

Screening Form For Low-Effect Habitat Conservation Plan (HCP) Determination

This screening form contains an evaluation of a project proposed by the Toho Water Authority to extend Westside Boulevard in Osceola County, Florida

I. Project Information

Project:

- A. Westside Boulevard Extension
- B. Affected species: sand skink (*Eumeces reynoldsi* = *Plestiodon reynoldsi*) and blue-tailed mole skink (*Eumeces egregius lividus* = *Plestiodon egregius lividus*)
- C. Project size: 17 acres
- D. Brief description including minimization and mitigation plans:

The applicant is requesting authorization for take of sand skinks and blue-tailed mole skinks on approximately 9.2 acres of occupied habitat on a 17-acre site for the extension of Westside Boulevard in Osceola County, Florida. The purpose of the project is to provide a paved roadway connection to the existing termini of Westside Boulevard located North and South of the project site. The project will provide motor vehicle traffic a direct connection to U.S. Highway 192 to the North and the Ronald Regan Parkway to the South of the project site. The occupied sand skink and blue-tailed mole skink habitat will be rendered unsuitable for skinks due to land clearing and construction work associated the project.

To mitigate for unavoidable loss of sand skinks and blue-tailed mole skinks within occupied habitat, the applicant proposes to purchase 18.41 credits from the Lake Wales Ridge Conservation Bank in Polk County, Florida. To minimize impacts to Federally listed skinks, land clearing activities will occur outside of breeding of mid-February through mid-May to the greatest extent practicable. Additional minimization measures will not be incorporated.

II. Does the HCP fit the low-effect criteria in the HCP handbook?

- A. **Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitat covered under the HCP prior to implementation of the mitigation plan?**

Yes -The suspected decline in the distribution and abundance of the sand skink and blue-tailed mole skink within the Lake Wales Ridge is the cumulative result of habitat destruction and unregulated loss associated with agricultural practices and more recently, urban development. In most instances, skink habitat in areas fragmented by agriculture and urban development is degraded due to lack of proper management, long-term fire suppression, and alterations of storm-water run-off patterns.

Based on the above information, the long-term success of the current unmanaged skink populations may be low due to the following factors:

- decline of habitat suitability because of surrounding urbanization,
- diminished fire interval, and
- further habitat fragmentation.

Consequently, we find that the loss of 9.2 acres of occupied disturbed habitat is likely to result in only minor or negligible impacts to these species.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology and soils, water quality, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the mitigation plans?

Yes - The project site currently consists of existing dirt roadway, and agricultural pasture lands, excavated ponds and some small parcels of forested wetlands. Lands immediately west of the project site contain a school and residential development or are in the process of being cleared, or will be cleared in the future, to support construction of waste-water treatment facility. Lands north and south of the project footprint contain citrus groves but are likely to be developed for residential purposes in the future due to the expected growth in the human population in Florida. Given the existing level of urban and agricultural development and the fragmented and degraded nature of the habitat, we expect that impacts to most environmental values and resources will be negligible. There may be a temporary decline in air quality and an increase in noise within the construction site, but these effects will be minor and of short duration.

C. Would the impacts of the HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant?

Yes -As a result of the projected continuation of rapid human population growth, many of the same factors that historically affected sand skinks and blue-tailed mole skinks in the past are likely to continue to negatively affect these resources in the foreseeable future. However, predicting the exact extent and magnitude of

these adverse effects is difficult since human population growth in the action area will undoubtedly be influenced by many unpredictable, extrinsic factors such as economic conditions, population demography, and long-term weather patterns.

Sand skinks and blue-tailed mole skinks are likely to decline in abundance and distribution due to habitat loss due to human related development in the project area. This loss of habitat will continue to occur in the future from actions authorized by the Service through either Section 7 or 10 of the Endangered Species Act of 1973 (Act) or through non-regulated activities. In many instances local and county ordinances place the burden of regulatory compliance on the landowner who either does not understand the regulatory process for protection of federally listed species or is unwilling to contact the Service to discuss compliance with the Act.

