bridge. The FNAI does not report the presence of any scrub jays within the Rye Road Alternative Study Area. However, Florida scrub jays are reported to occur within the Rye Preserve located just east of the Rye Road Bridge (Manatee County Natural Resources Department, 2013).

Wading Birds

Several wading birds including the limpkin (*Aramus guarauna*), little blue heron (*Egretta caerulea*), reddish egret (*Egretta rufescens*), snowy egret (*Egretta thula*), tricolored heron (*Egretta tricolor*), white ibis (*Eudocimus albus*), and roseate spoonbill (*Platalea ajaja*) are state-listed as species of special concern by the FWC. While each species is distinct, wading birds are discussed collectively since they occupy similar habitats and have similar feeding patterns. These wading birds nest and forage among both freshwater and saltwater habitats, such as freshwater marshes, coastal beaches, mangrove swamps, cypress swamps, hardwood swamps, wet prairies, bay swamps, rivers, creeks, and ponds.

Fort Hamer Alternative: Suitable habitat for each of these wading bird species exists in the marshes, swamps, and ponds within the Fort Hamer Alternative and each are common to eastern Manatee County. A little blue heron and white ibis were observed within the Fort Hamer Alternative during the April 2010 field reviews. Snowy egret, little blue heron, tricolored heron, and white ibis were also observed within the Fort Hamer Alternative Study Area during the March 2011 field reviews.

Rye Road Alternative: Suitable habitat for each of these wading bird species (except the roseate spoonbill) exists within the forested swamps within the Rye Road Alternative. During the March 2011 field reviews, a little blue heron and white ibis were observed within the Rye Road Alternative Study Area.

Florida Burrowing Owl

The Florida burrowing owl (*Athene cunicularia floridana*) is state-listed as a species of special concern by the FWC. This species inhabits open native prairies and areas that offer an expanse of short, herbaceous groundcover such as pastures and open fields.

Fort Hamer Alternative: The fallow crop lands north of the Manatee River within the Fort Hamer Alternative offer marginally suitable nesting and foraging habitat for this species, although the height of the herbaceous vegetation precludes this species from most of these former crop lands. According to information received from FNAI, the Florida burrowing owl has not been documented within 1 mile of this alternative, and no individuals were observed during the field reviews.

Rye Road Alternative: Suitable nesting and foraging habitat for this species is available within the improved and unimproved pastures within and adjacent to this alternative. Based on review of FNAI data, there are no documented occurrences of the Florida burrowing owl within one mile of this alternative, and no individuals were observed during the field reviews.

Crested Caracara

The crested caracara (*Caracara cheriway*) is listed as threatened by the FWS. This species typically inhabits open grassland habitats and improved pastures with cabbage palms. Nesting generally occurs within cabbage palms.

Fort Hamer Alternative: Although this alternative is not located within the FWS consultation area for the crested caracara, suitable foraging and marginal nesting habitat for this species exists within this alternative. Based on review of FNAI data, there are no documented occurrences of the crested caracara within 1 mile of this alternative.

Rye Road Alternative: Suitable foraging and nesting habitat exists for this species within the improved pastures in and adjacent to the Rye Road Alternative. The FWS Consultation Area for the crested caracara covers the majority of Manatee County, including this alternative. Based on review of FNAI data, this species has not been documented within 1 mile of this alternative and no individuals or nests were observed during the field reviews.

Southeastern American Kestrel

The southeastern American kestrel (*Falco sparerius paulus*) is state-listed as threatened by FWC and is the smaller of two subspecies that occur in Florida. It occurs in Florida year-round, whereas the northern subspecies occurs in Florida as a winter migrant. The southeastern American kestrel uses open habitats for foraging and nests in tree cavities. Preferred habitats include pine scrub, dry prairies, mixed pine, hardwood forests, and pine flatwoods.

Fort Hamer Alternative: Suitable habitat for this subspecies occurs throughout the upland and non-marsh wetland habitats throughout the Fort Hamer Alternative. Based on review of FNAI data, there are no documented occurrences of this species within 1 mile of this alternative and none were observed during the field reviews.

Rye Road Alternative: Suitable habitat for this subspecies occurs within the upland shrub and brushland and upland forests within this alternative. Based on review of FNAI data, there are no documented occurrences of this species within 1 mile of the Rye Road Alternative and no individuals were observed during the field reviews.

Florida Sandhill Crane

The Florida sandhill crane (*Grus canadensis pratensis*) is state-listed as threatened by the FWC. This subspecies is a year-round Florida resident, whereas the northern subspecies occurs in Florida as a winter migrant. The Florida sandhill crane is associated with shallow freshwater areas, pasture, and open woods habitats. Habitats such as wet and dry prairies, marshes, and marshy lake margins provide optimum nesting and foraging habitat for the Florida sandhill crane. Upland grassy areas such as fields, maintained right-of-ways (ROW), lawns, golf courses, and similar habitats also provide foraging habitat for sandhill cranes.

Fort Hamer Alternative: This subspecies does have the potential to occur within the fields and marsh edges within the Fort Hamer Alternative Study Area. Based on review of FNAI data, there are no documented occurrences of this subspecies within 1 mile of this alternative. However, during the March 2011 field reviews, sandhill cranes were observed foraging within the study area. Due to the time of year which this observation was made, it is likely that these were the Florida subspecies.

Rye Road Alternative: Suitable habitat for sandhill cranes is available within this alternative and in the improved pasture and golf courses immediately adjacent to the alternative. Based on review of FNAI data, there are no documented occurrences of this subspecies within 1 mile of this study area. However, sandhill cranes were observed foraging within the alternative during the March 2011 field reviews; it is likely that these were the Florida subspecies.

Wood Stork

The wood stork (*Mycteria americana*) is listed as endangered by the FWS. The wood stork uses both freshwater and saltwater habitats, such as freshwater and saltwater marshes, tidal flats, wet prairies, cypress swamps, and agricultural environments. The FWS has defined the core foraging area (CFA) in Manatee County for the wood stork as a 15-mile radius from breeding colonies.

