Appendix A

Correspondences and Coordination

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

January 30, 2013

Mr. John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Dear Mr. Krane,

Thank you for your inquiry on behalf of the City of Port St. Lucie (City), requesting input from the Department of Environmental Protection (DEP) regarding the anticipated temporary impacts to Savannas Preserve State Park and North Fork St. Lucie River Aquatic Preserve related to the construction of the proposed Crosstown Parkway.

In accordance with the requirements of Section 4(f) of the federal DOT Act of 1966, the City asked the DEP Division of Recreation and Parks (DRP) and the Office of Coastal and Aquatic Managed Areas (CAMA), as managers of the state park and aquatic preserve, respectively, to make a determination as to whether the plans include "all possible planning to minimize harm to the property resulting from use". Specifically, on December 14, 2013, Keith and Schnars, P.A. provided to DEP a detailed explanation of the engineering/planning efforts intended to minimize harm to the subject properties, including measures such as:

- Reduction of the width of the bridge typical section from 143 feet to 103 feet, resulting in a 3.27-acre reduction in overall impacts to wetlands and a 3.49-acre reduction in overall impacts to uplands;

- Use of a top-down bridge construction method to the maximum extent possible, thereby allowing each span to be built from the previous span;

- Utilization of temporary platforms or trestles during those periods when top-down construction methodology is not possible;

- Bridge design that includes longer spans over open-water portions of the channel, with barges as the construction platform to ensure that the channel remains open for navigation and passage by aquatic species;

- Elimination of the use of construction haul roads in wetland areas;

- Elimination of the use of water-jetting during pile placement;

- Restriction of tree clearing to only those areas where pilings must be placed, and restriction of tree trimming to vegetation above 10 feet that might interfere with the trestle profile;

- Minimization of ground damage during geotechnical investigations (soil borings) through the use of rubber-tire mounted equipment, amphibious track rigs, all-terrain vehicles, and tripod drill rigs;

- Development of a maintenance of river traffic plan, in coordination with the U.S. Coast Guard, to ensure safe navigation of the waterway during construction;

- Staging of all construction equipment outside of Section 4(f) properties (state park and aquatic preserve) or in areas that will be incorporated into the roadway approaches;

- Relocation of Halpatiokee canoe dock and nature trail prior to the commencement of construction activities.

Based on these measures, staff with DRP and CAMA concur with the assessment that "all possible planning to minimize harm to the property" is being done with respect to anticipated temporary construction occupancies. This position is wholly-dependent upon the City's actual implementation of each of the impact minimization measures listed above during construction activities.

Again, we appreciate the opportunity to review and comment on these measures, and we commend the City for its steadfast commitment to keep all adverse impacts – temporary and long-term – to an absolute minimum within the state park and aquatic preserve.

If you have any questions, please do not hesitate to contact me at (850) 245-3051.

Regards,

Matthew Klein
Land Administration and Acquisition Coordinator
Office of Park Planning
Division of Recreation and Parks

cc: Albert Gregory – Chief, Office of Park Planning, division of Recreation and Parks
Paul Rice – Chief, Florida Park Service - District Five
Brian Sharpe – Manager, Indian River Lagoon Aquatic Preserves

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701-5505
727.824.5312, FAX 824.5309
http://sero.nmfs.noaa.gov

JAN 04 2013 F/SER31:JBH

Mr. Gustavo Schmidt, P.E.
District Planning and Environmental Engineer
Florida Department of Transportation, District 4
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Re: ETDM No. 8247, Crosstown Parkway Extension, St. Lucie County, Florida

Dear Mr. Schmidt:

This responds to your June 19, 2012, letter requesting National Marine Fisheries Service (NMFS) concurrence with your project-effect determinations under Section 7 of the Endangered Species Act (ESA). The Federal Highway Administration (FHWA) designated the Florida Department of Transportation (FDOT) to act on its behalf as the designated non-federal representative (50 CFR 402.08) for this action, for purposes of Endangered Species Act (ESA) Section 7 consultation with NMFS. FDOT is conducting a Project Development and Environment study for in-water construction of a bridge across the North Fork of the St. Lucie River. You determined the project may affect but is not likely to adversely affect smalltooth sawfish, would have no effect on sea turtles or Johnson's seagrass, and would not adversely affect any critical habitat. Several meetings where held since your June 19, 2012, letter, and NMFS requested additional information. The latest meeting took place on August 16, 2012. Information requested at that meeting was provided to NMFS by e-mail on September 9, 2012, and by letter on October 12, 2012. The latter response completed the file and consultation was initiated. Our findings on the project's potential effects are based on the project description in this response. Changes to the proposed action may negate our findings and may require reinitiating consultation.

The project is located at 27.304298°N, 80.317352°W (North American Datum 1983), across the North Fork of the St. Lucie River (NFSLR) between Manth Lane and U.S. Highway 1 in Port St. Lucie, St. Lucie County, Florida. The applicant proposes to construct a 1.96-mile, six-lane, divided highway and bridge that will provide east-west transportation connections across the NFSLR. The substrate is characterized as unvegetated barren sand bottom. The bridge will be 103 feet wide and result in 0.19 acre of direct impacts and 0.26 acre of indirect impacts to a fringing red mangrove community. Mitigation for mangrove impacts will be provided at Bear Point Mitigation Bank on Hutchinson Island, Florida. A 40-foot-wide temporary trestle will be used to construct the bridge. It will be erected on one side of the twin span and then disassembled and erected on the other side to complete construction. Piles will be driven and no dredging is proposed. Disturbance from construction activities (i.e., bridge construction) and related noise will be intermittent and only occur during the day for part of the construction period. Bubble curtains will be used during pile driving, and turbidity curtains used to contain disturbed sediments will only enclose the small project area and will be removed upon project completion. Construction is scheduled to last 34 months with in-water work lasting 6 months. The applicant will comply with NMFS' *Sea Turtle and Smalltooth Sawfish Construction Conditions*, dated March 23, 2006 (enclosed).

We believe there will be no project effects to sea turtles and Johnson's seagrass since no suitable habitat is present for either species. The endangered smalltooth sawfish can be found in or near the action area and may be affected by the project. The project is not located within designated critical habitat for smalltooth sawfish and thus critical habitat will not be adversely affected.

Smalltooth sawfish are known to occur in the area. On June 1, 2011, a mature smalltooth sawfish was observed at the Ballantrae Country Club Marina approximately 4.5 miles downstream of the project site. Two days later, a mature female was found dead in the same area. Other sightings have been reported near the confluence of the St. Lucie River and the Indian River, approximately 10 miles downstream. We have identified the following potential effects to smalltooth sawfish and concluded the species is not likely to be adversely affected by the proposed action. Effects include the risk of injury from bridge construction activities, which will be discountable due to the species' mobility and the implementation of NMFS' *Sea Turtle and Smalltooth Sawfish Construction Conditions.* Species foraging and refuge habitat may be adversely affected. However, expansive potential foraging and refuge areas exist near the project site for smalltooth sawfish; therefore, the effects of losing 0.19 acre of mangroves will be insignificant (in addition, mitigation for mangrove impacts will be provided offsite). The species may be affected by being temporarily unable to use the site due to potential avoidance of construction activities and related noise, and physical exclusion from areas contained by turbidity curtains. We believe these effects will be insignificant because (1) disturbance from construction activities and related noise will be intermittent and only occur during the day for part of the construction period; (2) bubble curtains will be used during pile driving, which will reduce pile driving noise; (3) turbidity curtains will be used, which will also reduce pile driving noise; (4) turbidity curtains will only enclose the small project area and will be removed upon project completion; and (5) smalltooth sawfish that may be present can avoid the site during construction and move to nearby, alternate, similar habitat.

This concludes your consultation responsibilities under the ESA for species under our purview. Consultation must be reinitiated if a take occurs or new information reveals effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.

We have enclosed additional relevant information for your review. If you have any questions, please contact Brandon Howard, consultation biologist, at 561.616.8880, extension 210 or by e-mail at Brandon.Howard@noaa.gov. Thank you for your continued cooperation in the conservation of ESA-listed species.

Sincerely,

Phil Steele

For Roy E. Crabtree, Ph.D.
Regional Administrator

Enclosures

File: 1514-22.L.4
Ref: SER-2012-2757

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

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

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

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

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

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

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

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

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

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

Revised: March 23, 2006

PCTS Access and Additional Considerations for ESA Section 7 Consultations
(Revised 7-15-2009)

Public Consultation Tracking System (PCTS) Guidance: PCTS is an online query system at **https://pcts.nmfs.noaa.gov/** that allows federal agencies and U.S. Army Corps of Engineers' (COE) permit applicants and their consultants to ascertain the status of NMFS' Endangered Species Act (ESA) and Essential Fish Habitat (EFH) consultations, conducted pursuant to ESA section 7, and Magnuson-Stevens Fishery Conservation and Management Act's (MSA) sections 305(b)2 and 305(b)(4), respectively. Federal agencies are required to enter an agency-specific username and password to query the Federal Agency Site. The COE "Permit Site" (no password needed) allows COE permit applicants and consultants to check on the current status of Clean Water Act section 404 permit actions for which NMFS has conducted, or is in the process of conducting, an ESA or EFH consultation with the COE.

For COE-permitted projects, click on "Enter Corps Permit Site." From the "Choose Agency Subdivision (Required)" list, pick the appropriate COE district. At "Enter Agency Permit Number" type in the COE district identifier, hyphen, year, hyphen, number. The COE is in the processing of converting its permit application database to PCTS-compatible "ORM." An example permit number is: SAJ-2005-000001234-IPS-1. For the Jacksonville District, which has already converted to ORM, permit application numbers should be entered as SAJ (hyphen), followed by 4-digit year (hyphen), followed by permit application numeric identifier with no preceding zeros. For example: SAJ-2005-123; SAJ-2005-1234; SAJ-2005-12345.

For inquiries regarding applications processed by COE districts that have not yet made the conversion to ORM (e.g., Mobile District), enter the 9-digit numeric identifier, or convert the existing COE-assigned application number to 9 numeric digits by deleting all letters, hyphens, and commas; converting the year to 4-digit format (e.g., -04 to 2004); and adding additional zeros in front of the numeric identifier to make a total of 9 numeric digits. For example: AL05-982-F converts to 200500982; MS05-04401-A converts to 200504401. PCTS questions should be directed to Eric Hawk at Eric.Hawk@noaa.gov. Requests for username and password should be directed to PCTS.Usersupport@noaa.gov.

EFH Recommendations: In addition to its protected species/critical habitat consultation requirements with NMFS' Protected Resources Division pursuant to section 7 of the ESA, prior to proceeding with the proposed action the action agency must also consult with NMFS' Habitat Conservation Division (HCD) pursuant to the MSA requirements for EFH consultation (16 U.S.C. 1855 (b)(2) and 50 CFR 600.905-.930, subpart K). The action agency should also ensure that the applicant understands the ESA and EFH processes; that ESA and EFH consultations are separate, distinct, and guided by different statutes, goals, and time lines for responding to the action agency; and that the action agency will (and the applicant may) receive separate consultation correspondence on NMFS letterhead from HCD regarding their concerns and/or finalizing EFH consultation.

Marine Mammal Protection Act (MMPA) Recommendations: The ESA section 7 process does not authorize incidental takes of listed or non-listed marine mammals. If such takes may occur an incidental take authorization under MMPA section 101 (a)(5) is necessary. Please contact NMFS' Permits, Conservation, and Education Division at (301) 713-2322 for more information regarding MMPA permitting procedures.

John P. Krane

From: Lips, Garett G SAJ [Garett.G.Lips@usace.army.mil]
Sent: Friday, December 21, 2012 8:51 AM
To: John P. Krane
Cc: Michael Davis; Kristine Stewart; Barry Ehrlich; Harry Fulwood
Subject: RE: Crosstown Parkway Extension Follow-Up (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

John,
The criteria included in the alternatives analysis will be reviewed by the Corps during the permit application phase. Without a complete application and construction plans, it is premature for the Corps to determine the project is the LEDPA. However, the methodology and criteria utilized by the Crosstown Team to evaluate the range of alternatives included evaluation factors relevant to the 404(b)(1) Guidelines.

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410
Office 561-472-3519

http://www.saj.usace.army.mil/Missions/Regulatory.aspx

Please assist us in better serving you! Please complete the stakeholder survey by clicking on the following link: http://per2.nwp.usace.army.mil/survey.html

-----Original Message-----
From: John P. Krane [mailto:jkrane@ksfla.com]
Sent: Friday, December 07, 2012 3:37 PM
To: Lips, Garett G SAJ
Cc: Michael Davis; Kristine Stewart; Barry Ehrlich; Harry Fulwood
Subject: Crosstown Parkway Extension Follow-Up

Garrett,

This email is a follow up to our coordination meeting of 8/16/12 regarding the avoidance and mitigation of impacts associated with the Crosstown Parkway Extension EIS Preferred Alternative (Alternative 1C). The following summarizes the results of our recent efforts to avoid further impacts resulting from the Preferred Alternative.

The Preferred Alternative will have some unavoidable direct and indirect wetland impacts. Direct impacts will include placement of fill for the bridge approaches, placement of fill at the locations of bridge pilings, shading under the bridge, and construction and excavation of stormwater pond sites. The impacts for all build alternatives, including the Preferred Alternative, were based on a complete direct loss (due to shading) within the 157-foot right of way (ROW). Since only a small portion of the ROW will actually be filled, this approach provided a conservative estimate of impacts. For example, the actual bridge width was 143 feet wide so direct shading impacts would be less.

Following the selection of the Preferred Alternative, additional avoidance and minimization measures were developed in coordination with NMFS, USACE, and USFWS (July to September 2012) to reduce the impacts of the Preferred Alternative to wetlands, listed species habitats, and essential fish habitat. Specifically, the bridge typical section was reduced from 143 feet to 103 feet (102' 8").

By reducing the bridge typical section from 143 feet to 103 feet and by assessing shading impacts based on the physical width of the bridge, as opposed to the 157-foot ROW width, wetland impacts were reduced from 10.1 acres to 6.83 acres, a reduction of 3.27 acres. The reduced typical section also resulted in a reduction in wetland functional loss from 11.26 acres to 8.34 acres (includes direct and indirect impacts), a reduction of 2.92 functional loss units (the indirect functional losses were calculated from the edge of the bridge, rather than from the right of way line).

The revised Preferred Alternative will result in an unavoidable functional loss of 8.34 acres (direct and indirect functional losses). These include losses to Mangrove Swamps; Stream and Lake Swamps; Mixed Wetland Hardwoods; Freshwater Marsh; and Freshwater Marsh with Shrubs, Brush, and Vines. Functional losses for direct and indirect impacts were calculated by UMAM using scores determined by an interagency team made up of representatives from the USACE, USEPA, NMFS, SFWMD, and FDEP.

After all appropriate and practicable avoidance and minimization strategies had been exhausted for the Preferred Alternative, a compensatory mitigation plan was developed to compensate for unavoidable impacts, pursuant to the Clean Water Act Section 404(b)(1) Guidelines and Chapter 373 FS. The Proprietary Mitigation Plan includes four water quality improvement projects within the NFSLR floodplain, 108.55 acres of land acquisitions that will be conveyed to the State of Florida, and improvements to the Halpatiokee Canoe and Nature Trail and to the Savannas Preserve Education Center. The Regulatory Mitigation Plan provides compensatory mitigation for unavoidable impacts to natural resources including wetlands, essential fish habitat, and protected species habitats. The Regulatory Mitigation Plan consists of the development of the Platt's Creek Compensatory Mitigation Site (Platt's Creek) and the reservation of credits at the Bear Point Mitigation Bank.

Based on the exhaustive evaluation of alternatives and the additional avoidance and minimization measures noted above, we believe that the requirements in Section 230.10(a) of the 404(b)(1) Guidelines has been met. The DEIS evaluated fully five alternative corridors, a no-build alternative, two system alternatives, 11 build alternatives, and several crossing alternatives (tunnel, cable-stayed bridge, and several bridging options). In light of this effort and our recent discussions, the City of Port St. Lucie is requesting that the USACE determine that the Preferred Alternative represents the "least environmentally damaging practicable alternative" as required by the Section 404(b)(1) Guidelines.

Your participation and constructive suggestions throughout this process are appreciated. We look forward to your response to the above as we work to complete the Final EIS. Should you have any questions do not hesitate to email me or call at 954.776.1616.

John P. Krane, P.E.

Director of Transportation Planning

Keith and Schnars, P.A.

6500 North Andrews Avenue

Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616

Toll Free: (800) 488-1255

Mobile: (954) 649-3061

Fax: (954) 771-7690

E-Mail: jkrane@ksfla.com

Classification: UNCLASSIFIED
Caveats: NONE

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Harry Fulwood

From: John P. Krane
Sent: Wednesday, December 05, 2012 2:21 PM
To: Harry Fulwood
Subject: Crosstown Parkway Bridge USFWS Dispute Lifted

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@ksfla.com

From: Young, Richard [mailto:Richard.Young@dot.state.fl.us]
Sent: Tuesday, December 04, 2012 11:21 AM
To: Wrublik, John
Cc: Victoria Foster; Craig Aubrey; Braun, Steve; Broadwell, Ann L; Schmidt, Gus; Frank Knott; 'Cathy.Kendall@fhwa.dot.gov'; Alian, Morteza; Sharpe, Vicki; 'Pat.Glass@dot.state.fl.us'; Jeffrey Bremer; Michael Davis; Paul.Cherry@kimley-horn.com; Patricia Roebling; Robin Dorfmeister; John P. Krane
Subject: RE: Crosstown Parkway Bridge

Dear Mr. Wrublik,

Thank you for your e-mail of November 28, 2012 stating the U.S. Fish and Wildlife Service's removal of the "Dispute Resolution" Degree of Effect in the ETDM process for the Crosstown Parkway Bridge project. I will enter this e-mail into the Environmental Screening Tool (EST) as documentation and will lower the summary Degree of Effect for wetlands, wildlife and habitat, and special designations to "Substantial".

The Florida Department of Transportation understands the importance of avoiding conservation lands when planning, designing and constructing transportation projects. In this case, the Department has been acting as the non-federal lead agency and liaison to the Federal Highway Administration on behalf of the project sponsor, the City of Port St. Lucie. The City has had a third crossing of the North Fork of the St. Lucie River in its transportation plan for many years, and was the prior owner of these lands before conveying them to the Florida Department of Environmental Protection.

At the meeting of September 10, 2012, the Service requested "third party" rights to lands conveyed to the State of Florida (Department of Environmental Protection) under the City's proposed proprietary mitigation plan. Since neither the City nor the FDOT will have an ownership interest in the lands, the City communicated the Service's request to the Florida Department of Environmental Protection (for proprietary mitigation) and to St. Lucie County for the Platt's Creek restoration (as a Permittee Responsible Offsite Mitigation Area for unavoidable wetland impacts). They respectfully declined the request for "third party" rights and their respective responses are attached for your reference.

Additionally, the Department understands the Service's concern about the preservation of the lands, and we believe that the restrictions contained in the Constitution of Florida, Florida Statutes and the Florida Administrative Code as well as the St. Lucie County Deed of Conservation Easement in perpetuity, as cited in the attached documents, will serve to address the Service's concerns. The Department appreciates the Service's cooperation and assistance on the Crosstown Parkway project. Thank you once again.

Sincerely,

Richard A. Young, P.E.
District Project Development Engineer
FDOT District 4
richard.young@dot.state.fl.us
(954) 777-4323 Fax (954) 777-4310

From: Wrublik, John [mailto:john_wrublik@fws.gov]
Sent: Wednesday, November 28, 2012 2:08 PM
To: Young, Richard
Cc: Victoria Foster; Craig Aubrey
Subject: Crosstown Parkway Bridge

Dear Mr. Young,

The U.S. Fish and Wildlife Service (Service) has reviewed the mitigation proposal for the new bridge over the North Fork of the St. Lucie River (Crosstown Parkway) project. Based on the proposed mitigation, the Service is removing our dispute of the project and changing our degree of effect determination for the project from "Dispute Resolution" to "Substantial" at this time.
Please note that, except under extraordinary circumstances, the Service believes that construction of new roadway projects within lands protected for conservation purposes is not an appropriate use of those lands. We note that highways constructed within public conservation lands can result in the loss and degradation of wildlife habitat, disturbance and mortality to wildlife, and significantly affect the aesthetic values of these lands to the public. Moreover, we find that highway projects located within conservation lands are contrary to reasons the lands were originally acquired. As such, we strongly urge the Florida Department of Transportation to avoid public conservation lands when designing and siting future roadway projects.

Sincerely
John M. Wrublik
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960
(772) 469-4282

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From: Harvey, Delbert [mailto:Delbert.Harvey@dep.state.fl.us]
Sent: Wednesday, September 12, 2012 10:27 AM
To: Patricia Roebling
Cc: Roxanne Chesser; Frank Knott
Subject: RE: USFWS request for Conservation Easement with 3rd Party Rights for the USFWS

Good afternoon Ms. Roebling:

Thank you for discussing with me about ensuring that property benefiting from the donation by the city for the St. Lucie Crosstown Bridge project is not sold or used for a purpose other than conservation, specifically the Crosstown Bridge project property that is being used as a portion of the mitigation requirements for the easement for the construction of the bridge. You may be aware that the State of Florida has purchased an extensive amount of conservation property designated for conservation purposes. The Board of Trustees does not normally place restrictive language on the deeds to this property but I do understand the USFWS's concern that the property could be sold or used for another purpose. The restrictive language is generally not needed because specific safeguards have been included in the Florida Constitution, the Florida Statutes and Florida Administrative Rules protecting our conservation land.

I would like to provide you with specific citations that may help you in your discussions on deed restrictions.

CONSTITUTION of FLORIDA ARTICLE 10, SECTION 18,

> *Disposition of conservation lands.—The fee interest in real property held by an entity of the state and designated for natural resources conservation purposes as provided by general law shall be managed for the benefit of the citizens of this state and may be disposed of only if the members of the governing board of the entity holding title determine the property is no longer needed for conservation purposes and only upon a vote of two-thirds of the governing board. History.—Proposed by Constitution Revision Commission, Revision No. 5, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.*

Florida Statutes - section 253.034(6),

> *The Board of Trustees of the Internal Improvement Trust Fund shall determine which lands, the title to which is vested in the board, may be surplused. For conservation lands, the board shall make a determination that the lands are no longer needed for conservation purposes and may dispose of them by an affirmative vote of at least three members. In the case of a land exchange involving the disposition of conservation lands, the board must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all other lands, the board shall make a*

determination that the lands are no longer needed and may dispose of them by an affirmative vote of at least three members.

Florida Statutes section 253.034(6)(e),

Prior to any decision by the board to surplus lands, the Acquisition and Restoration Council shall review and make recommendations to the board concerning the request for surplusing. The council shall determine whether the request for surplusing is compatible with the resource values of and management objectives for such lands

Florida Administrative Code - Section 18-2.021(7) Surplus Land Determination.

(a) The [Acquisition and Restoration] Council for conservation lands, or the Division for nonconservation lands, shall review all state lands which are not actively managed by any state agency, for which a land management plan has not been completed, or are recommended for disposal by any state agency, and recommend to the Board if such lands should be disposed of.

(b) In developing a recommendation the council shall consider the following factors:

1. Environmental value including flora and fauna, geology, hydrology, and general importance to the regional ecological systems;

2. Recreational value, including potential as a state managed recreational area;

3. Cultural value;

4. Size and location, including management feasibility and relationship to other State managed areas; and

5. History and potential of revenue production

In consideration of the safeguards, we would respectfully request that USFWS waive its request for the proposed deed restriction being placed on the Board of Trustees' deed for the Crosstown Bridge project parcels.

If you have any questions or comments, I would be happy to discuss them with you. Please telephone or e-mail me at your convenience.

Thank you,
Delbert

Delbert Harvey
Bureau of Public Land Administration
Department of Environmental Protection
3900 Commonwealth Blvd., MS #130
Tallahassee, Florida 32399-3000
Direct Phone (850) 245-2796

From: Jason Bessey [mailto:besseyj@stlucieco.org]
Sent: Thursday, September 13, 2012 8:41 AM
To: Peterfreund, Anna L.
Cc: Christopher Lestrange
Subject: RE: USFWS request for Conservation Easement with 3rd Party Rights for the USFWS

Anna,

Excellent, thank you. I also have reviewed the USFW service manuals for this requirement as well as the Federal Register, Vol. 46, No. 15 (01/23/81) which outlines their mitigation policy in respect to all resource categories, and can find nothing…. I do have a call in to Mr. Wrublik to speak to him personally about this issue, but for the time being- please consider St. Lucie County's response to this request as, "we respectfully decline to place a conservation easement that contains third party rights for the Service on all mitigation lands within this project."

Thanks,

Jason

P.S.- Just spoke with Mr. Wrublik and he confirmed this is *not* a requirement, just a request to ensure the integrity of the site.

DEED OF CONSERVATION EASEMENT

Return recorded document to:
South Florida Water Management District
3301 Gun Club Road, MSC 4210
West Palm Beach, FL 33406

THIS DEED OF CONSERVATION EASEMENT is given this 20th day of September, 2011, by St. Lucie County, a political subdivision of the State of Florida, _____ ("Grantor") whose mailing address is 2300 Virginia Avenue, Fort Pierce, Florida 34982 to the South Florida Water Management District ("Grantee"). As used herein, the term "Grantor" shall include any and all successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in St. Lucie County County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct Platt's Creek Compensatory Mitigation Project ("Project") at a site in St. Lucie County County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 56-00003-M ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, the Grantor has developed and proposed as part of the Permit conditions, a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the Property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the area described on Exhibit "A" ("Conservation Easement").

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual Conservation Easement for and in favor of the Grantee upon the Property described on Exhibit "A" which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the Conservation Easement which are to be preserved, enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Conservation Easement that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, or other activities described herein that are permitted or required by the Permit, the following activities are prohibited in or on the Conservation Easement:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural or enhanced condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

4. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District. Without limiting the generality of the foregoing, the following rights are expressly reserved:

a. The Grantor may conduct limited land clearing for the purpose of constructing such pervious facilities as docks, boardwalks or mulched walking trails; and

b. The Grantor may construct and maintain passive public use facilities for the purpose of educating the public or allowing public access and recreation which have minimal or no impact on natural resources; and

c. Grantor may place signs and markers as necessary to identify trails, restoration areas, or other site features related to public use and land management activities; and

d. Grantor may construct and maintain to the extent allowed by current and future permits, at grade, management roads, fire breaks, trails, walkways, piers, observation platforms or boardwalks necessary to provide public access and management activities as provided for in the site's management plan; and

e. Grantor may remove or kill by any lawful means, exotic or nuisance vegetation or animal species, conduct prescribed burns and conduct other management activities necessary to carry out management for conservation purposes; and

f. Grantor may conduct restoration and enhancement projects which do not conflict with the purpose of this easement; and

g. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

5. No Dedication. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement.

6. Grantee's Liability. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Property Assessments. If and to the extent that the Grantor is not exempt from assessments and assessments are levied against the Easement Parcel, Grantor shall keep the assessments on the Easement Parcel current.

8. Enforcement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's

rights hereunder.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms, Conditions, Restrictions, Purpose. The terms, conditions, restrictions and purpose of this Conservation Easement shall be referenced by Official Record Book and Page Number by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. Modifications. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in St. Lucie County County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

The Grantor agrees to defend the title to the Conservation Easement property hereby conveyed against the lawful claims of all persons claiming by, through, or under the Grantor, except those claims created or arising from any act or omission of Grantee.

IN WITNESS WHEREOF,

_____
(Grantor) has hereunto set its authorized hand this
20th day of September,
20 11.

_____
A political subdivision of the State of Florida

By: _____

Chris Craft, Chairman
(Print Name and Title)

ATTEST:

BY: _____
Deputy Clerk

DATE: September 20, 2011

APPROVED AS TO FORM AND SUFFICIENCY

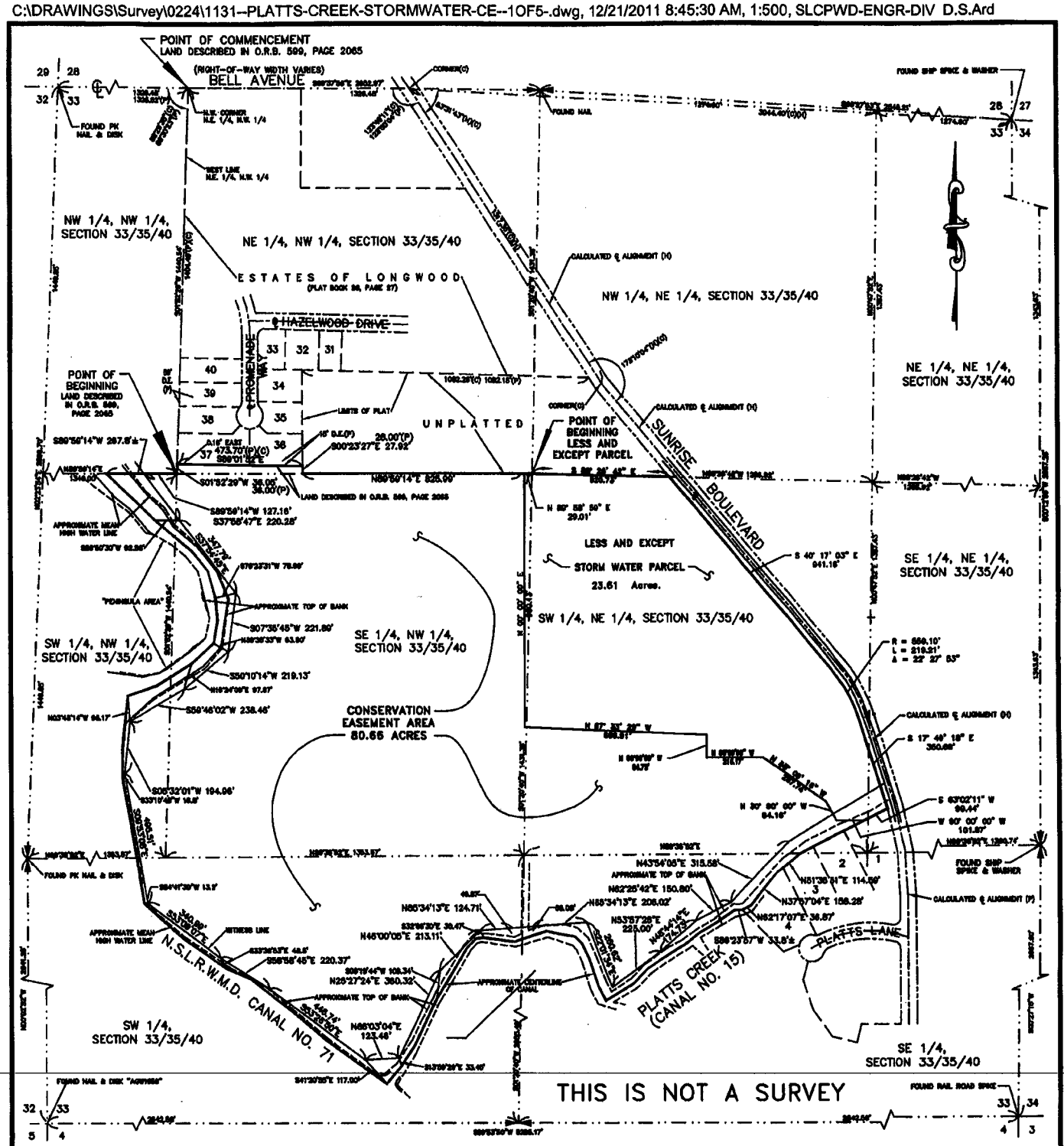
By: _____

Daniel S. McIntyre, County Attorney
(Print Name and Title)

EXHIBIT A

[DESCRIPTION OF PROPERTY] - SEE ATTACHED 5 PAGES

C:\DRAWINGS\Survey\0224\1131--PLATTS-CREEK-STORMWATER-CE--1OF5-.dwg, 12/21/2011 8:45:30 AM, 1:500, SLCPWD-ENGR-DIV D.S.Ard



LEGEND:
℄ - CENTERLINE
O.R.B.- OFFICIAL RECORDS BOOK
N.S.L.R.W.M.D.- NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT
(H)- MEASURE PER REFERENCED "HORTON" SURVEY
(C)- CALCULATED
(PLAT)- PLAT (SUBDIVISION)
Dc- DELTA
(MB)- PER COUNTY COMMISSION MINUTE BOOK 4, PAGE 77
D.E.- DRAINAGE EASEMENT
R/W- RIGHT-OF-WAY
(D)- DEED

AREA TABULATION

CONSERVATION EASEMENT AREA	80.66 ACRES
STORMWATER PARCEL	23.61 ACRES
TOTAL	104.27 ACRES

DATA SHOWN HEREON IS BASED ON BOUNDARY SURVEY PREPARED BY LBFH, INC. PROJECT 990224 DATED 11/18/1999.

0' 500'
SCALE: 1" = 500'

SEE SHEETS 3, 4 AND 5 OF 5 FOR LEGAL DESCRIPTION

SHEET NO. 1 OF 5
PROJECT NO. 1131

SKETCH OF PLATTS CREEK PROPERTY

CONSERVATION EASEMENT

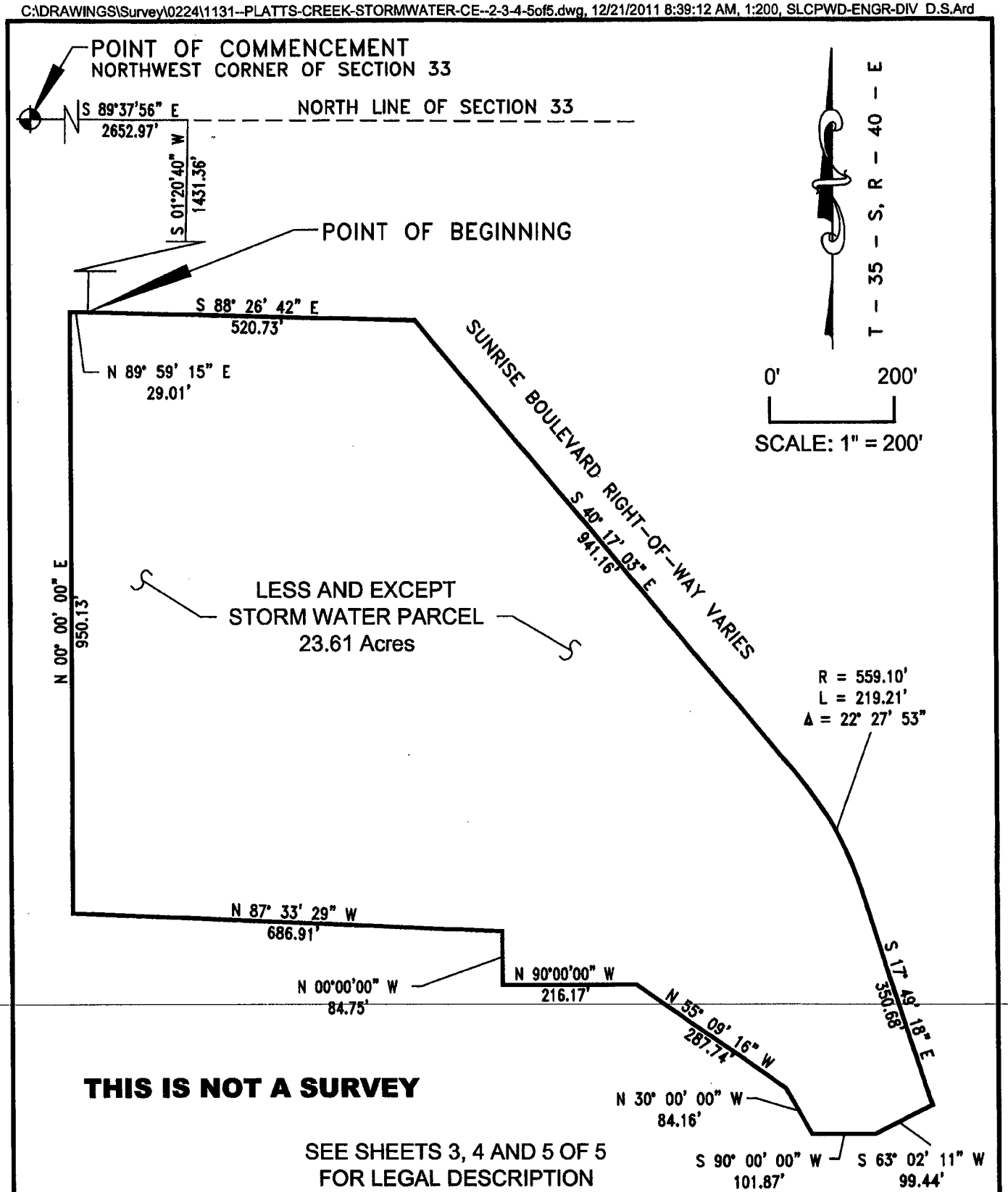
BOARD OF COUNTY COMMISSIONERS
SAINT LUCIE COUNTY, FLORIDA
PUBLIC WORKS DEPT., ENGINEERING DIVISION, SURVEY SECTION
2300 VIRGINIA AVE., FORT PIERCE, FLORIDA 34982
TELEPHONE 462 - 1707

SURVEY	RJHJR	00/00/11
SURV. CKD.	RJHJR	00/00/11
DRAWN	DSA	00/00/11

REVISIONS

NO.	DATE	SUBJECT	BY

C:\DRAWINGS\Survey\0224\1131--PLATTS-CREEK-STORMWATER-CE--2-3-4-5of5.dwg, 12/21/2011 8:39:12 AM, 1:200, SLCPWD-ENGR-DIV D.S.Ard



THIS IS NOT A SURVEY

SEE SHEETS 3, 4 AND 5 OF 5
FOR LEGAL DESCRIPTION

SHEET NO. 2 OF 5	PROJECT NO. 1131	SKETCH AND LEGAL DESCRIPTION STORM WATER PARCEL	BOARD OF COUNTY COMMISSIONERS SAINT LUCIE COUNTY, FLORIDA PUBLIC WORKS DEPT., ENGINEERING DIVISION, SURVEY SECTION 2300 VIRGINIA AVE., FORT PIERCE, FLORIDA 34982 TELEPHONE 462 - 1707	SURVEY R.H.H. 00/2011 SURV. CKD. R.H.H. 00/2011 DRAWN D.S.A. 00/2011	REVISIONS NO. DATE SUBJECT BY
		CONSERVATION EASEMENT			

DESCRIPTION: CONSERVATION EASEMENT

AN EASEMENT FOR CONSERVATION PURPOSES OVER AND ACROSS A PARCEL OF LAND AS RECORDED IN ORB 1270, PAGE 202 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"ALL OF THAT REAL PROPERTY LYING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 40 EAST AS IN OFFICIAL RECORDS BOOK 180, PAGE 2151 PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA: LESS A PARCEL OF LAND BEING A PENINSULA LYING IN THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 30 (SIC), BOUNDED ON THE WEST BY NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT CANAL NUMBER 71, AND BOUNDED ON THE SOUTH AND EAST BY THE CENTERLINE OF A NATURAL BRANCH OF THE ST. LUCIE RIVER: SAID PROPERTY BEING CONVEYED BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 33 LYING NORTH AND EAST OF CANAL NO. 71 AND NORTH OF THE CENTERLINE OF PLATT'S CREEK (BRANCH) AND THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 33 LYING NORTH OF THE CENTERLINE OF PLATT'S CREEK (BRANCH). SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTIONS OF SUNRISE BOULEVARD AND PLATT'S CREEK AS SHOWN ON THE PLAT OF PLATT'S BRANCH, AS RECORDED IN PLAT BOOK 20, PAGE 16, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, RUN SOUTH 63 DEGREES 14' 35" WEST, 400.74 FEET TO A POINT (FROM WHICH A REFERENCE OINT BEARS NORTH 09 DEGREES 22' 44" WEST, AND 74.91 FEET); THENCE SOUTH 51 DEGREES 49' 15" WEST, 114.59 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 28 DEGREES 16' 51" EAST AND 164.35 FEET); THENCE SOUTH 38 DEGREES 09' 28" WEST, 156.28 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 42 DEGREES 06' 21" WEST AND 105.88 FEET); THENCE SOUTH 62 DEGREES 29' 31" WEST, 36.87 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 21 DEGREES 49' 54" WEST AND 102.97 FEET); THENCE SOUTH 72 DEGREES 57' 20" WEST, 349.12 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 33 DEGREES 44' 16" WEST AND 25.0 FEET); THENCE SOUTH 56 DEGREES 15' 44" WEST, 284.13 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 13 DEGREES 45' 14" WEST AND 278.99 FEET); THENCE NORTH 22 DEGREES 06' 20" WEST, 280.99 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 75 DEGREES 07' 33" EAST AND 40.76 FEET); THENCE SOUTH 89 DEGREES 57' 10" WEST, 175.26 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 06 DEGREES 53' 26" EAST AND 40.6 FEET); THENCE NORTH 81 DEGREES 55'54" WEST, 201.86 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 21 DEGREES 28' 57" WEST AND 34.5 FEET); THENCE SOUTH 34 DEGREES 41' 36" WEST, 492.55 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 11 DEGREES 54' 52" EAST AND 95.4 FEET); THENCE SOUTH 29 DEGREES 01' 25" WEST, 283.93 FEET TO A POINT (FROM WHICH A REFERENCE POINT BEARS NORTH 12 DEGREES 01' 37" EAST AND 187.90 FEET); SAID POINT BEING THE CENTER OF AFOREMENTIONED CANAL 71 AND THE POINT OF TERMINATION OF THE ABOVE DESCRIBED CENTERLINE OF PLATT'S CREEK.

AND

SEE SHEET 4 OF 5 FOR
LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP DESCRIBED 35 SOUTH, RANGE 40 EAST, LYING SOUTH AND WEST OF SUNRISE BOULEVARD AS IT NOW EXISTS.

AND

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH AND WEST OF SUNRISE BOULEVARD AS IT NOW EXISTS AND NORTH OF THE PLAT OF PLATT'S BRANCH AS RECORDED IN PLAT BOOK 20, PAGE 16,PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING EAST OF CANAL NO. 71, LESS A PENINSULA OF LAND LYING WEST OF THE CENTERLINE OF A FINGER OF WATER RUNNING NORTHERLY FROM CANAL 71.
ALL THE ABOVE SITUATED IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

AND

FROM THE POINT OF COMMENCEMENT (P.O.C.) BEING THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA; RUN THENCE S 01° 55' 07" WEST (MEASURE S 01°54' 52" W), ALONG THE WEST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 1440.83 FEET (MEASURES 1440.49 (SIC) FEET) TO A CONCRETE MONUMENT STAMPED WITH THE NUMBER 3333 LOCATED AT THE SOUTHWEST CORNER OF THE AFORESAID NORTHEAST ¼ OF THE NORTHWEST ¼ AND THE POINT OF BEGINNING (P.O.B.) OF THE HEREIN DESCRIBED PARCEL; THENCE RUN S 89° 57' 37" E (MEASURES S 89° 57' 25" E), ALONG THE SOUTH LINE OF AFORESAID NORTHEAST ¼ OF THE NORTHWEST ¼, A DISTANCE OF 475.00 FEET TO A CONCRETE MONUMENT STAMPED WITH THE NUMBER 3333 LOCATED AT THE SOUTHEAST CORNER OF HEREIN DESCRIBED PARCEL; THENCE RUN NORTH 00° 21' 04" W, A DISTANCE OF 28.00 FEET TO A CONCRETE MONUMENT STAMPED WITH THE NUMBER 3333 BEING THE SOUTHERLY MOST SOUTHEASTERLY CORNER OF A PROPOSED SUBDIVISION ENTITLED ESTATES OF LONGWOOD; THENCE RUN N 88° 59' 29" W ALONG THE SOUTHERLY LINE OF SAID ESTATES OF LONGWOOD, A DISTANCE OF 473.70 FEET TO A CONCRETE MONUMENT STAMPED WITH THE NUMBER 3333 LYING ON THE WEST LINE OF SAID NORTHEAST ¼ OF THE NORTHWEST 1/4 , SAID CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF THE AFOREMENTIONED ESTATES OF LONGWOOD; THENCE RUN S 01° 55' 07" W (MEASURES S 01° 54' 52" W), ALONG THE WEST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 36.00 FEET TO THE POINT OF BEGINNING."

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL;

SEE SHEET 5 OF 5

LESS AND EXCEPT THE FOLLOWING DESCRIBED PACREL

A PARCEL OF LAND LYING IN SECTION 33, T-35-S, R-40-E, ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND PK NAIL AND DISC MARKING THE NORTHWEST CORNER OF SAID SECTION 33 THENCE S 89° 37' 56" E ALONG THE NORTH LINE OF SAID SECTION 33 A DISTANCE OF 2652.97 FEET TO A FOUND NAIL MARKING THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 33; THENCE S 01° 20' 40" W ALONG THE EAST LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 1431.36 FEET TO THE POINT OF BEGINNING; THENCE S 89° 26' 42" E A DISTANCE OF 520.73 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SUNRISE BOULEVARD; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING THREE (3) CALLS;

1. THENCE S 40° 17' 03" E A DISTANCE OF 941.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 559.10 FEET;
2. THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 27' 53" A DISTANCE OF 219.21 FEET TO THE POINT OF TANGENCY;
3. THENCE S 17° 49' 18" E A DISTANCE OF 350.68 FEET;

THENCE S 63° 02' 11" W DEPARTING SAID RIGHT OF WAY LINE A DISTANCE OF 99.44 FEET; THENCE S 90° 00' 00" W A DISTANCE OF 101.87 FEET; THENCE N 30° 00' 00" W A DISTANCE OF 84.16 FEET; THENCE N 55° 09' 16" W A DISTANCE OF 287.74 FEET; THENCE N 90° 00' 00" W A DISTANCE OF 216.17 FEET; THENCE N 00° 00' 00" W A DISTANCE OF 84.75 FEET; THENCE N 87° 33' 29" W A DISTANCE OF 686.91 FEET; THENCE N 00° 00' 00" E A DISTANCE OF 950.13 FEET; THENCE N 89° 59' 15" E A DISTANCE OF 29.01 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 23.61 ACRES MORE OR LESS.

BEARING BASE: THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 33, T-35-S, R-40-E, ST. LUCIE COUNTY, FLORIDA IS TAKEN TO BEAR S 89° 37' 56" E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

SURVEYOR NOTES:

1. THIS IS NOT A SURVEY.
2. SEE SHEETS 1 AND 2 OF 5 FOR SKETCH OF DESCRIPTION.
3. INFORMATION IS BASED ON THE BOUNDARY SURVEY OF PLATTS CREEK PROPERTY PREPARED BY LBFH, INC. JOB NO. 99-024, DATED NOVEMBER 18, 1999.

CERTIFICATE: I hereby certify that the sketch of legal description represented hereon, dated this 21 day of, DEC ,2011 is true and correct to the best of my knowledge and belief, and meets the Minimum Technical Standards set forth by the Florida Board of Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.072 Florida Statutes.

NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PROFESSIONAL SURVEYOR AND MAPPER
RONALD H. HARRIS
STATE OF FLORIDA NO. 4198

SHEET NO. 5 OF 5	PROJECT NO. 1131	SKETCH AND LEGAL DESCRIPTION	BOARD OF COUNTY COMMISSIONERS SAINT LUCIE COUNTY, FLORIDA PUBLIC WORKS DEPT., ENGINEERING DIVISION, SURVEY SECTION 2300 VIRGINIA AVE., FORT PIERCE, FLORIDA 34982 TELEPHONE 462 - 1707	SURVEY	RHH	0020011	REVISIONS			
		CONSERVATION EASEMENT		SURV. CKD.	RHH	0020011	NO.	DATE	SUBJECT	BY
				DRAWN	DSA	0020011				

John P. Krane

From: Young, Richard [Richard.Young@dot.state.fl.us]
Sent: Wednesday, November 28, 2012 4:14 PM
To: PatR@cityofpsl.com
Cc: Broadwell, Ann L; Braun, Steve; John P. Krane; Cherry, Paul; Michael Davis; Lynn.Kiefer@kimley-horn.com; Glass, Patrick R; Sharpe, Vicki; Pagan, Xavier
Subject: FW: Crosstown Parkway Bridge

Patricia,

FYI, the FWS has authorized the removal of the "dispute resolution" from the Crosstown Parkway project. I will process the change in the ETDM system shortly. This can be documented in the final submittal of the FEIS.

Richard A. Young, P.E.
District Project Development Engineer
FDOT District 4
richard.young@dot.state.fl.us
(954) 777-4323 Fax (954) 777-4310

From: Wrublik, John [mailto:john_wrublik@fws.gov]
Sent: Wednesday, November 28, 2012 2:08 PM
To: Young, Richard
Cc: Victoria Foster; Craig Aubrey
Subject: Crosstown Parkway Bridge

Dear Mr. Young,

The U.S. Fish and Wildlife Service (Service) has reviewed the mitigation proposal for the new bridge over the North Fork of the St. Lucie River (Crosstown Parkway) project. Based on the proposed mitigation, the Service is removing our dispute of the project and changing our degree of effect determination for the project from "Dispute Resolution" to "Substantial" at this time. Please note that, except under extraordinary circumstances, the Service believes that construction of new roadway projects within lands protected for conservation purposes is not an appropriate use of those lands. We note that highways constructed within public conservation lands can result in the loss and degradation of wildlife habitat, disturbance and mortality to wildlife, and significantly affect the aesthetic values of these lands to the public. Moreover, we find that highway projects located within conservation lands are contrary to reasons the lands were originally acquired. As such, we strongly urge the Florida Department of Transportation to avoid public conservation lands when designing and siting future roadway projects.

Sincerely
John M. Wrublik
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960
(772) 469-4282

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

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX (727) 824-5300
http://sero.nmfs.noaa.gov/

November 27, 2012 F/SER4:BH/pw

(Sent via Electronic Mail)

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer
Florida Department of Transportation, District 4
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Dear Mr. Schmidt:

NOAA's National Marine Fisheries Service (NMFS) reviewed your letter dated October 12, 2012, responding to the essential fish habitat (EFH) conservation recommendations provided for the draft Environmental Impact Statement (EIS) for the Crosstown Parkway Extension in Port St. Lucie. The letter accurately summarizes the coordination between our agencies. The Florida Department of Transportation (FDOT) proposes to construct a new road and bridge over the North Fork of the St. Lucie River. The proposed project would directly impact 0.27 acres of mangrove wetlands and 6.53 acres of freshwater palustrine wetlands and indirectly impact 1.70 acres of mangrove wetlands and 28.80 acres of freshwater palustrine wetlands. FDOT would provide compensatory mitigation for mangrove impacts by purchasing credits from the Bear Point Mitigation Bank and would mitigate for impacts to freshwater palustrine wetlands by creating the Platt's Creek permittee responsible mitigation area.

On September 30, 2011, NMFS recommended that FDOT not issue the final EIS until:

1. Federal Highway Administration (FHWA) and FDOT examined whether project needs can be met by combining expansion of the existing bridges to the north and south along with multimodal transportation alternatives and Transportation System Management.
2. Alternative 6A is selected if the outcome of the above EFH conservation recommendation is that a build alterative is necessary. Regardless of the build alternative chosen, FHWA and FDOT should:
   - Avoid impacts to wetlands by minimizing the shoulder width and median west of the North Fork of the St. Lucie River.
   - Remove the gap between the bridge spans.
   - Avoid high quality wetlands in the siting of stormwater features.
3. FHWA and FDOT provide a complete plan for compensatory mitigation that provides full, in-kind compensation for unavoidable adverse impacts to wetlands and EFH including:
   - EWRAP scores for unavoidable direct and indirect impacts to mangrove wetlands.
   - The EWRAP proximity worksheet for BPMB.
   - Detailed construction plans for the Platt's Creek site.
   - Detailed planting plans for the Platt's Creek site.
   - A long-term maintenance and monitoring plan for the Platt's Creek site.

- Financial assurance documentation that demonstrates that long-term stewardship of the Platt's Creek site is achievable.
- Conservation easement documentation for the Platt's Creek site.

The first conservation recommendation was addressed during the August 16, 2012, meeting between the US Army Corps of Engineers (COE), FHWA, FDOT, and FDOT's consultants. Satisfactory information regarding the inability to expand existing bridges and use intermodal transportation alternatives to meet the project purpose was provided. Expansion of existing bridges would require relocation of many commercial and residential properties resulting in substantial impacts on the human environment.

The second conservation recommendation was addressed by email dated August 13, 2012. FDOT's consultant provided a revised bridge cross section that eliminated the gap between the bridge spans reducing the width from 157 feet to 103 feet. This reduction in road width avoids impacts to 3.4 acres of wetlands. In addition, none of the planned stormwater ponds would impact EFH.

The third conservation recommendation was addressed on September 25, 2012. FDOT's consultant provided a letter of credit reservation from the Bear Point Mitigation Bank indicating that 0.50 credits had been reserved to offset impacts to mangrove wetlands. The COE permit (SAJ-1998-6236(IP-GGL)) for the Platt's Creek permittee responsible mitigation area was issued on October 30, 2012. This project would provide in-kind mitigation for unavoidable impacts to freshwater palustrine wetlands, and NMFS provided a letter of support on September 13, 2012.

If the above items are included in the final EIS and authorization by the Department of the Army for the St. Lucie Crosstown Parkway Extension, the EFH requirements of the Magnuson-Stevens Fishery Conservation and Management Act will be met for this project.

Thank you for the opportunity to provide comments. Related correspondence should be directed to the attention of Mr. Brandon Howard at our West Palm Beach office, which is co-located with the US Environmental Protection Agency at USEPA, 400 North Congress Avenue, Suite 120, West Palm Beach, Florida, 33401. He may be reached by telephone at (561) 616-8880, extension 210, or by e-mail at Brandon.Howard@noaa.gov.

Sincerely,

Pace Willer

/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc:

FDOT, Beatriz.Caicedo@dot.state.fl.us, Ann.Broadwell@dot.state.fl.us, Gus.Schmidt@dot.state.fl.us
SAFMC, Roger.Pugliese@safmc.net
COE, Garett.G.Lips@usace.army.mil
EPA, Miedema.Ron@epa.gov
FHWA, Kathy.Kendall@fhwa.dot.gov
FWS, John_Wrublik@fws.gov
SFWMD, mparrott@sfwmd.gov
City of Port St. Lucie, PatR@cityofpsl.com
Keith and Schnars, Inc., mdavis@keithandschnars.com
F/SER4, Dale, Karazsia, Howard

CITY OF PORT ST. LUCIE

Public Works Department

Accredited Agency – American Public Works Association

"A City for All Ages"

November 1, 2012

Mr. Morteza Alian, P.E.
District 4 Consultant Project Management Engineer
Florida Department of Transportation – District 4
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

SUBJECT: **Value Engineering Response to Recommendations**
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-28-01 Federal Project ID: 7777-087-A
ETDM No.: 8247 County: St. Lucie

Dear Mr. Alian:

The Value Engineering (VE) Team conducted the VE Study this spring during the week of April 16th to April 20th. As a result of this study, six recommendations for this project were developed and are detailed in the report *Value Engineering Study Report for Crosstown Parkway Extension (VE Report)*.

We have reviewed the *VE Report* and offer the following responses to the recommendations.

1. Recommendation: 11 Foot Travel Lanes – reduce the overall footprint of the bridge by reducing lane widths.

   Response: The City **agrees with the recommendation to reduce the footprint of the bridge**. After the VE meeting, coordination with NMFS, USFWS, and USACE regarding project impacts and mitigation continued resulted in the reduction of the bridge section from 143 feet to approximately 103 feet (102' 8"). The reduction was accomplished by virtually eliminating the gap between the bridges, and reducing the widths of sidewalks, travel lanes and shoulder widths.

   The resulting typical section consists of twin structures with each structure comprised of two 11-foot travel lanes, one 12-foot outside travel lane, a 5-foot outside shoulder/bicycle lane, a 2-foot 6-inch inside shoulder, a 1-foot 6½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the outside shoulder/bicycle lane and the sidewalk, a 6-foot sidewalk, and a 9½-inch pedestrian railing. A 2-inch gap remains between the structures.

2. Recommendation: Thirsty Duck – reduce detention areas by use of this device.

   Response: This recommendation warrants further consideration, but there are concerns about the proprietary nature of the technology. Since this would be the only implementation of this system in the City, there is also a question about the City's costs to maintain the system. This recommendation will be considered further with the final decision being **deferred until later in the design phase**.

3. Recommendation: Pedestrian Access – provide pedestrian access from Coral Reef to Crosstown Parkway via construction of a sidewalk.

   Response: The City **agrees with this recommendation** and will carry it forward into the design phase.

4. Recommendation: Pedestrian Overlook – provide an overlook/pedestrian rest area over the navigation waterway within the SSL easement.

   Response: A pedestrian overlook was considered earlier in the project development process, but eliminated it due to concerns about shading impacts. The City remains open to the concept of providing overlooks on the landward side of the bridge. Final decision on this recommendation will be **deferred until later in the design phase**.

5. Recommendation: Eliminate MSE Walls (West Side) – remove the proposed MSE walls and construct embankment.

   Response: The use of an embankment would take up area needed for drainage ponds. Additionally, this would result in the lengthening of the sidewalk identified in Recommendation 3 and locating it closer to the rear lots of adjacent homes which are not desirable. For these reasons, the City **respectfully disagrees with this recommendation**.

6. Recommendation: Design Build – investigate the option of utilizing the design-build method for the project.

   Response: The City is in the process of acquiring a consultant for the design phase of this contract, and have included an option in the scope of services to allow for the project to be developed as a design-build contract. **Final decision on this recommendation will be deferred until later in the design phase**.

In addition to the Design Recommendations, the VE team also identified nine Design Considerations (summarized in Section 6.2 of the report). The City will consider these suggestions during the design phase.

The Value Engineering Approval Form, attached for your files, documents these responses. We appreciate the efforts of the VE Team in identifying potential cost-saving ideas for this very important project. If you have any questions regarding our responses, please do not hesitate to contact me.

Sincerely,

Patricia Roebling, P.E.
City Engineer

Attachment

Cc: FDOT D4 – Pat.Glass@dot.state.fl.us
Keith and Schnars – MDavis@ksfla.com

s:\projects\crosstown parkway extension\ve response.doc

CITY OF PORT ST. LUCIE

"A City for All Ages"

October 30, 2012

VIA U.S. MAIL AND EMAIL: Delbert.Harvey@dep.state.fl.us
Delbert Harvey
c/o BUREAU OF PUBLIC LAND ADMINISTRATION
DEPARTMENT OF ENVIRONMENTAL PROTECTION
3900 Commonwealth Boulevard, MS #130
Tallahassee, Florida 32399-3000

Re: Crosstown Parkway Ext. Project- Bridge Crossing of the North Fork of the St. Lucie River /MOU with DEP — Revision to Property for Proprietary Mitigation

Dear Mr. Harvey,

We have greatly appreciated your cooperation and collaboration as the parties strive to carry out the provisions of the subject Memorandum of Understanding (MOU). As per your recent conversations with Patricia Roebling, PE, Public Works Director and City Engineer, despite our best efforts, we were unable to acquire two of the previously identified properties to be conveyed to the State for proprietary mitigation. Consequently, the City would like to provide additional City-owned land in lieu of those two properties, as more specifically set forth below.

The two previously identified properties which could not be acquired are known as the "Sory Property" (0.85 acres) and the "Church Property" (8.0 acres). To compensate for these properties, the City would like to increase the size of the "Riverwalk Property" to be conveyed to the State from 25.50 acres to 34.37 acres and to add a small parcel (0.38 acres) known as the "Highpoint Property" which will be needed for the construction of the new Halpatiokee Canoe Launch. Please see the attached exhibits. As you will note in your review, the total acreage has increased from the previous proposal and all of the identified properties are currently owned by the City.

I am sorry that a modification of our previous proposal was necessary. Since all of the currently identified properties are City-owned, I do not expect any other changes from the City. As you know, the City is eager to continue our progress with the Crosstown Parkway Extension Project and to satisfy the mitigation requirements under the MOU. Please present this letter to the appropriate DEP Staff for their review and consideration as the City is seeking confirmation from DEP that the above-described parcels, consisting of approximately 108.55 acres, will serve to satisfy the land acquisition part of the proprietary mitigation requirement under the MOU and can proceed to the January 2013 Board of Trustees meeting.

If you have any questions or would like to discuss this matter further, please do not hesitate to contact Patricia Roebling, P.E., or me.

Sincerely,

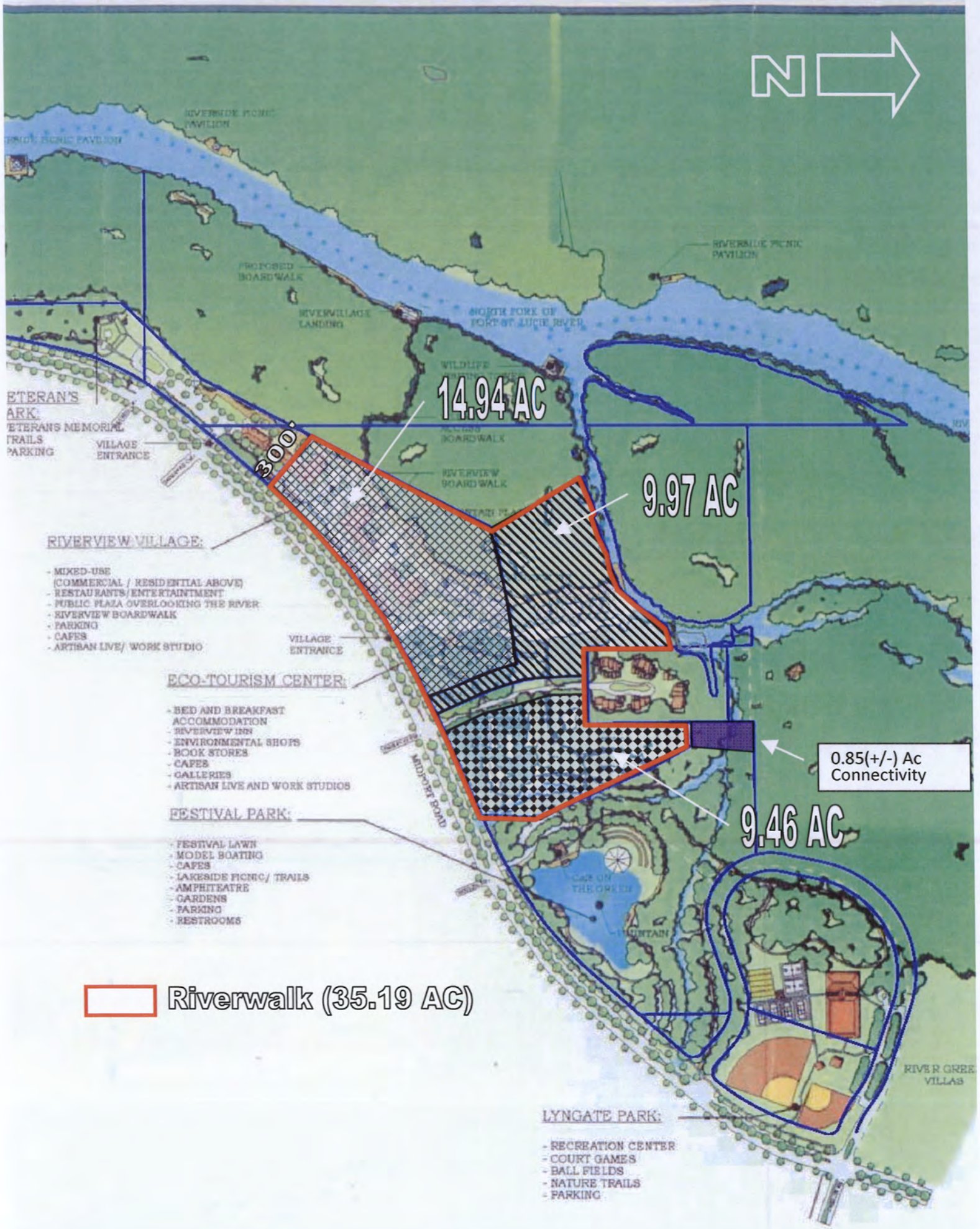
Gregory J. Oravec
City Manager

121 S.W. Port St. Lucie Boulevard • Port St. Lucie, FL 34984-5099 • 772/871-5177 • 772/871-5100
Fax 772/871-5289
TDD Line • 772/344-4222

Revised Submittal October 25,2012

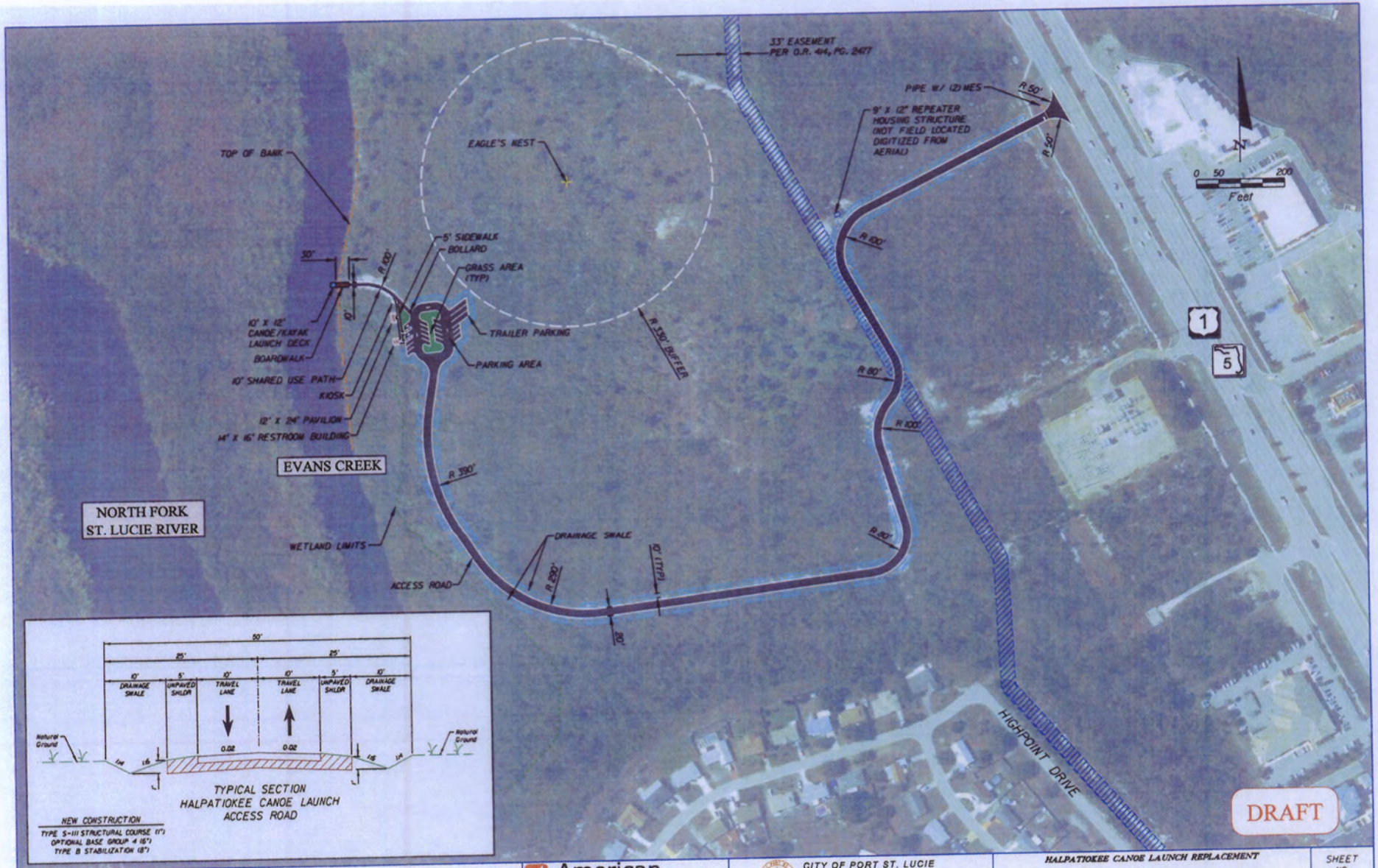
Parcel ID#	Owner	Legal Description	Address	Acreage
Emerson				
3420-625-0000-200-0	City of Port St Lucie	PORT ST LUCIE-SECTION 26- TRACT B (3.01 AC) (MAP 34/21N) (OR 563-1830)	To Be Determined	2.83
			SubTotal	**2.83**
Bywood				
3420-510-1523-000-4	City of Port St Lucie	PORT ST LUCIE-SECTION 03- BLK 441 LOTS 30 AND 31 (MAP 34/34S) (OR 1958-1123)	1065 SE Bywood Ave	0.50
3420-510-1721-000-2	City of Port St Lucie	PORT ST LUCIE-SECTION 03- BLK 457 LOT 1 (MAP 34/34S) (OR 1182-1776)	1064 SE Bywood Ave	0.35
3420-510-1722-000-9	City of Port St Lucie	PORT ST LUCIE-SECTION 03- BLK 457 LOT 2 (MAP 34/34S) (OR 1182-1775)	1509 SE Crowberry Dr	0.23
			SubTotal	**1.08**
Crowberry				
3420-545-1373-000-5	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 3 (MAP 44/03S) (OR 451-1575)	1973 SE Crowberry Dr	0.22
3420-545-1377-000-3	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 7 (MAP 44/03S) (OR 451-1575)	2005 SE Crowberry St	0.23
3420-545-1378-000-0	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 8 (MAP 44/03S) (OR 451-1575)	2009 SE Crowberry Dr	0.23
3420-545-1379-000-7	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 9 (MAP 44/03S) (OR 451-1575)	2013 SE Crowberry Dr	0.23
3420-545-1380-000-7	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 10 (MAP 44/03S) (OR 451-1575)	2017 SE Crowberry Dr	0.23
3420-545-1381-000-4	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 11 (MAP 44/03S) (OR 451-1575)	2021 SE Crowberry Dr	0.23
3420-545-1382-000-1	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 12 (MAP 44/03S) (OR 451-1575)	2025 SE Crowberry Dr	0.23
3420-545-1383-000-8	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 13 (MAP 44/03S) (OR 451-1575)	2029 SE Crowberry Dr	0.23
3420-545-1384-000-5	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 14 (MAP 44/03S) (OR 451-1575)	2033 SE Crowberry Dr	0.23
3420-545-1385-000-2	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 15 (MAP 44/03S) (OR 451-1575)	2037 SE Crowberry Dr	0.23
3420-545-1386-000-9	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 16 (MAP 44/03S) (OR 451-1575)	2041 SE Crowberry Dr	0.23
3420-545-1387-000-6	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 17 (MAP 44/03S) (OR 451-1575)	2045 SE Crowberry Dr	0.23
3420-545-1388-000-3	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 18 (MAP 44/03S) (OR 451-1575)	2049 SE Crowberry Dr	0.23
3420-545-1392-000-4	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 22 (MAP 44/10N) (OR 451-1575)	2065 SE Crowberry Dr	0.23
3420-545-1393-000-1	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 23 (MAP 44/10N) (OR 451-1575)	2069 SE Crowberry Dr	0.24
3420-545-1394-000-8	City of Port St Lucie	PORT ST LUCIE-SECTION 10- BLK 543 LOT 24 (MAP 44/10N) (OR 451-1575)	2073 SE Crowberry Dr	0.28
			SubTotal	**3.73**
Green River				
3420-810-0004-000-4	City of Port St Lucie	PORT ST LUCIE-SECTION 62- TRACT D (15.50 AC) (MAP 45/05S) (OR 754-791)	To Be Determined	15.50
			SubTotal	**15.50**
River Walk				
3414-501-4103-000-8	City of Port St Lucie	ST LUCIE GARDENS 02 37 40 THAT PART OF BLK 3 LOTS 5, 6, 8, 9, 11 AND 12 (Portion of 3414-501-4103-000-8 & 3414-501-4103-010-1)	To Be Determined	9.97
3414-501-4103-010-1	City of Port St Lucie	ST LUCIE GARDENS 02 37 40 THAT PART OF BLK 3 LOTS 6, 7, 8, 9 AND 10 (Portion of 3414-501-4103-010-1 & 3414-501-4103-000-8)	To Be Determined	14.94
3414-501-4102-010-4	City of Port St Lucie	ST LUCIE GARDENS 02 37 40 THAT PART OF BLK 3 LOTS 3, 4, 5, 11 AND 12MPDAF: FROM INT OF C/L OF MIDPORTRD AND HIDEAWAY CIR, TH N 23 13 42 W // TO C/L OF	To Be Determined	9.46
			SubTotal	**34.37**
Connectivity				
3414-501-4102-000-1	City of Port St Lucie	Portion of ST LUCIE GARDENS 02 37 40 THAT PART OF BLK 3 LOTS 3,4,5,11 AND 12	To Be Determined	0.85
			SubTotal	**0.85**
Highpoint				
N/A	City of Port St Lucie	PORT ST LUCIE-UNIT 16 - Portion of Highpoint Drive Right-of Way		0.38
			SubTotal	**0.38**
Evans				
3414-501-4005-010-4	City of Port St Lucie	ST LUCIE GARDENS 02 37 40 BLK 2 LOTS 5, 6, 8 AND E 1/2 LOTS 9 AND 10 AND LOTS 11 A	To Be Determined	49.81
			SubTotal	**49.81**

Total	**108.55**


N
RIVERSIDE PICNIC PAVILION
PROPOSED BOARDWALK
RIVERVILLAGE LANDING
NORTH FORK OF FORT ST. LUCIE RIVER
RIVERSIDE PICNIC PAVILION
WILDLIFE
14.94 AC
9.97 AC
9.46 AC
300'
ETERAN'S
ARK:
ETERANS MEMORIAL
TRAILS
PARKING
VILLAGE ENTRANCE
BOARDWALK
RIVERVIEW BOARDWALK
RIVERVIEW VILLAGE:
- MIXED-USE (COMMERCIAL / RESIDENTIAL ABOVE)
- RESTAURANTS/ENTERTAINMENT
- PUBLIC PLAZA OVERLOOKING THE RIVER
- RIVERVIEW BOARDWALK
- PARKING
- CAFES
- ARTISAN LIVE/ WORK STUDIO
VILLAGE ENTRANCE
ECO-TOURISM CENTER:
- BED AND BREAKFAST ACCOMMODATION
- RIVERVIEW INN
- ENVIRONMENTAL SHOPS
- BOOK STORES
- CAFES
- GALLERIES
- ARTISAN LIVE AND WORK STUDIOS
MIDPORT ROAD
0.85(+/-) Ac Connectivity
FESTIVAL PARK:
- FESTIVAL LAWN
- MODEL BOATING
- CAFES
- LAKESIDE PICNIC/ TRAILS
- AMPHITEATRE
- GARDENS
- PARKING
- RESTROOMS
CAR ON THE GREEN
FOUNTAIN
Riverwalk (35.19 AC)
RIVER GREE
VILLAS
LYNGATE PARK:
- RECREATION CENTER
- COURT GAMES
- BALL FIELDS
- NATURE TRAILS
- PARKING

Highpoint (portion of road r/w)

Yellow Line – unimproved Highpoint Drive R/W
Red Line - proposed access road
- area to be transferred



REVISIONS	
DATE	DESCRIPTION

NOTE:
DESIGN SHOWN ON THIS SHEET IS PRELIMINARY AND CONCEPTUAL NOT FOR CONSTRUCTION.

American Consulting Engineers of Florida, LLC
2000 Palm Beach Lakes Boulevard, Suite 1000
West Palm Beach, FL 33409
Phone: (561) 293-9550 Fax: (561) 293-9551
Certificate of Authorization No. 9302

CITY OF PORT ST. LUCIE
121 S.W. PORT ST. LUCIE BLVD.
PORT ST. LUCIE, FL 34984

ROAD	COUNTY
US 1	ST. LUCIE

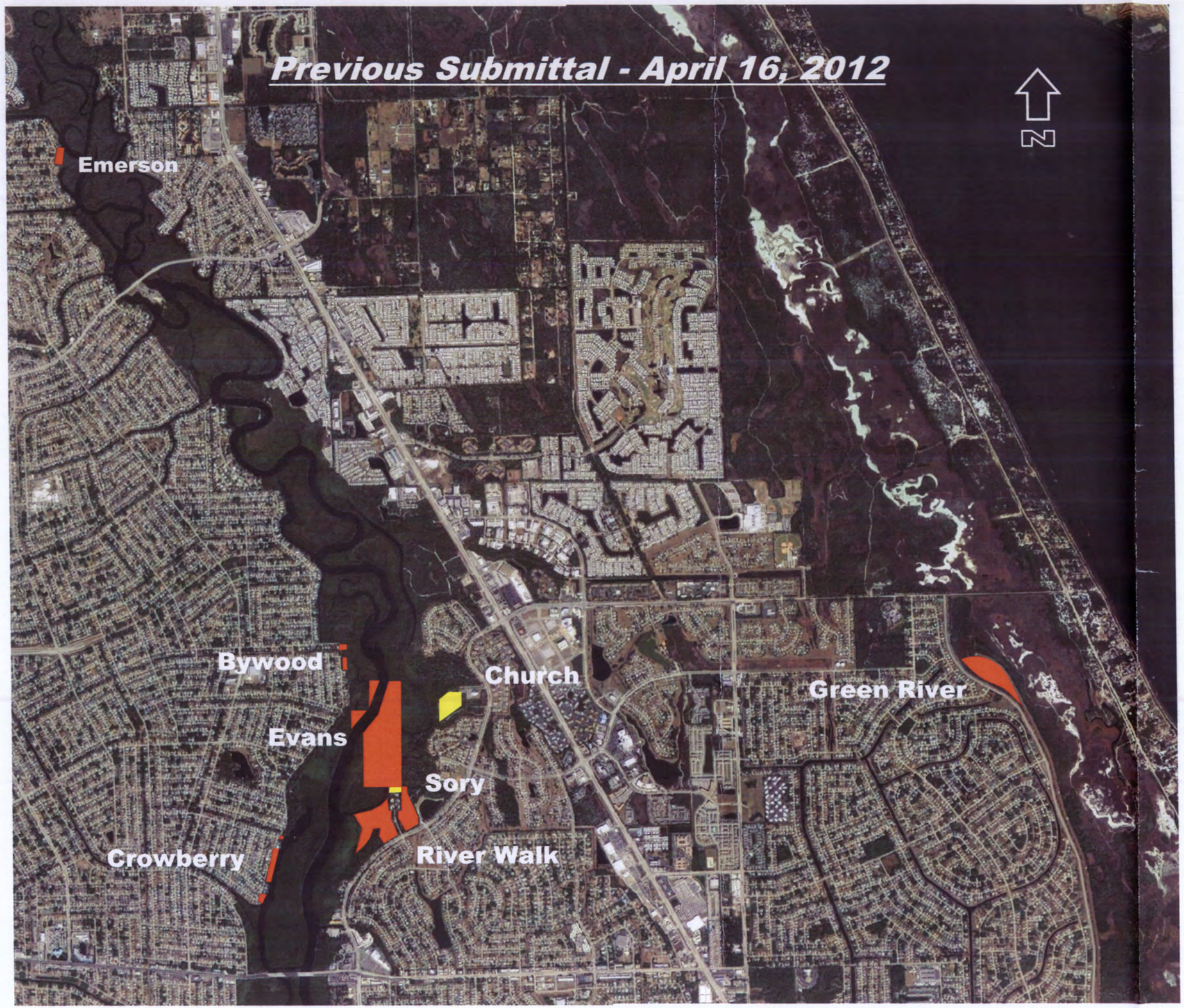
HALPATIOKEE CANOE LAUNCH REPLACEMENT

PREFERRED ALTERNATIVE

SHEET NO. 2

USER: SHIRIN 6/11/2011 11:23:51 AM F:\PROJECT\50964E\CADD\roadway\Halpatiokeelaunch\PLAN002.dgn

City Owned Properties	
Emerson	2.83
Bywood	1.08
Evans	49.81
Crowberry	3.73
River Walk	35.22
Green River	15.50
Highpoint	0.38
TOTAL	108.55 Acres



City Owned Properties	
Emerson	2.83
Bywood	1.08
Evans	49.81
Crowberry	3.73
River Walk	26.35
Green River	15.50
TOTAL	99.30

Properties to be Purchased	
Church	8.00
Sory	0.85
TOTAL	8.85 Acres

Total Acres Proposed	
City Owned	99.30
Purchase	8.85
TOTAL	108.15 Acres

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

October 15, 2012

Ann Broadwell
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Service Federal Activity Code: 41420-2006-CPA-1400
Service Consultation Code: 41420-2006-I-1031
Date Received: June 19, 2012
Project: Crosstown Parkway Extension from Manth Lane to U.S. Highway 1
County: St. Lucie

Dear Ms. Broadwell:

The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated June 19, 2012, and other information submitted by the Florida Department of Transportation (FDOT), on behalf of the Federal Highway Administration, for the project referenced above. This letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 *et seq.*).

