



two-lane undivided rural condition to a four-lane divided high-speed urban roadway. The project is approximately 3.864 miles in length (see **Figure 1**).

A new divided four-lane roadway crossing will be constructed for the SR 710 extension over Taylor Creek (0.2 miles east of the SR 710/US 441 intersection). A new two-lane bridge will be constructed over the L-63N Interceptor Canal to convey the future SR 710 northbound traffic.

Appropriate left and/or right turn lanes will be provided at major intersections. A new intersection will be created at NE 32nd Avenue just north of NE 11th Lane. In addition, an intersection within the existing SR 710 right-of-way (ROW) will be created at Center Street. The project will also construct five (5) off-site stormwater retention ponds and one offsite floodplain compensation site.

As shown in **Figure 1**, the PD&E was evaluated as four separate segments (1-4), with the selected alternative (Alternative 1-2C) combining Segments 1 and 2. The current project phasing of these four segments for Design, Right-of-Way and Construction is being carried forward under three project segments/Financial Project ID (FPID) #s. This document is reevaluating PD&E Segments 1 and 2 under FPID# 419344-3, advancing the proposed design changes and ROW acquisition for this segment only. The project Design phase for PD&E Segment 3/FPID# 419344-4 is not funded at this time but is anticipated in fiscal year 2023. The project Design phase for PD&E Segment 4/Design FPID# is 419344-5 is not funded at this time but is anticipated in fiscal year 2022.

See **Figure 1 in Attachment 1**.

### **3. CHANGES IN APPLICABLE LAW OR REGULATION**

**Are there changes in federal or state laws, rules, regulations or guidance that require consideration since the date of the original Environmental Document or subsequent Reevaluation(s)? Yes [X] No [ ]**

#### **Protected Species and Habitat**

Since the June 2011 completion of the PD&E Endangered Species Biological Assessment (ESBA), the status of various species has changed as follows:

- 1) On June 26, 2016, the USFWS down-listed the wood stork from federally-endangered to federally-threatened.
- 2) As part of the “*Florida’s Imperiled Species Management Plan*” issued by the FWC on October 15, 2016, multiple changes in the status of state listed species were pending at the time the FONSI was approved. As shown in the May 2017 update to the FWC’s “*Florida’s Endangered and Threatened Species*” list, the listing statuses for the following species have changed as follows:
  - a. Delisted (i.e., no longer State Species of Concern/SSC): limpkin, white ibis, snowy egret, gopher frog, and Florida mouse.
  - b. Up-listed from SSC to “threatened”: little blue heron, roseate spoonbill, tricolored heron, Florida burrowing owl, Florida pine snake and American alligator (for consistency with federal “similarity of appearance” status).

- 3) On March 30, 2017, the USFWS down-listed the West Indian manatee from federally-endangered to federally-threatened.

### **Water Quality/Quantity**

Although the FONSI/EA was approved in March 2017, the effective date of the PD&E Pond Siting Report was May 2012. Effective October 1, 2013, the Florida Department of Environment Protection, in coordination with the five water management districts, reconciled/streamlined the stormwater permitting rules and regulations under the Statewide Environmental Resource Permitting (SWERP) program. Permitting rules previously under various Florida Administrative Codes (62-343, 62-346, 62-341) and WMD rules (40X-1, -4, -40, -400 FAC, etc.) were implemented in Chapter 62-330, FAC (and associated Applicant's Handbook).

The project's stormwater management facilities are designed in accordance with these revised regulations. The Design-phase *Final Pond Siting Report* (dated March 2017) and a *Location Hydraulics Technical Memorandum* (dated July 2018) have been prepared for this project and are included in the SWEPT project file in support of this reevaluation document.

## **4. EVALUATION OF MAJOR DESIGN CHANGES AND REVISED DESIGN CRITERIA**

**Are there major design changes, including but not limited to changes in the alignment(s), typical sections(s), drainage/stormwater requirements, design control and criteria, or temporary road or bridge? Yes [X] No [ ]**

As part of the current reevaluation effort, the July 2018 Phase (PH) II Design plan set was compared against the approved PD&E concepts from the Preliminary Engineering Report (PER, dated February 2017). Several design changes were noted during this comparative review and are discussed in the following paragraphs.

### **Approved PD&E Concepts**

The approved PD&E concepts for selected Alternative 1-2C included one roadway and two bridge typical sections. The high speed urban roadway typical section (see **Figure 2**) included two 12-foot travel lanes in each direction; 4-foot paved inside and 6.5-foot paved outside shoulders in both directions; Type E curb and gutter along the inside and outside lanes to collect stormwater runoff directed to offsite stormwater retention ponds; separated by a 30-foot wide (22-foot grassed raised) median; and a 29-foot border along both sides of the roadway to accommodate a 5-foot sidewalk (along the south/west sides of the roadway) and a 12-foot paved multi-use path (along the north/east sides of the roadway). This typical section required a minimum of 136 feet of ROW and complied with the Strategic Intermodal System (SIS) minimum design speed for an urban area of 50 miles per hour (mph).

The approved PD&E concept for a new SR 710 bridge over Taylor Creek (see **Figure 3**) showed a single bridge structure consisting of two 12-foot travel lanes, 8-foot outside and 5.5-foot inside shoulders in both directions separated by a 30-foot concrete median (19-foot raised). The bridge would accommodate a 5-foot sidewalk (along the south side of the roadway) and a 12-foot paved multi-use path (along the north side of the roadway). The

total out-to-out bridge width was 115'-7" and the ROW needed at this location was approximately 136 feet.

The approved PD&E concept for the SR 710 bridge over the L-63N Interceptor Canal (see **Figure 4**) showed replacing the existing bridge with a new single bridge structure consisting of two 12-foot travel lanes, 10-foot outside shoulders and 8-foot inside shoulders in each direction separated by a 40-foot concrete median (13-foot raised). The bridge median included an 11-foot turn lane from northbound SR 710 to SE 40<sup>th</sup> Avenue. The bridge also included a 5-foot sidewalk (along the south side and a 12-foot paved multi-use path along the north side). The total out-to-out bridge width was 129'-7" and the ROW needed at this location was approximately 210 feet.

Within the limits of the Design project segment being advanced, the PD&E concepts proposed eight stormwater management ponds (Ponds 1-8) totaling approximately 27.93 acres and two floodplain compensation (FPC) areas (FPC Extension and FPC MC-CD2) totaling approximately 34.32 acres.

### **Proposed Design**

The current design proposes three typical sections, including two roadway and one bridge section. The first roadway section, from US 441 to east of Taylor Creek (see **Figure 5**), is consistent with the approved PD&E concept high speed urban roadway typical section with the following revisions: the grassed raised portion of the 30-foot median has been revised from 22 feet to 25.5 feet; the 12-foot shared use path (north side) and 5-foot sidewalk (south side) have been revised to a 10-foot wide shared use path and 6-foot sidewalk; and the minimum 136 feet of ROW and 50-mph design speed requirements have been revised to a minimum of 160 feet of ROW and a 40-mph design speed. The roadway alignment was revised in this area to avoid impacts to the Okeechobee Utility Authority well field.

The second roadway section, from east of Taylor Creek to the L-63N Interceptor Canal (see **Figure 6**), is consistent with the approved PD&E concept high speed urban roadway typical section with the following revisions: the grassed raised portion of the 30-foot median has been revised from 22 feet to 17.5 feet; the 12-foot shared use path and 5-foot sidewalk have similarly been revised to a 10-foot wide shared use pathway and 6-foot sidewalk; and the minimum 136 feet of ROW requirement has been revised to 160 feet of ROW. The roadway alignment was revised in this area to reduce the number of parcels impacted.

The PD&E-proposed single bridge structure at Taylor Creek has now been replaced with a triple 12'x14' concrete box culvert. The roadway typical section at this location will be consistent with the roadway typical section shown in **Figure 5**. The rationale for this change is explained in further detail in Section 7(c).

The current design now shows two separate two-lane bridge structures consisting of widening the existing bridge and a new northbound bridge. The proposed bridge typical sections for the SR 710 crossing at the L-63N Interceptor Canal is shown in **Figure 7**. A new northbound bridge will be built to accommodate two 12-foot travel lanes, 10'-2" outside shoulder, 8'-2.5" inside shoulder and an 11-foot turn lane from northbound SR 710 to SE 40<sup>th</sup> Avenue. The existing southbound bridge will be widened to accommodate two

12-foot travel lanes, 10'-2" outside shoulder, 10'-2.5" inside shoulder and a 5-foot sidewalk. The out-to-out bridge widths for the bridges are 66'-10" and 52' 10", respectively, and the bridges are separated by a 10'-8" open median (i.e., a 130'4" total out-to-out distance). This high speed urban typical section requires a minimum of 180 feet of ROW and a 50-mph design speed. The roadway alignment was revised in this area to reduce ROW impacts.

The proposed design now requires five stormwater management ponds (Ponds 1-5) totaling approximately 19.77 acres and a one-acre floodplain compensation area (FPC 5). With the exception of Pond 1, the locations of these facilities are different than the pond site and FPC locations evaluated during the PD&E study. Consistent with the approved PD&E concept for this project segment, the proposed design (roadway and pond/FPC sites) will only require one residential relocation (i.e., the same property as impacted by the PD&E concept). The ROW changes will be discussed further in Section 7(a) of this reevaluation document.

### **Design Changes Noted**

- 1) The project ROW width was shown as a minimum of 136 feet for the approved PD&E concept. The current design now requires a minimum of 160 feet. This revision is needed to facilitate adequate base clearance (now approximately three feet above natural ground) and allow for sufficient tie-down slopes off the back of the sidewalk and shared use path. These tie-down slopes were not detailed in the approved PD&E concept and add approximately 12 feet on both sides of the road, resulting in the new 160-foot width.
- 2) The current design will use mechanically stabilized earth (MSE) and gravity walls at various locations along the SR 710 new alignment between the intersections at US 441 and existing SR 710 to minimize new ROW needed and to provide space for stormwater management features. The use of these walls was not discussed in the Preliminary Engineering Report as being necessary for the approved PD&E concept.
- 3) A 50-mph design speed was stated for the entirety of the PD&E-approved Alternative 1-2C. A typical section design variation was approved to utilize a four-lane modified urban typical section with a design speed of 40 mph from US 441 (milepost 0.00) to east of Taylor Creek (MP 0.50) within the project limits. From east of Taylor Creek to the L-63N Interceptor Canal, the design speed is 50 mph (consistent with the approved PD&E concept). South of the L-63N Interceptor Canal bridge, the design speed is 65 mph as consistent with the rural typical section from the PD&E Segment 3 (from east of the L-63N Interceptor Canal to east of Sherman Wood Ranches).
- 4) The PD&E 12-foot shared use path was reduced to a 10-foot multi-use path to avoid the need for more ROW acquisition (following the increase in ROW needed after setting the roadway vertical profile). The 10-foot shared use path meets FDOT Design Manual (FDM) section 224.4 for minimum width.
- 5) Officially, SR 710 does not have a context classification. It does, however, qualify as a C3 suburban context. The 5-foot sidewalk width in the PD&E was revised based on FDM table 222.1.1, which calls for 6-foot sidewalk and 6-foot keyhole bike lanes on C3 context class facilities. This was approved at the project's context-sensitive design team meeting. The L-63N Interceptor Canal bridge sidewalk will remain a five-foot width for the time being but may be revised to a 6-foot width at a later date.
- 6) The full median opening (U-turn bay) along the SR 710 new alignment just east Taylor Creek was moved approximately 1,500 feet east of the location shown in the PD&E concept. This update was implemented through coordination with the Okeechobee

Utility Authority to address their concern with having a median opening for a future connection going thru their wells. The new location lines up with a potential future road access from the northeastern corner of the OUA property (indicated in the Okeechobee County Property Appraiser map).