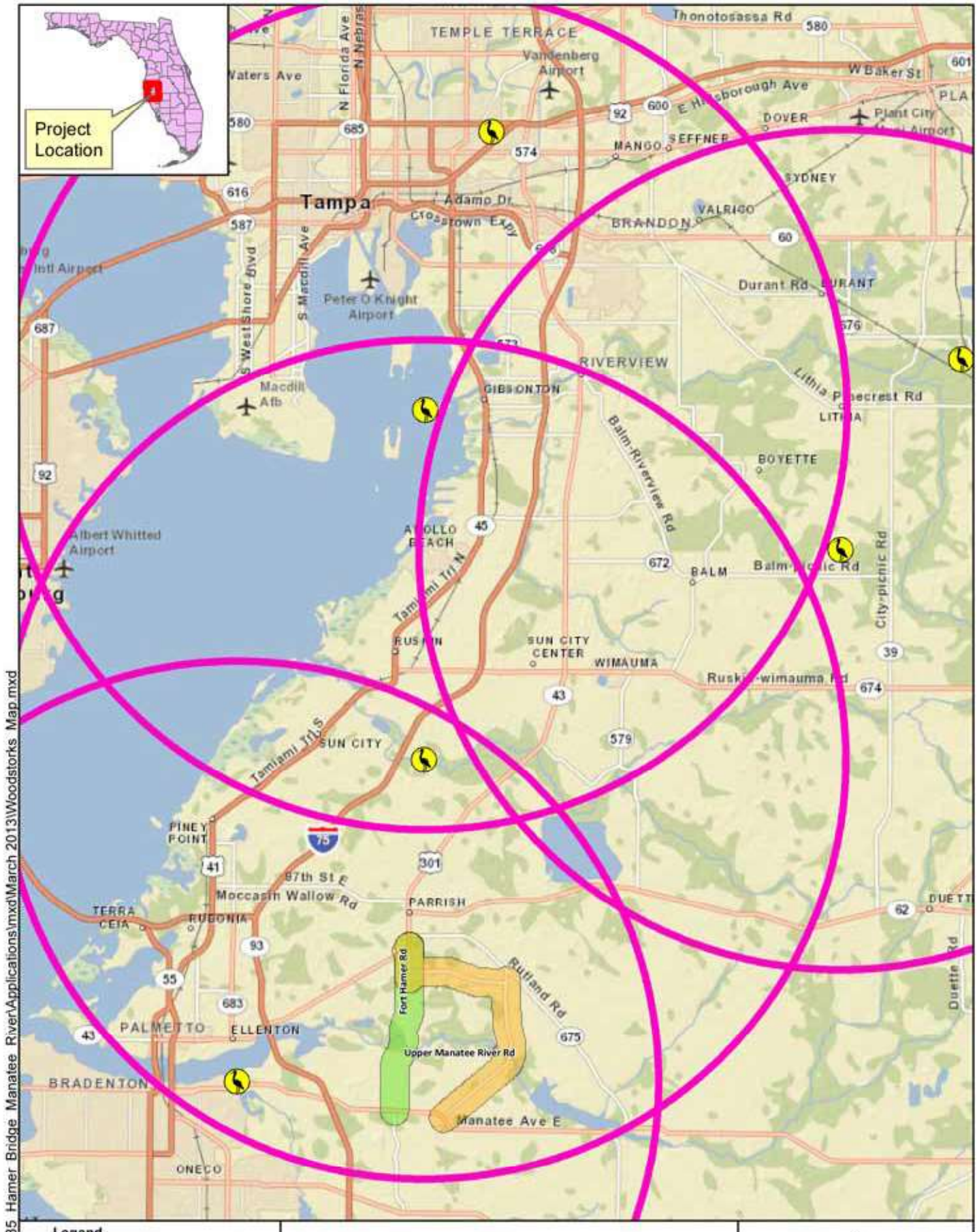
A review of FNAI and FWS information indicates that both the Fort Hamer Alternative and the Rye Road Alternative fall within the CFA of two breeding colonies (see **Figure 5**). One rookery is located approximately 5 miles west of the Fort Hamer Alternative and the other rookery is located approximately 9 miles north of the alternatives. No wood storks were observed during the field reviews; however, wood storks could be expected to forage within the marshes and other wetlands located within both the Fort Hamer Alternative and the Rye Road Alternative study areas.

Brown Pelican

The brown pelican (*Pelecanus occidentalis*) is state-listed as a species of special concern by FWC. This species' habitat is mainly coastal, feeding in shallow estuarine waters and (less often) far offshore.

Fort Hamer Alternative: The open water portion of the Manatee River offers suitable foraging habitat for this species. However, brown pelicans were observed flying over the Fort Hamer Alternative Study Area during the April 2010 field reviews. There are no documented brown pelican nesting areas within 1 mile of this alternative.

Rye Road Alternative: Suitable foraging and nesting habitat for this species does not occur within the Rye Road Alternative. Based on review of FNAI data, there are no documented brown pelican nesting areas within 1 mile of this alternative and no brown pelicans were observed during the field reviews.



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4.5 MAMMALS

Florida Mouse

See description under Gopher Tortoise and Commensal Species above.

Sherman's Fox Squirrel

Sherman's fox squirrel (*Sciurus niger shermanii*) is state-listed as a species of special concern by FWC. This species prefers mature, fire maintained longleaf pine, turkey oak habitats, and flatwoods.

Fort Hamer Alternative: Although none of these habitats are located within the Fort Hamer Alternative, oak scrub habitat and pine-oak forests are located adjacent to the alternative in the study area. According to information received from FNAI, Sherman's fox squirrel has not been documented within 1 mile of this alternative, and no individuals were observed during the field reviews.

Rye Road Alternative: Suitable habitat for this species is available within the Rye Road Alternative within the upland forested areas. Based on review of FNAI data, no individuals are documented within 1 mile of the alternative and none were observed during the field reviews.

West Indian Manatee

The West Indian manatee is listed as endangered by the FWS. The West Indian manatee is a herbivorous marine mammal typically found in freshwater rivers, estuaries, and coastal waters of the Gulf of Mexico and the Atlantic Ocean. The range of this species is generally limited to the tropics and sub-tropics due to an extremely low metabolic rate and lack of a thick layer of insulating body fat.

Fort Hamer Alternative: According to information provided by FNAI, FWS, and FWC, manatees are known to occur within the Manatee River, including that portion of the river within the Fort Hamer Alternative. The Manatee River downstream of the Lake Manatee dam is designated by the FWS as critical habitat for the West Indian manatee (Federal Register, 1976).