PROJECT DESCRIPTION

The FDOT, in cooperation with the City of Port St. Lucie, proposes to extend the existing Crosstown Parkway from its eastern terminus at Manth Lane to U.S. Highway 1 in Port St. Lucie, Florida. The proposed new roadway segment will consist of a six-lane highway with a bridge over the North Fork of the St. Lucie River (NFSLR). The preferred alternative for the project commences at Manth Lane, extends eastward along West Virginia Drive and crosses over the NFSLR, and terminates at the existing intersection of U.S. Highway 1 and Village Green Drive.

The purpose of the project is to provide additional vehicle capacity to meet current and projected traffic needs. The project will require use of public conservation lands (as defined by Section 4(f) of the Department of Transportation Act of 1966) located in the State of Florida's NFSLR Aquatic Preserve (AP) and the Savannas Preserve State Park (SPSP). The project site is located in Saint Lucie County, Florida.

Information provided with your June 10, 2012, letter indicated that the project will impact 10.58 acres (ac) of freshwater wetlands and 0.29 ac of mangrove wetlands. However, after meeting with representatives of the FDOT and the City of Port St. Lucie on September 10, 2012, we are

aware that the freshwater wetland impacts have been reduced to 6.8 ac, based on a redesign of the bridge structure.

To compensate for impacts to wetlands and State conservation lands, the FDOT proposes the following:

1. Improvement to water quality within the NFSLR AP through restoration projects proposed at Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail. Restoration activities include dredging shoals or berms, and widening or deepening portions of the waterway. These projects are anticipated to improve approximately 22.16 ac of open water and reconnect about 28.05 ac of wetlands to flows from the NFSLR.

2. Acquisition of 110 ac of currently unprotected lands adjacent to the NFSLR. All acquired lands will be enhanced by the removal of invasive exotic vegetation and ownership will be transferred to the State for inclusion within the NFSLR AP.

3. Enhancements to the SPSP, including the construction of a 2.5-mile multiuse trail within the park from Savannah Road to Midway Road, improvements to the Halpatiokee Canoe Access Trail, and improvements to the existing Education Center.

4. Acquisition of 29.14 ac of wetland mitigation at the City of Port St. Lucie's proposed 82-ac Platt's Creek Mitigation Site (PCMS), which is a Permittee-Responsible Offsite Mitigation Area (PROMA).

5. Purchase of an adequate number of credits from the Bear Point Mitigation Bank to offset the loss of 0.29 ac of mangrove wetlands.

THREATENED AND ENDANGERED SPECIES

Eastern indigo snake

The project occurs within the geographic range of the threatened eastern indigo snake (*Drymarchon corais couperi*). To minimize adverse impacts to this species, the applicant has agreed to implement the Service's *Standard Protection Measures for the Eastern Indigo Snake* (Service 2004a) during construction. The FDOT determined the project "may affect, but is not likely to adversely affect" the eastern indigo snake. Based on the adherence to the indigo snake protection measures, the Service concurs with this determination.

Wood stork

The project site is located within the core foraging area (CFA) (within 18.6 miles) of one active breeding colony of the endangered wood stork (*Mycteria americana*). The Service believes the loss of wetlands within a CFA may reduce foraging opportunities for wood storks. To minimize adverse effects to the wood stork, the Service's Draft Supplemental Habitat Management

Guidelines for the Wood Stork in the South Florida Ecological Services Consultation Area (Service 2004b) recommends the applicant replace wetlands lost due to the action. The compensation plan should include a temporal lag factor, if necessary, to ensure wetlands provided as compensation adequately replace the wetland functions lost due to the project. Moreover, wetlands offered as compensation should be of the same hydroperiod, and located within the CFA of the affected wood stork colony.

The Service does not consider the preservation of wetlands, by itself, as adequate compensation for impacts to wood stork foraging habitat, because the habitat lost is not replaced. Accordingly, any wetland mitigation plan that includes the preservation of wetlands should include a restoration, enhancement, or creation component. In some cases, the Service accepts wetlands compensation located outside the CFA of the affected wood stork nesting colony. Specifically, wetland credits purchased from a "Service Approved" mitigation bank located outside the CFA would be acceptable to the Service, provided the impacted wetlands occur within the permitted service area of the bank.

For projects that impact 5 or more acres of wood stork foraging habitat, the Service requires a functional assessment be conducted using our "Wood Stork Foraging Analysis Methodology" (Methodology) on the foraging habitat to be impacted and the foraging habitat provided as mitigation. The Methodology can found in the Service's May 18, 2010, wood stork determination key (Service Federal Activity Code Number 41420-2007-FA-1494) provided to the Corps.

The FDOT determined that the project "may affect, but is not likely to adversely affect" the wood stork. The applicant applied the Service's Methodology to the 10.58 ac of originally proposed impacts to stork foraging habitat. Using those values, the 4.14 ac of short-hydroperiod wetlands (inundated ≤ 180 days per year) and 6.44 ac of long-hydroperiod wetlands (inundated > 180 days per year) to be impacted provide 3.38 kilograms (kg) and 24.37 kg of wood stork forage biomass, respectively. To compensate for the loss of wood stork foraging habitat, the applicant has proposed to provide 29.14 ac of wetland mitigation at the proposed PCMS PROMA. The 29.14 ac of wetlands consist of 13.54 ac of short-hydroperiod wetlands and 15.6 ac of long-hydroperiod wetlands, which provide 11.04 kg and 55.15 kg of wood stork forage biomass, respectively. The Service finds that the proposed wetland mitigation will offset the loss of wood stork forage resulting from the project. Based on the minor impacts to wood stork foraging habitat, the Service concurs with the FDOT's determination for the wood stork.

West Indian manatee

The project is located within waters accessible to the endangered West Indian manatee (*Trichechus manatus*). The FDOT determined that the project will have "no effect" on the manatee. The Service notes that the project includes in-water work that could potentially affect the manatee. To minimize the likelihood that that project will affect manatees, the applicant has agreed to follow the Florida Fish and Wildlife Conservation Commission's (FWC) "Standard Manatee Conditions for In-water Work" (FWC 2011). Based on the protection measures proposed, the Service finds that the project "may affect, but is not likely to adversely affect" the

manatee. Should the FDOT wish to change their determination for the manatee from "no effect" to "may affect, not likely to adversely affect," this letter can be used as concurrence for that finding.

This letter fulfills the requirements of section 7 of the Act and further action is not required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

FISH AND WILDLIFE RESOURCES

We are concerned that the measures identified to protect lands proposed as mitigation for wetland impacts (*i.e.*, transfer from the County to Florida Department of Environmental Protection [FDEP] ownership) may not be adequate to protect the lands for conservation purposes in perpetuity. As such, we request that the proposed mitigation lands (consisting of the 110 ac of lands adjacent to the NLSLR AP and the 29.14 ac within the PCMS PROMA) be placed under a conservation easement that lists the Service as a third party with rights. Specifically, the rights would allow the Service to maintain the conservation values of the properties by enjoining any activity or use of the mitigation property that is inconsistent with the purposes of this Conservation Easement. Such activities could not go forward without written permission from the Service. Please indicate if the City of Port St. Lucie, Saint Lucie County, and FDEP are willing to place a conservation easement on the mitigation lands that contains rights for the Service.

Thank you for your cooperation in the effort to protect federally listed species. If you have any questions regarding this project, please contact John Wrublik at 772-469-4282.

Sincerely yours,

Craig Aubrey

for Larry Williams
Field Supervisor
South Florida Ecological Services Office

cc:
FWC, Tallahassee, Florida (FWC-CPS)
NOAA Fisheries Service, West Palm Beach, Florida (Brandon Howard)
Corps, Palm Beach Gardens, Florida (Garett Lips)

LITERATURE CITED

Florida Fish and Wildlife Conservation Commission. 2011. Standard Manatee Conditions for In-water Work. Tallahassee, Florida. http://myfwc.com/docs/WildlifeHabitats/Manatee_StdCondIn_waterWork.pdf

U.S. Fish and Wildlife Service. 2004a. Standard protection measures for the eastern indigo snake. Fish and Wildlife Service, South Florida Ecological Services Office; Vero Beach, Florida.

U.S. Fish and Wildlife Service. 2004b. Draft Supplemental Habitat Management Guidelines for the Wood Stork in the South Florida Ecological Services Consultation Area. Fish and Wildlife Service, South Florida Ecological Services Office; Vero Beach, Florida.

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

October 12, 2012

Mr. Brandon Howard
United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
400 North Congress Avenue
Suite 120
West Palm Beach, FL 33401

Dear Mr. Howard:

Subject: **Informal Section 7 and Essential Fish Habitat Consultation**
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

This is in follow-up to two letters sent to you regarding the Crosstown Parkway Extension Project Development & Environment study and Environmental Impact Statement. The first letter transmitted the Endangered Species Biological Assessment and was sent to you June 19, 2012 requesting concurrence on the effect determination that the project "May Affect but is Not Likely to Adversely Affect" the smalltooth sawfish. The second letter transmitted the Essential Fish Habitat report and was sent to you on July 16, 2012 requesting concurrence that the project will not have adverse effects to Essential Fish Habitat. The FDOT, as the designated non-federal agency representative of the FHWA, is submitting to you the attached letter from the City of Port Saint Lucie. This letter summarizes the subsequent meetings that have occurred since receipt of your letters.

If there is any additional information needed by NMFS to close out informal Section 7 consultation under the Endangered Species Act with concurrence on the effect determination for the smalltooth sawfish; or to provide concurrence that the project will have no adverse effects to Essential Fish Habitat, please advise us and the City. We appreciate your efforts in working with us and the City to address these issues.

Sincerely,

for Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

cc: FHWA - Cathy.Kendall@fhwa.dot.gov
FDOT CEMO - Vicki.Sharpe@dot.state.fl.us
FDOT D4 - Morteza.Alian@dot.state.fl.us
FDOT D4 – Pat.Glass@dot.state.fl.us
FDOT D4 - Ann.Broadwell@dot.state.fl.us
USACE - Garett.G.Lips@usace.army.mil
USEPA - Miedema.Ron@epa.gov
USFWS - John_Wrublik@fws.gov
FFWCC - MaryAnn.Poole@MyFWC.com
SFWMD - mparrott@sfwmd.gov
City of Port St. Lucie - PatR@cityofpsl.com
NOAA - F/SER47 - brandon.howard@noaa.gov
Keith and Schnars – mdavis@keithandschnars.com

John P. Krane

From: John P. Krane

Sent: Tuesday, October 09, 2012 3:04 PM

To: 'Albert Gregory'; 'lewis.scruggs@dep.state.fl.us'; 'matt.klein@dep.state.fl.us'; 'Braun, Steve'; 'Young, Richard'; 'Broadwell, Ann L'

Cc: 'Paul Rice'; 'Brian Sharpe'; Kristine Stewart; 'Roxanne Chesser'; 'Frank Knott'; 'Robin Dorfmeister'; 'Patricia Roebling'; Michael Davis; Barry Ehrlich; Harry Fulwood

Subject: Crosstown Parkway Extension EIS - Status Update and Section 4(f) Coordination

Attachments: Figure 3.75 - Bridge Typical Sections.jpg; Mitigation Acquistion.pdf; Bridge Construction Methods FEIS_Revised.pdf; Figure 3.44 - Bridge Plan and Profile Alternative 1C UPDATED.jpg; Section 4_f_ Exceptions.pdf

This email is a follow up to our July 10, 2012 meeting to update the status of some items that were discussed regarding the Crosstown Parkway Extension EIS project. You will recall that the City had identified Alternative 1C as the Locally Preferred Alternative. On July 30, 2012 FHWA formally concurred with the identification of Alternative 1C as the Preferred Alternative for inclusion in the Final Environmental Impact Statement (FEIS).

Additional Avoidance Measures for Alternative 1C

Following our meeting, additional avoidance and minimization measures were developed through coordination with NMFS, USACE, and USFWS to further reduce the impacts of Alternative 1C to wetlands, listed species habitats, and essential fish habitat. The bridge typical section [over the NFSLR Aquatic Preserve (AP) and the Savannas Preserve State Park (SPSP)] was reduced from 143 feet wide to 103 feet wide by virtually eliminating the gap between the twin bridges, and by reducing travel lanes, shoulders, and sidewalks (see the attached figure which contrasts the original and final reduced bridge typical sections- Figure 3.75 Bridge Typical Sections.jpg).

The impacts calculated in the DEIS were conservatively based on the shading impacts associated with a 157-foot right of way width (as opposed to the physical bridge width of 143 feet). Using the reduced width of 103 feet, these impacts were recalculated for the Preferred Alternative, resulting in wetland impacts that decreased from 10.1 acres to 6.83 acres, a reduction of 3.27 acres (Table 1). The reduced typical section also resulted in a reduction in wetland functional loss from 11.26 acres to 8.34 acres (includes direct and indirect impacts), a reduction of 2.92 functional loss units (the indirect functional losses were calculated from the edge of the bridge, rather than from the right of way line). Upland impacts were reduced from 6.45 acres to 2.96 acres, a reduction of 3.49 acres of impact. The mitigation plan, which was designed to compensate for impacts within the 157-foot right of way, remains the same even though impacts have been reduced.

Table 1 Comparison of the acres of impact due to the Preferred Alternative with a 157-foot right of way and the Preferred Alternative with a reduced 103-foot bridge width

Habitat Type	Preferred Alternative (DEIS) with 157-foot right of way area of impact (acres)			Preferred Alternative with Reduced Bridge 103-foot Bridge Width (acres)		
	Direct Impact (Fill)	Direct Impact (Shading)	Total	Direct Impact (Fill)	Direct Impact (Shading)	Total
Wetlands	0.83	9.36	10.10	0.70	6.13	6.83
Water Column	0.01	1.74	1.75	0.01	1.14	1.15
Uplands	3.84	2.61	6.45	1.32	1.64	2.96

Other Updates

At our meeting, you had also asked a question about the lands to be acquired for mitigation, and whether they were already designated for conservation. The attached memo (Mitigation Acquisition.pdf) from the City identifies the various parcels, and highlights each parcel's future land use designation, method by which the parcel was acquired, previous owner, and when the property was acquired. Of the 108.15 acres to be acquired, 1.433 acres of the Church property were previously established as a conservation easement. All other properties have some development potential, although a few currently have a future land use designation as Open Space Recreation.

Construction Methods and Section 4(f) Coordination

At our meeting we discussed the temporary project impacts associated with bridge construction methods. Impacts were reduced using a top-down construction technique which employs the use of a trestle (temporary bridge). In my last e-mail (July 13, 2012), I attached a write-up of the construction method. That discussion was based on a trestle to be constructed placing the trestle piles within the gap between the bridges. With the reduced bridge cross section that eliminated the gap between the twin bridges, it will now be necessary to locate the trestle on one side of the bridge (but still within the right of way). A discussion of the revised construction methods, and a figure depicting the proposed bridge in plan and profile view with an inset depicting a trestle, are attached for your review (Bridge Construction Methods FEIS Revised.pdf and Figure 3.44 – Bridge Plan and Profile Alternative 1C UPDATED.jpg, respectively).

For purposes of Section 4(f), temporary construction-related occupancy within the AP will be related to pile-driving activities for the trestle. This temporary occupancy due to construction of the Preferred Alternative will actually use a very small area within the AP, and consists of area from the pipe piles used to support the trestle. It is estimated that the Preferred Alternative will have a temporary occupancy of 0.02 acre. This was calculated based on a cross sectional area around the foundation supports. The piles will be removed as the project is completed. It is also likely that the bridge over the main channel of the NFSLR for the Preferred Alternative will be constructed using barges as construction platforms. The utilization of barges in the AP reduces the temporary occupancy in the AP further.

All possible planning has been utilized to avoid and minimize impacts. A commitment will be included in the FEIS requiring that lands disturbed during construction activities be fully restored in accordance with permit conditions. The City is requesting that the FDEP, as the agency with jurisdiction over the AP and the SPSP, concur in writing that all temporary occupancies will be so minimal that they do not constitute a use within the meaning of Section 4(f). The Section 4(f) regulations regarding temporary occupancies are attached for your reference (Section 4 f Exceptions.pdf).

Sincerely,

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@ksfla.com

From: John P. Krane
Sent: Friday, July 13, 2012 5:15 PM
To: 'Albert Gregory'; 'lewis.scruggs@dep.state.fl.us'; 'matt.klein@dep.state.fl.us'; 'Braun, Steve'; 'Young, Richard'; 'Broadwell, Ann L'
Cc: 'Paul Rice'; 'Brian Sharpe'; Kristine Stewart; 'Roxanne Chesser'; 'Frank Knott'; 'Robin Dorfmeister'; 'Patricia Roebling'; Michael Davis; Barry Ehrlich; Harry Fulwood
Subject: Handouts, Powerpoint and Draft Minutes from Crosstown Meeting on the 10th

Attached are copies of the hand-out materials discussed at our meeting on July 10th. The discussion from Brian about the commercial fishing caused us to question our engineers about the proposed construction method, and we revised the write-up to more accurately reflect what is anticipated with regard to construction work in the navigation channels. The trestle will not cross the main channel, but will leave a gap sufficient for barges and navigation. Also attached is a copy of the Powerpoint,

and draft meeting minutes.

The City will be contacting FDEP for a follow-up discussion on the easement to address the questions that were asked at the meeting.

We will also be sending additional information that depicts the pile locations associated with the impacts (both temporary and permanent).

Mr. Gregory asked a question about the differences between impacts from Top Down construction versus Trestle construction. Trestle construction would have the impacts depicted in the Impacts Table handout for Alternative 1C. The temporary impacts are broken into two components: Pilings and Trestle. The temporary piling impacts are a result of the templates used when driving the piles which are removed after the piles are placed. The temporary trestle impacts are associated with the placement of the trestle piles which will be removed.

For Top Down construction the temporary piling impacts would be the same, but there would not be any temporary trestle. Some temporary impacts could occur with Top Down construction if support towers are needed during the construction of longer beams, but that would not be anticipated for this project. Both methods construct the bridge without having equipment on the ground thereby avoiding significant environmental impacts, and both methods construct the bridge from above.

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Director of Transportation Planning
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Toll Free: (800) 488-1255
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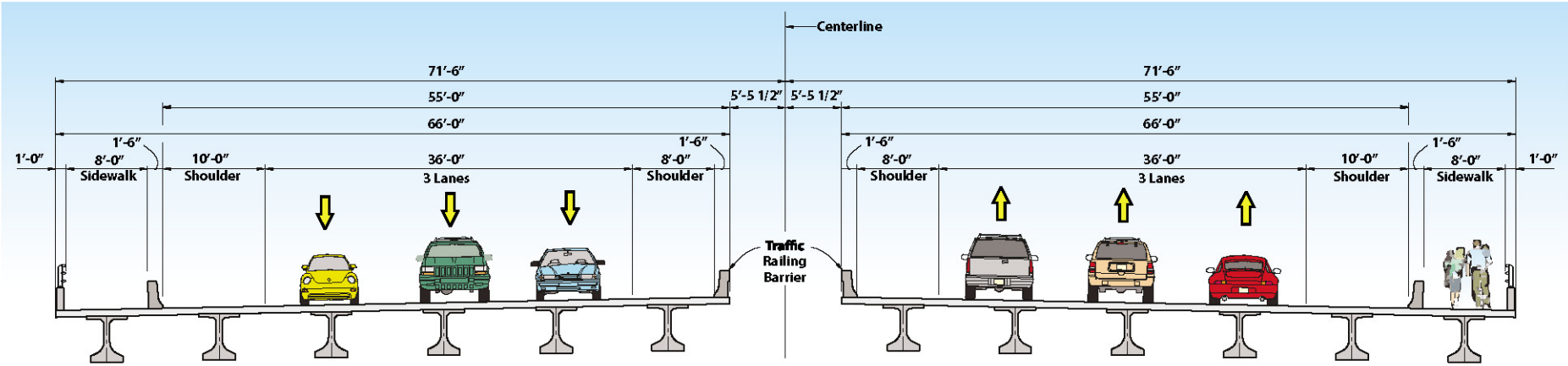
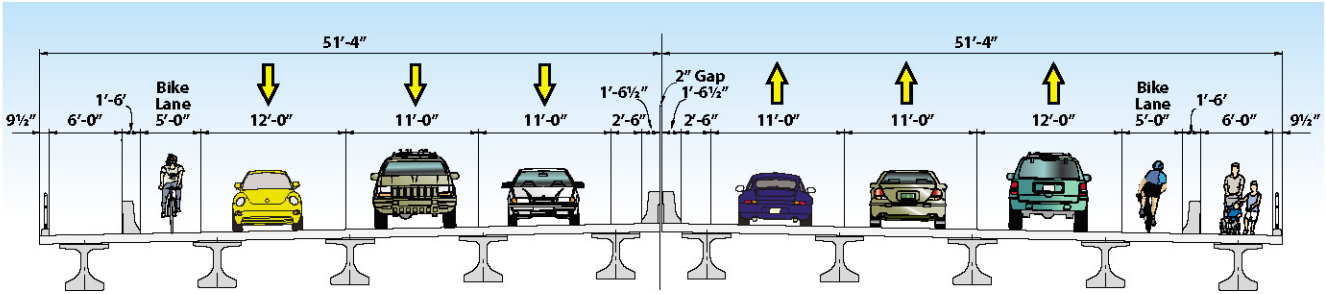


ORIGINAL TYPICAL BRIDGE SECTION
OVER NORTH FORK ST. LUCIE RIVER
MAIN CHANNEL SPAN



FINAL REDUCED BRIDGE TYPICAL SECTION
OVER NORTH FORK ST. LUCIE RIVER
MAIN CHANNEL SPAN

FM No. 410844-1-28-01
FP No. 7777-087-A
ETDM No. 8247

Crosstown Parkway Extension PD&E Study and
Environmental Impact Statement

Bridge Typical Sections

Figure 3.75

CITY OF PORT ST. LUCIE

Public Works Department

Accredited Agency – American Public Works Association

"A City for All Ages"

MEMORANDUM

To: Roxanne M. Chesser, P.E. - Civil Engineer

From: Frank Knott, Project Manager

Date: August 17, 2012

Re: Proprietary Mitigation – Land Acquisition

This memorandum is written in response to the July 10, 2012 meeting with FDEP State Parks Planning. FDEP requested information regarding the origin of the property to be transferred to the State.

There was also a concern that a large portion of the church property was already designated a conservation easement. The City is in negotiations with the church to acquire eight acres. Of the eight acres, 1.433 acres has been established as a conservation easement.

The following identifies the parcel, its use, the method by which the parcel was acquired, the previous owner, and when the property was acquired:

Emerson

Tract B Section 26 is an undeveloped park site acquired via warranty deed from General Development Corporation (GDC) in 1987.

Bywood

Lots 30 & 31 Block 441 Section 3 are undeveloped residential lots purchased from JAL Holdings in 2004.

Lots 1 & 2 Block 457 Section 3 are undeveloped residential lots purchased from Collester in 1998.

Crowberry

Lots 3, 7-18, 22-24 Block 543 Section 10 are undeveloped residential lots acquired via warranty deed from GDC in 1984.

Green River

Tract D Section 62 is an undeveloped park site acquired via special warranty deed from GDC in 1991.

River Walk

Portion of St Lucie Gardens 02 37 40 that part of Block 3 Lots 5, 6, 8, 9, 11 and 12 is a portion of an undeveloped multi-use project (River Walk), purchased from HCA Realty in 2001.

St Lucie Gardens 02 37 40 that part of Block 3 Lots 6, 7, 8, 9 and 10 is a portion of an undeveloped multi-use project (River Walk), acquired via special warranty deed from Terpening in 2008.

Portion of St Lucie Gardens 02 37 40 that part of Block 3 Lots 3, 4, 5, 11 and 12 is a portion of an undeveloped multi-use project (River Walk), acquired via special warranty deed from Terpening in 2008

Portion of St Lucie Gardens 02 37 40 Block 3 portions of Lo1s 1, 2, 3 and 4 is a portion of a recreation site which currently includes a lake utilized by model radio controlled sail boating and is generally unimproved, acquired via warranty deed from Trust for Public Land in 1990.

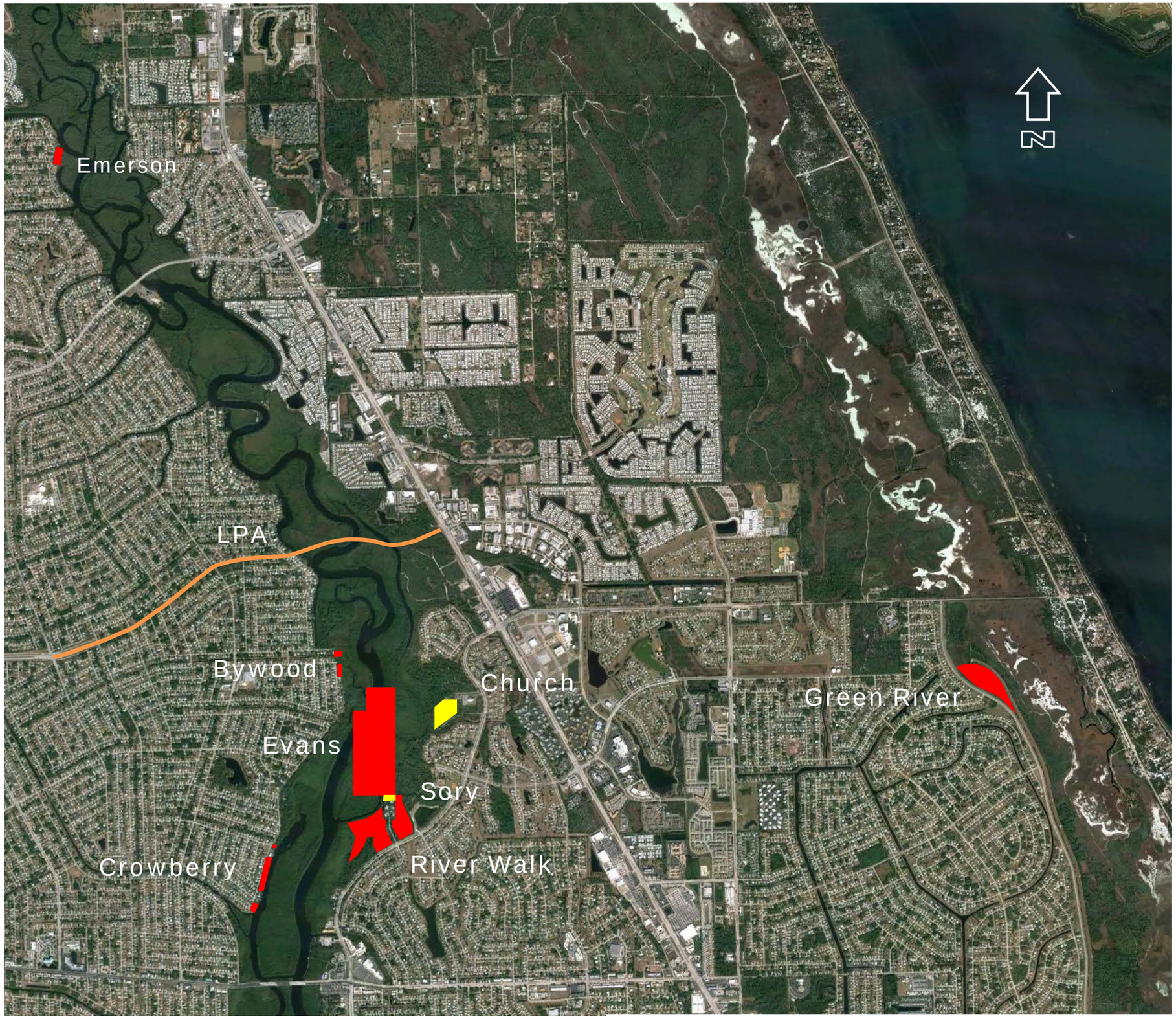
Evans
St Lucie Gardens 02 37 40 Block 2 Lots 5, 6, 8 and E 1/2 Lots 9 and 10 and Lots 11 and 12 is unimproved property with exception to a single residence, purchased from Evans 2010.

Sory
St Lucie Gardens 02 37 40 Block 3 N 110 ft of N 1/2 of Lot 5 is an unimproved residential parcel currently privately owned.

Church
Portion of St Lucie Gardens 02 37 40 Block 1 that part Lots 5, 6, 7 & 8 & Block 2 is a portion of an improved church parcel currently privately owned which includes a 1.433 conservation easement (OR 1998/721)

attachment

C Patricia Roebling, P.E. City Engineer
Azlina Goldstein-Siegel, Assistant City Attorney
John Krane P.E., Keith & Schnars



City Owned Properties	
Emerson	2.83
Bywood	1.08
Evans	49.81
Crowberry	3.73
River Walk	26.35
Green River	15.50
TOTAL	99.30

Properties to be Purchased	
Church	8.00
Sory	0.85
TOTAL	8.85 Acres

Total Acres Proposed	
City Owned	99.30
Purchase	8.85
TOTAL	108.15 Acres

LPA – Locally Preferred Alternative

Crosstown Parkway Extension - Alt 1C

Bridge Construction Methods

The City has committed to build a bridge over the AP and the SPSP using a top down construction method, or construction from temporary platforms, trestles or other similar methods to avoid impacts to the maximum extent practicable. The top down construction method constructs a bridge span from the previously completed span. Construction from temporary platforms, trestles or other similar methods constructs a temporary work platform known as a "trestle." These two methods are practicable and are common construction techniques used throughout the industry. The description of construction methods in this section is based on coordination with contractors familiar with this type of construction and represents the best available information at this stage of project development. The actual methods used to build the bridge may vary from these descriptions, depending on a given contractor's experience on projects with similar conditions, equipment owned by the contractor, final project commitments, and permit requirements.

Construction impacts in the EIS are based on use of a trestle since this will provide a conservative estimate of the temporary impacts (0.35 acres in wetlands based on the 103 foot bridge width along Alternative 1C). Consistent with standard industry practice, the trestle was assumed to be constructed using pipe piles for foundations and H-beams for framing and bracing. The deck of the trestle consists of crane mats, which are 4 ft x 1 ft x various length timber beams placed adjacent to each other, perpendicular to the length of the trestle (imagine a boardwalk or dock, with the surface boards pushed together). The trestle will traverse adjacent to the bridge within the bridge right of way. The trestle assumed for this project consists of pile bent foundations made up of five 24-inch diameter pipe piles. There are 25-foot spans between pile bents, and the overall width of the trestle is 40-feet wide. Perpendicular "fingers" will be constructed within the bridge footprint to assist with construction.

The trestle will be constructed first, building the next span from the previous span. The crane that uses the trestle as a temporary platform will be used to construct subsequent sections of the trestle. After the trestle is complete, it will be used to drive piles and place beams for the permanent bridge. Since the crane on the trestle does not bear any weight on the bridge, no increase in member sizes due to construction loads to the permanent bridge will be required, unless the bridge is used to deliver materials to the crane. The trestle can be designed to handle any material delivery operations. The trestle will be low to the ground so any trees below the trestle will have to be cut before constructing it, and tree stumps and vegetation where the pile bents will be placed must be removed.

It is possible that barges will be used within the main channels of the NFSLR during construction. However, with the project commitments outlined in the EIS, temporary impacts will be minimal and passage by aquatic species will not be impeded. Haul roads will not be used.

The first step of construction for the bridge will be to remove the trees and stumps where the pile bents will be installed, and to cut trees in the bridge path that will interfere with the construction of the bridge (trees that are higher than the elevation of the bridge). To do this, the contractor will need light machinery; no haul roads beneath the bridge will be allowed. Foundations (piles) can then be placed from the trestle.

If "true" top-down construction is used, the first piles can be driven from the top of the approach MSE walls that will be constructed at either end of the bridge. A standard crane on tracks ("crawler") can be used to drive the piles and place the beams. Once the beams are placed and the deck is poured and cured, the crane will relocate to the end of the completed portion of the bridge and repeat the process. Materials can be supplied to the crane from the completed bridge. Another form of "true" top-down construction is to

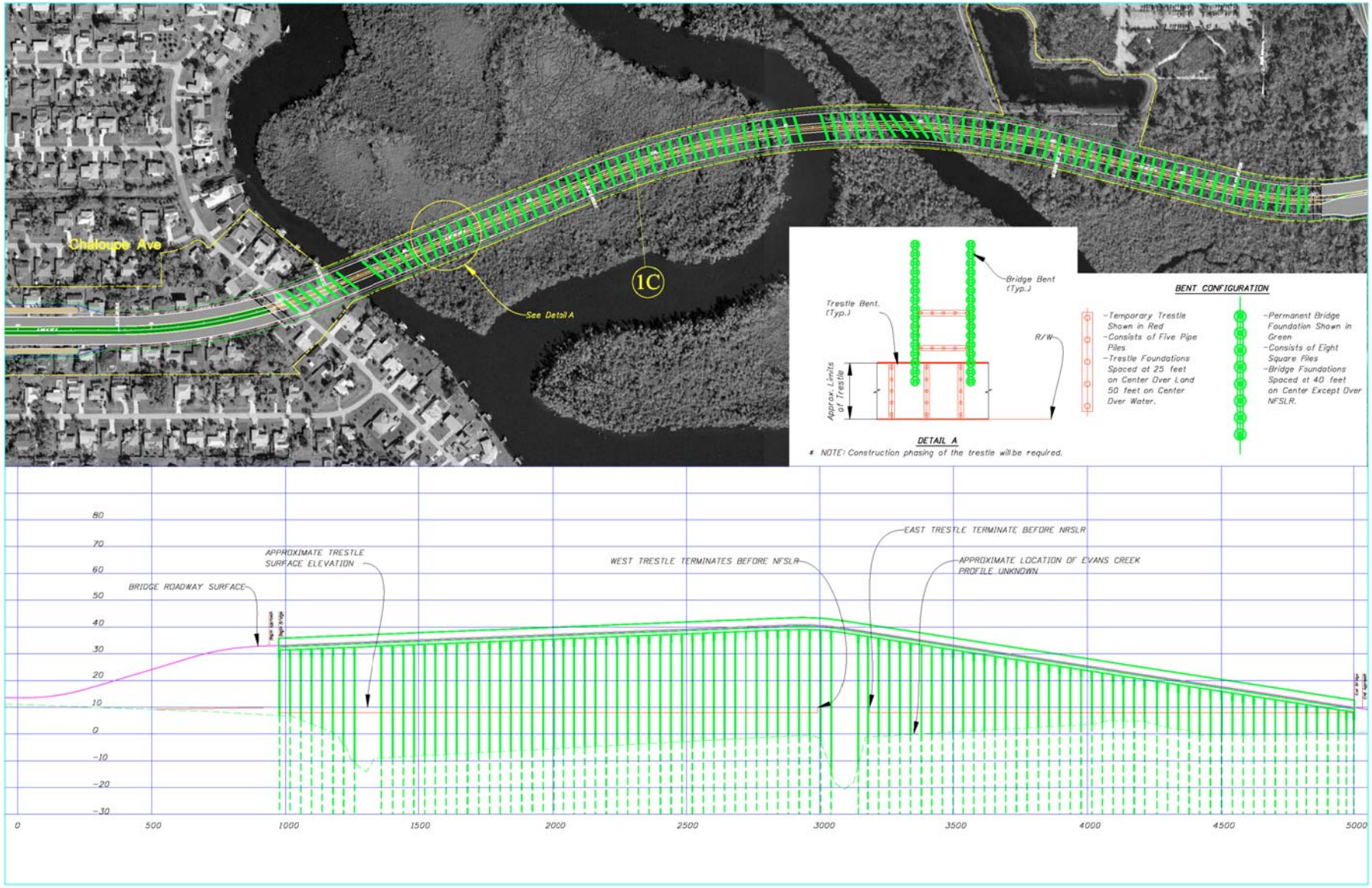
construct the bridge using a specially designed gantry crane system. Gantry cranes are not standard equipment but are custom-designed for each project. A gantry crane would use a steel truss that is cantilevered out over the completed portion of the bridge. Piles can be driven and beams can be placed with the same piece of equipment. However, the bridge may not be long enough to obtain economy of scale employing the gantry crane method.

Construction could also be accomplished by utilizing a hybrid method where components of both trestle and crane/gantry techniques are included. If hybrid construction is used, the foundations (piles) can be placed using a smaller trestle than required for the trestle-only technique discussed above. Once the foundations (piles) are installed, a beam launcher could be used to place the beams. A beam launcher is a gantry type rig that is smaller than the one needed for "true" top down construction, and does not need to be custom designed. After the beams are placed, the deck can be poured.

The construction time of the bridge can be reduced by using sequencing and accelerated bridge construction (ABC) techniques. For example, both bridges could be built at the same time by building the second from the top of the first. Another example is to build the bridges from both directions. Accelerated bridge techniques include using precast bridge elements (beams, bent caps, deck segments, etc.) to reduce the need to build forms and concrete curing time. If either the "true" top down or the trestle methods of construction is used, the use of barges as a construction platform is likely in the main channel to minimize impacts from a trestle, and ensure the channel remains open for navigation. The trestle will be constructed with a gap sufficient to allow a barge to be present while maintaining sufficient navigation clearance (75.5 feet).

Top down construction methods from temporary platforms, trestles or other similar methods avoid the need to stage materials or equipment in wetlands and wildlife habitat. Barges in the main channel could potentially affect aquatic species and wildlife passage. Construction methods will limit actual permanent ground construction impacts to the fill resulting from concrete piling installed from above. Temporary impacts will occur during the placement of the permanent piles and were estimated for each build alternative, including the Preferred Alternative. These temporary impacts will result from pile-driving templates (steel framework required to align and plumb the piling), ground heave immediately adjacent to each pile, and any spoils due to shallow augering required to seat the piling prior to driving. The total quantity of permanent construction impacts resulting from the bridge piling varies by alternative according to the length of the bridge and number of bents. These impacts are less than one-quarter acre for all build alternatives, including the Preferred Alternative.

The USACE expressed concern over the methods of geotechnical (soil borings) investigations in the natural habitats. To address this concern, during geotechnical/soil investigations the use of specialized equipment, such as rubber tire mounted equipment, amphibious track rigs, rigs mounted on all-terrain vehicles, and tripod drill rigs, will be used to provide the least damaging methods to obtain geotechnical information. In addition, all applicable provisions contained in FDOT's *Standard Specifications for Road and Bridge Construction* will be followed to minimize impacts.



(Alternative 1C)

FM No. 410844-1-28-01
FP No. 7777-087-A
ETDM No. 8247

Crosstown Parkway Extension PD&E Study and Environmental Impact Statement

Bridge Plan and Profile Alternative 1C

Figure 3.44

PART 774—PARKS, RECREATION AREAS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES (SECTION 4(F))

§ 774.13 Exceptions.

The Administration has identified various exceptions to the requirement for Section 4(f) approval. These exceptions include, but are not limited to:

(a) Restoration, rehabilitation, or maintenance of transportation facilities that are on or eligible for the National Register when:

(1) The Administration concludes, as a result of the consultation under 36 CFR 800.5, that such work will not adversely affect the historic qualities of the facility that caused it to be on or eligible for the National Register, and

(2) The official(s) with jurisdiction over the Section 4(f) resource have not objected to the Administration conclusion in paragraph (a)(1) of this section.

(b) Archeological sites that are on or eligible for the National Register when:

(1) The Administration concludes that the archeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. This exception applies both to situations where data recovery is undertaken and where the Administration decides, with agreement of the official(s) with jurisdiction, not to recover the resource; and

(2) The official(s) with jurisdiction over the Section 4(f) resource have been consulted and have not objected to the Administration finding in paragraph (b)(1) of this section.

(c) Designations of park and recreation lands, wildlife and waterfowl refuges, and historic sites that are made, or determinations of significance that are changed, late in the development of a proposed action. With the exception of the treatment of archeological resources in §774.9(e), the Administration may permit a project to proceed without consideration under Section 4(f) if the property interest in the Section 4(f) land was acquired for transportation purposes prior to the designation or change in the determination of significance and if an adequate effort was made to identify properties protected by Section 4(f) prior to acquisition. However, if it is reasonably foreseeable that a property would qualify as eligible for the National Register prior to the start of construction, then the property should be treated as a historic site for the purposes of this section.

(d) Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f). The following conditions must be satisfied:

(1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;

(2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;

(3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;

(4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and

(5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

(e) Park road or parkway projects under 23 U.S.C. 204.

(f) Certain trails, paths, bikeways, and sidewalks, in the following circumstances:

(1) Trail-related projects funded under the Recreational Trails Program, 23 U.S.C. 206(h)(2);

(2) National Historic Trails and the Continental Divide National Scenic Trail, designated under the National Trails System Act, 16 U.S.C. 1241–1251, with the exception of those trail segments that are historic sites as defined in §774.17;

§ 774.13 Exceptions.

(3) Trails, paths, bikeways, and sidewalks that occupy a transportation facility right-of-way without limitation to any specific location within that right-of-way, so long as the continuity of the trail, path, bikeway, or sidewalk is maintained; and

(4) Trails, paths, bikeways, and sidewalks that are part of the local transportation system and which function primarily for transportation.

(g) Transportation enhancement projects and mitigation activities, where:

(1) The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection; and

(2) The official(s) with jurisdiction over the Section 4(f) resource agrees in writing to paragraph (g)(1) of this section.

CITY OF PORT ST. LUCIE

Engineering Department

Accredited Agency – American Public Works Association

"A City for All Ages"

October 3, 2012

Mr. Gustavo Schmidt
District Planning and Environmental Engineer
Planning and Environmental Management
Florida Department of Transportation – District 4
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Dear Mr. Schmidt:

SUBJECT: **Section 7 Informal Consultation**
Consultation for Essential Fish Habitat
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-28-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

This is in follow-up to two letters you sent to the National Marine Fisheries Service (NMFS) regarding the Crosstown Parkway Extension Project Development & Environment study and Environmental Impact Statement. The first letter transmitted the Endangered Species Biological Assessment and was dated June 19, 2012 requesting concurrence on the effect determination that the project "May Affect but is Not Likely to Adversely Affect" the smalltooth sawfish. The second letter transmitted the Essential Fish Habitat report and was dated July 16, 2012 requesting concurrence that the project will not have adverse effects to Essential Fish Habitat.

Subsequent to those letters, additional coordination has taken place between the City of Port St. Lucie (City) and the NMFS in cooperation with the Florida Department of Transportation (FDOT) to address questions and or informational requests raised during the review of the documentation. On August 16, 2012 the City in coordination with the FDOT facilitated a meeting with NMFS, and the United States Army Corps of Engineers (USACE) to discuss the EIS Preferred Alternative and the City's plan to further avoid and minimize impacts due to agency concerns. The Federal Highway Administration (FHWA) participated by phone. The City representatives presented the process used for the selection of the Preferred Alternative and discussed the process. Then the City provided a revised bridge typical section and information regarding the associated impact reduction, to respond to agency concerns regarding the level of impacts associated with the alternative. It was noted that the additional avoidance of impacts by reducing the bridge typical section makes the impacts associated with the Preferred Alternative more comparable to those of the other build alternatives. At the conclusion of the meeting NMFS requested additional information to assess how the reduction compares to the analysis conducted to date in terms of acres of impact, and functional loss units.

121 S.W. Port St. Lucie Boulevard • Port St. Lucie, FL 34984-5099 • 772/871-5177 • 772/871-5100
Fax 772/871-5289
TDD Line • 772/344-4222

On August 23, 2012 Michael Davis from Keith and Schnars (City consultant) sent the results of the evaluation to NMFS and USACE via e-mail. The results showed that by reducing the cross section of the bridge to 103 feet, wetland impacts were reduced from 10.2 to 6.8 acres and total impacts to waters of the U.S. were reduced from 11.9 to 7.9 acres. Furthermore, functional loss was reduced from 11.3 acres to 8.3 acres. On September 7, 2012 John Krane (Keith and Schnars) sent an e-mail response to NMFS' question pertaining to the use of a temporary trestle based on the revised typical section. Lastly, on September 25, John Krane sent NMFS an e-mail to address a question about the City's letter requesting reservation credits at the Bear Point Mitigation Bank to address Mangroves impacted by the Preferred Alternative.

As the designated non-federal agency representative of the FHWA to conduct informal Section 7 consultation under the Endangered Species Act please forward this letter to NMFS requesting to close out informal Section 7 consultation and to provide concurrence that the project will have no adverse effects to Essential Fish Habitat. We appreciate your efforts in working with us to address these issues.

Sincerely,

Roxanne M. Chesser, P.E.
Civil Engineer

:rc

Cc: FHWA – Cathy.Kendall@fhwa.dot.gov
FDOT CEMO – Vicki.Sharpe@dot.state.fl.us
FDOT D4 – Morteza.Alian@dot.state.fl.us
FDOT D4 – Pat.Glass@dot.state.fl.us
FDOT D4 – Richard.Young@dot.state.fl.us
FDOT D4 – Ann.Broadwell@dot.state.fl.us
City of Port St. Lucie – PatR@cityofpsl.com
Keith and Schnars – MDavis@ksfla.com

Harry Fulwood

From: Kristine Stewart
Sent: Thursday, September 27, 2012 12:42 PM
To: John P. Krane
Cc: Barry Ehrlich; Harry Fulwood
Subject: FW: Platts Creek wood stork mitigation (UNCLASSIFIED)

-----Original Message-----
From: Peterfreund, Anna L. [mailto:Anna.Peterfreund@acp-ga.com]
Sent: Thursday, September 27, 2012 12:28 PM
To: FKnott@cityofpsl.com; patr@cityofpsl.com; Roxanne Chesser; RDorfmeister@cityofpsl.com; Mirson, Brian J.; besseyj@stlucieco.org; Kristine Stewart; Salicco, Christopher
Subject: FW: Platts Creek wood stork mitigation (UNCLASSIFIED)

FYI - please see below the response from USFWS regarding wood stork mitigation at Platt's Creek. Thanks!

Anna Peterfreund, CWB
American Consulting Professionals, LLC
243 N. Hamilton Street, Suite 2
Dalton, GA 30720
706-508-4029
706-523-2520 Cell
706-529-2746 Fax
anna.peterfreund@acp-ga.com

-----Original Message-----
From: Lips, Garett G SAJ [mailto:Garett.G.Lips@usace.army.mil]
Sent: Thursday, September 27, 2012 12:24 PM
To: Peterfreund, Anna L.
Subject: FW: Platts Creek wood stork mitigation (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Anna,
see FWS email below

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500

Palm Beach Gardens, FL 33410
Office 561-472-3519

Please use the link below to find a map to our office, FAQ's, Contact info, Our Statutes, Regulations, AVATAR Guide To Filling Out Our Applications, Public Notices & More.

http://www.saj.usace.army.mil/Divisions/Regulatory/index.htm

Please assist us in better serving you! Please complete the stakeholder survey by clicking on the following link: http://per2.nwp.usace.army.mil/survey.html

-----Original Message-----
From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Wednesday, September 19, 2012 2:50 PM
To: Lips, Garett G SAJ
Subject: Platts Creek wood stork mitigation

Garrett, I have reviewed the wood stork forage information provided by the applicant's consultant for the Platt Creek PROMA, and it is acceptable to the Service.

For your records:

The 49.34 acres of wetlands to be created at the site will consist of 13.45 acres of short hydroperiod wetlands and 35.8 acres of long hydroperiod wetlands providing 11.04 Kilograms (Kg) and 110.54 Kg of wood stork forage, respectively.

The 29.14 acres of wetlands mitigation at the Platts Creek PROMA to be used as mitigation for the Crosstown Parkway project consists of 13.54 acres of short hydroperiod wetlands and 15.6 acres of long hydroperiod wetlands providing 11.04 Kg and 55.15 Kg of wood stork forage, respectively.

As such, the Platts Creek Proma will have the following wood stork forage available for future projects:

0 acres of short hydroperiod wetlands providing 0 Kg of wood stork forage

20.2 acres of long hydroperiod wetlands providing 55.39 Kg of wood stork forage

If you have any questions, please let me know.

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-469-4282
Fax: 772-562-4288

John P. Krane

From: John P. Krane

Sent: Tuesday, September 25, 2012 11:55 AM

To: 'Brandon Howard'

Cc: Kristine Stewart; Michael Davis; 'Broadwell, Ann L'; 'Richard Young'; 'Glass, Patrick R'

Subject: E-Wraps for Mangroves

Attachments: USACE_Proximity_Factor_Worksheet.pdf; 12-13-10 letter to Bear Point.doc; Crosstown_E-WRAP_mangroves_direct.pdf; Crosstown_E-WRAP_mangroves_secondary0-50.pdf; Crosstown_E-WRAP_mangroves_secondary51-250.pdf

Brandon,

Thank you for the status update on your reviews.

Attached is what I think you are looking for regarding the E-WRAP calculations. This information is also on the CD that was included with the EFH: "Appendix 1 - Compensatory Mitigation Plan", sub-folder "Regulatory Mitigation", in a sub-folder that was mislabeled as "E-WRAPS Platt's". The folder should have just denoted E-WRAPS. I apologized for that. If this is not what you need, please let me know.

Also, I understand that you need a letter from FDOT which documents the coordination that has taken place with dates and citations of information that was provided. I will work with FDOT on that.

Based on your receipt of that letter and the attached information, I understand that you should be able to develop your draft letters for internal agency review regarding ESA informal consultation and EFH concurrence.

jk

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@ksfla.com

Proximity Worksheet:

Purpose is to take into account distance from impact area to mitigation area. Two components; one based on wildlife and one based on watershed.

Assumption: Mitigation is best in the same watershed.

a. Enter an identification number in the upper right corner
b. Fish and Wildlife:
   1) In line X1, answers a series of questions on wildlife. Assign yes or no to each question. Is the guild found on the impact site? (y or n) Question A. Does the location of the mitigation site relative to the impact site reduce the ability to mitigate for that guild (e.g. impact site within foraging range of woodstork rookery; however mitigation site is outside that range therefore the answer would be yes - Question B)
   2) Total the number of yes's and no's for each guild. Place number of each into block (X2.2)
   3) In line X2.3, follow instructions for division to determine the fish and wildlife score :

c. Watershed (Diminishing Relevance): (Do only if outside waters of impact area)
   1) In line X3.1, enter the name and acreage of the impact site watershed.
   2) In line X3.2, enter the name and acreage of the mitigation site watershed
   3) In line X3.3, enter names and acreage of watersheds between impact and mitigation site.
   4) In line X3.4, add watershed acreages.
   5) In line X3.5, enter the name and acreage of the standardized mitigation service areas (for individual projects – already defined by State). Banks have own service areas defined.
   6) In line X3.6, follow instruction for addition and division to determine the watershed number (WN).
d. Final Calculation: Block X3.0. Enter in column X of Project Worksheet

Crosstown Parkway Extension

Proximity Worksheet

version 4.0

Proximity # X 0.30

X1.0 Location of mitigation (place): Bear Point Mitigation Bank

X2.0 Fish and Wildlife Component

Question A: Is the guild represented at the impact site? Answer either "Yes" or "No" for each guild

Question B: Does the location of the mitigation site relative to the impact site reduce the ability to mitigate for that guild? If answer to A is "No", then enter "N/A". If answer to A is "Yes", answer either "Yes" or "No"

X2.1 Guilds	Question A Present?	Question B Reduced?		Question A Present?	Question B Reduced?
Neotropical Migrants:	A Y	B N	Reptiles:	A Y	B N
Wading Birds:	A Y	B Y	Freshwater Fish:	A Y	B Y
Raptors:	A Y	B N	Small Mammals:	A Y	B N
Waterfowl:	A Y	B N	Large Mammals:	A N	B N
Amphibians:	A Y	B N	Invertebrates:	A Y	B N

X2.2 Number of yes's for Question B: B1 2 Number yes's for A: A1 9

X2.3 Fish and Wildlife Component Score = FN = B1 divided by A1: FN 0.22

X3.0 Diminishing Relevance Component. (If mitigation in same watershed as impact: skip steps X3.1 to X3.4 and write WN=0.0 in line X3.6. If mitigation bank, use WN from table if Mitigation Bank Instrument includes table.)

	Name of Watersheds		Acres
X3.1 Mitigation site is located within:	South Indian River	Size = W1:	W1 31,685
X3.2 Impact site is located within:	North St. Lucie	Size = W1:	W2 124,322
X3.3 Watersheds separating/between the	0	Size = W1:	W3
mitigation and impact sites.		Size = W1:	W4
		Size = W1:	W5

X3.4 W1 + W2 + W3 + W4 + W5 = W6: W6 156,007 acre W6 divided by W1=W7: W7 4.92

X3.5 Name and size of Standard Mitigation Service Area in which mitigation and impact sites are located.
(Note: If mitigation provided by a Mitigation Bank, then use the service area designated for that bank.)
(Note: If sites are not in same standard area, define a service area appropriate to the mitigation site.)

Bear Point Mitigation Bank Size = W8: W8 60,200 W8 divided by W1=W9: W9 1.90

X3.6 Diminishing Relevance Score = [(W7 - 1.0) divided by (W9 - 1.0)] = WN WN 4.36

X4.0 **Proximity Factor = X = { 1.0 } divided by { [(FN + WN) divided by (2.0)] + [1.0] } =** **X** 0.30

Copy this number into the Proximity Factor column of the Project Worksheet. Use the same number for all of the "off-site mitigation" polygons located in the location (place) described at line X1.0 above.

CITY OF PORT ST. LUCIE

ENGINEERING

"The art of applying scientific and mathematical principals, experience, judgement, and common sense to make things that benefit people." - A.S.E.E.

January 11, 2011

James David
St. Lucie County Mosquito Control and Coastal Management Services
3150 Will Fee Road
Fort Pierce, FL 34982

RE: Letter Requesting Reservation of credits at Bear Point Mitigation Bank for the Crosstown Parkway Extension Project

Dear Mr. David:

The City of Port St. Lucie is working to permit a new crossing of the North Fork of the St Lucie River (NFSLR) called the Crosstown Parkway Extension. The proposed Crosstown Parkway Extension project includes the construction of a bridge over the NFSLR to extend Crosstown Parkway from Manth Lane to US 1.

There are six (6) build-alternative corridors and a no-build alternative included in the Environmental Impact Statement (EIS). At this time, the specific corridor alternative ("alignment") for the roadway and bridge crossing has not been determined. The selection of a no-build or a specific build alignment will be determined through the EIS process.

In a parallel effort, the City is pursuing a Conceptual Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD). As part of Conceptual ERP, the City will need to mitigate for the unavoidable impacts to mangroves within the North St. Lucie River Drainage Basin. Should a build-alternative be selected, a maximum of 0.50 credits will be needed to mitigate for unavoidable mangrove impacts.

Our consultants, American Consulting Professionals, LLC, calculated the compensatory credits as follows:

- Determined the highest impact to mangroves:
  - Direct – 0.27 acres
  - Secondary (0-50')
  - Secondary (51'-250')

- Calculated a separate E-WRAP for each of the impacts (attached)

- Calculated that 0.37 credits are needed based upon the impacts and E-Wrap Scores (see Table Below)

Credits Needed Based on Impacts and E-Wrap Scores				
Impacts	***Acres***	***E-WRAP Score***	***Equation***	***Credits***
Direct	0.27	0.89	0.89 * 0.27	0.2403
Secondary (0-50')	0.31	0.75	(0.89-0.75) * 0.31	0.0434
Secondary (51'-250')	1.39	0.83	(0.89-0.83) * 1.39	0.0834
			Total	***0.37***

- Completed the Proximity Factor Worksheet (attached) to calculate a proximity factor of 1.3 to account for the fact that the Bear Point Mitigation Bank is outside of the North St. Lucie River Drainage Basin.

- Calculated the total credits needed to mitigation for unavoidable impacts to the mangroves as 0.48 credits (0.37 * 1.3).

The City would like to request a reservation of 0.50 credits at the Bear Point Mitigation Bank for the Crosstown Parkway Extension in the event a build-alternative is selected. Should the no-build alternative be selected, the City of Port St. Lucie will either sell or allocate the reserved credits for a different project.

It is our understanding that the fee for one credit at the Bear Point Mitigation Bank is $130,000; therefore, the fee for 0.5 credits will be $65,000. Furthermore, the mitigation bank requires 25% of the fee ($16,250) to reserve the credits.

As discussed with the Assistant County Attorney, Heather Young, our City Council will need to review, consider, and authorize the reservation and purchase agreements as well as the expenditure of funds. For this reason, we are asking that the County prepare and transmit a reservation agreement that we will take to our City Council for their review, consideration, and execution. Upon City Council approval, we will provide the County with the executed reservation agreement along with a check for the reservation deposit fee.

If you have any questions or need additional information, please do not hesitate to call me at 772-871-5175.

PR/rmc
Sincerely,

Patricia Roebling, P.E.
City Engineer

C: Jerry Bentrott – City Manager
Jesus Merejo – Director of Utility Systems
Kim Graham, P.E. - Acting Assistant City Engineer
Roberta Richards, Manager Engineering Operations
Heather Young – Asst. St. Lucie County Attorney
Brian Mirson, P.E. – American Consulting Professionals, LLC
Anna Peterfreund - American Consulting Professionals, LLC
Roxanne M. Chesser, P.E. – Civil Engineer

ESTUARINE WETLAND RAPID ASSESSMENT PROCEDURE FIELD DATA SHEET

Permit Number	Project	Date	Evaluator	Wetland Type
5079986	Crosstown Parkway Extension	12/8/10	A. Peterfreund	612 - Mangroves

Land Use	Wildlife Utilization (WU)	Wetland Canopy (O/S)	WL Grndcver (GC)
810	2.5	2.5	2.5

Habitat Support/Buffer	Field Hydrology (HYD)	WQ Input & Trtmnt (WQ)
3.0	3.0	2.5

E-WRAP Score	Wetland ID
16/18 = 0.89	Direct

Comments	
WU	abundant food sources and connected habitat within state park and adjacent to aquatic preserve, negligible evidence of human disturbance within 300 feet, abundant cover and habitat, adjacent uplands highly developed
O/S	Few exotics and nuisance species, good habitat support provided by wetland canopy, evidence of recruitment of native canopy species, few snags
GC	less than 10% nuisance species and exotics, minimal disturbances to ground cover, prescribed burning unlikely in this area due to adjacent residential areas
BUFFER	buffer greater than 300 feet wide, less than 10% nuisance species and exotics, large contiguous area of wetlands within state park and adjacent to aquatic preserve
HYD	plants healthy with little stress; wetlands exhibit natural hydroperiod; wetlands not adjacent to canal, ditches, swales, berms, wellfields
WQ	land use 50% 1.5 (SF Residential) 50% 3.0 (natural undeveloped) Total- 2.25 Average- 2.5 pre-treatment 50% 2.5 (wet detention with swales) 50% 3.0 (natural undeveloped) Total - 2.75

ESTUARINE WETLAND RAPID ASSESSMENT PROCEDURE FIELD DATA SHEET

Permit Number	Project	Date	Evaluator	Wetland Type
5079986	Crosstown Parkway Extension	12/8/10	A. Peterfreund	612 - Mangroves

Land Use	Wildlife Utilization (WU)	Wetland Canopy (O/S)	WL Grndcver (GC)
810	2.0	2.0	2.0

Habitat Support/Buffer	Field Hydrology (HYD)	WQ Input & Trtmnt (WQ)
2.0	3.0	2.5

E-WRAP Score	Wetland ID
13.5/18 = 0.75	Secondary 0-50’

Comments	
WU	Similar to direct impacts but will be impacted due to proximity to bridge and potential impacts to vegetation, food sources, and cover.
O/S	Similar to direct impacts but will be impacted due to proximity to bridge and potential for exotic and invasive species to invade. Wetland canopy reduced directly adjacent to bridge.
GC	Similar to direct impacts. Ground cover will be disturbed directly adjacent to the proposed bridge.
BUFFER	Similar to direct impacts with encroachment on buffer from proposed bridge.
HYD	plants healthy with little stress; wetlands exhibit natural hydroperiod; wetlands not adjacent to canal, ditches, swales, berms, wellfields
WQ	land use 50% 1.5 (SF Residential) 50% 3.0 (natural undeveloped) Total- 2.25 Average- 2.5 pre-treatment 50% 2.5 (wet detention with swales) 50% 3.0 (natural undeveloped) Total - 2.75

ESTUARINE WETLAND RAPID ASSESSMENT PROCEDURE FIELD DATA SHEET

Permit Number	Project	Date	Evaluator	Wetland Type
5079986	Crosstown Parkway Extension	12/8/10	A. Peterfreund	612 - Mangroves

Land Use	Wildlife Utilization (WU)	Wetland Canopy (O/S)	WL Grndcver (GC)
810	2.0	2.5	2.5

Habitat Support/Buffer	Field Hydrology (HYD)	WQ Input & Trtmnt (WQ)
2.5	3.0	2.5

E-WRAP Score	Wetland ID
15/18 = 0.83	Secondary 51' – 250'

Comments	
WU	Similar to direct impacts but will be impacted due to proximity to bridge and potential impacts to vegetation, food sources, and cover.
O/S	Few exotics and nuisance species, good habitat support provided by wetland canopy, evidence of recruitment of native canopy species, few snags.
GC	less than 10% nuisance species and exotics, minimal disturbances to ground cover, prescribed burning unlikely in this area due to adjacent residential areas
BUFFER	Similar to direct impacts with encroachment on buffer from proposed bridge.
HYD	plants healthy with little stress; wetlands exhibit natural hydroperiod; wetlands not adjacent to canal, ditches, swales, berms, wellfields
WQ	land use 50% 1.5 (SF Residential) 50% 3.0 (natural undeveloped) Total- 2.25 Average- 2.5 pre-treatment 50% 2.5 (wet detention with swales) 50% 3.0 (natural undeveloped) Total - 2.75

John P. Krane

From: John P. Krane

Sent: Friday, September 07, 2012 11:53 AM

To: 'Brandon Howard'

Cc: 'richard.young@dot.state.fl.us'; 'ann.broadwell@dot.state.fl.us'; 'Garett.g.Lips@usace.army.mil'; Michael Davis; Kristine Stewart; 'Roxanne Chesser'; 'Frank Knott'; 'Robin Dorfmeister'; 'Paul.Cherry@kimley-horn.com'; 'Lynn Kiefer'

Subject: Follow-up to your question on the temporary trestle for the reduced bridge width

Attachments: image001.emz

Brandon,

This is in follow-up to your question regarding placement of the construction trestle on which we based our temporary construction impacts for the reduced bridge cross-section. The trestle would be constructed adjacent to the bridge and will be approximately 40-feet wide. As such, the temporary impacts will be well within the 157-foot right of way footprint, but not necessarily the bridge footprint. Below is a discussion of the anticipated construction method which is assumed in the EIS. We have refined the construction method write up from that which was previously transmitted to you, to address the new bridge configuration, and to maintain a focus of minimizing impacts.

Construction impacts in the EIS are based on use of a trestle since this will provide a conservative estimate of the temporary impacts (0.35 acres in wetlands based on the 103 foot bridge width along Alternative 1C). Consistent with standard industry practice, the trestle was assumed to be constructed using pipe piles for foundations and H-beams for framing and bracing. The deck of the trestle consists of crane mats, which are 4 ft x 1 ft x various length timber beams placed adjacent to each other, perpendicular to the length of the trestle (imagine a boardwalk or dock, with the surface boards pushed together). The trestle will traverse adjacent to the bridge within the bridge right of way. The trestle assumed for this project consists of pile bent foundations made up of five 24-inch diameter pipe piles. There are 25-foot spans between pile bents, and the overall width of the trestle is 40-feet wide. Perpendicular “fingers” will be constructed within the bridge footprint to assist with construction.

The trestle will be constructed first, building the next span from the previous span. The crane that uses the trestle as a temporary platform will be used to construct subsequent sections of the trestle. After the trestle is complete, it will be used to drive piles and place beams for the permanent bridge. Since the crane on the trestle does not bear any weight on the bridge, no increase in member sizes due to construction loads to the permanent bridge will be required, unless the bridge is used to deliver materials to the crane. The trestle can be designed to handle any material delivery operations. The trestle will be low to the ground so any trees below the trestle will have to be cut before constructing it, and tree stumps and vegetation where the pile bents will be placed must be removed.

It is possible that barges will be used within the main channels of the NFSLR during construction. However, with the project commitments outlined in the EIS, temporary impacts will be minimal and passage by aquatic species will not be impeded. Haul roads will not be used.

The following picture shows a trestle being used to construct a two-bridge system from the center. As noted above, the trestle for this project will now be located adjacent to the bridge.

The original UMAM scores for which the wetland functional loss was calculated, and for which the associated mitigation was developed, were based on a total loss of 11.26 acres (direct and indirect impacts, most of which was due to shading) between the right of way lines (edge to edge) as opposed to the physical width of the bridge which was 143'. With the reduced bridge width (103'), the functional loss for all wetland impacts has been reduced to 8.34 acres, as detailed in the information that Michael Davis sent to you two weeks ago. The mitigation plan for the project remains unchanged, with the regulatory mitigation plan providing 22.3 (SFWMD)/24.02 (USACE) functional gain units, of which approximately half has been committed to the City to compensate for the Crosstown Parkway Extension (11.2 units for 8.34 unit loss).

In light of the above, the temporary impacts should not affect the UMAM scores or require them to be recalculated because they are minor and temporary in nature. In addition, the 50-foot area outside the bridge footprint (both sides) within which the trestle would be placed, has been calculated to have a reduced UMAM score (within the 50-foot indirect zone) due to the permanent indirect impacts. The reduced UMAM score in this zone takes into account increased shading, light trespass, noise, and potential for exotic/weedy species recruitment. For the construction of the trestle, the removal of vegetation will be limited only to those areas where the temporary pier bents will be placed, and the cutting of taller vegetation that would interfere with the placement of the trestle platform, which is anticipated to be approximately 8 to 10 feet above Mean High Water. The proprietary and regulatory mitigation plans are based on direct impacts within the 157-foot right of way and the additional indirect impacts 250 feet from the edge of the bridge. The mitigation plan remains unchanged even with the reduced impacts after reducing the width of the bridge. Both mitigation plans will be more than sufficient to offset the minor and temporary impacts due to construction.

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue

Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

From: Brandon Howard [mailto:brandon.howard@noaa.gov]
Sent: Thursday, August 16, 2012 3:13 PM
To: John P. Krane
Cc: richard.young@dot.state.fl.us; ann.broadwell@dot.state.fl.us; Michael Davis; Garett.g.Lips@usace.army.mil; Kristine Stewart
Subject: Re: Thursday's Meetings with USACE and USFWS

Hi John and Mike.

I thought of one more piece of information that I will need for ESA consultation. Before, the trestle would be placed between the spans for construction of the bridge. Now that the gap between the bridges has been eliminated, how will the trestle be used while staying within the bridge footprint? Construct one side using a trestle and then construct the other side from the new bridge?

Brandon

On Tue, Aug 14, 2012 at 4:30 PM, John P. Krane <jkrane@keithandschnars.com> wrote:
Thank you Brandon. There will only be one meeting Thursday from 1:00 to 3:00 at the NMFS office. Jk.

Sent From My Blackberry

_____

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

----- Original Message -----
From: Brandon.Howard@noaa.gov [mailto:brandon.howard@noaa.gov]
Sent: Tuesday, August 14, 2012 04:28 PM
To: John P. Krane
Cc: <patrick.glass@dot.myflorida.com> <patrick.glass@dot.myflorida.com>; <richard.young@dot.state.fl.us> <richard.young@dot.state.fl.us>; <ann.broadwell@dot.state.fl.us> <ann.broadwell@dot.state.fl.us>; <cathy.kendall@fhwa.dot.gov> <cathy.kendall@fhwa.dot.gov>; Michael Davis; <Garett.g.Lips@usace.army.mil> <Garett.g.Lips@usace.army.mil>; Kristine Stewart; <RoxanneC@cityofpsl.com> <RoxanneC@cityofpsl.com>; <FKnott@cityofpsl.com> <FKnott@cityofpsl.com>; <RDorfmeister@cityofpsl.com> <RDorfmeister@cityofpsl.com>
Subject: Re: Thursday's Meetings with USACE and USFWS

Hi John.

Extending the meeting is no problem.

Brandon

On Aug 14, 2012, at 4:11 PM, "John P. Krane" <jkrane@keithandschnars.com> wrote:

> Garett has a conflict that has come up at 10:00 so he will not be able to meet at that time. He will be joining us in the afternoon at the NMFS meeting. I have asked Brandon if we can extend the meeting an extra hour to make sure we have enough time to cover what we need to. So please plan on staying in the afternoon from 1 to 3 (instead of 1 to 2). I will confirm with everyone when I have heard from Brandon. Thx. I wanted to give everyone enough lead time. Jk
>
>
> Sent From My Blackberry
> _____
> John P. Krane, P.E.
> Director of Transportation Planning
> Keith and Schnars, P.A.
> 6500 North Andrews Avenue
> Fort Lauderdale, Florida 33309-2132
>
> Phone: (954) 776-1616
> Toll Free: (800) 488-1255
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> Fax: (954) 771-7690
> E-Mail: jkrane@keithandschnars.com
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Brandon Howard

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John P. Krane

From:	Michael Davis
Sent:	Thursday, August 23, 2012 2:35 PM
To:	Garett.G.Lips@usace.army.mil; brandon.howard@noaa.gov
Cc:	Patrick.Glass@dot.state.fl.us; Patrick.Glass@dot.myflorida.com; Ann.Broadwell@dot.state.fl.us; Richard.Young@dot.state.fl.us; PAUL.CHERRY@KIMLEY-HORN.COM; 'Cathy.Kendall@dot.gov'; PatR@cityofpsl.com; Roxanne Chesser; 'Frank Knott'; RDorfmeister@cityofpsl.com; John P. Krane; Kristine Stewart
Subject:	Crosstown Parkway Extension EIS - Preferred Alternative Impact Avoidance and Minimization
Attachments:	Crosstown FEIS PA Impact Table-Minimized Bridge-Aug 22.doc; Crosstown Ext EIS -Impact Acreage and UMAM-Aug 2012.pdf; Crosstown EIS- 157' Impacts.pdf; Crosstown EIS 103' Impacts.pdf; Crosstown EIS 143' Impacts.pdf

Garett and Brandon,

This is to follow-up on our August 16, 2012 meeting where we discussed the Crosstown Parkway Extension EIS Preferred Alternative (PA) and the City's plan to further avoid and minimize impacts. Specifically, we discussed the process used for the selection of the PA and the changes in impacts resulting from the reduction of the bridge cross section.

As requested during our meeting we have evaluated further the reduction in impacts and functional loss by comparing the original bridge impacts to the reduced bridge cross section impacts. This included both the direct and indirect impacts. Attached you will find tables summarizing impacts and functional loss for the original PA (157'- ROW to ROW), the 143' PA bridge and the 103' bridge (minimized PA).

In summary, by reducing the cross section of the bridge to 103' we are able to reduce wetland impacts from 10.2 acres to 6.8 acres and the total Waters of the US impacts from 11.9 to 7.9 acres. These changes reduced the functional loss from 11.3 acres to 8.3 acres. These impact reductions do not affect the agreed upon compensatory mitigation plan.

We appreciate your efforts to work with the City Team and FDOT to resolve the remaining issues associated with ESA and EFH consultation and CWA 404(b)(1) Guidelines compliance. Do not hesitate to contact me at 954.776.1616 should you have any questions or comments.

Michael

Michael L. Davis
Vice President
Keith and Schnars, P.A.
954.776.1616

Visit the Keith and Schnars Facebook Page:
http://www.facebook.com/pages/Keith-and-Schnars/138052299630862?sk=wall

Visit the MLD Racing Facebook Page:
www.facebook.com/mldracing17

Crosstown Parkway Extension Preferred Alternative
Additional Avoidance and Minimization[1]

Habitat Type	Preferred Alternative (157') (Acres of Impact)			Preferred Alternative with Reduced Bridge Width(103') (Acres of Impact)		
	Direct (Fill)	Direct (Shading)	Total	Direct (Fill)	Direct (Shading)	Total
Wetlands	0.8	9.4	10.2	0.7	6.1	6.8
SSL	0.01	1.7	1.8	0.01	1.1	1.1
Total Waters of the U.S.	0.8	11.1	11.9	0.7	7.2	7.9
Uplands	3.8	2.6	6.4	1.3	1.6	2.9

Wetland Functional Loss(FL)

Alternative	Direct		Indirect					Total Functional Loss
	Acres	FL	0-50 feet (acres)	FL	51-250 feet (acres)	FL	Total Indirect FL	
Preferred Alternative 157-foot ROW	10.19	8.78	6.90	1.40	23.29	1.09	2.48	11.26
Preferred Alternative 143-foot Bridge Width	9.31	8.02	6.56	1.31	23.53	1.10	2.41	10.20
Preferred Alternative 103-foot Reduced Bridge Width	6.13	5.87	6.66	1.33	23.84	1.13	2.47	8.34

[1] The impacts from the Preferred Alternative approved by FHWA on July 30, 2012 were based on the complete loss of the 157' ROW. The actual bridge width was 143'. After additional avoidance and minimization the bridge cross section was reduced to 103' in August 2012, resulting in the impact reductions noted above.

Assessment Area	Habitat Type	Alternative 1C - 157-foot ROW (DEIS Impacts and UMAM)																	
		Direct							Indirect								Temporary		
		Fill	Ponds	Pilings	Shade	Total ac	Delta	Dir FL	0'-50'	Delta	FL	51'-250'	Delta	FL	Total ac	Ind FL	Pilings	Const.	Total
AA1	Swamps			0.0012	0.19	0.1912	0.8700	0.17	0.11	0.20	0.02	0.97	0.03	0.03	1.08	0.05	0.0080	0.0020	0.0100
AA2	FW Marsh With Shrubs Brush and Vines			0.0530	5.26	5.3130	0.9000	4.78	3.20	0.20	0.64	9.49	0.07	0.64	12.69	1.28	0.3530	0.0240	0.3770
AA3	Stream and Lake Swamps			0.0095	0.82	0.8295	0.8000	0.66	0.54	0.20	0.11	1.92	0.03	0.06	2.46	0.17	0.0630	0.0030	0.0660
AA4	Stream and Lake Swamps								0.11	0.20	0.02	1.87	0.03	0.06	1.98	0.08			
AA5	FW Marsh With Shrubs Brush and Vines																		
AA6	Freshwater Marsh	0.33			0.00	0.3300	0.7300	0.24	0.20	0.20	0.04	0.02	0.07	0.001	0.22	0.04			
AA7	Stream and Lake Swamps																		
AA8	Freshwater Marsh																		
AA9	FW Marsh With Shrubs Brush and Vines																		
AA10	Mixed Wetland Hardwoods	0.41		0.0310	3.09	3.5310	0.8300	2.93	2.83	0.20	0.57	9.02	0.03	0.30	11.85	0.86	0.2070	0.0130	0.2200
AA11	Freshwater Marsh																		
AA12	Willow and Elder																		
AA13	Mixed Wetland Hardwoods																		
AA14	Stream and Lake Swamps																		
Total		0.74	0.00	0.0947	9.36	10.1947		8.78	6.99		1.40	23.29		1.09	30.28	2.48	0.6310	0.0420	0.6730

Pal EFH 10.0035

Temp EFH 0.6630

Functional loss delta for direct is the same as the existing UMAM score (existing minus 0 = existing) * acres

Delta for secondary. Example AA2. Direct delta is 0.9 (0.9 - total impact [0] = 0.9). Then the UMAM score is reduced for each of the three scoring categories.

Original scores: landscape 9 reduced by 3 = 6; hydrology 9 reduced by zero =9; original vegetation 9 reduced by 3 = 6. The resulting delta is 0.7 (6+ 9 + 6/30 = 0.7).

The difference in the delta is 0.2 (0.09 - 0.07 = 0.2). The difference in the delta is multiplied by acres to get the Functional Loss.

Assessment Area	Alternative 1C - 143-foot ROW																	
	Direct							Indirect								Temporary		
	Fill	Ponds	Pilings	Shade	Total ac	Delta	Dir FL	0'-50'	Delta	FL	51'-250'	Delta	FL	Total ac	Indirect FL	Pilings	Trestle	Total
AA1			0.0020	0.14	0.1400	0.8700	0.12	0.11	0.20	0.02	1.13	0.03	0.04	1.24	0.06	0.0150	0.0050	0.0050
AA2			0.0540	4.86	4.8600	0.9000	4.37	3.23	0.20	0.65	9.60	0.07	0.64	12.83	1.29	0.3590	0.0950	0.0950
AA3			0.0090	0.76	0.7600	0.8000	0.61	0.54	0.20	0.11	1.92	0.03	0.06	2.46	0.17	0.0600	0.0170	0.0170
AA4								0.09	0.20	0.02	1.84	0.03	0.06	1.93	0.07			
AA5																		
AA6	0.32			0.00	0.3200	0.7300	0.23	0.17	0.20	0.03	0.10	0.07	0.007	0.27	0.04			
AA7																		
AA8																		
AA9																		
AA10	0.38		0.0320	2.85	3.2300	0.8300	2.68	2.42	0.20	0.48	8.84	0.03	0.29	11.26	0.78	0.2140	0.0560	0.0560
AA11																		
AA12																		
AA13																		
AA14																		
Total	0.70	0.00	0.0970	8.61	9.3100		8.02	6.56		1.31	23.43		1.10	29.99	2.41	0.648	0.173	0.173

Palust EFH	9.17
Mangrove	0.14
	9.31

Temp EFH	0.1680

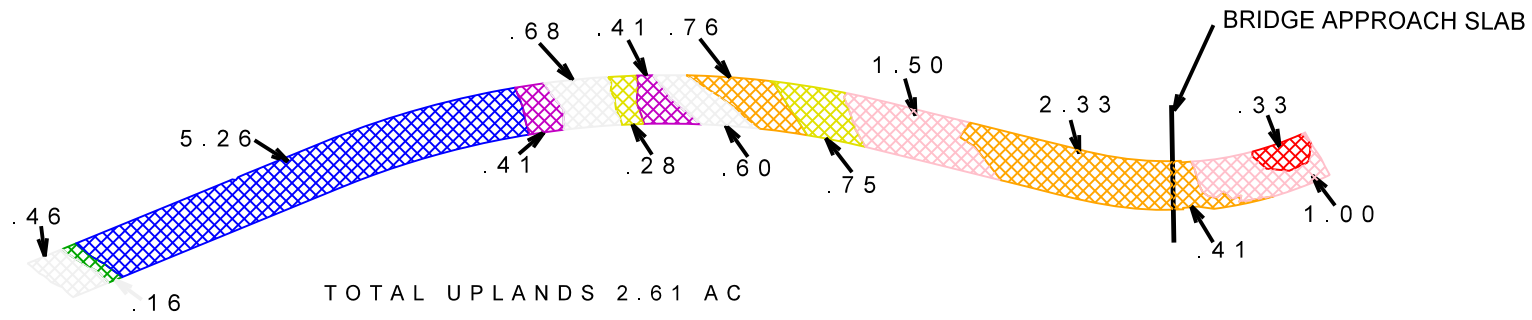
Note: for total direct impacts, pilings impacts are shown but not included in the totals because they are beneath the bridge, which is included as a total loss; same for temporary(piling) impacts for the same reason.