- 7) A 0.08-acre temporary construction easement (TCE) is shown at approximately Station 576 north in the Design plans, that was not shown in the PD&E concept. This TCE is needed for the excavation of a cross drain to an existing offsite ditch.
- 8) At the SR 710 new alignment/SR 70 intersection, the Design plans include channelized turn lanes for the westbound and eastbound right turns, where the PD&E concept did not. Pedestrian refuge islands were added after the alignment was reconfigured to utilize the remnant ROW space leftover on NE 34<sup>th</sup> Avenue by the PD&E concept. Due to the larger skew created to maximize the use of the existing ROW, the intersection configuration was updated to better align the proposed crosswalk and the refuge islands were implemented to the design. This design change also avoided impacts to the parcel on the southwest corner of this intersection (as shown in the PD&E concept).
- 9) The approved PD&E concept did not show a direct driveway access serving the Florida Power and Light (FP&L) Okeechobee Service Center (825 NE 34<sup>th</sup> Avenue) from the proposed SR 710, which is now shown in the Design plans. Overall, the proposed Design limits of construction along NE 34<sup>th</sup> Avenue have been reduced by approximately 300 feet. Due to the realignment of the SR 710 mainline (which brings the mainline closer to the west ROW line for NE 34<sup>th</sup> Avenue), the Design plans now show the removal of the cul-de-sac and a portion of access road along NE 34<sup>th</sup> Avenue shown in the PD&E concept and provides an added direct turnout access from SR 710 to the northern FP&L access gates. The existing southern gate access to this property is maintained from NE 34<sup>th</sup> Avenue. This results in an access enhancement for this parcel.
- 10) The PD&E-proposed intersection connecting SR 710 to NE 34<sup>th</sup> Avenue has been moved approximately 200 feet further south to connect at the existing junction of SR 710, NE 34<sup>th</sup> Avenue and Center Street. In the PD&E concept, Center Street was closed east of SE 32<sup>nd</sup> Avenue and rerouted north to the existing SR 710. In the Design plans, Center Street is now kept open along most of current alignment east of SE 32<sup>nd</sup> Avenue and the intersection with existing SR 710 is moved approximately 700 feet east of where shown in the PD&E concept. This realignment avoids impacts to the parcel located at the northwest quadrant of NE 34<sup>th</sup> Avenue and existing SR 710. The realignment also maximizes the use of the existing ROW and pavement. The use of Center Street minimizes impacts to the southwest parcel at Center Avenue and existing SR 710.
- 11) The approved PD&E concept proposed to remove the Townstar #40 gas station's (3993 SR 710) existing access to the proposed SR 710 (i.e., limiting access to the property via the existing access from SE 40<sup>th</sup> Avenue). In order to reduce potential conflicts among the eastbound right turn lane to SE 40<sup>th</sup> Avenue, the SR 710/SE 40<sup>th</sup> Avenue intersection and the gas station entrance, the current Design proposes to provide limited right-in ingress to/right-out egress from the proposed SR 710 alignment, as well as maintaining the existing SE 40<sup>th</sup> Avenue access. This results in an access enhancement for this parcel.
- 12) The Okeechobee County Agri-Civic Center Fairgrounds Driveway access was proposed in the approved PD&E concept as a directional median opening allowing access (i.e., prohibited left-turn access to southbound/eastbound SR 710). The current Design now shows this access as a full opening, allowing access to and from southbound/eastbound SR 710. This location is located on the project end transition as it ties back into the existing SR 710. The PD&E roadway typical section is carried to the end of the L-63N

Interceptor Canal bridge and then begins the end transition. The next SR 710 project segment to the south (FPID# 419344-4, see **Figure 1**) will begin at the end of the L-63N Interceptor Canal bridge and the median is anticipated to match the approved PD&E condition at this location. For the interim condition, Okeechobee County requested the ability to perform the same movements they can perform within the existing conditions.

**See Figures 2-7 in Attachment 2.**

## **5. PUBLIC INVOLVEMENT**

**Were there additional public involvement activities? Yes  No**

The FDOT has developed and implemented a Community Awareness Plan (CAP) during the project Design phase to notify local governments, affected property owners, tenants, and the public of the District's proposed construction and the anticipated impacts of this construction that are being implemented during the design phase. The public and relevant agencies have been informed through various coordination including meetings, newsletters, and a project website.

A formal public hearing was held on August 30, 2018 from 5:00 to 7:00 PM at the KOA Convention Center (4276 US Highway 441 South) in Okeechobee, Florida. Among the various notifications required prior to the public hearing, notifications included direct mailing of newsletters (both in English and Spanish), two separate advertisements each in the *Okeechobee News* (English) and *La Voz* (Spanish) newspaper, as well as a press release. A Spanish translator was also provided at the hearing. The public hearing presented the proposed changes in project design and ROW required and solicited public input. Potential effects on the social, economic, cultural, natural, and physical environments were also presented. XXXX (XX) citizens attended the public hearing. XX (X) oral comments were provided at the hearing and a total of XXX (X) written comments were received at the hearing and during the 10-day public comment period following the hearing, ending on September 10, 2018. All oral and written comments from the public hearing are included in the public hearing summary and transcript documents to be prepared under separate cover and submitted in support of this reevaluation.

Several individuals provided comments on multiple topics. Comments included:

### **1) TO BE COMPLETED FOLLOWING THE HEARING**

Responses will be provided to these individuals to address specific comments/questions and provide requested additional information. The public comments will be evaluated further and incorporated into project design and/or construction as applicable/feasible.

There will be another public meeting prior to the commencement of construction. Based on the implementation of the CAP and the various coordination completed to date, there is no significant public controversy associated with this project.

**Certified Public Hearing Transcript to be included in Attachment 3.**

**6. PROJECT OR SEGMENT(S) PLANNING CONSISTENCY**

Currently Adopted CFP-LRTP	COMMENTS				
Y	This project is included in Heartland Regional TPO’s 2040 Long Range Transportation Plan (LRTP), adopted March 16, 2016 and amended April 18, 2018, and the Transportation Improvement Program (TIP) adopted June 20, 2018				
PHASE	Currently Approved TIP	Currently Approved STIP	TIP/STIP \$	TIP/STIP FY	COMMENTS
PE (Final Design)	Y	Y	TIP: \$3.88 M STIP: \$3.87 M \$17.5 K	TIP: <2019 STIP: <2018 2018	On-going using State funds.
ROW	Y	Y	TIP: \$1.61 M \$5.07 M \$2.39 M STIP: \$776 K \$5.78 M \$3.32 M	TIP: 2019 2020 2021 STIP: 2019 2020 2021	Programmed for FY 2019- FY2021 using State funds.
Construction	N	N	TIP: \$69.6 M STIP: \$65 M	TIP: >2023 STIP: >2021	Construction not funded. Approx. \$69M tentatively programmed with funds anticipated in FY 2026 using federal funds.

See LRTP/TIP/STIP document excerpts in Attachment 4.

**7. EVALUATION OF CHANGES IN IMPACTS**

**a. SOCIAL AND ECONOMIC**

Are there changes in impacts to the social, economic, land use, mobility, and aesthetic effects? Yes [ ] No [X] N/A [ ]

Based on a review of available American Communities Survey 2016 census block group data within the ETDM Environmental Screening Tool, three census block groups (#s 120939103001, 120939103002 and 120939104021) were noted and reviewed for Title VI/environmental justice considerations. Within these census block groups, the following were noted:

- 1) Elderly population (ages 65 and up) percentages range from 9.4 to 46.3.
- 2) The percentages of households below poverty range from 21.6 to 30.6.
- 3) The percentages of African-American residents range from 0 to 54.3.
- 4) The percentages of Hispanic residents range from 20.1 to 42.9.
- 5) The combined percentages of residents speaking English “not well” or “not at all” range from 2.4 to 12.4. Limited English Proficiency (LEP) accommodations for the project were discussed previously in Section 5.



As consistent with the approved PD&E concept, the proposed roadway alignment and pond site locations have been developed to utilize vacant, pasture and low density residential areas. The proposed design avoids significant developed areas, including residential communities that may contain disadvantaged/protected populations. The proposed roadway improvements will not bisect or isolate communities or portions thereof. The project is anticipated to provide a net benefit to disadvantaged populations through enhanced access and reduced congestion within Okeechobee County.

**Are there changes in right-of-way needs? Yes  No  N/A**

A comparison of the PD&E and Design project ROW needed is provided in **Figures 8 and 9**.

The approved PD&E concepts for Alternative 1-2C required ROW acquisition from 38 total parcels to accommodate the roadway, stormwater management ponds, floodplain compensation and other proposed improvements: approximately 70.9 acres of ROW for the roadway section; approximately 27.93 acres for eight stormwater management ponds (Ponds 1-8); approximately 34.32 acres for two floodplain compensation areas (FPC Extension and FPC MC-CD2); all totaling approximately 133.15 acres. The current project design has made changes that result in revised ROW impacts that now require ROW acquisition from 39 total parcels: approximately 72 acres of ROW for the roadway section; approximately 19.77 acres for five stormwater management ponds (Ponds 1-5); a one-acre floodplain compensation area (FPC 5); all totaling approximately 92.77 acres. With the exception of Pond 1, the locations of these facilities are different than the pond sites and FPC locations evaluated during the PD&E study. The current project design changes result in a net reduction of approximately 40.38 acres of ROW acquisition, with only one additional parcel impacted. This reduction in ROW acquisition results in a reduction in potential impacts to the social and economic, cultural, natural and physical environment.

**See Figures 8 and 9 in Attachment 5.**

**Is there a change in anticipated relocation(s)? Yes  No**

The *Conceptual Stage Relocation Plan* (August 2011) and approved PD&E concepts discussed the relocation of three residential relocations and one business relocation within the entire study limits. Of these impacts, only one of the residential parcels proposed for relocation (Berman Ranches, Inc. parcel, 3695 Highway 710) occurs within the segment being advanced.

Consistent with the approved PD&E concept for this project segment, the proposed design (roadway and pond/FPC sites) will only require one relocation (i.e., the same property as impacted by the PD&E concept). At the time of the PD&E study, the Berman Ranches, Inc. parcel contained a small residence on the west side of the parcel just north of SR 710. However, it appears that this residence has since been demolished and the parcel is shown as “Improved Pasture” on the Okeechobee County Property Appraiser website. There are several small structures further interior within the parcel. As this parcel remains impacted by the current roadway alignment and the potential

use/occupancy of these structures is not currently known, the parcel will continue to be considered as a relocation. There are no new/additional relocations.