In September 2010, manatee birthing and calving information was requested from the FWC. Specifically, information was requested regarding the section of the Manatee River in the vicinity of the two build alternatives being used as a nursery for birthing or raising calves. FWC responded by providing links to the aerial survey data collected by FWC from 1985 to 2008 and a link to manatee mortality data collected by the Florida Fish and Wildlife Research Institute (FWRI). All correspondence with FWC regarding the West Indian manatee is included in Appendix A.

The data provided by FWC (FWC, 2011) and FWRI indicates that manatee calf observations and manatee mortalities have been documented in the vicinity of the Fort Hamer Alternative. However, the data does not indicate that this portion of the river has greater manatee mortality or

is used by manatees as a calving/nursery area at higher rates than other portions of the Manatee River.

Rye Road Alternative: The Manatee River downstream of the Lake Manatee dam, including that portion of the river within the Rye Road Alternative, is designated by the FWS as critical habitat for the West Indian manatee. However, the portion of the river located within the Rye Road Alternative does not provide suitable habitat for the West Indian manatee due to the shallow water and narrow width. No manatees were observed in the Rye Road Alternative during the field reviews.

4.6 OTHER SPECIES

Florida Grasshopper Sparrow

The Florida grasshopper sparrow (*Ammodramus savannarum floridana*) is federally-listed as endangered. Although it has never been documented in Manatee County (and consequently does not appear in Table 3), the FWS consultation area for the Florida grasshopper sparrow extends into eastern Manatee County. Habitat for the Florida grasshopper sparrow is limited to frequently burned, dry riparian prairie in south central Florida.

Fort Hamer Alternative: The Fort Hamer Alternative Study Area is outside of the FWS consultation area for the Florida grasshopper sparrow. Suitable habitat for this specie does not exist within the study area for this alternative and none were observed during field reviews.

Rye Road Alternative: The Rye Road Alternative Study Area occurs within the western edge of the FWS consultation area for the Florida grasshopper sparrow. Suitable habitat for this species does not exist within the study area for this alternative and none were observed during field reviews.

Bald Eagle

Although the bald eagle (*Haliaeetus leucocephalus*) is no longer state- or federally-listed, it is still federally-protected by the *Bald and Golden Eagle Protection Act* in accordance with 16 United States Code (U.S.C.) 668 and the *Migratory Bird Treaty Act* (MBTA). It is also state-protected by Chapter 68A-16.002, F.A.C., and the FWC *Bald Eagle Management Plan* (FWC, 2008). Pursuant to FWC bald eagle guidelines, any disturbance within 660 feet of a bald eagle nest requires coordination and potential permitting with the FWC. The bald eagle typically uses riparian habitat associated with coastal areas, lake shorelines, and river banks. The nests are generally located near bodies of water that provide a dependable food source.

Fort Hamer Alternative: According to the FWC's online bald eagle nest locater (FWC, 2011) (reviewed March 28, 2013), one bald eagle nest is documented within the Waterlefe subdivision 0.52 mile west of the Fort Hamer Alternative (Nest ID: MN013) (see **Figure 6**). This nest was last surveyed and reported active in 2010. No bald eagles or nests were observed within this study area during the field reviews.


Fort Hamer Road
Manatee River
FWC
MN013
0.52 miles
Manatee River
Winding Stream Way
Upper Manatee River Road
Legend
Construction Limits
Bald Eagle Nest
Sources:
Aerial- FDOT, 2011
Bald Eagle- FWC, 2011
Figure 6
Eagle Nest near
Fort Hamer Alternative
Construction Limits
N
W
E
S
0
500
1,000
Feet
Path: I:\Projects\12009385 Hamer Bridge Manatee River\Applications\mxd\March 2013\Fort Hamer Bald Eagle.mxd

Rye Road Alternative: According to the FWC's online bald eagle nest locater, no bald eagle nest is documented in the Rye Road Alternative Study Area and no individuals were observed within the alternative during the field reviews.

Migratory Bird Species

Most bird species (including both listed and non-listed species) that currently exist or have the potential to exist within the study are for either build alternative are afforded protection under the MBTA. Generally, the MBTA prevents the unauthorized killing or disturbance of birds protected by the MBTA.

Eastern Diamondback Rattlesnake

On May 9, 2012, the FWS announced a 90-day finding on a petition to list the eastern diamondback rattlesnake (*Crotalus adamanteus*) as threatened and designate critical habitat for the species under the ESA, opening a 60-day comment period. The 60-day period expired on July 9, 2012; however, the FWS will continue to accept comments and information. FWS will undertake a more comprehensive review of the snake's status throughout the species' range to determine whether listing is warranted under the ESA.

The FWS is asking for information from state and federal natural resource agencies and all interested parties regarding the eastern diamondback rattlesnake and its habitat. Based on the status review, the FWS will make one of three possible determinations:

- Listing is not warranted, in which case no further action will be taken.
- Listing as threatened or endangered is warranted. In this case, the FWS will publish a proposal to list, solicit independent scientific peer review of the proposal, seek input from the public, and consider the input before a final decision about listing the species is made. In general, there is a 1-year period between the time a species is proposed for listing and the final decision.
- Listing is warranted but precluded by other, higher priority activities. This means the species is added to the federal list of candidate species, and the proposal to list is deferred while the FWS works on listing proposals for other species that are at greater risk. A warranted but precluded finding requires subsequent annual reviews of the finding until such time as either a listing proposal is published or a not warranted finding is made based on new information.

Suitable habitat for the eastern diamondback rattlesnake occurs throughout the undeveloped portions of both the Fort Hamer Alternative and Rye Road Alternative study areas. None were observed during the field reviews; however, their presence in either alternative would not be unexpected.

Section 5.0
LISTED SPECIES IMPACTS

This section describes potential impacts to federally- and state-listed species that would occur as a result of the construction and operation of each of the two build alternatives.

5.1 PLANTS

Although federally- and state-listed plant species have been documented within Manatee County, none have been documented within 1 mile of the Fort Hamer or Rye Road Alternatives and none were observed during field reviews. Based on this information, it has been determined that both the Fort Hamer and Rye Road Alternatives will have no effect on any federally- or state-listed plant species.