Assessment Area	Alternative 1C - 103-foot ROW																	
	Direct							Indirect								Temporary		
	Fill	Ponds	Pilings	Shade	Total ac	Delta	Dir FL	0'-50'	Delta	FL	51'-250'	Delta	FL	Total ac	Ind FL	Pilings	Trestle	Total
AA1			0.0020	0.10	0.1000	0.8700	0.09	0.12	0.20	0.02	0.89	0.03	0.03	1.01	0.05	0.0150	0.0100	0.0100
AA2			0.0540	3.45	3.4500	0.9000	3.11	3.30	0.20	0.66	10.38	0.07	0.70	13.68	1.36	0.3590	0.1900	0.1900
AA3			0.0090	0.55	0.5500	0.8000	0.44	0.53	0.20	0.11	1.88	0.03	0.06	2.41	0.17	0.0600	0.0340	0.0340
AA4								0.03	0.20	0.01	1.64	0.03	0.05	1.67	0.06			
AA5																		
AA6	0.32			0.00	0.3200	0.7300	0.23	0.17	0.20	0.03	0.00	0.07	0.000	0.17	0.03			
AA7																		
AA8																		
AA9																		
AA10	0.38		0.0320	2.03	2.4100	0.8300	2.00	2.51	0.20	0.50	9.05	0.03	0.30	11.56	0.80	0.2140	0.1120	0.1120
AA11																		
AA12																		
AA13																		
AA14																		
Total	0.70	0.00	0.0970	6.13	6.8300		5.87	6.66		1.33	23.84		1.13	30.50	2.47	0.648	0.346	0.346

Note: for total direct impacts, pilings impacts are shown but not included in the totals because they are beneath the bridge, which is included as a total loss; same for temporary(piling) impacts for the same reason.

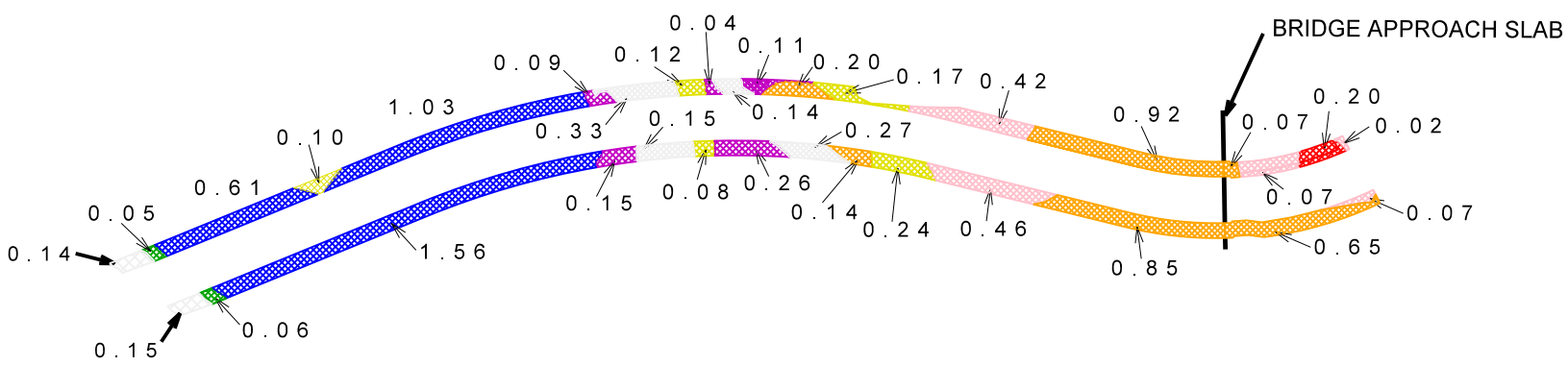
PREFERRED ALTERNATIVE ORIGINAL AT 157'

PREFERRED ALTERNATIVE SHADING IMPACTS FROM BRIDGE (ROW TO ROW)(157')

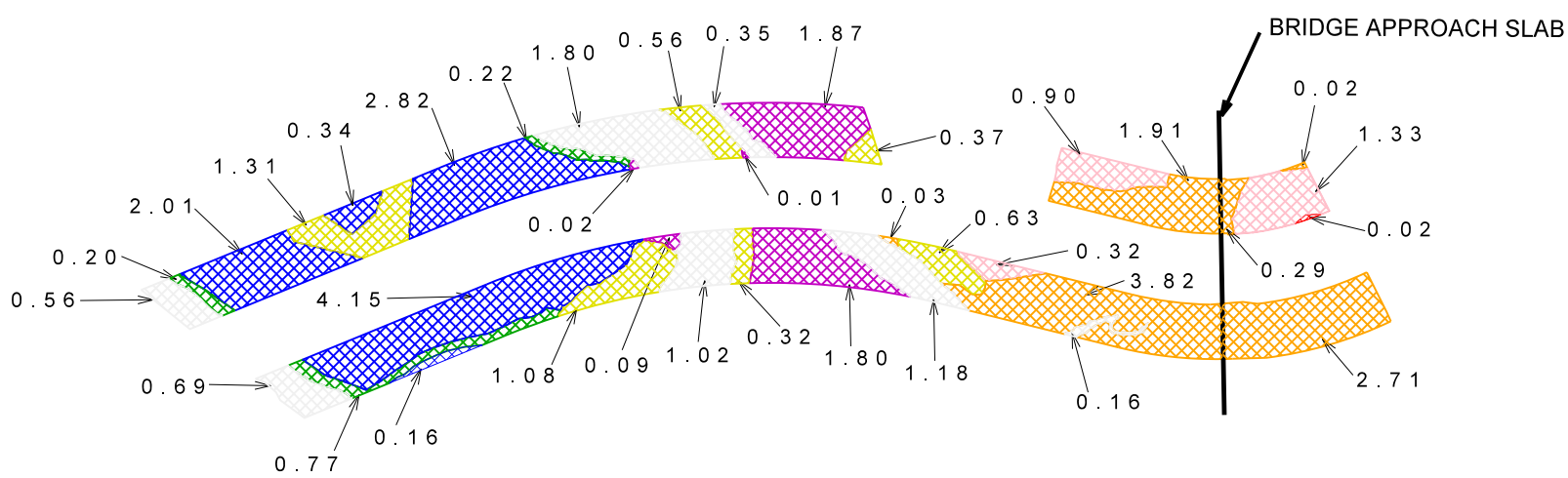


TOTAL UPLANDS 2.61 AC
TOTAL SOVEREIGNTY SUBMERGED LAND 1.74 AC
TOTAL WETLANDS 9.36 AC

PREFERRED ALTERNATIVE SECONDARY IMPACTS FROM ROW TO 50'



PREFERRED ALTERNATIVE SECONDARY IMPACTS FROM 51' TO 250'



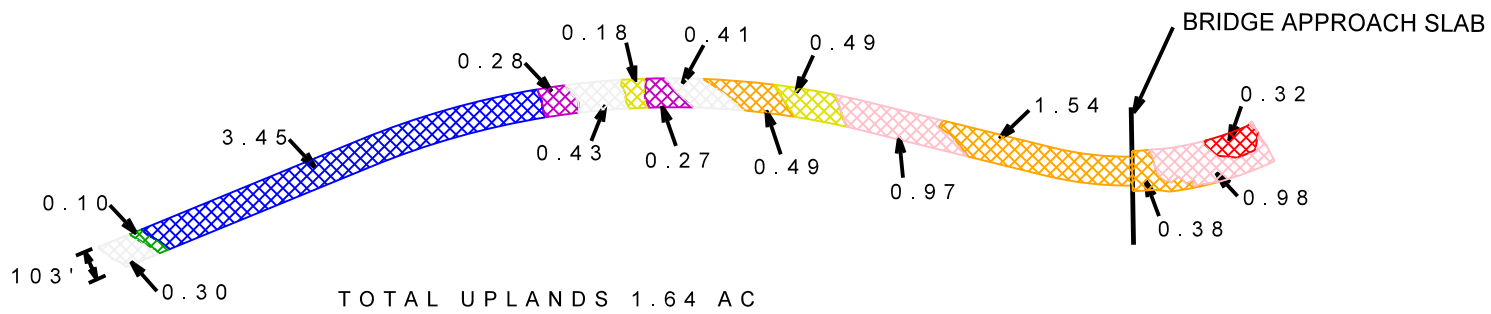
LEGEND

- 411 Pine Flatwoods
- 422 Brazilian Pepper
- 427 Live Oak
- Sovereignty Submerged Land
- 612 Mangrove Swamps
- 615 Stream and Lake Swamps
- 617 Mixed Wetland Hardwoods
- 618 Willow and Elder
- 641 Freshwater Marsh
- 6417 Freshwater Marsh with Shrubs, Brush, and Vines

shade-fill impact areas(revised reduced impact).dgn 8/23/2012 1:36:56 PM

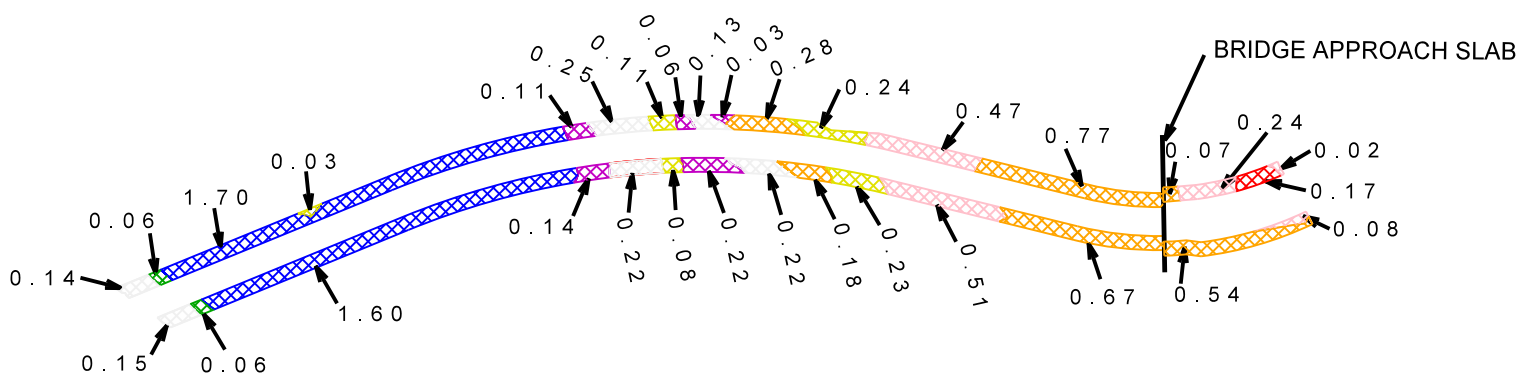
PREFERRED ALTERNATIVE WITH IMPACT AVOIDANCE / MINIMIZATION AT 103'

PREFERRED ALTERNATIVE REDUCED SHADING IMPACTS FROM BRIDGE (HANDRAIL TO HANDRAIL)(103')

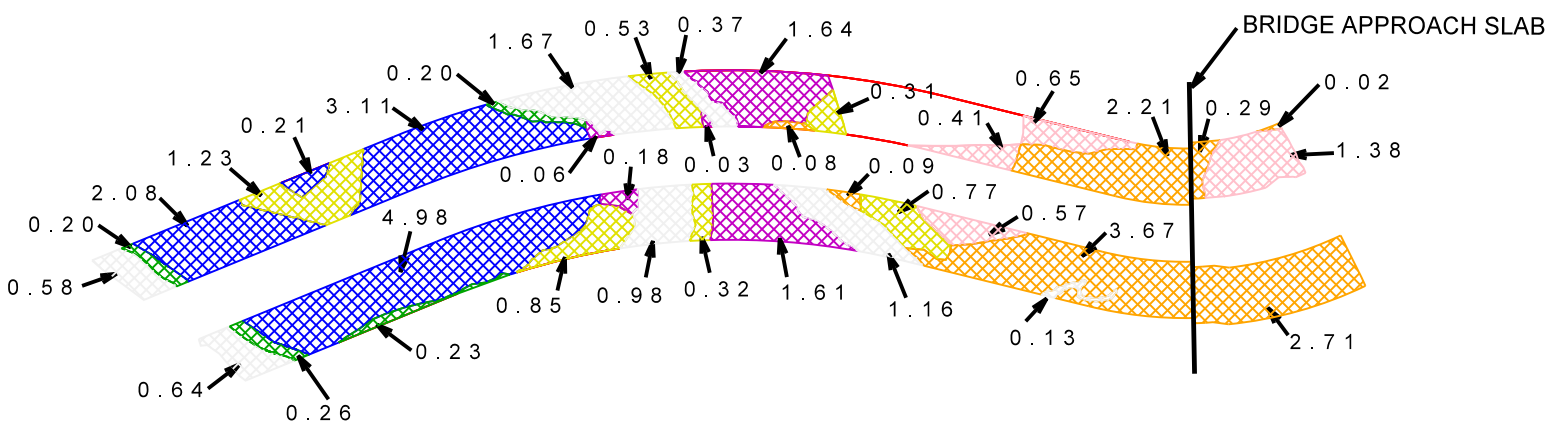


TOTAL UPLANDS 1.64 AC
TOTAL SOVEREIGNTY SUBMERGED LAND 1.14 AC
TOTAL WETLANDS 6.13 AC

PREFERRED ALTERNATIVE SECONDARY IMPACTS FROM BRIDGE TO 50'



PREFERRED ALTERNATIVE SECONDARY IMPACTS FROM 51' TO 250'

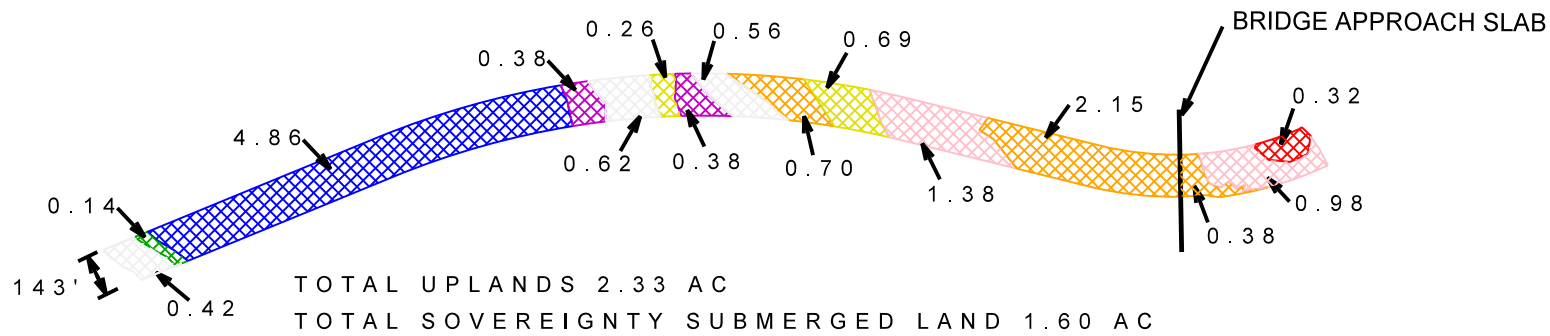


LEGEND

- 411 Pine Flatwoods
- 422 Brazilian Pepper
- 427 Live Oak
- Sovereignty Submerged Land
- 612 Mangrove Swamps
- 615 Stream and Lake Swamps
- 617 Mixed Wetland Hardwoods
- 618 Willow and Elder
- 641 Freshwater Marsh
- 6417 Freshwater Marsh with Shrubs, Brush, and Vines

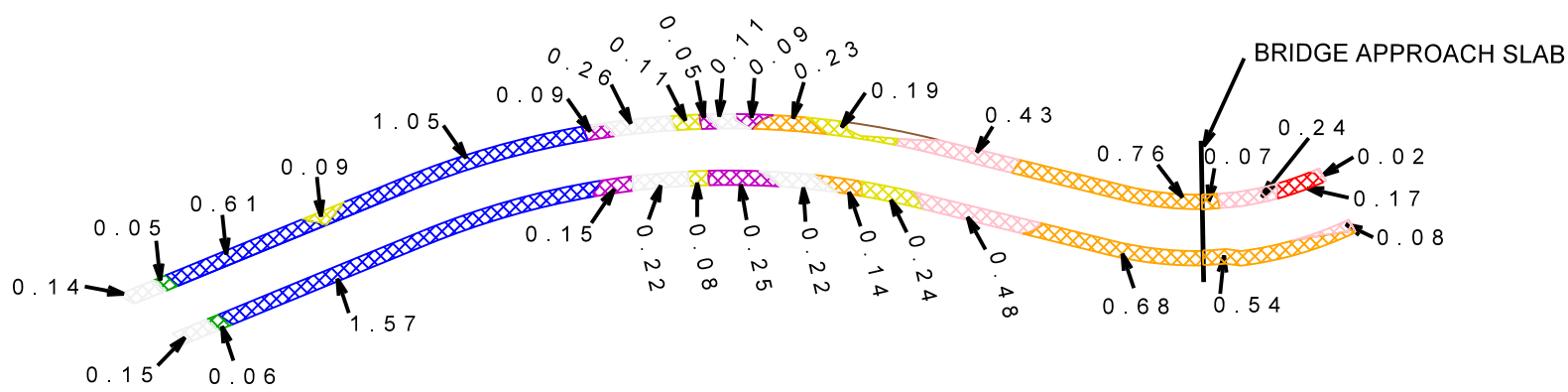
PREFERRED ALTERNATIVE BRIDGE AT 143'

PREFERRED ALTERNATIVE ORIGINAL SHADING IMPACTS FROM BRIDGE (HANDRAIL TO HANDRAIL)(143')



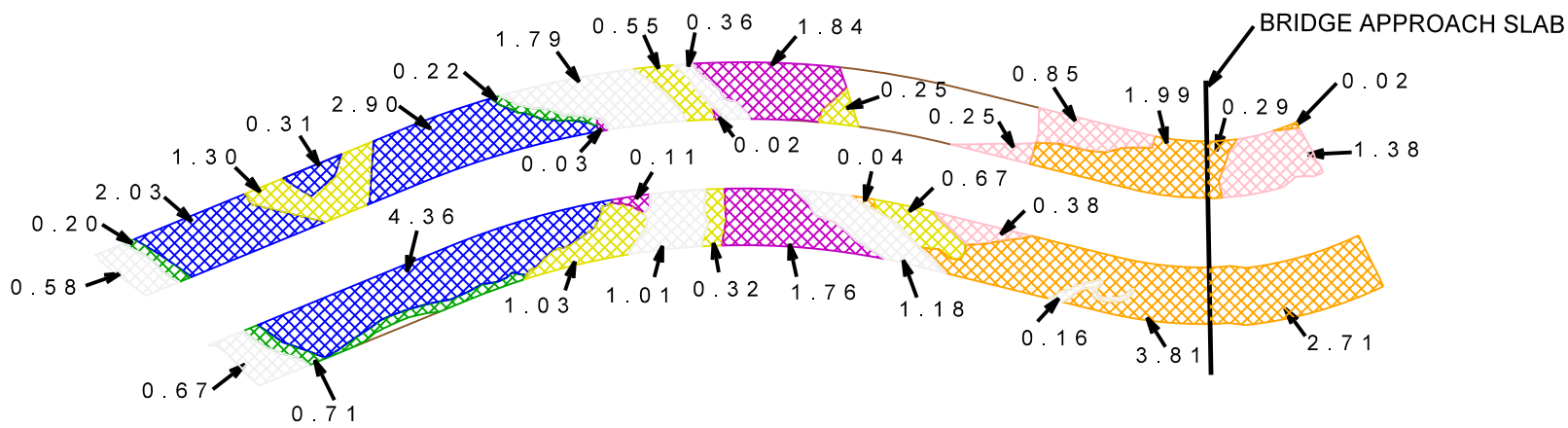
TOTAL UPLANDS 2.33 AC
TOTAL SOVEREIGNTY SUBMERGED LAND 1.60 AC
TOTAL WETLANDS 8.61 AC

PREFERRED ALTERNATIVE ORIGINAL SECONDARY IMPACTS FROM BRIDGE HANDRAIL TO 50'



TOTAL WETLANDS 5.78 AC

PREFERRED ALTERNATIVE ORIGINAL SECONDARY IMPACTS FROM 51' TO 250'



TOTAL WETLANDS 20.33 AC

LEGEND

- 411 Pine Flatwoods
- 422 Brazilian Pepper
- 427 Live Oak
- Sovereignty Submerged Land
- 612 Mangrove Swamps
- 615 Stream and Lake Swamps
- 617 Mixed Wetland Hardwoods
- 618 Willow and Elder
- 641 Freshwater Marsh
- 6417 Freshwater Marsh with Shrubs, Brush, and Vines

CITY OF PORT ST. LUCIE

Public Works Department

Accredited Agency – American Public Works Association

"A City for All Ages"

MEMORANDUM

To: Roxanne M. Chesser, P.E. - Civil Engineer

From: Frank Knott, Project Manager

Date: August 17, 2012

Re: Proprietary Mitigation – Land Acquisition

This memorandum is written in response to the July 10, 2012 meeting with FDEP State Parks Planning. FDEP requested information regarding the origin of the property to be transferred to the State.

There was also a concern that a large portion of the church property was already designated a conservation easement. The City is in negotiations with the church to acquire eight acres. Of the eight acres, 1.433 acres has been established as a conservation easement.

The following identifies the parcel, its use, the method by which the parcel was acquired, the previous owner, and when the property was acquired:

Emerson

Tract B Section 26 is an undeveloped park site acquired via warranty deed from General Development Corporation (GDC) in 1987.

Bywood

Lots 30 & 31 Block 441 Section 3 are undeveloped residential lots purchased from JAL Holdings in 2004.

Lots 1 & 2 Block 457 Section 3 are undeveloped residential lots purchased from Collester in 1998.

Crowberry

Lots 3, 7-18, 22-24 Block 543 Section 10 are undeveloped residential lots acquired via warranty deed from GDC in 1984.

Green River

Tract D Section 62 is an undeveloped park site acquired via special warranty deed from GDC in 1991.

River Walk

Portion of St Lucie Gardens 02 37 40 that part of Block 3 Lots 5, 6, 8, 9, 11 and 12 is a portion of an undeveloped multi-use project (River Walk), purchased from HCA Realty in 2001.

St Lucie Gardens 02 37 40 that part of Block 3 Lots 6, 7, 8, 9 and 10 is a portion of an undeveloped multi-use project (River Walk), acquired via special warranty deed from Terpening in 2008.

Portion of St Lucie Gardens 02 37 40 that part of Block 3 Lots 3, 4, 5, 11 and 12 is a portion of an undeveloped multi-use project (River Walk), acquired via special warranty deed from Terpening in 2008

Portion of St Lucie Gardens 02 37 40 Block 3 portions of Lo1s 1, 2, 3 and 4 is a portion of a recreation site which currently includes a lake utilized by model radio controlled sail boating and is generally unimproved, acquired via warranty deed from Trust for Public Land in 1990.

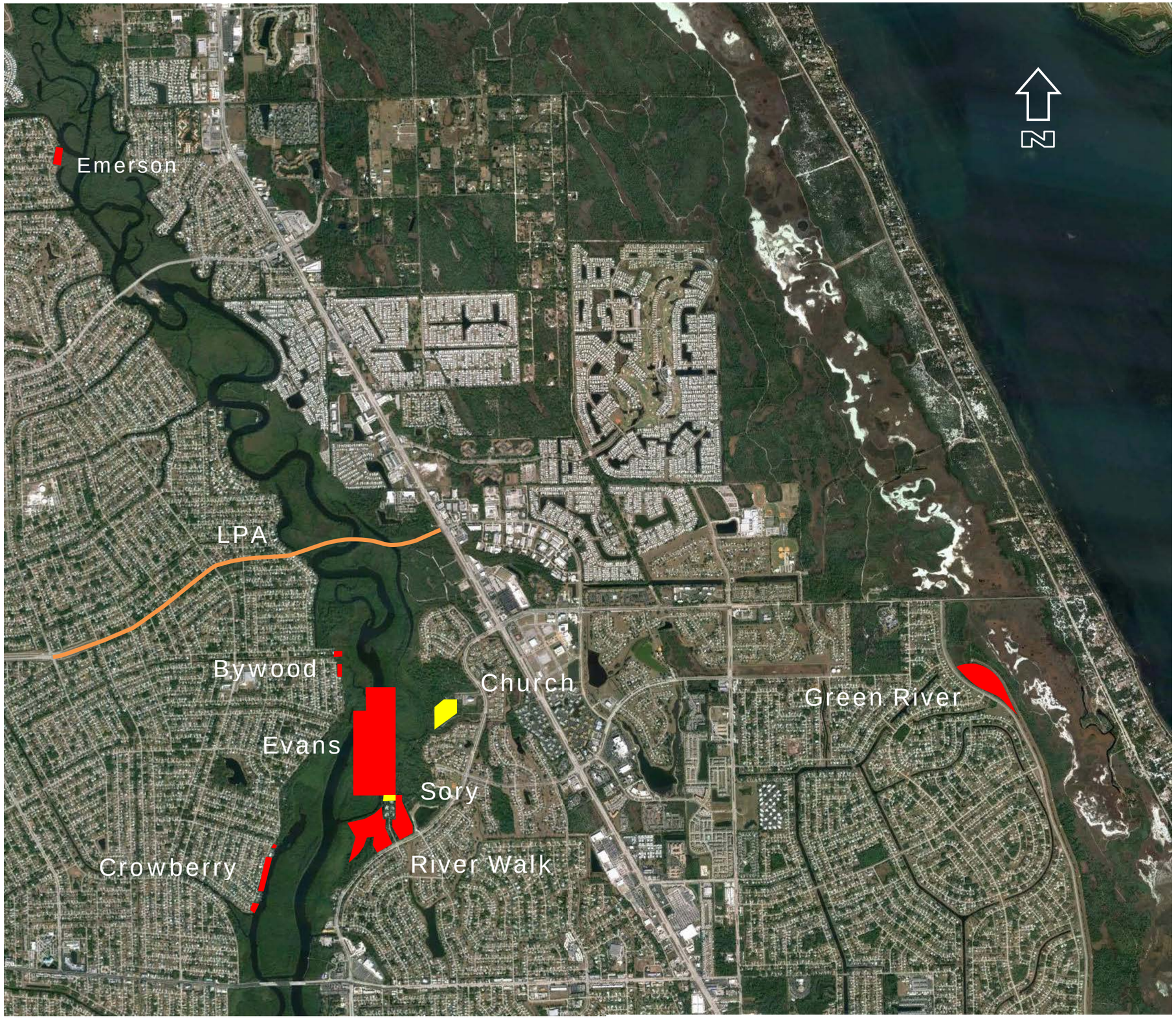
Evans
St Lucie Gardens 02 37 40 Block 2 Lots 5, 6, 8 and E 1/2 Lots 9 and 10 and Lots 11 and 12 is unimproved property with exception to a single residence, purchased from Evans 2010.

Sory
St Lucie Gardens 02 37 40 Block 3 N 110 ft of N 1/2 of Lot 5 is an unimproved residential parcel currently privately owned.

Church
Portion of St Lucie Gardens 02 37 40 Block 1 that part Lots 5, 6, 7 & 8 & Block 2 is a portion of an improved church parcel currently privately owned which includes a 1.433 conservation easement (OR 1998/721)

attachment

C Patricia Roebling, P.E. City Engineer
Azlina Goldstein-Siegel, Assistant City Attorney
John Krane P.E., Keith & Schnars



City Owned Properties	
Emerson	2.83
Bywood	1.08
Evans	49.81
Crowberry	3.73
River Walk	26.35
Green River	15.50
TOTAL	99.30

Properties to be Purchased	
Church	8.00
Sory	0.85
TOTAL	8.85 Acres

Total Acres Proposed	
City Owned	99.30
Purchase	8.85
TOTAL	108.15 Acres

LPA – Locally Preferred Alternative

Crosstown Parkway Extension - Alt 1C

John P. Krane

From: John P. Krane

Sent: Thursday, August 16, 2012 4:59 PM

To: 'Cathy Kendall'

Cc: 'Patricia Roebling'; 'Roxanne Chesser'; 'Frank Knott'; 'Robin Dorfmeister'; 'Glass, Patrick R'; 'Glass, Patrick R'; 'Broadwell, Ann L'; 'Young, Richard'; 'CHERRY, PAUL'; Michael Davis; Kristine Stewart; 'Brandon Howard'; 'Lips, Garett G SAJ'

Subject: Copy of Presentation and Handout (including reduced Typical Section)

Attachments: Final Federal Reg and Res Agency Meeting 08-16-12.pdf; Reduced Width Bridge Typical Section.pdf; Preferred Alternative Impact Reduction.jpg; shade-fill impact areas(reduced impact) 1C.pdf

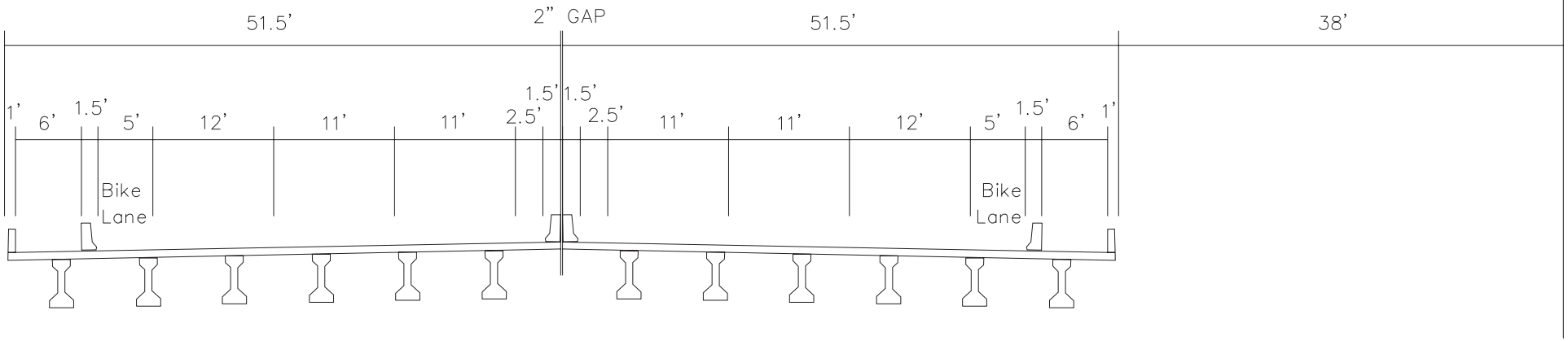
Cathy,

Attached are the PDF files of the power point, and the handout material from today's discussion. As I understand it, you are going have the revised typical section reviewed to ensure FHWA finds it to be acceptable. Do you have an idea of when we might anticipate hearing back? jk

---

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

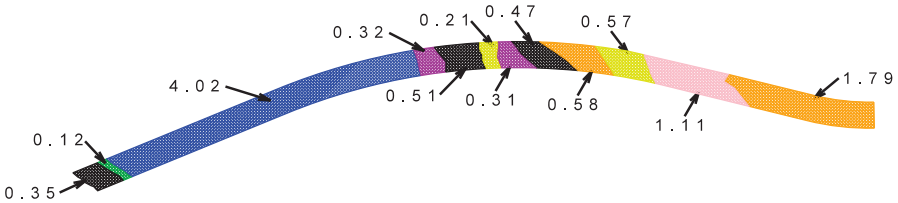


Crosstown Parkway Revised Bridge Cross Section (103')

Bridge Section.dwg 8/14/2012 11:32:55 AM

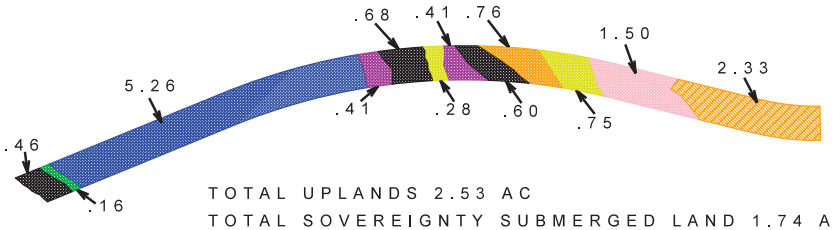
Habitat Type	Preferred Alternative (Acres of Impact)			Preferred Alternative w/ Reduced Bridge Width (Acres of Impact)		
	Direct	Shading	Total	Direct	Shading	Total
Wetlands	0.8	9.4	10.2	0.8	7.2	8.0
SSL	0.01	1.7	1.8	0.01	1.3	1.3
Total Waters of the U.S.	0.8	11.1	11.9	0.8	8.5	9.3
Uplands	3.8	2.6	6.4	3.8	2.0	5.8

ALTERNATIVE 1C (REDUCED IMPACTS)



TOTAL UPLANDS 1.89 AC
TOTAL SOVEREIGNTY SUBMERGED LAND 1.33 AC
TOTAL WETLANDS 7.14 AC

ALTERNATIVE 1C (ORIGINAL IMPACTS)



TOTAL UPLANDS 2.53 AC
TOTAL SOVEREIGNTY SUBMERGED LAND 1.74 AC
TOTAL WETLANDS 9.33 AC

LEGEND

- 411 Pine Flatwoods
- 422 Brazilian Pepper
- 427 Live Oak
- Sovereignty Submerged Land
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- 615 Stream and Lake Swamps
- 617 Mixed Wetland Hardwoods
- 618 Willow and Elder
- 641 Freshwater Marsh
- 6417 Freshwater Marsh with Shrubs, Brush, and Vines

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

August 15, 2012

Ms. Cathy Kendall
U.S. Department of Transportation
Federal Highway Administration
Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

RECEIVED
BUREAU OF
HISTORIC PRESERVATION
2012 AUG 22 P 2:26

Dear Ms. Kendall:

SUBJECT: **Request for Review**
Cultural Resources Assessment Survey
Crosstown Parkway Extension PD&E and EIS
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

On April 13, 2010, the District submitted the Cultural Resources Assessment Survey (CRAS) to FHWA requesting concurrence with the District's determination that no historic resources or archaeological sites would be affected by the proposed improvements. On April 19, 2010, FHWA made a determination that the six build alternatives would not impact any NRHP-eligible historic or archaeological resources. The CRAS was subsequently submitted to the State Historic Preservation Officer (SHPO) and the SHPO concurred with the recommendations and findings in the CRAS on May 20, 2010 (copy attached).

The CRAS that was submitted for review had been conducted for six build alternatives that were under consideration in the Draft Environmental Impact Statement. The assessment also included a preliminary probability analysis as Appendix B to determine if any significant or potentially significant cultural resources would be impacted by the construction of the stormwater management ponds associated with the build alternatives under consideration. Section 5.3 (Conclusions) and Appendix B stated that, after a preferred alternative was selected, the pond sites with a high or moderate archaeological site location potential based on the probability analysis would be subjected to a systematic archaeological survey. Accordingly, the survey for the six pond sites for Alternative 1C (the Preferred Alternative) was conducted in May 2012 and the results are documented in the Technical Memorandum found in Appendix D of the CRAS.

Enclosed are two copies and two electronic copies of the CRAS that has been updated to include the Technical Memorandum and language revisions relating to the project introduction and purpose and need to be consistent with the language in other Technical Reports and the EIS.

Based on the CRAS and the Technical Memorandum included as Appendix D, the District has determined that no historic properties will be affected by the proposed improvements or the stormwater management ponds for the Preferred Alternative (Alternative 1C). At this time, the FDOT respectfully requests a determination from FHWA on the Preferred Alternative (Alternative 1C) ponds only. Should you concur with our findings, please submit one copy of this document along with the attached signature page to Mr. Robert F. Bendus, the Florida State Historic Preservation Officer, for his review and comment.

If you have any questions, please contact me at 954.777.4325.

Sincerely,

Ann Broadwell
Environmental Administrator
FDOT – District 4

Attachments

cc: Mark Clasgens, FHWA Area Engineer (Mark.Clasgens@dot.gov)
Patricia Roebling, PE, City Engineer - City of Port St. Lucie (PatR@cityofpsl.com)
Beatriz Caicedo-Maddison, PE, FDOT – District 4 (Beatriz.Caicedo@dot.state.fl.us)
Pat Glass, PE, FDOT – District 4 (Patrick.Glass@dot.state.fl.us)
Richard Young, PE, FDOT – District 4 (Richard.Young@dot.state.fl.us)
John Krane, PE, Keith & Schnars, P.A. (jkrane@keithandschnars.com)

The FHWA finds the attached Cultural Resources Assessment Report complete and sufficient and
_____approves/_____does not approve the above recommendations and findings.

The FHWA requests the SHPO's opinion on the sufficiency of the attached report and the SHPO's opinion on the recommendations and findings contained in this cover letter and in the comment block below.

FHWA Comments:

/s/ Cathy Kuhn 8/21/12

for Martin C. Knopp
Division Administrator
Florida Division
Federal Highway Administration

Date

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number 2012-3845.

/s/ Alissa M. Slade, Deputy SHPO 9-4-12

for Robert F. Bendus
State Historic Preservation Officer
Florida Division of Historical Resources

Date

John P. Krane

From: Lips, Garett G SAJ [Garett.G.Lips@usace.army.mil]
Sent: Tuesday, August 07, 2012 11:31 AM
To: Kristine Stewart
Cc: John P. Krane; Barry Ehrlich; Harry Fulwood; Michael Davis; Broadwell, Ann L; Cathy Kendall; Brandon Howard; John_Wrublik@fws.gov; Ron Miedema; budeir.maher@epa.gov
Subject: RE: Coordination for Crosstown Parkway EIS (UNCLASSIFIED)

Attachments: 404 B 1 Guidelines 40cfrPart230.pdf

404 B 1 Guidelines 40cfrPart23...

Classification: UNCLASSIFIED
Caveats: NONE

Kristine,

1) During the last project meeting on May 29, 2012, the City presented their preferred alternative. The City's preferred alternative, however, is not the least environmentally damaging practicable alternative (LEDPA) in terms of Section 404 of the Clean Water Act; in fact, it represents the MOST environmentally damaging practicable alternative. The City further stated that each of the build alternatives remaining in the study achieve the project purpose, and are practicable, and are therefore viable. However, the City alluded that their preferred build alternative was selected among the others because it was the most "beneficial". During the meeting, the Corps stated concerns about the City's methodology to determine their preferred alternative, and the obvious conflict between the preferred alternative and the requirements for compliance with the Section 404(b) (1) Guidelines.

As stated in Section 404 of the clean Water Act (as follows), the Department of the Army cannot authorize a more damaging alternative if there is/are other less damaging practicable alternative(s).

[See attached Subpart B-Compliance with the Guidelines; § 230.10 (a) Restrictions on discharge: "Except as provided under section 404(b) (2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences."

Also, see § 230.10 (a) (2) of the above reference: "An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. If it is otherwise a practicable alternative, an area not presently owned by the applicant which could reasonably be obtained, utilized, expanded or managed in order to fulfill the basic purpose of the proposed activity may be considered."]

In order to transcend the dilemma with the Section 404 restrictions on discharges and the substantial separation of the City's preferred alternative from being the LEDPA, the Corps recommends an analysis, specific to the 404(b)(1) Guidelines, (similar to how the City selected their preferred alternative) be done with all practicable alternatives. This evaluation of whether an alternative is practicable, specifically, in terms of 404(b) (1) must, however, use the following criteria (as stated in the referenced regulations:
1). cost,
2). existing technology, and
3). logistics

Using these 3 factors is crucial in order for the Corps to make a LEDPA determination. Once this draft evaluation is done, the results should be sent for the Corps review, with the appropriate reference materials. The Corps will also use the other previously

identified criteria in the EIS that constrain or influence the project (i.e. resource impacts, taking of homes, etc)

2) As for "whether the proposed compensatory mitigation is adequate to offset unavoidable direct and indirect impacts resulting from the Preferred Alternative", the Corps notes that the ecological functions and services at Platts Creek would likely be appropriate to offset unavoidable impacts to aquatic resources associated with the North Fork of the St Lucie River in the Crosstown Parkway study area.

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410
Office 561-472-3519

Please use the link below to find a map to our office, FAQ's, Contact info, Our Statutes, Regulations, AVATAR Guide To Filling Out Our Applications, Public Notices & More.

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-----Original Message-----
From: Kristine Stewart [mailto:kstewart@keithandschnars.com]
Sent: Tuesday, August 07, 2012 8:54 AM
To: Lips, Garett G SAJ
Cc: John P. Krane; Barry Ehrlich; Harry Fulwood; Michael Davis
Subject: Coordination for Crosstown Parkway

Dear Mr. Lips,

In a letter dated July 10, 2012, the FDOT and the City of Port St. Lucie requested assurance that the information presented to date on the Crosstown Parkway Extension is adequate to evaluate impacts consistent with the Clean Water Act and whether the proposed compensatory mitigation is adequate to offset unavoidable direct and indirect impacts resulting from the Preferred Alternative.

We are finalizing the coordination stage of the project. If you have any questions related to this request, do not hesitate to call or email me.

Kristine Stewart, Ph.D.

Senior Biologist/Senior Scientist

Keith and Schnars

6500 N. Andrews Avenue

Fort Lauderdale, FL 33309

(954) 776-1616

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Classification: UNCLASSIFIED
Caveats: NONE

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Harry Fulwood

From: John P. Krane
Sent: Monday, August 06, 2012 2:28 PM
To: Harry Fulwood
Cc: Barry Ehrlich
Subject: FDOT Coordination - Crosstown LRTP/TIP/STIP Planning Consistency Form

---

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

From: Young, Richard [mailto:Richard.Young@dot.state.fl.us]
Sent: Friday, July 06, 2012 4:10 PM
To: John P. Krane
Subject: Crosstown LRTP/TIP/STIP Planning Consistency

John,

I reviewed the submittal for the Planning Consistency and it looks good. This information is submitted to FHWA with the final environmental document, so I will not be taking any action at this time. Please incorporate it into the FEIS.

Thanks,

Richard A. Young, P.E.
District Project Development Engineer
FDOT District 4
richard.young@dot.state.fl.us
(954) 777-4323 Fax (954) 777-4310

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John P. Krane

From: Jeff_Duncan@nps.gov
Sent: Friday, August 03, 2012 12:10 PM
To: Kristine Stewart
Cc: Barry Ehrlich; Harry Fulwood; John P. Krane
Subject: Re: Coordination for the Crosstown Parkway Extension

Dr. Stewart--

My apologies for the delay in responding to this. I have reviewed the materials provided by FDOT, and based on this information, I concur with your findings that the proposed project is not likely to foreclose designation.

We appreciate FDOT consulting with the National Park Service on this matter, and we have not further comments at this time. If you have any further questions, please not hesitate to contact me.

Respectfully,

Jeffrey R. Duncan, Ph.D.
Southeast Regional Fishery Ecologist
and Water Quality Specialist
National Park Service
535 Chestnut St. Suite 207, Chattanooga, TN 37402 Ph. (423) 987-6127 Fax. (888) 854-2849

"Kristine Stewart" <kstewart@keithandschnars.com>
08/01/2012 02:07 PM

To <Jeff_Duncan@nps.gov>
cc "John P. Krane" <jkrane@keithandschnars.com>, "Barry Ehrlich" <Behrlich@keithandschnars.com>, "Harry Fulwood" <Hfulwood@keithandschnars.com>
Subject Coordination for the Crosstown Parkway Extension

Dear Mr. Duncan,

As the contact for the review of FDOT projects located within the limits of rivers on the Nationwide Rivers Inventory, we requested your comments in a letter, dated June 19, 2012. The letter requesting your comments is attached (without the letter's attachments).

We are finalizing the coordination stage of the project. As part of the coordination with the National Parks Service, we seek your agency's comments as to whether the Preferred Alternative will foreclose the potential for future designation of the North Fork St.

Lucie River as wild and scenic.

Kristine Stewart, Ph.D.
Senior Biologist/Senior Scientist
Keith and Schnars
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(954) 771-7690 (Fax)
kstewart@keithandschnars.com
40thAnniversary
Visit the Keith and Schnars Facebook Page:
http://www.facebook.com/pages/Keith-and-Schnars/138052299630862?sk=wall
 [attachment "Letter - Consultation for the Wild and Scenic Rivers Act.pdf"
deleted by Jeff Duncan/Atlanta/NPS]
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-

John P. Krane

From: Kristine Stewart
Sent: Thursday, August 02, 2012 3:06 PM
To: John P. Krane
Cc: Barry Ehrlich; Harry Fulwood
Subject: FW: CERP and the Crosstown Parkway Extension Project (UNCLASSIFIED)

From: Tarr, Bradley A SAJ [mailto:Bradley.A.Tarr@usace.army.mil]
Sent: Thursday, August 02, 2012 2:57 PM
To: Kristine Stewart
Cc: Dunn, Angela E SAJ; Stodola, Paul E SAJ; Ralph, Gina P SAJ
Subject: CERP and the Crosstown Parkway Extension Project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Hello Kristine,

Paul forwarded your email of 31 July 2012 inquiring whether the referenced project was compatible with the goals and objectives of the Indian River Lagoon South (IRL-S) CERP project. We have reviewed the details provided to us on the Crosstown Parkway Extension project; discussed potential concerns with Corps Regulatory Division; and feel that the project, as proposed, is compatible with IRL-S.

An official letter stating the same has been drafted and is awaiting signature.

Please contact me or Angie Dunn (904-232-2108) if you have any questions.

Thank you,

Brad Tarr
US Army Corps of Engineers
Environmental Branch, Planning Division
701 San Marco Blvd.
Jacksonville, Florida 32232-0019
904-232-3582

Classification: UNCLASSIFIED
Caveats: NONE

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U.S. Department of Transportation
Federal Highway Administration

Florida Division

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www.fhwa.dot.gov/fldiv

July 30, 2012

In Reply Refer To:
HDA-FL

Mr. Gustavo Schmidt, P.E.
District Planning and Environmental Engineer
Florida Department of Transportation, District IV
3400 West Commercial Boulevard
Ft. Lauderdale, FL 33309

Dear Mr. Gustavo Schmidt:

Thank you for your July 16, 2012, letter requesting the Federal Highway Administration to provide concurrence on the designation of the preferred alternative for the Crosstown Parkway Environmental Impact Statement, as well as the intent to carry the alternative to a higher level of detail in order to address questions from the resource agencies regarding potential impacts and mitigation needs.

FHWA recognizes the high level of effort that has been made by Florida Department of Transportation, the City of Port St. Lucie, and the consultants working on this project through the entire process for this project, from the early corridor studies to the selection of the locally preferred alternative, to identify and address potential impacts of the alternatives. FHWA's review of the information from these processes, as well as our participation in several on-site assessments, the process for the selection of the locally preferred alternative and our consideration of the public and agency comments on the proposed project, provides us with sufficient information to satisfy the requirements of Section 6002 of SAFETEA-LU; and hence, our office concurs with your request to identify Alternative 1C as the preferred alternative in the Final EIS.

As we have previously stated, FHWA's identification of a preferred alternative does not commit FHWA to issue a Record of Decision for that alternative or to fund a particular alternative. In fact, some of the federal agencies have concerns for the preferred alternative that have not yet been resolved. We urge FDOT to continue working with the agencies so that they have a better understanding of how the identification of the preferred alternative was determined, and to resolve any remaining concerns that could affect project development and permitting.

Some of the remaining concerns from the resource agencies are related to the level of information needed to conclude consultation under Section 7 of the Endangered Species Act, as well as Essential Fish Habitat requirements. For this reason, FHWA also concurs with the need to develop the preferred alternative to a higher level of detail in order to facilitate the development of mitigation measures and comply with these other applicable laws. The additional level of detail will not prevent FHWA from making an impartial decision as to whether to accept another alternative from consideration in the environmental process.

We ask that you continue to include FHWA in your coordination with the resource agencies and provide progress updates in resolving any informal disputes that have been previously raised on the project, and any issues that may arise in the development of the Final EIS. FHWA understands that local residents in the Town of Port St. Lucie are impacted by the length of this decision-making process. It is important that we are mindful of the original project schedule and the need to reach a conclusion in the NEPA process in a timely manner.

Sincerely,

Cathy Kendall

For: Martin C. Knopp
Division Administrator

cc: Marjorie Bixby, FDOT, Central Environmental Management Office

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

FILE DOCUMENTATION

TO: FILE

FROM: Joyce Howland

DATE: July 27, 2012

SUBJECT: **Crosstown Parkway Extension EIS**
USCG Clearances for North Coral Reef Waterway

Bridge Project Questionnaires (BPQs) were submitted to the USCG for Evans Creek and North Coral Reef Waterway June 13, 2012, to determine the USCG vertical and horizontal clearance requirements for the Preferred Alternative (1C) crossings. Previously, the USCG had determined that the clearances for the main channel of the North Fork St. Lucie River must meet or exceed the clearances at the Port St. Lucie Boulevard crossing. These clearances are: 18.6 feet vertically and 75.5' horizontally.

Darayl Tompkins, USCG (305.415.6766) was contacted on July 25, 2012 to discuss the status of the BPQs. Mr. Tompkins stated that the proposed bridge at Evans Creek is in the advance approval category; therefore, a USCG bridge permit will not be required for the proposed bridge construction. However, the lowest portion of the bridge superstructure across the waterway should clear the 100-year flood height. Formal documentation was provided on July 27, 2012.

As for North Coral Reef Waterway, a USCG permit will be required and will be processed concurrently with the permit for the main channel of the NFSLR. The clearances at the North Coral Reef Waterway crossing must meet or exceed the clearances at the Port St. Lucie Boulevard crossing. These clearances are: 18.6 feet vertically and 75.5' horizontally.

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(954) 776-1616 ● (800) 488-1255 ● Fax (954) 771-7690

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

July 16, 2012

Mr. Brandon Howard
United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
400 North Congress Avenue, Suite 120
West Palm Beach, Florida 33401

Dear Mr. Howard:

SUBJECT: **Consultation for Essential Fish Habitat**
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

On behalf of the City of Port St. Lucie, the project sponsor, the Florida Department of Transportation, acting as the non-federal lead agency, is submitting for your review and comment, the city's responses to your letter dated October 3, 2011.

Also included for your review is the revised Essential Fish Habitat Assessment (EFHA) report. At this time, FDOT is requesting written concurrence from the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) on this project. Based on the analysis conducted, the Preferred Alternative will not have adverse effects to EFH.

We appreciate the input that the NMFS has provided during the project development process and we look forward to continued coordination throughout the remainder of the project.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

cc: FHWA - Cathy.Kendall@fhwa.dot.gov
FDOT CEMO - Vicki.Sharpe@dot.state.fl.us
FDOT D4 - Morteza.Alian@dot.state.fl.us
FDOT D4 - Ann.Broadwell@dot.state.fl.us
SAFMC - Roger.Pugliese@safmc.net
USACE - Garett.G.Lips@usace.army.mil
USEPA - Miedema.Ron@epa.gov
USFWS - John_Wrublik@fws.gov
SFWMD - mparrott@sfwmd.gov
City of Port St. Lucie - PatR@cityofpsl.com

CITY OF PORT ST. LUCIE

Engineering Department

Accredited Agency – American Public Works Association

"A City for All Ages"

July 11, 2012

Ms. Beatriz Caicedo-Maddison
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

RE: Consultation for Essential Fish Habitat
Crosstown Parkway Extension PD&E and EIS (From Manth Lane to U.S. Highway 1)
Financial Project ID: 410844-1-A8-01 Federal Project ID: 7777-087-A ETDM No.: 8247
County: St. Lucie

Dear Ms. Caicedo-Maddison:

The purpose of this letter is to respectfully request that Florida Department of Transportation (FDOT) seek a consultation with National Marine Fisheries Service (NMFS) in accordance with the Manguson-Stevens Fishery Conservation and Management Act. The basis for this request is that, based upon our investigations and research, the Preferred Alternative, 1C, will not have adverse effects to the Essential Fish Habitat (EFH). A summary of the events and supporting documentation for this request is provided below:

- July 1, 2011 - Draft Environmental Impact Statement (DEIS) and supporting documentation (including the Essential Fish Habitat Report) was approved for public availability by the Federal Highway Administration (FHWA)
- September 30, 2011 – NMFS provided a comment letter on the DEIS and Essential Fish Habitat (EFH) Conservation Recommendations (CR)
- October 26, 2011 - FDOT provided an interim response acknowledging receipt of the NMFS comment letter to NMFS. This response also noted that the comments and recommendations provided by NMFS would be considered fully throughout the remainder of the project and documented in the Final EIS.
- January 23, 2012 – City of Port St Lucie officially designates Alternative 1C as the Locally Preferred Alternative. The selection was based upon the DEIS documentation and comments. A full evaluation of the alternatives will be detained in the Final EIS. Attachment 1 (on the CD bound into the back of the EFH) provides a description of the Preferred Alternative Selection Process.
- May 29, 2012 – FDOT, City of Port St. Lucie, Keith and Schnars, P.A. (City's consultant), US Army Corps of Engineers (USACE) and NMFS meet to discuss the NMFS comments on the DEIS.

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- June 1, 2012 – FDOT, City of Port St. Lucie, Keith and Schnars, P.A., and NMFS meet to discuss NMFS comments.
- July 11, 2012 – Responses to the NMFS comment letter (Attachment 2) and revised EFH Assessment (Attachment 3) is transmitted to FDOT as an enclosure to this letter. This information demonstrates that the Locally Preferred Alternative will not have adverse effects to the EFH. The City is committed to this project and will continue to work with NMFS to ensure that the appropriate documentation is provided, and that their comments are thoroughly addressed.

The City appreciates the cooperation and input of FDOT and NMFS during the project development process. We are looking forward to continuing the process to ensure that the concerns of NMFS are addressed as we complete the work for the permitting, design and construction of this very important project.

Sincerely,

Roxanne M. Chesser, P.E.
Civil Engineer

Enc:
Attachment 1 - Preferred Alternative Selection Process
Attachment 2 - Responses to NMFS Comments
Attachment 3 - Revised EFH Assessment

c: FHWA – Cathy.Kendall@fhwa.dot.gov without attachments
FDOT CEMO - Vicki.Sharpe@dot.state.fl.us without attachments
FDOT D4 – Morteza.Alian@dot.state.fl.us without attachments
FDOT D4 – Ann.Broadwell@dot.state.fl.us without attachments
SAFMC – Roger.Pugliese@safmc.net without attachments
USACE – Garett.G.Lips@usace.army.mil without attachments
USEPA – Miedema.Ron@epa.gov without attachments
USFWS – John_Wrublik@fws.gov without attachments
FWC – MaryAnn.Poole@My.FWC.com without attachments
SFWMD - mparrott@sfwmd.gov without attachments
City of Port St. Lucie – PatR@cityofpsl.com without attachments
City of Port St. Lucie – RDorfmeister@cityofpsl.com without attachments
NOAA – PPI, PPI.Nepa@noaa.gov without attachments
NOAA – F - nmfs.hq.nepa@noaa.gov without attachments
NOAA – F/SER - nmfs.ser.eis@noaa.gov without attachments
NOAA – F/SER4 - david.dale@noaa.gov without attachments
NOAA – F/SER47 - jocelyn.karazsia@noaa.gov without attachments
NOAA – F/SER47 - brandon.howard@noaa.gov without attachments
Keith and Schnars – mdavis@keithandschnars.com without attachments

s:\projects\crosstown parkway extension\letter to fdot requesting efh consultation.doc

Response to National Marine Fisheries Service Comments of September 30, 2011
Crosstown Parkway Extension PD&E and EIS (From Manth Lane to U.S. Highway 1)
Financial Project ID: 410844-1-A8-01 Federal Project ID: 7777-087-A ETDM No.: 8247
County: St. Lucie

National Marine Fisheries Service (NMFS) Comment #1

Essential Fish Habitat in the Project Area

The proposed roadway would cross the North Fork of the St. Lucie River and impact palustrine wetlands, mangrove wetlands, and mud and sand bottom. The palustrine wetlands are composed of pine with a mixture of hardwood and herbaceous species. The mangrove community is primarily comprised of red mangrove (*Rhizophora mangle*). The draft EFH assessment correctly lists the types of EFH found at the project site and notes that mangroves are a Habitat Area of Particular Concern (HAPC). The draft EFH assessment correctly emphasizes two fishery management plans developed by the South Atlantic Fishery Management Council (SAFMC): the Shrimp Fishery Management Plan and the Snapper-Grouper Fishery Management Plan. The Mid-Atlantic Fishery Management Council (MAFMC) also designates EFH for federally managed species within the South Atlantic region. Bluefish (*Pomatomus saltatrix*) occur at the site of the proposed project and MAFMC designates estuarine waters as EFH for this species. The EFH assessment correctly includes this species. Detailed information on the EFH requirements of species managed by SAFMC is found in the 1998 comprehensive amendment to the fishery management plans for the South Atlantic region and more recently in *Fishery Ecosystem Plan of the South Atlantic Region* (available at www.safmc.net). Detailed information on the EFH requirements of species managed by MAFMC is included in separate amendments to individual fishery management plans and in a series of technical reviews available at www.nefsc.noaa.gov/nefsc/habitat/efh/.

Response to NMFS Comment #1

The comment is acknowledged. The Essential Fish Habitat Assessment has been revised based, in part, on the comments received in the September 30, 2011 letter.

NMFS Comment #2

Impacts to Essential Fish Habitat

The proposed impacts to EFH would occur within the Savannas Preserve State Park and the North Fork of the St. Lucie River Aquatic Preserve for five of the six build alternatives being studied. Wetlands associated with North Fork of the St. Lucie River are of extremely high quality. The majority of mangrove habitat in south Florida lies in either national or state preserves. The intent of designating an area as an aquatic preserve is that it be kept in essentially natural condition so that its biological, aesthetic, and scientific values may endure for the enjoyment of future generations as stated is Section 258.36, Florida Statutes. Despite these factors, in the draft EFH assessment, FHWA and FDOT conclude the Crosstown Parkway Extension would not result in substantial adverse impacts to EFH.

Response to NMFS Comment #2

All six build alternatives would cross the NFSLR Aquatic Preserve (AP); five of the six build alternatives would affect the Savannas Preserve State Park (SPSP). The quality of the wetland habitats are reflected in the Uniform Mitigation Assessment Method (UMAM) scores for existing conditions for the 14 Assessment Areas in the project area.

After all efforts to avoid and minimize impacts, unavoidable impacts remain for 11.08 acres of direct and indirect wetland functional losses for the Preferred Alternative plus the unavoidable impacts for SSL (1.75 acres; UMAM does not assess open water habitats for functional loss). Most of the direct

wetland functional loss to wetlands (92 percent) and to the open water habitat (99 percent) is due to shading impacts. These include functional losses to the Estuarine Subtidal Water Column (same as SSL), Estuarine Intertidal Scrub Shrub (same as Mangrove Swamps), and Palustrine Emergent and Forested Wetlands (same as Stream and Lake Swamps; Mixed Wetland Hardwoods; Freshwater Marsh; and Freshwater Marsh with Shrubs, Brush and Vines). This functional loss includes the impact to 0.19 acres of mangroves. Indirect impacts for EFH could be the potential loss of associated wetland functions (e.g., loss of primary productivity, contaminant removal, nutrient cycling, sediment stabilization, or shoreline protection) or temporary degradation of water quality during construction. Since the DEIS was approved for public availability, a detailed compensatory mitigation plan has been developed in coordination with USACE, NMFS, FDEP, and SFWMD. The mitigation plan is described in the response to NMFS Comment #8.

NMFS Comment #3

Alternatives Analysis: Six build alternatives are discussed in the draft EFH assessment and draft EIS, and the proposed direct impacts range from approximately 8.56 acres (Alternative 6A) to 11.95 acres (Alternative 1C); potential indirect impacts range from approximately 16.45 acres (Alternative 6B) to 29.24 acres (Alternative 1C). Based on the interagency meeting on June 23, 2009, and guidance in our letter dated September 17, 2009, areas directly underneath the bridge alternatives were calculated as direct impacts. It appears that all impacts are now captured in the submitted calculations.

Response to NMFS Comment #3

The direct impact acres range is correctly cited. However, indirect impacts are captured in the UMAM evaluation that evaluated an impact zone of 0-50 feet from the rights of way and 51-250 feet from the rights of way. Total indirect functional loss units range from 1.69 (Alternative 6A) to 2.30 (Alternative 1C). The indirect functional loss is included in the total functional loss for each build alternative, including the Preferred Alternative.

NMFS Comment #4

It is not clear how FHWA and FDOT will select the preferred alternative. NMFS recommends expansion of the exiting bridges to the north and south in combination with multimodal transportation alternatives and Transportation System Management. Although these alternatives have been considered independently in the draft EIS, it is not clear if these alternatives have been studied in combination. If a build alternative is selected by FHWA and FDOT, NMFS recommends Alternative 6A be selected because it would have the least amount of direct impacts to EFH and because Alternative 6A would avoid impacting Savannas Preserve State Park.

Response to NMFS Comment #4

*The City of Port St. Lucie, as the project sponsor, selected a Locally Preferred Alternative (LPA) and the process is described in **Attachment 1** (Selection of the Preferred Alternative). On November 17, 2011, senior management and staff from the City, the FDOT, and the Transportation Planning Organization agreed upon Alternative 1C as the LPA for extending the existing Crosstown Parkway. The decision to select Alternative 1C as the LPA was based on:*

- *Information in the Crosstown Parkway Extension DEIS (Notice of Availability published in the Federal Register on August 19, 2011);*
- *An evaluation process and criteria developed by the City in coordination with FDOT and FHWA;*
- *Agency and public comments; and*
- *Professional judgment (through the City's EIS consultant evaluation of the LPA).*

On January 23, 2012, the Port St. Lucie City Council adopted the selection of Alternative 1C as the LPA for the extension of the Crosstown Parkway from Manth Lane to U.S. 1. Based on this information and after coordination with the public, stakeholders, and the regulatory and cooperating agencies, the Federal Highway Administration (FHWA) concurred with the selection process and has identified Alternative 1C as the Preferred Alternative. FHWA selected Alternative 1C, based on its ability to fulfill the project's purpose and need while considering environmental impacts, costs, and technical factors. In addition, FHWA eliminated Alternative 6A as an imprudent alternative under Section 4(f).

*Additional analysis was performed that examined widening Prima Vista Boulevard and Port St. Lucie Boulevard to eight and ten lanes, respectively, in combination with a multimodal transportation and Transportation Systems Management (TSM) alternative. The analysis demonstrated that, even with these improvements, the Port St. Lucie Boulevard Bridge would still be over capacity. Widening of the bridges would impact the SPSP and the AP because additional bridge piers would be required. In addition, widening of the existing bridges would require the acquisition of approximately 250 businesses that would result in substantial socioeconomic impacts. Thus, this alternative was rejected. Section 3.2.3.4 of the FEIS discusses the Widening of Existing Bridges Alternative and a new Section 3.2.3.4.1 in the FEIS discusses the additional analysis that was performed to address this comment. We have attached this additional analysis for NMFS review (**Attachment 3**).*

NMFS Comment #5

Avoidance of Impacts: The Pond Study Report indicates that all of the proposed bridge alternatives would require storm water treatment ponds. Approximately 100 potential locations were identified in the report. Page 37 of the report states that some of these sites occur within public conservation lands, and some of the sites may affect wetlands. The final sites for the treatment ponds for each of the six construction alternatives have not yet been determined. Site selection would take place once the final alternative for the parkway extension is chosen. In order to comprehensively determine the impacts of each proposed construction alternative on EFH, more detailed information on the proposed pond sites must be provided with respect to the location and habitat characterization.

Response to NMFS Comment #5

The Pond Siting Report (PSR) examined approximately 100 stormwater pond sites for the six build alternatives. Based on the PSR analysis, the list was narrowed down to the recommended pond sites for each of the build alternatives and their locations are shown on the concept plans. The acreages of impact for each pond were included for each build alternative. The stormwater management system (ponds) for the Preferred Alternative has been located within the right of way and within already developed areas. For the Preferred Alternative, stormwater ponds impact 0 acres of wetlands and 2.81 acres of upland (mostly already developed) habitats.

NMFS Comment #6

The draft EIS states that a 10-foot 11-inch gap between the bridges is required to allow inspection of the upper deck and superstructure by FDOT. In order to avoid additional shading and wetland impacts, NMFS recommends that the gap between the two bridges be reduced and alternative inspection methods be utilized.

Response to NMFS Comment #6

The gap between the two bridges was reduced to the smallest width possible and serves three purposes. First, it allows for the construction of a temporary work platform between the bridges. If this gap is eliminated some ground-based equipment would be required during construciton. Second,

it allows for bridge inspection and maintenance from the bridge deck. If this gap is eliminated, all inspections and maintenance would need to be completed from beneath the bridge, which could cause additional periodic impacts. Third, the gap will allow light to reach the area beneath the center of the bridge. If this gap is eliminated, it is likely that little vegetation would grow, potentially resulting in reduced wetland and habitat functions beneath the bridge (all areas beneath the bridge are calculated as a direct impact and are fully considered). It is also anticipated that, without the gap, the resulting unvegetated area would result in a wide area without cover that small wildlife would be unlikely to cross. A key commitment by the City has been to avoid short- and long-term impacts beneath the bridge to the maximum extent practicable. These measures are included in the project commitments.

NMFS Comment #7

The typical section of the roadway is 330 feet wide between Manth Lane to west of the North Fork of the St. Lucie River. This typically includes a 32-foot wide median and 89 feet on either side of the shoulder to include landscaping, sidewalks, and utilities. This typical section should be minimized to the amount necessary to incorporate the road, storm water features, pedestrian access, and safety. The median should be minimized in the typical section from east of the North Fork of the St. Lucie River to U.S. 1. The draft EIS states that one of the sidewalks may be eliminated to further reduce bridge width and shading effects. NMFS concurs that one sidewalk should be eliminated to reduce environmental impacts.

Response to NMFS Comment #7

Three typical sections are included for all build alternatives including the Preferred Alternative. The typical section over the NFSLR has been reduced from 330 feet to 143 feet over the NFSLR to eliminate the parkway portions of the suburban typical section. Eliminating one of the sidewalks from the bridge cross section to reduce the typical section is difficult to justify based on safety considerations. At the transition from sidewalks on both sides of the roadway to one sidewalk, pedestrians and bicyclists would be forced to cross six lanes of traffic midblock, which is not desirable or safe. Shoulder design must comply with AASHTO Greenbook standards for horizontal clearances and minimum standard widths. For safety considerations, the City does not wish to reduce the roadway shoulders. Long bridges should have space for vehicles to pull off during breakdowns or emergencies. The goal remains to minimize shading effects while meeting safety standards.

NMFS Comment #8

Compensatory Mitigation: Two types of compensatory mitigation are proposed for this project. First, FHWA and FDOT propose to mitigate for impacts to State-owned conservation lands by:

1. Improving water quality within the North Fork of the St. Lucie River Aquatic Preserve through restoration projects proposed at Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail. Restoration activities would include dredging shoals or berms, and widening or deepening portions of the waterway. These projects would improve approximately 22.16 acres of open water and reconnect about 28.05 acres of wetlands to flows from the Preserve.
2. Acquiring 110 acres of currently unprotected lands adjacent to the North Fork of the St. Lucie River Aquatic Preserve. All acquired lands would be enhanced by the removal of invasive exotic vegetation and ownership would be transferred to the State for inclusion within the Preserve.
3. Enhancing Savannas Preserve State Park by constructing a 2.5-mile multiuse trail within the park from Savanna Road to Midway Road, improving Halpatiokee Canoe Access Trail, and improving the existing education center.

Second, the compensatory mitigation proposed by FHWA and FDOT for the unavoidable impacts to wetlands would take place at the 82-acre Platt's Creek mitigation site and Bear Point Mitigation Bank

(BPMB). The Platt's Creek site is located along the North Fork of the St. Lucie River. NMFS agrees that this site could potentially offset impacts to freshwater palustrine wetlands if a build alternative were chosen. A preliminary study of the mitigation potential by the City of Port St. Lucie and FDOT determined that approximately half of the site would be needed to offset these impacts. The other half of the site would be used for future mitigation purposes, if needed. Credits from the BPMB would be used to offset unavoidable impacts to mangrove wetlands. As mentioned in the letter from NMFS dated January 12, 2011, BPMB was permitted using the estuarine version of the Wetland Rapid Assessment Procedure (EWRAP). The mangrove impact polygons would have to be scored using the same methodology. Currently, the polygons are scored using UMAM. In addition, EWRAP provides a proximity worksheet that must be completed and used in the evaluation of mitigation that is a great distance from the impact site. This worksheet will need to be completed should BPMB be used. NMFS agrees that BPMB is a viable option for offsetting unavoidable impacts to mangrove wetlands for this project.

All of the compensatory mitigation options listed above lack significant detail that will be needed should a build alternative be chosen and after all practicable avoidance and minimization is demonstrated. These details include functional assessment scores, planting plans, mitigation construction plans, a long-term monitoring and maintenance plan, conservation easement or fee simple ownership, and financial commitments.

Response to NMFS Comment #8

Since the DEIS was approved for public availability, a detailed compensatory mitigation plan has been developed in coordination with USACE, NMFS, FDEP, and SFWMD. A comprehensive mitigation plan has been developed to compensate for unavoidable impacts due to the Preferred Alternative to wetlands, uplands, listed species habitats, Section 4(f) resources, Sovereignty Submerged Lands (SSL), essential fish habitat, recreational resources, and water quality. Details of the mitigation plans are contained in the ESBA, which has been previously transmitted to NMFS (as well as the attached EFH Assessment). The mitigation plan includes all of the USACE's 12-point elements required for a compensatory mitigation projects, as described in CFR 33 Part 332.4(c)(2) – (14). The mitigation plan is summarized here.

Proprietary Mitigation Plan

The Proprietary Mitigation Plan was developed to provide compensatory mitigation for obtaining an easement to cross State owned lands. The City coordinated with the FDEP and proposed mitigation options were selected as the highest priority projects from the North Fork St. Lucie River (NFSLR) Aquatic Preserve Management Plan. On April 26, 2010, the City of Port St. Lucie entered into a Memorandum of Understanding (MOU) with the Florida Department of Environmental Protection (FDEP). The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the North Fork of the St. Lucie River (NFSLR). The Proprietary Mitigation Plan was coordinated with the USACE, NMFS, SFWMD, and FDEP. This MOU is valid for all build alternatives, including the Preferred Alternative. The MOU agreed to:

- *Design, permit, and construct four water quality improvement projects;*
- *Convey approximately 110 acres to the Board of Trustees;*
- *Design, permit, and construct Recreational Opportunity - Trails*
- *Design, permit and construct Recreational Opportunities – Other*

The Acquisition and Restoration Committee has recommended approval to grant the easement (16.1 acres) across State-owned lands, which will be valid for the Preferred Alternative. Once the Proprietary Mitigation Plan projects are constructed, the Board of Trustees will convey the easement

to cross state lands to the City. All proprietary mitigation projects will be constructed after the Record of Decision is approved, with completion dates in 2014. Once the Record of Decision is approved, the acquired lands will be conveyed to the State. At the completion of the Proprietary Mitigation Plan:

- *Ownership of lands within the Savannas Preserve State Park (SPSP) will increase by 108.15 acres over existing conditions.*
- *The project would obtain an easement over 960 linear feet of shoreline (160 feet along each shoreline pair for three crossings); the acquired lands will increase the linear feet of shoreline under State ownership by 12,645 feet.*
- *Three improved recreational/educational projects will completed within the SPSP and the Savannas Recreation Area.*
- *Four water quality improvement projects will restore or improve historic river flows and will improve an estimated 22.16 acres of open water and will reconnect an estimated 28.05 acres of degraded floodplain wetlands to flows from the NFSLR. These projects will also increase the feeding, breeding and nursery habitat for fish.*
- *No shorelines will be hardened by the Preferred Alternative and the water quality improvement projects will improve 255 feet of NFSLR shoreline.*
- *The water quality improvement projects will re-establish wetland habitat diversity directly adjacent to the NFSLR for listed species.*

Implementation of the proprietary mitigation plan will potentially further the goals associated with the Indian River Lagoon (IRL) Surface Water Improvement and Management (SWIM) Plan, St. Lucie County Comprehensive Plan, the IRL Comprehensive Management Plan, and, we believe, the USACE Northfork Floodplain Restoration Plan by restoring wetland and floodplain functions along the NFSLR floodplain.

Regulatory Mitigation Plan

In addition to the Proprietary Mitigation Plan, the City coordinated with the SFWMD and USACE to create a Regulatory Mitigation Plan to provide compensatory mitigation for unavoidable impacts to wetlands, essential fish habitat, and protected species habitats. The Regulatory Mitigation Plan consists of the development of the Platt's Creek Compensatory Mitigation Site (Platt's Creek) and the reservation of credits at the Bear Point Mitigation Bank. Platt's Creek has been permitted by the SFWMD (Permit Number 56-03199-P) as a Permittee Responsible Offsite Mitigation Area (PROMA); the USACE is currently reviewing the application. The City and St. Lucie County are co-permittees for the SFWMD and USACE permits. Platt's Creek is valid for all build alternatives, including the Preferred Alternative. The City will use approximately half of the available functional gain units as mitigation for the Preferred Alternative, while the County could use the remaining units for future projects requiring mitigation. The SFWMD has agreed to this proposal and the USACE is currently reviewing the mitigation plan.

Platt's Creek will construct 67.47 acres of restored/created wetland (47.87 acres) and upland habitat (13.65 acres) within an 82.4-acre fallow citrus grove. The project will result in 24.02 functional gain units (USACE) and 22.30 functional gain units (SFWMD). The difference in functional gain units is due to the difference in time lag estimates by the two agencies.

To compensate for unavoidable mangrove losses (0.19 acres), the City will purchase credits at the Bear Point Mitigation Bank (the freshwater wetland mitigation project at Platt's Creek will not be able to restore/create mangrove habitat). The mitigation credit requirements at the Bear Point Mitigation Bank have been developed in coordination with the SFWMD and USACE; the NMFS and

USFWS have been consulted during the process. The USACE and the SFWMD have stated that the amount of credits is appropriate mitigation for mangrove losses.

The restoration of native vegetative communities in Platt's Creek is expected to provide support for numerous wildlife species that typically inhabit the AP and the SPSP, including listed species and species of special concern. When completed, Platt's Creek will:

- *Provide compensatory mitigation for the Preferred Alternative as well as future County projects that impact freshwater wetlands;*
- *Provide compensatory mitigation for impacts to foraging habitat for the endangered wood stork due to unavoidable habitat losses due to the Preferred Alternative as well as habitat for numerous wetland-dependant species (including listed federal and State species);*
- *Re-establish wetland and upland habitat diversity directly adjacent to the NFSLR and Platt's Creek;*
- *Provide wetland habitat coverage for threatened, endangered, or species of special concern;*
- *Establish feeding, breeding, and nursery habitat for fish;*
- *Restore the hydroperiod and re-vegetation of a portion of the NFSLR floodplain;*
- *Restore natural storage and water purifying functions of a portion of the NFSLR floodplain;*
- *Further the overall objectives for water management in the watershed region;*
- *Close a gap in the NFSLR greenway;*
- *Construct a long term watershed-based restoration project that increases aquatic resource functions and services;*
- *Improve water quality within the 1,110-acre watershed and specifically within the NFSLR;*
- *Preclude development of the property, which is directly adjacent to the NFSLR; and*
- *Provide the potential for future passive recreational opportunities.*

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and E-Wrap (Bear Point Mitigation Bank methods), which calculated the functional gain of the proposed mitigation plan and balanced those gains with the functional losses of the Preferred Alternative. All regulatory agencies have approved the plan as adequate to compensate for unavoidable impacts due to the Preferred Alternative (Appendix 1 of the attached EFH Assessment). With the entire mitigation program (both regulatory and proprietary), unavoidable impacts related to the Preferred Alternative will be compensated in a manner that results in no net loss to wetlands, essential fish habitat, Section 4(f) resources, or to protected species or their habitats.

NMFS Comment #9

EFH Conservation Recommendation

The information needs and project recommendations we provided through the EST on September 29, 2006, and August 14, 2008, in our letter dated September 17, 2009, during the various interagency meetings, and reemphasized in our letter dated January 11, 2011, are not reflected in the draft EIS and supporting technical documents. While additional information is needed for NMFS to complete its review of the proposed roadway and bridge, based on the information provided, NMFS finds that the proposed project would have a substantial adverse impact on EFH.

Response to NMFS Comment #9

It is believed that the information needs stated in the EST and the comment letters have been addressed through coordination with NMFS, by the responses in this letter, and by the revised EFH and the ESBA Reports.

NMFS Comment #10

Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH conservation recommendations when an activity is expected to adversely impact EFH. Based on this requirement, NMFS provides the following:

EFH Conservation Recommendations

1. FHWA and FDOT shall examine whether project needs can be met by combining expansion of the existing bridges to the north and south along with multimodal transportation alternatives and Transportation System Management.
2. If the outcome of addressing the above EFH conservation recommendation is that a build alterative must be pursued, NMFS recommends Alternative 6A. Regardless of the build alternative chosen, FHWA and FDOT shall:
   - Avoid impacts to wetlands by minimizing the shoulder width and median west of the North Fork of the St. Lucie River.
   - Remove the gap between the bridge spans.
   - Avoid high quality wetlands in the siting of storm water features.

3. FHWA and FDOT shall provide a complete plan for compensatory mitigation that provides full, in-kind compensation for unavoidable adverse impacts to wetlands and EFH including:
   - EWRAP scores for unavoidable direct and indirect impacts to mangrove wetlands.
   - The EWRAP proximity worksheet for BPMB [Bear Point Mitigation Bank].
   - Detailed construction plans for the Platt's Creek site.
   - Detailed planting plans for the Platt's Creek site.
   - A long-term maintenance and monitoring plan for the Platt's Creek site.
   - Financial assurance documentation that demonstrates that long-term stewardship of the Platt's Creek site is achievable.
   - Conservation easement documentation for the Platt's Creek site.

Section 305(b)(4)(B) of the Magnuson-Stevens Act and its implementing regulation at 50 CFR Section 600.920(k) require your office to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, an interim response should be provided to NMFS. A detailed response then must be provided prior to final approval of the action. Your detailed response must include a description of measures proposed by your agency to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH Conservation Recommendation, you must provide a substantive discussion justifying the reasons for not following the recommendation.

Response to NMFS Comment #10

*We have attached information that describes the evaluation of the alternative that combines the widening of the existing bridges with the TSM and multimodal alternatives, as discussed in the response to NMFS Comment #4 (**Attachment 3**).*

*The preference for Alternative 6A is noted. Because the NFSLR AP extends north and south of, and throughout the project area, all build alternatives (including Alternative 6A) would cross the NFSLR AP. Except for Alternative 6A, each build alternative would require the use of a portion of the SPSP for a transportation use. Information has been gathered for the Corridor Report, the Alternatives Report, the technical support documents, and the NEPA study process, including the EIS. The process used to select a Locally Preferred Alternative is described in the response to NMFS Comment #4 and **Attachment 1**.*

The minimization of impacts by reducing the bridge typical section is discussed in the response to NMFS Comments #6 and #7. Pond siting has been addressed in the response to NMFS Comment #5.

Details of the mitigation plan are contained in the revised EFH report and the plan is summarized in the response to NMFS Comment #8.

The FDOT has provided an interim response to the NMFS Conservation Recommendations. The mitigation projects will be completed once the Record of Decision is signed. It is anticipated that the new information contained in the revised EFH report, including the details of the compensatory mitigation plans, will be adequate to close EFH consultation. Nevertheless, the City, as project sponsor, is committed to the preparation of an addendum to the EFH Assessment, which will contain project-specific details that will become available during the permitting stage of the Preferred Alternative.

NMFS Comment #11

The draft ESBA states that consultation under section 7 of the ESA is being requested for opossum pipefish (*Microphis brachyurus*) and mangrove rivulus (*Rivulus marmoratus*). These two species are not listed under the ESA, but are species of concern. Species of concern are those species about which NMFS has some concerns regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the ESA. NMFS wishes to draw proactive attention and conservation action to these species. "Species of concern" status does not carry any procedural or substantive protections under the ESA. Therefore, consultation under section 7 is not required. These two species should be considered in the ESBA, but consultation cannot be initiated.

Response to NMFS Comment #11

This comment is acknowledged and the ESBA has been revised accordingly.

NMFS Comment #12

In the draft ESBA, FDOT concludes that the project may affect, but would not adversely affect, the threatened smalltooth sawfish (*Pristis pectinata*) or its designated critical habitat. At this stage an alternative has not been selected and therefore, it is not clear what the impacts would be to smalltooth sawfish and other species listed under ESA. Specifically, the exact acreages of open water and mangrove habitat impacted must be determined prior to initiating section 7 consultation for smalltooth sawfish. In addition, details on construction methodology must be known to appropriately determine potential effects to listed species. Once an alternative and a construction methodology have been selected, it is recommended that the ESBA be modified to include the appropriate species, project design, and anticipated impacts. Once that has occurred, FHWS and FDOT can request consultation with NMFS.