The FDOT will carry out a ROW and Relocation Program in accordance with Florida Statute (F.S.) 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646, as amended by Public Law 100-17) in order to minimize the unavoidable effects of ROW acquisition and displacement of people and businesses pursuant to F.S. 339.09. The brochures that describe in detail the FDOT's relocation assistance program and ROW Acquisition Program are "*Your Relocation: Residential*", "*Your Relocation: Business, Farms, and Nonprofit Organizations*", "*Your Relocation: Signs*", and "*The Real Estate Acquisition Process*". These brochures were distributed at the public hearing and will be made available upon request to any interested persons.

**Are there changes in impacts to Prime or Unique Farmlands? Yes  No  N/A**

**b. CULTURAL**

**Are there changes in impacts to cultural resources (historic sites/districts and archaeological sites)? Yes  No  N/A**

A *Cultural Resource Assessment Survey* (CRAS) was completed in January 2011 in accordance with the procedures contained in 36 Code of Federal Regulations (CFR) Part 800 to identify and assess any historic and archaeological resources occurring within the study's Area of Potential Effect (APE). No significant archaeological sites were identified within the archaeological APE, and no further archaeological investigations were recommended. Within the segment being advanced, the historic resources survey resulted in the identification of three historic resources within the APE. These resources included SR 70/Okeechobee Road (FMSF# 8OB00269) and two private residences (FMSF# 8OB00304 and 8OB00305) constructed in 1958 and 1947. These features are considered ineligible for listing in the NRHP either individually or as part of a district. The NRHP-eligible Seaboard Air Line Railroad Linear Historic District (FMSF# 8OB00271) was documented in the PD&E CRAS; however, it is not within or adjacent to the current segment being advanced. As documented in as Appendix D in the EA/FONSI document, the FHWA and State Historic Preservation Officer (SHPO) concurred that no historic properties would be affected by combined Segments 1 and 2 (Alternative 1-2C).

Design-phase changes in project design and ROW requirements (both roadway alignment and stormwater management pond sites) resulted in the need for an updated cultural/historical resources review including additional field review and judgmental shovel testing. The findings from this updated review are being documented in a *CRAS Technical Memorandum Update* (August 2018), to be included in the project file as a support document for this reevaluation.

Based on the Design-phase review conducted for the five stormwater ponds (Ponds 1-5), no prehistoric or historic sites were found within the APE for any of the five pond sites tested. In addition, the proposed undertaking also will not impact that portion of

SR 70 (8OB00269) previously recorded adjacent to the project APE; this resource is not considered eligible for listing in the NRHP.

Although the majority of the proposed SR 710 roadway mainline has been previously reviewed for archaeological and historical resources, a review of the new/changed portions of the SR 710 mainline ROW is on-going. Based on the findings to date, the proposed undertaking is anticipated to have no adverse effect on any cultural resources, including archaeological sites or historic resources which are listed, determined eligible, or that appear to be potentially eligible for listing in the NRHP, either individually or as part of a historic district. Upon completion of this review, the findings will be coordinated with the SHPO. The SHPO's concurrence must be received prior to the FDOT Office of Environmental Management's (OEM) approval of this reevaluation.

**SHPO concurrence letter to be included in Attachment 6.**

**Are there changes in effects to Section 4(f) of the Department of Transportation Act protected resources, recreational areas, or other protected state lands?**

Yes [ ] No [X] N/A [ ]

During the PD&E study, the FHWA determined that two resources were subject to Section 4(f) use: SFWMD ROW at S.R. 710 and L-63N Interceptor Canal and the Seaboard Air Line (CSX) Railroad (8OB00271). Of these two resources, only the SFWMD ROW occurs within the segment being advanced. On February 19, 2014, FHWA made the finding that the use of the SFWMD ROW constitutes a *de minimis* impact, as defined in 23 CFR 774.17. A copy of the FHWA determination and findings letters are included in Appendix E of the EA/FONSI document available in the project file.

The approved PD&E concept shows the replacement of the existing bridge over the L-63N Interceptor Canal with a proposed bridge structure containing two (12-foot) lanes of traffic in each direction (separated by a 13-foot raised median), 8-foot inside shoulders, 10-foot outside shoulders, an 11-foot westbound left turn lane (to SE 40<sup>th</sup> Avenue), a 12-foot multi-use path and a 5-foot sidewalk. The total out-to-out bridge width was 129'-7" and the bridge improvements were proposed to impact less than one acre of the SFWMD's ROW at S.R. 710 and the L-63N Interceptor Canal.

As discussed previously in Section 4, the current design now proposes two separate two-lane bridge structures that includes widening of the existing bridge and construction of a new northbound bridge. The out-to-out bridge widths for the bridges are 66'-10" and 52'-10", respectively, and the bridges are separated by a 10'-8" open median (i.e., a 130'-4" total out-to-out distance). The proposed bridge impacts at the L-63N Interceptor Canal are comparable to the approved PD&E concept and are consistent with the intent/scope of the original intended improvements. Therefore, the prior Section 4(f) *de minimis* determination made during the PD&E study for the use of the SFWMD ROW remains applicable.

**Are there changes in impacts to lands purchased under Section 6(f) of the Land and Water Conservation Fund Act? Yes [ ] No [ ] N/A [X]**

c. **NATURAL**

**Are there changes in impacts to protected species and habitat, wetlands and other surface waters, or essential fish habitat? Yes [X] No [ ] N/A [ ]**

Changes in impacts to protected species and habitat, as well as wetlands and other surface waters, have occurred and are documented in a *Biological Assessment* (July 2018) and a *Wetlands Evaluation Report Technical Memorandum* (August 2018). These documents are included in the project file to support this reevaluation.

**Protected Species and Habitat**

This project has been evaluated for impacts to wildlife and habitat resources, including protected species in accordance with the Endangered Species Act of 1973, as amended. An Endangered Species Biological Assessment (ESBA) was prepared and coordinated with the U.S. Fish and Wildlife Service (USFWS) and Florida Fish and Wildlife Conservation Commission (FFWCC). A list of threatened and endangered species with the potential for occurrence within the project study area was compiled based on research and coordination with federal and state agencies. The FDOT determined that the proposed action “*may affect, but is not likely adversely affect*” the eastern indigo snake, American alligator, West Indian manatee, wood stork and Florida bonneted bat. The USFWS concurred with these findings, in letters dated January 7, 2011 (Appendix F of the FONSI/EA document), and August 7, 2013, May 27, 2014 (Appendix K of the FONSI/EA document). Within their Biological Opinion (BO) issued on September 9, 2015 (Appendix L of the FONSI/EA document), the USFWS determined that the project will adversely affect, but not result in jeopardy to the Audubon’s crested caracara (based on potential impacts to an active nest documented in PD&E Segment 3). The FDOT further determined that the proposed action will have “*no effect*” on the Florida grasshopper sparrow, Everglade snail kite, red-cockaded woodpecker, Florida scrub jay, Florida panther and Okeechobee gourd.

In addition to the federally-listed species referenced above, the proposed action was also evaluated for impacts to state-listed/protected species, as regulated by the FFWCC. The FDOT determined that the approved PD&E concept was not likely to adversely affect six state-listed wading bird species, the Florida sandhill crane, the Florida burrowing owl, the gopher tortoise, the gopher frog, the Florida pine snake, the Florida mouse, the southeastern American kestrel, and the Sherman’s fox squirrel.

As part of the PD&E study, the FDOT made commitments concerning various listed/protected species. Per the attached Project Commitments Record (PCR) form, several species-related commitments (#’s 2-10) were made in the FONSI/EA. The current statuses for these commitments are provided in the PCR form and are not repeated here.

Field surveys for state or federally listed/protected flora and fauna were conducted within or adjacent to the project limits during the project’s Design phase in September and October 2013; April 2015; and January through May 2017. The regulatory status changes for several of these species was noted previously in Section 3 of this document. Based on these surveys, the following species were observed: Audubon’s crested caracara, Everglade snail kite, bald eagle, Florida sandhill crane, little blue heron, tricolor heron, gopher tortoise, American alligator and Sherman’s fox squirrel. For the

avian species listed above, no evidence of nesting was observed during the surveys. No state or federally-protected plant species were observed during Design-phase field surveys.

For this project segment, the FDOT intends to coordinate the following effects determinations with the USFWS during the upcoming environmental permitting process:

- 1) Audubon's crested caracara – “*may affect, not likely to adversely affect*” (due to the lack of active nests observed, but a continued potential for the species to occur locally).
- 2) Eastern indigo snake – “*may affect, not likely to adversely affect*” (due to the implementation of provision “E” in the USFWS’ August 1, 2017 Revised Eastern Indigo Snake Key and the most current version of the USFWS’ Eastern Indigo Snake Standard Protection Measures).
- 3) Wood stork – “*may affect, not likely to adversely affect*” (due to the completion of a wood stork suitable foraging habitat assessment per USFWS methodology and the project offset of the 11.77 kg of prey biomass loss through stormwater management facility design and the anticipated purchase of sufficient wetland mitigation credits from the Bluefield Ranch Mitigation Bank (discussed in the next section).
- 4) Everglade snail kite – “*may affect, not likely to adversely affect*” (due to the observation of birds in flight, the lack of nesting observed and the and the anticipated purchase of sufficient wetland mitigation credits from the Bluefield Ranch Mitigation Bank).
- 5) West Indian Manatee – “*may affect, not likely to adversely affect*” (due to the lack of survey observations, the continued potential for the species to occur locally and implementation of the FFWCC’s *Standard Manatee Conditions for In-Water Work*).
- 6) Florida grasshopper sparrow – “*no effect*” due to limited range and numbers of known populations, lack of suitable habitat and observations during surveys).
- 7) Okeechobee gourd - “*no effect*” due to limited range and numbers of known populations, lack of suitable habitat and observations during surveys).

The PD&E effect determination of “*may affect, not likely to adversely affect*” for the Florida bonneted bat is being revisited based on recent coordination with the USFWS and recent revisions to their survey methodology for the species. Acoustic and cavity roost field surveys for this species will be completed and the findings documented in the future Construction Advertisement Reevaluation (earlier if available).

For the state-listed/protected species mentioned previously, no adverse effect is anticipated for any of these species. Due to the observation of gopher tortoise burrows within and adjacent to the project footprint, a more detailed survey will be performed prior to construction per FFWCC requirements. The FDOT will secure any relocation permits needed for this species and relocate the tortoises affected prior to construction commencement. Compensatory mitigation will be provided to offset the loss of wetland functions provided to the Florida sandhill crane, little blue heron and tricolored heron. If Sherman's fox squirrel nests are observed in the future, they will be addressed in accordance with the FFWCC's *Species Conservation and Permitting Guidelines* established for the species.

Additional field reviews for listed/protected species will be completed prior to construction commencement to determine the presence of these species and whether or not potential conflicts will result to/from construction activities. Species-specific project specifications or impact avoidance measures/buffers will be implemented, as applicable. Where required, compensatory mitigation to offset habitat impacts will be included within the environmental permits issued to authorize project construction. These permits will be obtained prior to construction commencement. If observed during construction, these species will be addressed under the FDOT's Standard Specification 7-1.4 (including the *Contractor Requirements for Unanticipated Interaction with Protected Species*).

