

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

Initial Sufficiency Review Comments

**Evansville Western Railway Rail Terminal Facility
Development of Regional Impact
Filed December 18, 2007**

Question 4 – Development Information

1. The response provided refers to Question 1 which does not provide the documentation required in Question 4. The applicant has not provided a notarized authorization from the property owner.

Question 8 – Permit Information

2. Project development will require access to SR 60 through construction of the proposed Pollard Road extension. Please provide documentation concerning FDOT permitting requirements.

Question 9 – Maps

3. As provided map H only indicates the proposed general land use classification of the project site. Please provide the master development plan as required.

Question 11 – Revenue Generation Summary

4. Please provide the documentation and methodology used to derive the projected total cumulative ad valorem receipts of \$437,056.

Question 12 - Vegetation and Wildlife

5. Page 12-14. It is noted that cutthroatgrass was identified on the south end of the site. As cutthroatgrass (*Panicum abscissum*) is a State-listed endangered species, please illustrate the locations on Map G and include it in Table 12.C-1 (Likelihood that listed species of animals and plants known to occur in Polk County occur on the DRI project site).
6. Pages 12-14 and 12-16. It is noted that the active Bald Eagle nest No. PO-060 is situated approximately 70 feet from the eastern project boundary, and therefore the project cannot comply with the U.S. Fish and Wildlife Service (USFWS) 2007 National Bald Eagle Management Guidelines. It is acknowledged that a Florida plan for the management of the Bald Eagle has not been adopted by the Florida Fish and Wildlife

Conservation Commission (FWC) as yet. When formulated, please provide details on the specific conservation measures to be employed for protection of this species.

7. Pages 12-14 and 12-16. It is noted that 2.06 acres of occupied sand skink and bluetail mole skink habitat is proposed to be impacted by the project. Please provide additional details on the specific conservation measures to be employed for this loss of habitat. If specific recommendations, plans, or permits are issued by the USFWS and FWC, please provide a copy or other documentation in that regard.
8. Pages 12-15 and 12-16. It is noted that 2.51 acres of the 27 acres of occupied Florida Scrub Jay habitat identified in the vicinity is proposed to be impacted by the project. Please provide additional details on the specific conservation measures to be employed for this loss of habitat. If specific recommendations, plans, or permits are issued by the USFWS and FWC, please provide a copy or other documentation in that regard.
9. Page 12-17. Given that the eastern indigo snake (a State and Federally-listed threatened species) is a known gopher tortoise burrow associate, and that FWC has issued an incidental take permit for the gopher tortoises on the site and their burrows, please provide additional details on the specific conservation and protection measures to be employed for the potential impact to this species and its habitat, including additional surveys that may take place in advance of clearing and other site construction related activities.

Question 13 - Wetlands

10. Page 13-3. It is noted that 46.57 acres of state jurisdictional wetlands are proposed to be lost due to the project. Please provide further details on the proposed compensatory mitigation, and copies of any approvals or permits as they are issued by the appropriate local, State, and Federal agencies.

Question 14 - Water

11. Page 14-1. Please provide on a map the location of the water quality sampling point (s) and testing, and a summary of the water quality testing that has been performed. Please describe why this is considered representative of the entire site water resources.
12. Page 14-1. Please describe the surficial aquifer characteristics of the site including the seasonal depth to the water table, the seasonal change in water quality and the seasonal direction of groundwater flow.
13. Page 14-1. Please provide the results of water quality sampling and analysis of the surficial aquifer beneath the site.

Question 16 - Floodplains

14. Page 16-1. Please provide the development activities that will occur within the FEMA 100-year floodplain limits.
15. Page 16-1. Please provide the analysis to determine the size and location of the stormwater management ponds to prevent off-site flooding.

Question 17 – Water Supply

None

Question 18 – Wastewater Management

16. Page 18-2. Please expand on the treatment and disposal of the industrial wastes that will be generated at the maintenance facility.

Question 19 – Stormwater Management

17. Page 19-3. Please provide the calculations and preliminary designs for the containment and treatment system that will provide for treatment of the stormwater runoff.
18. Page 19-3. Please provide assurances that the discharge off-site to the Peace Creek Drainage Canal will not negatively impact the receiving waters.

Question 20 – Solid Waste / Hazardous Waste / Medical

19. Page 20-2. Since the facility will have automobiles and tractor trailers for delivery as well as maintenance facilities please describe the methods and procedures to prevent hazardous and toxic materials used in vehicles and maintenance activities from contaminating the surficial aquifer and surface waters.

Question 21 – Transportation

CFRPC transportation comments and requests for additional information are provided in the attached letter from Kimley-Horne and Associates, Inc.

Question 30 – Historical and Archaeological

20. Page 30-1. One archeological site (8PO4743) has been identified for the site. Please describe the construction plans to deal with any archeological discoveries should such be discovered during construction.

Appendix E –A Phase I Cultural Resource Survey of t he Terminal Facility, Winter Haven, Polk County, Florida

21. Page 31. During the archeological survey the following observations were made:

The majority of the project area is comprised of effluent or sludge fields...The drain-off is collected and channeled into the Peace Creek Canal (8PO5391), located south of the project area. The sludge fields are "seeded" with distilled sludge or waste product that is spread mechanically by tractor. As a result of these activities, the sludge fields are also contaminated, and during periods of high water table or heavy rain, effluent will drain into the lower elevations...

Please provide documentation including representative sampling of the surface water, ground water and soil that documents the existing soil and water quality of the site. Please submit a plan for collecting representative samples and analysis for CFRPC approval prior to conducting the sampling and laboratory analysis.