Response to NMFS Comment #12

A Preferred Alternative (Alternative 1C) was designated by the City of Port St Lucie City Council on January 23, 2012. Based upon the available information for the selected alternative and commitments by the City regarding the construction methodology in the DEIS, the project will not adversely affect the threatened smalltooth sawfish (Pristis pectinata) or its designated critical habitat. For that reason, the City is requesting FDOT, by a letter dated July 11, 2012, to conduct an informal Section 7 consultation with the NMFS for the determination of "May Affect, but not Likely to Adversely Affect" for the smalltooth sawfish.

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

July 16, 2012

Mr. Martin Knopp
Federal Highway Administration
Florida Division
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Attention: Ms. Cathy Kendall

Dear Mr. Knopp:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to U.S. 1**
Request for Concurrence of the Preferred Alternative
Financial Project Number 410844-1-A8-01
Federal-Aid Project No. 7777-087-A
ETDM No. 8247
St. Lucie County, Florida

Thank you for your letter of June 12, 2012 related to the Crosstown Parkway Extension Preferred Alternative selection process. The purpose of this letter is for the Florida Department of Transportation, acting as the non-federal lead agency, to formally request that FHWA as the Lead Agency on this project identify Alternative 1C as the Preferred Alternative for greater design detail purposes on behalf of the City of Port St. Lucie, the project sponsor.

In the fall of 2011, the City of Port St. Lucie and FDOT developed a process for the selection of a Locally Preferred Alternative (LPA). This process included evaluation criteria and a scoring system to rank six build alternatives and the no-build alternative. On November 17, 2011 the City, FDOT and the St. Lucie County Transportation Planning Organization applied the process and selected Alternative 1C as the LPA. Ms. Cathy Kendall from your staff served as an observer of the process. A formal report documenting the selection of the LPA was provided to FHWA on January 18, 2012. In addition, the Public Hearing transcript, comments received on the project at the Public Hearing and during the 10-day comment period, as well as documentation of conversations held with the regulatory agencies related to their preference for piers in the water as opposed to increased impacts in adjacent wetlands have also been provided.

Regarding coordination with regulatory and resources agencies, FDOT and the City have recently held several agency meetings. In particular, we have focused on Endangered Species Act (ESA) consultation since FHWA has requested that all consultations be closed prior to the signing of the Record of Decision. We met with U.S. Fish and Wildlife Service (USFWS) on May 24, 2012, had a joint meeting with the U.S. Army Corps of Engineers (USACE) and National Marine Fisheries Services (NMFS) on May 29, 2012, and had a follow-up meeting with NMFS on June 1, 2012.

As you may know from Ms. Kendall's participation in our May 29, 2012 coordination meeting with USACE and NMFS, NMFS had requested more detailed information relative to the project mitigation for the

preferred alternative in order for them to close the informal Section 7 consultation required under the ESA. On June 1, 2012 we met again with NMFS to discuss in more detail their needs for completing Essential Fish Habitat (EFH) consultation and ESA consultation for the smalltooth sawfish. Information was provided to NMFS on the mitigation plan, the process for selection of the preferred alternative, and discussion of the additional bridge widening alternative and tunnel alternative analysis.

It was concluded that the City may have sufficient information for NMFS to determine that the project has met the avoidance and minimization criteria required under the Magnuson-Stevens Act, and that NMFS could potentially make a determination with regard to EFH consultation.

Regarding consultation under the ESA, the small amount of impacted smalltooth sawfish habitat (0.19 acres of mangrove) was discussed with NMFS. With this understanding, NMFS suggested that the City use the Section 7 checklist used by the USACE which documents the impacts, and includes a discussion of construction methods to be employed for this project. If sufficient detail is included in the checklist NMFS indicated that concurrence could be concluded within 135 days from an internal recommendation letter. We are in the process of finalizing transmittal of the above discussed information to NMFS along with responses to their comments on the DEIS, and requested concurrence on the effects determination for smalltooth sawfish.

In our meeting with USFWS on May 24, 2012, we discussed the status of the project, and the proposed mitigation plan. They noted that more detailed information on the mitigation was needed for them to make an effects determination regarding the project impacts. They noted that as part of their review, they would consider the proprietary mitigation as a means to resolving the Dispute Resolution. On June 19, 2012 we sent to USFWS an updated copy of the Endangered Species Biological Assessment with details on the mitigation. Additionally we transmitted responses to agency comments on the DEIS, and requested effect determinations for the eastern indigo snake, wood stork and the West Indian manatee.

This formal request for FHWA to identify Alternative 1C as the Preferred Alternative would allow the City to develop this alternative to higher degree of design detail if that becomes necessary to address any additional agency comments relative to this project's impacts. FDOT and the City understand that any additional development of the alternative would not prejudice your consideration of the other alternatives since the additional development would merely be a refinement of the information already used to compare the alternatives for the DEIS and Public Hearing.

FDOT and the City thank you for your consideration in this matter.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:ry

cc: Beatriz Caicedo, FDOT – District 4
Patrick Glass, FDOT – District 4
Ann Broadwell, FDOT – District 4
Richard Young, FDOT – District 4

John P. Krane

From: Peterfreund, Anna L. [Anna.Peterfreund@acp-ga.com]
Sent: Monday, July 16, 2012 10:55 AM
To: John_Wrublik@fws.gov
Cc: Garett.G.Lips@usace.army.mil; patr@cityofpsl.com; Roxanne Chesser; FKnott@cityofpsl.com; RDorfmeister@cityofpsl.com; Kristine Stewart; John P. Krane; Mirson, Brian J.; besseyj@stlucieco.org
Subject: RE: Platt's Creek (UNCLASSIFIED)
Attachments: Woodstork Biomass Calculation.pdf; Woodstork_Calculations_with_Crayfish_Platts_Creek.pdf

John

Please attached the updated wood stork foraging biomass calculation for the Crosstown Parkway project and Platt's Creek per your suggestions. If you have any further comments please do not hesitate to call.

Anna Peterfreund, CWB
American Consulting Professionals, LLC
243 N. Hamilton Street, Suite 2
Dalton, GA 30720
706-508-4029
706-523-2520 Cell
706-529-2746 Fax
anna.peterfreund@acp-ga.com

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Wednesday, July 11, 2012 3:05 PM
To: Peterfreund, Anna L.
Subject: Fw: Platt's Creek (UNCLASSIFIED)

Anna, could you please call me at the number listed below when convenient, I need some further clarification on the wood stork foraging data you provided to Garett.

Thanks

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

----- Forwarded by John Wrublik/R4/FWS/DOI on 07/11/2012 02:38 PM -----

"Lips, Garett G SAJ"
<Garett.G.Lips@usace.army.mil>

07/11/2012 01:27 PM

To "John_Wrublik@fws.gov" <John_Wrublik@fws.gov>
cc
Subject FW: Platt's Creek (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

John,
attached are the WOST calculations for the Crosstown EIs/Platts creek mitigation site

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410
Office 561-472-3519

Please use the link below to find a map to our office, FAQ's, Contact info, Our Statutes, Regulations, AVATAR Guide To Filling Out Our Applications, Public Notices & More.

http://www.saj.usace.army.mil/Divisions/Regulatory/index.htm

Please assist us in better serving you! Please complete the stakeholder survey by clicking on the following link: http://per2.nwp.usace.army.mil/survey.html

-----Original Message-----
From: Peterfreund, Anna L. [mailto:Anna.Peterfreund@acp-ga.com]
Sent: Wednesday, July 11, 2012 12:19 PM
To: Lips, Garett G SAJ
Subject: Platt's Creek

Garett

In response to a comment the City of Port St. Lucie received from the USFWS regarding the wood stork biomass calculation for the project, we have updated the wood stork biomass calculation. Please find attached the updated calculation as well as a small memo that describes how the calculation was completed for your review. As the calculation form has been updated since we originally submitted for this project, the updated form was used as well. If you have any questions, feel free to give me a call.

On a side note, how is the review coming on this permit application?

Anna Peterfreund, CWB

American Consulting Professionals, LLC

243 N. Hamilton Street, Suite 2

Dalton, GA 30720

706-508-4029

706-523-2520 Cell

706-529-2746 Fax

anna.peterfreund@acp-ga.com <mailto:anna.peterfreund@acp-ga.com>

Classification: UNCLASSIFIED
Caveats: NONE

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Wood Stork Biomass Calculation
Platt's Creek and the Crosstown Parkway Extension Project

Based on the Conceptual Environmental Resource Permit (ERP) application submitted to the South Florida Water Management District (SFWMD), the Crosstown Parkway Extension (Crosstown) project is anticipated to impact 10.58 acres of wetlands. Of this, 0.18 acres consists of mangroves that will be mitigated through the purchase of credits at Bear Point Mitigation Bank. The remainder of the wetland impacts will be mitigated at the Platt's Creek Compensatory Mitigation (PCCM) site. The PCCM site currently includes 82.4 acres of fallow citrus grove and a 19.6-acre stormwater treatment facility. This parcel is adjoined by Platt's Creek, a natural tributary of the North Fork St. Lucie River (NFSLR) to the south, the NFSLR to the west, Sunrise Boulevard to the east and Raintree Forest residential development to the north. The proposed mitigation activities within the PCCM site include a total of 49.34 acres of wetland creation. The specific habitat types and acreages to be created are as follows: 13.54 acres of Hydric Hammock (FLUCCS 617), 23.10 acres of Depression Marsh (FLUCCS 641), and 12.70 acres of Floodplain Swamp (FLUCCS 615). In addition, two Mesic Flatwoods (FLUCCS 411) areas, totaling 13.65 acres, will be provided as a buffer between the mitigation site and the stormwater facility, development to the north, and Sunrise Boulevard.

The PCCM site will also be used to offset impacts to the wood stork associated with the Crosstown project. A wood stork biomass calculation was completed to ensure the PCCM site could adequately mitigate for impacts to the wood stork. Since credits associated with approximately half of the site will be used as the regulatory wetland mitigation for the Crosstown and the remaining credits will be used by St. Lucie County (County) towards future projects with unavoidable wetland impacts, two calculations were created. The first calculation is the wood stork biomass for the entire PCCM site (with no impact areas). The second calculation is the approximate wood stork biomass that will be applied to the Crosstown project based on mitigation needed to offset wetland impacts by the proposed project.

The PCCM site currently contains two man-made canals that run north to south. The total acreage of the canals is 4.56 acres. The remainder of the PCCM site consists of uplands consisting of mainly fallow orange groves. The 4.56 acres of canals were evaluated under the Preserve Area (Pre) portion of the calculation. The entire 4.56 acres of canals were applied to the Crosstown project to create a worst-case scenario, even though only half of the mitigation credits provided from the PCCM site will be utilized for the Crosstown project.

As part of the ERP obtained for the PCCM site, the County and City of Port St. Lucie (City) have agreed to maintain the site with less than 10% exotic or nuisance species.

Based on this calculation, the entire PCCM site is expected to provide a wood stork biomass of 121.57 kg (139.15 kg in Post conditions minus 17.57 kg in Pre conditions). The Crosstown Project is expected to impact 10.58 acres of wetlands which equates to 27.75 kg of biomass consisting of 3.38 kg of Class 2 wetlands, 2.40 kg of Class 4 wetlands, 21.12 kg of Class 5 wetlands, and 0.86 kg of Class 7 wetlands.

The created wetlands within the PCCM site that will be utilized to mitigate impacts for the Crosstown project provide a total 29.14 acres of wetland habitat providing 48.62 kg of biomass (66.19 kg in Post conditions – 17.57 kg in Pre conditions). This includes 13.54 acres of Class 2 wetlands providing 11.04 kg of biomass, 6.4 acres of Class 4 wetlands providing 19.70 kg of biomass, and 9.2 acres of Class 5 wetlands providing 35.45 kg of biomass. Therefore, based on the biomass calculations, the mitigation used for the Crosstown project at the PCCM site provides an additional 20.87 kg of biomass for wood stork foraging than the proposed impacted wetlands. This estimate was based on the Crosstown utilizing all of the Hydric Hammock (13.54 acres), half of the Floodplain Swamp (6.4 acres), and 40% of the Depression Marsh (9.2 acres). The remaining biomass (90.53 kg) created within the PCCM site will be available to the County to apply to future projects that impact wetlands and/or suitable wood stork foraging habitat. Additional biomass towards the Crosstown project will also be provided with credits purchased at Bear Point Mitigation Bank used as mitigation to offset impacts to mangroves.

Platt's Creek Entire Site - Wood stork Biomass Calculation

Hydroperiod	Existing Footprint		Preserve Areas				Net Change Per Hydroperiod Class	
			Pre Enhancement		Post Enhancement			
	Acres	Kgrams	Acres	Kgrams	Acres	Kgrams	Acres	Kgrams
Class 1: 0 to 60 Days							0	0
Class 2: 60 to 120 Days							0	0
Class 3: 120 to 180 Days							0	0
Class 4: 180 to 240 Days							0	0
Class 5: 240 to 300 Days							0	0
Class 6: 300 to 330 Days							0	0
Class 7: 330 to 365 Days							0	0
TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

% Exotics	F.S.V	Hydroperiods	Crayfish & Fish g/m^2
0-25	1	Class 1 (0-60 days)	0.31
25-50	0.64	Class 2 (60-120 days)	0.62
50-75	0.37	Class 3 (120-180 days)	1.32
75-90	0.03	Class 4 (180-240 days)	2.34
>90	0.03	Class 5 (240-300 days)	2.93
		Class 6 (300-330 days)	3.36
		Class 7 (330-365 days)	3.63

IMPACT AREA

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)
		0-25	1	0.00	0.00	FALSE	0.00	0.00	0.00
		25-50	0.64	0.00	0.00	FALSE	0.00	0.00	0.00
		0-25	1	0.00	0.00	FALSE	0.00	0.00	0.00
		25-50	0.64	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
TOTAL	**0.00**								**0.00**

PRESERVE AREA (PRE)

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)
Class 5 (240-300 days)	4.56	0-25	1	18,453.74	18,453.74	2.93	54,069.46	17,572.57	17.57
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
TOTAL	**4.56**								**17.57**

Platt's Creek Entire Site - Wood stork Biomass Calculation

PRESERVE AREA (POST)

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)
Class 2 (60-120 days)	13.54	0-25	1	54,794.66	54,794.66	0.62	33,972.69	11,041.12	11.04
Class 4 (180-240 days)	12.7	0-25	1	51,395.29	51,395.29	2.34	120,264.97	39,086.12	39.09
Class 5 (240-300 days)	23.1	0-25	1	93,482.77	93,482.77	2.93	273,904.51	89,018.96	89.02
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
TOTAL	**49.34**								**139.15**

Total Biomass within Existing Footprint	0.0			0.00	
Total Biomass within Preserve Area Pre-Enhancement	0.0	**Net Change**	0.0	17.57	
Total Biomass within Preserve Area Post-Enhancement	0.0			139.15	121.57

Crosstown Parkway Extension Project - Wood stork Biomass Calculation

Hydroperiod	Existing Footprint		Preserve Areas				Net Change Per Hydroperiod Class	
			Pre Enhancement		Post Enhancement			
	Acres	Kgrams	Acres	Kgrams	Acres	Kgrams	Acres	Kgrams
Class 1: 0 to 60 Days							0	0
Class 2: 60 to 120 Days							0	0
Class 3: 120 to 180 Days							0	0
Class 4: 180 to 240 Days							0	0
Class 5: 240 to 300 Days							0	0
Class 6: 300 to 330 Days							0	0
Class 7: 330 to 365 Days							0	0
TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

% Exotics	F.S.V
0-25	1
25-50	0.64
50-75	0.37
75-90	0.03
>90	0.03

Hydroperiods	Crayfish & Fish g/m^2
Class 1 (0-60 days)	0.31
Class 2 (60-120 days)	0.62
Class 3 (120-180 days)	1.32
Class 4 (180-240 days)	2.34
Class 5 (240-300 days)	2.93
Class 6 (300-330 days)	3.36
Class 7 (330-365 days)	3.63

IMPACT AREA

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)
Class 7 (330-365 days)	0.18	0-25	1	728.44	728.44	3.63	2,644.23	859.37	0.86
Class 5 (240-300 days)	5.02	0-25	1	20,315.30	20,315.30	2.93	59,523.84	19,345.25	19.35
Class 4 (180-240 days)	0.78	0-25	1	3,156.56	3,156.56	2.34	7,386.35	2,400.56	2.40
Class 5 (240-300 days)	0.46	0-25	1	1,861.56	1,861.56	2.93	5,454.38	1,772.67	1.77
Class 2 (60-120 days)	4.14	0-25	1	16,754.05	16,754.05	0.62	10,387.51	3,375.94	3.38
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
TOTAL	**10.58**								**27.75**

Crosstown

Assessment Area	FLUCCS	Impact Acreage	Functional Loss
AA1	612	0.18	0.16
AA2	6417	5.02	4.52
AA3	615	0.78	0.62
AA6	641	0.46	0.34
AA10	617	4.14	3.45
Total		10.58	**9.08**

PRESERVE AREA (PRE)

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)
Class 5 (240-300 days)	4.56	0-25	1	18,453.74	18,453.74	2.93	54,069.46	17,572.57	17.57
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00
TOTAL	**4.56**								**17.57**

Crosstown Parkway Extension Project - Wood stork Biomass Calculation

PRESERVE AREA (POST)

Hydroperiods	Acres	% exotics	F.S.V	m^2	m^2 suitable	crayfish & fish g/m^2	available biomass	32.5% consum.	Biomass (kg)			
Class 2 (60-120 days)	13.54	0-25	1	54,794.66	54,794.66	0.62	33,972.69	11,041.12	11.04	617	all	
Class 4 (180-240 days)	6.4	0-25	1	25,899.99	25,899.99	2.34	60,605.97	19,696.94	19.70	615	half	
Class 5 (240-300 days)	9.2	0-25	1	37,231.23	37,231.23	2.93	109,087.51	35,453.44	35.45	641		40%
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
			FALSE	0.00	0.00	FALSE	0.00	0.00	0.00			
TOTAL	**29.14**								**66.19**			

Total Biomass within Existing Footprint	0.0			27.75	
Total Biomass within Preserve Area Pre-Enhancement	0.0	**Net Change**	0.0	17.57	
Total Biomass within Preserve Area Post-Enhancement	0.0			66.19	48.62

John P. Krane

From: Glass, Patrick R [Patrick.Glass@dot.myflorida.com]
Sent: Friday, July 06, 2012 2:05 PM
To: John P. Krane
Subject: FW: Crosstown Parkway Extension Project Mitigation Plan
Attachments: Generic Easement 20110818_ third party rights highlighted.doc

Patrick R. Glass, P.E.
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida, 33309-3421

From: Young, Richard [Richard.Young@dot.state.fl.us]
Sent: Wednesday, June 27, 2012 2:01 PM
To: Glass, Patrick R
Cc: Caicedo, Beatriz
Subject: FW: Crosstown Parkway Extension Project Mitigation Plan

FYI, response from USFWS

Richard A. Young, P.E.
District Project Development Engineer
FDOT District 4
richard.young@dot.state.fl.us
(954) 777-4323 Fax (954) 777-4310

From: Schmidt, Gus
Sent: Wednesday, June 27, 2012 1:46 PM
To: Broadwell, Ann L
Cc: Braun, Steve; Young, Richard
Subject: FW: Crosstown Parkway Extension Project Mitigation Plan

As discussed, please follow-up with Mr. Wrublik regarding role our in the process. In addition, please initiate the contact with the City/Consultant regarding the ability to provide the conservation easement. This request should follow the same process we just outlined for future transmittal to Environmental Agencies. Thanks.

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer
FDOT - District 4
office (954) 777-4629 cell (954) 290-0312
gus.schmidt@dot.state.fl.us

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Tuesday, June 26, 2012 3:04 PM
To: Schmidt, Gus
Cc: Ann.Broadwell@dot.stat.fl.us; Victoria_Foster@fws.gov; Craig_Aubrey@fws.gov
Subject: Crosstown Parkway Extension Project Mitigation Plan

Dear Mr. Schmidt:

The U.S. Fish and Wildlife Service has reviewed the mitigaton proposal put forward by the City of Port St. Lucie and the Florida Department of Transportation (FDOT) for impacts resulting from the proposed preferrred alternative for the Crosstown Parkway Extension project. As part of the mitigation proposal, we understand that 110 acres of currently unprotected lands adjacent to the North Fork of the St. Lucie River (NFSLR) would be acquired and transferred to the State of Florida for inclusion within the NFSLR Aquatic Preserve (AP). We also understand that 41 acres of wetlands at the City of Port. St. Lucie's proposed 82-acre Platt's Creek Mitigation Site (PCMS) Permittee-Responsible Offsite Mitigation Area (PROMA) would be provided as mitigation for impacts to wetlands. We have concerns that the measures proposed to protect these lands (*e.g.*, county ownership, or transfer to state ownership) may not be adequate to protect the lands for conservation purposes in perpetuity. As such, we request that the proposed mitigation lands (consisting of the 110 acres of lands adjacent to the NLSLR AP and the 42 acres within the PCMS PROMA) be placed under a conservation easement that provides the Service with third party rights. The purpose of third party rights is to: (1) ensure that the conservation values of the aforemention mitigation lands are maintained in perpetuity; (2) to enjoin any activity on or use of the Property that is inconsistent with the Conservation Easemen; and (3) to require restoration of such areas or features of the Property that may be damaged by any act, failure to act, or any use or activity that is inconsistent with the purposes of the Conservation Easement. As an example and for your clarification, I have attached a draft conservation easement for a property proposed as a conservation bank that contains language indicating the Service's third party rights (highlighted in blue). Please indicate if the city of Port St. Lucie and the FDOT is willing to place a conservation easement that contains third party rights for the Service on the mitigation lands indicated .

If you have any questions, please give me a call.

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

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Bank Name_____ CONSERVATION BANK
CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT ("Conservation Easement") is given this _____ day of _____ 20__, by _____**,** a Florida corporation ("Grantor"), whose mailing address is_____, to the _____ ("Grantee"), whose mailing address is _____ (collectively, the Grantor and Grantee may hereinafter be referred to as the "Parties"). As used herein, the term" Grantor" shall include any and all heirs, successors or assigns of the Grantor and all subsequent owners of the "Property" (as hereinafter defined), and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner in fee simple of certain lands situated in _____ County, Florida, and more specifically described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the United States Fish and Wildlife Service ("Service"), an agency within the United States Department of Interior, has jurisdiction over the conservation, protection, restoration, enhancement, and management of fish, wildlife, native plants, and habitat pursuant to various federal laws, including the Endangered Species Act, 16 U.S.C. Section 1531, et seq. ("ESA"), the Fish and Wildlife Coordination Act, 16 U.S.C. Sections 661-666c, the Fish and Wildlife Act of 1956, 16 U.S.C. Section 742(f) et seq., and other provisions of Federal law; and

WHEREAS, the Service maintains that the Property possesses or is capable of possessing ecological and habitat values that benefit endangered, threatened, or other species (collectively "Conservation Values") of great importance to the people of the State of Florida and the United States, including the scientific species name ("common name"); and

WHEREAS, the Conservation Values of the Property are documented in the "_____ Bank Agreement" dated _____ (the "Conservation Instrument"), which, along with its exhibits, is hereby incorporated into this Conservation Easement by this reference; and

WHEREAS, the Grantor, in consideration of the terms of the Conservation Instrument, agrees to grant and secure to the Grantee a perpetual conservation easement as defined in Section 704.06, Florida Statutes, over the Property.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, together with other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual conservation easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:

1. **Recitals.** The recitals hereinabove set forth are true and correct and are hereby incorporated into and made part of this Conservation Easement.

2. **Purpose.** The purpose of this Conservation Easement is to ensure that the Property shall be protected forever and used as a conservation area, consistent with the Conservation Instrument. The Parties intend that this Conservation Easement will confine the use of the Property to such uses as are consistent with the purpose of this Conservation Easement and the Conservation Instrument.

3. **Grantee and the Service's Rights.** To carry out the purpose of this Conservation Easement, the Grantor conveys the following rights to Grantee and the Service:

a. To enter upon the Property at any time after giving twenty-four (24) hours prior notice to the Grantor or any Management Agreement Manager, as described in the Conservation Instrument, in order to monitor Grantor's compliance with this Conservation Easement and the Conservation Instrument, monitor and survey the Property for use by the species common name and otherwise enforce the terms of this Conservation Easement and the Conservation Instrument;

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and the Conservation Instrument, to require restoration of such areas or features of the Property that may be damaged by any act, failure to act, or any use or activity that is inconsistent with the purposes of this Conservation Easement and to preserve the Conservation Values of the Property; and

c. To preserve, protect and sustain the biological resources and Conservation Values of the Property unless specifically excluded from this Conservation Easement; and

d. To enforce the terms, provisions and restrictions of this Conservation Easement.

4. **Prohibited Use.** Unless expressly authorized by and in accordance with the Conservation Instrument, or as reserved in paragraph 5 of this Conservation Easement, or as deemed necessary to successfully achieve the desired goals of the Conservation Instrument, the following activities are prohibited on the Property:

a. Construction, reconstruction or placement of any road, sign, billboard or other advertising, utilities or any other building or structure on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping of trash, waste, biosolids or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface;

e. Mineral exploration, excavation, draining or dredging;

f. Surface use except for purposes that permit the land or water areas to remain in their existing natural conditions;

g. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

h. Acts or uses detrimental to such aforementioned retention of land or water areas in their existing natural condition;

i. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties on the Property having historical, architectural, archaeological, or cultural significance;

j. Alteration of the general topography of the Property;

k. Planting, introduction or dispersal of exotic plant or animal species;

l. Commercial or industrial uses; and

m. Manipulation, impoundment or alteration of any natural watercourse, body of water or water circulation on the Property.

5. **Grantor's Reserved Rights**. Grantor reserves unto itself, its successors and assigns, and all successor owners of the Property or any portion thereof:

a. All rights accruing from its ownership of the Property, including the right to engage in or to permit or invite others to engage in all uses of the Property that are neither expressly prohibited herein, inconsistent with the purpose of this Conservation Easement and the Conservation Instrument nor likely to negatively impact the quality of the Property as species common name habitat.

b. The right to conduct activities on the Property, including, but not limited to, maintenance and monitoring activities, as set forth in the Conservation Instrument.

c. The right to maintain historical drainage on the Property in accordance with the Conservation Instrument.

d. The right to hunt, fish, travel upon, and recreate upon the Property in accordance with the Conservation Instrument.

e. The right to graze farm animals upon the Property in accordance with the Conservation Instrument and the Conservation Easement. (For panther banks only. All other banks delete)

6. **Grantee and the Service's Duties.** Neither Grantee nor the Service shall unreasonably interfere with Grantor or its invitees, guests, and agents' use and quiet enjoyment of the Property. Grantee and Service agree that neither Grantor nor any affiliate, subsidiary or other related party of Grantor shall be liable for or obligated for any liability, penalty, cost, loss, damage, expense, cause of action, claim, demand, or judgment arising from or in any way connected with Grantee's or Service's conduct and/or negligence on or about the Property pursuant to this paragraph.

7. **Grantor's Duties.** Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass upon the Property by persons whose activities may degrade or harm the Conservation Values of the Property. The Grantor also shall be responsible for control of public access to the Property through measures including, but not limited to, the gating and locking of access points and the marking of entry points with no trespassing signs. Grantor shall be

responsible for the funding of the payment of all costs and expenses relating to the Property from the _____Endowment Fund Trust, which has been established by Grantor, see more specifically paragraph 22, below.

8. **No Dedication.** No right of access, ingress, or egress by the general public to any portion of the Property is conveyed by this Conservation Easement.

9. **Obligations of Ownership.** Grantor retains all responsibilities and all obligations related to the ownership, operation, upkeep, and maintenance of the Property. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority, and shall furnish Grantee and the Service with satisfactory evidence of payment upon written request. Grantor remains solely responsible for obtaining any applicable permits and approvals required for any activity or use permitted on the Property by this Conservation Easement, and any such activity or use shall be undertaken in accordance with all applicable federal, state, local and administrative agency laws, statutes, ordinances, rules, regulations, orders and requirements.

10. **Enforcement.** Grantee and/or the Service have the right to enforce the terms, provisions and restrictions of this Conservation Easement. Any forbearance on behalf of Grantee or the Service to exercise its right of enforcement hereunder shall not be deemed or construed to be a waiver of either of their rights hereunder.

11. **Remedies for Violation and Corrective Action.** If Grantee, Grantor or the Service determines there is a violation of the terms of this Conservation Easement or that a violation is threatened, written notice of such violation and a demand for corrective action sufficient to cure the violation shall be given to the putative violator as well as to the Service. In any such instance, measures to cure the violation shall be reviewed and approved by the Service. If a violation is not cured within thirty (30) days after receipt of written notice and demand, or if the cure reasonably requires more than thirty (30) days to complete and there is failure to begin the cure within the 30-day period or to continue diligently to complete the cure, Grantee, Grantor or the Service may bring an action at law or in equity in a court of competent jurisdiction to enforce compliance with the terms of this Conservation Easement, to recover any damages to which Grantee, Grantor or the Service may be entitled for violation of the terms of this Conservation Easement or for any damage to the Conservation Values of the Property or for other equitable relief, including, but not limited to, the restoration of the Property to the condition in which it existed prior to the violation or damage. Without limiting the violator's liability, any damages recovered may be applied to the cost of undertaking any corrective action on the Property.

12. **Acts Beyond Grantor's Control.** Nothing contained in this Conservation Easement shall be construed to entitle Grantee or the Service to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property or to persons resulting from such causes.

13. **Hold Harmless.** Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employers, agents and contractors and the heirs, personal representatives, successors, and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action,

claims, demands, orders, liens or judgments, including, without limitation, reasonable attorney's fees, arising from or in any way connected with: (a) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition or other matter related to or occurring on or about the Property, regardless of cause, unless due to the negligence of any of the Indemnified Parties; (b) Grantor's obligations specified in this Conservation Easement; and (c) the obligations, covenants, representations, and warranties of this Conservation Easement relating to Paragraph 9 of this Conservation Easement.

14. **No Hazardous Materials Liability.** Grantor represents and warrants that it has no knowledge of any release or threatened release of hazardous materials in, on, under, about or affecting the Property. Without limiting the obligations of Grantor as otherwise provided in this Easement, Grantor agrees to indemnify, protect and hold harmless the Indemnified Parties, as defined in Paragraph 13, against any and all claims arising from or connected with any hazardous materials present, released in, on, from, or about the Property at any time, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, unless caused solely by any of the Indemnified Parties.

15. **Assignment.** Grantee will hold this Conservation Easement exclusively for conservation purposes and for the purpose set forth in Paragraph 2 of this Conservation Easement. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state and federal laws and committed to hold this Conservation Easement exclusively for the purposes set forth herein. Grantee may not assign this Conservation Easement without written consent of Grantor and the Service.

16. **Subsequent Property Transfer.** Grantor agrees to either refer to this Conservation Easement or, alternatively, incorporate the terms of this Conservation Easement in any deed or other legal instrument by which Grantor divests itself of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. Grantor further agrees to give Grantee and the Service written notice of the intent to transfer any interest at least thirty (30) days prior to the date of such transfer. Grantee or the Service shall have the right to prevent subsequent transfers in which prospective subsequent claimants or transferees are not given notice of the terms, covenants, conditions and restrictions of this Conservation Easement or whenever a subsequent Property transfer will result in a merger of the Conservation Easement and the Property in a single Property owner (thereby extinguishing the Conservation Easement) if no method or mechanism deemed adequate to preserve, protect and sustain the Property in perpetuity has been established. The failure of Grantor to perform any act required by this section shall not impair the validity of this Conservation Easement or limit its enforcement in any way.

17. **Severability.** If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby as long as the purpose of the Conservation Easement is preserved.

18. **Recordation.** Grantor shall record this Conservation Easement in timely fashion in the Official Records of _____ County, Florida, and shall re-record it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless

from any recording costs or taxes necessary to record this Conservation Easement in the public records.

19. **Modifications.** This Conservation Easement may be amended, altered, released or revoked only by written agreement between the Parties hereto or their heirs, assigns or successors-in-interest and with written approval of the Service. Any such modification shall be consistent with the purposes of this Conservation Easement and the Conservation Instrument and shall not affect the perpetual duration of this Conservation Easement. The Grantee shall promptly record any written modification in the public records of _____ County, Florida and thereafter promptly provide a conformed copy of the recorded modification to the Grantor and to the Service.

20. **Written Notice.** All notices, consents, approvals or other communications hereunder shall be in writing and delivered personally or sent by facsimile or by a recognized overnight delivery service. Notice by either of the previous methods shall be deemed given upon delivery. Notice also may be sent by United States mail, certified, return receipt requested and postage prepaid. Such notice shall be deemed given five (5) days after deposit in the United States mail. Notice shall be addressed as follows or to such other address as either Party or the Service may from time to time specify in writing:

To Grantor:

To Grantee:

To the Service: Field Supervisor
United States Fish and Wildlife Service
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960-3559
Facsimile: (772) 562-4288

21. **Subordination of Liens.** Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement; that all mortgages and liens on the Property, if any, have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that Grantor hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

22. **Funding.** Funding for the management, maintenance, and monitoring activities required to occur on the Property pursuant to this Conservation Easement and the Conservation Instrument shall come from the _____Endowment Fund Trust, a perpetual trust, and by any other means specified in the Conservation Instrument.

23. **No Merger or Release**. This Conservation Easement provides specific and substantial rights to the Service as provided herein and in accordance with other agreements between the Grantor and the Service. These rights, among other things, prohibit the release or assignment of the rights, obligations and encumbrances established by this Conservation Easement in any fashion, except upon written approval of the Service. It is the intent of the Grantor, the Grantee and the Service that this Conservation Easement shall be a covenant running with title to the Property and that this Conservation Easement shall be binding upon subsequent owners of the Property. The Parties covenant and agree that this Conservation Easement may not be assigned, terminated or released in any manner or fashion without the consent and written agreement of the Service. In the event that the Grantor or any subsequent owner of the Property shall convey fee title to the Property to the Grantee or to any successor of the Grantee, the Parties expressly covenant and agree that this Conservation Easement shall not be terminated or extinguished by operation of law pursuant to the doctrine of merger or any similar or dissimilar doctrine or rule of law.

24. **Management.** Grantor hereby covenants that the management of the Property shall be undertaken either by Grantor directly or by another party as provided in the Conservation Instrument. If management is to be undertaken by another party, Grantor must obtain that party's consent to undertake the management and provide payment to that party in accordance with the _____ Endowment Trust Agreement.

25. **Preserving Perpetual Rights.** Grantor shall insert the terms and restrictions of the Conservation Easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Grantor must record a notice of conservation easement once during the 30 year period beginning with the date of this easement and each 30 year period thereafter. Grantor must record the notice and provide a copy of the recorded notice to Grantee and the Service between the 28th and 29th year of each 30 year period. The notice must satisfy the requirements of Florida Statute Sections 704.06 and 712.06.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions, and purposes imposed with this Conservation Easement shall be binding upon Grantor and shall continue as a servitude running in perpetuity with the Property.

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this ____ day of _____, 20__.

GRANTOR

_____, a Florida corporation

By:_____

Print Name:_____

Title:_____

Signed, sealed and delivered in our presence as witnesses:

By:_____

Print Name:_____

By:_____

Print Name:_____

STATE OF FLORIDA
) ss:

COUNTY OF _____

On this _____ day of _____, 20__ before me, the undersigned notary public, personally appeared _____, the person who subscribed to the foregoing instrument, as the _____ (title), of _____, a Florida corporation, and acknowledged that he/she executed the same on behalf of said corporation and that he/she was duly authorized to do so. He/She is personally know to me or has produced a _____ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

_____
Print Name:

My Commission Expires:

GRANTEE'S ACCEPTANCE

The _____ hereby accepts and agrees to the conditions of the foregoing Conservation Easement.

Grantee's Name_____

By: _____

Title: _____

Date: _____

Approved as to form and legal sufficiency:

By:_____

Print Name:_____

Title:_____

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

CONSENT AND JOINDER OF MORTGAGEE

CONSERVATION EASEMENT

The undersigned, _____, (mortgagee), the mortgagee under that certain mortgage dated _____ and recorded at Official Records Book____, page__, of ____ _____County, Florida, hereby consents and joins in the foregoing Conservation Easement, and subordinates its mortgage lien encumbering all or any part of the Property (as described in the foregoing Conservation Easement) to the Conservation Easement.

IN WITNESS WHEREOF, this Consent and Joinder is executed by the undersigned this _____ day of _____, 20__.

Witnesses: Signature:_____ Printed Name:_____ _____ Signature:_____ _____ Printed Name:_____ _____	By:_____ _____ Printed Name:_____ _____ Its:_____ _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, as _____ of _____, on behalf of the land owner. He/she is ❑ personally known to me or ❑ has produced _____ as identification.

_____
(Signature of Notary Public)

_____
(Typed name of Notary Public)
Notary Public, State of _____
Commission No.:_____
My Commission Expires:_____

CITY OF PORT ST. LUCIE

Engineering Department

Accredited Agency – American Public Works Association

"A City for All Ages"

July 3, 2012

Ms. Beatriz Caicedo-Maddison
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Dear Ms. Caicedo-Maddison:

SUBJECT: USACE Comments on Draft Environmental Impact Statement
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project Number: 410844-1-A8-01
Federal Project Number: 7777-087-A
ETDM No.: 8247
County: St. Lucie

In a letter dated October 3, 2011, the U.S. Army Corps of Engineers (USACE) provided comments on the subject Draft Environmental Impact Statement (DEIS) that was approved for public availability on July 1, 2011. In response to those comments, FDOT provided a letter (dated December 20, 2011) acknowledging receipt of the comments. In that letter, it was noted that the comments and recommendations provided by the USACE would be considered fully throughout the remainder of the project and would be documented in the Final EIS.

Based on the data and analysis, and the consideration of the comments received, Alternative 1C has been selected as the Preferred Alternative. Some of the reasons for this selection are discussed in the responses to the USACE comments contained in this letter and the full evaluation of the alternatives will be detailed in the FEIS. The Preferred Alternative selection process is described in Attachment 1.

The City of Port St. Lucie (City) and their consultant, Keith and Schnars, Inc., in cooperation with the Florida Department of Transportation (FDOT) coordinated with the USACE (Garrett Lips) regarding the proposed project during a joint meeting with the USACE and National Marine Fisheries Service on May 29, 2012. During that meeting, we discussed the specific issues identified in the USACE comment letter. Please forward this information to Mr. Lips with copies to the appropriate agencies (see below). With the attached revised *Wetlands Evaluation Report*, the attached additional information that Mr. Lips requested, and the responses to the comments from the USACE October 3, 2011 letter, the City is requesting assurance that the information presented to date is adequate to evaluate impacts consistent with the Clean Water Act and whether the proposed compensatory mitigation is adequate to offset unavoidable direct and indirect impacts resulting from the Preferred Alternative.

This letter offers responses to the USACE comments on the DEIS. Below, please find each comment with a response in italics. Also, for reference, we have attached the original transmittal of comments.

USACE Comment #1

Six build alternatives were evaluated in the DEIS, and the proposed direct wetland impacts range from approximately 8.5 acres (Alternative 6A) to 11.9 acres (Alternative 1C); potential indirect impacts range from approximately 16.4 acres (Alternative 6B) to 29.2 acres (Alternative 1C). Wetlands abutting and adjacent to the NFSLR include tidally influenced estuarine mangrove habitat, and palustrine emergent marsh, scrub-shrub and forested wetlands, and are of extremely high quality. The wetlands within the project area are part of an important complex of intact floodplain wetlands. The estuarine and palustrine wetlands are contiguous and are part of a complete system along the entire reach of the NFSLR.

Response to USACE Comment #1

The comment incorrectly describes the direct impacts to wetlands for Alternatives 6A and 1C. The 8.56 acres for Alternative 6A and 11.9 acres for Alternative 1C are the estimated direct impacts for Essential Fish Habitat [Table 5.25 (Summary of Direct and Temporary (Construction) Impacts (acres) to EFH and Managed Species Potentially Affected) of the EIS], which includes palustrine forested and emergent wetlands, scrub-shrub intertidal wetlands (mangroves), and estuarine subtidal open water. The open water habitat is equivalent to the area of the NFSLR below mean high water. Under the definitions and guidance of Section 404 of the Clean Water Act, the open water habitats of the NFSLR would be defined as a "deep water habitat," not wetlands. The direct impacts for wetlands is included in Table 5.19 (Summary of Direct and Temporary Wetland Impacts (acres) Calculated for Each Build Alternative) of the EIS (also shown in Table 1.1 Alternatives Evaluation Matrix). Direct impacts for wetlands range from 7.62 acres for Alternative 6B to 10.19 acres for Alternative 1C.

The comment also incorrectly describes the amount of estimated indirect impacts. Indirect impacts were determined by using the Uniform Mitigation Assessment Method (UMAM) with an interagency team, of which the USACE was a part. The functional losses estimated for each build alternative were shown in Table 5.21 (for Wetlands) and in Table 5.26 (for Essential Fish Habitat). Total indirect wetland impacts range from 1.37 acres for Alternative 6B to 2.30 acres for Alternative. The total functional losses (direct and indirect impacts) range from 7.02 acres for Alternative 6B to 11.08 for Alternative 1C. The acreage amounts have not changed and will be reported in the FEIS. The quality and ecological nature of the wetlands within the project area are discussed in the FEIS and are reflected in the UMAM functional loss calculations.

USACE Comment #2

The aquatic resource impact analysis provided in the DEIS appears to have accurately identified the anticipated adverse effects associated with the bridges, both direct and indirect. However, the pond site report identifies additional wetlands that could be affected. To complete the impact analysis, the USACE is recommending a full summary of impacts for all elements of the project be provided including pond sites. The USACE recommends the use of previously disturbed land with no wetlands, high functioning uplands, or parcels under public ownership for conservation. The pond design should also utilize current drainage technology advances to provide treatment and attenuation of stormwater to avoid impacts to special aquatic sites.

Response to USACE Comment #2

The Pond Siting Report (PSR) examined approximately 100 potential stormwater pond sites for the six build alternatives. Based on the PSR analysis, the list was narrowed down to the recommended pond sites for each of the build alternatives and their locations are shown on the concept plans. The acreage of impact for each pond was included for each build alternative. The stormwater management system (ponds) for the Preferred Alternative has been located within the right of way and within already developed areas. For the Preferred Alternative, stormwater ponds impact 0 acres of wetlands and 2.81 acres of uplands (mostly already developed).

USACE Comment #3

The DEIS includes a discussion of proprietary mitigative measures for unavoidable change-of-use adverse effects on state-owned park lands, and federal and state wetland compensatory mitigation measures for offsetting wetland

impacts. The USACE has indicated during previous meetings with FDOT that some components of the proprietary mitigation would require Department of the Army authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) or Section 404 of the Clean Water Act (33 U.S.C. §1344); however, the USACE believes, based on the current proposal, that none of the projects would be anticipated to result in unacceptable adverse environmental effects. The DEIS stated compensatory wetland mitigation to offset unavoidable impacts to wetlands would take place at the 82-acre Platt's Creek mitigation site and Bear Point Mitigation Bank (BPMB). The Platt's Creek site is located along the NFSLR, and was previously evaluated by the USACE as an advance wetland compensatory mitigation site with St Lucie County as the applicant, but the project did not receive DA authorization. In general, however, the USACE believes the proposal may be appropriate provided an assessment is performed demonstrating the permittee responsible offsite mitigation alternative is environmentally preferable to purchasing mitigation bank credits. Currently, Treasure Coast Mitigation Bank and Blue Field Ranch Mitigation Bank Service Areas overlap the project. A 12-point mitigation plan for Platts Creek mitigation site will also be required to be submitted for review. Credits from the BPMB would be used to offset unavoidable impacts to estuarine mangrove wetlands, as proposed. The USACE typically accepts this approach to offset estuarine wetland impacts provided appropriate proximity factors are incorporated into the assessment. Please include all relevant details of the compensatory mitigation plan which will fully replace all ecological functions lost by the proposed action. This detailed plan should include all components of a mitigation plan as outlined in 33 CFR 320.

Response to USACE Comment #3

Since the DEIS was approved for public availability, a detailed compensatory mitigation plan has been developed in coordination with USACE, NMFS, FDEP, and SFWMD. A comprehensive mitigation plan has been developed to compensate for unavoidable impacts due to the Preferred Alternative to wetlands, uplands, listed species habitats, Section 4(f) resources, Sovereignty Submerged Lands (SSL), essential fish habitat, recreational resources, and water quality. Details of the mitigation plans are contained in the attached Wetlands Evaluation Report. The mitigation plan includes all of the USACE's 12-point elements required for a compensatory mitigation projects, as described in CFR 33 Part 332.4(c)(2) – (14). The mitigation plan is summarized here.

Proprietary Mitigation Plan

The Proprietary Mitigation Plan was developed to provide compensatory mitigation for obtaining an easement to cross State-owned lands. The City coordinated with the FDEP and proposed mitigation options that were the highest priority projects from the North Fork St. Lucie River (NFSLR) Aquatic Preserve (AP) Management Plan and other projects the FDEP wanted implemented on state lands and elsewhere. On April 26, 2010, the City of Port St. Lucie entered into a Memorandum of Understanding (MOU) with the Florida Department of Environmental Protection (FDEP). The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the North Fork St. Lucie River (NFSLR). The Proprietary Mitigation Plan was coordinated with the USACE, NMFS, SFWMD, and FDEP. This MOU is valid for all build alternatives, including the Preferred Alternative. The MOU agreed to:

- *Design, permit, and construct four water quality improvement projects;*
- *Convey approximately 110 acres to the Board of Trustees;*
- *Design, permit, and construct Recreational Opportunity - Trails*
- *Design, permit and construct Recreational Opportunities – Other*

The Acquisition and Restoration Committee has recommended approval to grant the easement (16.1 acres) across State-owned lands, which will be valid for the Preferred Alternative. Once the Proprietary Mitigation Plan projects are constructed, the Board of Trustees will convey the easement to cross state lands to the City. All proprietary mitigation projects will be constructed after the Record of Decision is approved, with completion dates in 2014. Once the Record of Decision is approved, the acquired lands will be conveyed to the State. At the completion of the Proprietary Mitigation Plan:

- *Ownership of lands within the Savannas Preserve State Park (SPSP) will increase by 108.15 acres over existing conditions.*
- *The project will obtain an easement over 960 linear feet of shoreline (160 feet along each shoreline pair for three crossings); the acquired lands will increase the linear feet of shoreline under State ownership by 12,645 feet.*
- *Three improved recreational/educational projects will be completed within the SPSP and the Savannas Recreation Area.*
- *Four water quality improvement projects will restore or improve historic river flows and will improve an estimated 22.16 acres of open water and will reconnect an estimated 28.05 acres of degraded floodplain wetlands to flows from the NFSLR. These projects will also increase the feeding, breeding and nursery habitat for fish within the NFSLR.*
- *No shorelines will be hardened by the Preferred Alternative and the water quality improvement projects will improve 255 feet of NFSLR shoreline.*
- *The water quality improvement projects will re-establish wetland habitat diversity directly adjacent to the NFSLR for listed species.*

Implementation of the proprietary mitigation plan will potentially further the goals associated with the Indian River Lagoon (IRL) Surface Water Improvement and Management (SWIM) Plan, St. Lucie County Comprehensive Plan, the IRL Comprehensive Management Plan, and, we believe, the USACE Northfork Floodplain Restoration Plan by restoring wetland and floodplain functions along the NFSLR floodplain.

Regulatory Mitigation Plan

In addition to the Proprietary Mitigation Plan, the City coordinated with the SFWMD and USACE to create a Regulatory Mitigation Plan to provide compensatory mitigation for unavoidable impacts to wetlands, essential fish habitat, and protected species habitats. The Regulatory Mitigation Plan consists of the development of the Platt's Creek Compensatory Mitigation Site (Platt's Creek) and the reservation of credits at the Bear Point Mitigation Bank. Platt's Creek has been permitted by the SFWMD (Permit Number 56-03199-P) as a Permittee Responsible Offsite Mitigation Area (PROMA); the USACE is currently reviewing the application. The City and St. Lucie County (County) are co-permittees for the SFWMD and USACE permits. Platt's Creek is valid for all build alternatives, including the Preferred Alternative. The City will use approximately half of the available functional gain units as mitigation for the Preferred Alternative, while the County could use the remaining units for future projects requiring mitigation. The SFWMD has agreed to this proposal and the USACE is currently reviewing the mitigation plan.

Platt's Creek will construct 67.47 acres of restored/created wetland (47.87 acres) and upland habitat (13.65 acres) within an 82.4-acre fallow citrus grove. The project will result in 24.02 functional gain units (USACE) and 22.30 functional gain units (SFWMD). The difference in functional gain units is due to the difference in time lag estimates by the two agencies.

To compensate for unavoidable mangrove losses (0.19 acres), the City will purchase credits at the Bear Point Mitigation Bank (the wetland mitigation project at Platt's Creek will not be able to restore/create mangrove habitat). The mitigation credit requirements at the Bear Point Mitigation Bank have been developed in coordination with the SFWMD and USACE; the NMFS and USFWS have been consulted during the process. The USACE and the SFWMD have stated that the amount of credits is appropriate mitigation for mangrove losses and included appropriate proximity factor.

The restoration of native vegetative communities in Platt's Creek is expected to provide support for numerous wildlife species that typically inhabit the AP and the SPSP, including listed species and species of special concern. When completed, Platt's Creek will:

- *Provide compensatory mitigation for the Preferred Alternative as well as future County projects that impact wetlands;*
- *Provide compensatory mitigation for impacts to foraging habitat for the endangered wood stork due to unavoidable habitat losses due to the Preferred Alternative as well as habitat for numerous wetland-dependant species (including listed federal and State species);*
- *Re-establish wetland and upland habitat diversity directly adjacent to the NFSLR and Platt's Creek;*
- *Provide wetland habitat coverage for threatened, endangered, or species of special concern;*
- *Establish feeding, breeding, and nursery habitat for fish;*
- *Restore the hydroperiod and re-vegetation of a portion of the NFSLR floodplain;*
- *Restore natural storage and water purifying functions of a portion of the NFSLR floodplain;*
- *Further the overall objectives for water management in the watershed region;*
- *Construct a long term watershed-based restoration project that increases aquatic resource functions and services;*
- *Improve water quality within the 1,110-acre watershed and specifically within the NFSLR;*
- *Preclude development of the property, which is directly adjacent to the NFSLR; and*
- *Provide the potential for future passive recreational opportunities.*

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and E-Wrap (Bear Point Mitigation Bank methods), which calculated the functional gain of the proposed mitigation plan and balanced those gains with the functional losses of the Preferred Alternative. All regulatory agencies have approved the plan as adequate to compensate for unavoidable impacts due to the Preferred Alternative (Appendix 1 of the attached EFH Assessment). With the entire mitigation program (both regulatory and proprietary), unavoidable impacts related to the Preferred Alternative will be compensated in a manner that results in no net loss to wetlands, essential fish habitat, Section 4(f) resources, or to protected species or their habitats.

<u>USACE Comment #4</u>

The USACE understands the current approach as stated by the FDOT, is to construct the proposed bridge with a "top-down" approach to avoid construction impacts related to access roads, fill pads, staging areas, etc. The USACE believes this approach is preferable; however, a plan demonstrating the practicality of the approach was not provided. The USACE is concerned that once the project approaches the construction phase, the commitment to fully implement the "top-down" construction methodology would be reduced in scope to save money. Please provide assurances the top down approach would be fully implemented for any build alternative.

<u>Response to USACE Comment #4</u>

The comment reiterates the City's commitment to employ a top down construction method, or construction from temporary platforms, trestles or other similar methods. At this stage of project development, the following discussion of bridge construction methods is based on consultation with contractors familiar with this type of construction. These methods are common construction techniques used throughout the industry. However, the actual methods used will depend on a given contractor's experience on projects with similar conditions, equipment owned by the contractor, and final project commitments and permit requirements.

The most common ways of constructing this project can be categorized into two main methods. The first would be "true" top down construction, where a bridge span is built from the previously completed span. The second would be using a temporary work platform known as a "trestle." These two methods are familiar to most contractors.

The construction would commence with mobilization of the contractor's equipment and crews. The first step of construction would be to clear and grub the areas where the pile bents will be (tree and stump removal), and to

remove trees in the bridge path that would interfere with the construction of the bridge. To do this, the contractor would need light machinery. No haul roads will be allowed.

Foundations (piles) can then be placed. If "true" top down construction is used, the first piles can be driven from the top of the approach MSE walls that will be constructed at either end of the bridge. A standard crane on tracks ("crawler") can be used to drive the piles and place the beams. Once the beams are placed and the deck is poured and cured, the crane will relocate to the end of the completed portion of the bridge and repeat the process. Materials can be supplied to the crane from the completed bridge. The components of the bridge may need to be increased in size due to construction loading. Another form of "true" top down construction would be to construct the bridge using a specially designed gantry crane system. A gantry crane would use a steel truss that is cantilevered out over the completed portion of the bridge. Piles can be driven and beams can be placed with the same piece of equipment. Gantry cranes are custom designed for each project and are not standard equipment. In addition, based on discussions with contractors, the bridge may not be long enough to obtain economy of scale employing the gantry crane method.

For the trestle method, the trestle is constructed first. It is typically constructed using pipe piles for foundations and H-beams for framing and bracing. The deck of the trestle consists of crane mats, which are 4 ft x 1 ft x various length timber beams placed adjacent to each other perpendicular to the length of the trestle. The trestle is built using "true" top down construction by building the next span from the previous span. The crane that uses the trestle as a temporary platform can be used to construct subsequent sections of the trestle. After the trestle is complete, it will be used to drive piles and place beams. Since the crane on the trestle does not bear any weight on the bridge, no increase in member sizes due to construction loads would be required, unless the bridge is used to deliver materials to the crane. The trestle will be designed to handle any material delivery operations and will be located between the twin bridges or in the footprint of one of the twin bridges. A trestle is typically low to the ground so any trees below the trestle will have to be removed before constructing it.

Construction could also be accomplished by utilizing a hybrid method where components of both trestle and crane/gantry techniques are included. If hybrid construction is used, the foundations (piles) can be placed using a smaller trestle than what would be required for the trestle-only technique discussed above. Once the foundations (piles) are installed, a beam-launcher could be used to place the beams. A beam launcher is a gantry-type rig that is smaller than the one needed for "true" top down construction, and does not need to be custom designed. After the beams are placed, the deck can be poured.

The construction time of the bridge can be reduced by using sequencing and accelerated bridge construction (ABC) techniques. Examples of sequencing would be to build both bridges at the same time by building the second from the top of the first. Another way would be to build from both directions. Accelerated bridge techniques include using precast bridge elements (beams, bent caps, deck segments, etc.) to reduce the need to build forms and concrete curing time.

If either the "true" top down or the trestle methods of construction is used, the use of barges as a construction platform will not be necessary. However, barges may still be used to transport materials to the site.

<u>USACE Comment #5</u>

The DEIS states the primary purpose of the proposed project is to alleviate substantial traffic capacity deficiencies in the City of Port St. Lucie. The DEIS references the *ANALYSIS OF POTENTIAL RIVER CROSSING CORRIDORS to Reduce Traffic Congestion in the City of Port St. Lucie Parts I and II*. Currently though, based on the DEIS document, the stated conclusions dismissing Corridor 1 do not support the premise the alternative is impracticable, fails to fulfill the project's purpose and need, and/or results in greater environmental adverse effects when compared to the proposed build alternatives. Our preference is to first avoid wetlands, and then implement minimization efforts including utilizing existing river crossings and widening existing bridges to avoid further habitat

fragmentation within the NFSLR wetland complex. The Corridor Report analysis dismissed Corridor 1 with a very limited scope of evaluation without identification or evaluation of the environmental benefits or detriments of Corridor 1. The DEIS and Corridor Reports documents merely identify "operational" factors as the sole reason to dismiss Corridor 1. The USACE recommends the DEIS include an evaluation of the anticipated environmental effects if this alternative is practicable and also achieves the project purpose.

Response to USACE Comment #5

Widening of the existing bridges (Corridor 1) was considered at three different times during the development of alternatives and a number of factors were used to evaluate this alternative. It was examined during the Corridor Report, the Alternatives Report, and the Design Traffic Technical Memorandum (DTTM) prepared for the EIS. The DTTM evaluated traffic conditions with greater detail than the Corridor Report and the Alternatives Report. Under each evaluation, this alternative did not meet the project purpose and need because, even with widening, both bridges would continue to operate beyond the projected traffic carrying capacity and substantial operational problems along U.S. 1 would remain at each of the bridge crossings, particularly with the northbound left-turn movements. The DTTM evaluation concluded that, regardless of any capacity improvement that might result from adding additional lanes, widening of the existing bridges by more than two lanes (the two bridges would need to be widened by more than two lanes to address the capacity problems on the network) would result in substantial impacts to the adjacent urban communities. The Port St. Lucie Boulevard and Prima Vista Boulevard corridors are already built out to the existing right of way. If both bridges were widened, over 250 commercial properties would need to be acquired, resulting in substantial socio-economic impacts. In addition, widening the existing bridges would not avoid impacts within the SPSP and the AP. The widened bridge would need additional bridge piers (or fill) to support the widened bridge and additional stormwater treatment would be required. The stormwater ponds might need to be located in conservation lands. Based on these reasons, the alternative to widen the existing bridges was eliminated (each time) from further consideration. The inability of this alternative to function operationally demonstrates it cannot meet the purpose and need.

Additional analysis was performed that examined widening Prima Vista Boulevard and Port St. Lucie Boulevard to eight and ten lanes, respectively, in combination with a multimodal transportation and Transportation Systems Management (TSM) alternative (as requested by the NMFS). The analysis demonstrated that, even with these improvements, the Port St. Lucie Boulevard Bridge would still be over capacity. In addition, widening of the existing bridges to this degree has the same socio-economic and environmental impacts as described above. Thus, this alternative was rejected. Section 3.2.3.4 of the EIS discussed the Widening of Existing Bridges Alternative and a new Section 3.2.3.4.1 in the FEIS will discuss the additional analysis that was performed to address this comment. We have attached this additional analysis for your review (Attachment 2).

USACE Comment #6

In response to the proposed roadway typical section (see Typical section between East of the River to US-1, Figure 1.5) for the section between East of River and US-1, the USACE is requesting minimization of the typical section footprint in areas of wetlands or waters of the United States to the maximum extent practical. For example, the median is 30 feet wide which could be reduced to avoid or minimize wetland impacts. For the proposed build alternatives, the USACE typically supports the implementation of retaining walls, mechanically stabilized earth (MSE) walls, or guard rails as effective measures to reduce the roadway footprint and avoid wetlands. Approximately 72 feet of the bridge width accommodates six 12-foot travel lanes, 36 feet of the bridge span width is proposed for shoulders, and 16 feet would be dedicated for sidewalks. The USACE is requesting a reduced typical section by designing the travel lane width to be 11 feet, which could result in a 6 foot overall reduction in width. The project would still achieve the stated project purpose and would meet the minimum design safety standards. Consider also reducing the shoulder widths and sidewalk to only the minimum required.

Response to USACE Comment #6

Three typical sections are included for all build alternatives including the Preferred Alternative. The typical section over the NFSLR has been reduced from 330 feet to 143 feet over the NFSLR to eliminate the parkway portions of the suburban typical section. Reducing the lane widths along the bridge typical section would not be consistent with the existing Crosstown Parkway corridor from I-95 to Manth Lane. There are typical sections along other roadways in the City where 11-foot lanes are used, and they create an uncomfortable driving experience for City residents when there is heavy traffic. Because of the anticipated heavy traffic volumes during peak periods, and the signal at U.S. 1, the alignment across the river on its approach to U.S. 1 will be a critical control point in terms of the traffic flow along the roadway. In an effort to provide the most efficient route, the City is reluctant to reduce the lane widths in this area if there is a potential to compromise the vehicular flow. We considered eliminating one of the sidewalks from the bridge cross section to help reduce the typical section, but found it difficult to justify based on safety considerations. At the transition from sidewalks on both sides of the roadway to one sidewalk, pedestrians would be forced to cross six lanes of traffic midblock, which is not desirable or safe. Shoulder design must comply with AASHTO Greenbook standards for horizontal clearances and minimum standard widths. For safely considerations, the City does not wish to reduce the roadway shoulders. Long bridges should have space for vehicles to pull off during breakdowns or emergencies. The City's goal is to minimize shading effects while meeting safety standards.

USACE Comment #7

In response to the bridge typical section (see, Bridge Typical Sections Figure 1.6) the USACE is a request to minimize the footprint of the bridge to the extent practical. Approximately 36 feet of the bridge span width would be for shoulders, and 16 feet would be dedicated for sidewalks the USACE is requesting the FDOT to reduce the typical section by reducing the travel lane width, which could result in 6 feet of minimization efforts and the project would still achieve the project purpose and would meet the minimum design safety standards. Consider also reducing the shoulder widths and sidewalk to only the minimum required.

Response to USACE Comment #7

See Response to USACE Comment #6.

USACE Comment #8

The DEIS states the following, [see 1.4.2.1.1 Social and Economic Impacts (All Build Alternatives)]: "*It is anticipated that none of the build alternatives would have an appreciable effect on land use changes because most vacant land is residential land that is already platted."* The USACE believes the statement in the DEIS is incorrect and requests clarification or revision of the statement. The USACE understanding is that the land within the proposed build alternatives within the NFSLR and other park lands or conservation areas are not platted as residential and are actually part of a unique estuarine ecosystem that would be ecologically fragmented with any new bridge along any of the study corridors. Alternative 6 A avoids Savannas State Park but would however have a direct adverse effect on the FDEP NFSLR Aquatic Preserve. As a public interest factor, the USACE recommends avoidance or minimization of adverse effects on conservation lands. Reduction of land areas dedicated to parks to construct transportation facilities should be avoided when other practicable alternatives exist which achieve the project purpose. In this case, if widening existing bridges does not achieve the project purpose and a build alternative is selected, then as proposed Alternative 6A would have the least amount of adverse effects on Savannas State Park.

Response to USACE Comment #8

We agree that the quoted text is misleading and it will be corrected in the FEIS to read: "It is anticipated that none of the build alternatives, including the Preferred Alternative would have an appreciable effect on land use changes because most vacant land (outside of the Savannas Preserve State Park lands) is residential land that is already platted. Because the Savannas Preserve State Park lands are classified as conservation lands, none of the build alternatives, including the Preferred Alternative will result in land use changes within the State Park." [this language will be contained in Section 1.4.2.1.1 Social and Economic Impacts (All Build Alternatives) *of the FEIS]. Section 4.1.1.2 (Existing Land Uses) of the EIS (and the FEIS) distinguishes that current vacant land is outside of the State-owned lands.*

All appropriate and practicable steps have been taken to avoid impacts through a detailed evaluation of numerous alternatives, including measures to avoid a new crossing of the NFSLR and numerous crossing options. The alternatives evaluation and associated screening have been detailed in Section 3.0 (Alternatives Including Proposed Action) of the EIS. Many of the alternatives evaluated were recommended during the Efficient Transportation Decision Making (ETDM) Programming Screen. As a result of early coordination with the Environmental Technical Advisory Team (ETAT), the avoidance alternative evaluation has been completed and documented in the reports Analysis of Potential River Crossing Corridors (Corridor Report; June 2008) and the Crosstown Parkway Corridor Extension Alternatives Report (Alternatives Report; June 2008). These reports document the need for the project and the process used to identify alternatives that address the project purpose and need. These reports were reviewed by ETAT and included the USFWS, USEPA, USACE, NMFS, the U.S. Coast Guard (USCG), and State agencies via the ETDM public access website.[1] These reports, which were accepted by the Federal Highway Administration (FHWA) in March 2009, are discussed in detail in Section 3.0 (Alternatives Including Proposed Action).

The Alternatives Report had two key objectives. The first was to document the purpose and need for the proposed project. The second was to examine means to avoid and minimize impacts to the natural habitats associated with the NFSLR. The Alternatives Report Level I screening evaluated eight build alternatives and eliminated the southernmost alternatives (Alternatives 3 and 4) because they did not meet the purpose and need for the project. The Alternatives Report Level 2 screening evaluated the remaining six build alternatives (the same six alternatives that are evaluated in the EIS). The Level 2 screening criteria were developed to ensure that agency and public issues were considered fully and to focus more definitively on performance in terms of traffic capacity and traffic relief to the bridges at Prima Vista Boulevard and Port St. Lucie Boulevard. The screening examined natural resource impacts, social impacts, community impacts, potential Section 4(f) impacts, and an evaluation as to how the alternatives met the project purpose and need. The results of the Level 2 Screening indicated that the six build alternatives varied in their effectiveness in terms of meeting the project purpose and need and the other evaluation criteria. FHWA determined, upon their acceptance of the Alternatives Report that, due to the sensitive social and environmental character of the project area and to ensure a comprehensive comparison and evaluation of alternatives, all six alternatives would be carried forward as potential viable alternatives.

The avoidance strategies or alternatives were evaluated in Section 3.0 (Alternatives Including Proposed Action) and Section 6.0 (Section 4(f) Evaluation) of the EIS. Among them, a tunnel alternative, various bridge types, and variations of the alternative to widen the existing Port St. Lucie Boulevard and Prima Vista Boulevard bridges were examined. As part of the NEPA evaluation, environmental, social and physical impacts must be balanced against each other. Alternative 6A does not rank as highly as Alternative 1C due to the significant social impacts caused by its alignment. Further, in terms of the Section 4(f) evaluation, Alternative 6A has been determined to be not prudent, making it a non-practicable alternative. The evaluation that led to the selection of Alternative 1C as the Preferred Alternative is attached as ***Attachment 1****.*

<u>USACE Comment #9</u>

The USACE is providing comments on the Tunnel Concept Report. The report provides useful information regarding tunnel construction, and acknowledges almost all wetlands and wildlife impacts would be avoided. The TCR states the following: "*However, in comparison to the bridge alternatives, the construction of a tunnel creates several geometric and safety issues; has greater property impacts; involves substantially higher construction, operational, and maintenance costs; presents a higher safety and security risk*." The USACE disagrees with this summary, except for the "higher construction, operational, and maintenance costs". The conclusions appear to be based on the exhibit depicting 1C for the tunnel alignment. The report provides brief discussion stating a 1,600 foot offset is needed to accommodate the geometric requirements for the vertical transition of the tunnel in relation to SR-5. However, if Alternatives 6B or 1F are evaluated as tunnel corridors then sufficient upland area, based on the DEIS 1,600 foot reference, is available in-between the NFSLR and SR-5. Based on a Google Earth linear distance

[1] These reports are available on the ETDM website: http://etdmpub.fla-etat.org/est and search under Project #8247.

estimate there is approximately 1,800 feet of uplands, near Florence Drive, is available for the tunnel approach to transition to SR-5. The USACE is requesting the DEIS be revised to include this concept as an alternative and to provide a balanced analysis identifying the anticipated benefits of the Tunnel Concept alternative, such as avoidance of wetland impacts, no 4(F) impacts, no fish or wildlife impacts, and a reduction in secondary and cumulative adverse effects. The USACE believes all relevant environmental factors should be evaluated to determine if the Tunnel concept is practicable and achieves the project purpose. A more in-depth analysis may demonstrate the tunnel, while more expensive, may actually be environmentally preferable to construction of a new bridge.

Response to USACE Comment #9

A tunnel alternative with an alignment along Alternative 1F or 6B was evaluated to investigate whether the eastern terminus could come to grade within upland habitat (to avoid wetlands and other impacts). Alternatives 1F and 6B would have the same alignment on the western side of the NFSLR. Alternatives 1F and 6B have the same terminus on the eastern side of the NFSLR. However, Alternative 1F was chosen for this analysis because it would have fewer social impacts on the west side of the NFSLR. Based on this analysis, it was concluded that construction of a tunnel along Alternative 1F would be feasible. However, this alternative would not avoid impacts to the SPSP, essential fish habitat, and wetlands because of geometric requirements at the eastern terminus at U.S. 1 (a tunnel would have a wider typical section than a roadway). To avoid impacts to the natural environment, the tunnel could be shifted north but this would result in 17 to 18 additional residential relocations. Due to soil conditions, construction methods would likely be intrusive to the environment. Further, the cost of a tunnel along this alignment would cost 7 to 8 times more than a bridge at this location. Based on this analysis, a tunnel along the alignment of Alternative 1F (or 6B) was rejected because it is not practicable. Attachment 3 contains the details of the additional tunnel analysis and a new section will be added to the EIS.

We appreciate the input the USACE has provided during the project development process and look forward to continued coordination throughout the remainder of the project. In addition to USACE this information should be transmitted to the following list of agencies.

FHWA – Cathy.Kendall@fhwa.dot.gov
FDOT CEMO – Vicki.Sharpe@dot.state.fl.us
FDOT D4 – Morteza.Alian@dot.state.fl.us
FDOT D4 – Pat.Glass@dot.state.fl.us
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City of Port St. Lucie – RDorfmeister@cityofpsl.com
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Keith and Schnars – mdavis@keithandschnars.com

Sincerely,

Roxanne M. Chesser, P.E.
Civil Engineer

Attachments

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

June 19, 2012

Mr. Brandon Howard
United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
400 North Congress Avenue
Suite 120
West Palm Beach, FL 33401

Dear Mr. Howard:

Subject: **Crosstown Parkway Extension PD&E and EIS**
Endangered Species Biological Assessment for Proposed Action
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

The FDOT, as the designated non-federal agency representative of the FHWA to conduct informal Section 7 consultation under the Endangered Species Act (ESA) requests concurrence from NMFS with effect determinations for the Crosstown Parkway Extension PD&E Study and Environmental Impact Statement.

Attached is the Endangered Species Biological Assessment (ESBA) for the Crosstown Parkway Extension PD&E Study and Environmental Impact Statement (EIS). The ESBA contains details regarding the Compensatory Mitigation Plan. The ESBA was prepared pursuant to Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended. The FHWA has selected Alternative 1C as the Preferred Alternative and the ESBA evaluates the potential effects of this alternative on species regulated by the U.S. Fish and Wildlife Service (Service) due to the proposed construction of a new bridge from Manth Lane to U.S. 1.

We have discussed the project impacts, temporary construction impacts, and the proposed mitigation plan with you at a meeting held on June 1, 2012. As requested, we are attaching information regarding the evaluation of two additional avoidance alternatives. This includes an alternative that *combines the* widening of the existing bridges (at Port St. Lucie Boulevard and Prima Vista Boulevard) with the

Multimodal and TSM alternatives, and a reconsideration of a tunnel alternative with an alignment along Alternative 1F or 6B. We are attaching the *Checklist of Information Needed to Complete Section 7 Consultations for U.S. Army Corps of Engineers Regulatory Division Applications.*

The purpose of the ESBA is to determine whether protected species or their habitats under the jurisdiction of the NMFS are likely to be adversely affected by the Proposed Action. Section 7(a)(2) of the ESA states that each Federal agency shall ensure that any action they authorize is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat (16 U.S.C. § 1536(a)(1); 50 CFR Part 402. Pursuant to U.S. Fish and Wildlife Service regulations, 50 C.F.R. § 402.12, the ESBA includes: the results of on-site inspections of the area affected by the action to determine if listed or proposed species are present or occur seasonally, a review of the available literature relative to species distribution, occurrence, and habitats, and an analysis of the effects of the action on the species and habitat, including consideration of cumulative effects, and the results of any related studies. This report was prepared for the FHWA by qualified environmental scientists.

The ESBA lists 63 federal and State listed species that have been recorded or reported in St. Lucie County. Of these species, the species regulated by the National Marine Fisheries Service (NMFS) include green turtle (*Chelonia mydas*), hawksbill turtle (*Eretmochelys imbricata*), kemp's ridley turtle (*Lepidochelys kempii*), leatherback turtle (*Cermochelys coriacea*), loggerhead turtle (*Caretta caretta*), smalltooth sawfish (*Pristis pectinata*), and Johnson's seagrass (*Halophola johnsonii*). No designated critical habitat for any plant or animal species is present within the project area. Therefore, the Preferred Alternative will not adversely affect any designated critical habitat. The mangrove rivulus (*Rivulus marmoratus*) and the opossum pipefish (*Microphis brachyurus*) are species of concern and consultation under Section 7 is not required.

The FDOT has determined the project will have "No Effect" on all species of sea turtles. This effects determination is based on a low likelihood of occurrence in the project area. Sea turtles spend most of their lives in the open ocean, although adult females return to sandy beaches to lay their eggs. Nesting habitat is entirely lacking in the project area and sea turtles are unlikely to travel several river miles upstream to feed in the nearly freshwater habitat within the project area. However, the NMFS "Sea Turtle and Smalltooth Sawfish Construction Conditions" will be followed during all construction activities.

The FDOT has determined the project will have "No Effect" on Johnson's seagrass. This determination is based on the Final NFSLR Aquatic Preserve Management Plan, which states that no seagrasses are known to occur within this portion of the NFSLR or Evans Creek. In addition, no seagrasses of any species were observed during the field mapping of the open water/wetland boundary.

Section 7 consultation is required only for the smalltooth sawfish. The Preferred Alternative will completely bridge the three crossings of the NFSLR; no causeways and associated fill will be constructed. Thus, the project will have minimal effect on river hydraulics or flow patterns. Temporary construction impacts will be limited by the use of a top down construction method, or construction methods from temporary platforms,

trestles, or other similar methods. The Preferred Alternative will impact 0.19 acres of mangroves. The ESBA contains details on the proposed compensatory mitigation plan. Impacts to mangroves will be compensated by purchasing mangrove credits at the Bear Point Mitigation Bank. The NMFS "Sea Turtle and Smalltooth Sawfish Construction Conditions" will be followed during all construction activities. Pursuant to the ESA, the FHWA has determined the project "May Affect but is Not Likely to Adversely Affect" the smalltooth sawfish. This determination is based the limited area of mangrove impact, the Proprietary and Regulatory Mitigation Plan, and the use of NMFS-suggested smalltooth sawfish construction conditions to minimize potential involvement with the species. The FDOT, as the designated non-federal agency representative of the FHWA to conduct informal Section 7 consultation under the Endangered Species Act, requests concurrence from NMFS with this effect determination.

We appreciate your evaluation of this information and request. If you have any questions regarding the attached documents or require additional information, please contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

cc: FHWA - Cathy.Kendall@fhwa.dot.gov
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Florida Department of Transportation

RICK SCOTT
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ANANTH PRASAD, P.E.
SECRETARY

June 19, 2012

Mr. Larry Williams
Field Supervisor
United States Department of the Interior
U.S. Fish and Wildlife Service
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

Dear Mr. Williams:

SUBJECT:

Crosstown Parkway Extension PD&E and EIS
Comments on Draft Environmental Impact Statement
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

In a letter dated September 19, 2011, the U.S. Fish and Wildlife Service (Service) provided comments on the subject Draft Environmental Impact Statement (DEIS) that was approved for public availability on July 1, 2011. In response to your comments, we provided a letter to your office (dated December 20, 2011) acknowledging receipt of your comments. In that letter, we noted that the comments and recommendations provided by the Service would be considered fully throughout the remainder of the project and would be documented in the Final EIS.

As a follow-up, we have had the opportunity to consider your comments further and are providing, herein, more specific responses to those comments. We have reiterated each of your comments below, with our response in italics. Also, for your reference, we have attached your original transmittal of comments. We have provided attachments that support our responses.

Based on the data and analysis, and consideration of the comments received, Alternative 1C has been selected as the Preferred Alternative. Some of the reasons for this selection are discussed in the responses to your comments and the full evaluation of the alternatives is detailed in the FEIS. The details of the selection process are contained in **Attachment 1**. We appreciate the input the Service has provided

during the project development process and look forward to continued coordination throughout the remainder of the project.

U.S. Fish and Wildlife Service (USFWS) Comment #1

"All of the six proposed construction alternative corridors would cross the NFSLR AP. The 2,972-acre NFSLR AP was established by the State of Florida in 1972. In addition, all of the proposed alternatives, except Alternative 6A, will directly impact the 1,071-acre parcel of SPSP located west of U.S. Highway 1, along the NFSLR (formerly known as the NFSLR Buffer Preserve). The SPSP was established by the State of Florida in 1994. These public lands were purchased to protect the valuable natural ecosystems of the NFSLR for the benefit of all the citizens of the state. The NFSLR AP and the SPSP represent one of the few remaining expanses of natural habitat within a highly urbanized region. These lands provide important habitat for a variety of fish and wildlife species including American alligators, West Indian manatees, river otters, wood storks, little blue herons, brown pelicans, neotropical migrant birds, snook, and the opossum pipefish. The NFSLR AP also offers a variety of recreational opportunities to the public including fishing, boating, hiking, bird watching, and wildlife observation. The Service finds that implementation of any of the six proposed construction alternatives will result in the loss and degradation of valuable upland and wetland habitats, and degrade the recreational and aesthetic experience of visitors to the NFSLR AP."

Response to USFWS Comment #1

The evaluation of alternatives has concluded that one of the build alternatives is needed to meet the project purpose and need. Further, the evaluation has concluded that Alternative 1C is the Preferred Alternative. All build alternatives would have direct and indirect impacts to wildlife habitat and all would have impacts that cannot be avoided (see response to USFWS Comment #6). All build alternatives (including Alternative 6A) would cross the NFSLR Aquatic Preserve (AP) and all build alternatives, except Alternative 6A, would be located within the boundaries of the SPSP. The direct and indirect impacts of each build alternative are detailed in the EIS in Section 5.3.14 (Wildlife and Habitat) and in the Endangered Species Biological Assessment (ESBA). Total combined wetlands and uplands impacts range from 7.92 acres (Alternative 6A) to 16.64 acres (Alternative 1C); wetlands total functional loss (direct and indirect impacts) range from 7.02 acres (Alternative 6B) to 11.08 acres (Alternative 1C).

Sixty-three federal and State listed animal species have been reported or observed in St. Lucie County. The likelihood of occurrence of these 63 species within the project area was evaluated in the ESBA, based on the preferred or required habitat for each listed species. A "Determination of Effects" was made for each potentially affected federal listed species. These determinations are based on the habitats present in the project area, field observations of the species or its signs, and the known habitat requirements of each species. Of the federal listed species, it is anticipated that the proposed project "May Affect, but is Not Likely to Adversely Affect" mangrove rivulus, smalltooth sawfish, opossum pipefish, eastern indigo snake, wood stork, and the West Indian manatee. The build alternatives would have "No Effect" on the remaining federal listed species. The FDOT, as the designated non-federal agency representative of the FHWA to conduct informal Section 7 consultation under the Endangered Species Act, will seek concurrence from the USFWS and NMFS in separate leters.

Several State listed plant and animal species have been reported or observed in the project area. Of these species, it is anticipated that the proposed project could affect large flower false rosemary, Florida butterfly

orchid, airplants, gopher tortoise, Florida pine snake, gopher frog, little blue heron, tricolored heron, reddish egret, snowy egret, white ibis, limpkin, and sandhill crane.

Even though the alternatives affect slightly different habitats and different acreages, based on the evaluation contained in the ESBA, it is anticipated that all build alternatives would have similar implications for State and federal listed species, including Alternative 6A. For example, all build alternatives are located within the Core Foraging Area (CFA) of documented nesting colonies of wood storks. The potential to affect the species is similar for all build alternatives and, after mitigation, it is anticipated that none of the build alternatives would adversely affect the species.

The EIS acknowledges the indirect impacts to the AP and the SPSP that would be primarily visual, noise, and lighting changes that would be perceived by the recreational users of the AP. Users of the NFSLR (boaters, fishers, and ecotourists) could be negatively affected by the increased roadway noise and the additional visual element of a new bridge crossing. Visual and aesthetic impacts and mitigation measures are discussed in the EIS in Section 5.3.2 (Visual and Aesthetic). Because of the low profile of the proposed bridge and meandering course of the NFSLR at the locations of all build alternatives, the bridge would be visible from short distances (except for Alternative 2A, which crosses a straight portion of the NFSLR), and most of the bridge and its approaches would be concealed by the tree canopy adjacent to the bridge. However, the EIS acknowledges the visual setting along the main channel close to the bridge would be altered substantially, changing from a river view with minimal or no man-made features to a view of the river with a structure spanning the NFSLR. As discussed in Section 5.3.14.5.5 [Other Impacts (Wildlife and Habitat)], bridge lighting could penetrate for some distance into the natural habitats. Specialized lighting to minimize light intrusion into natural habitats and surrounding areas will be included to minimize wildlife and visual impacts. It is anticipated that the recreational users of the AP would experience the AP at the locations of all build alternatives in a manner similar to that in the vicinity of the existing bridges at Port St. Lucie Boulevard and Prima Vista Boulevard.