### **Wetlands and Other Surface Waters**

The Wetland Evaluation Report (WER, revised June 2012) and the approved FONSI/EA discussed the PD&E study's evaluation of wetlands involvement. For the selected alternative within the current segment limits, the WER identified 1.56 acres of direct wetland and 2.0 acres of direct surface water impacts. Preliminary Unified Mitigation Assessment Method (UMAM) analysis was conducted for these impacts as per Chapter 62-435 Florida Administrative Code. A preliminary functional loss of 1.03 UMAM units was estimated based on the PD&E concept impacts.

Various field reviews were conducted throughout this project's Design phase to establish approximate wetland jurisdictional boundaries and evaluate wetland characteristics. Observations were recorded to characterize existing vegetative communities and determine if areas directly adjacent to the ROW contained jurisdictional wetlands. Approximate jurisdictional wetland and surface water boundaries within the project limits were established in accordance with Chapter 62-340, Florida Administrative Code (FAC) and the U.S. Army Corps of Engineers (USACE) Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region. The current project design will directly impact approximately 5.28 acres of wetlands and 1.13 acres of other surface waters, and secondarily impact 1.34 acres of wetlands (within a 25-foot buffer extending from the edge-of-ROW). The increase in wetland impacts is due to several factors including: 1) the revised roadway geometry, 2) the expanded 160-foot roadway typical section width, 3) the new pond/FPC site locations, 4) seven wetland polygons now impacted were not identified in the original PD&E study, and 5) secondary impacts were not quantified during the PD&E study. As noted previously in Section 4, the use of a 10-foot multi-use path and use of MSE and gravity walls have been incorporated into the project design to avoid and minimize wetland impacts to the extent feasible while maintaining the necessary roadway design geometry.

Mitigation for impacted wetlands is anticipated to be provided in the form of the purchase of credits from the Bluefield Ranch Mitigation Bank (BRMB). Although the proposed project is outside of the mitigation service area of BRMB, pursuant to Florida Statute 373.4136(d) (2), linear projects are eligible to use a mitigation bank regardless of whether they are located within the mitigation service area (provided cumulative impacts are not incurred). Consequently, it is imperative that cumulative impacts resulting from mitigating outside of the drainage basin of the proposed work (South Kissimmee) are avoided. In this case, the impacted wetland community types are

common within the basin. In addition, a large percentage of the wetland community types are protected under conservation easements or within publicly-owned natural lands like the Kissimmee Prairie Preserve State Park and the Taylor Creek/Nubbin Slough Stormwater Treatment Area (STA). Finally, the dividing line between the South Kissimmee basin and the Nubbin Slough basin is the L-63N Interceptor Canal. As such, the wetland impacts are immediately adjacent to the Nubbin Slough basin where some benefits for wildlife are shared between the two basins. As a result, unacceptable cumulative impacts to the South Kissimmee basin are not anticipated with the proposed project.

As the BRMB was permitted for credit determination/allotment using the Wetland Rapid Assessment Procedure (WRAP) methodology, the wetland functional loss was also reevaluated (as the UMAM methodology from the PD&E study is not applicable to this bank). Based on the revised methodology, the functional loss of the wetland impacts noted in the PD&E WER would result in approximately 0.84 WRAP functional loss units. The current project design will result in approximately 1.11 forested credits and 1.46 herbaceous credits required to be purchased from the BRMB (2.57 total credits) to offset impacts to state-jurisdictional wetlands. The current project design will result in approximately 1.11 forested credits and 1.10 herbaceous credits required to be purchased from the BRMB (2.21 total credits) to offset impacts to USACE-jurisdictional wetlands.

Project impacts, functional loss calculations, and mitigation options are preliminary and will be coordinated with the applicable federal and state regulatory agencies during the project's upcoming environmental permitting process. The final project impacts and mitigation required (as per the state and federal permitting processes) will be documented within the future Construction Advertisement reevaluation.

**Are there changes in impacts to designated Aquatic Preserves, Coastal Barrier resources, Wild and Scenic Rivers, or Outstanding Florida Waters? Yes [ ] No [ ] N/A [X]**

**Are there changes in impacts to Floodplains or Water Quality and Water Quantity? Yes [X] No [ ] N/A [ ]**

### **Floodplains**

The 100-year floodplain will be impacted due to encroachment from the project. PD&E and Design-phase floodplain encroachments were comparatively evaluated within the PD&E *Conceptual Location Hydraulics Report* and *Conceptual Pond Siting Report* (both dated May 2012), and the Design-phase *Final Pond Siting Report* (dated March 2017) and *Location Hydraulics Report and Phase II Design Comparison Technical Memorandum* (July 2018), prepared under separate cover and submitted in support of this reevaluation.

Within the current segment limits, the PD&E showed approximately 12,000 linear feet of floodplain encroachment within the new alignment portion from US 441 to SR 70, as well as additional floodplain encroachment into the Mosquito Creek floodplain at the south end of the current segment. These two encroachments totaled approximately 7.10

acre-feet (ac-ft) and 3.84 ac-ft, respectively. Floodplain impacts were proposed to be addressed through the installation of 4 new cross drains, and the design and construction of two floodplain compensation sites (FPC Extension and MC-DC2). Totalling approximately 27.32 acres, these two sites were anticipated to provide approximately 12.71 ac-ft of floodplain compensation for the approved concept.

With the current project design, the 100-year floodplain will not be impacted due to the encroachment as significantly as depicted in the original PD&E LHR due to an update in the FEMA Flood Maps in 2015. The PD&E utilized Effective FEMA maps dated February 1981, which showed a majority of the alignment within Flood Zone A, which does not have an established 100-year floodplain elevation. In the proposed design, there are eleven (11) cross drains. Along the alignment, there are several areas where historic depressions are being impacted. This impact to storage is being accounted for in the routing calculations utilizing ICPR. A bypass conveyance system has been designed to convey offsite runoff to the L-63N Interceptor Canal. The peak stages were analyzed at all offsite locations to insure the post-development peak stages are at or below the pre-development peak stages or that no adverse impacts are associated with an increase.

For the current design, floodplain impacts are now limited to portions of the Taylor Creek and Mosquito Creek floodplains. As part of the Design-phase Bridge Hydraulic analysis, a bridge option and bridge culvert option were analyzed at the Taylor Creek crossing. Although both proposed alternatives meet FDOT and local hydraulic criteria, the PD&E-recommended bridge was replaced with a double 12'x14' concrete box culvert due to constructability and reduced cost. Also, the construction of the box culverts will have reduced construction noise and vibration impacts on the adjacent Okeechobee Health Care Facility, Raulerson Hospital and Okeechobee Utility Authority than the proposed bridge option. After further coordination with the SFWMD Right-of-Way Department, the bridge culvert option was revised to a triple 12'x14' in order to improve the conveyance capacity and provide a similar conveyance capacity to the original Taylor Creek channel which has aggraded over time. Additional channel grading and riprap is proposed approximately 200 feet upstream and 200 feet downstream of the crossing as well to enhance conveyance similar to the original trapezoidal channel. The floodplain impacts resulting from the bridge culvert widening/replacement were not considered during the PD&E. The floodplain impacts associated with the Taylor Creek crossing have been evaluated through hydraulic modeling analysis to estimate the existing and proposed behavior. A No-Rise Analysis has been performed to demonstrate criteria is being met.

Project design will result in approximately 1.56 ac-ft of floodplain encroachment within the Mosquito Creek floodplain. FPC 5 provides approximately 1.79 ac-ft of compensation between elevation 19 ft North American Vertical Datum (Normal Water level of Mosquito Creek) and the 100-year elevation of 23.3 ft NAVD for the impacts associated with the roadway and Pond 5. FPC 5 is located in an adjacent parcel located southeast of Pond 5 and northeast of SR 710. Approximately one acre of right-of-way is needed for FPC 5.

The construction of the drainage structures proposed for this project will cause changes in flood stage and flood limits. These changes will not result in any significant adverse



impacts on the natural and beneficial floodplain values or any significant changes in flood risk or damage. These changes will be reviewed by the appropriate regulatory authorities. There will not be significant change in the potential for interruption or termination of emergency service or emergency evacuation routes. Therefore, this encroachment is not significant.

### **Water Quality/Quantity**

The PD&E and Design-phase project stormwater management needs for the project were comparatively evaluated within the PD&E *Conceptual Location Hydraulics Report* and *Conceptual Pond Siting Report*, and the Design-phase *Final Pond Siting Report* and *Location Hydraulics Report and Phase II Design Comparison Technical Memorandum*.

The PD&E documented that the water bodies in which the current project segment occurs are verified impaired water bodies. Taylor Creek is impaired for metals (iron), nutrients (chlorophyll-A), fecal coliform, and dissolved oxygen (DO). The L-63N Interceptor Canal is impaired for nutrients (chlorophyll-A) and DO. Mosquito Creek is impaired for nutrients (chlorophyll-A), fecal coliform, and DO. The PD&E *Conceptual Pond Siting Report* recommended a total of eight stormwater ponds totaling approximately 27.93 acres to meet SFWMD criteria for stormwater treatment and retention volumes and configuration criteria.

Based on the project design, Basins 1 and 2 will drain to Taylor Creek (Water Body ID/WBID# 3205) and Basin 5 will drain to Mosquito Creek (WBID# 3203B). According to the Florida Department of Environmental Protection's (FDEP) 2013 *Comprehensive Verified List of Impaired Waters*, both of these water bodies have nutrients listed in the "Parameters Assessed under the Impaired Waters Rule" column and both have exceeded the threshold for Total Phosphorus (TP) and Total Nitrogen (TN). As such, loadings for both TP and TN were evaluated. According to FDOT guidance (*Nutrient Loading Calculations for FDOT Projects*), the SFWMD requires demonstration that the project will not result in increased nutrient loading (post-development) compared to current conditions (pre-development). Basins 3, 4, and EX-4 (an existing FDOT pond for SR 70) will outfall to the L-63N Interceptor Canal (WBID# 3203C) which is not considered impaired and therefore was not evaluated. EX-4 discharges to Taylor Creek in the existing condition but will discharge to the L-63N Interceptor Canal in the post-construction condition. Based on the nutrient loading analysis completed, the project is expected to achieve a net reduction in the pollutant loadings for TN and TP to both Taylor Creek and Mosquito Creek as impaired waterbodies. Based on the current design, five ponds totaling approximately 19.77 acres are now proposed to meet water quality and quantity criteria.

The verification of facility design and avoidance of adverse impacts will be coordinated with the SFWMD during the upcoming Environmental Resource Permitting (ERP) process. The State's water quality certification as per Chapter 373 Florida Statutes (and as delegated under Section 401 of the federal Clean Water Act) will be provided through the issuance of the State ERP permit.

**d. PHYSICAL**

**Are there changes in Air Quality? Yes [ ] No [ ] N/A [X]**

**What is the status of Highway Traffic Noise? N/A [ ]**

A highway traffic noise analysis was performed during the PD&E study for the project in accordance with CFR Title 23, Part 772 to evaluate the effects of traffic noise at the 2040 design year. This analysis, including the selected Alternative 1-2C, was documented within the Final PD&E *Noise Study Report* (NSR, revised March 2013). Noise sensitive land uses along the proposed extension of SR 710 include the Okeechobee Health and Rehabilitation Center (Activity Category C) and residential areas (Activity Category B). For selected Alternative 1-2C, traffic noise levels were not predicted to approach or exceed the Noise Abatement Criteria (NAC) established by the Federal Highway Administration (FHWA) and were not expected to substantially increase as a result of the proposed improvements at any of the 26 noise receptors evaluated adjacent to the current segment limits. The results of the noise analysis indicated that aside from buffer zones during the planning of future development, no other noise abatement measures considered (including noise barriers) were found to be feasible or cost-reasonable for the FDOT to reduce traffic noise impacts.