5.2 FISH

Mangrove Rivulus

State Species of Special Concern

While suitable habitat exists for the mangrove rivulus within the Fort Hamer Alternative, none were observed during the April 2010 field reviews and none have been documented within 1 mile of the alternative. Direct impacts to mangrove habitat include 0.05 acre of shading and 0.005 acre of fill (total = 0.055 acre). The conceptual wetlands mitigation for the project will result in the creation of 0.20 acres of mangrove habitat. (See the Wetlands Evaluation Report in Appendix D of the FEIS for a description of the proposed conceptual mitigation.) Therefore, it has been determined that the Fort Hamer Alternative will have no effect on the mangrove rivulus.

Suitable habitat for the mangrove rivulus does not exist within the Rye Road Alternative and none have been documented within 1 mile of this alternative. Therefore, it has been determined that the Rye Road Alternative will have no effect on the mangrove rivulus.

Smalltooth Sawfish

Federally Endangered

While suitable habitat exists for the smalltooth sawfish within the Fort Hamer Alternative, none were observed during field reviews and none have been documented within the Manatee River. Potential threats to the smalltooth sawfish as a result of the Fort Hamer Alternative include collision with construction vessels and entanglement in lines and turbidity barriers. The NMFS' "Sea Turtle and Smalltooth Sawfish Construction Conditions" (NMFS, 2006) would be implemented during construction of the Fort Hamer Alternative (Appendix E). These conditions

include actions to be taken by the construction contractor that will minimize potential collisions with the smalltooth sawfish and entanglement with lines and turbidity barriers. As a result of this commitment, it has been determined that the Fort Hamer Alternative "may affect, but is not likely to adversely affect" the smalltooth sawfish.

Suitable habitat for the smalltooth sawfish does not exist within the Rye Road Alternative. Therefore, it has been determined that the Rye Road Alternative would have "no effect" on the smalltooth sawfish.

5.3 REPTILES AND AMPHIBIANS

Eastern Indigo Snake

Federally Threatened

While no eastern indigo snakes were observed during field reviews, suitable habitat for this species does exist within both build alternatives. In accordance with the FWS' *Eastern Indigo Snake Programmatic Effect Determination Key* (FWS, 2010a and FWS, 2013) both build alternatives were evaluated for the presence of xeric habitats and the presence of gopher tortoise burrows (burrows may be used by indigo snakes). Implementation of neither alternative would result in impacts to 25 acres or more of xeric habitat or the destruction of 25 or more gopher tortoise burrows. Therefore, the FWS and FWC approved standard protection measures for the eastern indigo snake (Appendix F) will be implemented during the clearing and construction phases for the selected alternative. As a result of these findings and this commitment and in accordance with the FWS' Eastern Indigo Snake Programmatic Effect Determination Key, it has been determined that both the Fort Hamer Alternative and the Rye Road Alternative "may affect, but is not likely to adversely affect" the eastern indigo snake.

Gopher Tortoise and Commensal Species

State Threatened/Species of Special Concern

Potentially suitable habitat is available within both build alternatives for the gopher tortoise (state-listed as threatened), Florida mouse (SSC), gopher frog (SSC), and pine snake (SSC). Gopher tortoise burrows were observed north of the Manatee River adjacent to the Fort Hamer Alternative. The Florida mouse, gopher frog, and pine snake have not been documented within 1 mile of the Fort Hamer Alternative or the Rye Road Alternative and none were observed during field reviews. Approximately 19.4 acres of open land and 6.8 acres of upland forest within the Fort Hamer Alternative construction limits and approximately 19.1 acres of agriculture (mostly pasture), 3.0 acres of open land, and 7.5 acres of forested uplands within the Rye Road Alternative construction limits would need to be surveyed for the presence of gopher tortoise burrows prior to construction. If gopher tortoises or their burrows are found in or within 25 feet of the construction limits of the selected alternative, Manatee County will coordinate with the FWC to secure permits needed to relocate the gopher tortoises and associated commensal species prior to construction. With this commitment, a determination was made that both the Fort

Hamer Alternative and the Rye Road Alternative "may affect, but is not likely to adversely affect" the gopher tortoise, Florida mouse, gopher frog, or pine snake.

5.4 BIRDS

Florida Scrub Jay

Federally Threatened

Suitable habitat for the Florida scrub jay does not exist within the Fort Hamer Alternative Study Area and no scrub jays are reported within the study area. For these reasons, implementation of the Fort Hamer Alternative will have no effect on the Florida scrub jay.

Approximately 15 acres of suitable habitat for the Florida scrub jay exists within the Rye Road Alternative 0.25-mile north of the Rye Road Bridge. Additionally, scrub jays reportedly occur within the Rye Preserve east of the Rye Road Bridge. The Rye Road Alternative would entail construction within the existing ROW, thereby lessening adverse effects to the Rye Preserve scrub jay population. Based on this assessment, it was determined that implementation of the Rye Road Alternative "may affect, but is not likely to adversely affect" the Florida scrub jay. Should the Rye Road Alternative be advanced for permitting, design, and construction; additional field surveys and coordination with the FWS will be required for this species.

Other Wading Birds

State Species of Special Concern

No wading bird rookeries are located within the Fort Hamer Alternative or the Rye Road Alternative; however, the little blue heron, reddish egret, snowy egret, limpkin, tricolored heron, white ibis, and roseate spoonbill have the potential to forage in the drainage ditches and wetlands within both of the alternatives. A little blue heron, white ibis, snowy egret, and tricolored heron were observed in the Fort Hamer Alternative. A little blue heron and white ibis were observed within the limits of the Rye Road Alternative during the field reviews. The primary concern for impacts to these wading birds is the loss of habitat (wetlands) for foraging. All wetland impacts will be mitigated to prevent a net loss of wetland functions and values. Because lost foraging habitat would be replaced through wetland mitigation, it was determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on populations of these species.

Florida Burrowing Owl

State Species of Special Concern

Potentially suitable nesting and foraging habitat for the Florida burrowing owl exists within the limits of both build alternatives. However, no burrowing owls or their burrows were observed during field reviews and none have been documented within 1 mile of the two build alternatives. To avoid potential impacts to this species, Manatee County will resurvey appropriate upland habitats within the study area of the selected alternative for burrowing owls or their burrows

prior to construction. If any burrows are located in the study area, Manatee County will coordinate with FWC to develop and implement the appropriate protection criteria prior to construction. With this commitment, a determination has been made that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on the Florida burrowing owl.

Crested Caracara

Federally Threatened

The Fort Hamer Alternative is not located within the FWS consultation area for the crested caracara; however, suitable foraging and marginal nesting habitat exist. No crested caracara were observed during field reviews and none have been documented within 1 mile of this alternative. A determination has been made that the Fort Hamer Alternative will have no effect on the crested caracara.