The Service concludes that most of the sand skinks and blue-tailed mole skinks persisting on privately owned, remnant, poor condition xeric habitat, will continue to decline in number and distribution due to environmental and demographic factors, regardless of the issuance of this permit. Based on the information above and current development trends, cumulative effects resulting from the issuance of the Incidental Take Permit (ITP) and future ITPs, are not expected to significantly affect the persistence of sand skinks in this action area.

The potential for cumulative effects to the environment is minor. This is because of the small size of the project relative to the anticipated trajectory of future development in Osceola County, Florida. Regardless of whether the Service issues the permit, ongoing population growth and development will continue to reduce abundance and distribution of sand skinks and blue-tailed mole skinks in this area.

III. Do any of the exceptions to the categorical exclusions apply to the HCP?

Would implementation of the HCP:

A. Have significant adverse effect on public health or safety?

No -The area covered by the HCP is adjacent to residential development, improved pasture, disturbed lands and citrus groves. Land clearing and construction activities are not expected to have adverse effects on public health or safety. The Service has no reason to believe that the applicant or their contractors will not abide by all public health and safety laws as governed by State and local jurisdictions.

B. Have adverse effects on such unique geographic characteristics as historical or cultural resources, park, recreation or refuge lands, wilderness area, wild or scenic rivers, sole or principal drinking water aquifers, prime farmland, wetlands, flood

plains, or ecologically significant or critical areas, including those listed on the Department's National Registry of Natural Landmarks?

No – The project will result in the loss of less than an acre of non-jurisdictional wetlands located in the project footprint. We do not expect that this minor loss of wetlands will result in significant adverse effects to the resources described above.

C. Have highly controversial environmental effects?

No - The Service does not anticipate this project to have any controversial effects.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No -Issuance of the ITP will result in the of the extension of a paved roadway within the footprint of a dirt roadway and lands altered by past agricultural activities and residential development or are expected to be developed in the future. The construction of a new roadway extension is not expected to pose significant, unique, or unknown environmental risks.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No -Issuance of an ITP by the Service is made on a case-by-case basis pursuant to Federal regulations. Each HCP is evaluated on its own merit prior to a Service decision regarding whether to issue the ITP or deny the ITP. Therefore, the issuance of the ITP does not represent a decision in principle about future actions that may be taken by the Service.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No -The Service has not identified any other related actions that would result in such effects.

G. Have adverse effects on properties listed or potentially eligible for listing on the National Register of Historic Places?

No -Sites eligible for the National Register of Historic Places are not located in or near the project footprint.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?

No -Sand skinks and blue-tailed mole skinks are the only listed species that would

be affected by implementation of the HCP. As indicated above, the suspected decline in numbers of these species in Osceola County is the cumulative result of habitat destruction and unregulated loss associated with agricultural practices and more recently, urban development. We expect that the mitigation proposed as part of the ITP process will contribute to efforts to restore, and/or manage contiguous habitat in perpetuity within the Lake Wales Ridge for sand skinks and blue-tailed mole skinks.

The gopher tortoise (*Gopherus polyphemus*), is a State Species of Special Concern and a Candidate Species under the ESA. Gopher tortoises may occur on this property and the applicant will coordinate with the Florida Fish and Wildlife Conservation Commission for any necessary permits. We are not aware of the presence of any other species that are proposed to be listed within the planning area of the HCP. Therefore, we do not expect issuance of the ITP will have an adverse effect on proposed species.

Critical habitat has not been designated for the sand skink or blue-tailed mole skink. Therefore, critical habitat will not be adversely affected.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.

No - The project may result in minor impacts to non-jurisdictional wetlands.

J. Threaten to violate a Federal, State, local, tribal law or requirement imposed for the protection of the environment?

No - Implementation of the HCP and issuance of the ITP is not expected to threaten to violate any other Federal, State, local, or tribal law or requirement pursuant to environmental protection.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Westside Boulevard Extension HCP qualifies for a categorical exclusion as defined in the U.S. Fish and Wildlife Service *Habitat Conservation Planning Handbook*. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents:

Westside Boulevard Extension Habitat Conservation Plan for the Sand and Blue-Tailed Mole Skink, January 17, 2024.

Concurrence:

Manager, Division of Environmental Review