A Design-phase noise highway traffic noise evaluation and land use review were completed for the current project segment to compare the anticipated effects of traffic noise for the project design (within the July 2018 Phase II project plans) against those from the approved PD&E concepts. These updated evaluations are documented within a *Design Phase Traffic Noise Study Technical Memorandum* (July 2018). This tech memo is included in the project file in support of this reevaluation.

The results of the traffic noise reanalysis documented in the *Design Phase Traffic Noise Study Technical Memorandum* reinforce the findings presented during the PD&E noise study. Based on the results of this analysis, traffic noise levels are not predicted to approach or exceed the NAC and are not expected to substantially increase as a result of the proposed improvements. No noise abatement measures are warranted for this design project. No additional development along the subject portion of SR 710 has occurred since the PD&E phase noise study within the design segment project/construction limits. Therefore, there are no new sensitive receptors that were constructed, or received a building permit, prior to the March 16, 2017 Date of Public Knowledge. The Design-phase evaluation has determined that there are no new potential noise impacts and therefore no need to perform additional analysis in the corridor. The findings of the PD&E NSR remain valid.

**What is the status of Contamination? N/A [ ]**

A Contamination Screening Evaluation Report (CSER, dated December 2010) was prepared as part of the PD&E study. Within the limits of selected Alternative 1-2C, the PD&E study noted a total of seven (7) potential contamination sites, including five (5) Low-risk, one (1) Medium-risk and one (1) High-risk sites. The Medium-risk site (Site 5, Dee's Garden Shop, 2768 SR 710) was a former gas station property in use as a

commercial nursery. The High-risk site (Site 6, Townstar #40, 3993 SR 710) was an active retail gas station.

Although ROW acquisition was not required from either Site 5 or Site 6 for the PD&E concept, based on prior documented contamination at both sites, soil borings and temporary monitoring wells were installed along the SR 710 ROW at both sites during the PD&E study. Though limited soil and groundwater sampling did not reveal the presence of contamination at Site 5, the documented prior contamination at the site and the historical use of the site as a gas station presented a potential for environmental concern. Therefore, the general PD&E risk ranking for Site 5 was determined to be “Medium”. However, the final PD&E ranking for this site was determined as “Low” for the selected alternative (Alternative 1-2C) due to the site’s distance (approximately 0.37 mile) from the alternative. Though limited soil and groundwater sampling did not reveal the presence of contamination at Site 6, the documented prior contamination at the site, continuing use of the site as a gas station, and the potential for contaminated groundwater to exist within or migrate into the SR 710 ROW warranted continued concern about this site. Therefore, the final PD&E risk ranking for Site 6 was determined as “High” for the selected alternative. The PD&E CSER recommended updated reviews for both sites during the project’s Design phase.

The results of Design-phase contamination evaluations are discussed in four documents prepared under separate cover and included as support documents in the project file including: 1) *Final Level 1 PSR (Pond Siting Report) Contamination Screening Evaluation Report* (dated August 2014), 2) *NESHAP Asbestos Survey Report and Screening for Metals-Based Coatings* (May 2018), 3) *Final Level 2 Field Screening Report – Preferred Ponds* (dated July 2018), and 4) *Contamination Technical Memorandum* (dated July 2018).

A Design-phase reevaluation was subsequently conducted for the seven potential contamination sites identified during the PD&E study within and adjacent to the current Design project segment, as well as any potential new sites. PD&E Site #1, Raulerson Hospital (179 US 441 North) was upgraded from Low-risk to Medium-risk. Although this site is north of the proposed SR 710 tie-in to US 441 and no ROW is needed from this property, this site will be reviewed against the future project construction plans to determine if any further evaluation is needed. PD&E Site # 6 (Townstar #40) continues to operate as a retail gas station. The current project does not require ROW acquisition from this property; however, potential contamination involvement may result in conjunction with the revised driveway access along SR 710 just north of SE 40<sup>th</sup> Avenue (discussed previously as design change bullet 12 under Section 4).

During the Design-phase contamination review, one new site, FP&L’s Okeechobee Service Center (825 NE 34<sup>th</sup> Avenue), was added as a potential contamination site. Although this site was mentioned in the PD&E CSER, it was not considered a contamination concern and a detailed evaluation was not provided. This facility is located adjacent to the west side of the proposed SR 710 alignment and roadway improvements along NE 34<sup>th</sup> Avenue (discussed previously as design change bullet 10 under Section 4). A discharge of gasoline was reported at this site in June 1992. Tank removal, site assessment, and remedial tasks were completed during various periods

between 1993 and 2017 that resulted in an October 16, 2017 Site Rehabilitation Completion Order (SRCO). One 3,000-gallon ethanol E10 above-ground storage tank (AST) remains in service at the site. Although a SRCO was issued for the 1992 discharge, the site's proximity to the alignment and the active nature of the fueling operations warrant a risk rating of Medium.

The Level I contamination review completed in 2014 evaluated twenty-three (23) potential pond alternative locations to provide a risk ranking of all pond sites to support the Design-phase *Final Pond Siting Report*. Through the overall pond siting evaluation process, ponds 1B, 2A-Option 1, 3B, 4B-Option 2 and 5A (since re-named as Ponds 1, 2, 3, 4 and 5) were determined as the preferred pond locations. Ponds 1 and 2 were determined to be Low-risk sites, while the other three proposed ponds were determined to be No-risk sites. Based on the subsequent Level II field screening completed for each of these ponds, none of samples analyzed were detected in exceedance of the Residential Direct Exposure (RDE) or Commercial/Industrial Direct Exposure (C/IDE) soil cleanup target levels (SCTLs). Undesirable buried debris which may pose a contamination concern were not identified at any of the sites.

The existing SR 710 bridge over the L-63N Interceptor Canal (bridge # 910065) was evaluated in April 2018 for the presence of asbestos-containing materials (ACMs) and metals-based coatings. No suspected ACMs were detected in 24 samples taken from the bridge. No metal surfaces with suspected metals-based paints were observed on the bridge structure. However, galvanized (zinc-coated) metal components were observed on the bridge structure. Based on the results of the evaluation completed, no further testing is recommended.

For those locations with a risk rating of "Medium", these sites have been determined to have potential contaminants, which may impact the proposed project. Level II field screening will be conducted prior to construction if it is determined that construction activities could be within their vicinity. A soil and groundwater sampling plan will be developed for each site, as applicable. The sampling plan will provide sufficient detail as to the number of soil and groundwater samples to be obtained and the specific analytical tests to be performed. A site location sketch for each facility showing all proposed boring locations and groundwater monitoring wells will be prepared. The District Contamination Impact Coordinator (DCIC) will be consulted regarding the site-specific Level II field screening scope of work. The FDOT will complete Level II sampling at these sites prior to the project's Production Date to ensure testing is performed in the areas of construction. Recommendations regarding contamination impacts to construction will be made based on this Level II testing. If the results of the Level II testing indicate contamination, plan notes and markings will be added as applicable to inform the contractor of verified contamination areas.

**Are there changes in impacts to Utilities and Railroads? Yes  No  N/A**

As discussed previously in Section 2, the Design-phase roadway section from US 441 to east of Taylor Creek was revised to avoid impacts to the Okeechobee Utility Authority well field. The ROW acquisition needed from this parcel was reduced from approximately 0.89 acre for the approved PD&E concept to approximately 0.02 acre for the current design.

Are there changes in impacts to Navigation? Yes [ ] No [ ] N/A [X]

8. COMMITMENT STATUS

Are there existing environmental commitments? Yes [X] No [ ]

Are there new environmental commitments? Yes [ ] No [X]

See Project Commitments Record in Attachment 7.

9. STATUS OF PERMITS

**Federal Permit(s):**

USACE Section 10 or Section 404 Permit  
USACE Section 408 Permit  
USCG Bridge Permit

**Status:**

Needed.

**State Permit(s):**

DEP or WMD Environmental Resource Permit (ERP)  
DEP Coastal Construction Control Line Permit  
DEP National Pollutant Discharge Elimination  
System Permit (NPDES)  
FWC Gopher Tortoise Relocation Permit  
WMD Right of Way Permit(s)

**Status:**

Needed.

Needed.

Needed.

Needed.

**Local Permit(s):**

\_\_\_\_\_

**Status:**

\_\_\_\_\_

**Other Permit(s):**

\_\_\_\_\_

**Status:**

\_\_\_\_\_

**Comment/explanation if permit listed in original Environmental Document is no longer required.**

USACE Section 404 and SFWMD ERP and ROW permit application submittals anticipated approximately September 2018.

FDEP NPDES permit is issued 48 hours prior to construction commencement

All environmental permits will be obtained prior to construction commencement.

**10. CONCLUSION**

If no changes affecting the original environmental determination have occurred check the following:

[X] The above environmental document has been reevaluated as required by 23 CFR 771.129. It has been determined that there have been no changes to the project that affect the original environmental determination. Therefore, the Administrative Action remains valid.

**11. REVIEWER SIGNATURE BLOCK**

Name and Title of FDOT Preparer: Gwen G. Pipkin, Environmental Manager

*The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding (MOU) dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.*

OEM Signature required? [X] Yes [ ] No (date of consultation) \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