Suitable foraging and nesting habitat for the crested caracara exists within the limits of the Rye Road Alternative. The FWS Consultation Area for the crested caracara covers the Rye Road Alternative. No caracaras or nests were observed during field reviews and none have been documented within 1 mile of the Rye Road Alternative. To avoid any potential impacts to this species, Manatee County will resurvey appropriate upland habitats within the study area for caracara nests prior to construction if the Rye Road Alternative is selected for construction. If any nests are located in the study area, Manatee County will coordinate with FWS to develop and implement the appropriate protection criteria prior to construction. With this commitment, a determination has been made that the Rye Road Alternative "may affect, but is not likely to adversely affect" the crested caracara.

Southeastern American Kestrel

State Threatened

While suitable nesting and foraging habitat exists for the southeastern American kestrel within the limits of both the Fort Hamer Alternative and the Rye Road Alternative, no kestrels were observed during the field reviews. Due to its mobility and ability to use adjacent areas for nesting and foraging, it has been determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect the southeastern American kestrel.

Florida Sandhill Crane

State Threatened

Suitable nesting and foraging habitat is available within both build alternatives for the Florida sandhill crane. Sandhill cranes were observed within both build alternatives during field reviews. For both of the alternatives, wetland impacts would be mitigated to prevent a net loss of wetland functions and values. In addition, Manatee County will resurvey the selected alternative's study area for Florida sandhill crane nests prior to construction. If Florida sandhill crane nests are found within the study area, Manatee County will coordinate with the FWC to ensure project construction will not adversely impact this species. With this commitment, it has

been determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on the Florida sandhill crane.

Wood Stork

Federally Endangered

Suitable nesting and foraging habitat for the wood stork is available within both build alternatives. Based on FWS data (2010b), both alternatives are located within the 15-mile CFA of two wood stork rookeries (see Figure 5).

In order to make a determination of the build alternatives' potential effects on the wood stork, the construction impacts resulting from both build alternatives were assessed using the Wood Stork Effect Determination Key (FWS, 2010c). A review of FNAI and FWS information indicates that neither the Fort Hamer Alternative nor the Rye Road Alternative are located within 2,500 feet of an active wood stork colony site; however, both the Fort Hamer Alternative and the Rye Road Alternative are located within the CFA of two active wood stork nesting colonies.

Either build alternative would impact more than 0.5 acre of suitable foraging habitat (SFH) (0.5 acre is the threshold for a "not likely to adversely affect" determination). The Fort Hamer Alternative would result in fill and shading impacts to 3.06 acres of SFH. The Rye Road Alternative would result in fill and shading impacts to 2.52 acres of SFH.

The FWS believes loss of suitable wetlands within CFAs may reduce foraging opportunities for the wood stork. To minimize adverse effects to the wood stork, the FWS recommends compensation be provided for impacts to foraging habitat (FWS, 2010c). Wetlands offered as compensation should be of the same hydroperiod and located within the CFAs of the affected wood stork colonies. To compensate for the loss of SFH, implementation of the selected alternative 1) will include creation of habitat and foraging function equal, at a minimum, to that being impacted; 2) will not be contrary to the FWS Habitat Management Guidelines for the Wood Stork in the Southeast Region (Ogden, 1990), and 3) will be in accordance with the Clean Water Act, Section 404(b)1 guidelines. Based on this assessment, it was determined that both the Fort Hamer Alternative and the Rye Road Alternative "may affect, but is not likely to adversely affect" the wood stork.

Brown Pelican

State Species of Special Concern

Suitable nesting and foraging habitat exists for the brown pelican within the Fort Hamer Alternative and brown pelicans were observed flying over this alternative during the April 2010 field reviews. However, due to its mobility and ability to use adjacent surface waters and proposed mitigation sites for foraging, it has been determined that the Fort Hamer Alternative will have no effect on the brown pelican.

Suitable nesting and foraging habitat does not exist for the brown pelican within the Rye Road Alternative. Therefore, it has been determined that the Rye Road Alternative will have no effect on the brown pelican.

5.5 MAMMALS

Florida Mouse

See description under Gopher Tortoise and Commensal Species above.

Sherman's Fox Squirrel

State Species of Special Concern

While suitable nesting and foraging habitat exists for the Sherman's fox squirrel within both build alternatives, none were observed during the field reviews and none have been documented within 1 mile of either alternative. Due to its mobility and ability to use adjacent upland habitats for nesting and foraging, it has been determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on the Sherman's fox squirrel.

West Indian Manatee

Federally Endangered

The Manatee River provides suitable habitat for the West Indian manatee in the Fort Hamer Alternative. Although no manatees were observed during field reviews, FNAI, FWS, and FWC have indicated that manatees are known to frequent the Manatee River and local residents have reported sightings of manatees in the vicinity of the Fort Hamer Alternative. The Manatee River within both build alternatives is designated as Critical Habitat for the manatee below the Lake Manatee Dam.

Potential threats to the manatee as a result of implementation of the Fort Hamer Alternative include collision with construction vessels and acoustic impacts during construction. The segment of river immediately downstream of the proposed location of the Fort Hamer Alternative Bridge is a posted "Idle Speed/No Wake" zone. In addition to observing all posted speed zones in the river, all construction vessels will be required to operate at "Idle Speed/No Wake" speeds within 0.5-mile upstream and downstream of the construction site. Additionally, the selected construction contractor will be required to implement the *Standard Manatee Conditions for In-Water Work* (Appendix G) for all construction activities within the river.

Acoustical effects on marine mammals, including manatees and dolphins – both of which have the potential to occur within the Fort Hamer Alternative Study Area, are an increasing concern with coastal and marine construction activities. Acoustic sources during bridge construction include blasting, boat motors, and installation of bridge piles. Blasting can be a significant acoustic source during bridge demolition; however, since demolition is not part of the Fort Hamer Alternative, no blasting will occur.

The use of motorized tugboats and support vessels will be required for construction of the Fort Hamer Alternative. However, the commitment to operate all vessels at "Idle Speed/No Wake" speeds and adherence to the "Standard Manatee Conditions for In-Water Work" will minimize potential motorized noise impacts to manatees and other marine fauna present in the river.