The proposed mitigation plan is detailed in the ESBA, which has been transmitted to you (see response to Comment #6). The plan was developed not only to compensate fully for local impacts but also to ensure a net positive benefit to state lands and the watershed. The proprietary and regulatory mitigation plans will not occur without the implementation of the proposed project. It is anticipated that, with the entire mitigation program, all unavoidable impacts related to any of the build alternatives, will be compensated for in a manner that will result in no overall net loss to wetlands, uplands, listed species habitats, Section 4(f) resources, Sovereignty Submerged Lands (SSL), essential fish habitat, recreational resources, and water quality. Further, it is anticipated that the mitigation plan (detailed in the response to USFWS Comment #6) will result in a net positive benefit for the natural environment and for the citizens of the State.

USFWS Comment #2

"As indicated on page 1.29 of the DEIS, the Service has objected to all the proposed construction alternatives (i.e., 2A, 2D, 1C, 1D, and 6B), except for Alternative 6A through the FDOT's Efficient Transportation Decision making (ETDM) Process – Dispute Resolution process. Based on the information provided in the DEIS, the Service maintains our ETDM "dispute" designation for Alternatives 2A, 2D, 1C, 1D, and 6B. The Service believes that it is inappropriate to construct a new transportation facility within protected conservation lands, and such an action is contrary to the reason that the lands were originally acquired. Use of conservation lands for a transportation facility would also be contrary to the Service's goal

of maintaining adequate habitat for fish and wildlife in the region. We recommend that the FHWA eliminate 2A, 2D, 1C, 1D, and 6B from further consideration as the project's preferred alternative."

Response to USFWS Comment #2

Because the NFSLR AP extends north and south of, and throughout the project area, all build alternatives (including Alternative 6A) would cross the NFSLR AP. Except for Alternative 6A, each build alternative would require the use of a portion of the SPSP for a transportation use. Information has been gathered for the Corridor Report, the Alternatives Report, the technical support documents, and the NEPA study process, including the EIS.

The City, as the project sponsor, can express a preference through the selection of a Locally Preferred Alternative (LPA). The LPA selection process is described in ***Attachment 1*** *(Selection of the Preferred Alternative). On November 17, 2011, senior management and staff from the City, the FDOT, and the TPO agreed upon Alternative 1C as the LPA for extending the existing Crosstown Parkway.*

The decision to select Alternative 1C as the LPA was based on:

- *Information in the Crosstown Parkway Extension DEIS (Notice of Availability published in the Federal Register on August 19, 2011);*
- *An evaluation process and criteria developed by the City in coordination with FDOT and FHWA;*
- *Agency and public comments; and*
- *Professional judgment (through the City's EIS consultant evaluation of the LPA).*

On January 23, 2012, the Port St. Lucie City Council adopted the selection of Alternative 1C as the LPA for the extension of the Crosstown Parkway from Manth Lane to U.S. 1. Based on this information and after coordination with the public, stakeholders, and the regulatory and cooperating agencies, the Federal Highway Administration (FHWA) has concurred with the selection process and has identified Alternative 1C as the Preferred Alternative. FHWA selected Alternative 1C as its Preferred Alternative, based on its ability to fulfill the project's purpose and need while considering environmental impacts, costs, and technical factors. In addition, FHWA eliminated Alternative 6A as an imprudent alternative under Section 4(f).

USFWS Comment #3

"According to Table 1.1 in the DEIS, direct impacts to wetlands from the six construction alternatives range from 7.97 acres for Alternative 6B to 10.86 acres for Alternative 1C. In addition, direct impacts to uplands range from 0.16 acres for Alternative 6A to 7.82 acres for Alternatives 2A and 2D. When considering impacts to both wetlands and uplands combined, it appears that Alternative 6A results in the least direct loss of wildlife habitat (8.44 acres) and Alternatives 2A and 2D each result in the greatest direct loss of wildlife habitat (15.96 acres). Page 7.4 of the DEIS discusses various strategies that can be implemented to minimize the impacts of the project if a construction alternative is selected. In the event a construction alternative is selected, the Service recommends that one of the proposed sidewalks be eliminated from project design and the width of the inside bridge shoulders be reduced to further minimize shading effects of the bridge."

Response to USFWS Comment #3

The comment correctly summarizes the acreages for these build alternatives. The comment also acknowledges that the DEIS includes a number of minimization strategies that have already been incorporated into the current build alternatives. In the bridge typical section, pedestrian facilities would consist of 8-foot sidewalks on both sides of the roadway, which is consistent with AASHTO Greenbook safety standards. To further reduce impacts, dedicated bicycle lanes have been eliminated. Bicycles would be accommodated within the 10-foot shoulder or within the 8-foot sidewalk.

Eliminating one of the sidewalks from the bridge cross section to reduce the typical section is difficult to justify based on safety considerations. At the transition from sidewalks on both sides of the roadway to one sidewalk, pedestrians and bicyclists would be forced to cross six lanes of traffic midblock, which is not desirable or safe. Shoulder design must comply with AASHTO Greenbook standards for horizontal clearances and minimum standard widths. For safely considerations, it is not be prudent to reduce the roadway shoulders. Long bridges should have space for vehicles to pull off during breakdowns or emergencies. The goal remains to minimize shading effects while meeting safety standards.

USFWS Comment #4

"As indicated in the September 2010 Pond Siting Report (PSR) included with the DEIS, each of the construction alternatives will require the construction of storm water treatment ponds. Approximately 100 potential locations were identified in the PSR. Page 37 of the PSR indicates that some of these sites occur within public conservation lands and some of the sites may affect wetlands. The final sites for each of the six construction alternatives have not yet been determined. The PSR indicates that site selection will take place once the final alternative is selected. In order to completely determine the impacts of each proposed construction alternative, the Department requests that more detailed information on the proposed pond sites be provided with respect to the location of each pond site relative to public conservation lands and the impacts of each pond site to wildlife habitat (i.e., the acreages of wetlands and uplands impacted)."

Response to USFWS Comment #4

The Pond Siting Report (PSR) examined approximately 100 stormwater pond sites for the six build alternatives. Based on the PSR analysis, the list was narrowed down to recommended pond sites for each of the build alternatives and their locations are shown on the concept plans. The acreages of impact for each pond have been included for each build alternative. The stormwater management system (ponds) for the Preferred Alternative has been located within the right of way and within already developed areas. For the Preferred Alternative, stormwater ponds impact no wetlands and 2.81 acres of upland habitats.

USFWS Comment #5

"The Department notes that the corridor analysis technical document provided in the DEIS concluded that the widening of existing bridges north and south of the study area was insufficient to meet the project purpose. As pointed out by the National Marine Fisheries (NMFS) in its letter to the FDOT dated January 12, 2011, previous traffic studies considered the addition of two new lanes to the existing bridges. We concur with the NMFS recommendation that an alternative be analyzed that includes the addition of a greater number of lanes to existing bridges than was originally considered. If feasible, the construction of a new bridge may not be necessary."

Response to USFWS Comment #5

Additional analysis was performed that examined widening Prima Vista Boulevard and Port St. Lucie Boulevard to eight and ten lanes, respectively, in combination with a multimodal transportation and Transportation Systems Management (TSM) *alternative. The analysis demonstrated that, even with these improvements, the Port St. Lucie Boulevard Bridge would still be over capacity. Widening of the bridges would impact the SPSP and the AP because additional bridge piers would be required. In addition, widening of the existing bridges would require the acquisition of approximately 250 businesses that would result in substantial socioeconomic impacts. Thus, this alternative was rejected. Section 3.2.3.4 of the EIS discusses the Widening of Existing Bridges Alternative and a new Section 3.2.3.4.1 discusses the additional analysis that was performed to address this comment. We have attached this additional analysis for your review (**Attachment 2**).*

USFWS Comment #6

"As discussed in the project description, mitigation has been proposed to compensate for impacts to public conservation lands and wetlands if a construction alternative is selected. The DEIS states that mitigation details will be refined throughout the EIS process with the resource and regulatory agencies. Based on the information provided, the Department does not have enough information to determine if the proposed mitigation is adequate to compensate for impacts to public conservation lands, wetlands, and wildlife habitat resulting from the selection of any of the construction alternatives. If a construction alternative is chosen as the preferred alternative for the project, we request that a detailed mitigation plan be prepared for inclusion in the final EIS for our review and comment. The mitigation plan should include the following:

1. A complete description of the existing conditions at the mitigation site(s).
2. Restoration and creation plans for wetlands (include planting plans if appropriate and a specific discussion of how restoration at the Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail sites will improve water quality).
3. Monitoring plans, success criteria, and proposed corrective actions, if needed.
4. A discussion of how the mitigation sites will be protected in perpetuity (e.g., conservation easement placed on site).
5. A description of: (1) how the mitigation sites will be managed and maintained in perpetuity, (2) how nuisance and exotic plant species will be controlled, and (3) how the City of Port St. Lucie and the FDOT will provide for the long-term management and maintenance of the 110 acres of currently unprotected lands proposed to be acquired once they are transferred to the State of Florida (to provide for the long-term management of these lands we recommend that an endowment fund be established).
6. A description of the entity financially responsible for the mitigation."

Response to USFWS Comment #6

A detailed compensatory mitigation plan has been developed in coordination with USACE, NMFS, FDEP, and SFWMD. A comprehensive mitigation plan has been developed to compensate for unavoidable impacts due to the Preferred Alternative to wetlands, uplands, listed species habitats, Section 4(f) resources, Sovereignty Submerged Lands (SSL), essential fish habitat, recreational resources, and water quality. Details of the mitigation plans are contained in the ESBA, which has been transmitted to your office. The mitigation plan includes all of the USACE's 12-point elements required for a compensatory

mitigation projects, as described in CFR 33 Part 332.4(c)(2) – (14). The mitigation plan and is summarized here.

Proprietary Mitigation Plan

The Proprietary Mitigation Plan was developed to provide compensatory mitigation for obtaining an easement to cross State owned lands. The City coordinated with the FDEP and proposed mitigation options were selected from the North Fork St. Lucie River (NFSLR) Aquatic Preserve Management Plan. On April 26, 2010, the City of Port St. Lucie entered into a Memorandum of Understanding (MOU) with the Florida Department of Environmental Protection (FDEP). The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the North Fork of the St. Lucie River (NFSLR). The Proprietary Mitigation Plan was coordinated with the USACE, USEPA, NMFS, and FDEP. This MOU is valid for all build alternatives, including the Preferred Alternative. The Proprietary Mitigation Plan includes:

- *Design, permit, and construct four water quality improvement projects;*
- *Convey approximately 110 acres to the Board of Trustees;*
- *Design, permit, and construct Recreational Opportunity - Trails*
- *Design, permit and construct Recreational Opportunities – Other*

The Acquisition and Restoration Committee has recommended approval to grant the easement (16.1 acres) across State-owned lands, which will be valid for the Preferred Alternative. Once the Proprietary Mitigation Plan projects are constructed, the Board of Trustees will convey to the City the easement to cross state lands. All proprietary mitigation projects will be constructed after the Record of Decision is approved, with completion dates in 2014. Once the Record of Decision is approved, the acquired lands will be conveyed to the State. At the completion of the Proprietary Mitigation Plan:

- *Ownership of lands within the Savannas Preserve State Park (SPSP) will increase by 108.15 acres over existing conditions.*
- *The project would obtain an easement over 930 linear feet of shoreline (155 feet along each shoreline pair for three crossings; the acquired lands will increase the linear feet of shoreline under State ownership by 12,645 feet.*
- *Three improved recreational/educational projects will completed within the SPSP and the Savannas Recreation Area.*
- *The four water quality improvement projects will restore or improve historic river flows and will improve an estimated 22.16 acres of open water and will reconnect an estimated 28.05 acres of degraded floodplain wetlands to flows from the NFSLR. These projects will also increase the feeding, breeding and nursery habitat for fish.*
- *No shorelines will be hardened by the Preferred Alternative (they will retain their natural characteristics) and the water quality improvement projects will improve 255 feet of NFSLR shoreline.*
- *The water quality improvement projects will re-establish wetland habitat diversity directly adjacent to the NFSLR for threatened, endangered, or species of special concern.*

Implementation of the proprietary mitigation plan will potentially further goals associated with the Indian River Lagoon (IRL) Surface Water Improvement and Management (SWIM) Plan, St. Lucie County

Comprehensive Plan, the IRL Comprehensive Management Plan, and, we believe, the USACE Northfork Floodplain Restoration Plan by restoring wetland and floodplain functions along the NFSLR floodplain.

Regulatory Mitigation Plan

In addition to the Proprietary Mitigation Plan, the City coordinated with the SFWMD and USACE to create a Regulatory Mitigation Plan to provide compensatory mitigation for unavoidable impacts to wetlands, essential fish habitat, and protected species habitats. The Regulatory Mitigation Plan consists of the development of the Platt's Creek Compensatory Mitigation Site (Platt's Creek) and the reservation of credits at the Bear Point Mitigation Bank. Platt's Creek has been permitted by the SFWMD (Permit Number 56-03199-P) as a Permittee Responsible Offsite Mitigation Area (PROMA); the USACE is currently reviewing the application. The City and County are co-permittees for the SFWMD and USACE permits. Platt's Creek is valid for all build alternatives, including the Preferred Alternative. The City will use approximately half of the available functional gain units as mitigation for the Preferred Alternative, while the County could use the remaining units for future projects requiring mitigation. The USACE and SFWMD have agreed to this proposal.

Platt's Creek will construct 67.47 acres of restored/created wetland (47.87 acres) and upland habitat (13.65 acres) within an 82.4-acre fallow citrus grove. The project will result in 24.02 functional gain units (USACE) and 22.30 functional gain units (SFWMD). The difference in functional gain units is due to the difference in time lag estimates by the two agencies.

To compensate for unavoidable mangrove losses (0.19 acres), the City will purchase credits at the Bear Point Mitigation Bank (the freshwater wetland mitigation project at Platt's Creek will not be able to restore/create mangrove habitat). The mitigation credit requirements at the Bear Point Mitigation Bank have been developed in coordination with the SFWMD and USACE; the NMFS and USFWS have been consulted during the process. The USACE and the SFWMD have stated that the amount of credits is appropriate mitigation for mangrove losses

The restoration of native vegetative communities in Platt's Creek is expected to provide support for numerous wildlife species that typically inhabit the AP and the SPSP, including listed species and species of special concern. When completed, Platt's Creek will:

- *Provide compensatory mitigation for the Preferred Alternative as well as future County projects that impact freshwater wetlands;*
- *Provide compensatory mitigation for impacts to foraging habitat for the endangered wood stork due to unavoidable habitat losses due to the Preferred Alternative as well as habitat for numerous wetland-dependant species (including listed federal and State listed species);*
- *Re-establish wetland and upland habitat diversity directly adjacent to the NFSLR and Platt's Creek;*
- *Provide wetland habitat coverage for threatened, endangered, or species of special concern;*
- *Establish of feeding, breeding and nursery habitat for fish;*
- *Restore the hydroperiod and re-vegetation of a portion of the NFSLR floodplain;*
- *Restore of natural storage and water purifying functions of a portion of the NFSLR floodplain;*
- *Further the overall objectives for water management in the watershed region;*
- *Close a gap in the NFSLR greenway;*

- *Construct a long term watershed-based restoration project that increases aquatic resource functions and services;*
- *Improve water quality within the 1,110-acre watershed and specifically within the NFSLR;*
- *Preclude development of the property, which is directly adjacent to the NFSLR; and*
- *Provide the potential for future passive recreational opportunities.*

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and E-Wrap (Bear Point Mitigation Bank methods), which calculated the functional gain of the proposed mitigation plan and balanced those gains with the functional losses of the Preferred Alternative. All regulatory agencies have approved the plan as adequate to compensate for unavoidable impacts due to the Preferred Alternative. With the entire mitigation program (both regulatory and proprietary), unavoidable impacts related to the Preferred Alternative will be compensated in a manner that results in no net loss to wetlands, essential fish habitat, Section 4(f) resources, or to protected species or their habitats.

USFWS Comment #7

"Section 4(f) Evaluation Comments: Based on the information provided, the Department cannot determine if the proposed mitigation is adequate to compensate for impacts to public conservation lands, wetlands, and wildlife habitat resulting from the selection of any of the construction alternatives. At this time the Department does not concur that there is no prudent and feasible alternative."

Response to USFWS Comment #7

The following table provides a summary comparison of the use of Section 4(f) properties for the build alternatives and the major differences among the build alternatives. A conceptual mitigation plan was developed to compensate for use of lands and public facilities within the AP and the SPSP.

With regards to the evaluation of prudent alternatives, the standards for defining whether an alternative is Feasible and Prudent are outlined in 23 CFR Section 774.17 (Definitions: Feasible and Prudent Alternative). There are nine factors identified which help define when an alternative is not prudent; if:

1. *It compromises the project's Purpose and Need;*
2. *It results in unacceptable operation or safety problems;*
3. *It causes severe social, economic, or environmental impacts (After Mitigation);*
4. *It causes severe disruption to established communities (after mitigation);*
5. *It causes severe disproportionate impacts to minority or low-income populations (after mitigation);*
6. *It causes severe impacts to environmental resources protected by other federal statutes (after mitigation);*
7. *It results in additional extraordinary construction, maintenance, or operational costs;*
8. *It causes other unique problems or unusual factors; and*
9. *It involves above factors that may individually be minor, but cumulatively cause unique problems or extraordinary impacts.*

All build alternatives are feasible. Based on the analysis, it was determined that Alternatives 2D, 1F, 6A, and 6B are not prudent and that Alternatives 2A and 1C are feasible and prudent. With the proposed mitigation plan, of the build alternatives that appear to be feasible and prudent (Alternatives 2A and 1C),

Alternative 1C has the least net harm to Section 4(f) resources. An assessment of the various alternatives with respect to the prudence evaluation is presented below.

Alternative 2A would use lands from the SPSP and the AP. It would traverse diagonally across four residential streets near the western terminus but would not cause the isolation of any neighborhoods because these streets are short blocks that do not connect to other neighborhood streets. This alternative would disrupt the largest number of continuous roadways in the area affecting local mobility [Section 5.1.1.1.2 (Community Cohesion)]; however, the impact to community cohesion does not appear to be as severe as Alternatives 1F, 6B, and 6A because an existing canal runs parallel to, and south of, Walters Terrace. This canal already provides an existing natural barrier to north-south travel between communities. The only roadways that cross the canal are Floresta Drive and SE Vine Street. Thus, Alternative 2A does not create major community disruptions to the extent of Alternatives 2D, 6B, and 6A west of the NFSLR. However, this alternative would cause visual [Section 5.3.2.2 (Views from Adjacent Lands of the Proposed Road and Bridge)] and noise impacts [Section 5.3.4.5 (Noise Barrier Analysis)] for the residents along Oakmont Lane and Buckingham Terrace east of the NFSLR where the new bridge and roadway would pass. Some disruption to this community would result from an additional new access connection into the community. The community between U.S. 1 and Veterans Memorial Parkway would have an incremental increase in noise and visual changes due to the new roadway. Both of these communities are located in census tract group blocks that are considered by the City to be low/moderate income communities where 45.2 percent of the households earn less than the median income for the Metropolitan Statistical Area [Section 4.1.1.1 (Existing Socioeconomic Conditions)]. Neither community would be directly affected by Alternatives 2A or 2D because no acquisitions would be required within these neighborhoods [Section 5.1.1.5.2 (Environmental Justice)]

*Alternative 2D would use lands from the AP, the SPSP, and Kiwanis Park (the only alternative that would affect Kiwanis Park). It would have unacceptable operational and safety problems for the community east of Floresta Drive between West Virginia Drive and Walters Terrace (**Table 6.6**). It does not traverse diagonally across existing neighborhoods but would cause substantial local community cohesion and mobility problems by partially isolating this neighborhood east of Floresta Drive between West Virginia Drive and Walters Terrace [Section 5.1.1.1.2 (Community Cohesion)]. This would also create a local safety concern for this neighborhood [Section 5.1.1.1.3 (Safety/Emergency Response)]. It may result in a collection of operational, safety, cohesion and mobility impacts to these neighborhoods on the west side of NFSLR. This alternative would also have the same social, noise, and economic concerns as Alternative 2A to the community along Oakmont Lane and Buckingham Terrace and the community between U.S. 1 and Veterans Memorial Parkway.*

Alternative 1C could be built to avoid the use of the AP. It would use lands from the SPSP and it is the only alternative that would affect Halpatiokee Canoe and Nature Trail within the SPSP. Two minimization options were examined for this alternative that would avoid or minimize the use of this facility [Section 6.3.2.2 (Measures to Minimize Harm for Alternative 1C)]. This alternative would be aligned along the existing West Virginia Drive on the west side of the NFSLR. West Virginia Drive would be incorporated into the new parkway so that this alternative would not have a requirement for a diagonal connection through existing neighborhoods on the west side of the NFSLR [Section 5.1.1.1.2 (Community Cohesion)]. On the east side of the NFSLR, it would not pass through or near any residential or commercial areas. It would not have any effect on La Buona Vita. It has the fewest number of roadway modifications (but the same as Alternative 1F). It has the fewest number of residential relocations (compared with the other build

alternatives) and no business relocations [Section 5.1.1.5.5 (Conceptual Stage Relocation Plan)]. Because it would be aligned along existing streets, there would be minimal impacts to the access into and out of established neighborhoods. Because it would be located along existing streets and would not pass through established neighborhoods east of the NFSLR, it would have fewer visual [Section 5.3.2.2 (Views from Adjacent Lands of the Proposed Road and Bridge)] and noise impacts [Section 5.3.4.5 (Noise Barrier Analysis)] to residents along its route. Include flooded trail and tweaks

Alternative 1F and Alternative 6B are similar for purposes of this evaluation. Alternative 1F would use lands from the SPSP but could be built to avoid the use of the AP; Alternative 6B would use lands from the SPSP and potentially from the AP. Both alternatives would have substantial social and economic impacts and substantial community disruption to the La Buona Vita community east of the NFSLR [Section 5.1.1.1.2 (Community Cohesion) and Section 5.1.1.2 (Economic Impacts)]. Both alternatives would follow a similar alignment on the east side of the NFSLR, causing the relocation of up to 21 residences in La Buona Vita. Because this community is a cooperative, the relocation of residents would require costs to be shared by fewer residents, causing an economic impact to the remaining residents. Both alternatives would have substantial visual [Section 5.3.2.2 (Views from Adjacent Lands of the Proposed Road and Bridge)], noise [Section 5.3.4.5 (Noise Barrier Analysis)], cohesion, and mobility impacts [Section 5.1.1.4 (Mobility)] on this community. Because Alternative 6B would traverse diagonally across three residential streets on the west side of the NFSLR, it would result in additional visual [Section 5.3.2.2 (Views from Adjacent Lands of the Proposed Road and Bridge)] and noise impacts [Section 5.3.4.5 (Noise Barrier Analysis)] for residents along the diagonal route and local cohesion and mobility impacts in this part of the project area.

Alternative 6A would avoid the use of lands from all Section 4(f) properties. However, this alternative has substantial social impacts to communities on both sides of the NFSLR. The western portion of the proposed parkway would traverse diagonally (approximately 0.5 mile) across six residential streets, creating substantial community cohesion [Section 5.1.1.1.2 (Community Cohesion) and local mobility impacts [Section 5.1.1.4 (Mobility)] through this established residential area, as well as substantial visual [Section 5.3.2.2 (Views from Adjacent Lands of the Proposed Road and Bridge)] and noise impacts [Section 5.3.4.5 (Noise Barrier Analysis)]. This alternative would also require the relocation of the access road into La Buona Vita community from its current location along U.S. 1 to the proposed Crosstown Parkway Extension. The new access road would substantially change traffic flows within the community (over 55 retirement community), increasing noise and visual impacts at the vicinity of the new access road. This series of negative impacts would have a collective adverse social impact to the neighborhoods on both sides of the NFSLR.

Based on this evaluation, only Alternatives 1C and 2A were determined to be feasible and prudent.

This information has been developed in response to your comments, and we will coordinate further with you in an effort to assure that appropriate documentation is provided to address your comments.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

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FDOT CEMO - Vicki.Sharpe@dot.state.fl.us
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Florida Department of Transportation

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ANANTH PRASAD, P.E.
SECRETARY

June 19, 2012

Jeffrey R. Duncan, Ph.D.
Southeastern Rivers Program Manager
National Park Service
535 Chestnut Street, Suite 207
Chattanooga, TN 37402

Dear Dr. Duncan:

Subject: **Consultation for the Wild and Scenic Rivers Act**
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), is preparing an Environmental Impact Statement (EIS) for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program (LAP) Agreement with FDOT, District 4. The study area, in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on the east. Alternatives under consideration include a No Build Alternative and multiple alternatives that provide a river crossing on a new alignment. Two project location maps and an aerial photograph showing the proposed build alternatives are enclosed for your reference.

While the North Fork of the St. Lucie River (NFSLR) is not designated as a Wild and Scenic River, it is listed on the Nationwide Rivers Inventory and the project is located within the limits of the listed river. Impacts to its classification as "Outstandingly Remarkable Values of: Scenery, Recreation, Fish, and Wildlife" were evaluated in the EIS.

The Preferred Alternative will bridge the floodplain as well as the main channels. As discussed in the EIS, the Preferred Alternative will have minimal effects on river hydraulics, the river floodplain, and flow patterns. Any impacts due to scour, erosion, or changes in sedimentation patterns will be minor and limited to the localized areas of the pilings. Views of a built bridge will change the visual landscape but given the generally low profile of the new bridge and meandering course of the NFSLR, the bridge will not be visible from a long distance. In the vicinity of the Preferred Alternative, river users have a view of the urbanized nature of the river and the new bridge would not be incompatible with this viewshed. Additional traffic-generated noise could affect river users and the noise effects are discussed in the EIS. Because the NFSLR has been designated as Outstanding Florida Waters, water qualtiy will be protected through strict discharge criteria. Details of the stormwater management system, potential project impacts on the riverine and non-riverine sections (wetlands and uplands) are discussed in the EIS.

Based on the evaluation of direct and indirect impacts to the riverine and non-riverine habitats associated with the NFSLR and the design elements introduced to avoid or minimize impacts to the NFSLR, it was concluded that the Preferred Alternative will not substantially affect the qualities that would qualify this portion of the NFSLR as a potential Wild and Scenic River.

As part of the coordination with the National Parks Service, we seek your agency's comments as to whether the Preferred Alternative, as depicted on the enclosed maps, will foreclose the potential for designation of the NFSLR as wild and scenic. If you wish to review any of the technical documents prepared for the EIS or the EIS itself, the documents can be found on the project website:

http://pslcrosstownparkway.com/resource

We appreciate your review and technical assistance in this project.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

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FDOT CEMO - Vicki.Sharpe@dot.state.fl.us
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ANANTH PRASAD, P.E.
SECRETARY

June 19, 2012

Mr. Paul Stodola
U.S. Army Corps of Engineers
Jacksonville District Office
Attn.: CESAJ-PD-EC
701 San Marco Boulevard
Jacksonville, Florida 32207

Dear Mr. Stodola:

Subject: **Coordination for Comprehensive Everglades Restoration Plan**
Crosstown Parkway Extension PD&E and EIS
From Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), is preparing an Environmental Impact Statement (EIS) for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program (LAP) Agreement with FDOT, District 4. The study area, in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on the east. Alternatives evaluated in the EIS include a No Build Alternative and multiple alternatives that provide a river crossing on a new alignment. Alternative 1C has been selected as the Preferred Alternative. A project location map and an aerial photograph showing the Preferred Alternative are enclosed for your reference. The Draft EIS has been signed by the FHWA and the preparation of the Final EIS is underway

As the contact for the review of projects involving Comprehensive Everglades Restoration Plan, we are requesting your comments on whether the above referenced project in regards is compatible with the goals of the North Fork Floodplain Restoration CERP project. Project impacts for the Preferred Alternative and the compensatory mitigation are summarized in this letter. Mr. Garett Lips has been the USACE contact person for the review of the project.

A full discussion of the anticipated impacts resulting from the implementation of The Preferred Alternative (Alternative 1C) is contained in the DEIS and the technical reports. Relevant baseline data and anticipated impacts were developed based, in part, with data obtained through coordination with the cooperating agencies. The concerns of the agencies and the public were also incorporated in the development of the purpose and need for the project and the selection of the Preferred Alternative.

Throughout the project development process and as documented in the EIS, the City has evaluated the project through a sequence of avoidance, minimization, and then, compensation for unavoidable impacts. This approach to mitigation is in accordance with mitigation requirements for wetland impacts pursuant to the Clean Water Act Section 404(b)(1) Guidelines (40 CFR, Part 230), USACE Regulations (33 CFR, Part 332), and associated guidance. This sequence is also applicable for the consideration of impacts to non-wetland habitats, essential fish habitat, and Section 4(f) resources. As documented in the EIS, all appropriate and practicable avoidance and minimization measures have been examined for the Preferred Alternative. Many of these measures were developed through the coordination efforts with the cooperating agencies and State resource agencies. As a result, a number of avoidance and minimization measures have already been incorporated into the design plans.

Despite these efforts, the Preferred Alternative will have unavoidable losses to 10.19 acres of wetlands (11.08 acres of functional loss, which includes indirect impacts), 6.63 total acres of upland impacts and 1.75 acres of open water habitat (80-90% of all of these impacts is due to shading). The City has been coordinating with USACE, USEPA, USFWS, NMFS, FDEP, and SFWMD regarding mitigation opportunities for these unavoidable losses. A comprehensive mitigation plan has been proposed to compensate for unavoidable impacts to wetlands, uplands, listed species habitats, Section 4(f) resources, SSL, essential fish habitat, recreational resources, and water quality.

Two types of mitigation have been developed for unavoidable impacts to natural habitats. The first type of compensatory mitigation is for impacts to State-owned lands (uplands are also protected under City code and as habitat for endangered species under State and federal regulations) and is the Proprietary Mitigation Plan, which will compensate for impacts associated with the use of State-owned lands for a transportation project. The second type of compensatory mitigation is the Regulatory Mitigation Plan, which will compensate for unavoidable direct and indirect impacts to wetlands, SSL, and navigable and non-navigable waters as required under State and federal regulations.

Proprietary Mitigation Plan

The Proprietary Mitigation Plan was developed to provide compensatory mitigation for obtaining an easement to cross State owned lands. The City coordinated with the FDEP and proposed mitigation options were selected from the North Fork St. Lucie River (NFSLR) Aquatic Preserve Management Plan. On April 26, 2010, the City of Port St. Lucie entered into a Memorandum of Understanding (MOU) with the Florida Department of Environmental Protection (FDEP). The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the North Fork of the St. Lucie River

(NFSLR). The Proprietary Mitigation Plan was coordinated with the USACE, USEPA, NMFS, and FDEP. This MOU is valid for all build alternatives, including the Preferred Alternative. The Proprietary Mitigation Plan includes:

- Design, permit, and construct four water quality improvement projects;
- Convey approximately 110 acres to the Board of Trustees;
- Design, permit, and construct Recreational Opportunity - Trails
- Design, permit and construct Recreational Opportunities – Other

The Acquisition and Restoration Committee has recommended approval to grant the easement (16.1 acres) across State-owned lands, which will be valid for the Preferred Alternative. Once the Proprietary Mitigation Plan projects are constructed, the Board of Trustees will convey to the City the easement to cross state lands. All proprietary mitigation projects will be constructed after the Record of Decision is approved, with completion dates in 2014. Once the Record of Decision is approved, the acquired lands will be conveyed to the State. At the completion of the Proprietary Mitigation Plan:

- Ownership of lands within the Savannas Preserve State Park (SPSP) will increase by 108.15 acres over existing conditions.
- The project would obtain an easement over 930 linear feet of shoreline (155 feet along each shoreline pair for three crossings; the acquired lands will increase the linear feet of shoreline under State ownership by 12,645 feet.
- Three improved recreational/educational projects will completed within the SPSP and the Savannas Recreation Area.
- The four water quality improvement projects will restore or improve historic river flows and will improve an estimated 22.16 acres of open water and will reconnect an estimated 28.05 acres of degraded floodplain wetlands to flows from the NFSLR. These projects will also increase the feeding, breeding and nursery habitat for fish.
- No shorelines will be hardened by the Preferred Alternative (they will retain their natural characteristics) and the water quality improvement projects will improve 255 feet of NFSLR shoreline.
- The water quality improvement projects will re-establish wetland habitat diversity directly adjacent to the NFSLR for threatened, endangered, or species of special concern.

Implementation of the proprietary mitigation plan will potentially further goals associated with the Indian River Lagoon (IRL) Surface Water Improvement and Management (SWIM) Plan, St. Lucie County Comprehensive Plan, the IRL Comprehensive Management Plan, and, we believe, the USACE Northfork Floodplain Restoration Plan by restoring wetland and floodplain functions along the NFSLR floodplain.

Regulatory Mitigation Plan

In addition to the Proprietary Mitigation Plan, the City coordinated with the SFWMD and USACE to create a Regulatory Mitigation Plan to provide compensatory mitigation for unavoidable impacts to wetlands, essential fish habitat, and protected species habitats. The Regulatory Mitigation Plan consists of the

development of the Platt's Creek Compensatory Mitigation Site (Platt's Creek) and the reservation of credits at the Bear Point Mitigation Bank. Platt's Creek has been permitted by the SFWMD (Permit Number 56-03199-P) as a Permittee Responsible Offsite Mitigation Area (PROMA); the USACE is currently reviewing the application. The City and County are co-permittees for the SFWMD and USACE permits. Platt's Creek is valid for all build alternatives, including the Preferred Alternative. The City will use approximately half of the available functional gain units as mitigation for the Preferred Alternative, while the County could use the remaining units for future projects requiring mitigation. The USACE and SFWMD have agreed to this proposal.

Platt's Creek will construct 67.47 acres of restored/created wetland (47.87 acres) and upland habitat (13.65 acres) within an 82.4-acre fallow citrus grove. The project will result in 24.02 functional gain units (USACE) and 22.30 functional gain units (SFWMD). The difference in functional gain units is due to the difference in time lag estimates by the two agencies.

To compensate for unavoidable mangrove losses (0.19 acres), the City will purchase credits at the Bear Point Mitigation Bank (the freshwater wetland mitigation project at Platt's Creek will not be able to restore/create mangrove habitat). The mitigation credit requirements at the Bear Point Mitigation Bank have been developed in coordination with the SFWMD and USACE; the NMFS and USFWS have been consulted during the process. The USACE and the SFWMD have stated that the amount of credits is appropriate mitigation for mangrove losses

The restoration of native vegetative communities in Platt's Creek is expected to provide support for numerous wildlife species that typically inhabit the AP and the SPSP, including listed species and species of special concern. When completed, Platt's Creek will:

- Provide compensatory mitigation for the Preferred Alternative as well as future County projects that impact freshwater wetlands;
- Provide compensatory mitigation for impacts to foraging habitat for the endangered wood stork due to unavoidable habitat losses due to the Preferred Alternative as well as habitat for numerous wetland-dependant species (including listed federal and State listed species);
- Re-establish wetland and upland habitat diversity directly adjacent to the NFSLR and Platt's Creek;
- Provide wetland habitat coverage for threatened, endangered, or species of special concern;
- Establish of feeding, breeding and nursery habitat for fish;
- Restore the hydroperiod and re-vegetation of a portion of the NFSLR floodplain;
- Restore of natural storage and water purifying functions of a portion of the NFSLR floodplain;
- Further the overall objectives for water management in the watershed region;
- Close a gap in the NFSLR greenway;
- Construct a long term watershed-based restoration project that increases aquatic resource functions and services;
- Improve water quality within the 1,110-acre watershed and specifically within the NFSLR;
- Preclude development of the property, which is directly adjacent to the NFSLR; and
- Provide the potential for future passive recreational opportunities.

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and E-Wrap (Bear Point Mitigation Bank methods), which calculated the functional gain of the proposed mitigation plan and balanced those gains with the functional losses of the Preferred Alternative. All regulatory agencies have approved the plan as adequate to compensate for unavoidable impacts due to the Preferred Alternative. With the entire mitigation program (both regulatory and proprietary), unavoidable impacts related to the Preferred Alternative will be compensated in a manner that results in no net loss to wetlands, essential fish habitat, Section 4(f) resources, or to protected species or their habitats.

We request your comments as to whether the Preferred Alternative is compatible with the goals of the USACE Northfork Floodplain Restoration Plan.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

Attachments

cc: FHWA - Cathy.Kendall@fhwa.dot.gov
FDOT CEMO - Vicki.Sharpe@dot.state.fl.us
FDOT D4 - Morteza.Alian@dot.state.fl.us
FDOT D4 – Pat.Glass@dot.state.fl.us
FDOT D4 – Richard.Young@dot.state.fl.us
FDOT D4 - Ann.Broadwell@dot.state.fl.us
USACE - Garett.G.Lips@usace.army.mil
USEPA - Miedema.Ron@epa.gov
USFWS - John_Wrublik@fws.gov
FFWCC - MaryAnn.Poole@MyFWC.com
SFWMD - mparrott@sfwmd.gov
City of Port St. Lucie - PatR@cityofpsl.com
NOAA - F/SER47 - brandon.howard@noaa.gov
Keith and Schnars – mdavis@keithandschnars.com

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

June 13, 2012

Commander (obr)
7th Coast Guard District
US Coast Guard
909 SE 1st Avenue, Rm 432
Miami, FL 33131-6747

ATTN: Darayl Tompkins

Dear Mr. Tompkins:

SUBJECT: **Bridge Project Questionnaires**
Crosstown Parkway Extension from Manth Lane to U.S. 1
Financial Project Number 410844-1-A8-01
Federal-Aid Project No. 7777-087-A
St. Lucie County, Florida

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), prepared an Environmental Impact Statement (EIS) in association with the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The project sponsor, the City of Port St. Lucie (City), selected Keith and Schnars to assist in the required coordination and outreach with regulatory and cooperating agencies, stakeholders, and the public.

FHWA has determined that Alternative 1C is the Preferred Alternative. Alternative 1C would travel northeast along West Virginia Drive then cross the North Coral Reef Waterway, Savannas Preserve State Park, the North Fork St. Lucie River (NFSLR), and Evans Creek, then bend slightly southward to its eventual terminus with US 1 (see attached Location Map; Figure 1.4).

The Preferred Alternative would require a new crossing over three navigable waterways: North Coral Reef Waterway, NFSLR main channel, and Evans Creek. The USCG provided clearance requirements during the Scoping Meeting for the NFSLR main channel. The horizontal and vertical clearance requirements for a bridge crossing over the marked and channelized portion of the NFSLR would be controlled by the larger (wider and higher) of the existing clearances upstream (Prima Vista Boulevard) and downstream (Port St. Lucie Boulevard) of a proposed new bridge. The Prima Vista Boulevard Bridge has clearances that are less than those at Port St. Lucie Boulevard; therefore, a new bridge would need to meet or exceed the existing clearances provided

6500 North Andrews Avenue • Ft. Lauderdale, Florida 33309-2132
(954) 776-1616 • (800) 488-1255 • Fax (954) 771-7690
www.keithandschnars.com

at Port St. Lucie Boulevard. Port St. Lucie Boulevard has a horizontal clearance of 75.5 feet and a vertical clearance of 18.6 feet above MHW.

Clearances for the proposed crossings of the NFLSR tributaries; i.e., North Coral Reef Waterway and Evans Creek, were not specifically identified in previous coordination between the City and the USCG. At this time, on behalf of the City, Keith & Schnars, P.A. is submitting *Bridge Project Questionnaires* for the proposed crossings of the North Coral Reef Waterway and Evans Creek along the Preferred Alternative alignment. Please advise if the USCG will be requiring specific clearances for either site (North Coral Reef Waterway and Evans Creek) or if the tributaries qualify for the Advanced Approval designation.

If you have any questions, please contact me at 954.776.1616 or by email at jhowland@keithandschnars.com.

Sincerely,

Joyce P. Howland
Environmental Permit Specialist

Enclosures

cc: Patricia Roebling, P.E., City Engineer, City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant Management, FDOT District 4
Richard Young, P.E., Project Development Engineer, FDOT District 4
Pat Glass, P.E., Project Manager, FDOT District 4
John Krane, P.E., Director – Transportation Planning, Keith & Schnars

FM No. 410844-1-A8-01
FP No. 7777-087-A
ETDM No. 8247

Crosstown Parkway Extension PD&E Study and Environmental Impact Statement

Preferred Alternative

Figure 1.4

American CONSULTING

American Consulting Professionals, LLC
American Consulting Engineers of Florida, LLC
2000 Palm Beach Lakes Blvd., Suite 1000
West Palm Beach, Florida 33409
Tel 561.253.9550 • Fax 561.253.9551
american@acp-fl.com • www.acp-americas.com

TELEPHONE CALL RECORD

Date: June 8, 2012 **Date Issued:** June 8, 2012

Time: 3:00 **Issued by:** Anna Peterfreund

Contact: Mindy Parrott **Phone #:** (561) 682-6324

Company: SFWMD

Project: Crosstown Parkway

Subject: Bridge pier locations

The following notes reflect our understanding of the discussions and decisions made during this telephone conversation. If you have any questions, additions or comments, please contact us at the above address. We will consider the record to be accurate unless written notice is received within 10 working days of the date issued.

I spoke with Mindy regarding the placement of piers along the Crosstown Parkway project. Her opinion is that piers placed in the open water are less damaging than placing them within wetlands regardless of land ownership (that is regardless if it is state land or not). Unless, of course, our analyses show otherwise due to scour or some other force. This would apply to Alternative 6A as well. So in her opinion, even for Alternative 6A, she would prefer the piers in the open water over the wetlands.

American Project #: 5079986

Copies To: File, City of PSL, Barry Ehrlich

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

May 25, 2012

Mr. Gregory J. Oravec
City Manager
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984-5099

Re: Crosstown Parkway Extension\North Fork of the St. Lucie River\Memorandum of Understanding\Acquisition Mitigation

Dear Mr. Oravec:

Thank you for your letter dated April 16, 2012, proposing additional lands for the land acquisition requirements of the Memorandum of Understanding (MOU), between the City and the Department of Environmental Protection (DEP) on the referenced project. We understand the need for the acquisition list to be expanded in order to meet all of the mitigation requirements and would like to congratulate the City on its success to date on this project.

DEP's Division of Recreation and Parks (DRP) and the Office of Coastal and Aquatic Managed Areas (CAMA) have completed their review of the City's amended list of parcels proposed for title conveyance to the Board of Trustees of the Internal Improvement Fund of the State of Florida (Board of Trustees) as part of the City's mitigation requirements and have no objections. The parcels, consisting of approximately 108.15 acres slated for transfer to Board of Trustees, will satisfy the land acquisition part of the mitigation requirement under the MOU.

Thank you for the City's continued effort in seeing this project to a successful end. Should you have any questions, please feel free to contact Delbert Harvey by telephone at (850)245-2796 or email at Delbert.Harvey@dep.state.fl.us

Sincerely,

Scott E. Woolam
Bureau Chief
Division of State Lands
Bureau of Public Land Administration

RECEIVED
MAY 31 2012
CITY ATTORNEY'S OFFICE

DH\dh

cc: Al Gregory, Bureau Chief, DRP
Lauren Milligan, Environmental Manager, Florida State Clearinghouse
Lynda Godfrey, Bureau Chief, Bureau of Land Acquisition
Larry Nall, Environmental Administrator, Office of Coastal and Aquatic Managed Areas
Patricia Roebling, P.E., City Engineer
Azlina Goldstein Siegel, Assistant City Attorney

Harry Fulwood

From: Michael Davis
Sent: Tuesday, May 15, 2012 3:44 PM
To: John P. Krane; Barry Ehrlich
Cc: Kristine Stewart; John Abbott; Harry Fulwood; Veronica Altuve
Subject: Crosstown Parkway EIS - MEMORANDUM TO FILE - FDEP Conversation on Bridge Pier Placement

On May 15, 2012 at approximately 11:45 AM I spoke with Mr. Delbert Harvey, FDEP Community Program Manager, Division of State Lands, Bureau of Land Acquisition. The purpose of the conversation was to determine if FDEP had a preference for the placement of piers for Alternative 1C, the LPA. Specifically, I asked Mr. Harvey if FDEP preferred: 1) the piers to be in the NFSLR main channel (meeting all navigation clearances) or 2) to have the NFSLR main channel completely spanned and place the piers in the adjacent wetlands. I explained that both the mail channel and the adjacent lands were both subject to Section 4(f).

After checking with others in FDEP, Mr. Harvey called me at 3:30 PM (May 15, 2012). Mr. Harvey stated that it was FDEP's clear preference that the piers be placed in the NFSLR main channel, avoiding any additional impacts to the adjacent wetlands and or FDEP property.

Michael L. Davis
Vice President
Keith and Schnars, P.A.
954.776.1616

Visit the Keith and Schnars Facebook Page:
http://www.facebook.com/pages/Keith-and-Schnars/138052299630862?sk=wall

Visit the MLD Racing Facebook Page:
www.facebook.com/mldracing17

FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

South Florida Water Management District
P.O. Box 24680
West Palm Beach, Florida 33416-4680

November 10, 2011

Re: Projects Reviewed by the Florida State Historic Preservation Office
No Historic Properties Likely Affected – **See Page 2**

Dear Mr. Waterhouse:

Our office received and reviewed the referenced projects in accordance with Chapters 267 and 373, *Florida Statutes*, Florida's Coastal Management Program, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Our review of the Florida Master Site File indicates that no significant archaeological or historical resources are recorded within the project areas. Furthermore, because of the location and/or nature of the projects it is unlikely that any such sites will be affected.

For any questions concerning our comments, please contact Robin Jackson, Historic Sites Specialist, at 850.245.6333, or by electronic mail at robin.jackson@dos.myflorida.com. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

Laura A. Kammerer

Laura A. Kammerer
Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

DHR NO.	App. No.	Project/Applicant Name	County
2011-4615	111013-8	DCT Commerce Center at Pan American West	Dade
2011-4616	111014-8	Airglades Industrial Park	Hendry
2011-4621	111018-4	Platt's Creek Compensatory Mitigation	St. Lucie
2011-4623	111017-1	US Special Operations Command Head Quarters Facility	Dade
2011-4624	111017-4	Gama Global LLC	Dade
2011-4628	111018-6	9120 Kilgore Road Pipe Replacement	Orange

SCANNED 2011/11/25 14:02 14

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

October 26, 2011

Ms. Virginia M. Fay
United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southeast Regional Office
262 13th Avenue South
St. Petersburg, FL 33701-5505

Dear Ms. Fay:

SUBJECT: **Interim Response to Conservation Recommendations**
Crosstown Parkway Extension PD&E and EIS
from Manth Lane to U.S. 1
Financial Project ID: 410844-1-A8-01
Federal Project ID: 7777-087-A
ETDM No.: 8247
County: St. Lucie

We are in receipt of the NMFS Essential Fish Habitat (EFH) Conservation Recommendations in a letter from you, dated September 30, 2011 pertinent to the above referenced project. The Conservation Recommendations were provided in accordance with Section 305(b)(4)(A) of the Magnuson-Stevens Act.

The PD&E Study and the EIS are being conducted by the City of Port St. Lucie through a Local Agency Program Agreement with FDOT, District 4. The proposed project would extend the existing Crosstown Parkway from Manth Lane on the west, across the North Fork St. Lucie River, to U.S. 1 on the east, a distance of approximately two miles. The primary purpose of the proposed project is to alleviate current and projected traffic capacity deficiencies in the City, and in particular, along the two existing river crossings at Port St. Lucie Boulevard and Prima Vista Boulevard.

The FDOT does not currently have a response to the NMFS Essential Fish Habitat Conservation Recommendations received from you. However, as more details are developed, this information will be included in the Final EIS or as an addendum to the Essential Fish Habitat Assessment Report (EFH). We will also include a response to your Recommendations in the Comments and

Coordination section of the Final EIS. Where the level of detail cannot be provided because it is dependent on more detailed design information, the Commitments and Recommendations section of the Final EIS will be updated to ensure your Conservation Recommendations are addressed. You will be provided a copy of the Final EIS and/or addendum to the EFH at least 10 days prior to the final approval of the action.

Please accept this letter as an interim response within the 30-day time period requested by NMFS for EFH Consultation.

Sincerely,

Beatriz Caicedo-Maddison, P.E., C.P.M.
FDOT Project Manager

:bw

cc: FDOT - Vicki.Sharpe@dot.state.fl.us
FDOT- Ann.Broadwell@dot.state.fl.us
FDOT - Morteza.Alian@dot.state.fl.us
SAFMC - Roger.Pugliese@safmc.net
USACE - Garett.G.Lips@usace.army.mil
USEPA - Miedema.Ron@epa.gov
FHWA - Cathy.Kendall@fhwa.dot.gov
USFWS - John_Wrublik@fws.gov
SFWMD - mparrott@sfwmd.gov
City of Port St. Lucie - PatR@cityofpsl.com
NOAA- PPI, PPI.Nepa@noaa.gov
NOAA - F- nmfs.hq.nepa@noaa.gov
NOAA - F/SER - nmfs.ser.eis@noaa.gov
NOAA - F/SER4 - david.dale@noaa.gov
NOAA - F/SER47 - jocelyn.karazsia@noaa.gov
NOAA - F/SER47 - brandon.howard@noaa.gov

Florida Department of
Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

October 14, 2011

Ms. Beatriz Caicedo-Maddison, P.E.
Senior Project Manager
Florida Department of Transportation–District Four
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

RE: Department of Transportation – Draft Environmental Impact Statement – Crosstown Parkway Extension over the North Fork St. Lucie River – Port St. Lucie, St. Lucie County, Florida.
SAI # FL201108175929C (Reference ETDM # 8247 and SAI # FL200307143088C)

Dear Ms. Caicedo-Maddison:

The Florida State Clearinghouse has coordinated a review of the referenced Draft Environmental Impact Statement (DEIS) under the following authorities: Presidential Executive Order 12372; Section 403.061(42), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

The South Florida Water Management District (SFWMD) offers the following comments:

- The SFWMD has been coordinating with the City of Port St. Lucie and the Florida Department of Transportation (FDOT), District Four on this project for several years, including participation at monthly project working group meetings. SFWMD comments have been submitted into the Efficient Transportation Decision Making, Environmental Screening Tool and on March 15, 2011, additional comments were submitted to FDOT on the preliminary DEIS document.
- SFWMD staff will continue to work closely with the City and FDOT as the DEIS is finalized and throughout the permitting process.
- If a "build alternative" is selected, it should be the corridor alternative resulting in the least harm to the adjacent Savannas Preserve State Park, the St. Lucie River and aquatic preserve lands. Impacts to wetlands associated with the river itself and intact upland habitat types considered rare, such as scrub, should be minimized.
- As stated in the DEIS, regulatory permits from the SFWMD will be required for this project. An Environmental Resource Permit will be required to construct the bridge

and for the associated projects proposed for proprietary and compensatory mitigation. The project must meet the Conditions for Issuance and Additional Conditions for Issuance in Rules 40E-4.301 and 40E-4.302, *Florida Administrative Code*, to obtain a permit.

- Consumptive Use permits for dewatering and irrigation from the SFWMD will also likely be required once an alignment is chosen.

If you have any comments or questions, please contact Ms. Deborah Oblaczynski at (561) 682-2544 or doblaczy@sfwmd.gov.

The Florida Fish and Wildlife Conservation Commission (FWC) forwarded comments to FDOT District Four staff in a letter dated July 12, 2011, indicating that the DEIS is thorough in its coverage of potential impacts to fish and wildlife resources, including the direct and indirect effects on upland and wetland habitat, listed species, water quality, public conservation lands and noise and light pollution. FWC staff concurs with the document's assessment of listed species occurrences in the project area and the City's project commitments to perform wildlife surveys, obtain the appropriate permits and follow the recommended species protection measures during construction. The FWC also recommends that mitigation in the Platt's Creek Mitigation Site include creation of both forested and herbaceous wetlands. Please include FWC staff in the planning process for that mitigation. For further detailed comments, please refer to the enclosed FWC letter.

The Florida Department of Environmental Protection's Office of Coastal and Aquatic Managed Areas (CAMA) staff has reviewed the document and indicates that CAMA's comments and concerns have been addressed and implemented in the DEIS. Staff does note, however, that Sections 5.3.14.2.3 (page 5.110) and 5.3.14.4.2 (page 5.123) state that smalltooth sawfish have not been reported in the North Fork St. Lucie River Aquatic Preserve. Please be advised that in late May or early June of this year, there were two reported sightings of a smalltooth sawfish within the aquatic preserve (possibly the same individual seen at two different locations). Should you have any questions, please contact Mr. Brian Sharpe, Indian River Lagoon Aquatic Preserves Manager, at (772) 429-2995.

The Florida Department of State (DOS) advises that historic, archaeological and historic architectural resources have been adequately addressed in the DEIS. Please see the enclosed DOS letter for additional information.

The Treasure Coast Regional Planning Council (TCRPC) has reviewed the proposed project and determined that there are potential impacts to existing homeowners, businesses and sensitive environmental areas – including the North Fork St. Lucie River Aquatic Preserve, a resource of regional and state significance, and Savannas Preserve State Park. Therefore, careful consideration should be made in designing the facility to

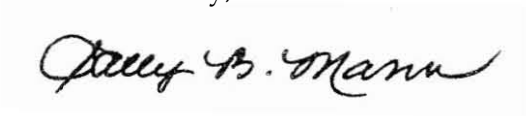
minimize impacts to existing developed areas and natural systems. The DEIS is critical in evaluating the full impacts of the proposed alternatives. If it is determined that the need for the project outweighs the impacts and the project is designed to minimize impacts and provide adequate compensation and mitigation for those impacts, the proposed project would be consistent with the Strategic Regional Policy Plan. The project furthers Strategy 7.1.1: Develop a balanced, complete and fully integrated transportation system which, at a minimum, includes a road system designed to complement and supplement the core mass transit system and pedestrian and bicycle connections.

The parkway will serve multimodal transportation alternatives including automobile, pedestrian, bicycle and public transit. The project will lessen traffic congestion on other arterial traffic routes over the St. Lucie River and facilitate intrastate commerce. Once complete, the project will provide an additional hurricane and emergency evacuation route and achieve an acceptable level of service. The project is a critical missing link in the regional roadway network in the area and in the City's plans for redevelopment.

Based on the information contained in the DEIS and enclosed agency comments, the state has no objections to the allocation of federal funds for the subject project and, therefore, the funding award is consistent with the Florida Coastal Management Program (FCMP). To ensure the project's continued consistency with the FCMP, the concerns identified by our reviewing agencies must be addressed prior to project implementation. The state's continued concurrence will be based on the activities' compliance with FCMP authorities, including federal and state monitoring of the activities to ensure their continued conformance, and the adequate resolution of issues identified during this and subsequent regulatory and proprietary reviews. The state's final concurrence of the project's consistency with the FCMP will be determined during the environmental permitting process in accordance with Section 373.428, *Florida Statutes*.

Thank you for the opportunity to review the DEIS. Should you have any questions regarding this letter, please contact Ms. Lauren P. Milligan at (850) 245-2170.

Yours sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/cjs
Enclosures

cc: Patricia Roebling, City of Port St. Lucie
John Krane, Keith and Schnars
Deborah Oblaczynski, SFWMD
Joe Walsh, FWC
Becky Prado, DEP, CAMA
Laura Kammerer, DOS
Stephanie Heidt, TCRPC

Florida State Clearinghouse

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO
ATTENTION OF

October 3, 2011

Palm Beach Gardens Regulatory Office

Ms. Beatriz Caicedo-Maddison, P.E.
Florida Department of Transportation, District Four
Planning and Environmental Management Office
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309-3241

Dear Ms. Caicedo-Maddison:

The U.S. Army Corps of Engineers (USACE) is pleased to provide a response to your request for review of the Draft Environmental Impact Statement (DEIS) and the environmental support documents for the Crosstown Parkway Extension, Financial Identification Number 410844-1-A8-01. This EIS is evaluating the environmental impacts associated with a proposal to ease traffic congestion and includes a no-action alternative and six bridge alternatives that would cross the North Fork of the St. Lucie River (NFSLR). Our comments are provided in accordance with 40 CFR 1503.3 and 33 CFR 325 Appendix B. Please be advised the USACE, which is also acting as a cooperating agency on this project, regulates the activities within navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) and regulates discharge of fill material into waters of the United States pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344).

Six build alternatives were evaluated in the DEIS, and the proposed direct wetland impacts range from approximately 8.5 acres (Alternative 6A) to 11.9 acres (Alternative 1C); potential indirect impacts range from approximately 16.4 acres (Alternative 6B) to 29.2 acres (Alternative 1C). Wetlands abutting and adjacent to the NFSLR include tidally influenced estuarine mangrove habitat, and palustrine emergent marsh, scrub-shrub and forested wetlands, and are of extremely high quality. The wetlands within the project area are part of an important complex of intact floodplain wetlands. The estuarine and palustrine wetlands are contiguous and are part of a complete system along the entire reach of the NFSLR. The aquatic resource impact analysis provided in the DEIS appears to have accurately identified the anticipated adverse effects associated with the bridges, both direct and indirect. However, the pond site report identifies additional wetlands that could be affected. To complete the impact analysis, the USACE is recommending a full summary of impacts for all elements of the project be provided including pond sites. The USACE recommends the use of previously disturbed land with no wetlands, high functioning uplands, or parcels under public ownership for conservation. The pond design should also utilize current drainage technology advances to provide treatment and attenuation of stormwater to avoid impacts to special aquatic sites.

The DEIS includes a discussion of proprietary mitigative measures for unavoidable change-of-use adverse effects on state-owned park lands, and federal and state wetland compensatory mitigation measures for offsetting wetland impacts. The USACE has indicated during previous meetings with FDOT that some components of the proprietary mitigation would require Department of the Army authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) or Section 404 of the Clean Water Act (33 U.S.C. §1344); however, the USACE believes, based on the current proposal, that none of the projects would be anticipated to result in unacceptable adverse environmental effects. The DEIS stated compensatory wetland mitigation to offset unavoidable impacts to wetlands would take place at the 82-acre Platt's Creek mitigation site and Bear Point Mitigation Bank (BPMB). The Platt's Creek site is located along the NFSLR, and was previously evaluated by the USACE as an advance wetland compensatory mitigation site with St Lucie County as the applicant, but the project did not receive DA authorization. In general, however, the USACE believes the proposal may be appropriate provided an assessment is performed demonstrating the permittee responsible offsite mitigation alternative is environmentally preferable to purchasing mitigation bank credits. Currently, Treasure Coast Mitigation Bank and Blue Field Ranch Mitigation Bank Service Areas overlap the project. A 12-point mitigation plan for Platts Creek mitigation site will also be required to be submitted for review. Credits from the BPMB would be used to offset unavoidable impacts to estuarine mangrove wetlands, as proposed, the USACE typically accepts this approach to offset estuarine wetland impacts provided appropriate proximity factors are incorporated into the assessment. Please include all relevant details of the compensatory mitigation plan which will fully replace all ecological functions lost by the proposed action. This detailed plan should include all components of a mitigation plan as outlined in 33 CFR 320.

The USACE understands the current approach as stated by the FDOT, is to construct the proposed bridge with a "top-down" approach to avoid construction impacts related to access roads, fill pads, staging areas, etc. The USACE believes this approach is preferable; however, a plan demonstrating the practicality of the approach was not provided. The USACE is concerned that once the project approaches the construction phase, the commitment to fully implement the "top down" construction methodology would be reduced in scope to save money. Please provide assurances the top down approach would be fully implemented for any build alternative.

Alternatives comments:

- The DEIS states the primary purpose of the proposed project is to alleviate substantial traffic capacity deficiencies in the City of Port St. Lucie. The DEIS references the *ANALYSIS OF POTENTIAL RIVER CROSSING CORRIDORS to Reduce Traffic Congestion in the City of Port St. Lucie Parts I and II*. Currently though, based on the DEIS document, the stated conclusions dismissing Corridor 1 do not support the premise the alternative is impracticable, fails to fulfill the project's purpose and need, and/or results in greater environmental adverse effects when compared to the proposed build alternatives. Our preference is to first avoid wetlands, and then implement minimization

efforts including utilizing existing river crossings and widening existing bridges to avoid further habitat fragmentation within the NFSLR wetland complex. The Corridor Report analysis dismissed Corridor 1 with a very limited scope of evaluation without identification or evaluation of the environmental benefits or detriments of Corridor 1. The DEIS and Corridor Reports documents merely identify "operational" factors as the sole reason to dismiss Corridor 1. The USACE recommends the DEIS include an evaluation of the anticipated environmental effects if this alternative is practicable and also achieves the project purpose.

- In response to the proposed roadway typical section (see, ***Typical section between East of the River to US-1, Figure 1.5)*** for the section between East of River and US-1 the USACE is requesting minimization of the typical section footprint in areas of wetlands or waters of the United States to the maximum extent practical. For example, the median is 30 feet wide which could be reduced to avoid or minimize wetland impacts. For the proposed build alternatives, the USACE typically supports the implementation of retaining walls, mechanically stabilized earth (MSE) walls, or guard rails as effective measures to reduce the roadway footprint and avoid wetlands. Approximately 72 feet of the bridge width accommodates six 12-foot travel lanes, 36 feet of the bridge span width is proposed for shoulders, and 16 feet would be dedicated for sidewalks. The USACE is requesting a reduced typical section by designing the travel lane width to be 11 feet, which could result in a 6 foot overall reduction in width. The project would still achieve the stated project purpose and would meet the minimum design safety standards. Consider also reducing the shoulder widths and sidewalk to only the minimum required.

- In response to the bridge typical section ***(see, Bridge Typical Sections Figure 1.6)*** the USACE is a request to minimize the footprint of the bridge to the extent practical. Approximately 36 feet of the bridge span width would be for shoulders, and 16 feet would be dedicated for sidewalks the USACE is requesting the FDOT to reduce the typical section by reducing the travel lane width, which could result in 6 feet of minimization efforts and the project would still achieve the project purpose and would meet the minimum design safety standards. Consider also reducing the shoulder widths and sidewalk to only the minimum required.

- ***The DEIS states the following, (see 1.4.2.1.1 Social and Economic Impacts (All Build Alternatives): "*** *It is anticipated that none of the build alternatives would have an appreciable effect on land use changes because most vacant land is residential land that is already platted."* The USACE believes the statement in the DEIS is incorrect and requests clarification or revision of the statement. The USACE understanding is that the land within the proposed build alternatives within the NFSLR and other park lands or conservation areas are not platted as residential and are actually part of a unique estuarine ecosystem that would be ecologically fragmented with any new bridge along any of the study corridors. Alternative 6 A avoids Savannas State Park but would however have a

direct adverse effect on the FDEP NFSLR Aquatic Preserve. As a public interest factor, the USACE recommends avoidance or minimization of adverse effects on conservation lands. Reduction of land areas dedicated to parks to construct transportation facilities should be avoided when other practicable alternatives exist which achieve the project purpose. In this case, if widening existing bridges does not achieve the project purpose and a build alternative is selected, then as proposed Alternative 6A would have the least amount of adverse effects on Savannas State Park.

- The USACE is providing comments on the Tunnel Concept Report. The report provides useful information regarding tunnel construction, and acknowledges almost all wetlands and wildlife impacts would be avoided. The TCR states the following: "*However, in comparison to the bridge alternatives, the construction of a tunnel creates several geometric and safety issues; has greater property impacts; involves substantially higher construction, operational, and maintenance costs; presents a higher safety and security risk*." The USACE disagrees with this summary, except for the "higher construction, operational, and maintenance costs". The conclusions appear to be based on the exhibit depicting 1C for the tunnel alignment. The report provides brief discussion stating a 1,600 foot offset is needed to accommodate the geometric requirements for the vertical transition of the tunnel in relation to SR-5. However, if Alternatives 6B or 1F are evaluated as tunnel corridors then sufficient upland area, based on the DEIS 1,600 foot reference, is available in-between the NFSLR and SR-5. Based on a Google Earth linear distance estimate there is approximately 1,800 feet of uplands, near Florence Drive, is available for the tunnel approach to transition to SR-5. The USACE is requesting the DEIS be revised to include this concept as an alternative and to provide a balanced analysis identifying the anticipated benefits of the Tunnel Concept alternative, such as avoidance of wetland impacts, no 4(F) impacts, no fish or wildlife impacts, and a reduction in secondary and cumulative adverse effects. The USACE believes all relevant environmental factors should be evaluated to determine if the Tunnel concept is practicable and achieves the project purpose. A more in-depth analysis may demonstrate the tunnel, while more expensive, may actually be environmentally preferable to construction of a new bridge.

The USACE appreciates the opportunity to provide comments on this project. If you have any questions regarding this letter, please contact Garett Lips at the letterhead address or by telephone at 561-472-3519.

Sincerely,

Garett Lips
Project Manager

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Richard B. Russell Federal Building
75 Spring Street, S.W.
Atlanta, Georgia 30303

ER 11/789
9043.1

October 3, 2011

Beatriz Caicedo-Maddison
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Re: Comments and Recommendations on the Draft Environmental Impact Statement (DEIS), and Section 4(f) Evaluation for the Crosstown Parkway Extension Project, New Bridge Crossing of the North Fork St. Lucie River Crosstown Parkway (from Manth Lane to U.S. 1)

Dear Ms. Caicedo-Maddison:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) and Section 4(f) Evaluation for the Crosstown Parkway Extension Project, New Bridge Crossing of the North Fork St. Lucie River Crosstown Parkway (from Manth Lane to US 1) in St. Lucie County, Florida. The Department offers the following comments for your consideration.

General Comments

The Florida Department of Transportation (FDOT) proposes to extend the existing Crosstown Parkway from its eastern terminus at Manth Lane to U.S. Highway 1 in Port St. Lucie, Florida. The new roadway segment would consist of a six-lane highway with a bridge over the North Fork of the St. Lucie River (NFSLR). Six construction site alternatives have been proposed for the project as shown in Figure 1. Other alternatives being considered for the project include Transportation System Management whereby operational techniques and intersection improvements are used to address traffic congestion, the multi-modal alternative (i.e., the use of travel modes other than private automobiles), and the “no build” alternative. A preferred alternative has not yet been identified. The purpose of the project is to provide additional vehicle capacity to meet current and projected traffic needs. Each of the proposed construction alternatives, except alternative 6A, will require use of public conservation lands (as defined by Section 4(f) of the Department of Transportation Act of 1966) located in the State of Florida’s

NFSLR Aquatic Preserve (AP) and the Savannas Preserve State Park (SPSP). The project site is located in St. Lucie County, Florida.
Compensatory mitigation is being proposed for the loss of State-owned conservation lands and direct and indirect impacts to wetlands, including the loss of mangrove (Rhizophora mangle) wetlands. The mitigation proposal, listed in a Memorandum of Understanding (MOU) currently being developed by the Florida Department of Environmental Protection and the city of Port St. Lucie consists of the following:

1. Improvement of water quality within the NFSLR AP through restoration projects proposed at Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail. Restoration activities would include dredging shoals or berms, and widening or deepening portions of the waterway. These projects would improve approximately 22.16 acres of open water and reconnect about 28.05 acres of wetlands to flows from the NFSLR.

2. Acquisition of 110 acres of currently unprotected lands adjacent to the NFSLR. All acquired lands would be enhanced by the removal of invasive exotic vegetation and ownership would be transferred to the State for inclusion within the NFSLR AP.

3. Enhancements to the SPSP including the construction of a 2.5-mile multiuse trail within the park from Savannah Road to Midway Road, improvements to the Halpatiokee Canoe Access Trail, and improvements to the existing Education Center.

4. Acquisition of 41 acres of wetland mitigation at city of Port St. Lucie's proposed 82-acre Platt's Creek Mitigation Site (PCMS), Permittee-Responsible Offsite Mitigation Area (PROMA).

5. Purchase of an adequate number of credits from the Bear Point Mitigation Bank to offset the loss of 0.29 acre of mangrove wetlands.

Fish and Wildlife Resources:

All of the six proposed construction alternative corridors would cross the NFSLR AP. The 2,972-acre NFSLR AP was established by the State of Florida in 1972. In addition, all of the proposed alternatives, except Alternative 6A, will directly impact the 1,071-acre parcel of SPSP located west of U.S. Highway 1 along the NFSLR (formerly known as the NFSLR Buffer Preserve). The SPSP was established by the State of Florida in 1994. These public lands were purchased to protect the valuable natural ecosystem of the NFSLR for the benefit of all the citizens of the state. The NFSLR AP and the SPSP represent one of the few remaining expanses of natural habitat within a highly urbanized region. These lands provide important habitat for a variety of fish and wildlife species including American alligators, West Indian manatees, river otters, wood storks, little blue herons, brown pelicans, neotropical migrant birds, snook, and the opossum pipefish. The NFSLR AP also offers a variety of recreational opportunities to the public including fishing, boating, hiking, bird watching, and wildlife observation. The Department finds that implementation of any of the six proposed construction alternatives will result in the loss and degradation of valuable upland and wetland habitats, and degrade the recreational and aesthetic experience of visitors to the NFSLR AP.

As indicated on page 1.29 of the DEIS, the U.S. Fish and Wildlife Service has objected to all the proposed construction alternatives (i.e., 2A, 2D, 1C, 1F, and 6B), except for alternative 6A, through the FDOT's Efficient Transportation Decision Making (ETDM) Process - Dispute Resolution process.

Based on the information provided in the DEIS, the U. S. Fish and Wildlife Service maintains its ETDM "dispute" designations for alternatives 2A, 2D, 1C, 1F, and 6B. The U. S. Fish and Wildlife believes that it is inappropriate to construct a new transportation facility within protected conservation lands, and such an action is contrary to the reason that the lands were originally acquired. Use of conservation lands for a transportation facility would also be contrary to the U. S. Fish Wildlife Service's goal of maintaining adequate habitat for fish and wildlife in the region. The Department recommends that the Federal Highway Administration eliminate alternatives 2A, 2D, 1C, 1F, and 6B from further consideration as the project's preferred alternative.

According to Table 1.1 in the DEIS, direct impacts to wetlands from the six construction alternatives range from 7.97 acres for Alternative 6B to 10.86 acres for Alternative 1C. In addition, direct impacts to uplands range from 0.16 acre for Alternative 6A to 7.82 acres for Alternatives 2A and 2D. When considering impacts to both wetlands and uplands combined, it appears that Alternative 6A results in the least direct loss of wildlife habitat (8.44 acres) and Alternatives 2A and 2D each result in the greatest direct loss of wildlife habitat (15.96 acres). Page 7.4 of the DEIS discusses various strategies that can be implemented to minimize the impacts of the project if a construction alternative is selected. In the event a construction alternative is selected, the Department recommends that one of the proposed sidewalks be eliminated from project design and the width of the inside bridge shoulders be reduced to further minimize shading effects of the bridge.

As indicated in the September 2010 Pond Siting Report (PSR) included with the DEIS, each of the construction alternatives will require the construction of storm water treatment ponds. Approximately 100 potential locations were identified in the PSR. Page 37 of the PSR indicates that some of these sites occur within public conservation lands and some of the sites may affect wetlands. The final sites for each of the six construction alternatives have not yet been determined. The PSR indicates that site selection will take place once the final alternative is selected. In order to completely determine the impacts of each proposed construction alternative, the Department requests that more detailed information on the proposed pond sites be provided with respect to the location of each pond site relative to public conservation lands and the impacts of each pond site to wildlife habitat (i.e., the acreages of wetlands and uplands impacted).

The Department notes that the corridor analysis technical document provided in the DEIS concluded that the widening of existing bridges north and south of the study area was insufficient to meet the project purpose. As pointed out by the National Marine Fisheries (NMFS) in its letter to the FDOT dated January 12, 2011, previous traffic studies considered the addition of two new lanes to the existing bridges. We concur with the NMFS recommendation that an alternative be analyzed that includes the addition of a greater number of lanes to existing bridges

than was originally considered. If feasible, the construction of a new bridge may not be necessary.

As discussed in the project description, mitigation has been proposed to compensate for impacts to public conservation lands and wetlands due to the project if a construction alternative is selected. The DEIS states that mitigation details will be refined throughout the EIS process with the resource and regulatory agencies. Based on the information provided, the Department does not have enough information to determine if the proposed mitigation is adequate to compensate for impacts to public conservation lands, wetlands, and wildlife habitat resulting from the selection of any of the construction alternatives. If a construction alternative is chosen as the preferred alternative for the project, we request that a detailed mitigation plan be prepared for inclusion in the final EIS for our review and comment. The mitigation plan should include the following:

1. A complete description of the existing conditions at the mitigation site(s).

2. Restoration and creation plans for wetlands (include planting plans if appropriate and a specific discussion of how restoration at the Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail sites will improve water quality).

3. Monitoring plans, success criteria, and proposed corrective actions, if needed.

4. A discussion of how the mitigation sites will be protected in perpetuity (e.g., conservation easement placed on site).

5. A description of: (1) how the mitigation sites will be managed and maintained in perpetuity, (2) how nuisance and exotic plant species will be controlled, and (3) how the City of Port St. Lucie and the FDOT will provide for the long-term management and maintenance of the 110 acres of currently unprotected lands proposed to be acquired once they are transferred to the State of Florida (to provide for the long-term management of these lands we recommend that an endowment fund be established).

6. A description of the entity financially responsible for the mitigation.

Section 4(f) Evaluation Comments:

Based on the information provided, the Department cannot determine if the proposed mitigation is adequate to compensate for impacts to public conservation lands, wetlands, and wildlife habitat resulting from the selection of any of the construction alternatives. At this time the Department does not concur that there is no prudent and feasible alternative.

Thank you for the opportunity to comment. If you have questions on the U.S. Fish and Wildlife Resources comments, please contact John Wrublik on (772) 469-4282. For questions on the Section 4(f) Evaluation comments, please contact Anita Barnett, National Park Service, at (404) 507-5706. I can be reached on (404) 331-4524 or via email at joyce_stanley@ios.doi.gov.

Sincerely,

Joyce Stanley, MPA
Regional Environmental Protection Assistant

for

Gregory Hogue
Regional Environmental Officer

cc: Jerry Ziewitz - FWS
Brenda Johnson - USGS
David Vela – NPS
Chester McGhee – BIA
Gary Taylor – BLM
OEPC – WASH

Project Information

Project:	FL201108175929C
Comments Due:	09/30/2011
Letter Due:	10/16/2011
Description:	DEPARTMENT OF TRANSPORTATION - DRAFT ENVIRONMENTAL IMPACT STATEMENT - CROSSTOWN PARKWAY EXTENSION OVER THE NORTH FORK ST. LUCIE RIVER - PORT ST. LUCIE, ST. LUCIE COUNTY, FLORIDA. (REFERENCE ETDM NO. 8247)
Keywords:	DOT - DEIS, CROSSTOWN PARKWAY EXTENSION - PORT ST. LUCIE, ST. LUCIE CO.
CFDA #:	20.205

Agency Comments:

TREASURE COAST RPC - TREASURE COAST REGIONAL PLANNING COUNCIL

The proposed project has the potential to impact existing homeowners, businesses, and sensitive environmental areas, including the North Fork St. Lucie River Aquatic Preserve, a resource of regional and state significance, and Savannas Preserve State Park. Therefore, careful consideration needs to be made in designing this facility to minimize impacts to existing developed areas and natural systems. The Environmental Impact Statement is critical in evaluating the full impacts of the proposed alternatives. If it is determined that the need for the project outweighs the impacts, and the project is designed to minimize impacts and provide adequate compensation and mitigation for impacts, then the proposed project would be consistent with the Strategic Regional Policy Plan. The project furthers Strategy 7.1.1: Develop a balanced, complete and fully integrated transportation system which, at a minimum, includes a road system designed to complement and supplement the core mass transit system and pedestrian and bicycle connections. The parkway will serve multimodal transportation alternatives including automobile, pedestrian, bicycle and public transit. The project will lessen traffic congestion on other arterial traffic routes over the St. Lucie River and facilitate intrastate commerce. Once complete, the project will provide an additional hurricane and emergency evacuation route and achieve an acceptable level of service. The project is a critical missing link in the regional roadway network in the area and in the City's plans for redevelopment.

FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The FWC forwarded comments to FDOT District Four staff indicating that the Draft EIS is thorough in its coverage of potential impacts to fish and wildlife resources, including the direct and indirect effects on upland and wetland habitat, listed species, water quality, public conservation lands, and noise and light pollution. FWC staff concurs with the document's assessment of listed species occurrence in the project area and the City's project commitments to perform wildlife surveys, obtain the appropriate permits and follow the recommended species protection measures during construction. Staff also recommends that mitigation in the Platt's Creek Mitigation Site include creation of both forested and herbaceous wetlands. Please include FWC staff in the planning process for this mitigation.

STATE - FLORIDA DEPARTMENT OF STATE

The DOS advises that historic, archaeological and historic architectural resources have been adequately addressed in the Draft EIS.

ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP CAMA staff has reviewed the document and indicates that CAMA's comments and concerns have been addressed and implemented in the DEIS. Staff does note, however, that Sections 5.3.14.2.3 (page 5.110) and 5.3.14.4.2 (page 5.123) state that smalltooth sawfish have not been reported in the North Fork St. Lucie River Aquatic Preserve. Please be advised that in late May or early June of this year, there were two reported sightings of a smalltooth sawfish within the aquatic preserve (possibly the same individual seen at two different locations). Should you have any questions, please contact Mr. Brian Sharpe, Indian River Lagoon Aquatic Preserves Manager, at (772) 429-2995.

SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT
The South Florida Water Management District (District) provides the following comments: - The District has been coordinating with the City of Port St. Lucie (City) and the Department of Transportation, District 4 (DOT) on this project for several years, including participation at monthly project working group meetings. District comments have been submitted into the Efficient Transportation Decision Making (ETDM), Environmental Screening Tool (EST), and, on March 15, 2011, additional comments were submitted to DOT on the Draft Environmental Impact Statement (DEIS) document. - District staff will continue to work closely with the City and DOT as the EIS is finalized and throughout the permitting process. - If a "build alternative" is selected, it should be the one resulting in the least harm to the adjacent Savannas Preserve State Park, the St. Lucie River, and aquatic preserve lands. Impacts to wetlands associated with the river itself and intact upland habitat types considered rare, such as scrub, should be minimized. - As stated in the DEIS, regulatory permits from the District will be required for this project. An Environmental Resource Permit will be required to construct the bridge and for the projects proposed for proprietary and compensatory mitigation. The project must meet the Conditions for Issuance and Additional Conditions for Issuance in Rules 40E-4.301 and 40E-4.302, Florida Administrative Code (FAC), to obtain a permit. - Consumptive Use permits for dewatering and irrigation from the District will likely also be required once an alignment is chosen. - If you have any comments or questions, please contact Deborah Oblaczynski at (561) 682-2544 or doblaczy@sfwmd.gov.

For more information or to submit comments, please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD, M.S. 47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
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UNITED STATES DEPARTMENT OF COMMERCE
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September 30, 2011 F/SER4:BH/pw

(sent via electronic mail)

Ms. Beatriz Caicedo-Maddison, P.E.
Florida Department of Transportation, District Four
Planning and Environmental Management Office
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309-3241

Dear Ms. Caicedo-Maddison:

NOAA's National Marine Fisheries Service (NMFS) reviewed the draft Environmental Impact Statement (EIS), draft endangered species biological assessment (ESBA), and draft essential fish habitat (EFH) assessment received on August 15, 2011, for the Crosstown Parkway Extension, in Port St. Lucie, St. Lucie County. The Federal Highway Administration (FHWA) and Florida Department of Transportation, District Four (FDOT), intend to include the final EFH assessment and final ESBA as appendices to the final EIS. When completed, this EIS will compare the environmental impacts associated with the no action alternative and six bridge alternatives that would cross the North Fork of the St. Lucie River. Neither the draft EIS nor the supporting documentation identify a preferred alternative for the parkway extension. Without a specific alternative to evaluate, along with the corresponding in-depth detail, NMFS can only provide general comments on the project at this time. Impacts to EFH will be evaluated under the requirements of the Fish and Wildlife Coordination Act (FWCA) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Impacts to species protected under the Endangered Species Act (ESA) and their critical habitat will be evaluated under ESA. Because these statutes have different procedures and standards, separate comments will be provided below after a brief review of the consultation history between FHWA, FDOT, and NMFS for this project.