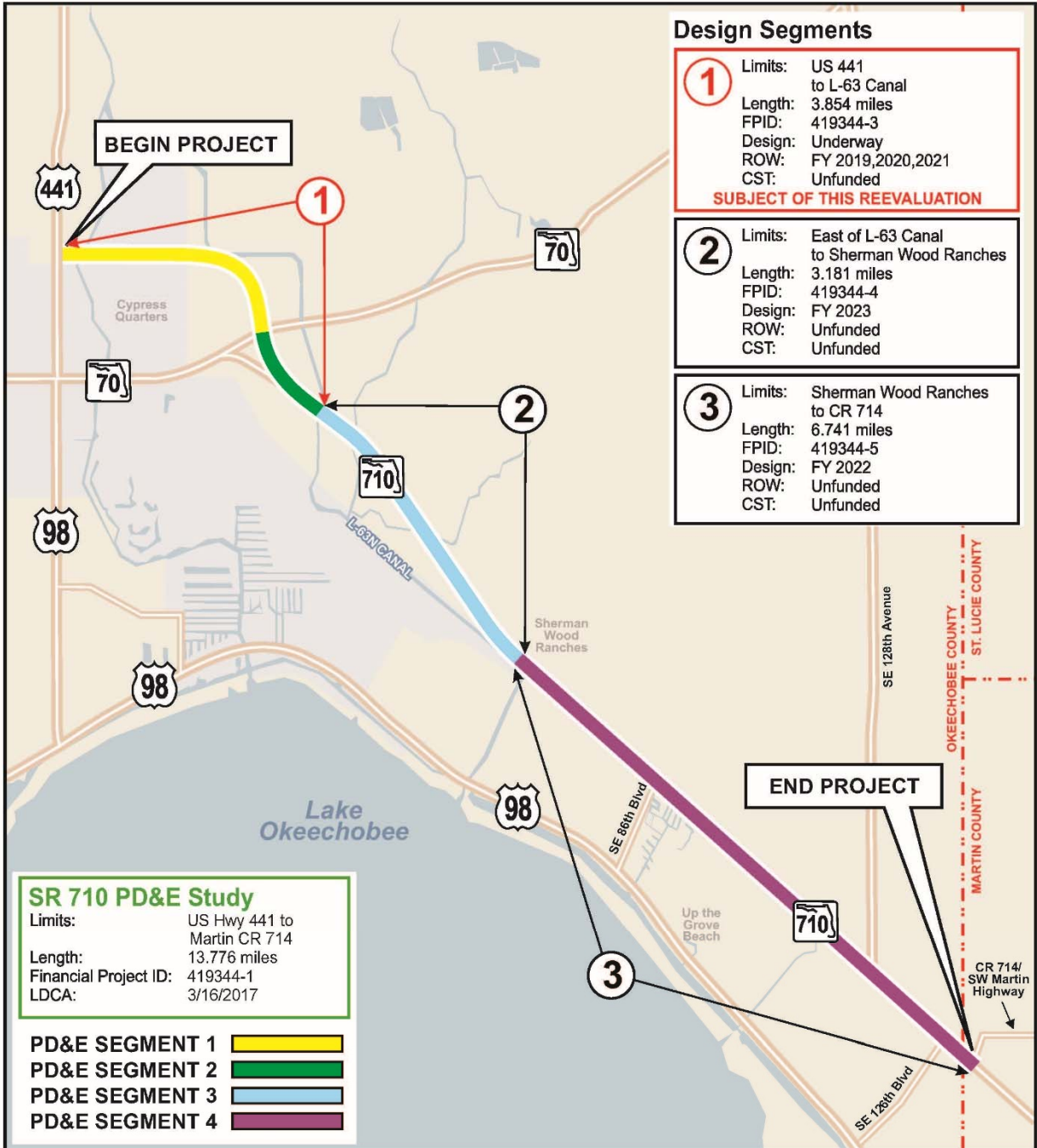
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
District approving authority or designee Date

**12. OEM CONCURRENCE**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Director of the Office of Environmental Management, or designee Date

**13. LINKS TO SUPPORTING DOCUMENTATION**

- Attachment 1** – Figure 1 (Project location/segments map)
- Attachment 2** – Figures 2 – 7 (Project roadway/bridge typical section graphics)
- Attachment 3** – Certified Public Hearing transcript (to be inserted following 8/30 hearing)
- Attachment 4** – LRTP/TIP/STIP document excerpts
- Attachment 5** – Figures 8 & 9 (PD&E and Design ROW and pond site comparison graphics)
- Attachment 6** – SHPO archaeological/historical resources concurrence letter (pending)
- Attachment 7** – Project Commitments Record (PCR) form



**State Road 710 PD&E Study**  
**Reevaluation Location Map**  
 US 441 to CR 714 (Martin Highway)  
 Okeechobee/Martin Counties, Florida

Financial Project ID: 419344 2 22 01  
 Federal Project ID: N/A



Figure 1



Figure 2. Approved PD&E Roadway Typical Section – Segments 1 and 2 (Alternative 1-2C)

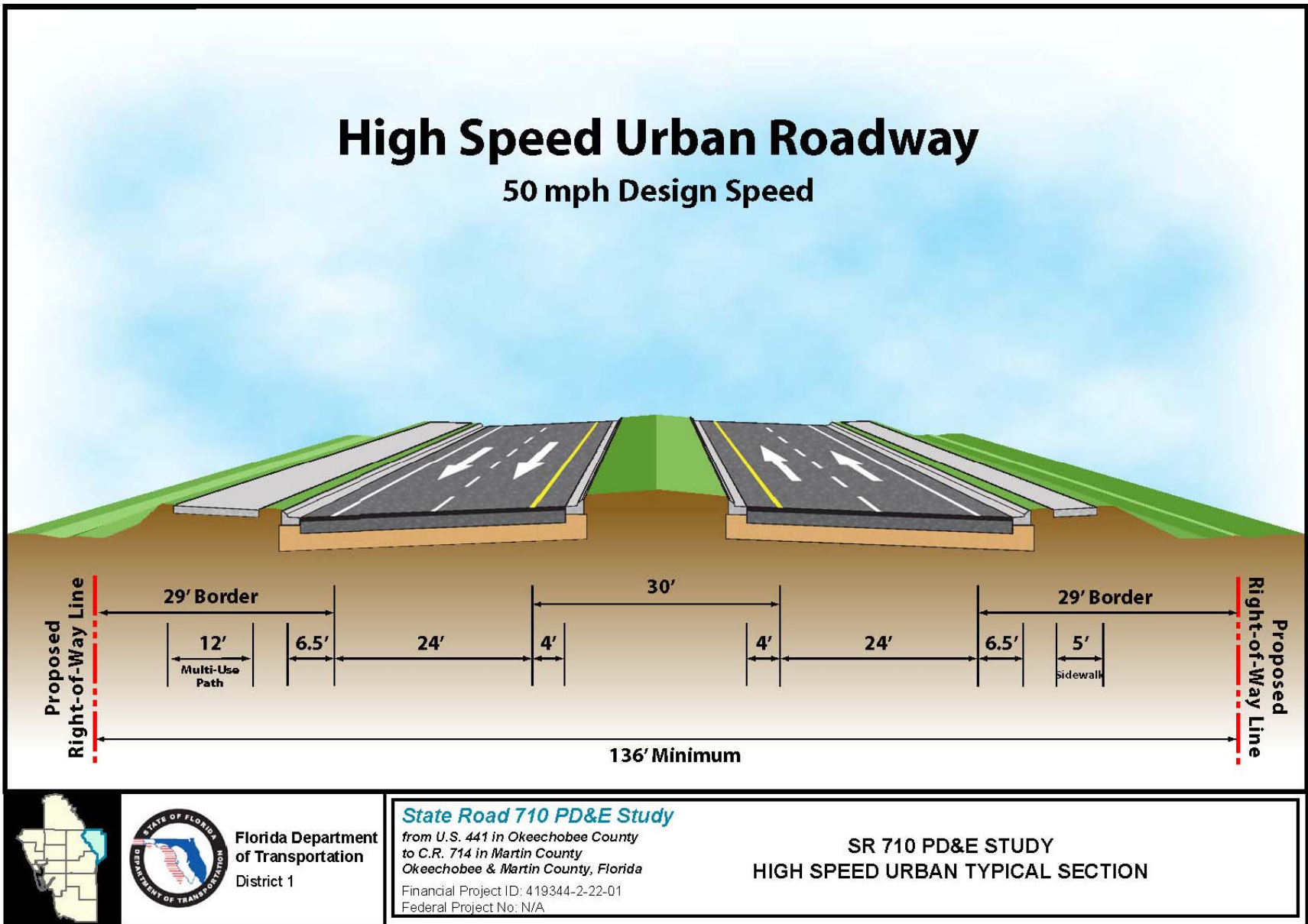
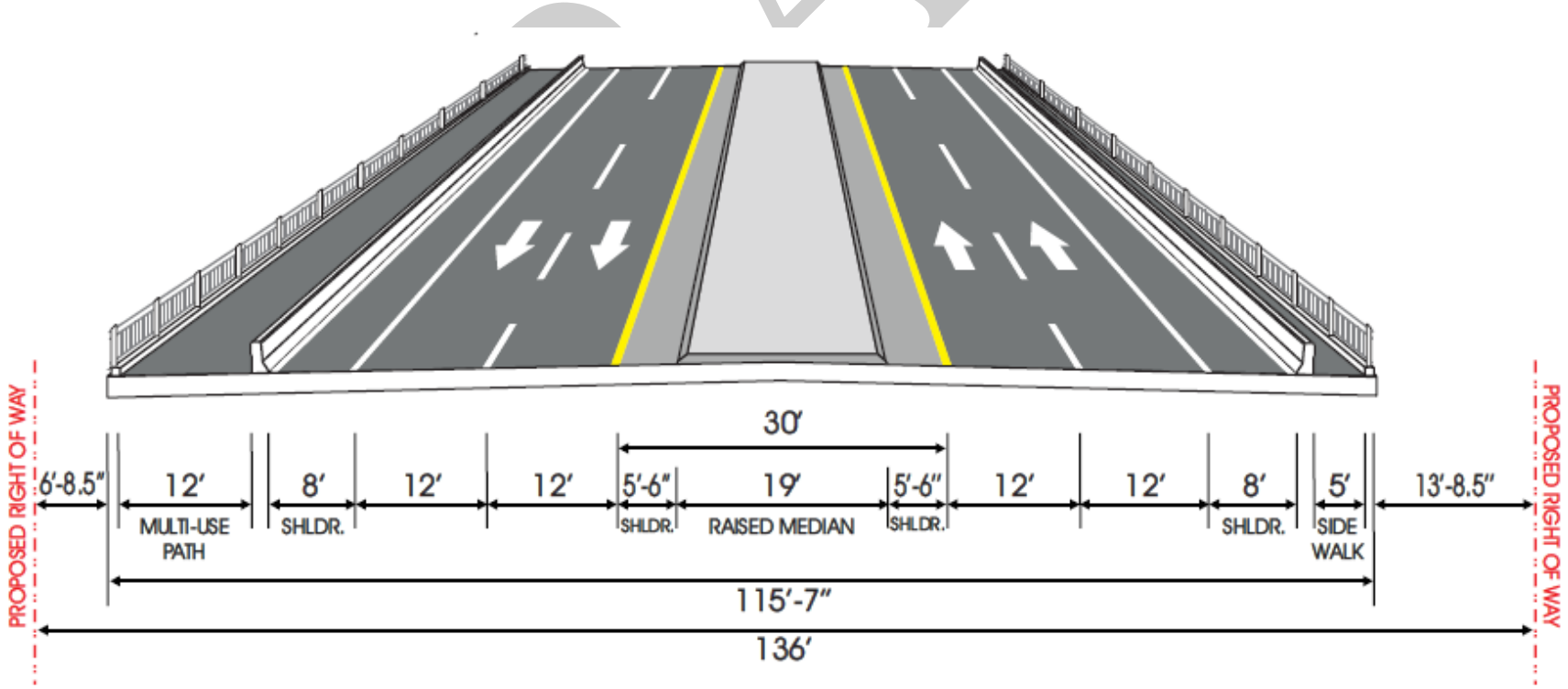