The installation of bridge pilings with hydraulic hammers (i.e., pile-driving) can generate acoustic vibrations within the water column. Although detailed construction methodologies for the Fort Hamer Alternative have not been developed, it is likely that many, if not all, of the bridge support pilings would be driven with a hydraulic hammer. A total of 54 24-in^2 prestressed concrete pilings will be installed in the river channel. An additional 137 24-in^2 concrete pilings will be installed in the adjacent wetlands and shallow embayment between Wetland 3 and Wetland 4. To minimize potential adverse effects to manatees and dolphins all on-site project personnel will be responsible for observing water-related activities, including pile-driving, for the presence of manatee and dolphins. If any manatees or dolphins are observed in the river within a 0.25-mile radius of the hammer location, pile-driving operations will cease until the animal(s) has exited the 0.25-mile buffer on its own. To facilitate observation of manatees and dolphins (and to accommodate nearby human residents), all pile-driving activities will be conducted during daylight hours only. Finally, floating turbidity barriers with skirt lengths sufficient to reach the river bottom (approximately 12 feet maximum) will be placed around each piling during pile-driving operations. In addition to controlling turbidity, the barriers will lesson, though not eliminate, the acoustical vibrations generated during pile driving. With these commitments, it has been determined that the Fort Hamer Alternative "may affect, but is not likely to adversely affect" the West Indian manatee.

With the Rye Road Alternative, it is very unlikely for manatees to inhabit the river adjacent to the Rye Road Bridge due to the shallow nature and narrow confines of the river at this location. Due to these restrictions, no water-borne vessels would be used to construct the Rye Road Alternative Bridge; all construction would be land-based. For these reasons, it has been determined that the Rye Road Alternative "may affect, but is not likely to adversely affect" the West Indian manatee.

5.6 OTHER SPECIES

Florida Grasshopper Sparrow

Federally Endangered

The Florida grasshopper sparrow has not been documented in Manatee County, suitable habitat for this species does not occur within the study area of either build alternative, and no individuals of this species was observed during field reviews. For these reasons, it has been determined that both the Fort Hamer Alternative and Rye Road Alternative will have "no effect" on the Florida grasshopper sparrow.

Bald Eagle

Based on available information and field reviews, a bald eagle nest is located 0.52 mile west of the Fort Hamer Alternative near the Waterlefe subdivision. This nest was last surveyed and documented by FWC as active in 2010. No bald eagle nests were observed within 660 feet of either alternative during the field reviews. Manatee County will resurvey appropriate habitats within the study area of the selected alternative and review the most current FWC database for documented bald eagle nests prior to construction. If a nest is observed or documented within 660 feet of the study area, Manatee County will coordinate with the FWS and FWC to minimize impacts to this species. For these reasons, it has been determined that both the Fort Hamer Alternative and the Rye Road Alternative will have no effect on the bald eagle.

MBTA Protected Species

In compliance with the MBTA, Manatee County will not destroy any known or discovered bird nests containing eggs or flightless young during construction of the selected alternative. Should any osprey nests be located within the selected alternative, Manatee County will coordinate appropriately with FWC and FWS to obtain all needed permits.

Eastern Diamondback Rattlesnake

Currently, the eastern diamondback rattlesnake is not a listed species, nor is it a proposed or candidate species for listing. If this species becomes a proposed or candidate species for listing, or is listed as threatened during the permitting process for the selected alternative, the USCG will re-initiate consultation with the FWS.

Section 6.0
CRITICAL HABITAT

The Fort Hamer Alternative and Rye Road Alternative were evaluated for the presence of listed species' critical habitat designated by Congress in 17 CFR 35.1532. Both alternatives are located within designated critical habitat for the West Indian manatee. The Manatee River is designated as critical habitat for the West Indian manatee from the Lake Manatee Dam downstream to the Gulf of Mexico (Federal Register, 1976). No other designated critical habitat occurs within the Fort Hamer Alternative and Rye Road Alternative.

Within the Fort Hamer Alternative, sparse, narrow strips of submerged aquatic vegetation (widgeon grass) are present along the south shore of a peninsula in the Manatee River. The Manatee River and peninsula are described as River 1a in the WER included as Appendix D to the FEIS. The widgeon grass in this area occurs in patches of generally short, thin bladed stems and leaves and show signs of stress from wave energy. Construction impacts to the widgeon grass will be minimized by marking the boundaries of the seagrass bed prior to construction. No construction equipment will be allowed to moor or operate within the areas containing widgeon grass. In addition, no bridge support structures will be placed within the areas of widgeon grass to prevent direct impacts to the submerged vegetation. Once constructed, shading impacts to the submerged vegetation will be minimal due to the general north to south orientation of the bridge and the height of the bridge (32 feet) above mean high water. Based on this information, it has been determined that the Fort Hamer Alternative "may affect, but is not likely to adversely affect" designated critical habitat for the West Indian manatee. The FWS previously concurred with this determination in 2001 when the Fort Hamer Bridge project was proposed by the FHWA/FDOT (see Appendix A, FWS letter dated October 3, 2001).

Within the Rye Road Alternative, the Manatee River is relatively narrow (approximately 73 feet wide) and shallow with little to no submerged aquatic vegetation present. Although this location of the river is designated as critical habitat for the West Indian manatee, it does not provide suitable habitat for the manatee due to the lack of submerged aquatic vegetation, narrow width, and shallow water. Therefore, it has been determined that the Rye Road Alternative "may affect, but is not likely to adversely affect" designated critical habitat for the West Indian manatee.

Section 7.0
CUMULATIVE EFFECTS

Section 7 of the ESA requires a cumulative effects analysis for actions that may affect listed species or critical habitat. Cumulative effects to be considered under Section 7 of the ESA include the effects of future state, tribal, local, or private actions that are reasonably certain to occur in the project area. Future federal actions that are unrelated to the Proposed Action are not considered in the cumulative effects analysis because they require separate consultation pursuant to Section 7 of the ESA (FWS and NMFS, 1998).

7.1 LAND USE AND GROWTH

Manatee County, in particular the eastern half of the County where the project area is located, has changed dramatically in the past three decades. Since adoption of the Manatee County Comprehensive Plan in 1989, the development pattern and character of the region has changed from predominantly agricultural and rural to suburban and commercial. Suburban-style development in the form of gated communities and other single-family developments, expanded transportation networks, retail opportunities, and community services have been planned for and constructed.