Consultation History
On September 29, 2006, and August 14, 2008, NMFS provided FDOT with preliminary comments on proposed Crosstown Parkway Extension through FDOT's Environmental Screening Tool (EST). NMFS has participated in the majority of the monthly scoping meetings since April 10, 2008. On July 10, 2008, NMFS attended the Agency Kickoff Meeting held in Port St. Lucie. On December 17, 2008, NMFS attended the interagency workshop aimed at completing a functional assessment using the Uniform Mitigation Assessment Method (UMAM). In that workshop, several impact polygons were scored. NMFS attended a follow-up meeting on January 7, 2009, that included a site visit and completion of the UMAM analysis. On April 1, 2009, NMFS provided feedback regarding the legal sufficiency review. On June 23, 2009, an interagency meeting was held to examine indirect impacts associated with the project. On September 17, 2009, NMFS provided comments on the draft ESBA and draft EFH assessment. On January 12, 2011, comments were provided in response to the preliminary draft EIS. A follow up meeting was held on January 31, 2011, to discuss comments provided in response to the

preliminary draft EIS.

Essential Fish Habitat in the Project Area
The proposed roadway would cross the North Fork of the St. Lucie River and impact palustrine wetlands, mangrove wetlands, and mud and sand bottom. The palustrine wetlands are composed of pine with a mixture of hardwood and herbaceous species. The mangrove community is primarily comprised of red mangrove (*Rhizophora mangle*). The draft EFH assessment correctly lists the types of EFH found at the project site and notes that mangroves are a Habitat Area of Particular Concern (HAPC). The draft EFH assessment correctly emphasizes two fishery management plans developed by the South Atlantic Fishery Management Council (SAFMC): the Shrimp Fishery Management Plan and the Snapper-Grouper Fishery Management Plan. The Mid-Atlantic Fishery Management Council (MAFMC) also designates EFH for federally managed species within the South Atlantic region. Bluefish (*Pomatomus saltatrix*) occur at the site of the proposed project and MAFMC designates estuarine waters as EFH for this species. The EFH assessment correctly includes this species. Detailed information on the EFH requirements of species managed by SAFMC is found in the 1998 comprehensive amendment to the fishery management plans for the South Atlantic region and more recently in *Fishery Ecosystem Plan of the South Atlantic Region* (available at *www.safmc.net*). Detailed information on the EFH requirements of species managed by MAFMC is included in separate amendments to individual fishery management plans and in a series of technical reviews available at *www.nefsc.noaa.gov/nefsc/habitat/efh/*.

Impacts to Essential Fish Habitat
The proposed impacts to EFH would occur within the Savannas Preserve State Park and the North Fork of the St. Lucie River Aquatic Preserve for five of the six build alternatives being studied. Wetlands associated with North Fork of the St. Lucie River are of extremely high quality. The majority of mangrove habitat in south Florida lies in either national or state preserves. The intent of designating an area as an aquatic preserve is that it be kept in essentially natural condition so that its biological, aesthetic, and scientific values may endure for the enjoyment of future generations as stated is Section 258.36, Florida Statutes. Despite these factors, in the draft EFH assessment, FHWA and FDOT conclude the Crosstown Parkway Extension would not result in substantial adverse impacts to EFH.

<u>Alternatives Analysis</u>: Six build alternatives are discussed in the draft EFH assessment and draft EIS, and the proposed direct impacts range from approximately 8.56 acres (Alternative 6A) to 11.95 acres (Alternative 1C); potential indirect impacts range from approximately 16.45 acres (Alternative 6B) to 29.24 acres (Alternative 1C). Based on the interagency meeting on June 23, 2009, and guidance in our letter dated September 17, 2009, areas directly underneath the bridge alternatives were calculated as direct impacts. It appears that all impacts are now captured in the submitted calculations.

It is not clear how FHWA and FDOT will select the preferred alternative. NMFS recommends expansion of the existing bridges to the north and south in combination with multimodal transportation alternatives and Transportation System Management. Although these alternatives have been considered independently in the draft EIS, it is not clear if these alternatives have been studied in combination. If a build alternative is selected by FHWA and FDOT, NMFS recommends Alternative 6A be selected because it would have the least amount of direct impacts to EFH and because Alternative 6A would avoid impacting Savannas Preserve State Park.

<u>Avoidance of Impacts</u>: The Pond Study Report indicates that all of the proposed bridge alternatives would require storm water treatment ponds. Approximately 100 potential locations were identified in the report. Page 37 of the report states that some of these sites occur within public conservation lands, and some of the sites may affect wetlands. The final sites for the treatment ponds for each of the six construction alternatives have not yet been determined. Site selection would take place once the final alternative for the parkway extension is chosen. In order to comprehensively determine the impacts of

each proposed construction alternative on EFH, more detailed information on the proposed pond sites must be provided with respect to the location and habitat characterization.

The draft EIS states that a 10-foot 11-inch gap between the bridges is required to allow inspection of the upper deck and superstructure by FDOT. In order to avoid additional shading and wetland impacts, NMFS recommends that the gap between the two bridges be reduced and alternative inspection methods be utilized.

The typical section of the roadway is 330 feet wide between Manth Lane to west of the North Fork of the St. Lucie River. This typically includes a 32-foot wide median and 89 feet on either side of the shoulder to include landscaping, sidewalks, and utilities. This typical section should be minimized to the amount necessary to incorporate the road, storm water features, pedestrian access, and safety. The median should be minimized in the typical section from east of the North Fork of the St. Lucie River to US-1.

The draft EIS states that one of the sidewalks may be eliminated to further reduce bridge width and shading effects. NMFS concurs that one sidewalk should be eliminated to reduce environmental impacts.

Compensatory Mitigation: Two types of compensatory mitigation are proposed for this project. First, FHWA and FDOT propose to mitigate for impacts to State-owned conservation lands by:

1. Improving water quality within the North Fork of the St. Lucie River Aquatic Preserve through restoration projects proposed at Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail. Restoration activities would include dredging shoals or berms, and widening or deepening portions of the waterway. These projects would improve approximately 22.16 acres of open water and reconnect about 28.05 acres of wetlands to flows from the Preserve.

2. Acquiring 110 acres of currently unprotected lands adjacent to the North Fork of the St. Lucie River Aquatic Preserve. All acquired lands would be enhanced by the removal of invasive exotic vegetation and ownership would be transferred to the State for inclusion within the Preserve.

3. Enhancing Savannas Preserve State Park by constructing a 2.5-mile multiuse trail within the park from Savanna Road to Midway Road, improving Halpatiokee Canoe Access Trail, and improving the existing education center.

Second, the compensatory mitigation proposed by FHWA and FDOT for the unavoidable impacts to wetlands would take place at the 82-acre Platt's Creek mitigation site and Bear Point Mitigation Bank (BPMB). The Platt's Creek site is located along the North Fork of the St. Lucie River. NMFS agrees that this site could potentially offset impacts to freshwater palustrine wetlands if a build alternative were chosen. A preliminary study of the mitigation potential by the City of Port St. Lucie and FDOT determined that approximately half of the site would be needed to offset these impacts. The other half of the site would be used for future mitigation purposes, if needed. Credits from the BPMB would be used to offset unavoidable impacts to mangrove wetlands. As mentioned in the letter from NMFS dated January 12, 2011, BPMB was permitted using the estuarine version of the Wetland Rapid Assessment Procedure (EWRAP). The mangrove impact polygons would have to be scored using the same methodology. Currently, the polygons are scored using UMAM. In addition, EWRAP provides a proximity worksheet that must be completed and used in the evaluation of mitigation that is a great distance from the impact site. This worksheet will need to be completed should BPMB be used. NMFS agrees that BPMB is a viable option for offsetting unavoidable impacts to mangrove wetlands for this project.

All of the compensatory mitigation options listed above lack significant detail that will be needed should a build alternative be chosen and after all practicable avoidance and minimization is demonstrated. These

details include functional assessment scores, planting plans, mitigation construction plans, a long-term monitoring and maintenance plan, conservation easement or fee simple ownership, and financial commitments.

EFH Conservation Recommendation
The information needs and project recommendations we provided through the EST on September 29, 2006, and August 14, 2008, in our letter dated September 17, 2009, during the various interagency meetings, and reemphasized in our letter dated January 11, 2011, are not reflected in the draft EIS and supporting technical documents. While additional information is needed for NMFS to complete its review of the proposed roadway and bridge, based on the information provided, NMFS finds that the proposed project would have a substantial adverse impact on EFH. Section 305(b)(4)(A) of the Magnuson-Stevens Act requires NMFS to provide EFH conservation recommendations when an activity is expected to adversely impact EFH. Based on this requirement, NMFS provides the following:

EFH Conservation Recommendations

1. FHWA and FDOT shall examine whether project needs can be met by combining expansion of the existing bridges to the north and south along with multimodal transportation alternatives and Transportation System Management.

2. If the outcome of addressing the above EFH conservation recommendation is that a build alterative must be pursued, NMFS recommends Alternative 6A. Regardless of the build alternative chosen, FHWA and FDOT shall:
   - Avoid impacts to wetlands by minimizing the shoulder width and median west of the North Fork of the St. Lucie River.
   - Remove the gap between the bridge spans.
   - Avoid high quality wetlands in the siting of storm water features.

3. FHWA and FDOT shall provide a complete plan for compensatory mitigation that provides full, in-kind compensation for unavoidable adverse impacts to wetlands and EFH including:
   - EWRAP scores for unavoidable direct and indirect impacts to mangrove wetlands.
   - The EWRAP proximity worksheet for BPMB.
   - Detailed construction plans for the Platt's Creek site.
   - Detailed planting plans for the Platt's Creek site.
   - A long-term maintenance and monitoring plan for the Platt's Creek site.
   - Financial assurance documentation that demonstrates that long-term stewardship of the Platt's Creek site is achievable.
   - Conservation easement documentation for the Platt's Creek site.

Section 305(b)(4)(B) of the Magnuson-Stevens Act and its implementing regulation at 50 CFR Section 600.920(k) require your office to provide a written response to this letter within 30 days of its receipt. If it is not possible to provide a substantive response within 30 days, an interim response should be provided to NMFS. A detailed response then must be provided prior to final approval of the action. Your detailed response must include a description of measures proposed by your agency to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH Conservation Recommendation, you must provide a substantive discussion justifying the reasons for not following the recommendation.

Endangered Species Biological Assessment
The draft ESBA states that consultation under section 7 of the ESA is being requested for opossum pipefish (*Microphis brachyurus*) and mangrove rivulus (*Rivulus marmoratus*). These two species are not

listed under the ESA, but are species of concern. Species of concern are those species about which NMFS has some concerns regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the ESA. NMFS wishes to draw proactive attention and conservation action to these species. "Species of concern" status does not carry any procedural or substantive protections under the ESA. Therefore, consultation under section 7 is not required. These two species should be considered in the ESBA, but consultation cannot be initiated.

In the draft ESBA, FDOT concludes that the project may affect, but would not adversely affect, the threatened smalltooth sawfish (*Pristis pectinata*) or its designated critical habitat. At this stage an alternative has not been selected and therefore, it is not clear what the impacts would be to smalltooth sawfish and other species listed under ESA. Specifically, the exact acreages of open water and mangrove habitat impacted must be determined prior to initiating section 7 consultation for smalltooth sawfish. In addition, details on construction methodology must be known to appropriately determine potential effects to listed species. Once an alternative and a construction methodology have been selected, it is recommended that the ESBA be modified to include the appropriate species, project design, and anticipated impacts. Once that has occurred, FHWS and FDOT can request consultation with NMFS.

Closing

We appreciate the opportunity to provide these comments and the early coordination with FDOT and FHWA. We look forward to working closely with your office as a cooperating agency. Please direct subsequent correspondence on this project to Mr. Brandon Howard. He may be reached by telephone at (561) 616-8880 extension 210, by email at Brandon.Howard@noaa.gov or at US Environmental Protection Agency, 400 N Congress Avenue, Suite 120, West Palm Beach, Florida 33401.

Sincerely,

Paul Willer

/ for

Virginia M. Fay
Assistant Regional Admin. (acting)
Habitat Conservation Division

cc:

FDOT, Beatriz.Caicedo@dot.state.fl.us, Ann.Broadwell@dot.state.fl.us
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

September 30, 2011

Mr. Martin C. Knopp
Division Administrator
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, FL 32303

Subject: Crosstown Parkway Extension, St. Lucie County, Draft Environmental Impact Statement (DEIS)
Federal Aid Project No. 7777-087-A
Financial Project Number: 410844-1-A8-1
FHWA-FL-EIS-2010-XXD

Dear Mr. Knopp:

Thank you for your interagency coordination efforts on this proposed project. Pursuant to Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act (NEPA), EPA Region 4 has evaluated the consequences of the Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT) proposal to Extend the Crosstown Parkway form Manth Lane on the west, across the North Fork St. Lucie River to U.S. 1 on the east a distance of approximately 2 miles, in the City of Port St. Lucie, Florida (St. Lucie County).

Alternatives under consideration include No Build Alternative, transportation system management alternatives, and multiple build alternatives that provide a river crossing on a new alignment.

Enclosed are comments on the DEIS. Based on our review of the DEIS, the USEPA assigned a rating of "EC-2" to the document. Substantial impacts on natural resources seem to exist, specifically, wetlands and listed species. Impacts should continue to be addressed based on full compensatory mitigation plan. Other significant impacts include community cohesion social impacts. The USEPA believes that alternatives 6A and 6B are the environmentally preferable alternatives. The USEPA commends FDOT's public involvement efforts, and looks forward to continue to work with FDOT and other stakeholders to complete the process.

Thank you for the opportunity to comment on the DEIS. If you have questions on our comments or need further assistance, please do not hesitate to contact Maher Budeir at (404) 562-9514 or budeir.maher@epa.gov.

Sincerely,

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Enclosure 1: Comments on Crosstown parkway Extention DEIS.

cc: Beatriz Caicedo-Maddison, P.E., FDOT, District 4
Ron Miedema, USEPA, South Florida Office.

Comments on the Crosstown Parkway Extension DEIS

1.4.2.1.5 Cost Estimates (All Build Alternatives) (pg 1.17) Mitigation costs of 8.2 million for each alternative is misleading. Total wetland functional losses range from 7.02 to 11.08 acres (Table 1.1) between the six alternatives. Therefore, wetland mitigation costs to offset each of the alternatives should be different. Please explain why mitigation costs are the same when functional losses are different.

3.2.2.2.4.1 Bridge Typical Section (pg 3.25) The DEIS states, "A proposed 10-foot 11-inch gap between the two structures is required to allow inspection of the upper deck and superstructure by the FDOT using a truck mounted mechanical arm platform." In order to avoid additional shading and wetland impacts, USEPA requests that the gap between the two structures be reduced the most extend practicable. The USEPA requests FDOT incorporate BMPs and investigate new technology that may be available for bridge inspection which would reduce the gap distance between the structures.

3.2.2.2.4.1 Bridge Typical Section (pg 3.25) The DEIS states, "One of the sidewalks may be eliminated to further reduce bridge width and shading effects." The USEPA concurs that one sidewalk should be eliminated to reduce environmental impacts.

3.2.3.6 Tunnel Alternative (pg 3.55) Please change EPA to USEPA in this section in order to be consistent with the USEPA acronym used throughout the document.

5.1.1.5.1 Residential Relocation and Displacement Impacts (pgs 5.24 to 5.28) The DEIS uses the review of the U.S. Census tract data for residential displacement proposes. Please identify the U.S. Census tract data year being used in the DEIS or update with the new 2010 U.S. Census Bureau data in the FEIS.

7.2.1 Natural Environment (pg 7.4) The DEIS states, "If a build alternative is selected, further minimization may include, but not limited to, design changes and adjustments in the alignment. Other minimization strategies include:" Please add to list of strategies that one of the sidewalks may be eliminated to further reduce bridge width and shading effects. In addition, the USEPA believes further minimization efforts can be accomplished by removing or reducing the size of the inside shoulder on the bridge structures.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

September 19, 2011

Beatriz Caicedo-Maddison
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Service Federal Activity Code: 41420-2006-CPA-1400
Service Consultation Code: 41420-2006-TA-1031
Date Received: December 13, 2010
Project: Crosstown Parkway Extension from Manth Lane to U.S. Highway 1
County: St. Lucie

Dear Ms. Caicedo-Maddison:

The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated August 15, 2011, and the draft Environmental Impact Statement for (DEIS) for the project referenced above. The DEIS was prepared by the Federal Highway Administration (FHWA) in cooperation with the Florida Department of Transportation (FDOT). We offer the following comments.

PROJECT DESCRIPTION

The FDOT proposes to extend the existing Crosstown Parkway from its eastern terminus at Manth Lane to U.S. Highway 1 in Port St. Lucie, Florida. The new roadway segment would consist of a six-lane highway with a bridge over the North Fork of the St. Lucie River (NFSLR). Six construction site alternatives have been proposed for the project as shown in Figure 1. Other alternatives being considered for the project include Transportation System Management whereby operational techniques and intersection improvements are used to address traffic congestion, the multi-modal alternative (i.e., the use of travel modes other than private automobiles), and the "no build" alternative. A preferred alternative has not yet been identified. The purpose of the project is to provide additional vehicle capacity to meet current and projected traffic needs. Each of the proposed construction alternatives, except alternative 6A, will require use of public conservation lands (as defined by Section 4(f) of the Department of Transportation Act of 1966) located in the State of Florida's NFSLR Aquatic Preserve (AP) and the Savannas Preserve State Park (SPSP). The project site is located in Saint Lucie County, Florida.

Compensatory mitigation is being proposed for the loss of State-owned conservation lands and direct and indirect impacts to wetlands, including the loss of mangrove (*Rhizophora mangle*) wetlands. The mitigation proposal, listed in a Memorandum of Understanding (MOU) currently

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being developed by the Florida Department of Environmental Protection and the city of Port St. Lucie, consists of the following:

1. Improvement of water quality within the NFSLR AP through restoration projects proposed at Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail. Restoration activities would include dredging shoals or berms, and widening or deepening portions of the waterway. These projects would improve approximately 22.16 acres of open water and reconnect about 28.05 acres of wetlands to flows from the NFSLR.

2. Acquisition of 110 acres of currently unprotected lands adjacent to the NFSLR. All acquired lands would be enhanced by the removal of invasive exotic vegetation and ownership would be transferred to the State for inclusion within the NFSLR AP.

3. Enhancements to the SPSP including the construction of a 2.5-mile multiuse trail within the park from Savannah Road to Midway Road, improvements to the Halpatiokee Canoe Access Trail, and improvements to the existing Education Center.

4. Acquisition of 41 acres of wetland mitigation at city of Port St. Lucie's proposed 82-acre Platt's Creek Mitigation Site (PCMS), Permittee-Responsible Offsite Mitigation Area (PROMA).

5. Purchase of an adequate number of credits from the Bear Point Mitigation Bank to offset the loss of 0.29 acre of mangrove wetlands.

FISH AND WILDLIFE RESOURCES

All of the six proposed construction alternative corridors would cross the NFSLR AP. The 2,972-acre NFSLR AP was established by the State of Florida in 1972. In addition, all of the proposed alternatives, except Alternative 6A, will directly impact the 1,071-acre parcel of SPSP located west of U.S. Highway 1 along the NFSLR (formerly known as the NFSLR Buffer Preserve). The SPSP was established by the State of Florida in 1994. These public lands were purchased to protect the valuable natural ecosystem of the NFSLR for the benefit of all the citizens of the state. The NFSLR AP and the SPSP represent one of the few remaining expanses of natural habitat within a highly urbanized region. These lands provide important habitat for a variety of fish and wildlife species including American alligators, West Indian manatees, river otters, wood storks, little blue herons, brown pelicans, neotropical migrant birds, snook, and the opossum pipefish. The NFSLR AP also offers a variety of recreational opportunities to the public including fishing, boating, hiking, bird watching, and wildlife observation. The Service finds that implementation of any of the six proposed construction alternatives will result in the loss and degradation of valuable upland and wetland habitats, and degrade the recreational and aesthetic experience of visitors to the NFSLR AP.

As indicated on page 1.29 of the DEIS, the Service has objected to all the proposed construction alternatives (*i.e.*, 2A, 2D, 1C, 1F, and 6B), except for alternative 6A, through the FDOT's

Efficient Transportation Decision Making (ETDM) Process - Dispute Resolution process. Based on the information provided in the DEIS, the Service maintains our ETDM "dispute" designations for alternatives 2A, 2D, 1C, 1F, and 6B. The Service believes that it is inappropriate to construct a new transportation facility within protected conservation lands, and such an action is contrary to the reason that the lands were originally acquired. Use of conservation lands for a transportation facility would also be contrary to the Service's goal of maintaining adequate habitat for fish and wildlife in the region. We recommend that the FHWA eliminate alternatives 2A, 2D, 1C, 1F, and 6B from further consideration as the project's preferred alternative.

In the remainder of this letter, the Service reiterates our comments on the DEIS provided in our letter to the FDOT dated February 16, 2011.

According to Table 1.1 in the DEIS, direct impacts to wetlands from the six construction alternatives range from 7.97 acres for Alternative 6B to 10.86 acres for Alternative 1C. In addition, direct impacts to uplands range from 0.16 acre for Alternative 6A to 7.82 acres for Alternatives 2A and 2D. When considering impacts to both wetlands and uplands combined, it appears that Alternative 6A results in the least direct loss of wildlife habitat (8.44 acres) and Alternatives 2A and 2D each result in the greatest direct loss of wildlife habitat (15.96 acres). Page 7.4 of the DEIS discusses various strategies that can be implemented to minimize the impacts of the project if a construction alternative is selected. In the event a construction alternative is selected, the Service recommends that one of the proposed sidewalks be eliminated from project design and the width of the inside bridge shoulders be reduced to further minimize shading effects of the bridge.

As indicated in the September 2010 Pond Siting Report (PSR) included with the DEIS, each of the construction alternatives will require the construction of storm water treatment ponds. Approximately 100 potential locations were identified in the PSR. Page 37 of the PSR indicates that some of these sites occur within public conservation lands and some of the sites may affect wetlands. The final sites for each of the six construction alternatives have not yet been determined. The PSR indicates that site selection will take place once the final alternative is selected. In order to completely determine the impacts of each proposed construction alternative, the Service requests that more detailed information on the proposed pond sites be provided with respect to the location of each pond site relative to public conservation lands and the impacts of each pond site to wildlife habitat (*i.e.*, the acreages of wetlands and uplands impacted).

The Service notes that the corridor analysis technical document provided in the DEIS concluded that the widening of existing bridges north and south of the study area was insufficient to meet the project purpose. As pointed out by the National Marine Fisheries Service in its letter to the FDOT dated January 12, 2011, previous traffic studies considered the addition of two new lanes to the existing bridges. We concur with NMFS recommendation that an alternative be analyzed that includes the addition a greater number of lanes to existing bridges than was originally considered. If feasible, the construction of a new bridge may not be necessary.

As discussed in the project description, mitigation has been proposed to compensate for impacts to public conservation lands and wetlands due to the project if a construction alternative is selected. The DEIS states that mitigation details will be refined throughout the EIS process with the resource and regulatory agencies. Based on the information provided, the Service does not have enough information to determine if the proposed mitigation is adequate to compensate for impacts to public conservation lands, wetlands, and wildlife habitat resulting from the selection of any of the construction alternatives. If a construction alternative is chosen as the preferred alternative for the project, we request that a detailed mitigation plan be prepared for inclusion in the final EIS for our review and comment. The mitigation plan should include the following:

1. A complete description of the existing conditions at the mitigation site(s);

2. Restoration and creation plans for wetlands (include planting plans if appropriate, and a specific discussion of how restoration at the Evans Creek, Site 5 West, Riverplace Upstream, and Otter Trail sites will improve water quality);

3. Monitoring plans, success criteria, and proposed corrective actions, if needed;

4. A discussion of how the mitigation sites will be protected in perpetuity (*e.g.*, conservation easement placed on site);

5. A description of: (1) how the mitigation sites will be managed and maintained in perpetuity, (2) how nuisance and exotic plant species will be controlled, and (3) how the City of Port St. Lucie and the FDOT will provide for the long-term management and maintenance of the 110 acres of currently unprotected lands proposed to be acquired once they are transferred to the State of Florida (to provide for the long-term management of these lands we recommend that an endowment fund be established); and

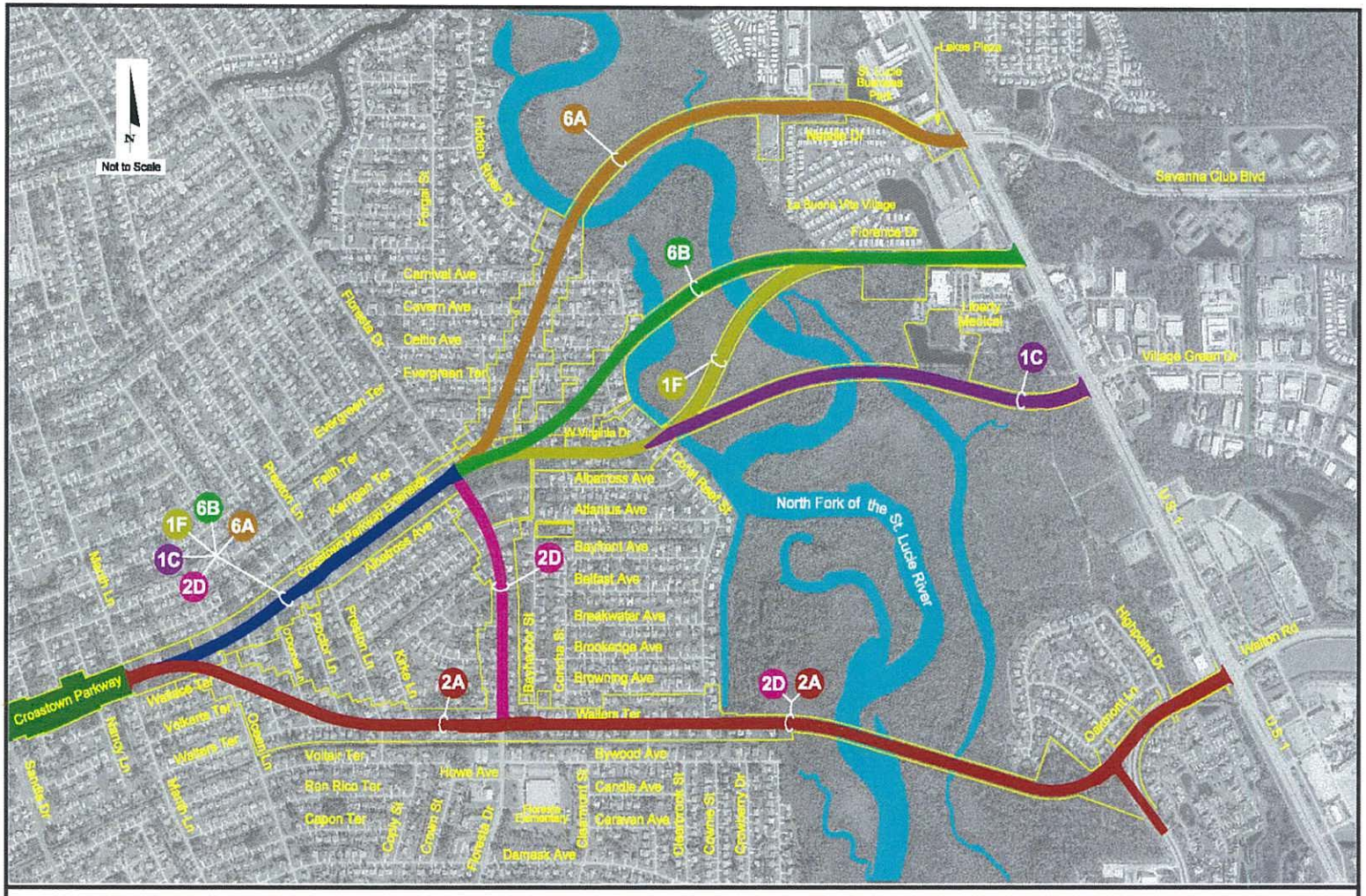
6. A description of the entity financially responsible for the mitigation.

Thank you for the opportunity to comment and for your cooperation in the effort to protect fish and wildlife resources. If you have any questions on this project, please contact John Wrublik at 772-469-4282.

Sincerely yours,

Donald R. Progulske
Acting Field Supervisor
South Florida Ecological Services Office

cc: electronic copy only
Corps, West Palm Beach, Florida (Garrett Lips)
EPA, West Palm Beach, Florida (Ron Miedema)
FWC, Tallahassee, Florida (Mary Ann Poole)
NOAA Fisheries Service, West Palm Beach, Florida (Brandon Howard)



FM No. 410844-1-A8-01
FP No. 7777-087-A
ETDM No. 8247

Crosstown Parkway Extension PD&E Study and Environmental Impact Statement

Build Alternatives

Figure 1.3

Figure 1. Depiction of the 6 proposed build alternatives.

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September 9, 2011

Ms. Lauren P. Milligan
Department of Environmental Protection
Florida State Clearinghouse
3900 Commonwealth Boulevard, M.S. 47
Tallahassee, FL 32399-3000
Lauren.Milligan@dep.state.fl.us

RE: SAI #FL201108175920C, Crosstown Parkway Extension from Manth Lane to U.S. 1, City of Port St. Lucie, St. Lucie County, Draft Environmental Impact Statement

Dear Ms. Milligan:

The Division of Habitat and Species Conservation, Conservation Planning Services Section, of the Florida Fish and Wildlife Conservation Commission (FWC) has coordinated an agency review of the Draft Environmental Impact Statement for the above-referenced project. We provided comments on this document in a letter to the Florida Department of Transportation, dated July 12, 2011(enclosed), and these comments remain applicable.

Sincerely,

Joseph Walsh, Ph.D.
Assistant Section Leader
Conservation Planning Services Section

jw/bb
ENV 1-3-2
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Enclosure

FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
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Sally Mann
Florida Department of Environmental Protection
3900 Commonwealth Boulevard/MS #47
Tallahassee, Florida 32399

August 29, 2011

DHR No.: 2011-3741 (x-ref: 2010-1828)/Received by DHR: August 25, 2011
SAI No.: FL201108175929C
Financial Project ID No.: 410844-1-A8-1-01
Project: *Draft Environmental Impact Statement (DEIS): Crosstown Parkway Extension from Manth Lane to US 1*
County: St. Lucie

Dear Ms. Mann:

Our office received and reviewed the referenced draft environmental impact statement in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and implementing regulations 36 C.F.R. Part 800 for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP).

This office reviewed the sections of the DEIS dealing with historic, archaeological, and historic architectural resources and it is the opinion of this office that these resources have been adequately addressed.

If there are any questions concerning our comments or recommendations, please contact Ginny Jones, Architectural Historian, by phone at 850.245.6333, or by electronic mail at *ginny.jones@dos.myflorida.com.*

Sincerely,

Laura A. Kammerer

Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

Florida Fish and Wildlife Conservation Commission

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July 12, 2011

Ms. Beatriz Caicedo-Maddison, P.E.
FDOT District 4
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

Re: ETDM #8247, Crosstown Parkway Extension from Manth Lane to U.S. 1, St. Lucie County, Draft Environmental Impact Statement – Supplemental Comments

Dear Ms. Caicedo-Maddison:

The Division of Habitat and Species Conservation, Habitat Conservation Scientific Services Section, of the Florida Fish and Wildlife Conservation Commission has coordinated an agency review of the Draft Environmental Impact Statement (DEIS) and technical supporting documents for the above-referenced project. In our January 11, 2011 letter to you regarding the completeness of the DEIS, we anticipated providing subsequent comments on the specifics of this project, and thus we offer the following.

The proposed project would extend the existing Crosstown Parkway from Manth Lane on the west, across the North Fork St. Lucie River (NFSLR) to U.S. 1 on the east, a distance of approximately 2 miles. The road would be designed as a 6-lane divided highway and bridge serving multimodal transportation alternatives, including automobile, bicycle, pedestrian, and public transit. The bulk of the DEIS is devoted to an analysis of six build alternatives (designated 2A, 2D, 1C, 1F, 6A, and 6B) and the No Build Alternative. The build alternatives are illustrated in Figure 1.

As we have previously stated, we found the DEIS to be extremely thorough in coverage of potential project impacts to fish and wildlife resources, including direct and indirect effects on upland and wetland habitat, listed species, water quality, public conservation lands, and noise and light pollution. The proposed mitigation plans would be utilized regardless of which build alternative is selected. For potential impacts to public conservation lands within the NFSLR Aquatic Preserve and the Savannas Preserve State Park (SPSP), the proprietary mitigation plan includes acquisition of 110 acres of private land adjacent to the NFSLR for inclusion in the SPSP, completion of four NFSLR oxbow hydrologic restoration projects, and construction or improvements to trails and educational facilities within the SPSP. For potential direct and temporary impacts to as much as 10.87 acres of wetlands, depending upon which build alternative is selected, the wetland mitigation plan includes acquisition of 41 acres of mitigation credits at the City of Port St. Lucie's proposed 82-acre Platt's Creek Mitigation Site, and purchase of credits at the Bear Point Mitigation Bank to offset impacts to 0.29 acres of mangroves.

The DEIS ranked the potential for occurrence in the project area for 43 species listed by the Federal Endangered Species Act and the State of Florida as Federally Endangered, Federally Threatened, State-Threatened, or State Species of Special Concern; and by the Bald and Golden Eagle Protection Act. Fourteen species were given a high potential for occurrence, seven species were ranked as moderate, and the remainder were ranked as low. We agree with the assessment. Potential impacts to listed species are proposed to be mitigated by wetland habitat creation at the Platt's Creek Mitigation Site, acquisition

and protection of 110 acres of unprotected habitat along the NFSLR, and avoidance of incidental take via the following project commitments: (1) perform pre-construction surveys for protected species, with specific surveys for mangrove rivulus, bald eagle nests, gopher tortoise, gopher frog, and Florida pine snake; (2) obtain the appropriate permits from regulatory agencies for any listed species that would be directly impacted by project construction; (3) follow the National Marine Fisheries Service "Sea Turtle and Smalltooth Sawfish Construction Conditions"; (4) follow the U.S. Fish and Wildlife Service "Standard Protection Measures for the Eastern Indigo Snake"; and (5) enforce the "Standard Manatee Protection Measures" during bridge construction. We support these commitments, and recommend early coordination with our agency on manatees (please contact Ms. Mary Duncan of our Imperiled Species Management Section in Tallahassee at 850-922-4330) and gopher tortoises (please contact Ms. Chance Cowan of our Species Conservation Planning Section in West Palm Beach at 561-625-5122), since permits or permit conditions for these species will be required.

The DEIS allows an easy comparison of the six build alternatives with regard to their potential impact on fish and wildlife habitat. The direct and temporary wetland impacts for Alternatives 2A, 2D, 6A, and 6B are similar, varying from 7.97 to 8.28 acres, while Alternatives 1C and 1F would impact 10.77 acres and 9.51 acres of wetlands, respectively. More significant differences among the alternatives occur in their potential impact on upland habitat. Undeveloped pine flatwoods and live oak hammocks, mostly within the SPSP, would be lost to road and bridge construction. Because protected native upland habitats within this highly developed corridor are becoming very scarce, we believe these areas are as valuable to wildlife as the more regulated wetland habitats. The direct and temporary impacts to pine flatwoods and live oak hammock for the six build alternatives are: 7.87 acres for Alternatives 2A and 2D, 6.54 acres for Alternative 1C, 2.69 acres for Alternative 1F, 1.45 acres for Alternative 6B, and no impact for Alternative 6A. Totaling the direct and temporary impacts to wetlands, pine flatwoods, and live oak hammocks for each build alternative results in a ranking from least to greatest impact on fish and wildlife habitat, as follows: Alternative 6A (8.28 acres), Alternative 6B (9.42 acres), Alternative 1F (12.20 acres), Alternatives 2A and 2D (15.96 acres), and Alternative 1C (17.41 acres). A current additional advantage for Alternative 6A is that it is the only alignment that does not cross the SPSP. However, the City of Port St. Lucie is moving to acquire the Wynne property as part of the 110 acres of conservation land acquisition, so it is likely that Alternative 6A would also cross this addition to the SPSP.

If one of the build alternatives is selected, all vegetative communities beneath this wide, relatively low bridge would be lost due to shading. Researchers in North Carolina (Broome et al. 2005) found that bridge height/width ratios less than 0.7 negatively affected marsh composition, function, and productivity, including benthic invertebrates. At a ratio less than 0.5, the effect was very strong. The Crosstown Expressway Bridge would have height/width ratios from 0.03 to 0.14, so the floodplain beneath the bridge would be mostly bare ground. Any reduction in bridge width will save habitat; therefore, we recommend that consideration be given to narrowing the bridge width to reduce shading effects on the NFSLR floodplain. Elimination of dual sidewalks is one possible measure.

We also recommend that mitigation in the Platt's Creek Mitigation Site include creation of both forested and herbaceous wetlands. Please include our agency in the planning

process for this mitigation. We encourage you to continue consulting Mr. Jeff Beal, of our Aquatic Habitat Restoration/Enhancement Section, regarding the restoration of oxbows in the NFSLR. Mr. Beal has been involved in NFSLR restoration projects since 1999, and is a co-author of *Hydrological Restoration of the North Fork St. Lucie River and Ten Mile Creek, 2011 Needs Update.*

Thank you for the opportunity to review the DEIS for the Crosstown Parkway Extension project. Please contact Brian Barnett at (850) 528-6316 or email brian_barnett@urscorp.com for further overall coordination on this project.

Sincerely,

Scott Sanders
Habitat & Species Conservation Section Leader

ss/bb
ENV 1-3-2-
Crosstown Parkway Extension_3013_071211
Enclosure

Reference Cited

Broome, S.W., C.B. Craft, S.D. Strunk, and M. SanClements. Effects of Shading from Bridges on Estuarine Wetlands. June 2005. Final Rept. No. FHWA/NC/2003-07, U.S. Dept. of Trans. Research and Special Programs Administration.

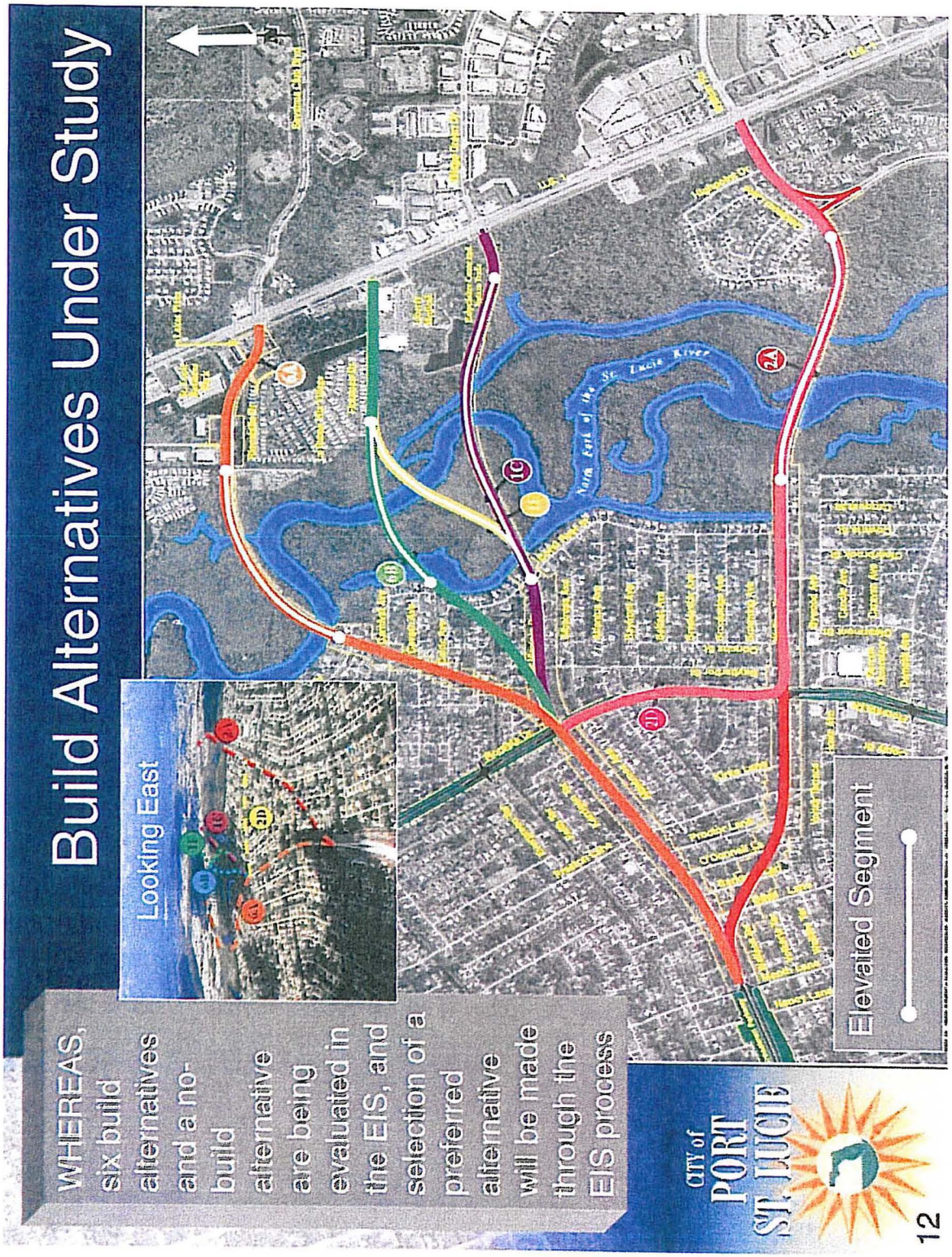

Figure 1. Build alternatives for the Crosstown Parkway Bridge over the North Fork St. Lucie River.

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JUN 10 2011
ENGINEERING

C11-05-1606

MITIGATION BANK CREDIT RESERVATION AGREEMENT

THIS AGREEMENT made and entered into this 3 day of May, 2011, by and between **ST. LUCIE COUNTY,** a political subdivision of the State of Florida, ("COUNTY"), whose address is 2300 Virginia Avenue, Fort Pierce, Florida, 34982, and **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, ("CITY"), whose address is 121 S.W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984-5099.

WITNESSETH

WHEREAS, COUNTY owns and operates the 317-acre Bear Point Mitigation Bank, ("Bear Point") located in St. Lucie County Mosquito Control District Impoundment 1, south of the Ft. Pierce Inlet, in Sections 12 and 13, Township 35 South, Range 40 East, St. Lucie County; and,

WHEREAS, the mitigation service area for Bear Point includes a contiguous mangrove-dominated estuarine ecosystem in the Indian River Lagoon and the St. Lucie River Lagoon and the St. Lucie River, from the Brevard/Indian River County line to the St. Lucie Inlet in Martin County; and,

WHEREAS, CITY is working to permit a new bridge crossing of the North Fork of the St. Lucie River for the Crosstown Parkway roadway project ("Project"), which will serve to extend the Crosstown Parkway from Manth Lane to U.S. Highway 1; and,

WHEREAS, the permitting process for the new bridge falls under the National Environmental Policy Act ("NEPA") which requires the development of an Environmental Impact Statement ("EIS"). The draft EIS has identified six (6) build alternative corridors and a no-build alternative. The selection of a no-build or a specific build-alternative roadway alignment has yet to be determined through the permitting process; and.

WHEREAS, in a parallel effort for the Project, CITY is currently pursuing a Conceptual Environmental Resource Permit ("CERP") from the South Florida Water Management District in the event that a build alternative emerges from the NEPA permitting process. The CERP requires mitigation of impacts to mangroves within the North St. Lucie River Drainage Basin. This mitigation can be through the purchase of mitigation credits from Bear Point under Section 373.413 of the Florida Statues; and,

WHEREAS, CITY and its consultants, together with staff from the permitting agencies, have determined that five tenths (0.50) of a Federal/State Dual Mitigation Credit is the maximum credit needed to mitigate for unavoidable mangrove impacts; and,

WHEREAS, CITY desires to reserve the right to purchase from COUNTY five tenths (0.5) of a Federal/State Dual Mitigation Credit ("Reserved Credit") in order to complete the CERP; and,

WHEREAS, COUNTY is willing to agree to CITY'S request and set aside for future purchase and transfer the Reserved Credit for CITY, which may be transferred or allocated by CITY for a different project if the Project is not permitted.

NOW, THEREFORE, in consideration of the foregoing premises, payment to COUNTY of deposit monies as hereinafter described, the mutual promises and covenants of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, COUNTY and CITY intending to legally bind the respective entities and successors and assigns, hereby covenant and mutual promises contained herein, the parties agree as follows:

1. **Recitations.** The foregoing recitations are true and correct and are incorporated herein by reference.

2. **Credit Reservation**. COUNTY agrees to reserve five tenths (0.5) Federal/State Dual Credits for the Project as set forth in this Agreement as set forth in the Reserved Credit Allocation attached hereto and incorporated herein as Exhibit "A."

3. **Reservation Period.** The term of this reservation shall begin on the date first written above and shall continue for a period of three (3) years from the date of this Agreement, subject to annual extension based upon the prior written agreement of the parties.

4. **Reservation Fee and Reserved Credit Purchase Price**. In consideration of such reservation, the parties acknowledge that CITY has paid COUNTY a non-refundable reservation fee ("Reservation Fee") in the total amount of SIXTEEN THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS ($16,250.00) based upon twenty-five percent (25%) of the current price of the Reserved Credit upon the date of this Agreement as set forth in the Reserved Credit Allocation and Bear Point has provided CITY with a receipt for such payment.

5. **Notice of Credit Reservation**. It shall be the responsibility of CITY to provide the regulatory agencies with a copy of the receipt or other acceptable proof indicating reservation of the Credits.

6. **CITY'S Exercise of Right to Purchase Reserved Credit.** In the event the permits for the Property are issued, the parties shall enter into a Mitigation Bank Credit Purchase Agreement for the required number of Credits. The amount of the Reservation Fee shall be credited against the Credit purchase price. The parties agree that the Reserved Credit will be available for use by CITY in connection with mitigating the anticipated mangrove impacts that may arise because of the construction of the CITY'S proposed Project. However, if the Project is not permitted, then the parties agree that CITY retains the right, under the same terms and conditions set forth herein, to purchase the Reserved Credit for mitigation of any other CITY project that can be mitigated through Bear Point under Section 371.413 of the Florida Statues or, at the CITY's discretion, sell to another qualifying entity.

7. **Disputes.** Any disputes relating to interpretation of the terms of this Agreement or a question of fact or arising under this Agreement shall be resolved through good faith efforts upon the part of CITY and COUNTY. Prior to initiating any litigation concerning this Agreement, the parties agree to submit the disputed issue or issues to a mediator for non-binding mediation. The parties shall agree on a mediator chosen from a list of certified mediators available from the Clerk of Court for St. Lucie County. The mediator's fee shall be shared equally by the parties. To the extent allowed by law, the mediation process shall be confidential and the results of the mediation or any testimony or argument introduced at the mediation shall not be admissible as evidence in any subsequent proceeding concerning the disputed issue. In the

event it is necessary for either party to initiate legal action regarding this Agreement, venue shall be in the Nineteenth Judicial Circuit for St. Lucie County, Florida, for claims under state law and the Southern District of Florida for any claims, which are justifiable in federal court.

8. **Amendment** This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior verbal or written agreements between the parties with respect thereto. This Agreement may only be amended by written document, properly authorized, executed and delivered by both parties hereto. This Agreement shall be interpreted as a whole unit. All interpretations shall be governed by the laws of the State of Florida.

9. **Notices.**

COUNTY:	County Administration Annex 2300 Virginia Avenue Fort Pierce, FL 34982 Attn: County Attorney	County Administration Annex 2300 Virginia Avenue Fort Pierce, FL 34982 Attn: County Administrator
CITY	City of Port St Lucie 121 SW Port St Lucie Boulevard Port St Lucie, FL 34984 Attn: City Attorney	City of Port St Lucie 121 SW Port St Lucie Boulevard Port St Lucie, FL 34984 Attn: City Manager

[*THE REMAINER OF THIS PAGE IS INTENTIONALLY LEFT BLANK*]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on behalf of the respective entities, their successors and assigns, on the day first above written.

ATTEST:

DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY:

CHAIRMAN

APPROVED AS TO FORM AND CORRECTNESS:

COUNTY ATTORNEY

ATTEST:

CITY CLERK

CITY OF PORT ST. LUCIE,
A Florida Municipal Corporation

BY:

MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

CITY ATTORNEY

s:\atty\agreemnt\contract\bearpt.psl.res.doc

EXHIBIT "A"

RESERVED CREDIT ALLOCATION

Federal/State Dual Credits	Reservation Price	Total Price
0.5	$16,250.00	$65,000.00

Harry Fulwood

From: Darayl.Tompkins@uscg.mil on behalf of Tompkins, Darayl [Darayl.Tompkins@uscg.mil]
Sent: Tuesday, March 15, 2011 10:43 AM
To: Harry Fulwood; John P. Krane
Subject: Crosstown Parkway Extension

Dear Sir:
I have received and reviewed the DEIS for the Crosstown Parkway Extension in Port St. Lucie. The Navigation section relating to the Coast Guard as a cooperating agency reads well at this time, if any questions or concerns surface I will be sure to contact you. Everything looks sufficient as of now. Thank you.

Darayl Tompkins
Federal Permit Agent
Commander (dpb)
U. S. Coast Guard
Bridge Branch
909 SE 1st Ave. Ste 432
Miami, FL 33131
305-415-6766

--
STOP Virus, STOP SPAM, SAVE Bandwidth!
http://www.safentrix.com/adlink?cid=
--

Thank you Richard. It is done. I have tried to do this before based on your earlier message but was not able to.

Maher Budeir,
US EPA, Region 4
Phone 404-562-9514

From: "Young, Richard" <Richard.Young@dot.state.fl.us>

To: Maher Budeir/R4/USEPA/US@EPA

Cc: "Caicedo, Beatriz" <Beatriz.Caicedo@dot.state.fl.us>, Barry Ehrlich <Behrlich@keithandschnars.com>, Harry Fulwood <Hfulwood@keithandschnars.com>, "John P. Krane" <jkrane@keithandschnars.com>, Ron Miedema/R4/USEPA/US@EPA, "Davis, Shandra" <Shandra.Davis@dot.state.fl.us>

Date: 10/28/2010 09:52 AM

Subject: RE: Crosstown Parkway Extension DEIS ETDM # 8247

Maher,

The cooperating agency is indicated by checking the box on the review purpose and need page. (see attached screen capture) I have opened a review period for you until next Tuesday at midnight. Let me know if you need help or more time.

Thanks,

Richard

Richard A. Young, P.E.
District Project Development Engineer
FDOT District 4
richard.young@dot.state.fl.us
(954) 777-4323 Fax (954) 777-4310

-----Original Message-----
From: Budeir.Maher@epamail.epa.gov [mailto:Budeir.Maher@epamail.epa.gov]

Sent: Wednesday, October 27, 2010 10:52 AM
To: Miedema.Ron@epamail.epa.gov
Cc: John P. Krane
Subject: Re: Crosstown Parkway Extension DEIS

Thanks Ron,

Yes, EPA is a cooperating agency. I have not been able to find where to indicate that on the system. I will call Richard and see if he can help. Let me know when you receive the document, in case you get it before we do.

Maher Budeir, US EPA, Region 4
Phone 404-562-9514

From: Ron Miedema/R4/USEPA/US

To: "John P. Krane" <jkrane@keithandschnars.com>, Maher Budeir/R4/USEPA/US@EPA

Date: 10/25/2010 09:26 AM

Subject: Re: Crosstown Parkway Extension DEIS

Maher, At the last Crosstown Parkway meeting (Oct 21) Richard Young with Florida DOT wanted to know if EPA was a cooperating agency for the DEIS? I told him I would try to contact you to find out the answer.
Richard also mentioned he has tried to contact you but has had luck.
Are you still the EPA NEPA coordinator for this project? The DEIS will be on the street very soon. Ron Miedema EPA South Florida Office

--

>>> Fort Lauderdale, Florida 33309-2132
>>>
>>> Phone: (954) 776-1616
>>> Toll Free: (800) 488-1255
>>> Mobile: (954) 649-3061
>>> Fax: (954) 771-7690
>>> E-Mail: jkrane@keithandschnars.com
>>>
>>>
>>>>> "Lampley, Paul"<Paul.Lampley@dot.state.fl.us> 5/1/2008 8:42 AM>>>
>>> Bobbie: One correction to the e-mail below I spoke to NMFS and they will
>>> be a cooperating agency. USFWS had already agreed to be cooperating.
>>> Thanks, Paul
>>>
>>> Paul A. Lampley, P.E.
>>> FDOT District Four, Project Development Engineer 3400 W. Commercial
>>> Blvd.
>>> Ft. Lauderdale , Fl 33309
>>> 954-777-4345, paul.lampley@dot.state.fl.us
>>>
>>> From: Lampley, Paul
>>> Sent: Thursday, May 01, 2008 8:21 AM
>>> To: 'Bobbie Richards'
>>> Cc: Patricia Roebling; Walter England; OReilly, Gerry; Schmidt, Gus;
>>> Caicedo, Beatriz
>>> Subject: RE: Scheduling of Scoping Meeting& Public Information
>>> Meeting
>>>
>>> Bobbie: I spoke to George Hadley and July 10th looks like a good date if
>>> all the required work gets done by the City. Please go ahead and put
>>> it on the calendars for the working group and the cooperating agencies.
>>> There should be three separate meetings as previously discussed. I
>>> spoke to USFWS and EPA and both will be cooperating agencies.
>>> Beatriz and I provided mark-ups and comments to K&S on Monday for
>>> the Notice of Intent and schedule. We are waiting on the
>>> corrections and the first draft of the Advanced Notification
>>> package. Beatriz spoke with USFWS and John was not inclined to
>>> reduce the red flags since there have been no major changes (ie.
>>> original corridors have not been eliminated or substantially modified). He
did say we could send him a letter and he
>>> would take it up with his supervisors. Thanks, Paul
>>>
>>> Paul A. Lampley, P.E.
>>> FDOT District Four, Project Development Engineer 3400 W. Commercial
>>> Blvd.
>>> Ft. Lauderdale , Fl 33309
>>> 954-777-4345, paul.lampley@dot.state.fl.us

Hi Richard.

I checked the box in the EST.

Brandon

On 10/8/2010 9:19 AM, Young, Richard wrote:
> Good morning,
>
> I have requested that Brandon Howard of NMFS update his cooperating agency role in the EST on project 8247, but he seems to be having some trouble. Could you please help him out?
>
> Thanks,
>
> Richard A. Young, P.E.
> District Project Development Engineer
> FDOT District 4
> richard.young@dot.state.fl.us
> (954) 777-4323 Fax (954) 777-4310
>
>
> -----Original Message-----
> From: Brandon Howard [mailto:Brandon.Howard@noaa.gov]
> Sent: Friday, October 08, 2010 9:16 AM
> To: Young, Richard
> Subject: Re: FW: EPA and NMFS consent to be Cooperating Agencies- ETDM
> project 8247
>
> Hi Richard.
>
> I just tried and I get an error message when I click on the Review Purpose and Need tab. The other tabs are fine.
>
> Brandon
>
> On 10/8/2010 8:56 AM, Young, Richard wrote:
>> Thanks Brandon,
>>
>> If you would, please check the cooperating agency box for project #8247 in the EST. The review period is open until Wednesday, 10/13. If you need any assistance please let me know.
>>
>> Richard
>>
>> Richard A. Young, P.E.
>> District Project Development Engineer FDOT District 4
>> richard.young@dot.state.fl.us
>> (954) 777-4323 Fax (954) 777-4310
>>
>> -----Original Message-----
>> From: Brandon Howard [mailto:Brandon.Howard@noaa.gov]

>> Sent: Friday, October 08, 2010 8:42 AM
>> To: Young, Richard
>> Subject: Re: FW: EPA and NMFS consent to be Cooperating Agencies-
>> ETDM project 8247
>>
>> Hi Richard.
>>
>> We still want to be a cooperating agency.
>>
>> Brandon
>>
>> On 10/7/2010 2:30 PM, Young, Richard wrote:
>>> Hello Maher and Brandon,
>>>
>>> In the e-mails below Paul Lampley refers to conversations he had with you
about EPA and NMFS being cooperating agencies on the Third East-West River
Crossing/Crosstown Parkway project in Port St. Lucie. We would like to document
this in the ETDM record by asking you to check the cooperating agencies box in
the Screening Tool. Please let me know if this is still the case and I will open
up a brief review period for each of you to enter this into the EST record.
>>>
>>> Thanks,
>>>
>>> Richard
>>>
>>> Richard A. Young, P.E.
>>> District Project Development Engineer FDOT District 4
>>> richard.young@dot.state.fl.us
>>> (954) 777-4323 Fax (954) 777-4310
>>>
>>>
>>> -----Original Message-----
>>> From: John P. Krane [mailto:jkrane@keithandschnars.com]
>>> Sent: Thursday, October 07, 2010 2:12 PM
>>> To: Young, Richard
>>> Cc: Caicedo, Beatriz; Barry Ehrlich
>>> Subject: EPA and NMFS consent to be Cooperating Agencies
>>>
>>> Richard,
>>>
>>> The e-mails below from Paul Lampley indicate he spoke with EPA and
>>> NMFS, and they agreed to be Cooperating Agencies.
>>>
>>> ----------
>>> -
>>> -
>>> --
>>> ----------
>>> John P. Krane, P.E.
>>> Director of Transportation Planning
>>> Keith and Schnars, P.A.
>>> 6500 North Andrews Avenue

From: Velez, Rafael A SAJ
To: Kristine Stewart;
cc: Ramos-Gines, Orlando SAJ;
Subject: RE: Crosstown Parkway Extension
Date: Wednesday, October 20, 2010 7:33:22 AM

Kristine,

Comments were provided to Orlando.

Thanks,
Rafael

-----Original Message-----
From: Kristine Stewart [mailto:kstewart@keithandschnars.com]
Sent: Tuesday, October 19, 2010 8:00 AM
To: Velez, Rafael A SAJ
Subject: RE: Crosstown Parkway Extension

Hi Rafael,

Have you had a chance to review the project information to provide comments as it relates to the IRL-S CERP project?

Kristine Stewart, Ph.D.
Senior Biologist/Senior Scientist
Keith and Schnars
6500 N. Andrews Avenue
Fort Lauderdale, FL 33309
(954) 776-1616
(954) 771-7690 (Fax)
kstewart@keithandschnars.com

-----Original Message-----
From: Velez, Rafael A SAJ [mailto:Rafael.A.Velez@usace.army.mil]
Sent: Friday, October 08, 2010 11:03 AM
To: Kristine Stewart
Subject: RE: Crosstown Parkway Extension

Kristine,

We received through Orlando all the attachments in the two emails.

I'm checking with our environmental leads for IRL-S as to any questions or

concerns they may have.

Thanks,
Rafael

-----Original Message-----
From: Kristine Stewart [mailto:kstewart@keithandschnars.com]
Sent: Friday, October 08, 2010 10:20 AM
To: Velez, Rafael A SAJ
Subject: RE: Crosstown Parkway Extension

Hi Rafael,

We have been coordinating with Garrett Lips of the PGA office (Garett.G.Lips@usace.army.mil), as the USACE liaison for this project.

I realize that you have not had the opportunity to review the information in the DEIS, which should be released for agency review in the next couple of months. Did you get all the information that was attached to the original email? If not, I can resend. The attachments contained a summary of the wetlands evaluation and a summary of the mitigation plan. You may find that the mitigation projects would be compatible with the CERP goals for the IRL and the Northfork.

We appreciate your time on this.

Kristine Stewart, Ph.D.
Senior Biologist/Senior Scientist
Keith and Schnars
6500 N. Andrews Avenue
Fort Lauderdale, FL 33309
(954) 776-1616
(954) 771-7690 (Fax)
kstewart@keithandschnars.com

-----Original Message-----
From: Velez, Rafael A SAJ [mailto:Rafael.A.Velez@usace.army.mil]
Sent: Friday, October 08, 2010 10:08 AM
To: Kristine Stewart
Subject: RE: Crosstown Parkway Extension

-----Original Message-----
From: Velez, Rafael A SAJ

Sent: Friday, October 08, 2010 9:45 AM
To: Stodola, Paul E SAJ; "kstewart@keithandschnars.com'
Subject: RE: Crosstown Parkway Extension

Paul,

Not sure at this time. Looking at the Wetlands Evaluation Report a UMAM was done and someone from the COE participated. However, the report does not show a list of names. I would think that the COE representative who participated in the UMAM would be the person to provide comments.

Kristine, Who was the COE representative that participated in the UMAM?

Thanks,
Rafael

-----Original Message-----
From: Stodola, Paul E SAJ
Sent: Friday, October 08, 2010 8:35 AM
To: Velez, Rafael A SAJ
Subject: RE: Crosstown Parkway Extension

This is the first I have heard of this. Are we going to comment on the extension?

-----Original Message-----
From: Velez, Rafael A SAJ
Sent: Friday, October 08, 2010 7:32 AM
To: Kinsey, Tamela J SAJ; Stodola, Paul E SAJ; Jones, Keith A SAJ
Subject: RE: Crosstown Parkway Extension

Thanks Tammy.

Paul/Keith ?

-----Original Message-----
From: Kinsey, Tamela J SAJ
Sent: Thursday, October 07, 2010 11:10 AM
To: Velez, Rafael A SAJ; Ramos-Gines, Orlando SAJ; Stodola, Paul E SAJ; Jones, Keith A SAJ
Cc: Kacvinsky, Beth
Subject: RE: Crosstown Parkway Extension

I do not know of any on-going work. Sorry.

-----Original Message-----
From: Velez, Rafael A SAJ
Sent: Wednesday, October 06, 2010 2:23 PM
To: Ramos-Gines, Orlando SAJ; Stodola, Paul E SAJ; Kinsey, Tamela J SAJ; Jones, Keith A SAJ
Cc: Kacvinsky, Beth
Subject: FW: Crosstown Parkway Extension

Orlando,

The study area in the attached appears to be within the North Fork Natural Floodplain Restoration (NFNFR) area for IRL-S in the St. Lucie County. I am not familiar with the details of the NFNFR effort. Suggest that this be coordinated with SFWMD. POC would be Beth Kacvinsky

Paul/Tammy/Keith,

Do you know of any on-going work in the NFNFR area?

Thanks,
Rafael

-----Original Message-----
From: Ramos-Gines, Orlando SAJ
Sent: Wednesday, October 06, 2010 7:21 AM
To: Velez, Rafael A SAJ
Cc: 'kstewart@keithandschnars.com'
Subject: Fw: Crosstown Parkway Extension

Rafael - Please have someone in EN, not involved with CNT-1 or CNT-2, to look at this and communicate any concerns to Kristine related to IRLS project. Thanks.

Kristine - When would you like comments?

- - - - - - -BB - - - - - - - -
Orlando Ramos-Gines, MSE, PMP
Senior Project Manager, Jacksonville Distric T - (904) 232-1662 C - (904)

303-6904

From: Kristine Stewart <kstewart@keithandschnars.com>
To: Ramos-Gines, Orlando SAJ
Cc: Rogalski, Michael B SAJ; John P. Krane <jkrane@keithandschnars.com>; Michael Davis <mdavis@keithandschnars.com>
Sent: Mon Oct 04 13:28:43 2010
Subject: Crosstown Parkway Extension

RE: Crosstown Parkway Extension (formerly Third East-West River Crossing)

Project Development and Environment (PD&E) Study

City of Port St. Lucie, St. Lucie County, Florida

Dear Mr. Ramos:

The Federal Highway Administration, in cooperation with the Florida Department of Transportation, is preparing an Environmental Impact Statement for the Crosstown Parkway Extension Project Development and Environment Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program Agreement with FDOT, District 4. The study area is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on
the east. Alternatives under consideration include a No Build Alternative and six build alternatives that would provide a river crossing on a new alignment. We have attached two project location maps and an aerial photograph showing the proposed build alternatives. To reduce the file size, we will send a second email.

The project study area is located within the project area of the Indian River Lagoon South - Northfork Natural Floodplain Restoration CERP Project (IRL-S). As part of our coordination with the USACE, we seek your comments on the

proposed alternatives regarding your plans and goals for the IRL - S Project. We anticipate the release of the DEIS and technical reports within the next two months. We are attaching a summary of the Wetlands Evaluation Report so that you have some background on the anticipated wetland impacts. This document also provides a summary of the proposed conceptual compensatory mitigation plan that would be implemented if any of the build alternatives are selected. We anticipated that the mitigation plan may offer projects that would be compatible with the goals of the IRL – S Project. The figures for the mitigation plan are rather large files. We can upload them to our ftp site if you would like to see the locations of the proposed site acquisitions and individual project sites. They are the highest priority sites for the FDEP within the NFSLR.

We have been coordinating with Garrett Lips of the PGA office, as the USACE liaison for this project, as well as the EPA, NMFS, and state agencies. We would appreciate your review and comments on this project as it relates to the IRL-S CERP project.

Kristine Stewart, Ph.D.

Senior Biologist/Senior Scientist

Keith and Schnars

6500 N. Andrews Avenue

Fort Lauderdale, FL 33309

(954) 776-1616

(954) 771-7690 (Fax)

kstewart@keithandschnars.com

--
Get protected by the Best Free Email Security Service.
http://www.safentrixads.com/adlink?cid=10
-

--

From: Rice, Paul
To: Kristine Stewart; Griffin, Daniel; Herren, Laura; Gregory, Albert;
cc: John P. Krane; Michael Davis; Barry Ehrlich;
Subject: RE: Crosstown Parkway allginment changes at Halpatiokee
Date: Tuesday, October 19, 2010 10:00:10 AM

Kristine,

The trail locations are accurate. The realignment does not appear to change much, the entrance would be so close to the major intersection it is doubtful that DOT would allow it to remain.

If you have any questions as it relates to the Section 4f requirements, the MOA and the site please feel free to call Albert Gregory in our Office of Park Planning at 850-245-3051.

Paul Rice
Bureau Chief, District 5
Florida Division of Recreation and Parks
13798 S.E. Federal Hwy
Hobe Sound, FL 33455

(772)546-0900
www.floridastateparks.org

Preserving the Past While Looking to the Future

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Mimi Drew is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Kristine Stewart [mailto:kstewart@keithandschnars.com]
Sent: Friday, October 08, 2010 11:55 AM

To: Rice, Paul; Griffin, Daniel; Herren, Laura
Cc: John P. Krane; Michael Davis; Barry Ehrlich
Subject: Crosstown Parkway allginment changes at Halpatiokee

Dear Paul, Dan, and Laura,

Attached are plans (the second email will attach the second drawing) of two alignment changes were are evaluating to avoid the Halpatiokee Canoe and Nature Trail (Alternative 1C - a and 1C- b). Because Halpatiokee is a facility under Section 4f, we are required to evaluate minimization alternatives for purposes of Section 4 (f). Note that the location of the trail is approximate (especially the side trails) and we would appreciate any information you might have on its actual location. We would like your input on what you think of these potential alignment changes. You may consider providing a combined response. We would appreciate your response by next Friday (October 15).

Although these alignments would avoid Halpatiokee, they have the following concerns:

- Alternative 1C is at its current location because it was designed to use the (expanded) stormwater pond on the Liberty Medical property. You may recall that the pond was moved from a location near US 1 to avoid additional impacts to the state park, wetlands, and the conservation easement on the Liberty Medical site. If either of the new alignments are chosen to avoid Halpatiokee, some kind of conveyance would be required to get stormwater to the pond. This would require an underground piping system and an easement; it could still sever/affect the trail. Another solution would be a new pond either south of Hogpen Slough or near US 1 (north or south of the touchdown at US 1).
- Both alignments would pass over or near Hogpen Slough; both pass over the slough's floodplain. I know from previous coordination that you consider Hogpen Slough an important part of the park and aquatic preserve. Both alignments could require a relocation of the slough and/or floodplain replacement.
- The new alignments would use approximately the same amount of lands, although it would use more wetlands than the original alignment. However, it would avoid the upland habitats.

Thanks for your time on this.

Kristine Stewart, Ph.D.

Senior Biologist/Senior Scientist
Keith and Schnars
6500 N. Andrews Avenue
Fort Lauderdale, FL 33309
(954) 776-1616
(954) 771-7690 (Fax)
kstewart@keithandschnars.com

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Environmental Resource Regulation Department

June 9, 2010

Jerry A. Bentrott, City Manager
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099

Dear Mr. Bentrott:

Subject: Crosstown Parkway Extension and Platt's Creek Water Quality and Wetland Restoration Projects ERP Application Number 090107-1

In response to your May 18, 2010 letter (copy attached), I can confirm that District staff supports the use of the Platt's Creek Wetland Restoration Project (also known as Platt's Creek Mitigation Bank) as mitigation for the City's Crosstown Parkway project if, as a result of the Environmental Impact Statement, a build alternative is selected. However, final agency approval will be a decision for the Executive Director.

To accomplish the use of the Platt's Creek site for mitigation, the Platt's Creek Mitigation Bank Permit (Permit No. 56-00003-M) would need to be modified to change it from a mitigation bank to an offsite mitigation area, to add the City of Port St. Lucie as a co-permittee, and to change the mitigation assessment method to the Uniform Mitigation Assessment Method (UMAM, Rule 62-345, F.A.C.). Because UMAM is being used to determine the loss of function due to the proposed impacts, the gain in function when mitigation is conducted must be evaluated using this method as well.

District staff conducted a desk-top, preliminary UMAM based on the information within the existing mitigation bank permit. Based on that information, the Platt's Creek project could generate approximately 13.77 herbaceous and 11.28 forested credits. Approximately half of that total appears to be sufficient to offset any wetland impacts associated with the Crosstown Parkway project using a worst-case alternative.

If you have any further questions, please contact me at (561) 682-6866 or at abain@sfwmd.gov.

Sincerely,

Anita R. Bain

Anita R. Bain, Director
Environmental Resource Permitting Division

ARB/mp
Attachment

cc: Patricia Roebling, P.E.—City Engineer
Brian Mirson, P. E.—American Consulting Engineers of Florida, LLC
Garrett Lips—USACE (electronic copy)

Bc: Electronic copies only:

Bob Brown – 2410
Tony Waterhouse - 2410
Mindy Parrott-2460
Hugo Carter – 2460

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO ATTENTION OF

June 8, 2010

Palm Beach Gardens Regulatory Office
SAJ 1998-6236(IP-GGL)

Jerry Bentrott
City Manager
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984

Dear Mr. Bentrott:

The U.S. Army Corps of Engineers (Corps) is aware that the City of Port St. Lucie is in the process of entering into a Memorandum of Agreement with St. Lucie County to design, permit, construct, and manage the Platt's Creek Water Quality and Wetland Restoration Project as a permittee responsible offsite mitigation area (PROMA). This project was previously reviewed under file application number SAJ 1998-6236, but was withdrawn due to lack of applicant response. We request that all future inquiries or correspondences refer to this application number. The project is located at Section 33 Township 35 South Range 40 East.

It is the Corps understanding that the construction of the Platt's Creek site as a PROMA would likely be appropriate to offset unavoidable adverse effects to wetlands within the North Fork of the St. Lucie River watershed, Hydrologic Unit Code number 03090206. Please be aware that impacts to aquatic resources that are jurisdictional for the Department of the Army (DA) may also be identified as essential fish habitat (EFH), such as mangroves, and/or used by endangered species such as wood storks (*Mycteria americana*). In these cases, the use of a permitted mitigation site may require coordination with, and prior approval from the National Marine Fisheries Service or the United States Fish and Wildlife Service.

The Corps, in general, prefers PROMAs to be located strategically within a watershed to optimize and enhance the ecological functions and services related to the up- and

downstream aquatic resources, transient wildlife, fish and wildlife habitat, and nutrient cycling, among many others. The Corps is aware that this proposed PROMA is adjacent to aquatic resources such as the North Fork of the St. Lucie River (NFSLR) and Savannas Preserve State Park. Therefore, the Corps anticipates that the Platt's Creek site would enhance the wildlife habitat and wetland connectivity within the watershed and would be appropriate mitigation for future unavoidable and permittable impacts to wetlands proposed by the City of Port St. Lucie and St. Lucie County.

The Corps looks forward to reviewing the design plans and providing feedback on the mitigation plan for the Platt's Creek PROMA. Please contact Garett Lips at the letterhead address, or by telephone at (561) 472-3519 if any additional information or clarification is needed.

Sincerely,

Garett Lips
Project Manager

cc: Patricia Roebling, P.E. - City Engineer
Donald West - St. Lucie County
Brian Mirson, P.E, Anna Peterfreund, ACE
Mindy Parrott, Anita Bain - SFWMD
Brandon Howard, NMFS
John Wrublik, USFWS
Ron Miedema, USEPA

CITY OF PORT ST. LUCIE

"A City for All Ages"

May 18, 2010

Anita Bain
Director
South Florida Water Management District
P.O. Box 24680
West Palm Beach, FL 33416-4680

Re: Crosstown Parkway Extension and Platt's Creek Water Quality and Wetland Restoration Projects
Draft Memorandum of Agreement

Dear Ms. Bain:

Thank you and your staff for meeting with us to discuss the comments within the third RAI for the Crosstown Parkway Extension Project. As you are aware, the City is very interested in pursuing St. Lucie County's Platt's Creek Water Quality and Wetland Restoration Project as mitigation for this project. We are currently pursuing a Memorandum of Agreement (MOA) with the County for use of this property whereby the City would utilize half (41 acres) of the project as mitigation for the Crosstown project and the remaining part of the Platt's Creek mitigation area would be available for the County to use on future projects. We also understand that there will be no expiration date for the County to use the remaining credits.

Our consultants and City Staff have had numerous conversations with the United States Army Corps of Engineers (USACE) and your staff and we believe that both agencies support the concept of using Platt's Creek for wetland mitigation should a build alternative be selected for the Crosstown Parkway Extension. In the latest advisory comments for the project, your staff indicated that "a desk-top preliminary UMAM based on the existing permit estimates that it could generate 13.77 herbaceous and 11.28 forested credits, half of which appears to be sufficient to offset the alternative with the worst-case impacts." Per our latest conversation, the City would like some assurances from the SFWMD that 41 acres of the Platt's Creek mitigation initiative will be sufficient to mitigate wetland impacts for the Crosstown project. We are requesting that you send a letter or provide other written documentation regarding the use of the Platt's Creek property in order that we may present the MOA to the City Council and County Commission for their consideration. We appreciate your prompt response on this matter and your help to date. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Jerry A. Bentrott
City Manager

JB/rr
Enclosure

RECEIVED
MAY 20 2010
ENV RES REGULATION

cc: Patricia Roebling, P.E. – City Engineer
Brian Mirson, P.E. – American Consulting Engineers of Florida, LLC
Garett Lips – USACE
Mindy Parrott – SFWMD

S:\projects\Crosstown Parkway Extension\2.0 Studies\2.3 CERP\2.3.1 Mitigation\Platt's Creek Mitigation\LET_City_to_SFWMD_request_letter_Platts_Creek_100510 (4) with Letterhead.doc

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

PLANNING & ENVIRONMENTAL MANAGEMENT

MAY 25 2010

DISTRICT FOUR
RECEIVED

April 13, 2010

Mr. George Hadley
U.S. Department of Transportation
Federal Highway Administration
Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

RECEIVED
BUREAU OF
HISTORIC PRESERVATION
2010 APR 22 P 2: 11

Subject: **Request for Review**
Cultural Resource Assessment Survey
Crosstown Parkway Extension PD&E Study/EIS
Financial Project No. 410844-1-A8-01
Federal Aid Project No. 7777-087-A
ETDM No. 8247

Dear Mr. Hadley:

Enclosed please find two copies of the Cultural Resource Assessment Survey (CRAS) for the Crosstown Parkway Extension PD&E Study/EIS. The attached report incorporates revisions based on reviews of the document by FDOT Central Office, FDOT District 4, and the City of Port St. Lucie. A copy of the CRAS was transmitted to FHWA in August 2009 with no subsequent comments received from FHWA. Please note that one of the copies includes an extra survey log sheet which is required by your office.

The District has determined that no historic properties will be affected by the proposed improvements. I respectfully request your concurrence with this determination. Should you concur with our findings, please submit one copy of this document along with the attached signature page to Scott M. Stroh, the Florida State Historic Preservation Officer, for his review and comment.

If there are any questions, please feel free to contact me at (954) 777-4325 or Lynn Kelley at (954) 777-4334.

APR16 10 1:49PM

Sincerely,

Ann Broadwell

Ann Broadwell
Environmental Administrator
FDOT - District 4

Enclosures
Cc: Mark Clasgens, FHWA Area Engineer
Beatriz Caicedo-Madison, P.E., FDOT – District Four
Patricia Roebling, P.E., City Engineer – City of Port St. Lucie
John Krane, P.E., Director of Transportation – Keith and Schnars, P.A.
Project File

The FHWA finds the attached Cultural Resources Assessment Report complete and sufficient and ✓ approves / ___ does not approve the above recommendations and findings.

The FHWA requests the SHPO's opinion on the sufficiency of the attached report and the SHPO's opinion on the recommendations and findings contained in this cover letter and in the comment block below.

FHWA Comments:

PLEASE SEND RESPONSE / QUESTIONS TO LINDA ANDERSON, FHWA, 545 JOHN KNOX RD, TALLAHASSEE, FL 32303. e: linda.anderson@dot.gov. p: 850-942-9650 X 3053.
PLEASE CC: ROY JACKSON, FDOT CENTD, AND ANN BROADWELL, FDOT D4.

for /s/ George B Hadley
Martin C. Knopp
Division Administrator
Florida Division
Federal Highway Administration

4/19/10
Date

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number 2010-1828.

for Laura A. Kammerer, Deputy SHPO
Scott Stroh
State Historic Preservation Officer
Florida Division of Historical Resources

5.20.2010
Date

Meeting Minutes
Crosstown Parkway Extension EIS
Coordination Meeting With USACE – November 4, 2009
9:00 a.m. to 9:45 a.m.
FDOT District 4 Legal Conference Room

Purpose: Meeting to Discuss USACE Review Comments (10-19-09) of Technical Reports

Attendees:
Beatriz Caicedo-Maddison, P.E. – Florida Department of Transportation
Michael Davis – Keith and Schnars, P.A.
John Krane, P.E. – Keith and Schnars, P.A.
Paul Cherry, P.E. – Kimley-Horn and Associates, Inc.

Attendees by Telephone:
Garett Lips – US Army Corps of Engineers (USACE)
Lynn Kiefer – Kimley-Horn and Associates, Inc.

Introductions
Introductions were made, and John Krane introduced the purpose for the meeting was to discuss the comment letter sent by Mr. Lips dated 10-19-09, pertaining to the review by USACE of the Technical Reports submitted for the Crosstown Parkway Extension Project Development & Environment (PD&E) / Environmental Impact Statement (EIS).

Mr. Davis noted that the technical reports were the backbone of the Draft EIS (DEIS), and that that we understand the need to address Section 404(b)(1) Guidelines as part of the DEIS. He then led a discussion of the four basic issues highlighted in Mr. Lips letter.

1) *Jurisdictional Determinations not included* – This would be done after a preferred alternative was selected. However, for this project there is not a question of jurisdiction. It will not be a contentious issue as it might be for other projects.

2) *Section 404(b)(1) Guidelines requirements pertaining to avoidance and minimization need to be met including a discussion of a tunnel alternative and widening of the existing bridges* – This will be addressed in the DEIS, in fact a Tunnel Concept Report is currently being finalized, and a corridor report was developed and submitted which documents why widening of the existing bridges is not a practicable alternative.

3) *Inclusion of a Guidelines Analysis will facilitate permitting if included in the EIS* – This is understood.

4) *A specific and detailed mitigation plan is required* – This will be done once a preferred alternative is selected.

Mr. Lips clarified he is aware that we are not at the stage of the project to provide all the information requested, but wanted to make sure everyone was on the same page regarding the need to provide the information. He indicated that no response to his letter was necessary. Ms. Caicedo-Maddison suggested that we send minutes of the meeting as a response to his letter, and in that fashion we can ensure that everyone has the same understanding from this meeting.