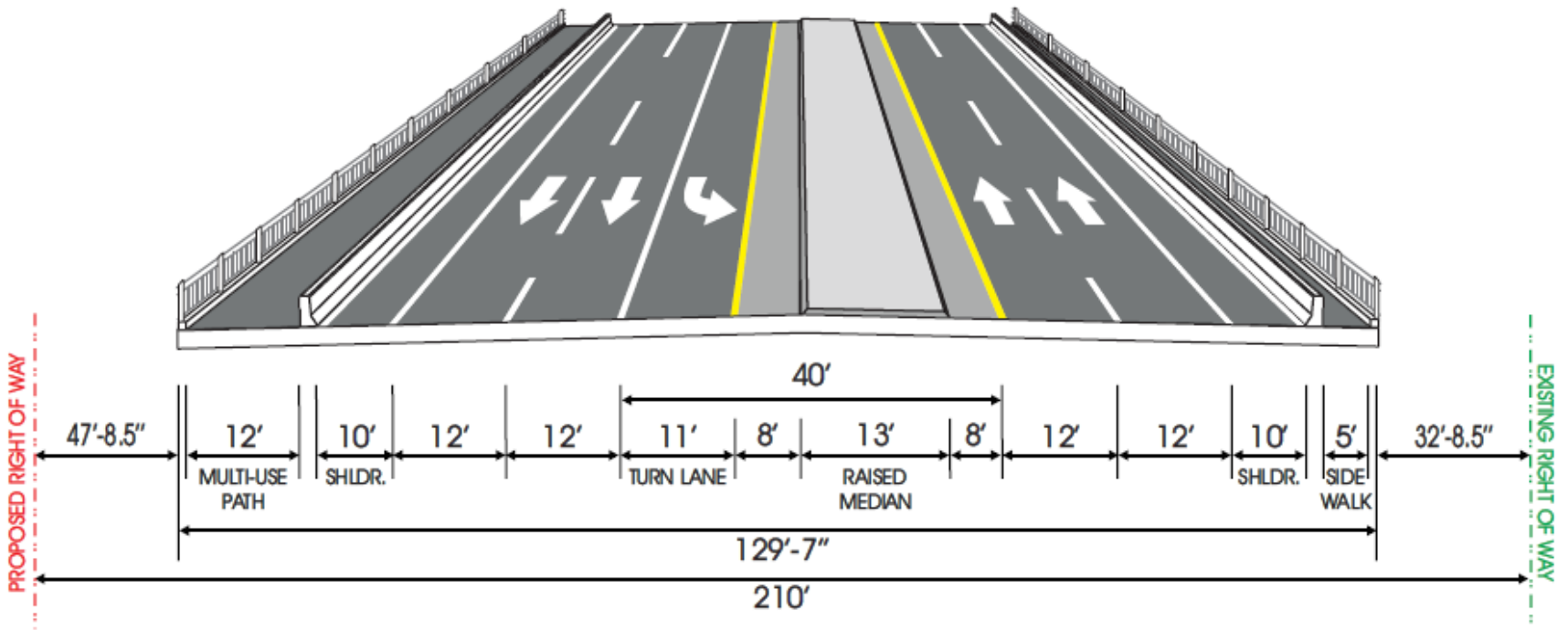
Figure 3. Approved PD&E Bridge Typical Section – SR 710 Crossing at Taylor Creek




**State Road 710 PD&E Study**  
**Proposed Bridge Typical Section**  
 US 441 in Okeechobee County to CR 714 in Martin Highway  
 Okeechobee and Martin Counties, Florida  
 Financial Project ID: 419344 2 22 01  
 Federal Project ID: N/A



Figure 4. Approved PD&E Typical Section – SR 710 Bridge Crossing at L-63N Interceptor Canal





**State Road 710 PD&E Study**  
**Proposed Bridge Typical Section**  
 US 441 in Okeechobee County to CR 714 in Martin Highway  
 Okeechobee and Martin Counties, Florida  
Financial Project ID: 419344 2 22 01  
 Federal Project ID: N/A

Figure 5. Design Typical Section – SR 710 from US 441 to E. of Taylor Creek

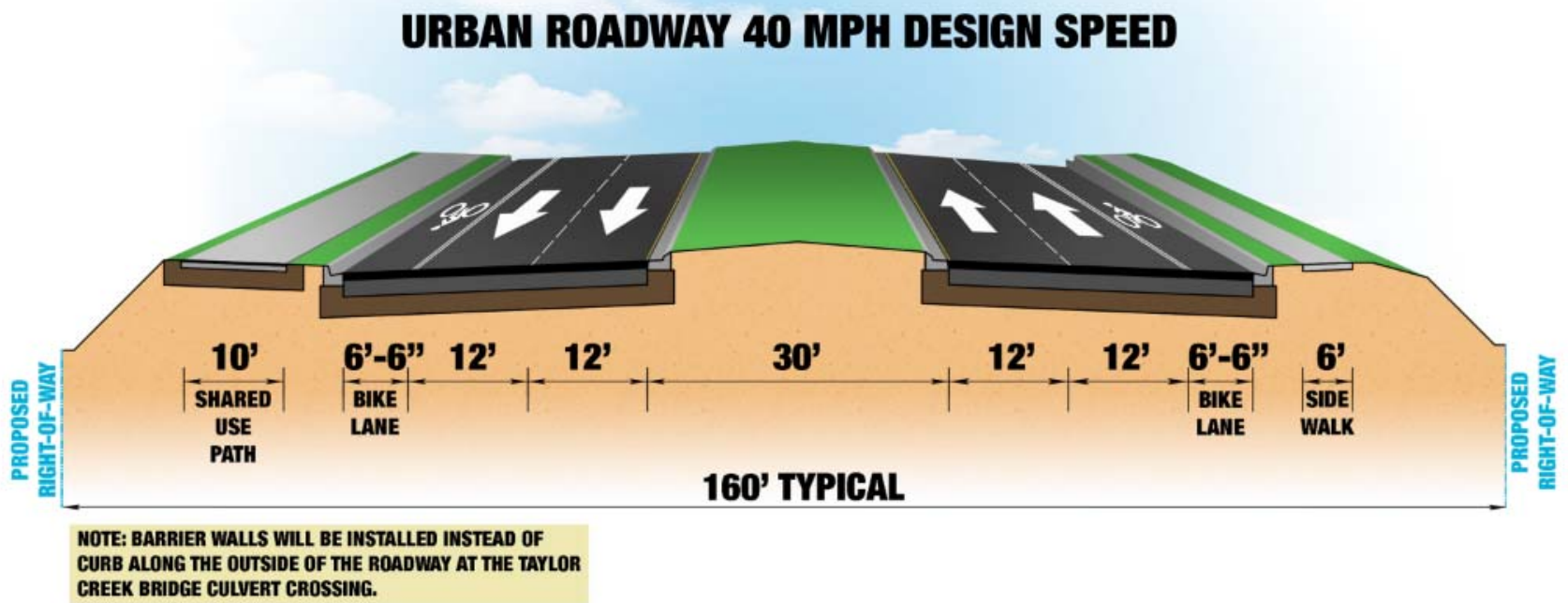


Figure 6. Design Typical Section – SR 710 from E. of Taylor Creek to the L-63N Interceptor Canal



Figure 7. Design Typical Section – SR 710 Bridge Crossing Over L-63N Interceptor Canal

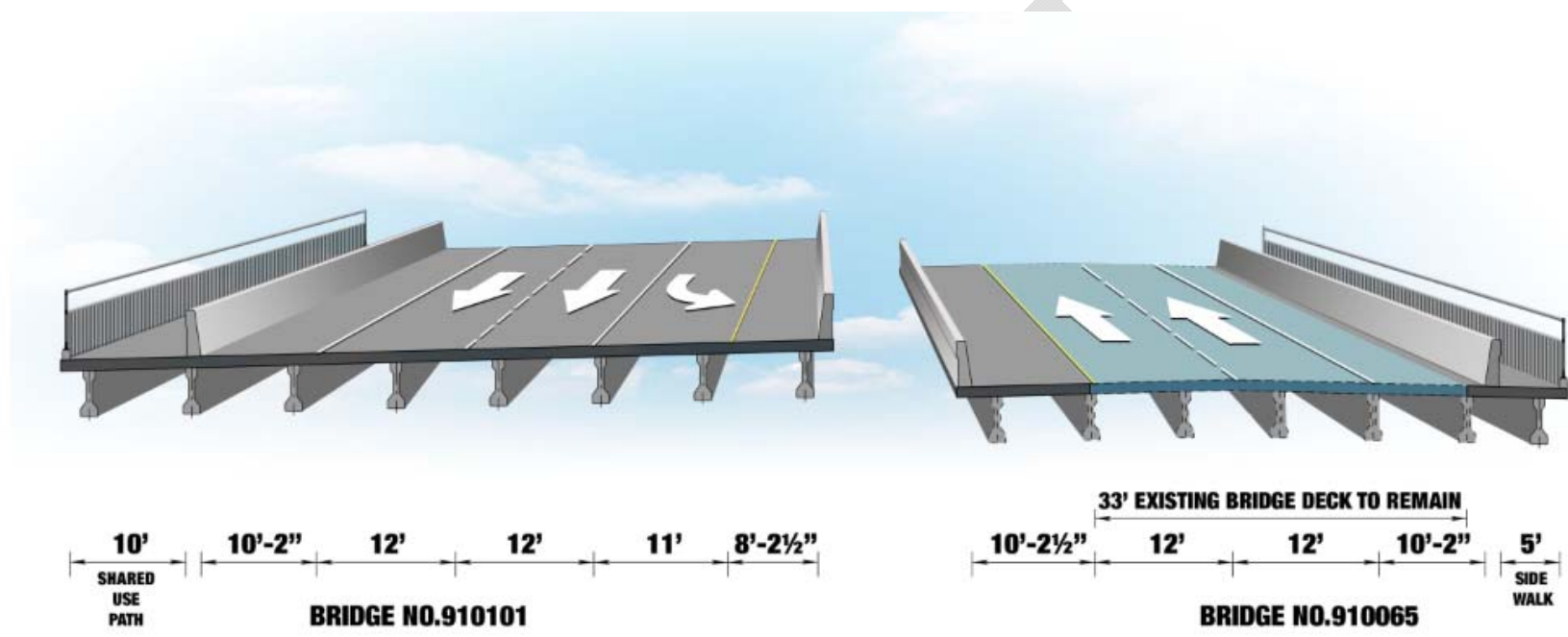




Figure 8. Comparison Between PD&E-phase SR 710 Mainline ROW and Design-phase SR 710 Mainline and Pond Site ROW