The Manatee County 2030 Approved Future Land Use Zoning (MBCC, 2012) shows the majority of both the Fort Hamer Alternative and Rye Road Alternative study areas will be available for residential and mixed-use development within the next 15 years. **Table 4** summarizes the future land use zoning in both study areas.

During the period 2000-2004 residential home construction in Manatee County averaged 4,000 new dwelling units per year. A surge in growth occurred from 2004 to 2005 when approximately 6,000 new dwelling units per year were constructed. With the collapse of the housing market in 2006, new home construction fell to approximately 1,250 units per year between 2007 and 2011. Since 2011, new home construction has once again begun to increase in eastern Manatee County.

Metropolitan Planning Organizations (MPOs) commonly use traffic analysis zones (TAZs) to assess population, housing, and commercial development trends and to identify traffic improvement needs in a given area. The Sarasota/Manatee MPO has developed a transportation model (SMC Model) that includes the TAZs that intersect the Fort Hamer Alternative and Rye Road Alternative study areas (Sarasota/Manatee MPO, 2011). A total of 19 TAZs intersect the Fort Hamer Alternative Study Area. As shown in **Table 5**, the SMC Model shows the population within these TAZs increasing from 9,162 in 2007 to 18,573 by 2035. During this same period the number of housing units are projected to increase from 4,452 to 7,889.

TABLE 4
2030 APPROVED FUTURE LAND USE WITHIN THE FORT HAMER ALTERNATIVE AND RYE ROAD ALTERNATIVE STUDY AREAS

Land Use	Fort Hamer Alternative Study Area		Rye Road Alternative Study Area	
	Acres	Percent of Area	Acres	Percent of Area
Agriculture/Rural (AG-R)	126	2.9	9	0.1
Conservation Lands (CON)	0	0	184	2.6
Industrial-Light (IL)	73	1.7	0	0
Mixed Use (MU)	21	0.5	60	0.9
Mixed Use Community (MU-C)	34	0.8	0	0
Public/Semi-Public 1 (P/SP-1)	46	1.1	1	0.0
Residential – 6 DU/GA (RES-6)	222	5.1	222	3.2
Retail/Office/Residential (ROR)	103	2.4	0	0
Major Recreation/Open Space (R-OS)	82	1.9	49	0.7
Urban Fringe – 3 DU/GA (UF-3)	3,637	83.7	6,521	92.5
Total	**4,344**	**100**	**7,046**	**100**

Source: MBCC, 2012.

TABLE 5
POPULATION AND HOUSING PROJECTIONS WITHIN TAZs THAT INTERSECT THE FORT HAMER ALTERNATIVE STUDY AREA

Year	Population	Housing Units
2007	9,162	4,452
2015	13,022	5,436
2035	18,573	7,889

Source: Sarasota/Manatee MPO, 2011.

A total of 22 TAZs intersect the Rye Road Alternative study area. **Table 6** shows that the population within these TAZs is projected to increase from 10,627 in 2007 to 18,395 by 2035. During this same period the number of housing units are projected to increase from 4,344 to 7,276.

TABLE 6
POPULATION AND HOUSING PROJECTIONS WITHIN TRAFFIC ANALYSIS ZONES THAT INTERSECT THE RYE ROAD ALTERNATIVE STUDY AREA

Year	Population	Housing Units
2007	10,627	4,344
2015	13,392	5,182
2035	18,395	7,276

Source: Sarasota/Manatee MPO, 2011.

7.2 COUNTY PROJECTS

In addition to the existing and projected private development described above, Manatee County has funded for design and construction transportation improvement projects located within the Fort Hamer Alternative Study Area (**Table 7**). These projects are independent from the proposed bridge project associated with the Fort Hamer Alternative (i.e., they are being constructed even if the Fort Hamer Alternative is not implemented). Direct habitat loss from these projects is expected to be minimal. Manatee County currently has no reasonably foreseeable transportation improvement projects within the Rye Road Alternative Study Area.

TABLE 7
EXISTING AND PLANNED TRANSPORTATION IMPROVEMENT PROJECTS IN THE VICINITY OF THE FORT HAMER ALTERNATIVE

Project Name	Description	Fiscal Year Funding Design Status	Fiscal Year Funding Construction Status
Upper Manatee River Road from SR 64 to Fort Hamer Bridge	Roadway improvements to include widening, shoulder enhancement, and sidewalk. Intersection improvements to provide right- and left-turning lane movements.	2012/2013 $200,000 Under design	2014 $1,575,000 Upon completion of design/permits
Fort Hamer Road from US 301 to proposed Fort Hamer Bridge	Roadway improvements to include widening, shoulder enhancement, and sidewalk. Intersection improvements to provide right- and left-turning lane movements.	2012/2013 $125,000 Under design	2014 $975,000 Upon completion of design/permits
U.S. 301 @ Fort Hamer Road Intersection	Intersection improvements to include realignment, signalization upgrades, and turn lanes in all directions.	2012 $300,000 Design complete	2013/2014 $2,200,000 Bidding/construction

Source: Manatee County Public Works Department, 2013.

Construction and operation of either the Fort Hamer Alternative or the Rye Road Alternative will result in an incremental loss of native upland habitat, agricultural lands, and other disturbed but undeveloped lands. Direct impacts to wetlands have occurred with past development and will likely continue but on a smaller scale as future developments are constructed. Both the Fort Hamer Alternative and Rye Road Alternative will result in direct impacts to wetlands. Current state and federal regulations require compensatory mitigation for unavoidable impacts to wetlands. Existing regulatory mechanisms require that the compensatory mitigation replaces, at a minimum, the lost value of ecological functions of the impacted wetlands. As a result, the net loss of wetlands resulting from future projects in the region is expected to be minimal, if at all.

Increased impervious areas associated with development and roadway projects have resulted in increased stormwater runoff to receiving streams. Prior to the implementation of stormwater treatment regulations by the state, this runoff was usually directly discharged to receiving waters resulting in lower water quality and contributing to flood events. Current regulations and

permitting criteria require stormwater from all developments and transportation projects to be captured and routed through a stormwater treatment system designed to meet specific standards. Encroachment into designated flood zones is required to be off-set by a similar enlargement of the storage capacity within the same drainage basin. For the Proposed Action, the selected build alternative would be designed and constructed according to the permitting criteria for water quality and quantity, as would all future developments within and adjacent to the project area. As a result, the cumulative impact to water quality and quantity, and the listed species dependent upon these water resources within the project area, are expected to be minimal.