In response to a question by Mr. Lips, John Krane indicated that FHWA and the Cooperating Agencies should be receiving the DEIS in April.

These minutes were produced by Keith and Schnars, and are an attempt to capture the essence of conversations and decisions made at the meeting. They do not represent a transcript of the meeting. Any statements attributed to others have been paraphrased unless otherwise noted, and should be clarified with the individual before use or reuse in another context.

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, October 06, 2009 1:12 PM
To: John P. Krane
Subject: FW: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Attachments: Technical Report Transmittal.pdf

Technical Report Transmittal.p...

FYI...

-----Original Message-----
From: Budeir.Maher@epamail.epa.gov [mailto:Budeir.Maher@epamail.epa.gov]
Sent: Tuesday, October 06, 2009 11:40 AM
To: Caicedo, Beatriz
Subject: Re: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Beatriz,

Ron has reviewed the wetland report and has this comment:

Wetlands Evaluations 6.0 (pg-30) The document needs to state that the Uniform Mitigation Assessment Method (UMAM) scores were determined by majority vote conducted by the interagency team.

I have reviewed some of the other report but have no comments at this point.

Thank you,

Maher Budeir, US EPA, Region4
Phone 404-562-9514

"Caicedo, Beatriz" <Beatriz.Caicedo@dot.state.fl.us>

10/05/2009 11:51 AM

To
"George Hadley (George.Hadley@fhwa.dot.gov)" <George.Hadley@fhwa.dot.gov>, "darayl.tompkins@uscg.mil" <darayl.tompkins@uscg.mil>, "Garett.g.Lips@usace.army.mil" <Garett.g.Lips@usace.army.mil>, "Brandon.Howard@noaa.gov" <Brandon.Howard@noaa.gov>, "John_Wrublik@fws.gov" <John_Wrublik@fws.gov>, Maher Budeir/R4/USEPA/US@EPA, Ron Miedema/R4/USEPA/US@EPA

cc
John Krane <jkrane@keithandschnars.com>, Patricia Roebling <patr@cityofpsl.com>

Subject

Crosstown Parkway Extension
PD&E/EIS Study - Reports
Review/Comments Period Ended

Good morning,

This is a friendly reminder that on August 19th we transmitted 3 CD's containing a series of 10 Technical Reports for the Crosstown Parkway Extension PD&E/EIS. The transmittal requested that review comments be returned within 30 days from receipt of the information. Thank you if you have already returned comments on these reports. If you have not yet returned your comments please let me know when we could expect them or if you don’t have any comments as well.

Thank you in advance for your assistance.
Beatriz

Beatriz Caicedo-Maddison, P.E.
Florida Department of Transportation D4
Consultant Management Office
Tel: 954 777 4336
Fax: 954 777 4671
3400 West Commercial Blvd.
Ft. Lauderdale, Fl 33309-3421
(See attached file: Technical Report Transmittal.pdf)

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, October 06, 2009 2:51 PM
To: John P. Krane
Subject: FW: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

FYI.

-----Original Message-----
From: Darayl.Tompkins@uscg.mil [mailto:Darayl.Tompkins@uscg.mil]
Sent: Tuesday, October 06, 2009 2:48 PM
To: Caicedo, Beatriz
Subject: RE: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Good Ms. Caicedo
The Coast Guard will not be making any comments at this time, we have all the materials in our case file for the proposed project.
Thank you for keeping us updated.

Darayl

-----Original Message-----
From: Beatriz.Caicedo@dot.state.fl.us [mailto:Beatriz.Caicedo@dot.state.fl.us]
Sent: Monday, October 05, 2009 11:51 AM
To: George Hadley (George.Hadley@fhwa.dot.gov); Tompkins, Darayl; Garett.g.Lips@usace.army.mil; Brandon.Howard@noaa.gov; John_Wrublik@fws.gov; budeir.maher@epa.gov; miedema.ron@epa.gov
Cc: John Krane; Patricia Roebling
Subject: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Good morning,

This is a friendly reminder that on August 19th we transmitted 3 CD's containing a series of 10 Technical Reports for the Crosstown Parkway Extension PD&E/EIS. The transmittal requested that review comments be returned within 30 days from receipt of the information. Thank you if you have already returned comments on these reports. If you have not yet returned your comments please let me know when we could expect them or if you don't have any comments as well.

Thank you in advance for your assistance.

Beatriz

Beatriz Caicedo-Maddison, P.E.

Florida Department of Transportation D4

Consultant Management Office

Tel: 954 777 4336

Fax: 954 777 4671

3400 West Commercial Blvd.

Ft. Lauderdale, Fl 33309-3421

From: Bobbie Richards [mailto:BRichards@cityofpsl.com]
Sent: Monday, October 19, 2009 9:02 AM
To: Barry Ehrlich
Cc: John P. Krane; Patricia Roebling; Kim Graham; Roxanne Chesser; Bobbie Richards
Subject: FW: Crosstown Parkway Extension

From: Daniel Holbrook
Sent: Monday, October 19, 2009 9:01 AM
To: Bobbie Richards
Cc: Patricia Roebling; Kim Graham; Roxanne Chesser
Subject: RE: Crosstown Parkway Extension

The Planning and Zoning Department staff finds the proposed bicycle and pedestrian provisions to be consistent with the direction and intent of the City's Land Development Regulations and policies of the Comprehensive Plan.

Daniel Holbrook, AICP
Director of Planning and Zoning
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984

(772) 871-5213
www.cityofpsl.com

From: Bobbie Richards
Sent: Wednesday, October 14, 2009 3:24 PM
To: Daniel Holbrook
Cc: Patricia Roebling; Kim Graham; Roxanne Chesser; Bobbie Richards
Subject: FW: Crosstown Parkway Extension

Daniel – Can you review the City's standards for bicycle and pedestrian facilities against the information below and let us know if the proposed plans are consistent with local planning? Keith and Schnars, our consultant on the PD&E/EIS for the Crosstown Parkway Extension requires a response. Please let me know if you need anything additional to what is stated below.

From: Barry Ehrlich [mailto:Behrlich@keithandschnars.com]
Sent: Wednesday, October 14, 2009 2:53 PM
To: Bobbie Richards
Cc: Patricia Roebling; Roxanne Chesser; Kim Graham
Subject: Crosstown Parkway Extension

Dear Bobbie:

The PD&E process requires that coordination take place with the local governing body to assure that the proposed bicycle and pedestrian facilities associated with the Crosstown Parkway Corridor Extension PD&E Study are developed consistent with local planning and are found acceptable by the local governing body. We would appreciate the City's review of, and concurrence that, the bicycle and pedestrian provisions described below are consistent with local plans. Please note that these proposed bicycle and pedestrian provisions are the same as those that have been proposed since the EIS Class of Action determination and the same as those which have been depicted on the typical section display boards presented during the public involvement meetings.

All six build alternatives under evaluation would be designed to enhance multimodal opportunities within the City for pedestrians, bicyclists and other non-vehicular traffic. In all proposed typical sections, the limited access design would reduce vehicular/bicycle conflicts due to the reduction of driveway openings. In the suburban typical section, all build alternatives would include designated accommodations for pedestrians and bicyclists. Pedestrian facilities would consist of linear parks on both sides of the roadway comprised of eight-foot pedestrian sidewalks, buffered from residential areas by landscape berms. The bicycle facilities would consist of a five-foot designated bicycle lane on the outside shoulder of both sides of the roadway. In the urban typical section, pedestrian facilities would consist of eight-foot sidewalks on both sides of the roadway. Bicycle facilities would consist of a five-foot designated bicycle lane adjacent to the outside travel lanes on both sides of the roadway. In the bridge typical section, pedestrian facilities would consist of eight-foot sidewalks on both sides of the roadway. Bicycles would be accommodated within the 10-foot shoulder or within the 8-foot sidewalk. The bridge would not include designated bicycle lanes because the cross section would be reduced to minimize impacts on the adjacent natural habitats.
All proposed build alternatives would connect with existing pedestrian and bicycle facilities outside of the project area and would increase pedestrian and non-vehicular traffic and connectivity.

Barry Ehrlich
Senior Project Manager
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, FL 33309-2132
Phone: 954.776.1616
Fax: 954.771.7690

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, October 06, 2009 1:12 PM
To: John P. Krane
Subject: FW: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Attachments: Technical Report Transmittal.pdf

Technical Report Transmittal.p...

FYI...

-----Original Message-----
From: Budeir.Maher@epamail.epa.gov [mailto:Budeir.Maher@epamail.epa.gov]
Sent: Tuesday, October 06, 2009 11:40 AM
To: Caicedo, Beatriz
Subject: Re: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Beatriz,

Ron has reviewed the wetland report and has this comment:

Wetlands Evaluations 6.0 (pg-30) The document needs to state that the Uniform Mitigation Assessment Method (UMAM) scores were determined by majority vote conducted by the interagency team.

I have reviewed some of the other report but have no comments at this point.

Thank you,

Maher Budeir, US EPA, Region4
Phone 404-562-9514

"Caicedo, Beatriz" <Beatriz.Caicedo@dot.state.fl.us>

10/05/2009 11:51 AM

To
"George Hadley (George.Hadley@fhwa.dot.gov)" <George.Hadley@fhwa.dot.gov>, "darayl.tompkins@uscg.mil" <darayl.tompkins@uscg.mil>, "Garett.g.Lips@usace.army.mil" <Garett.g.Lips@usace.army.mil>, "Brandon.Howard@noaa.gov" <Brandon.Howard@noaa.gov>, "John_Wrublik@fws.gov" <John_Wrublik@fws.gov>, Maher Budeir/R4/USEPA/US@EPA, Ron Miedema/R4/USEPA/US@EPA

cc
John Krane <jkrane@keithandschnars.com>, Patricia Roebling <patr@cityofpsl.com>

Subject

Crosstown Parkway Extension
PD&E/EIS Study - Reports
Review/Comments Period Ended

Good morning,

This is a friendly reminder that on August 19th we transmitted 3 CD's containing a series of 10 Technical Reports for the Crosstown Parkway Extension PD&E/EIS. The transmittal requested that review comments be returned within 30 days from receipt of the information. Thank you if you have already returned comments on these reports. If you have not yet returned your comments please let me know when we could expect them or if you don’t have any comments as well.

Thank you in advance for your assistance.
Beatriz

Beatriz Caicedo-Maddison, P.E.
Florida Department of Transportation D4
Consultant Management Office
Tel: 954 777 4336
Fax: 954 777 4671
3400 West Commercial Blvd.
Ft. Lauderdale, Fl 33309-3421
(See attached file: Technical Report Transmittal.pdf)

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, October 06, 2009 2:51 PM
To: John P. Krane
Subject: FW: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

FYI.

-----Original Message-----
From: Darayl.Tompkins@uscg.mil [mailto:Darayl.Tompkins@uscg.mil]
Sent: Tuesday, October 06, 2009 2:48 PM
To: Caicedo, Beatriz
Subject: RE: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Good Ms. Caicedo
The Coast Guard will not be making any comments at this time, we have all the materials in our case file for the proposed project.
Thank you for keeping us updated.

Darayl

-----Original Message-----
From: Beatriz.Caicedo@dot.state.fl.us [mailto:Beatriz.Caicedo@dot.state.fl.us]
Sent: Monday, October 05, 2009 11:51 AM
To: George Hadley (George.Hadley@fhwa.dot.gov); Tompkins, Darayl; Garett.g.Lips@usace.army.mil; Brandon.Howard@noaa.gov; John_Wrublik@fws.gov; budeir.maher@epa.gov; miedema.ron@epa.gov
Cc: John Krane; Patricia Roebling
Subject: Crosstown Parkway Extension PD&E/EIS Study - Reports Review/Comments Period Ended

Good morning,

This is a friendly reminder that on August 19th we transmitted 3 CD's containing a series of 10 Technical Reports for the Crosstown Parkway Extension PD&E/EIS. The transmittal requested that review comments be returned within 30 days from receipt of the information. Thank you if you have already returned comments on these reports. If you have not yet returned your comments please let me know when we could expect them or if you don't have any comments as well.

Thank you in advance for your assistance.

Beatriz

Beatriz Caicedo-Maddison, P.E.

Florida Department of Transportation D4

Consultant Management Office

Tel: 954 777 4336

Fax: 954 777 4671

3400 West Commercial Blvd.

Ft. Lauderdale, Fl 33309-3421

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

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX (727) 824-5300
http://sero.nmfs.noaa.gov/

September 17, 2009 F/SER4:BH/pw

(sent via electronic mail)

Ms. Beatriz Caicedo-Maddison, P.E.
Florida Department of Transportation, District Four
Planning and Environmental Management Office
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309-3241

Dear Ms. Caicedo-Maddison:

NOAA's National Marine Fisheries Service (NMFS) reviewed the draft essential fish habitat (EFH) assessment and draft endangered species biological assessment (ESBA) provided to us and dated August 19, 2009. The Federal Highway Administration (FHWA) and Florida Department of Transportation, District Four (FDOT) intend to include the final EFH assessment and final ESBA as appendices to the Environmental Impact Statement (EIS) for the Crosstown Parkway Extension, Port St. Lucie, St. Lucie County. When completed, this EIS will compare the environmental impacts associated with several alternatives for a bridge that would cross the North Fork of the St. Lucie River (NFSLR). NMFS serves as a cooperating agency in the development of this EIS, and in this capacity, FDOT requests NMFS provide informal comments on the draft EFH assessment and draft ESBA; formal comments would be made later when the draft EIS is released to the public for comment.

Project History
On September 29, 2006, and August 14, 2008, NMFS provided comments through FDOT's Environmental Screening Tool (EST). NMFS has participated in the majority of the monthly scoping meetings since April 10, 2008. On July 10, 2008, NMFS attended the Agency Kickoff Meeting held in Port St. Lucie. On December 17, 2008, NMFS attended the interagency workshop aimed at initiating a functional assessment using the Uniform Mitigation Assessment Method (UMAM). NMFS attended a follow-up meeting on January 7, 2009, that included a site visit and initial completion of the UMAM analysis. On April 1, 2009, NMFS provided feedback regarding the legal sufficiency review. On June 23, 2009, an interagency meeting was held to examine secondary impacts associated with the project.

Endangered Species Act Biological Assessment
In the draft ESBA, FHWA and FDOT conclude that the project may affect, but would not adversely affect, the threatened smalltooth sawfish (*Pristis pectinata*) or its designated critical habitat. It is premature to make this conclusion. At this stage of the project planning, an alternative has not been selected, so it is not clear what the impacts to listed species would be. Exact locations and acreages of impacts to open water and mangrove habitat must be determined prior to initiating consultation for smalltooth sawfish. Once an alternative has been selected, the ESBA will need to be modified and consultation initiated.

Essential Fish Habitat in the Project Area
All alternatives for the proposed roadway would cross NFSLR and impact mangrove wetlands, mud and sand bottom, and palustrine wetlands. The palustrine wetlands are composed of pine with a mixture of hardwood and herbaceous species. The mangrove community is primarily comprised red mangrove (*Rhizophora mangle*). The draft EFH assessment correctly lists the types of EFH found at the project site and notes that mangroves are a Habitat Area of Particular Concern (HAPC). The draft EFH assessment correctly emphasizes two fishery management plans developed by the South Atlantic Fishery Management Council (SAFMC): the Shrimp Fishery Management Plan and the Snapper-Grouper Fishery Management Plan. The draft EFH assessment also discusses the Red Drum Fishery Management Plan. While red drum occur at the project site, utilize habitats that would be impacted by the project, and are an important fishery resource, Atlantic red drum are no longer managed under the Magnuson -Stevens Act and, hence, no longer managed under the EFH provisions of the Act (this change went into effect November 5, 2008). The Mid-Atlantic Fishery Management Council (MAFMC) designates EFH for federally managed species within the South Atlantic region. Bluefish (*Pomatomus saltatrix*) occur at the site of the proposed project and MAFMC designates estuarine waters as EFH for this species. The EFH assessment should be amended to include this species. Detailed information on the EFH requirements of species managed by SAFMC is found in the 1998 comprehensive amendment to the fishery management plans for the South Atlantic region. Detailed information on the EFH requirements of species managed by MAFMC is included in separate amendments to individual fishery management plans.

Impacts to Essential Fish Habitat
In the draft EFH assessment, FHWA and FDOT conclude the project would not result in substantial adverse impacts to EFH. It is premature for FHWA and FDOT to make this conclusion. The proposed impacts to EFH would occur within the Savannas Preserve State Park and the North Fork of the St. Lucie River Aquatic Preserve. Wetlands associated with NFSLR are extremely high quality. The majority of the mangrove habitat in south Florida lies in either national or state preserves. The intent of designating an area as an aquatic preserve is that it be kept in essentially natural condition so that its biological, aesthetic and scientific values may endure for the enjoyment of future generations as stated is Section 258.36, Florida Statutes.

Because the proposed bridge would cross NFSLR, construction activities would result in direct and indirect adverse impacts to federally managed fishery species and EFH, especially mangrove wetlands. The new roadway would require water quality treatment that would likely include stormwater retention ponds. These facilities would impact additional wetlands and EFH. Lastly, construction of a bridge across the NFSLR could further fragment fishery habitat within this estuary.

Six alternatives are referenced in the draft EFH assessment, and the proposed direct impacts range from approximately 0.61 acres (Alternative 6A) to 2.99 acres (Alternative 6B); potential indirect impacts range from approximately 7.70 acres (Alternative 1F) to 14.11 acres (Alternative 1C). During the interagency meeting on June 23, 2009, it was determined that all wetlands located under the bridge should be considered direct impacts. The draft EFH assessment does not reflect this outcome, and the draft EFH assessment should be revised accordingly.

While the draft EFH assessment does not include a preferred alternative, we are concerned that Alternative 4 appears to have been eliminated from further consideration. NMFS previously indicated its preference for Alternative 4 because this alternative avoids impacts to high quality fishery habitat within Savannas Preserve State Park. NMFS strongly urges FHWA and FDOT to include Alternative 4 in the final deliberations. Alternatively, the EFH assessment must include a much more thorough explanation of why this alternative is no longer considered.

NMFS is also concerned that the draft EFH assessment does not include a discussion of compensatory mitigation that would be done to offset unavoidable adverse impacts to EFH. Discussion of compensatory mitigation is a required component of an EFH assessment when adverse impacts to EFH are proposed. We will not be able to conclude the EFH consultation until the EFH assessment includes an adequate, detailed compensatory mitigation plan.

In summary, the information needs and project recommendations we provided through EST on September 29, 2006, and August 14, 2008, and during the various interagency meetings are not reflected in the draft EFH assessment. If the needs and recommendations are not addressed in the public version of the EIS, NMFS would be required to provide FDOT and FHWA with EFH conservation recommendations because adverse impacts to EFH would be proposed. Similarly, if the public version of the draft EIS shows aquatic resources of national importance would be adversely impacted, NMFS would likely use procedures established in the Clean Water Act to initiate elevation to the President's Council on Environmental Quality a final decision by FHWA and FDOT that NMFS views as adverse to fishery habitat. To avoid unnecessary impacts to fishery resources and delays to the project, NMFS recommends FHWA and FDOT meet with the cooperating agencies as soon as practicable to establish a schedule for responding to our information needs, to establish a framework for a robust alternatives analysis, and to develop an adequate, detailed compensatory mitigation plan.

We appreciate the opportunity to provide these comments and the early coordination with FHWA and FDOT. Please direct subsequent correspondence on this project to Mr. Brandon Howard. He may be reached by telephone at (561) 616-8880 extension 210, by email at Brandon.Howard@noaa.gov or at US Environmental Protection Agency, 400 N Congress Avenue, Suite 120, West Palm Beach, Florida 33401.

Sincerely,

Pace Willer

/ for

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:

FDOT, Beatriz.Caicedo@dot.state.fl.us, Ann.Broadwell@dot.state.fl.us
COE, Garett.G.Lips@usace.army.mil
FHWA, George.Hadley@fhwa.dot.gov
FWS, John_Wrublik@fws.gov
SFWMD, mparrott@sfwmd.gov
City of Port St. Lucie, PatR@cityofpsl.com
F/SER4
F/SER47, Karazsia, Howard

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Thursday, September 03, 2009 4:56 PM
To: John P. Krane
Cc: Broadwell, Ann L
Subject: FW: Draft Technical Report, Crosstown Parkway Extension Project

John,
Here are the comments from John Wrublik for you to address and respond.
Thanks.
Beatriz

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Thursday, September 03, 2009 8:30 AM
To: Caicedo, Beatriz
Cc: PatR@cityofpsl.com
Subject: Draft Technical Report, Crosstown Parkway Extension Project

Dear Ms. Caicedo-Maddison

The U.S. Fish and Wildlife Service (Service) has reviewed the draft Endangered Species Biological Assessment Report dated August 2009, for the project referenced above. We offer the following comments.

Section 6.2.13 Wood Stork, page 30

Please note that for projects that impact 5 or more acres of wood stork foraging habitat, the Service requires a functional assessment be conducted using our "Wood Stork Foraging Analysis Methodology" (Methodology) on the foraging habitat to be impacted and the foraging habitat provided as mitigation. The Methodology can found in the Service's November 9, 2007, Eastern Indigo Snake and Wood Stork Key (Service Federal Activity Code Number 41420-2007-FA-1494) provided to the U. S. Army Corps of Engineers to guide their effect determinations for these two species (available upon request).

The remainder of the report appears complete and we offer no further comments at this time. Thank you for the opportunity to comment. If you have any questions, please contact me.

Sincerely,

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

Barry Ehrlich

From: Kristine Stewart
Sent: Tuesday, June 23, 2009 2:32 PM
To: Michael Davis; John P. Krane; Barry Ehrlich
Subject: FW: CERPEWS Notification for Application Number 090107-1/crosstown parkway

Follow Up Flag: Follow up
Flag Status: Red

Attachments: 090107-1.jpg

090107-1.jpg

FYI

-----Original Message-----
From: Lips, Garett G SAJ [mailto:Garett.G.Lips@usace.army.mil]
Sent: Monday, June 22, 2009 4:04 PM
To: Kristine Stewart
Cc: Broadwell, Ann L
Subject: CERPEWS Notification for Application Number 090107-1/crosstown parkway

Just a Fyi, not sure if this factor has been identified to you all yet

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410
Office 561-472-3519

-----Original Message-----
From: White, Tori SAJ
Sent: Wednesday, May 27, 2009 8:18 AM
To: Lips, Garett G SAJ
Subject: FW: CERPEWS Notification for Application Number 090107-1

-----Original Message-----
From: Tobar, Juan [mailto:jtobar@sfwmd.gov]
Sent: Monday, May 18, 2009 4:27 PM
To: White, Tori SAJ
Subject: CERPEWS Notification for Application Number 090107-1

Application Number 090107-1 is in the IRL - NORTHFORK FLOODPLAIN RESTORATION

Application Number: 090107-1
Permit Number: NULL
Project Name: CROSSTOWN PARKWAY EXTENSION (BRIDGE OVER NORTH FORK)
Hyperlink: To Online Documents
<http://my.sfwmd.gov/ePermitting/SearchPermit.do?issuingAgency=SFWMD&permitFa
milyType=-1&status=-1&county=-1&fromdateDate=01&fromdateMonth=01&fromdateYear
=1965&todateDate=01&todateMonth=01&todateYear=2100&startCounter=0&application

No=090107-1>
POC Type: APPL
POC Name: CITY OF PORT ST LUCIE
Acreage: 84.578
Landuse Code: HWY
County: ST LUCIE
Section/Township/Range: S33-35/T36S/R40E CERP Name: IRL - NORTHFORK FLOODPLAIN RESTORATION
CERP Level: 3
Relation: APPLICATION IN
ERR SWM Reviewer: CAROLYN MCCREEDY
ERR NRM Reviewer: MINDY PARROTT
ERR ERC Field Representative: SCOTT B MCNABB Local Project Sponsor: BETH KACVINSKY Local Project Sponsor E-mail: bkacvins@sfwmd.gov USACE PM: MICHAEL ROGALSKI USACE PM E-mail: michael.b.rogalski@usace.army.mil

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Early Warning System (EWS) FAQ

Q: What is this Early Warning System?
A: This EWS system was designed to notify interested parties of South Florida Water Management District - Environmental Resource Regulation permit applications that have come in for work on different areas of interest (AOI).

Q: What is the AOI?
A: The AOI for this EWS are the boundaries for the Comprehensive Everglades Restoration Plan.

Q: What do I do with this notification?
A: Consult with the appropriate reviewer or project manager to verify that the permit activity applied for is consistent with the area of interest designation.

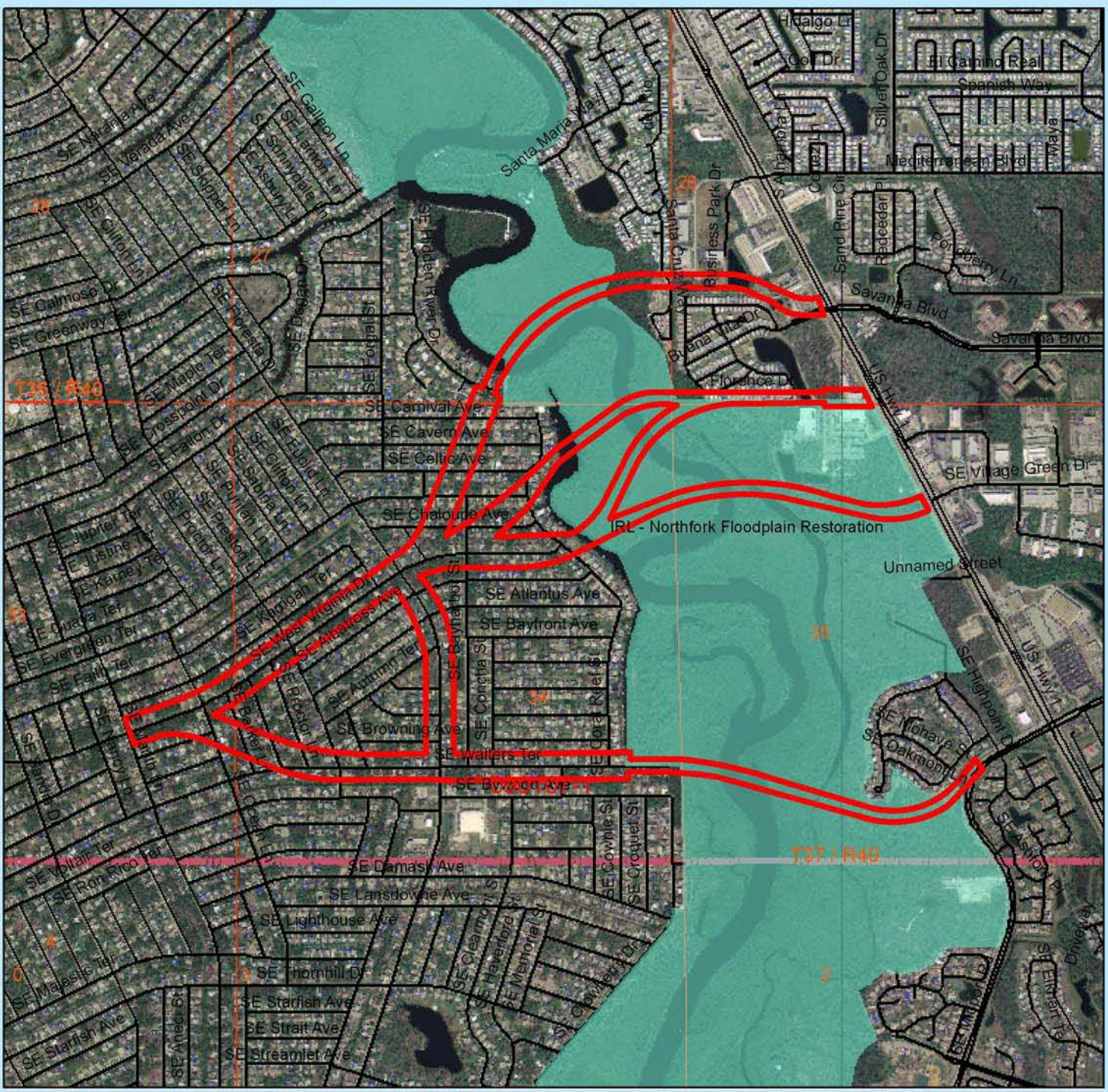
Q: What gets classified as IN?
A: The system classifies a permit application as IN if a portion of or the entire permit application crosses an AOI boundary. Thus, the permit application does not have to be totally within an AOI to receive this classification.

Q: What gets classified as ADJACENT?
A: The system classifies a permit application as ADJACENT if the permit application is within 300 feet from an AOI.

Q: What is the Relation field?
A: The Relation field is where you can find a description of the relationship between the permit application and the AOI.

Q: What are all the possible relations?
A1: APPLICATION IN - A portion of or the entire application is within an AOI boundary.
A2: APPLICATION ADJACENT - The application is within 300 feet of an AOI boundary.
A3: APPLICATION OUT RELATED PERMIT IN - The application is not withhin an AOI boundary but a portion or the parent permit is within an AOI boundary.
A4: APPLICATION OUT RELATED PERMIT ADJACENT - The application is not within an AOI boundary but the parent permit is within 300 feet of an AOI boundary.

<file:\\dataserv\420\4240\gis\data\prd\raster\district\permit\permit_cerp\general\2009\090107-1.jpg>



Legend

- Sections
- Township/Range
- Roads
- Canals
- 090107-1
- CERP Component

N

1:21000

0 0.2 0.4

Miles

DISCLAIMER:
This map is a conceptual tool utilized for project development and implementation only. This map is not self executing or binding, and does not otherwise affect the interests of any person including any vested rights or existing uses of real property. Any information, including but not limited to maps and data, received from the SFWMD is provided "as is" without any warranty and the SFWMD expressly disclaims all express and implied warranties of merchantibility and fitness for a particular purpose. The District does not make any representations regarding the use, or the results of the use, of the information provided to you by the District.

\\dataserv\420\4240\gis\data\prd\vaster\district\permit\permit_cerp\general\2009\090107-1.jpg - 5/18/2009

sfwmd.gov

South Florida Water Management District
Environmental Resource Regulation Department
Regulatory Information Management - GIS
3301 Gun Club Road, West Palm Beach, Florida 33406
561-686-8800 - www.sfwmd.gov

CERP Early Notification System
ERP Application Number: 090107-1

CITY of PORT ST. LUCIE

CROSSTOWN PARKWAY EXTENSION PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E) STUDY/ENVIRONMENTAL IMPACT STATEMENT (EIS)

Subject: Crosstown Parkway Extension Project Development and Environment (PD&E)/Environmental Impact Statement (EIS) Alternatives Public Workshop - June 4, 2009

On June 4, 2009, the City of Port St. Lucie hosted an Alternatives Public Workshop for the Crosstown Parkway Extension PD&E Study/EIS. There were 157 recorded attendees at this workshop, which were broken down as follows:

123 members of the public
32 work group members (including agencies, consultants and non-elected City staff)
2 elected officials (from the City of Port St. Lucie)
157 total attendees

Notification methods for the workshop included the following:

- The City mailed an invitation letter to 8,146 property owners within the project limits;
- Newspaper advertisements were placed in the *Port St. Lucie News* and the *Palm Beach Post* on Sunday, May, 24, 2009;
- "Save the Date" emails were sent to all Interested Parties (members of the public who had provided their email addresses at prior meetings), Elected Officials (from the City and surrounding areas, such as Stuart, as well as State and regional elected officials), and Agencies;
- A press release was developed and sent to all local and regional media on May 19, 2009;
- Michael Davis, Principal in Charge (Keith and Schnars, P.A.), and Ed Cunningham, Communications Director (City of Port St. Lucie) announced the Workshop on the "Positively Port St. Lucie" radio show that aired on Saturday, May 24th and Sunday, May 25, 2009;
- A "Save the Date" announcement was run on the governmental channel, TV 20, for two weeks leading up to the Workshop;
- An announcement was placed on the "What's New" section of the Project website: www.pslcrosstownparkway.com; and
- An announcement was placed on the homepage of the City's website, as well as on the City calendar: www.cityofportstlucie.com.

The primary purposes of the meeting were to:

- Provide information on the project's purpose and need, status and comparative analysis;
- Provide the public an update and overview of the project;
- Solicit input from the public on the alternatives being considered, including the No Build Alternative;
- Facilitate an open line of communication with the public throughout the Project Development process; and
- Explain to the public the various ways to provide their input.

The Alternatives Workshop was scheduled to begin at 4:30 p.m., however numerous attendees arrived early and were engaged by the Project Team starting at 4:00 p.m. The Workshop ended on schedule at 7:00 p.m. The event was conducted in an "open house" format to allow the attendees the opportunity to ask project specialists questions in a one-on-one informal format. While no formal presentation was conducted, an informational multi-media presentation (including voiceover) was on-going throughout the workshop in a separate room.

Forty (40) display boards were provided at the meeting to convey information about the project. The boards were placed at nine project stations, each addressing focus areas of the PD&E Study, including subjects ranging from environmental impacts to community impacts.

Public Comment forms were provided to the attendees, along with a two-page project handout that explained the workshop process and encouraged public input. A court reporter was also present to transcribe verbal comments if requested.

Comments Summary

Written Comments Received during the Workshop = 48 written comments (one attendee wrote two)
Oral Comments Received during the Workshop = 9 oral comments
Comments Received via Email after the Workshop = 2 emailed comments
Comments Received via Mail after the Workshop = 1 mailed comment

Total Public Comments = 60 comments (as of June 6, 2009)

Of the comments made, here are some of the initial findings:

1. **Alternative Preference**

29 – Prefer the 1C route
1 – Prefers the 2A route
7 – Prefer the "No Build" Alternative
10 – Did not have a preference

Several attendees did not have a specific preference, but would be inclined to accept two or more alternatives, additional comments included:

1 – Prefer either the 1C, 2A or 2D routes
2 – Prefer either 1C or 2A routes

Of the additional comments received, where a specific alternative was not identified, comments directed that certain alternatives were not favorable:

3 – Prefer anything other than 2A or 2D routes
1 – Prefers anything but 1F or 6B
1 – Prefers anything but 6A, 6B, or 1F
2 – Prefers anything but 1C

2. **Additional Comments and Concerns**

Many attendees did not identify a preference for an alternative, but had other issues that they wanted to bring to the City's attention for consideration. The majority of these concerns were related to property issues, compensation for their homes if an alternative was selected and speeding up the process so that they were not kept in limbo.

Several attendees addressed environmental concerns. The attendees that were mostly concerned with environmental issues (five comments) identified concerns about eagles, osprey, pipe fish and the horsetail plant. Additional comments made with relation to the environment asked that the City find a good balance between environmental and social impacts. One attendee commented that he had confidence that the City would mitigate properly to compensate for the environmental impacts of the bridge if built. One suggested that the River has just "come back" and to "please not damage one of Port St. Lucie's greatest resources."

Other attendees (less than five) listed traffic congestion and noise as concerns.

Finally, several members of the La Buona Vita Village attended the meeting and questioned how the City would buy out their properties in the event that Alternatives 6B or 1F were chosen.

Many comments were made with regard to the Workshop being very informative. Several comments praised the City for the representation of materials, as well as the Project Team's attention in addressing their concerns and questions.

Crosstown Parkway Extension Project Development and Environment (PD&E) Study/Environmental Impact Statement (EIS)

Save the Date!

You're invited to a Public Workshop for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study/Environmental Impact Statement (EIS). The purpose of this public workshop is to solicit input from the public on the alternatives being considered.

Date: Thursday, June 4, 2009

Time: 4:30 p.m. - 7:00 p.m.

Location:

Port St. Lucie Civic Center
9221 S.E. Civic Center Place
Port St. Lucie, FL 34952

Anticipated Project Schedule

Alternatives Public Workshop	June 4, 2009
Public Hearing (Tentative)	Winter 2010
Study Completion	March 2012
Design Completion	2013
Right-of-Way	2014
Construction Completion	2017

Project information is available on the web:
www.pslcrosstownparkway.com

Project Hotline: (772) 871-5176

CITY of PORT ST. LUCIE

FLORIDA
Natural Areas
INVENTORY

1018 Thomasville Road
Suite 200-C
Tallahassee, FL 32303
850-224-8207
fax 850-681-9364
www.fnai.org

February 4, 2009

Bobbie Richards
City of Port St. Lucie
121 SW Port St. Lucie, Building B
Port St. Lucie, FL 39484

Dear Mr. Richards,

Thank you for your request for information from the Florida Natural Areas Inventory (FNAI). We have compiled the following information for your project area.

Project: Crosstown Parkway Extension

Date Received: January 28, 2009

Location: St. Lucie County

Locally Significant Natural Area Status

We have determined that this site **does** meet the criteria for a Locally Significant Natural Area (LNA) for purposes for Florida Communities Trust proposal evaluations. The attached table details how the site matches the FNAI criteria for LNA status.

Element Occurrences

A search of our maps and database indicates that currently we have several Element Occurrences mapped within the vicinity of the study area (see enclosed map and element occurrence table). Please be advised that a lack of element occurrences in the FNAI database is not a sufficient indication of the absence of rare or endangered species on a site.

The Element Occurrences data layer includes occurrences of rare species and natural communities. The map legend indicates that some element occurrences occur in the general vicinity of the label point. This may be due to lack of precision of the source data, or an element that occurs over an extended area (such as a wide ranging species or large natural community). For animals and plants, Element Occurrences generally refer to more than a casual sighting; they usually indicate a viable population of the species. Note that some element occurrences represent historically documented observations which may no longer be extant.

Several of the species and natural communities tracked by the Inventory are considered ***data sensitive****. Occurrence records for these elements contain information that we consider sensitive due to collection pressures, extreme rarity, or at the request of the source of the information. The Element Occurrence Record has been labeled "Data Sensitive." We request that you not publish or release specific locational data about these species or communities without consent from the Inventory. If you have any questions concerning this please do not hesitate to call.*

Likely and Potential Rare Species

In addition to documented occurrences, other rare species and natural communities may be identified on or near the site based on habitat models and species range models (see enclosed Biodiversity

Florida Resources
and Environmental
Analysis Center

Institute of Science
and Public Affairs

The Florida State University

Matrix Report). These species should be taken into consideration in field surveys, land management, and impact avoidance and mitigation.

FNAI habitat models indicate areas, which based on land cover type, offer suitable habitat for one or more rare species that is known to occur in the vicinity. Habitat models have been developed for approximately 300 of the rarest species tracked by the Inventory, including all federally listed species.

FNAI species range models indicate areas that are within the known or predicted range of a species, based on climate variables, soils, vegetation, and/or slope. Species range models have been developed for approximately 340 species, including all federally listed species.

The FNAI Biodiversity Matrix Geodatabase compiles Documented, Likely, and Potential species and natural communities for each square mile Matrix Unit statewide.

Managed Areas

Portions of the site appear to be located within the Savannas Preserve State Park, managed by the Florida Department of Environmental Protection, Division of Recreation and Parks.

The Managed Areas data layer shows public and privately managed conservation lands throughout the state. Federal, state, local, and privately managed conservation lands are included.

The Inventory always recommends that professionals familiar with Florida's flora and fauna should conduct a site-specific survey to determine the current presence or absence of rare, threatened, or endangered species.

Please visit www.fnai.org/trackinglist.cfm for county or statewide element occurrence distributions and links to more element information.

The database maintained by the Florida Natural Areas Inventory is the single most comprehensive source of information available on the locations of rare species and other significant ecological resources. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. Inventory data are designed for the purposes of conservation planning and scientific research, and are not intended for use as the primary criteria for regulatory decisions.

Information provided by this database may not be published without prior written notification to the Florida Natural Areas Inventory, and the Inventory must be credited as an information source in these publications. FNAI data may not be resold for profit.

This report is made available at no charge due to funding from the Florida Department of Environmental Protection, Division of State Lands.

Thank you for your use of FNAI services. If I can be of further assistance, please give me a call at (850) 224-8207.

Sincerely,

Lindsay Horton

Lindsay Horton
Data Services Coordinator

Encl

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, June 02, 2009 4:17 PM
To: Walter England; Patricia Roebling
Cc: John P. Krane
Subject: FW: Legal Sufficiency Review for Crosstown Parkway Bridge Extension over St. Lucie River

Walter,
Hope you are doing well.
Below is the last response to the Legal Sufficiency request.
Thanks.

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Tuesday, June 02, 2009 2:24 PM
To: Schmidt, Gus
Cc: Caicedo, Beatriz; waltere@cityofpsl.com; Allen_Webb@fws.gov
Subject: Fw: Legal Sufficiency Review for Crosstown Parkway Bridge Extension over St. Lucie River

Gus, here is the response from my assistant field supervisor and our Atlanta Regional Office for the question regarding legal sufficiency and the Crosstown parkway project (see below)

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

----- Forwarded by John Wrublik/R4/FWS/DOI on 06/02/2009 02:06 PM -----

Spencer Simon/R4/FWS/DOI
06/02/2009 01:55 PM

To Allen Webb/R4/FWS/DOI@FWS
cc John Wrublik/R4/FWS/DOI@FWS
Subject Re: Fw: Legal Sufficiency Review for Crosstown Parkway Bridge Extension over St. Lucie River Link

Thank you Allen for reminding me. I discussed this with Jeff Weller and the response is that as a cooperating agency to another Federal agency, we fulfill our mandates in accordance with Endangered Species Act and Fish and Wildlife Coordination Act. We can not speak on behalf of the Solicitor's Office and thus don't do "legal sufficiency reviews" above those aforementioned mandates from our office.
Hope this helps, please let me know if there are additional questions.

Spencer

Spencer Simon
Assistant Field Supervisor - Ecological Services
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960
Office: 772-562-3909 x345
Cell: 772-532-7027
http://www.fws.gov/verobeach/

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Monday, April 13, 2009 1:22 PM
To: John P. Krane; Barry Ehrlich
Cc: Walter England; Lampley, Paul
Subject: FW: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of Applicability

Below is the determination from FHWA for the subject park.
Thanks.

From: George.Hadley@dot.gov [mailto:George.Hadley@dot.gov]
Sent: Monday, April 13, 2009 1:18 PM
To: Cathy.Kendall@dot.gov; Caicedo, Beatriz
Cc: Jackson, Roy; Linda.Anderson@dot.gov
Subject: RE: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of Applicability

The Kiwanis Park is considered a section 4(f) resource by FHWA Florida Division based on the information provided.

From: Kendall, Cathy <FHWA>
Sent: Monday, April 13, 2009 10:53 AM
To: Caicedo, Beatriz; Hadley, George <FHWA>
Cc: Jackson, Roy
Subject: RE: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of Applicability

Beatrice,
George is out this morning, but is expected back this afternoon. The information that you sent in e-mails below will be very helpful in his determination as to whether the park is a 4(f) resource.
Cathy

From: Caicedo, Beatriz [mailto:Beatriz.Caicedo@dot.state.fl.us]
Sent: Monday, April 13, 2009 10:33 AM
To: Hadley, George <FHWA>; Kendall, Cathy <FHWA>
Cc: Jackson, Roy
Subject: FW: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of Applicability

George, Cathy,
Do you have any questions regarding the Kiwanis Park subject?
Please let me know.
Thanks.
Beatriz

From: Caicedo, Beatriz
Sent: Thursday, April 02, 2009 2:45 PM
To: 'Hadley, George'
Cc: Kendall, Cathy; Lampley, Paul; Jackson, Roy; Broadwell, Ann L
Subject: FW: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of

Applicability

Hello, George, Cathy,

I'm forwarding the information below regarding the Kiwanis Park located along alternative 2D of the Crosstown PD&E project. Attached is also a map with the park location.
Please call me to further clarify this issue.
Thanks.
Beatriz

From: Barry Ehrlich [mailto:Behrlich@keithandschnars.com]
Sent: Friday, March 27, 2009 4:33 PM
To: Caicedo, Beatriz
Cc: John P. Krane; Harry Fulwood
Subject: Crosstown Parkway Extension PD&E - Kiwanis Park Determination of Applicability

Beatriz:

Our Community Impact Assessment revealed that the Kiwanis Park is located within the study limits and will be impacted by Alternative 2D. Therefore, a Section 4(f) Determination of Applicability (DOA) will be required from FHWA for the Park. The Park is located at 1320 Southeast Floresta Drive, Port St Lucie, Florida.

During a telephone conversation I had with Roy Jackson, FDOT's State Cultural Resource Coordinator, Mr. Jackson mentioned that, when it is "obvious" that a property such as Kiwanis Park is a 4(f) resource, it may be possible to obtain FHWA's 4(f) Determination without having to prepare a Determination of Applicability package. Mr. Jackson suggested that this be discussed with George Hadley (FHWA).

Therefore, I would like to request that you contact Mr. Hadley to see if this would be acceptable and, if so, how it could be accomplished? I am wondering if a letter or email containing information about the Park that would typically be contained in a DOA request package, would be sufficient for FHWA to provide a Determination.

I have already requested and received information about the Park from the City of Port St. Lucie's Parks and Recreation Department. This information is typical of the information that is provided to FHWA for DOA requests. The information I requested and the responses I received are provided below:

Q. Is the Park owned and maintained by the City of Port St. Lucie?
A. Yes.

Q. What type of Park is it? (local, regional, neighborhood, etc.)
A. Neighborhood Park

Q. What is the function of the Park (ball playing, jogging, passive)?
A. Serve the active/passive recreation needs of the immediate surrounding residents

Q. Is there any historic or other special significance to the Park?
A. The playground equipment was donated by the Kiwanis Club.

Q. What facilities or amenities are located in the Park?
A. Playground apparatus, picnic area, parking lot, trees, restroom, benches and open space playfield

Q. Are there plans for additional Park uses?
A. Not at this time.

Q. Is the Park a "public park" that is opened and accessible to the general public?
A. Yes.

Q. What are the operating hours of the Park?
A. 7 a.m. till dusk

Q. What is the approximate size of the Park?
A. 3.8 acres

Q. How is the Park accessed?
A. From the surrounding streets

Q. Are there any estimates of the number of visitors to the Park?
A. We do not keep these records for neighborhood parks.

Q. What is the significance of the Park?
A. The park is "sponsored" by the local Kiwanis club.

Q. Are there any clauses that would affect the ownership of the Park such as leases, easements, restrictions, etc?
A. I believe there are deed restrictions that limit development to Park purposes.

Beatriz, it will be greatly appreciated if you let me know the results of your communication with Mr. Hadley at your earliest convenience.

Thank You

Barry Ehrlich
Senior Project Manager
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, FL 33309-2132
Phone: 954.776.1616
Fax: 954.771.7690

John P. Krane

From: Barry Ehrlich
Sent: Friday, April 10, 2009 12:20 PM
To: Walter England; Patricia Roebling; Bobbie Richards; 'Roxanne Chesser'; 'Beatriz.Caicedo@dot.state.fl.us'
Cc: John P. Krane
Subject: FW: Crosstown Parkway Extension Cooperating Agency Letter from FDOT on Legal Sufficiency

We just receive the Corps response that they also will not be performing a legal sufficiency review.

Barry Ehrlich
Senior Project Manager
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, FL 33309-2132
Phone: 954.776.1616
Fax: 954.771.7690

Sent From My Blackberry

_____

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

----- Original Message -----
From: Lips, Garett G SAJ <Garett.G.Lips@usace.army.mil>
To: John P. Krane
Sent: Fri Apr 10 10:24:36 2009
Subject: RE: Crosstown Parkway Extension Cooperating Agency Letter from FDOT on Legal Sufficiency

John,
A Corps legal sufficiency review is not anticipated for the project.

Thank you,

Garett Lips
Biologist
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, FL 33410
Office 561-472-3519

-----Original Message-----
From: John P. Krane [mailto:jkrane@keithandschnars.com]

Sent: Thursday, April 09, 2009 9:14 AM
To: Ron Miedema; John Wrublik; Lips, Garett G SAJ
Cc: Lampley, Paul; Caicedo, Beatriz; Walter England; Patricia Roebling; Bobbie Richards; Michael Davis; Barry Ehrlich; Harry Fulwood
Subject: Crosstown Parkway Extension Cooperating Agency Letter from FDOT on Legal Sufficiency

This is a quick reminder that the City has not heard from you/your agency regarding the attached FDOT request. In order to anticipate issues that could impact the schedule this information is needed. I understand you are all busy, but it would be good to know by next week's Team Meeting (April
16th) if this is something we have to anticipate. jk

John P. Krane, P.E.

Director of Transportation Planning

Keith and Schnars, P.A.

6500 North Andrews Avenue

Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616

Toll Free: (800) 488-1255

Mobile: (954) 649-3061

Fax: (954) 771-7690

E-Mail: jkrane@keithandschnars.com

From: John P. Krane
Sent: Friday, March 20, 2009 8:14 AM
To: 'Ron Miedema'; 'John Wrublik'
Cc: 'Paul Lampley'; 'Beatriz Caicedo-Maddison'; 'Walter England'; 'Patricia Roebling'; 'Bobbie Richards'; Michael Davis; Barry Ehrlich; Harry Fulwood; 'Lips, Garett G SAJ'; 'Brandon Howard'
Subject: Cooperating Agency Letter from FDOT on Legal Sufficiency

In follow-up to yesterday's Crosstown Team Meeting, I am sending a copy of the letter that FDOT sent on March 4th requesting each of the Cooperating Agencies for this project to weigh in on whether or not they will need a separate Legal Sufficiency Review as a Cooperating Agency, in addition to that provided by FHWA as the Lead Agency.

John P. Krane, P.E.

John P. Krane

From: Budeir.Maher@epamail.epa.gov
Sent: Friday, April 10, 2009 8:25 AM
To: John P. Krane
Cc: Miedema.Ron@epamail.epa.gov
Subject: Re: Fw: Crosstown Parkway Extension Cooperating Agency Letter from FDOT on Legal Sufficiency

Attachments: Request Legal Letters to Agencies 03_05_2009.pdf

Request Legal Letters to Agenc...

John,

EPA will not provide legal sufficiency review. Our role in the NEPA Office is to provide technical review when asked by other agencies.
Please let me know if you need anything else..

Maher Budeir, US EPA, Region4
Phone 404-562-9514

Ron Miedema/R4/USEPA/US
04/10/2009 06:22 AM

To: Maher Budeir/R4/USEPA/US@EPA
cc: jkrane@keithandschnars.com
Subject: Fw: Crosstown Parkway Extension Cooperating Agency Letter from FDOT on Legal Sufficiency

Maher, Please respond to John's request below. I know we discussed this item (Legal Sufficiency) through email, but I must of deleted you response. Thanks Ron
----- Forwarded by Ron Miedema/R4/USEPA/US on 04/10/2009 06:19 AM -----

"John P. Krane" <jkrane@keithandschnars.com>
04/09/2009 09:13 AM

To: Ron Miedema/R4/USEPA/US@EPA, "John Wrublik" <john_wrublik@fws.gov>, "Lips, Garett G SAJ" <Garett.G.Lips@usace.army.mil>
cc: "Lampley, Paul" <Paul.Lampley@dot.state.fl.us>, "Caicedo, Beatriz"

<Beatriz.Caicedo@dot.state.fl.us>
, "Walter England"
<WalterE@cityofpsl.com>,
"Patricia Roebling"
<patr@cityofpsl.com>, "Bobbie
Richards"
<BRichards@cityofpsl.com>,
"Michael Davis"
<mdavis@keithandschnars.com>,
"Barry Ehrlich"
<Behrlich@keithandschnars.com>,
"Harry Fulwood"
<Hfulwood@keithandschnars.com>
Subject
Crosstown Parkway Extension
Cooperating Agency Letter from
FDOT on Legal Sufficiency

This is a quick reminder that the City has not heard from you/your agency regarding the attached FDOT request. In order to anticipate issues that could impact the schedule this information is needed. I understand you are all busy, but it would be good to know by next week's Team Meeting (April 16th) if this is something we have to anticipate.
jk

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

Phone: (954) 776-1616
Toll Free: (800) 488-1255
Mobile: (954) 649-3061
Fax: (954) 771-7690
E-Mail: jkrane@keithandschnars.com

From: John P. Krane
Sent: Friday, March 20, 2009 8:14 AM
To: 'Ron Miedema'; 'John Wrublik'
Cc: 'Paul Lampley'; 'Beatriz Caicedo-Maddison'; 'Walter England'; 'Patricia Roebling'; 'Bobbie Richards'; Michael Davis; Barry Ehrlich; Harry Fulwood; 'Lips, Garett G SAJ'; 'Brandon Howard'
Subject: Cooperating Agency Letter from FDOT on Legal Sufficiency

In follow-up to yesterday's Crosstown Team Meeting, I am sending a copy of the letter that FDOT sent on March 4th requesting each of the Cooperating Agencies for this project to weigh in on whether or not they will need a separate Legal Sufficiency Review as a Cooperating Agency, in addition to that provided by FHWA as the Lead Agency.

John P. Krane, P.E.
Director of Transportation Planning
Keith and Schnars, P.A.
6500 North Andrews Avenue
Fort Lauderdale, Florida 33309-2132

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
2614 NW 43 Street
Gainesville, FL 32606

http://www.fl.nrcs.usda.gov/

State Office
P.O. Box 141510
Gainesville, FL 32614-1510

Phone: 352-338-9500
FAX: 352-338-9574

April 9, 2009

Kristine Stewart
Senior Scientist
Keith and Schnars, P.A.
6500 N. Andrews Avenue
Fort Lauderdale, FL 33309-2132

Re: Crosstown Parkway Extension (St. Lucie County)

Dear Ms. Stewart,

Enclosed is the Prime Farmland map with the approximate site location for the proposed Crosstown Parkway Extension, in St. Lucie County, Florida.

The review of the Prime Farmland list and map (see attachments) for the proposed Project Area indicates that none of the soil map units within the Project Area meet the definition of Prime Farmland. In addition, as stated in your cover letter (4/2/09), this area is almost entirely urban. FPPA--7 CFR 658 states that ("Farmland" does not include land already in or committed to urban development or water storage). Therefore, this project is exempt from the FPPA process.

Additional maps, interpretations, and ratings can be obtained at the USDA-NRCS Web Soil Survey at: http://websoilsurvey.nrcs.usda.gov/app/.

Sincerely,

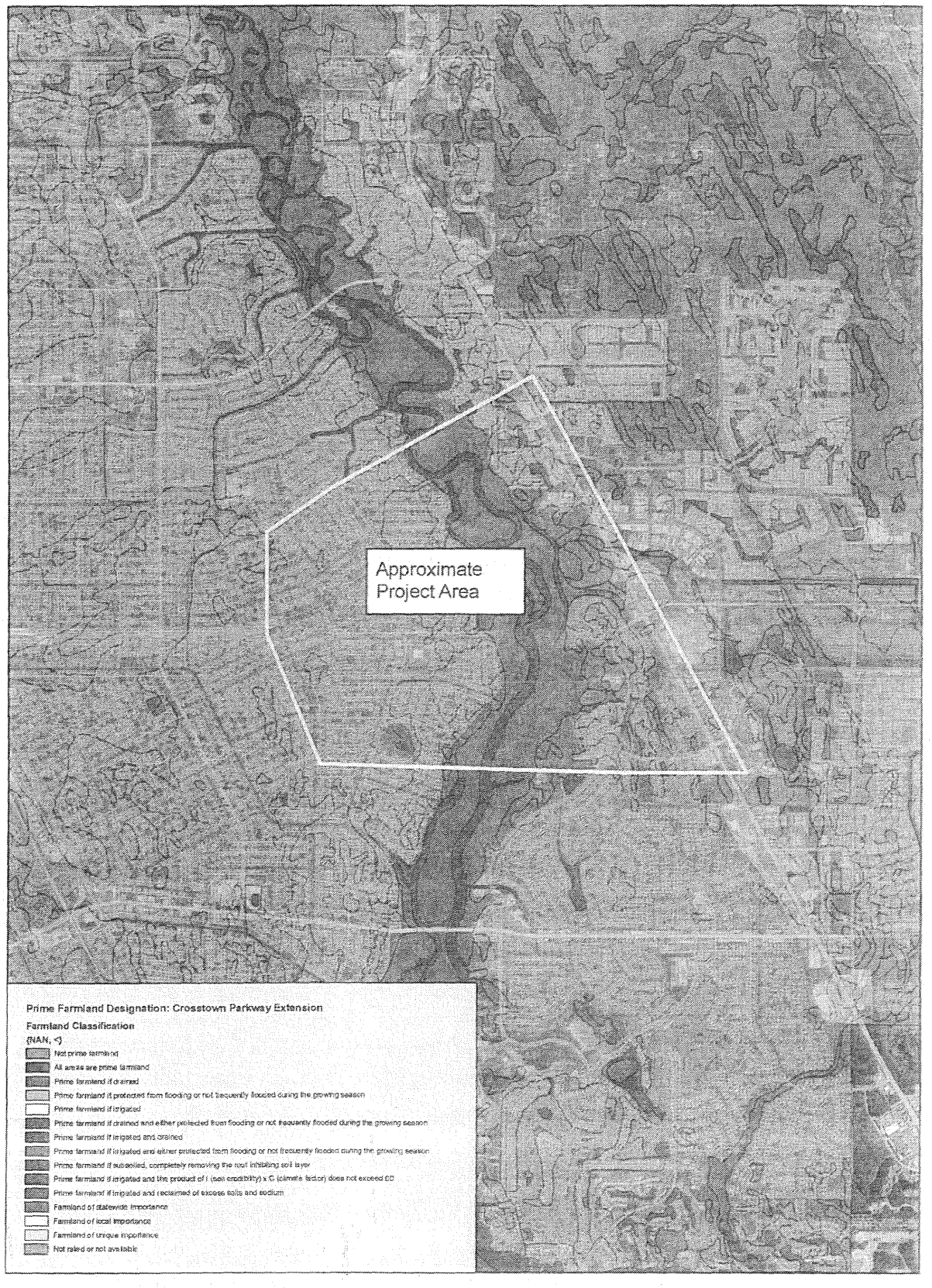
Rick
Rick Robbins
USDA-NRCS
Soil Scientist
Gainesville, Florida

w/ attachment

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

Prime Farmland: Crosstown Parkway Extension



0 0.4 0.8 1.6 2.4 3.2 Miles

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

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
(727) 824-5317; FAX (727) 824-5300
http://sero.nmfs.noaa.gov/

April 1, 2009 F/SER4:BH/pw

(Sent via Electronic Mail)

Mr. Gustavo Schmidt, P.E.
District Planning and Environmental Engineer
Florida Department of Transportation, District 4
3400 West Commercial Boulevard
Ft. Lauderdale, Florida 33309-3421

Dear Mr. Schmidt:

NOAA's National Marine Fisheries Service (NMFS) reviewed your letter dated March 4, 2009, in reference to the National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) being prepared for the Crosstown Parkway Extension in the City of Port Saint Lucie (ETDM-4287). You requested information regarding NMFS procedures for a formal Legal Sufficiency Review.

Since FHWA is the lead federal agency for this study, NMFS would not normally do a Legal Sufficiency Review. Our service as a cooperating agency under NEPA is based on scientific expertise relative to assessments needed to meet requirements of the Magnuson-Stevens Fishery Conservation and Management Act, Fish and Wildlife Coordination Act, and Endangered Species Act.

Questions should be directed to the attention of Mr. Brandon Howard in our West Palm Beach Field Office, which is co-located with the US Environmental Protection Agency at USEPA, 400 North Congress Avenue, Suite 120, West Palm Beach, FL 33401. He also may be reached by telephone at (561) 616-8880 extension 210, or by email at Brandon.Howard@noaa.gov.

Sincerely,

Pace Willer

/ for
Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:

FDOT, Ft. Lauderdale (Gus.Schmidt@dot.state.fl.us)
City of Port Saint Lucie, Port Saint Lucie (waltere@cityofpsl.com)
F/SER3 (David.Keys@noaa.gov)
F/SER4
F/SER47, Howard

Environmental Programs Coordinator
Federal Highway Administration
Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 942-9650 ext 3011
Fax: (850) 942-8308
george.hadley@dot.gov

John P. Krane

From: Caicedo, Beatriz [Beatriz.Caicedo@dot.state.fl.us]
Sent: Tuesday, March 24, 2009 3:37 PM
To: Walter England
Cc: John P. Krane; Lampley, Paul
Subject: FW: Crosstown Parkway (3rd East-West) Corridor Alternatives Report February 11, 2009 FHWA response

Walter,

FHWA is concluding that the subject Corridor Report is acceptable including the six alternatives identified for further development.
Please see below the official response from FHWA via e-mail by George Hadley.

Sincerely,

Beatriz Caicedo-Maddison, P.E.
Senior Project Manager
Florida Department of Transportation D4
Planning and Environmental
Management Office
Tel: 954 777 4336
Fax: 954 777 4671
3400 West Commercial Blvd.
Ft. Lauderdale, Fl 33309-3421

From: Hadley, George [mailto:George.Hadley@fhwa.dot.gov]
Sent: Tuesday, March 24, 2009 12:14 PM
To: Caicedo, Beatriz; Lampley, Paul; Young, Richard
Cc: Goldstein, Thomas; Kendall, Cathy; Anderson, Linda; Brunelle, Karen (FHWA); Christion, Tamara
Subject: Crosstown Parkway (3rd East-West) Corridor Alternatives Report February 11, 2009 transmittal

I have completed review of the two part report transmitted by Mr. Walter England by letter dated February 19, 2009. There are six alternatives identified for further development and inclusion in the EIS. The report is acceptable and the alternatives identified for further analyses are acceptable (the justifications for eliminated alternatives are acceptable).

This corridor study needs to be summarized in the DEIS and FEIS, and the report should be included as an appendix. We need discussion of the alternatives analysis in both the DEIS and FEIS to document how we arrived at the corridors carried forward and analyzed in greater detail.

It will be important to have the corridor repot to point out that a section 4(f) avoidance alternative were explored (if all of the St. Lucie is not covered by section 4(f) in areas where alternatives are eliminated). Therefore it will be important to figure out if the St. Lucie River would be considered a 4(f) resource in the areas where corridors are eliminated for the section 4(f) evaluation (we must seek an avoidance alternative).

This email is our official acceptance of the corridor study and I do not plan to send a letter or inspection report.

George Hadley

U.S. Department of Homeland Security

United States Coast Guard

Commander
Seventh Coast Guard District

909 S.E. First Avenue
Miami, FL 33131-3028
Staff Symbol: (dpb)
Phone: (305) 415-6736
Fax: (305) 415-6763
Email: Darayl.Tompkins@uscg.mil

PLANNING & ENVIRONMENTAL MANAGEMENT

MAR 24 2009

DISTRICT FOUR RECEIVED

16591/3875
Serial: 1754
March 18, 2009

Mr. Gustavo Schmidt, P.E.
District Four
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

Dear Mr. Schmidt:

I am responding to your letter dated March 4, 2009 addressed to Mr. Brodie E. Rich of our Bridge Staff. I have assumed the bridge permitting and environmental process responsibilities for this proposed bridge project across the North Fork of the St. Lucie River, Crosstown Parkway Extension from Manth Lane to US-1, at Port St. Lucie, St. Lucie County, Florida. Please address any future correspondence directly to me at the above address.

Since the FHWA is the lead federal agency for this proposed roadway corridor extension including the new bridge crossing, there is no formal Legal Sufficiency Review required by our agency. However, since a Coast Guard bridge permit is required for this proposed waterway crossing and in accordance with CEQ Regulations (40 CFR 1501.6), we are designated as a Cooperating Agency for the NEPA environmental documentation. This means that we have the responsibility to provide comments relative to our particular agency expertise (navigational impacts, the proposed bridge structure itself, and the proposed navigational clearances). Our comments and concerns must be included in the proposed environmental document under a separate environmental impacts Section entitled "Rivers and Harbors Act of 1899".

If we (Coast Guard) were the lead federal agency preparing the environmental documentation and responsibility for compliance with NEPA, then we would require our own formal Legal Sufficiency Review for EIS level documents. The NEPA document must be fully responsive to the environmental impacts imposed by a roadway/bridge project and provides a tool for us to appropriately determine if a Coast Guard bridge permit may be issued or if the issuance of the bridge permit should be denied based on significant environmental impacts.

16591/3875
March 18, 2009

As is the case with FHWA, we must also satisfy the enclosed environmental laws.

If you have any questions about our environmental document processing, please feel free to contact me at (305)415-6766.

Sincerely,

DARAYL TOMPKINS
Bridge Management Specialist
U. S. Coast Guard
By direction

Encl: (1) Environmental Laws to be addressed

Copy: Mr. Walter England, P.E., City Engineer, Port St. Lucie

OFFICE OF BRIDGE ADMINISTRATION

Bridge Permit Application Guide

U.S. Department of Transportation

United States Coast Guard

COMDTPUB P16591.3B

U. S. COAST GUARD

BRIDGE ADMINISTRATION

BRIDGING AMERICA TO THE 21ST CENTURY

ENCLOSURE (1)

3.. As explained further in Chapter 3, relevant environmental statutes and executive orders for bridge project compliance include:

a. National Environmental Policy Act (NEPA) of 1969, (42 U.S.C. 4321)

b. Department of Transportation Act of 1966, Section 4(f) (49 U.S.C. 303)

c. Coastal Zone Management Act (CZM) of 1972 (16 U.S.C. 1451)

d. Coastal Barrier Resources Act of 1982 (16 U.S.C. 3501)

e. Protection of Wetlands (E.O. 11990)

f. Floodplain Management and Protection (E.O. 11988)

g. Endangered Species Act of 1973 (16 U.S.C. 1531)

h. Fish and Wildlife Coordination Act of 1956 (16 U.S.C. 661)

i. Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855)

j. Clean Water Act of 1977 (33 U.S.C. 1251)

k. National Historic Preservation Act of 1966, Section 106 (16 U.S.C. 470)

l. Protection and Enhancement of the Cultural Environment (E.O. 11593)

m. Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271)

n. Farmlands Protection Policy Act of 1981 (7 U.S.C. 4201)

o. Clean Air Act of 1990 (42 U.S.C. 7401)

p. Noise Control Act of 1972 (42 U.S.C. 4331)

q. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. 4601)

r. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (E.O. 12898)

s. Native American Graves Protection and Repatriation Act of 1990 (23 U.S.C. 3001)

4. The Coast Guard is obligated to consult with and obtain comments from any federal agency with legal jurisdiction or special expertise concerning any environmental or navigational impact involved. Such comments are generally obtained through direct coordination with affected agencies, responses to the public notice, and the Local Notice to Mariners (LNM).

From: Behrlich@keithandschnars.com [mailto:Behrlich@keithandschnars.com]
Sent: Wednesday, March 04, 2009 3:51 PM
To: Bobbie Richards
Cc: jkrane@keithandschnars.com
Subject: Kiwanis Park Information

Hi Bobbie,

As part of our Community Impact Assessment and ongoing Section 4(f) Evaluation, coordination with FHWA will be required pertinent to the project's involvement with Kiwanis Park. As a result of a telephone call I initiated to Roy Jackson, FDOT's State Cultural Resource Coordinator, Mr. Jackson mentioned that, when it is obvious that a property such as Kiwanis Park is a 4(f) resource, it may be possible to obtain FHWA's 4(f) determination without having to prepare a determination of applicability package.

I am, therefore, going to ask Beatriz to call George Hadley (in my presence) to see how this could be accomplished and if it would be acceptable to FHWA.

In any case, information about the Park will need to be provided to FHWA and/or included in the Section 4(f) Evaluation Report. Mr. Jackson said the information should come from the City's department having responsibility for the Park. I would assume that is your Parks and Recreation Department. Therefore, can you please route the questions below to the proper individual in that Department?

- Is the Park owned and maintained by the City of Port St. Lucie?
- What type of Park is it? (local, regional, neighborhood, etc.)
- What is the function of the Park (ball playing, jogging, passive)?
- Is there any historic or other special significance to the Park?
- What facilities or amenities are located in the Park?
- Are there plans for additional Park uses?
- Is the Park a "public park" that is opened and accessible to the general public?
- What are the operating hours of the Park?
- What is the approximate size of the Park?
- How is the Park accessed?
- Are there any estimates of the number of visitors to the Park?
- What is the significance of the Park?
- Are there any clauses that would affect the ownership of the Park such as leases, easements, restrictions, etc.?

If you need clarification about any of the questions, feel free to contact me. When the questions are answered, can you please forward them back to me at your earliest convenience?

Barry - Here are the responses from the Director of Parks & Recreation.

From: Chuck Proulx
Sent: Monday, March 09, 2009 12:05 PM
To: Bobbie Richards
Subject: RE: Kiwanis Park Information

Answers in the order presented.

1. yes.
2. neighborhood park.
3. serve the active/passive recreation needs of the immediate surrounding residents.
4. the playground equipment was donated by the Kiwanis Club.
5. playground apparatus, picnic area, parking lot, trees, restroom, benches and open space playfield.
6. not at this time.
7. yes.
8. 7am till dusk.
9. 3.8 acres.
10. from the surrounding streets.
11. we do not keep these records for neighborhood parks.
12. the park is “sponsored” by the local Kiwanis club.
13. I believe there are deed restrictions that limit development to park purposes.

Chuck Proulx, CPRP
Parks & Recreation Director
City of Port St. Lucie, FL
772-871-5088

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2009

Mr. John Wrublik
U.S. Fish and Wildlife Service, Region 4
1339 20th Street,
Vero Beach, Florida 32960

Dear Mr. Wrublik:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to US-1**
Environmental Impact Statement (EIS)
Project Development and Environment (PD&E) Study
St. Lucie County, Florida
FM No. 410844-1-A8-1
Federal Aid Project No.: 7777 087 A

At our December 2008 Team Meeting for the subject project, we discussed the topic of obtaining Legal Sufficiency in order to clarify with FHWA and FDOT when legal staff should be engaged in this project to facilitate timely completion of the FHWA Legal Sufficiency Review. The project schedule that was approved by FHWA and the Cooperating Agencies in June of 2008 identifies that Legal Sufficiency Review by FHWA will be completed by mid-October, 2011. A question that came out of that discussion was whether or not the Cooperating Agencies had their own formal Legal Sufficiency Review for EIS projects when FHWA is the Lead Federal Agency. In this regard, we request that you clarify in writing your agency's process and requirements, if any, for Legal Sufficiency Review of this project. Please direct your response to my attention with a copy to Mr. Walter England, P.E., City Engineer, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34984.

The FDOT has committed to work with the FHWA, the City and the Cooperating Agencies throughout the project to ensure a high quality EIS and to identify ways to accelerate the process where possible. We look forward to our continued work with you and the U.S. Fish and Wildlife Service on this important project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:bcm

cc: Walter England, P.E., City Engineer – City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant PD&E Manager

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2009

Mr. Garett Lips
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410

Dear Mr. Lips:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to US-1**
Environmental Impact Statement (EIS)
Project Development and Environment (PD&E) Study
St. Lucie County, Florida
FM No. 410844-1-A8-1
Federal Aid Project No.: 7777 087 A

At our December 2008 Team Meeting for the subject project, we discussed the topic of obtaining Legal Sufficiency in order to clarify with FHWA and FDOT when legal staff should be engaged in this project to facilitate timely completion of the FHWA Legal Sufficiency Review. The project schedule that was approved by FHWA and the Cooperating Agencies in June of 2008 identifies that Legal Sufficiency Review by FHWA will be completed by mid-October, 2011. A question that came out of that discussion was whether or not the Cooperating Agencies had their own formal Legal Sufficiency Review for EIS projects when FHWA is the Lead Federal Agency. In this regard, we request that you clarify in writing your agency's process and requirements, if any, for Legal Sufficiency Review of this project. Please direct your response to my attention with a copy to Mr. Walter England, P.E., City Engineer, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34984.

The FDOT has committed to work with the FHWA, the City and the Cooperating Agencies throughout the project to ensure a high quality EIS and to identify ways to accelerate the process where possible. We look forward to our continued work with you and the U.S. Army Corps of Engineers on this important project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:bcm

cc: Walter England, P.E., City Engineer – City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant PD&E Manager

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2009

Mr. Brandon Howard
NOAA National Marine Fisheries Service
Habitat Conservation Division
400 North Congress Avenue, Suite 120
West Palm Beach, Florida 33401

Dear Mr. Howard:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to US-1**
Environmental Impact Statement (EIS)
Project Development and Environment (PD&E) Study
St. Lucie County, Florida
FM No. 410844-1-A8-1
Federal Aid Project No.: 7777 087 A

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The FDOT has committed to work with the FHWA, the City and the Cooperating Agencies throughout the project to ensure a high quality EIS and to identify ways to accelerate the process where possible. We look forward to our continued work with you and the National Marine Fisheries Service on this important project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:bcm

cc: Walter England, P.E., City Engineer – City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant PD&E Manager

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2009

Mr. Brodie E. Rich
U.S. Coast Guard, 17th District
909 S.E. 1st Avenue
Miami, Florida 33131

Dear Mr. Rich:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to US-1**
Environmental Impact Statement (EIS)
Project Development and Environment (PD&E) Study
St. Lucie County, Florida
FM No. 410844-1-A8-1
Federal Aid Project No.: 7777 087 A

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The FDOT has committed to work with the FHWA, the City and the Cooperating Agencies throughout the project to ensure a high quality EIS and to identify ways to accelerate the process where possible. We look forward to our continued work with you and the U.S. Coast Guard on this important project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:bcm

cc: Walter England, P.E., City Engineer – City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant PD&E Manager

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

March 4, 2009

Mr. Maher Budeir
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street S.W.
Atlanta, Georgia 30303-8960

Dear Mr. Budeir:

SUBJECT: **Crosstown Parkway Extension from Manth Lane to US-1**
Environmental Impact Statement (EIS)
Project Development and Environment (PD&E) Study
St. Lucie County, Florida
FM No. 410844-1-A8-1
Federal Aid Project No.: 7777 087 A

At our December 2008 Team Meeting for the subject project, we discussed the topic of obtaining Legal Sufficiency in order to clarify with FHWA and FDOT when legal staff should be engaged in this project to facilitate timely completion of the FHWA Legal Sufficiency Review. The project schedule that was approved by FHWA and the Cooperating Agencies in June of 2008 identifies that Legal Sufficiency Review by FHWA will be completed by mid-October, 2011. A question that came out of that discussion was whether or not the Cooperating Agencies had their own formal Legal Sufficiency Review for EIS projects when FHWA is the Lead Federal Agency. In this regard, we request that you clarify in writing your agency's process and requirements, if any, for Legal Sufficiency Review of this project. Please direct your response to my attention with a copy to Mr. Walter England, P.E., City Engineer, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34984.

The FDOT has committed to work with the FHWA, the City and the Cooperating Agencies throughout the project to ensure a high quality EIS and to identify ways to accelerate the process where possible. We look forward to our continued work with you and the U.S. Environmental Protection Agency on this important project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gustavo Schmidt, P.E.
District Planning and Environmental Engineer

GS:bcm

cc: Ron Miedema, U.S. Environmental Protection Agency
Walter England, P.E., City Engineer – City of Port St. Lucie
Beatriz Caicedo-Maddison, P.E., Consultant PD&E Manager

U.S. Department of Transportation
Federal Highway Administration

Florida Division

545 John Knox Road, Suite 200
Tallahassee, Florida 32303

(850) 942-9650

February 24, 2009

In Reply Refer To: HPR-FL
Crosstown Pkwy Extension

RECEIVED
FEB 27 2009
D IV DISTRICT SECRETARY

RECEIVED
JAN 27 2009
D IV DISTRICT SECRETARY

Mr. James A. Wolfe, P.E.
District Four Secretary
Florida Department of Transportation
3400 West Commercial Boulevard
Ft. Lauderdale, Florida 33309

Attention: Mrs. Beatriz Caicedo-Maddisson, P.E.

Dear Mr. Wolfe:

The Federal Highway Administration (FHWA) has reviewed the Addendum, dated January 23, 2009, to the Section 4(f) Determination of Applicability (DOA). The information submitted is sufficient enough to determine that section 4(f) would apply alternatives 2D, 1F and 6B when and if they occupy land from the North Fork of the St. Lucie River Aquatic Preserve and/or the Savannas Preserve State Park.

In conclusion, the Draft EIS shall include all pertinent information, in addition to a draft Section 4(f) Evaluation for review and approval prior to public availability.

Should you have any questions or comments, please contact Mr. George Hadley at (850) 942-9650, extension 3011.

Sincerely,

/s/ George Hadley
For: Martin C. Knopp, P.E.
Division Administrator

cc: Mr. Roy Jackson, FDOT Central Office
Ms. Beatriz Caicedo-Maddison and Mr. Paul Lampley, FDOT District 4

AMERICAN
ECONOMY

Barry Ehrlich

From: Michael Davis
Sent: Friday, February 20, 2009 10:43 AM
To: waltere@cityofpsl.com; PatR@cityofpsl.com; BRichards@cityofpsl.com
Cc: John P. Krane; Barry Ehrlich
Subject: FW: Crosstown Parkway Extension DEIS
Attachments: Species List.doc

FYI. We received a response to our question to John Wrublik (USFWS) regarding the TE species list.

Michael

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Friday, February 20, 2009 8:01 AM
To: Kristine Stewart
Subject: Re: Crosstown Parkway Extension DEIS

Kristine, I have reviewed the attached species list for the project, and it seems appropriate. Please remember that under the Section 7 of the Endangered Species Act (ACT), only a federal agency or there designated federal representative can request concurrences for determinations made regarding federally listed species. For this project, the Florida Deparment of Transportation (FDOT) is the designated federal representative of the Federal Highway Administration. So any request for concurrence under the Act must come from the FDOT. If you have any questions, please let me know.

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

"Kristine Stewart" <kstewart@keithandschnars.com>

02/12/2009 08:19 AM

To <John_Wrublik@fws.gov>
cc
Subject Crosstown Parkway Extension DEIS

Hi John,

I have not received a reply about this. Did it drift to the bottom of your inbox? It would be great if I had your input on this very important project.

One more thing. Should I prepare tentative "effects findings" in the DEIS for your concurrence?

Kris

From: Kristine Stewart
Sent: Thursday, January 22, 2009 10:45 AM
To: 'John_Wrublik@fws.gov'
Subject: Crosstown Parkway Extension DEIS

Hi John,

As you know, we are preparing a DEIS for the propose Crosstown Parkway Extension. The PD&E Manual has not been fully updated to reflect the ETDM process in the Biological Assessment chapter. As part of the PD&E Manual, we (the City) needs to initiate informal consultation by having you concur with a list of protected species to be included in the analysis. I asked Ann Broadwell if this process is still necessary and she told me to ask you how you want to handle this. Do you want me to prepare a written request for concurrence?

I've attached our proposed list. We will examine each of these species in detail (state, too) in the ESBA report (and the EFH). We have included species from your website list, as well.

Kristine Stewart, Ph.D.
Senior Biologist/Senior Scientist
Keith and Schnars
6500 N. Andrews Avenue
Fort Lauderdale, FL 33309
(954) 776-1616
(954) 771-7690 (Fax)
kstewart@keithandschnars.com

FLORIDA
Natural Areas
INVENTORY

1018 Thomasville Road
Suite 200-C
Tallahassee, FL 32303
850-224-8207
fax 850-681-9364
www.fnai.org

February 4, 2009

Bobbie Richards
City of Port St. Lucie
121 SW Port St. Lucie, Building B
Port St. Lucie, FL 39484

Dear Mr. Richards,

Thank you for your request for information from the Florida Natural Areas Inventory (FNAI). We have compiled the following information for your project area.

Project: Crosstown Parkway Extension

Date Received: January 28, 2009

Location: St. Lucie County

Locally Significant Natural Area Status

We have determined that this site **does** meet the criteria for a Locally Significant Natural Area (LNA) for purposes for Florida Communities Trust proposal evaluations. The attached table details how the site matches the FNAI criteria for LNA status.

Element Occurrences

A search of our maps and database indicates that currently we have several Element Occurrences mapped within the vicinity of the study area (see enclosed map and element occurrence table). Please be advised that a lack of element occurrences in the FNAI database is not a sufficient indication of the absence of rare or endangered species on a site.

The Element Occurrences data layer includes occurrences of rare species and natural communities. The map legend indicates that some element occurrences occur in the general vicinity of the label point. This may be due to lack of precision of the source data, or an element that occurs over an extended area (such as a wide ranging species or large natural community). For animals and plants, Element Occurrences generally refer to more than a casual sighting; they usually indicate a viable population of the species. Note that some element occurrences represent historically documented observations which may no longer be extant.