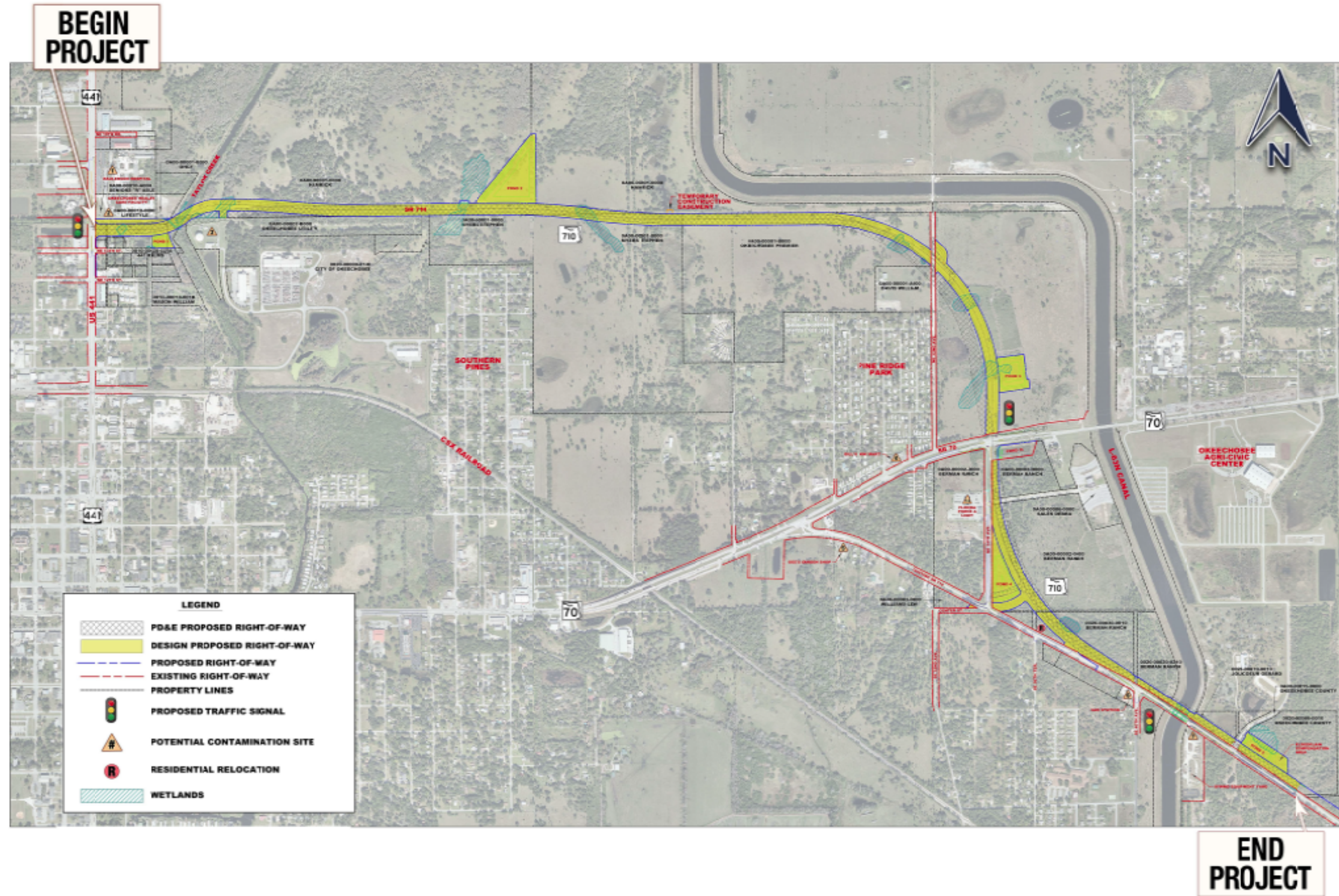
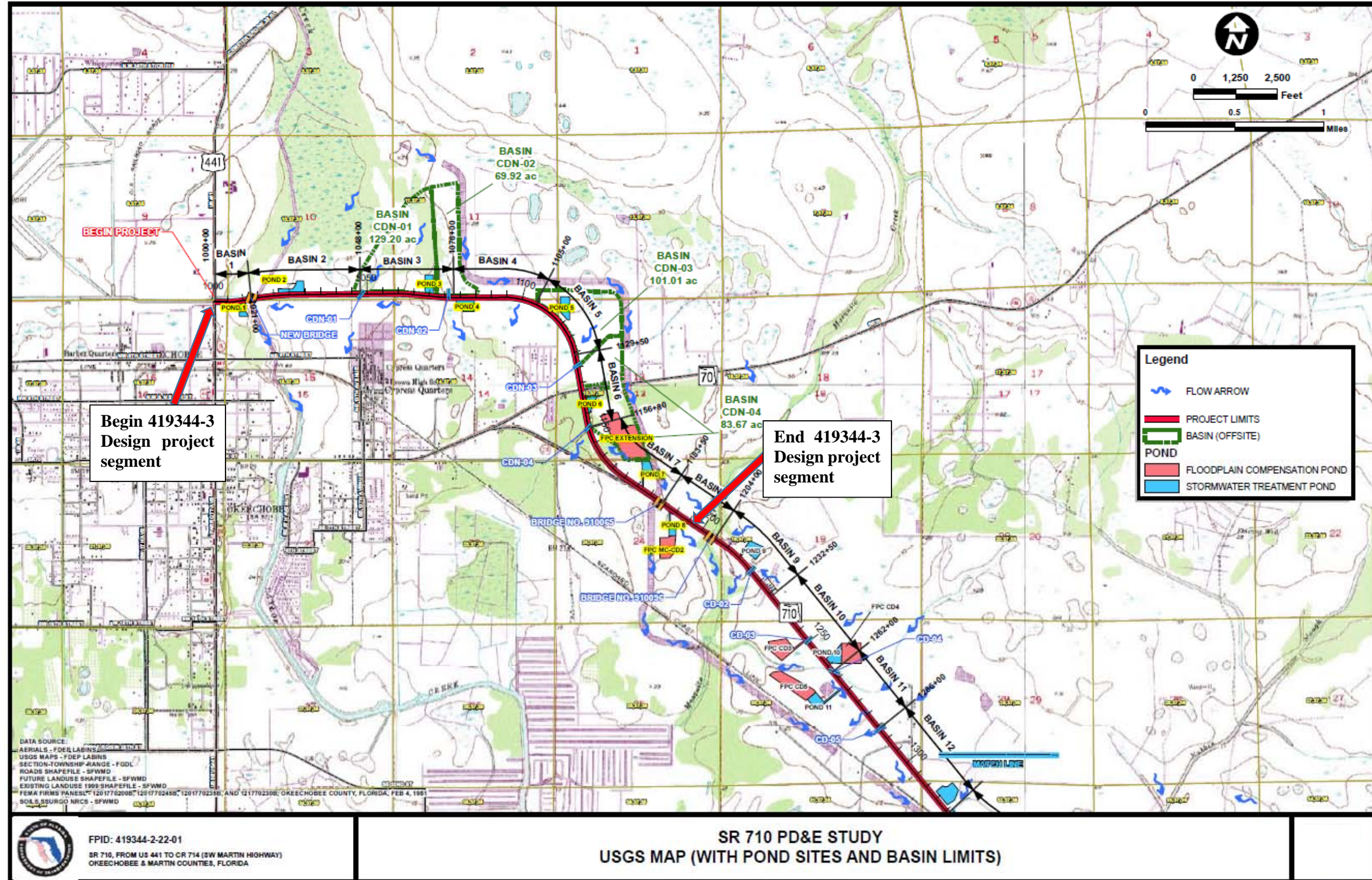




Figure 9. PD&E-phase Pond Sites (yellow-highlighted within Alternative 1-2C/419344-3 segment limits)





STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PROJECT COMMITMENTS RECORD**

**PROJECT DEVELOPMENT & ENVIRONMENT**

**Project Name:** State Road 710 PD&E Study from US 441 to County Road 714, Okeechobee & Martin Cos

**Project Manager:** Gwen Pipkin

**FM#:** 419344-2-22-01

**FAP#:** N/A

**Environmental Document Type:**  Type 1 CE  Type 2 CE  EA  EIS  NMSA  SEIR

**Environmental Document Approval Date:** 3/16/2017

Project Segment Number	Commitment	External Stakeholder	Env. Commit. ? (yes/no)	Implementation Phase	Status	Transmittal Date	Completion Date	Comments
419344-3	1. Continued coordination with the Okeechobee Utility Authority (OUA) throughout the design phase to address the backwash pond and any further issues or concerns.	OUA, Okeechobee County, local residents	Yes	Design	Commitment Fulfilled	3/16/2017	8/6/2018:	8/6/2018: The SR 710 roadway alignment from US Hwy 441 to east of Taylor Creek has been realigned slightly to avoid potential impacts to the Okeechobee Utility Authority's (OUA) property, including the backwash pond. Additionally, the full median opening (U-turn bay) along SR 710 just east Taylor Creek was moved approximately 1,500 feet east of the location shown in the PD&E concept to address OUA's concern with having a median opening for a future connection going thru their wells. The new location lines up with a potential future road access from the northeastern corner of the OUA property that is indicated in the Okeechobee County Property Appraiser map.
419344-3	2. Gopher tortoise: Due to the presence of gopher tortoise habitat within and adjacent to the existing right-of-way (ROW), a gopher tortoise survey in appropriate habitat within construction limits (including roadway footprint and stormwater management ponds) will be performed prior to construction. The Florida Department of Transportation (FDOT) will secure any relocation permits needed for this species during the project permitting and construction phases of the project.	FWC, USFWS, the public	Yes	Design	Transmitted to Design	3/16/2017	On-going	8/6/2018: Twenty-six (26) potentially occupied gopher tortoise burrows were documented in the project vicinity during Design-phase field surveys. Due to the observation of gopher tortoise burrows within and adjacent to the project footprint, a more detailed survey will be performed prior to construction per FFWCC requirements. The FDOT will secure any relocation permits needed for this species and relocate the tortoises affected prior to construction commencement.
419344-3	3. Eastern indigo snake: The USFWS' most current Standard Protection Measures for the Eastern Indigo Snake will be adhered to during construction of the project.	USFWS, FWC, the public	Yes	Construction	Transmitted to Construction	3/16/2017	On-going	8/6/2018: There has been no change in the status of this commitment. The most current of the USFWS' standard protection measures will be included in the USACE permit and construction contract documents for contractor adherence.
419344-3	4. Bald eagle: Given the proximity of bald eagle nests to the project impact area, the uncertainty of activity status when construction may be scheduled to commence, and the possibility of new nests being identified by the Florida Fish and Wildlife Conservation Commission (FWC) during yearly surveys, the FDOT will commit to resurveying the project area prior to construction. If any nests within the 660 foot protection zone are deemed active, the FDOT will act in accordance with the BGEPA and MBTA.	USFWS, FWC, the public	Yes	Design	Transmitted to Design	3/16/2017	On-going	8/6/2018: Bald eagles were observed flying over the project area and also perching on trees and power poles outside of but adjacent to the project during Design-phase field surveys. However, no evidence of nesting was observed or previously documented within 660 feet of the project. The project area will be resurveyed for eagle nests prior to the commencement of construction. If nests are discovered, coordination with the USFWS will occur as appropriate.
419344-3	5. Wood stork: Because of the potential for effects to the species, the FDOT is committed to mitigation. The FDOT proposes to acquire credits that provide at least 23.98 kg of wood stork biomass for short-hydroperiod wetlands at the Bluefield Ranch Mitigation Bank (BRMB) to offset project impacts.	USFWS, FWC, the public	Yes	Design	Transmitted to Design	3/16/2017	On-going through permitting.	8/6/2018: The wood stork foraging habitat mitigation specified (23.98 kg of prey biomass) is for the estimated impacts from entire PD&E study concept. Based on refinements to project design and updated wetland delineations, the current project segment will impact 5.28 acres of wetlands and other surface waters comprising wood stork foraging habitat. A prey foraging habitat assessment was completed for the updated impacts, resulting in approximately 11.77 kg of prey biomass impacts for the project segment currently being advanced. The compensatory mitigation to offset these impacts is anticipated to occur at the Bluefield Ranch Mitigation Bank. These impacts and proposed mitigation will be confirmed during the upcoming environmental permitting process. The remainder of wood stork habitat/prey biomass impacts will be addressed separately as applicable to the other project segments.