As discussed in the previous section, an effect determination of "may affect, not likely to adversely affect (NLAA)" has been made for the eastern indigo snake, West Indian manatee, and wood stork for both build alternatives. Additionally, the smalltooth sawfish has a NLAA determination for the Fort Hamer Alternative and the crested caracara and Florida scrub jay have a NLAA determination for the Rye Road Alternative. Of these species, the wood stork is wetland dependent, the smalltooth sawfish and the West Indian manatee is open water dependent, the crested caracara and Florida scrub jay are upland dependent, and the eastern indigo snake can inhabit both uplands and wetlands.

Due to the existing regulatory mechanisms protecting wetlands and water quality from stormwater runoff, the cumulative effects of implementation of either build alternative and the reasonably foreseeable development and infrastructure projects discussed above are not expected to adversely affect wetland dependent listed species. Loss of upland habitat potentially available to the eastern indigo snake and the crested caracara will occur as a result of future development and transportation improvement projects along Upper Manatee River Road, Fort Hamer Road, and Rye Road; however, these losses are not likely to adversely affect the eastern indigo snake and crested caracara given the lack of documented occurrences of these species in the area.

Section 8.0
EFFECT DETERMINATION SUMMARY

In summary, federally- and state-listed plant and animal species were identified as having the potential to occur within either build alternative. **Tables 8 and 9** provide the effect determinations for the federally- and state-listed species for the Fort Hamer Alternative and the Rye Road Alternative, respectively. Based on the findings and commitments presented in this BA, it has been determined that neither the Fort Hamer Alternative, nor the Rye Road Alternative is likely to adversely affect any federally-listed species, critical habitat, or any state-listed species.

TABLE 8
LISTED SPECIES EFFECT DETERMINATIONS FOR THE FORT HAMER ALTERNATIVE

Project Effect Determination	Federally-Listed Species
May affect, not likely to adversely affect	Smalltooth sawfish (*Pristis pectinata*) Eastern indigo snake (*Drymarchon corais couperi*) West Indian manatee (*Manatus trichechus*) and critical habitat Wood stork (*Mycteria americana*)
No effect	Florida goldenaster (*Chrysopsis floridana*) Florida scrub jay (*Aphelocoma coerulescens*) Florida grasshopper sparrow (*Ammodramus savannarum floridana*) Crested caracara (*Caracara cheriway*)
Project Effect Determination	**State-Listed Species**
May affect, not likely to adversely affect	Gopher tortoise (*Gopherus polyphemus*) Pine snake (*Pituophis melanoleucus mugitis*) Florida mouse (*Podomys floridanus*) Gopher frog (*Rana capito*)
No effect	**Plants** Golden leather fern (*Acrostichum aureum*) Many-flowered grass pink (*Calopogon multiflorus*) Florida goldenaster (*Chrysopsis floridana*) Sanibel lovegrass (*Eragrostis pectinacea* var. *tracyi*) Tampa vervain (*Glandularia [Verbena] tampensis*) Wild cotton (*Gossypium hirsutum*) Florida spiny-pod (*Matalea floridana*) Giant orchid (*Pteroglassaspis [Eulophia] ecristata*) Large-plumed beaksedge (*Rhynchospora megaplumosa*) **Animals** Limpkin (*Aramus guarauna*) Florida burrowing owl (*Athene cunicularia floridana*) Little blue heron (*Egretta caerula*) Reddish egret (*Egretta rufescens*) Snowy egret (*Egretta thula*) Tricolored heron (*Egretta tricolor*) White ibis (*Eudcimus albus*) Southeastern American kestrel (*Falco sparverius paulus*) Florida sandhill crane (*Grus canadensis pratenesis*) Brown pelican (*Pelecanus occidentalis*) Roseate spoonbill (*Platalea ajaja*)

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TABLE 8 (CONTINUED)
LISTED SPECIES EFFECT DETERMINATIONS FOR THE FORT HAMER ALTERNATIVE

Project Effect Determination	State Listed Species
No effect (Continued)	Mangrove rivulus (*Rivulus marmoratus*) Sherman's fox squirrel (*Sciurus niger shermanii*)

TABLE 9
LISTED SPECIES EFFECT DETERMINATIONS FOR THE RYE ROAD ALTERNATIVE

Project Effect Determination	Federally-Listed Species
May affect, not likely to adversely affect	Eastern indigo snake (*Drymarchon corais couperi*) Crested caracara (*Caracara cheriway*) West Indian manatee (*Manatus trichechus*) and critical habitat Florida scrub jay (*Aphelocoma coerulescens*) Wood stork (*Mycteria americana*)
No effect	Smalltooth sawfish (*Pristis pectinata*) Florida goldenaster (*Chrysopsis floridana*) Florida grasshopper sparrow (*Ammodramus savannarum floridana*)
Project Effect Determination	**State-Listed Species**
May affect, not likely to adversely affect	Gopher tortoise (*Gopherus polyphemus*) Pine snake (*Pituophis melanoleucus mugitis*) Florida mouse (*Podomys floridanus*) Gopher frog (*Rana capito*)
No effect	**Plants** Golden leather fern (*Acrostichum aureum*) Many-flowered grass pink (*Calopogon multiflorus*) Florida goldenaster (*Chrysopsis floridana*) Sanibel lovegrass (*Eragrostis pectinacea* var. *tracyi*) Tampa vervain (*Glandularia [Verbena] tampensis*) Wild cotton (*Gossypium hirsutum*) Florida spiny-pod (*Matalea floridana*) Giant orchid (*Pteroglassaspis [Eulophia] ecristata*) Large-plumed beaksedge (*Rhynchospora megaplumosa*) **Animals** Limpkin (*Aramus guarauna*) Florida burrowing owl (*Athene cunicularia floridana*) Little blue heron (*Egretta caerula*) Reddish egret (*Egretta rufescens*) Snowy egret (*Egretta thula*) Tricolored heron (*Egretta tricolor*) White ibis (*Eudcimus albus*) Southeastern American kestrel (*Falco sparverius paulus*) Florida sandhill crane (*Grus canadensis pratenesis*) Brown pelican (*Pelecanus occidentalis*) Roseate spoonbill (*Platalea ajaja*) Mangrove rivulus (*Rivulus marmoratus*) Sherman's fox squirrel (*Sciurus niger shermanii*)