Several of the species and natural communities tracked by the Inventory are considered ***data sensitive****. Occurrence records for these elements contain information that we consider sensitive due to collection pressures, extreme rarity, or at the request of the source of the information. The Element Occurrence Record has been labeled "Data Sensitive." We request that you not publish or release specific locational data about these species or communities without consent from the Inventory. If you have any questions concerning this please do not hesitate to call.*

Likely and Potential Rare Species

In addition to documented occurrences, other rare species and natural communities may be identified on or near the site based on habitat models and species range models (see enclosed Biodiversity

Florida Resources
and Environmental
Analysis Center

Institute of Science
and Public Affairs

The Florida State University

Matrix Report). These species should be taken into consideration in field surveys, land management, and impact avoidance and mitigation.

FNAI habitat models indicate areas, which based on land cover type, offer suitable habitat for one or more rare species that is known to occur in the vicinity. Habitat models have been developed for approximately 300 of the rarest species tracked by the Inventory, including all federally listed species.

FNAI species range models indicate areas that are within the known or predicted range of a species, based on climate variables, soils, vegetation, and/or slope. Species range models have been developed for approximately 340 species, including all federally listed species.

The FNAI Biodiversity Matrix Geodatabase compiles Documented, Likely, and Potential species and natural communities for each square mile Matrix Unit statewide.

Managed Areas

Portions of the site appear to be located within the Savannas Preserve State Park, managed by the Florida Department of Environmental Protection, Division of Recreation and Parks.

The Managed Areas data layer shows public and privately managed conservation lands throughout the state. Federal, state, local, and privately managed conservation lands are included.

The Inventory always recommends that professionals familiar with Florida's flora and fauna should conduct a site-specific survey to determine the current presence or absence of rare, threatened, or endangered species.

Please visit www.fnai.org/trackinglist.cfm for county or statewide element occurrence distributions and links to more element information.

The database maintained by the Florida Natural Areas Inventory is the single most comprehensive source of information available on the locations of rare species and other significant ecological resources. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. Inventory data are designed for the purposes of conservation planning and scientific research, and are not intended for use as the primary criteria for regulatory decisions.

Information provided by this database may not be published without prior written notification to the Florida Natural Areas Inventory, and the Inventory must be credited as an information source in these publications. FNAI data may not be resold for profit.

This report is made available at no charge due to funding from the Florida Department of Environmental Protection, Division of State Lands.

Thank you for your use of FNAI services. If I can be of further assistance, please give me a call at (850) 224-8207.

Sincerely,

Lindsay Horton

Lindsay Horton
Data Services Coordinator

Encl

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309-3421

STEPHANIE C. KOPELOUSOS
SECRETARY

January 23, 2009

Mr. Martin Knopp, P.E.
Division Administrator
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Attention Mr. George Hadley

Dear Mr. Knopp:

SUBJECT: **Crosstown Parkway Corridor Extension**
Addendum to 4(f) Determination of Applicability (DOA)
Request for Determination

This is an addendum to the previously submitted Determination of 4(f) Applicability (DOA) dated September 20, 2007, for the subject project. A copy of that DOA and its accompanying transmittal letter are included as Attachments 1 and 2. The addendum is necessary due to Federal Highway Administration's (FHWA) request to include three additional corridor alternatives for evaluation in the Environmental Impact Statement (EIS).

The September 2007 DOA identified three corridor alternatives (6A, 1C, and 2A) for evaluation in the EIS. These three corridor alternatives were recommended for evaluation in the EIS based upon a three tiered screening process documented in the December 2006 Alternatives Analysis Report. Based on the information provided in the DOA, FHWA determined that Section 4(f) applies to two resources within the study area: the North Fork of the St. Lucie River Aquatic Preserve, and the Savannas Preserve State Park. Furthermore, FHWA determined that an Individual Section 4(f) Evaluation will be required for the project. The determination is documented in a letter from FHWA to FDOT, dated December 10, 2007 (see Attachment 3).

Along with the 4(f) Determination, it was stated by FHWA in the December 2007 letter that it would be necessary to evaluate all tier 2 alternatives presented in the December 2006 Alternatives Analysis Report in terms of Section 4(f). Therefore, three additional corridor alternatives are being evaluated. The additional corridor alternatives under evaluation are identified as 2D, 1F and 6B. The location of all six corridor alternatives is shown on Attachment 4 – Figure 1.5.

The information provided in the September 2007 DOA package was based upon data obtained from the Florida Department of Environmental Protection (FDEP) pertinent to corridor alternatives 6A, 1C, and 2A. Subsequent to FHWA's direction to include the additional three alternatives (2D, 1F and 6B), a request was made to FDEP to determine if any of the data they had previously provided would need to be supplemented or changed based upon the inclusion of the additional alternatives

(see Attachment 5 – letter dated October 9, 2008). In an email dated November 24, 2008, FDEP responded that "the Department has no additional comments to submit with regard to the Section 4(f) Determination on potential alignments of the Crosstown Parkway Corridor Extension, also known as the Third East-West Crossing of the North Fork of the St. Lucie River. The comments contained in the Department's letter to you of August 7, 2007, also apply to the additional alignments recently added to the project study" (see Attachment 6). The Informational Points for Potential Section 4(f) Resources that were provided in the September 2007 DOA would, therefore, remain applicable to the additional corridor alternatives. As a result, FHWA can make their Determination for the three additional corridor alternatives based on the information contained in the September 2007 DOA request.

Please provide an amended 4(f) Determination for the subject project. If you need any additional information, please do not hesitate to contact me.

Sincerely,

Beatriz Caicedo-Maddison, P.E.
Senior Project Manager Liaison

BCM:gs

File Attachments:

1) DOA Document Dated September 20, 2007
2) DOA Transmittal Letter dated September 20
3) FHWA 4(f) Determination Letter dated December 10, 2007
4) Figure 1.5 - Alternatives Recommended for Evaluation in the DEIS
5) Letter to FDEP dated October 9, 2008
6) FDEP E-Mail Response dated November 24, 2008

cc: Mr. Donald B. Cooper, City Manager – City of Port St. Lucie
Mr. Walter England, City Engineer – City of Port St. Lucie
Ms. Sally B. Mann, Director, Office of Intergovernmental Programs – FDEP
Mr. Paul Souza, Field Review Supervisor – U.S. Fish & Wildlife Services
Mr. Roy Jackson, State Cultural Resources Coordinator – FDOT CO (with enclosure)
Mr. James A. Wolfe, District Secretary – FDOT, D-4
Mr. Gerry O'Reilly, Director of Transportation Development – FDOT, D-4
Mr. Paul Lampley, District Project Development Engineer – FDOT, D-4 (with enclosure)

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

January 8, 2009

Florida Field Office
National Parks Service, RTCA Program
665 S. Orange Avenue
Sarasota, FL 34236

RE: Consultation for the Wild and Scenic Rivers Act
Crosstown Parkway Extension (formerly Third East-West River Crossing)
Project Development and Environment (PD&E) Study
City of Port St. Lucie, St. Lucie County, Florida

Dear Sirs:

Recently, in a letter, dated October 17, 2008, we requested your assistance in the consultation for the Wild and Scenic Rivers Act for the Crosstown Parkway Extension PD&E Study. This letter is a follow-up to that request, since we have not yet received a response from your agency.

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), is preparing an Environmental Impact Statement (EIS) for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program (LAP) Agreement with FDOT, District 4. The study area, in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on the east. Alternatives under consideration include a No Build Alternative and multiple alternatives that provide a river crossing on a new alignment. Two project location maps and an aerial photograph showing the proposed build alternatives are enclosed for your reference.

While the North Fork of the St. Lucie River is not designated as a Wild and Scenic River, it is listed on the Nationwide Rivers Inventory and the project is located within the limits of the listed river. The Environmental Screening Tool identified concerns and issues regarding the proposed alignments in the river section. If you wish to review any of these comments, please go to http://etdmpub.fla-etat.org/est/ (Project #8247). As part of the coordination with the National Parks Service, we seek your agency's comments on the proposed alternatives, as depicted on the enclosed maps.

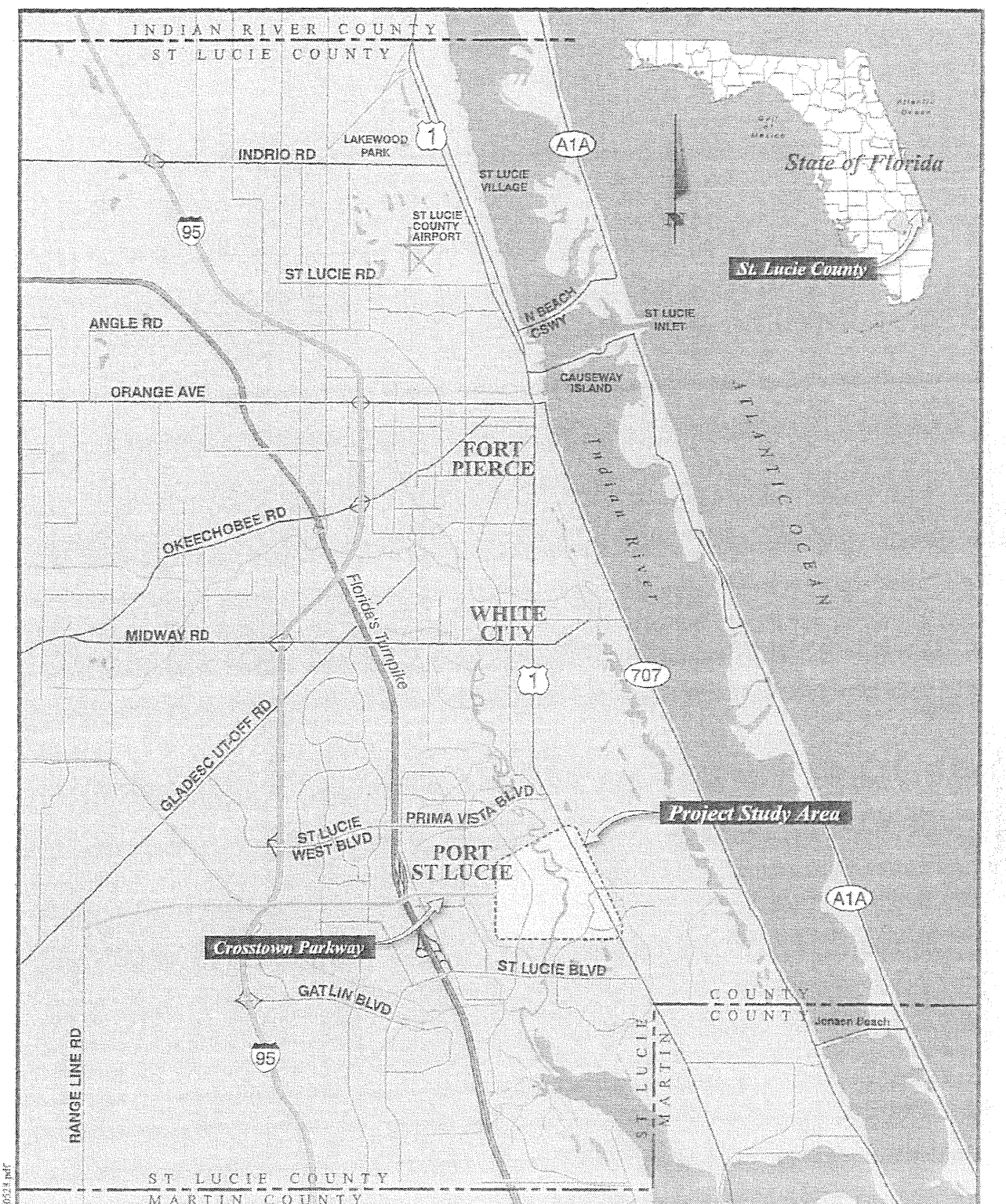
We appreciate your review and technical assistance in this project.

Sincerely,
KEITH and SCHNARS, P.A.

Kristine Stewart

Kristine Stewart, Ph.D.
Senior Scientist/Senior Biologist
kstewart@keithandschnars.com

6500 North Andrews Avenue • Ft. Lauderdale, Florida 33309-2132
(954) 776-1616 • (800) 488-1255 • Fax (954) 771-7690



CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A. ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Study Area Location Map

Figure No. 1.1

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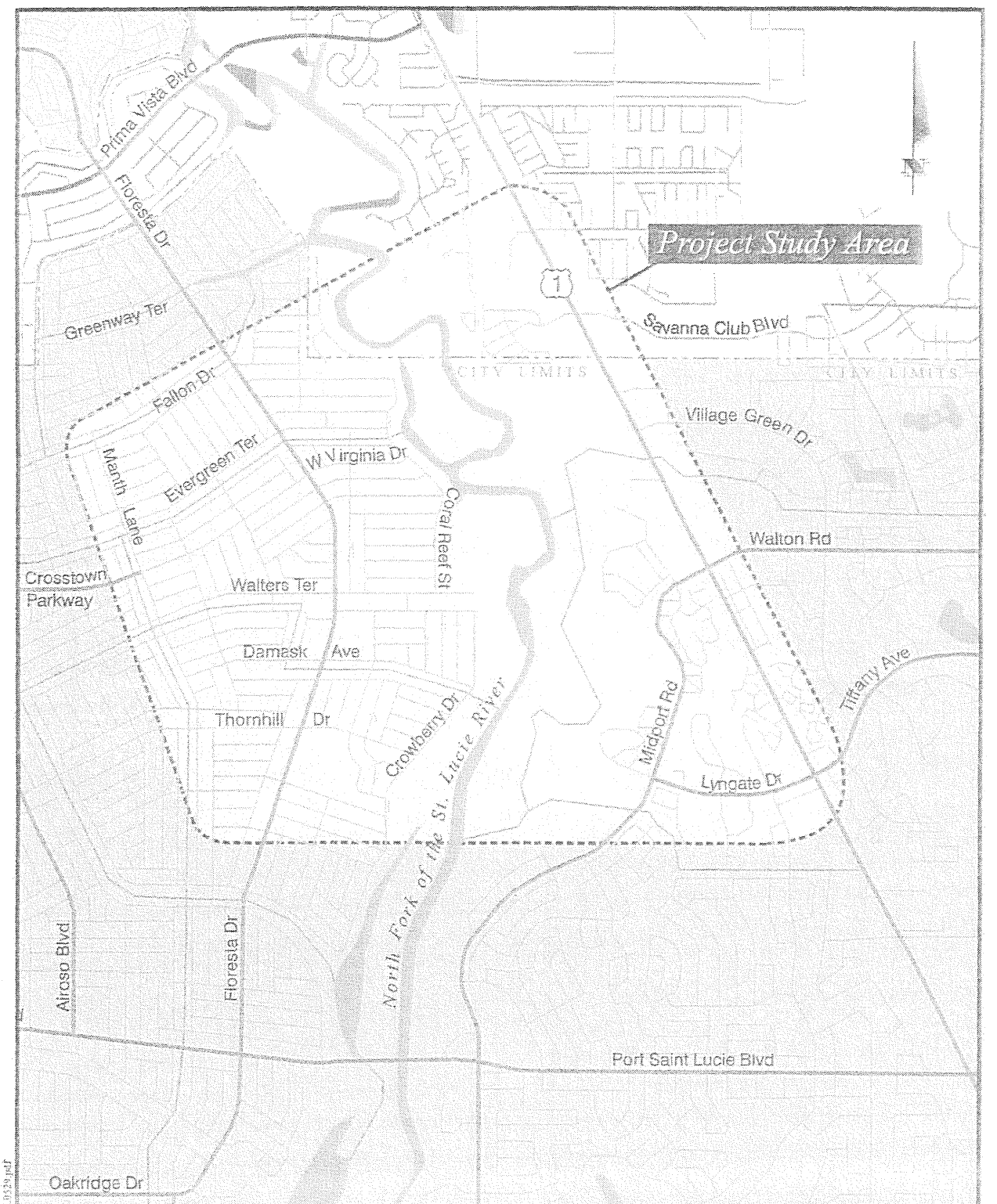


CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A. ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Project Study Area

Figure No. 1.2

Z:\Projects\Graphics\PSL\PSL0568.pdf

CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Alternatives Recommended for Evaluation in the DEIS

Figure No. 1.5

Karin Dunne

From: Mann, Sally [Sally.Mann@dep.state.fl.us]
Sent: Monday, November 24, 2008 3:33 PM
To: Barry Ehrlich
Subject: FW: Crosstown Parkway Corridor Extension - Section 4(f) Determination

Barry, I received a "System Error" message, indicating my original message did not reach you. Hopefully this one will!

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Mann, Sally
Sent: Monday, November 24, 2008 3:32 PM
To: Walter England (waltere@cityofpsl.com)
Cc: 'Barry Ehrlich '; Stahl, Chris; Brock, Greg; Gregory, Albert; Griffin, Daniel; McCarron, Ellen; Herren, Laura; 'Caicedo, Beatriz'
Subject: Crosstown Parkway Corridor Extension - Section 4(f) Determination

Dear Walter,

Upon review of the documentation provided in Barry Ehrlich's email to me of November 19, 2008, the Department has no additional comments to submit with regard to the Section 4(f) Determination on potential alignments of the Crosstown Parkway Corridor Extension, also known as the Third East-West Crossing of the North Fork of the St. Lucie River. The comments contained in the Department's letter to you of August 7, 2007, also apply to the additional alignments recently added to the project study.

Should you require additional information, please do not hesitate to give me a call.

Best regards,

Sally

* * * * * * * * * * * * *

Sally B. Mann, Director
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
Telephone: (850) 245-2163
Facsimile: (850) 245-2189
E-Mail: sally.mann@dep.state.fl.us

From:	Milligan, Lauren [Lauren.Milligan@dep.state.fl.us]
Sent:	Friday, October 31, 2008 1:33 PM
To:	Kristine Stewart; paul.lampley@dot.state.fl.us
Cc:	beatriz.caicedo@dot.state.fl.us; John P. Krane; Herren, Laura; Shirley, Michael; Isom, Penny; McCarron, Ellen; Edmiston, Lee; Samek, Kelly; Fitzwater, Jennifer; Mann, Sally; Stahl, Chris; Griffin, Lynn; Gregory, Albert; Griffin, Daniel
Subject:	EIS Scoping Notice for the Crosstown Parkway Extension - DEP/CAMA response
Attachments:	FHWA-FDOT EIS notice to CAMA.pdf; St. Lucie 8247 - 6 Alternatives, Third East-West Crossing 8-12-08.xls

Dear Kristine and Paul:

RE: Crosstown Parkway Extension (formerly Third East-West Crossing of the St. Lucie River) Project Development and Environment (PD&E) Study – City of Port St. Lucie, St. Lucie County, Florida. ETDM # 8247, SAI # FL200307143088C

The Florida State Clearinghouse is in receipt of your letter, dated October 20, 2008, to the Department's Office of Coastal and Aquatic Managed Areas (CAMA) requesting comments on the proposed Crosstown Parkway Extension alternatives. After speaking to you earlier this week, it is my understanding that the subject letter will fulfill the Federal Highway Administration's (FHWA) National Environmental Policy Act scoping requirements for notifying the Department that the FHWA and FDOT are preparing an Environmental Impact Statement (EIS) for the proposed project. I also understand that the Department's previous project comments submitted on the ETDM Environmental Screening Tool have been accepted as the state's scoping comments and will be considered during development of the PD&E Study and Draft EIS.

Since the proposed alternatives will affect sovereignty submerged lands and state-owned wetlands and uplands, we recommend that project managers continue to work closely with the South Florida Water Management District on review of the pending Environmental Resource Permit/sovereignty submerged lands public easement application and also with the Department's Division of Recreation and Parks, Division of State Lands and CAMA staff on the required public easement application to cross state lands within Savannas Preserve State Park. The project will require review by the state's Acquisition and Restoration Council (ARC) for formulation of a recommendation to the Governor and Cabinet, acting as the Board of Trustees of the Internal Improvement Trust Fund. The Board of Trustees is the ultimate decision-maker on the utilization of state conservation lands for the proposed transportation corridor.

We appreciate your efforts to improve interagency coordination, facilitate the on-going Team Meetings and address the concerns of our agency and other resource agencies. If you have any questions or need further assistance, please don't hesitate to contact me at (850) 245-2170 or Lauren.Milligan@dep.state.fl.us. Thank you!

Yours sincerely,

Lauren P. Milligan

Lauren P. Milligan, Environmental Manager
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Blvd, M.S. 47
Tallahassee, FL 32399-3000
ph. (850) 245-2170
fax (850) 245-2190

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Herren, Laura
Sent: Friday, October 24, 2008 11:24 AM
To: Edmiston, Lee; Samek, Kelly; Mann, Sally; Milligan, Lauren; Griffin, Lynn; Stahl, Chris; Shirley, Michael
Cc: Fitzwater, Jennifer; Isom, Penny
Subject: RE: Environmental Impact Statement for the Crosstown Parkway Extension

Lauren, Sally, Mike, and Lee: CAMA's long-standing concerns have been incorporated into the Clearinghouse's thorough 8.12.08 response (attached). The SE Aquatic Preserve Office does not have additional project comments at this time.

Laura

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

October 20, 2008

Lee Edmiston
Director, Office of Coastal and Aquatic Managed Areas
Florida Department of Environmental Conservation
3900 Commonwealth Blvd.
Mail Station 235
Tallahassee, FL 32399-3000

RE: Consultation for the Aquatic Preserve Act
Crosstown Parkway Extension (formerly Third East-West River Crossing)
Project Development and Environment (PD&E) Study
City of Port St. Lucie, St. Lucie County, Florida

Dear Mr. Edmiston:

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), is preparing an Environmental Impact Statement (EIS) for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program (LAP) Agreement with FDOT, District 4. The study area, in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on the east. Alternatives under consideration include a No Build Alternative and multiple alternatives that provide a river crossing on a new alignment. Two project location maps and an aerial photograph showing the proposed build alternatives are enclosed for your reference.

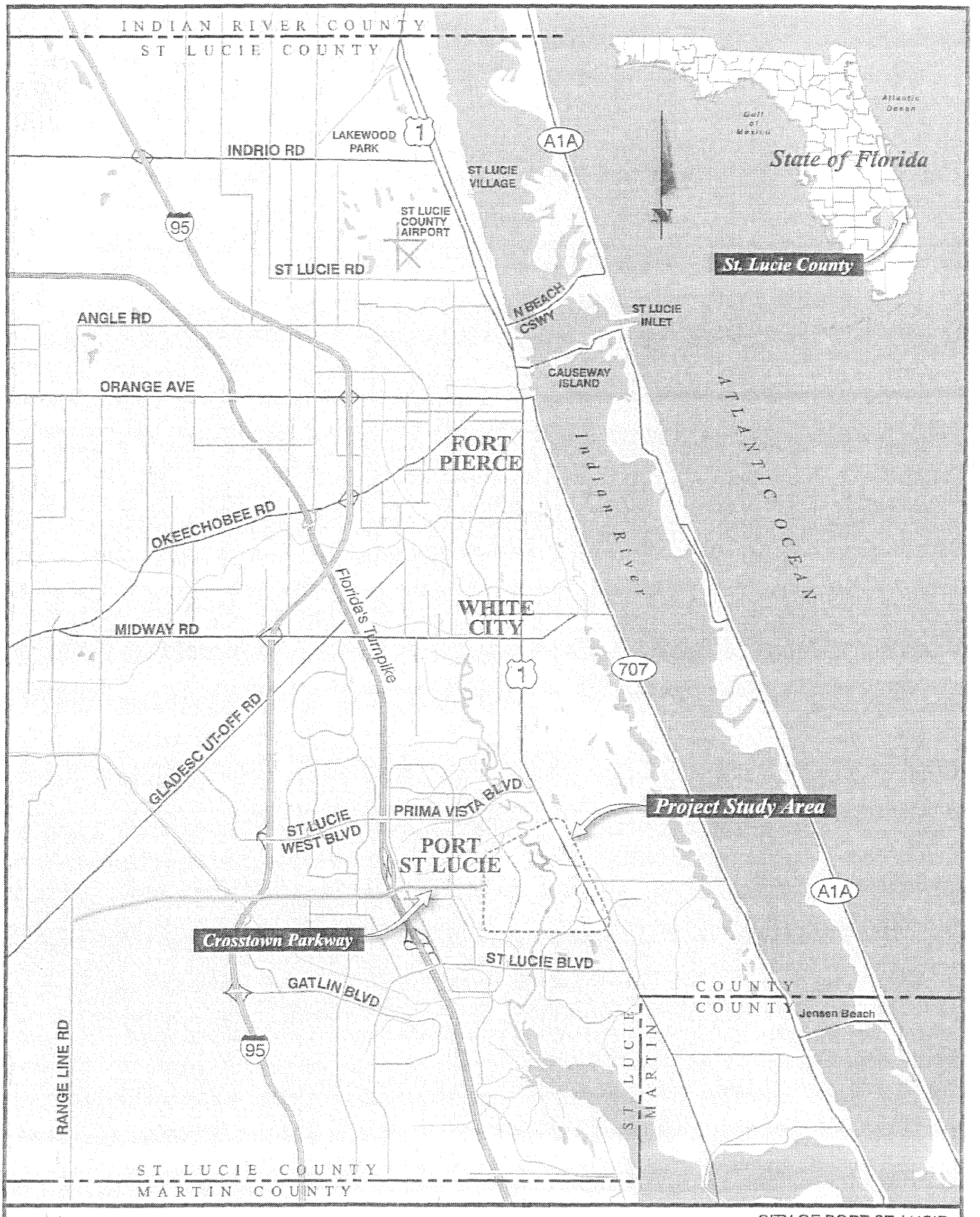
The proposed build alternatives would cross the North Fork of the St. Lucie River Aquatic Preserve. The Environmental Screening Tool identified concerns and issues regarding the proposed alignments in the river section. If you wish to review any of these comments, please go to http://etdmpub.fla-etat.org/est/ (Project #8247). As part of the coordination with the Florida Department of Environmental Conservation, we seek your agency's comments on the proposed alternatives, as depicted on the enclosed maps.

We appreciate your review and technical assistance in this project.

Sincerely,
KEITH and SCHNARS, P.A.

Kristine Stewart

Kristine Stewart, Ph.D.
Senior Scientist/Senior Biologist
kstewart@keithandschnars.com



CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Study Area Location Map

Figure No. 1.1

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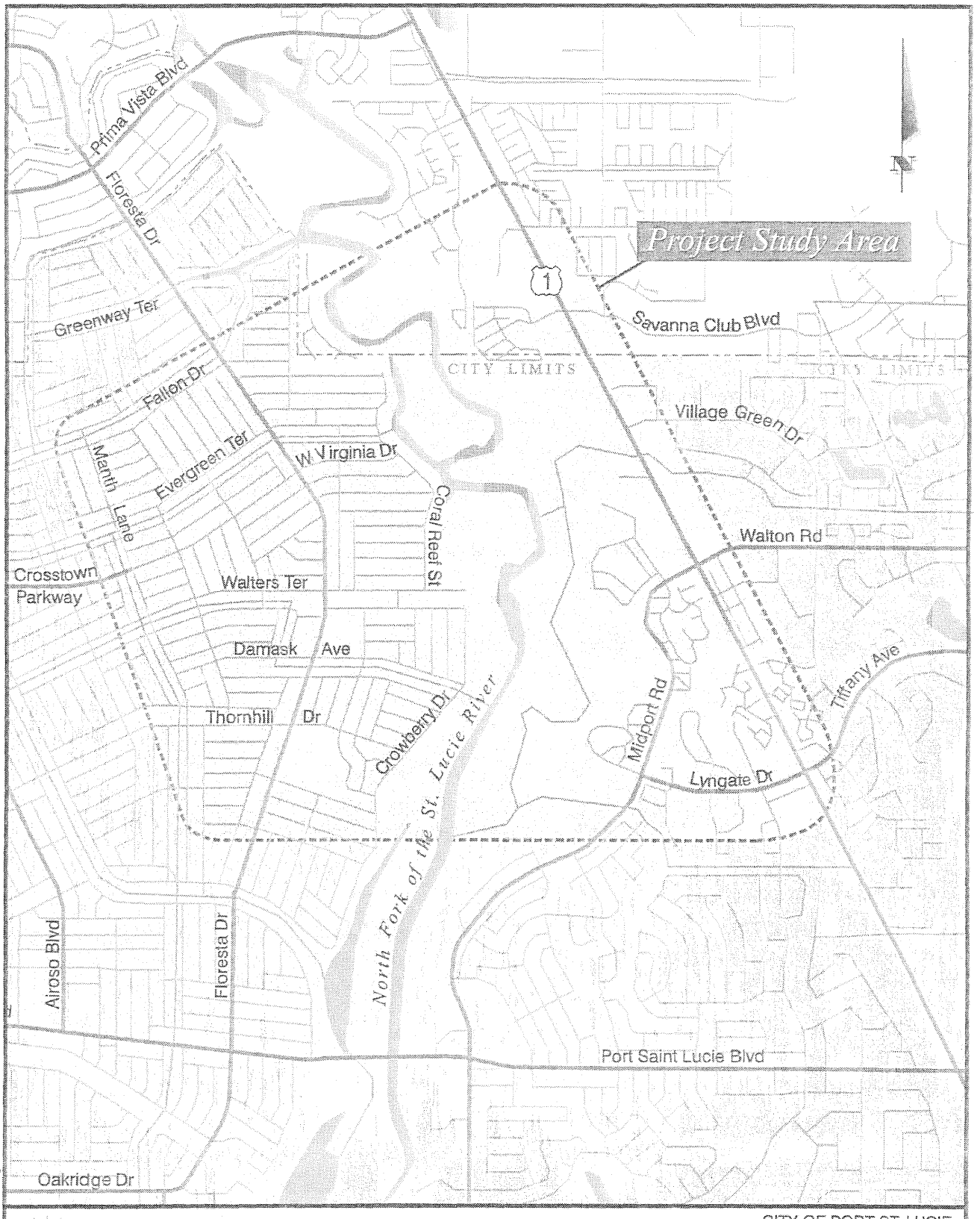

CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

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CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Project Study Area

Figure No. 1.2

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CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A. ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Alternatives Recommended for Evaluation in the DEIS

Figure No. 1.5

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

October 17, 2008

Florida Field Office
National Parks Service, RTCA Program
665 S. Orange Avenue
Sarasota, FL 34236

RE: Consultation for the Wild and Scenic Rivers Act
Crosstown Parkway Extension (formerly Third East-West River Crossing)
Project Development and Environment (PD&E) Study
City of Port St. Lucie, St. Lucie County, Florida

Dear Sirs:

The Federal Highway Administration (FHWA), in cooperation with the Florida Department of Transportation (FDOT), is preparing an Environmental Impact Statement (EIS) for the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The study is being conducted by the City of Port St. Lucie through a Local Agency Program (LAP) Agreement with FDOT, District 4. The study area, in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, the west by Manth Lane, and on the east by U.S. Highway 1 (S.R. 5). The proposed improvement would link the Crosstown Parkway on the west to U.S. Highway 1 on the east. Alternatives under consideration include a No Build Alternative and multiple alternatives that provide a river crossing on a new alignment. Two project location maps and an aerial photograph showing the proposed build alternatives are enclosed for your reference.

While the North Fork of the St. Lucie River is not designated as a Wild and Scenic River, it is listed on the Nationwide Rivers Inventory and the project is located within the limits of the listed river. The Environmental Screening Tool identified concerns and issues regarding the proposed alignments in the river section. If you wish to review any of these comments, please go to http://etdmpub.fla-etat.org/est/ (Project #8247). As part of the coordination with the National Parks Service, we seek your agency's comments on the proposed alternatives, as depicted on the enclosed maps.

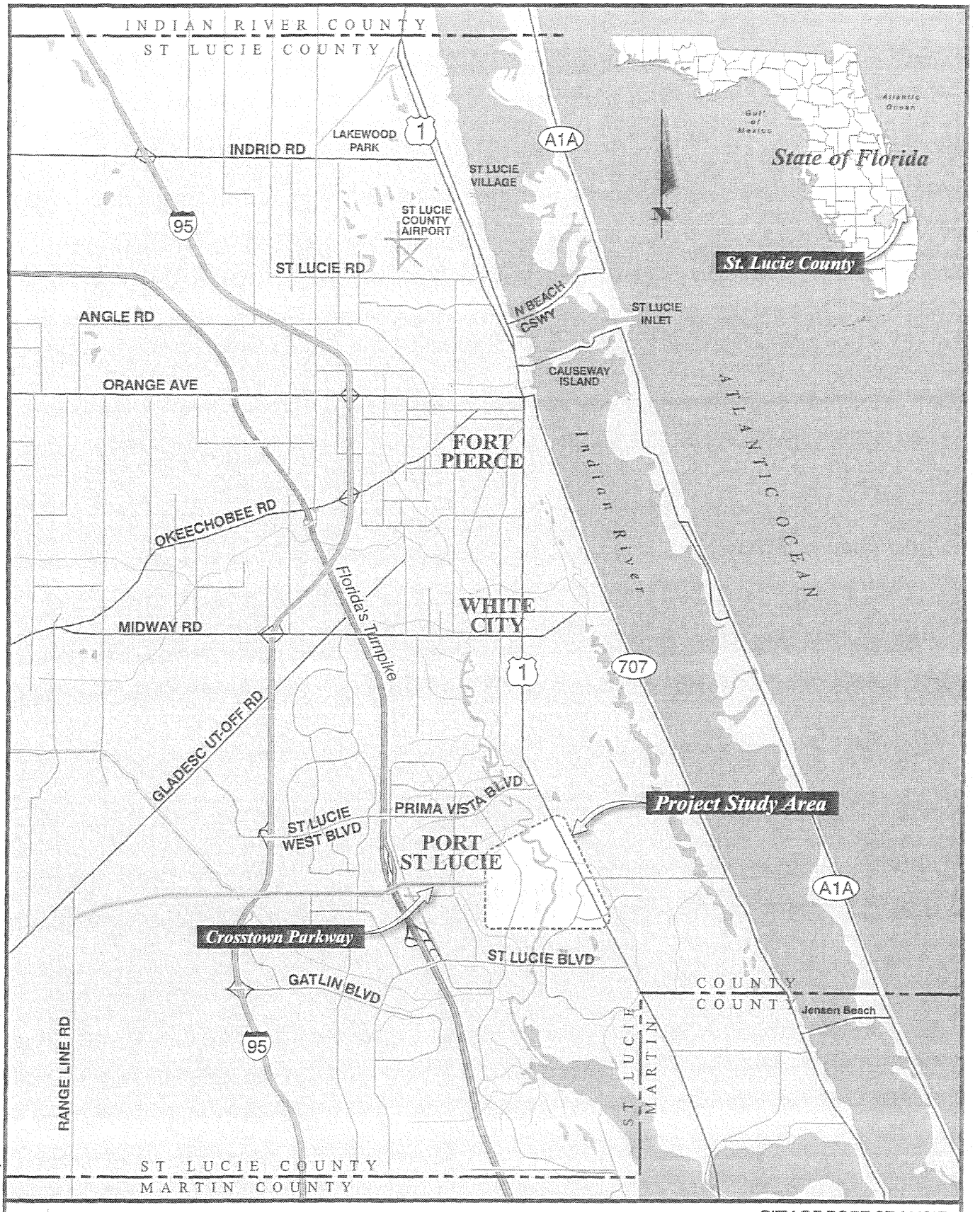
We appreciate your review and technical assistance in this project.

Sincerely,
KEITH and SCHNARS, P.A.

Kristine Stewart

Kristine Stewart, Ph.D.
Senior Scientist/Senior Biologist
kstewart@keithandschnars.com

6500 North Andrews Avenue • Ft. Lauderdale, Florida 33309-2132
(954) 776-1616 • (800) 488-1255 • Fax (954) 771-7690



CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Study Area Location Map

Figure No. 1.1

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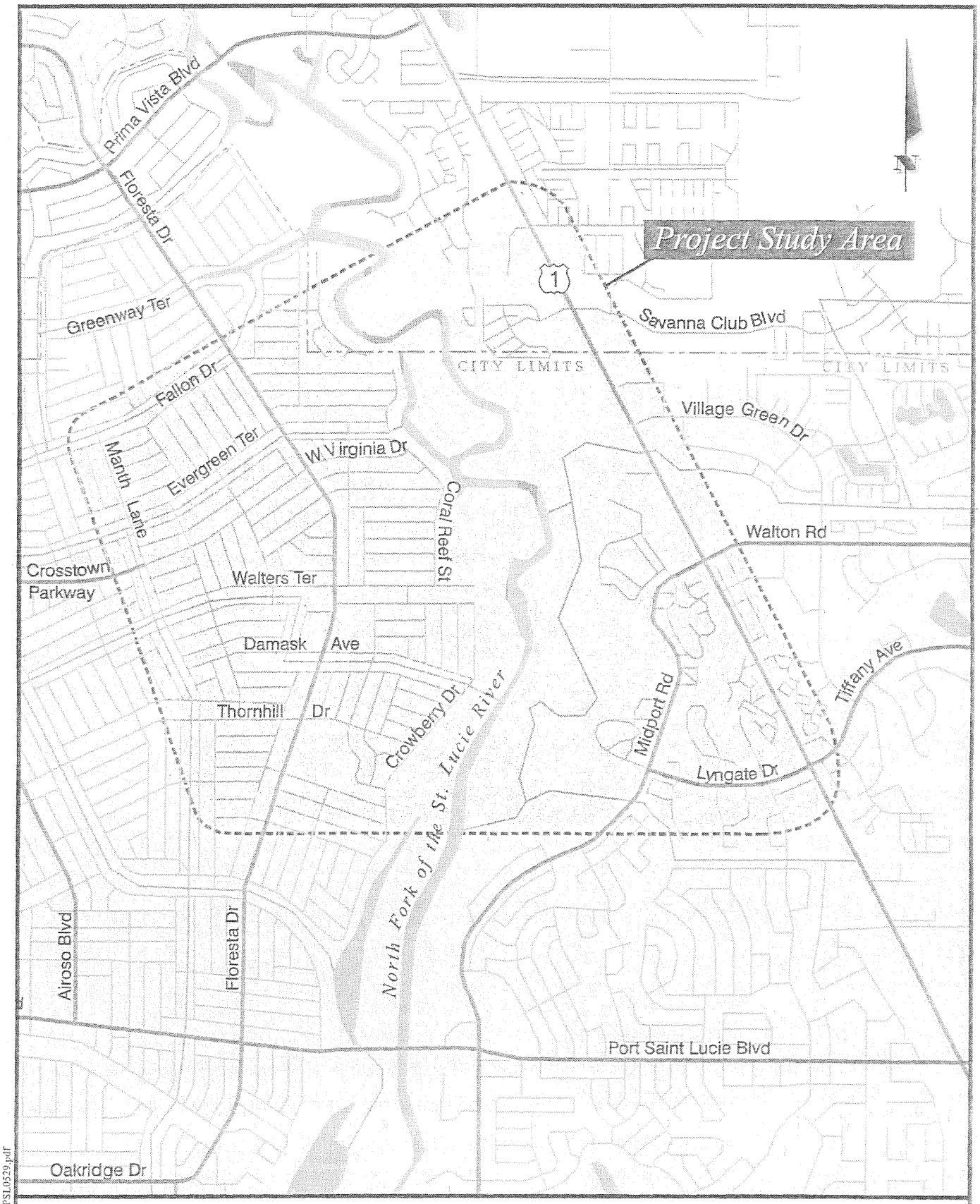

CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A. ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Project Study Area

Figure No. 1.2

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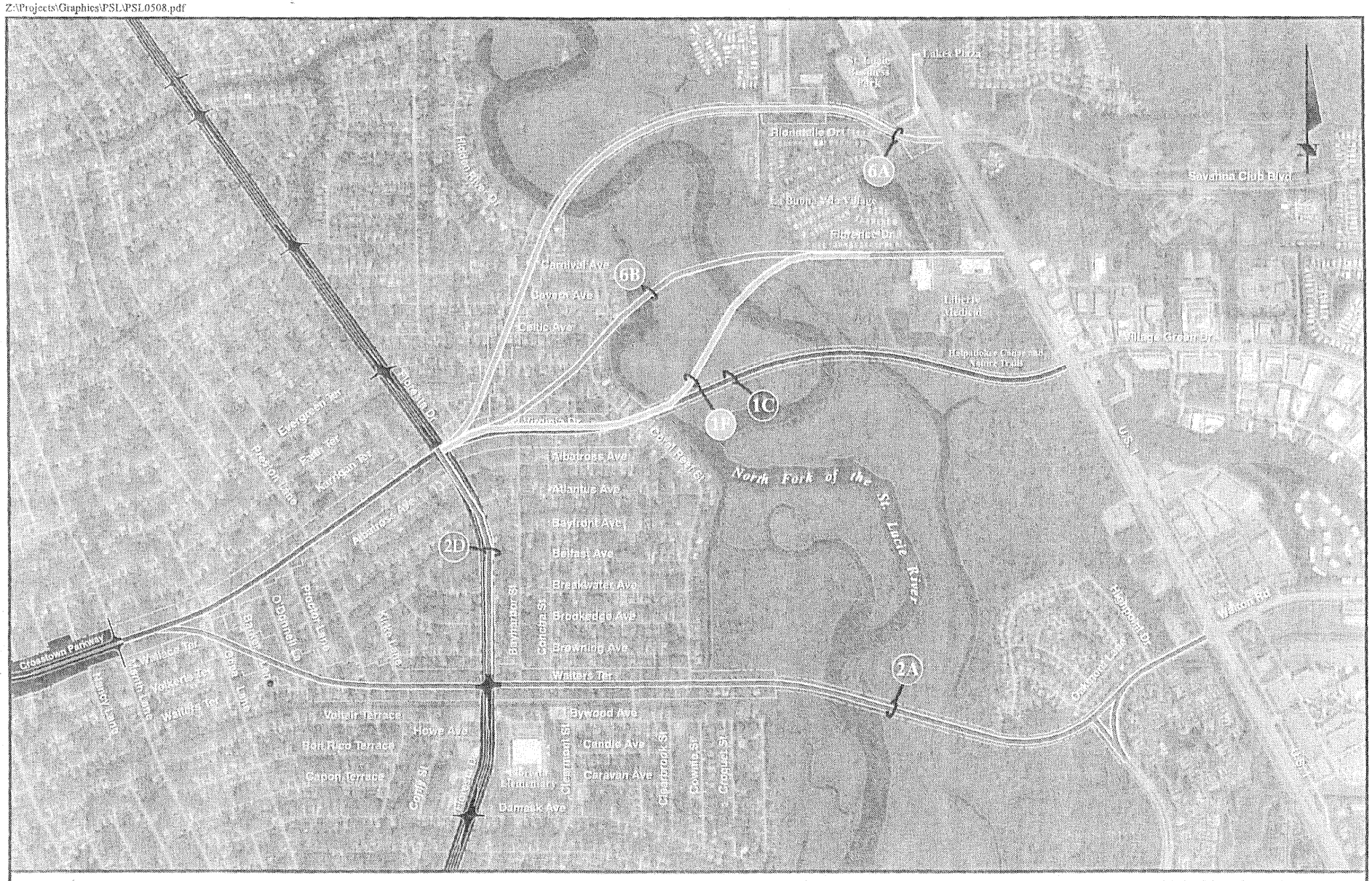


CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A. ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Corridor Extension Alternatives Report

Alternatives Recommended for Evaluation in the DEIS

Figure No. 1.5

CITY OF PORT ST. LUCIE

ENGINEERING • • •

"The art of applying scientific and mathematical principals, experience, judgement, and common sense to make things that benefit people." - A.S.E.E.

June 30, 2008

Re: Crosstown Parkway Extension PD&E Study
Kick-off Meeting
Financial Project Number: 410844-1
Federal Aid Project Number: 7777 087 A
City of Port St. Lucie, St. Lucie County, Florida

Dear Agency/Public Official:

The City of Port St. Lucie has scheduled an Agency/Public Official Kickoff Meeting regarding the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. The purpose of this meeting is to inform public and agency officials of the project's purpose and status, to discuss anticipated impacts, and to provide an opportunity for group participation.

This project was formerly known as the Third East-West River Crossing Study. A kickoff meeting was held previously for this project in June 2003. Prior to publication of the Notice of Intent (NOI), there was a change in the logical termini for the project. During the time that the logical termini issue was being resolved, a deadline from the federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation stipulated that any Environmental Impact Statement (EIS) which had not yet published its Notice of Intent (NOI) must be processed through the Environmental Streamlining process as implemented within the state where the project is located.

This Agency/Public Official Kickoff Meeting will be held on Thursday, July 10, 2008 from 2:00 p.m. to 4:00 p.m. with a formal presentation from 2:30 p.m. to 3:00 p.m. It will be conducted with an "open house" format. The meeting will be held at the Port St. Lucie Community Center located at 2195 SE Airoso Boulevard, Port St. Lucie, FL (across from City Hall).

For your information, a separate Public Kickoff Meeting for the general public is scheduled from 6:00 p.m. to 7:30 p.m. on the same day and at the same location. As a courtesy, we have attached the invitational flyer sent out for that Public Kickoff Meeting.

Please contact Walter B. England, P.E., City Engineer, at (772) 871-5177 for project information. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or familial status. Persons who require special accommodations under the Americans with Disabilities (ADA) Act, or persons who require translation services (free of charge), should also contact Mr. England at the telephone number provided above. Special accommodation requests under the ADA Act should be made at least seven days prior to the Public Meeting. Hearing impaired citizens can call the toll free TDD number and relay service at (772) 344-4222. Your attendance at this Public Meeting is encouraged and any comments you wish to make will be appreciated.

If you have any questions about the project or the scheduled meeting, please call me at (772) 871-5177, or at our Project Hotline, which is: (772) 871-5176.

Sincerely,

Walter B. England

Walter B. England, P.E.
City Engineer

Enclosure

121 S.W. Port St. Lucie Boulevard • Port St. Lucie, FL 34984-5099 • 772/871-5177 • Fax 772/871-5289
TDD Line • 772/344-4222

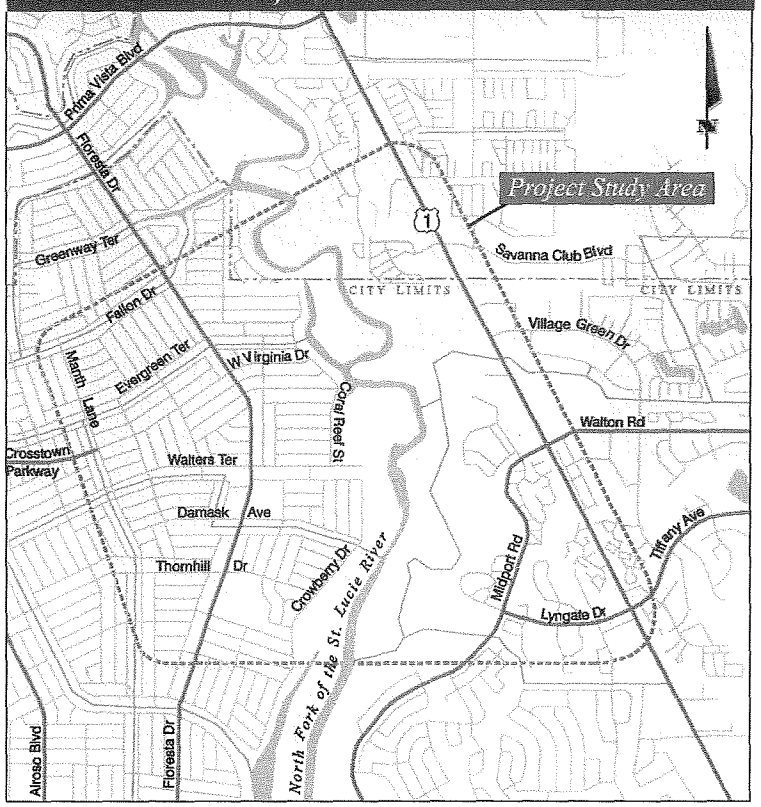
PUBLIC KICK-OFF MEETING

CROSSTOWN PARKWAY EXTENSION PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E) STUDY

CITY of PORT ST. LUCIE

Financial Project Number: 410844-1
Federal Aid Project Number: 7777 087 A

PROJECT STUDY AREA



You're Invited!

Date:
Thursday, July 10, 2008

Time:
6:00 p.m. - 7:30 p.m.
(Formal Presentation from 6:30 p.m. - 7:00 p.m.)

Location:
Port St. Lucie Community Center
2195 SE Airoso Boulevard
Port St. Lucie, Florida
(Across from City Hall)

Sponsored by:
The City of Port St. Lucie
with the Florida Department of
Transportation (FDOT)

Project Update

The City of Port St. Lucie is hosting a public kickoff meeting regarding the Crosstown Parkway Extension Project Development and Environment (PD&E) Study. This project was formerly known as the Third East-West River Crossing Study. A kickoff meeting was held previously for this project in June 2003. Prior to publication of the Notice of Intent (NOI), there was a change in the logical termini for the project. During the time that the logical termini issue was being resolved, a deadline from the federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation stipulated that any Environmental Impact Statement (EIS) which had not yet published its NOI must be processed through the Environmental Streamlining process as implemented within the state where the project is located.

Florida's Environmental Streamlining process, known as Efficient Transportation Decision Making (ETDM), requires that projects be screened through an Environmental Screening Tool (EST) prior to initiating the project. Project information contained in the EST may be accessed via the Florida Department of Transportation's ETDM website link (http://etdmpub.fla-etat.org/est/). To access project-specific information, please see directions on Page 2 of this flyer.

The Study area in general, is bordered on the north by Fallon Drive, the south by Thornhill Drive, west by Manth Lane, and on the east by US Highway 1.

This PD&E Study addresses the eastern most portion of the Crosstown Parkway and is estimated to be completed within 48 months. The western portions of the Crosstown Parkway are either completed or currently under construction, and extend from Interstate 95 to Manth Lane.

Project Update continued...

The project will follow the Florida Department of Transportation's PD&E process as an Environmental Impact Statement (EIS), which is the highest degree of documentation required to meet the National Environmental Policy Act (NEPA).

This Study will evaluate the need for extending the Crosstown Parkway over the North Fork of the St. Lucie River, analyze the potential impacts resulting from the proposed improvements, and examine ways to avoid or minimize those impacts. Close coordination and review with regulatory agencies will be conducted throughout the study process.

Meeting Specifics

This meeting is being conducted to inform the public as to the purpose, details, history and status of the project, discuss anticipated impacts, and allow for community participation in the project's decision-making process.

The meeting will include project maps, schedule, descriptions of proposed project designs and provide visuals of proposed typical sections of the project area.

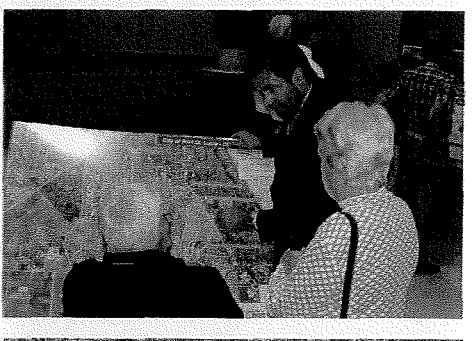
The project's Public Involvement Plan will be explained, and the public will have access to information on how to participate in advisory group committees.

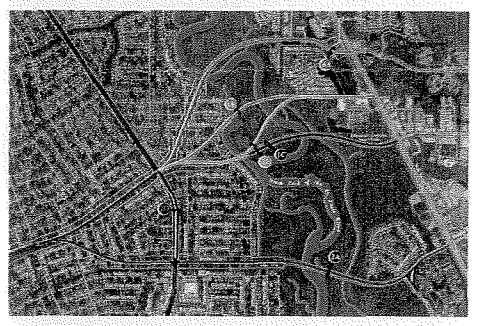
Project representatives will be on-hand to answer questions and address concerns.

Please contact Walter B. England, P.E., City Engineer, at (772) 871-5177 for project information. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or familial status. Persons who require special accommodations under the Americans with Disabilities (ADA) Act, or persons who require translation services (free of charge), should also contact Mr. England at the telephone number provided above. Special accommodation requests under the ADA Act should be made at least seven days prior to the Public Meeting. Hearing impaired citizens can call the toll free TDD number and relay service at (772) 344-4222. Your attendance at this Public Meeting is encouraged and any comments you wish to make will be appreciated.

To access project-specific information:

1) Go to http://etdmpub.fla-etat.org/est/
2) Click on "New Search", and then click on "Project Number"
3) Click into the empty field and type in "8247", and then click on the word "go"
4) To access the Project Summary Report, click on the "Project Effects" tab, then click on "Summary Report"
5) A window will open up with the ability to check the items you wish to include in the Summary Report
6) Once all desired items have been checked, click on "Generate Report". You can then review the information on-line, or print the report (upper right corner)





QUESTIONS?

If you have any questions or concerns regarding this meeting, or the Crosstown Parkway Extension PD&E Study in general, please do not hesitate to contact the City or Project Consultant:

Walter B. England, P.E.
City Engineer
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984
(772) 871-5177

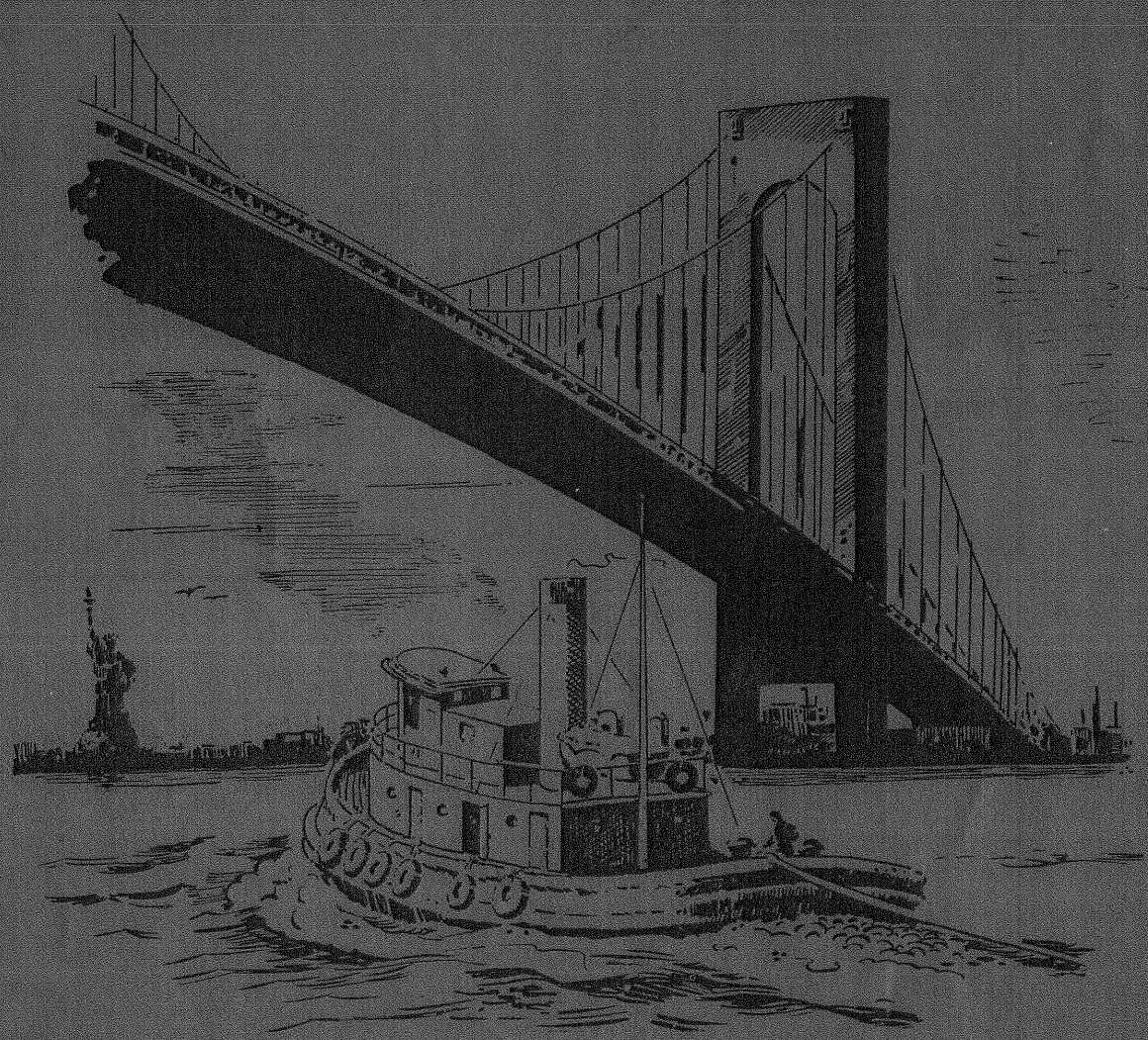
Kim Giles
Director of Public Involvement
Keith and Schnars, P.A.
6500 N Andrews Ave.
Fort Lauderdale, FL 33309
1-866-STLUCIE (785-8243)

Or, you may also contact us at the Project Hotline: (772) 871-5176

BRIDGES OVER THE NAVIGABLE WATERS OF THE UNITED STATES

U.S. Department of Transportation
United States Coast Guard

ATLANTIC COAST



COMDTPUB P16590.1 (old CG-425-1)

Miles Above Mouth	BRIDGE AND LOCATION-OWNER	TYPE	CLEARANCES Horz	Vertical LW	Vertical HW	Use	DATE Permit	DATE Comp
	ST JOHNS RIVER (Cont'd)							
94.5	Buffalo Bluff FL-SCL	B	90	8	7	RR	2-60	2-62
+126.0	Astor FL SR 40-FL	SW	90	10	4	HWY	8-25	10-26
126.0	Astor FL SR 40-FL	B	114		21	HWY	9-77	1-81
146.0	Crows Bluff FL SR 44-FL	B	90	16	15	HWY	3-54	11-55
160.9	Sanford FL-SCL	B	91	10	8	RR	4-60	3-61
161.0	Sanford FL US 17-FL	SW	90	16	14	HWY	4-32	5-34
161.1	Sanford FL 14 US 92-FL	F	91	48	45	HWY	7-57	3-61
169.5	Oseen FL SR 415-FL	F	56	29	25	HWY	11-71	5-77
191.0	Lake Harvey FL SR 46-FL	F	51	29	26	HWY	11-58	11-59
201.0	Christmas FL SR 50-FL	F	32	17	12	HWY	2-67	11-67
201.0	Christmas FL East Channel SR 50-FL	F	23	10	9	HWY	8-32	5-33
201.0	Christmas FL SR 50-FL	F	32	17	12	HWY	9-68	3-72
212.0	Cocoa FL SR 520-FL	F	23	10	2	HWY	9-51	3-55
232.0	Melbourne FL SR 500-FL	F	39	13	6	HWY	9-64	3-67
232.1	Melbourne FL-FL	F	13	9	2		8-24	6-28
	1 Temporary Bridge maintained as permanent.							
	ST JONES RIVER							
4.5	Barkers Landing DE-DE	B	50	9	5	HWY	2-33	9-34
# 8.0	Lebanon DE-DE	F	40		12	FB	9-76	
12.3	Dover DE-DE	F	78	12	11	HWY	10-52	2-53
13.0	Dover DE-DE	F	14	5	4	HWY		
	ST JULIANS CREEK							
1.5	Portsmouth VA-VA	F	20	6	3	HWY	4-23	2-24
	ST LUCIE CANAL - See OKEECHOBEE WATERWAY							
	ST LUCIE RIVER-NORTH FORK - See also OKEECHOBEE WATERWAY							
7.3	Walton FL-General Development Corp	F	65	18	17	HWY	6-69	12-70
16.0	Ft Pierce FL Prima Vista Blvd-General Development Corporation	F	29	14	13	FB	9-70	4-71
16.0	Ft Pierce FL West Bridge Prima Vista Blvd-St Lucie River Land Com	F	29	14	13	HWY	12-57	2-64
16.0	Ft Pierce FL East Bridge Prima Vista Blvd-St Lucie River Land Com	F	18	8	8	HWY	12-57	2-64
z18.7	White City FL-Joseph Sciturro	F	32	11	10	HWY	11-72	6-73
20.0	White City FL SR 712-St Lucie Co	F	30				1-81	10-81

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
CG-4599 (Rev. 2-90)

BRIDGES OVER NAVIGABLE WATERS OF THE UNITED STATES
COMPLETION REPORT

Approved
RCN-16590-2

To: COMMANDANT (G-NBR)

- [X] NEW CONSTRUCTION
- [ ] RELOCATION
- [ ] REMOVAL
- [ ] MODIFICATION
- [ ] CONVERSION TO (FIXED) (DRAW) BRIDGE
- [ ] OTHER *(Specify in remarks)*

DATE COMMENCED: Feb 22, 1993

DATE COMPLETED: AUG 18, 1994

INSTRUCTIONS

LOCATION: Indicate name of waterway, nearest town, route number if a highway bridge and local name. of bridge.

TYPE OF BRIDGE: Abbreviate type of bridge: B - Bascule, F - Fixed (except a suspension Bridge), P - Pontoon, TR - Trestle, VL - Vertical lift, SUS - Suspension, SW - Swing, RSP - Removable Span, R - Retractable, AT - Aerial Tram, CB - Conveyor Belt.

TYPE OF TRAFFIC: Abbreviate type of traffic: HWY - Highway, HWY-RR - Highway/Railroad, RR - Railroad, FB - Foot Bridge, PL - Pipeline, PR - Private Road. Indicate other types of traffic or use by plain language in remarks.

VERTICAL CLEARANCE: Indicate the plane of reference used for measuring the vertical clearance, i.e. MHL, MLW, 2% line, normal pool elev._____. etc. If additional space is required use remarks column.

HORIZONTAL CLEARANCE: Distance between structural members (piers, bents, fenders, protection cells, etc.) measured perpendicular to the axis of the waterway.

FOR HQ USE ONLY	MILES ABOVE MOUTH	LOCATION	OWNER	TYPE OF BRIDGE	CLEARANCE HORIZONTAL	CLEARANCE VERTICAL	CLEARANCE GAGES (Enter Yes or No)	PIER PROTECTION (Enter Yes or No)	DATE PLANS APPROVED AND PERMIT NUMBER	TYPE OF TRAFFIC
	7.3	NORTH FORK ST. LUCIE RIVER, PORT ST LUCIE BOULEVARD, ST LUCIE COUNTY, FLORIDA	STATE OF FLORIDA	F	(1) 75.5'	(2) 18.58 (3) 20.84	NO	NO	6 DEC 91 13-91-7	HWY

(1) HORIZONTAL CLEARANCE MEASURED BETWEEN PILINGS.
(2) MINIMUM VERTICAL CLEARANCE ABOVE MHW ELEVATION 1.66 FEET ABOVE MSL
(3) VERTICAL CLEARANCE ABOVE MLW ELEVATION .6 FEET BELOW MSL

BRIDGE LIGHTING FOR NAVIGATION IS NOT REQUIRED IN ACCORDANCE WITH 33 CFR 118.40(b)

ALL PARTS OF THE EXISTING BRIDGE HAVE BEEN REMOVED FROM THE WATERWAY IN COMPLIANCE WITH THE BRIDGE PERMIT.

COPY: NOAA SILVER SPRING, MD
COE JACKSONVILLE, FL

CG FILE # 3071

From: SEVENTH Coast Guard District

SIGNATURE J. W. WINSLOW

DATE 9/6/...

U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

**545 John Knox Road, Suite 200
Tallahassee, Florida 32303**

(850) 942-9650

December 10, 2007

In Reply Refer To: HPO-FL
Crosstown Pkwy Extension

Mr. James A. Wolfe, P.E.
District Four Secretary
Florida Department of Transportation
3400 West Commercial Boulevard
Ft. Lauderdale, Florida 33309

Attention: Mrs. Beatriz Caicedo-Madisson, P.E.

Dear Mr. Wolfe:

The Federal Highway Administration (FHWA) has reviewed the Section 4(f) Determination of Applicability (DOA) submitted to our office. Under Section 4(f) of the U.S. Department of Transportation Act of 1966, the U.S. DOT shall not approve any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from a historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

Based on the information provided and based on coordination with your office, and the Florida Department of Transportation (FDOT) Central Environmental Management Office, we are in agreement that Section 4(f) applies to two resources within the study area: the North Fork of the St. Lucie River Aquatic Preserve, and the Savannas Preserve State Park. An individual Section 4(f) Evaluation will be required.

Furthermore, as discussed during a November 20, 2007 teleconference with the FDOT, it will be necessary to evaluate all Tier 2 alternatives presented in the December 2006 Alternatives Analysis Report, in terms of Section 4(f). The Section 4(f) Evaluation shall identify the alternative(s) with the least impacts regardless of the outcome of the permit coordination on any of the alternatives.

In conclusion, the Draft EIS shall include all pertinent information, in addition to a draft Section 4(f) Evaluation for review and approval prior to public availability.

Should you have any questions or comments, please contact Mrs. Nahir DeTizio at (850) 942-9650, extension 3027.

Sincerely,

/s/ Nahir DeTizio
For: David C. Gibbs
Division Administrator

cc: Mr. Roy Jackson, FDOT Central Office
Messrs. Gustavo Schmidt, and Paul Lampley, FDOT District 4

MOVING THE
AMERICAN
ECONOMY

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 7, 2007

Mr. Walter England, P.E., City Engineer
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984-5099

RE: Crosstown Parkway Corridor Extension – 4(f) Determination of Applicability
North Fork St. Lucie River Aquatic Preserve and Savannas Preserve State Park

Dear Mr. England:

Regarding your request for information dated July 3, 2007, I understand that on or about July 24th, the Department's Office of Coastal and Aquatic Managed Areas (CAMA) provided you with information regarding the North Fork St. Lucie River Aquatic Preserve (NFSLRAP). Please be advised that in addition to the sovereignty submerged lands designated as aquatic preserve, the adjacent upland and wetland areas managed by the Department's Division of Recreation and Parks (DRP) should also be considered potential Federal Highway Administration Section 4(f)-applicable resources. Management of the western tracts of the Savannas Preserve State Park (SPSP), previously managed by CAMA as the North Fork St. Lucie River State Buffer Preserve, was transferred to the DRP in December 2003 (as were other buffer preserve tracts across the state), and subsequently incorporated into the existing SPSP management unit.

Therefore, additional Department responses to your letter of July 3, 2007, are as follows:

1) *Please identify the current acreage and boundaries of all known parks, recreation areas, wildlife preserve areas, or other "public usage" areas between the limits of Port St. Lucie Boulevard on the south and Prima Vista Boulevard on the north. An electronic version of the boundary maps for each resource property would be preferred in order to aid in document production;*

Response: The portion of SPSP located west of U. S. Hwy. 1 between Port St. Lucie Boulevard and Prima Vista Boulevard contains approximately 791 acres. Boundary maps for both the SPSP and NFSLRAP (previously provided) are included on the enclosed CD.

2) *Please provide an Existing Management Plan for the NFSLR Aquatic Preserve, and a description and location of all planned public parks, recreation areas or wildlife preserves;*

Response: Copies of the existing management plans for the SPSP, NFSLRAP and the preceding North Fork St. Lucie River State Buffer Preserve are included on the enclosed CD. Updates to the SPSP unit management plan are not scheduled until the year 2013.

3) *Please provide the usage of each resource by approximate numbers of users/visitors;*

Response: The Department has not obtained official visitation numbers for the Halpatiokee Trailhead area – one of two public access points within the western portion of SPSP (the Miller Tract access point is north of the study area). Staff has provided a rough estimate of 1000 visitors per year at the Halpatiokee site based on observations of site use patterns. The eastern portion of SPSP had a visitation of 19,421 during Fiscal Year 2006-2007.

4) *Please provide a statement as to the level of significance that the land in question has with regards to meeting the objectives of that resource. Note that significance in this instance means the degree to which the land in question meets the objectives for the availability and function of the recreation, park, wildlife or waterfowl refuge area;*

Response: Please refer to the enclosed comments by the Division of Recreation and Parks entitled "Savannas Preserve State Park, Proposed Third East-West River Crossing, Secton [sic] 4(f) Determination of Eligibility," provided to Keith and Schnars in 2005, and a recent Element Occurrence data report provided by the Florida Natural Areas Inventory.

5) *There are a number of public parks, marinas, and recreational facilities all along the NFSLR Aquatic Preserve within the project area. There are also a number of points where canoes and kayaks can be launched (e.g., River Park Marina at the northern limits of the study area, and Veterans Memorial Park at the southern limits of the study area). Organized recreational tours, individual boaters, and fishing boats traverse the Aquatic Preserve and its tributaries from these public access locations. As such, please delineate the areas of the Preserve, and its adjacent associated floodplains, wetlands and uplands, between Prima Vista and Port St. Lucie Boulevards, that should be considered as recreational or park area use;*

Response: All lands within the boundaries of the SPSP and NFSLRAP are managed for public outdoor recreation. The Halpatiokee Trailhead area was

developed to provide access to the park and aquatic preserve, and includes a parking facility, trailhead, nature trail, and canoe launch/dock. The enclosed park boundary map indicates the location of public access points within the SPSP.

6) *Please delineate those areas that serve conservation purposes; and*

Response: All lands within the boundaries of the SPSP and NFSLRAP are managed for conservation purposes. The Florida Natural Areas Inventory has delineated the general natural community/land cover types within the study area on the enclosed map. GIS shape file data is also included on the enclosed CD.

7) *Please delineate those areas that serve to preserve wildlife species.*

Response: See above. All lands within the boundaries of the SPSP and NFSLRAP are managed for the propagation of fish and wildlife, with the possible exception of infrastructure features developed to facilitate visitor access.

Should you have any questions or need additional information from agency staff, please don't hesitate to contact Ms. Lauren P. Milligan or me at (850) 245-2163.

Yours sincerely,

Sally B. Mann

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/lm
Enclosures

cc: Greg Brock, DEP - DSL/OES
Albert Gregory, DEP - DRP/OPP
Dan Griffin, DEP - SPSP
Ellen McCarron, DEP - CAMA
Laura Herren, DEP - NFSLRAP
Beatriz Caicedo-Maddison, FDOT/D4
Carolyn Kindell, FNAI

Savannas Preserve State Park
Proposed Third East-West River Crossing
Secton 4(f) Determination of Eligibility

Park Boundary

Savannas Preserve State Park includes approximately 7,186 acres east of Port St. Lucie in St. Lucie County. The property includes multiple discontinuous parcels located on the North Fork St. Lucie River and parallel to the Florida East Coast Railroad line in the vicinity of the Indian River (see attached map). Parcels along the North Fork St. Lucie River were formerly managed by the Office of Coastal and Aquatic Managed Areas (CAMA) as part of the North Fork St. Lucie River Buffer Preserve until their transfer to the Division of Recreation and Parks in 2004. The entire property is now managed as a unit of the Florida State Park system and referred to collectively as Savannas Preserve State Park.

The Division of Recreation and Parks updated the Savannas Preserve State Park management plan in June 2003. This management plan only pertains to the eastern portion of the park since lands along the North Fork St. Lucie River were not under the management authority of the Division at that time. The North Fork St. Lucie Buffer Preserve management plan was completed in 1997 and includes the parcels along the river. Management of the former buffer preserve lands will be addressed in the next update of the Savannas Preserve State Park management plan.

Use Designation

All properties managed by the Division of Recreation and Parks are designated single-use and managed for the primary purpose of public outdoor recreation and conservation. Multiple uses such as timber and mineral management, water development projects, etc. are generally not considered appropriate at state parks.

Facilities

The majority of park facilities are located at the eastern most parcels, and include an environmental education center, four trailheads, equestrian, hiking and biking trails, picnic facilities, canoe/kayak launch, office, maintenance and storage facilities and staff residences. The former buffer preserve lands have limited public facilities located at the Halpatiokee Trailhead and the Miller Tract (see attached map). The former site includes a shell rock driveway and parking lot, canoe dock, nature trail and educational displays located just north of the intersection of Village Green Road and US 1. The Miller Tract has a canoe dock on 10-Mile Creek, which provides public access to the property from the water. It is anticipated that additional public access facilities will be proposed when a new plan is prepared.

Recreational Use

Average annual visitation over the last three years was approximately 17,133 visitors. Visitation figures are approximate due to the lack of one central entry point to the park and may be significantly higher. Recreational use of the North Fork of the St. Lucie River for fishing, boating, canoeing/kayaking and nature study is considerable but has not been quantified. Public use of the former buffer preserve lands are currently limited by the lack of public recreational facilities. It is anticipated that use will increase as new facilities are provided in the future.

Statement of Significance

The property was acquired as a part of the North Fork St. Lucie River CARL/Florida Forever project to conserve a corridor of land along the river for the purposes of protecting water quality and providing residents and visitors a place to enjoy boating, fishing, hiking and other activities. The North Fork of the St. Lucie River is a designated Outstanding Florida Water and Aquatic Preserve. These lands help buffer the aquatic preserve from the water quality impacts presented by the surrounding urbanized environment. Natural communities include small areas of scrub and extensive tidal swamp--both state imperiled habitats. Reported listed species include American alligator, Eastern indigo snake, gopher tortoises and wood storks. A wood stork rookery is located within the river. The property is an important regional recreational resource for boating, fishing, hiking, and nature study and considered a significant component of the state park system.

AUG 03 2007
CITY OF PSL ENGINEERING

Florida Department of Environmental Protection

Office of Coastal and Aquatic Managed Areas
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Rm 432 MS 235
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Mr. Walter England, P.E.
City Engineer
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984-5099

25 July 2007

Dear Mr. England,

A formal request was submitted on July 3, 2007 for information regarding the North Fork St. Lucie River Aquatic Preserve located in St. Lucie County. The North Fork St. Lucie River Aquatic Preserve is managed by the Florida Department of Environmental Protection's Office of Coastal and Aquatic Managed Areas and includes sovereign submerged lands below mean high water. Responses to your requests from this jurisdictional perspective follow.

1) Please identify the current acreage and boundaries of all known parks, recreation areas, wildlife preserve areas, or other "public usage" areas between the limits of Port St. Lucie Boulevard on the south and Prima Vista Boulevard on the north. An electronic version of the boundary maps for each resource property would be preferred in order to aid in document production.

   Response: The portion of the North Fork St. Lucie River Aquatic Preserve bound by Port St. Lucie Boulevard to the south and Prima Vista Boulevard to the north is 234 acres. An electronic copy of the North Fork St. Lucie River Aquatic Preserve boundary map for the referenced area is included on the enclosed compact disk.

2) Please provide an existing management plan for the North Fork St. Lucie River Aquatic Preserve, and a description and location of all planned public parks, recreation areas or wildlife preserves.

   Response: A copy of the existing management plan (adopted May 22, 1984) for the North Fork St. Lucie River Aquatic Preserve is included on the enclosed compact disk.

3) Please provide the usage of each resource by approximate numbers of users/visitors.

Response: Usage data for the North Fork St. Lucie River Aquatic Preserve has not been collected by the Florida Department of Environmental Protection's Aquatic Preserve Program and no knowledge of such data exists.

4) Please provide a statement as to the level of significance that the land in question has with
regards to meeting the objectives of that resource. Note that significance in this instance means the degree to which the land in question meets the objectives for the availability and function of the recreation, park, wildlife or waterfowl refuge area.

Response: The North Fork St. Lucie River Aquatic Preserve (Preserve or North Fork) was designated in 1972 because of the significant level of scientific, aesthetic, and biological value to the public. The primary management objective established in the 1984 plan and Chapter 18-20.001 F.A.C. (Aquatic Preserve Rule) is to maintain and enhance the existing wilderness condition for the enjoyment of future generations and for the propagation of fish and wildlife and public recreation. The Preserve and its natural communities provide a unique wilderness experience directly adjacent to the City of Port St. Lucie for local citizens and visitors of St. Lucie and nearby Counties. Passive recreation (e.g., paddling, bird watching, and photography), boating, fishing, and crabbing are all common uses of the Preserve.

Due to its latitude and direct tidal connection to nearby seagrass beds, wormrock, and coral reef habitats the Preserve supports a unique combination of temperate and subtropical species. Only one other example of such a system in the region exists, the National Wild and Scenic portion of the Loxahatchee River which is tidally connected through Jupiter Inlet. The North Fork serves as a valuable nursery ground for recreational and commercially important species such as tarpon, snook, snapper, shrimp (river,

pink, brown and white), and blue crabs. In addition to its nursery potential, this Outstanding Florida Waterway is home to many rare fish species that are not widely known, including gobies, blennies, and sleepers - many of which have been included on a list proposed for state and/or federal protection. Rare fish species that rely on such a tidally connected system that ranges from saline to fresh for one or more phases of their lifecycle are regionally limited to the North Fork St. Lucie River and the Northwest Fork of the Loxahatchee River. The opossum pipefish, a federal species of special concern, migrates through St. Lucie Inlet to reproduce in the emergent vegetation of the Preserve. The mangrove rivulus, a federally listed species of special concern, is found in muddy areas associated with the red mangroves lining portions of the shoreline in the Preserve. The Preserve also serves as foraging grounds and a rookery for the federally and State endangered wood stork as well as many other species of wading birds.

5) There are a number of public parks, marinas, and recreational facilities all along the North Fork St. Lucie River Aquatic Preserve within the project area. There are also a number of points where canoes and kayaks can be launched (e.g., River Park Marina at the northern limits of the study area and Veterans Memorial Park at the southern limits of the study area). Organized recreational tours, individual boaters, and fishing boats traverse the Aquatic Preserve and its tributaries from these public access locations. As such, please delineate the areas of the Preserve, and its adjacent associated floodplains, wetlands and uplands, between Prima Vista and Port St. Lucie Boulevards, that should be considered as recreational or park area use.

Response: All land between Prima Vista and Port St. Lucie Boulevard within the boundary of the North Fork St. Lucie River Aquatic Preserve is managed for public recreation. An electronic copy of the Preserve boundary, which couples as the delineated recreational area, is included on the enclosed compact disk.

6) Please delineate those areas that serve conservation purposes.

Response: All land between Prima Vista and Port St. Lucie Boulevard within the boundary of the North Fork St. Lucie River Aquatic Preserve is managed for the purpose of being preserved in an essentially natural or existing condition so that their aesthetic, biological, and scientific values may endure. An electronic copy of the Preserve boundary, which couples as the delineated conservation area, is included on the enclosed compact disk.

7) Please delineate those areas that serve to preserve wildlife species.

Response: All land between Prima Vista and Port St. Lucie Boulevard within the boundary of the North Fork St. Lucie River Aquatic Preserve is managed for the propagation of fish and wildlife. An electronic copy of the Preserve boundary, which couples as the delineated wildlife preservation area, is included on the enclosed compact disk.

If you have any questions about these responses, please contact Laura Herren, the Aquatic Preserve Manager for the North Fork St. Lucie River Aquatic Preserve at (772) 429-2995.

Sincerely,

Ellen M Carnan

for Stephanie Bailenson
Director, Office of Coastal and Aquatic Managed Areas

CITY OF PORT ST. LUCIE

ENGINEERING . . .

"The art of applying scientific and mathematical principals, experience, judgement, and common sense to make things that benefit people." - A.S.E.E.

July 3, 2007

Mr. Michael W. Sole, Secretary
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, M.S. 49
Tallahassee, Florida 32399-3000

RECEIVED
JUL 09 2007

Dear Secretary Sole:

Subject: Crosstown Parkway Corridor Extension
(Formerly Known As the Third East-West River Crossing)
4(f) Determination of Applicability (DOA)
North Fork of the St. Lucie River Aquatic Preserve
Request for Information

The City of Port St. Lucie, under the guidance of the Florida Department of Transportation (FDOT), is conducting a Project Development & Environment (PD&E) study for the Crosstown Parkway Corridor Extension. In accordance with Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, Federal Highway Administration (FHWA) has requested a Section 4(f) Determination of Applicability (DOA) for the proposed project. FHWA will review the nature, use, features and attributes of the area resources and make a determination whether or not the potentially impacted property is subject to Section 4(f). There is at least one potential 4(f) resource impacted by the project: the North Fork of the St. Lucie River (NFSLR) Aquatic Preserve. As the State Agency with jurisdiction over this resource, we are requesting your assistance in providing information that will help us prepare the DOA.

The project is located in the City of Port St. Lucie, Florida, and the limits extend from the Crosstown Parkway at Manth Lane on the west, to US-1 on the east, including a crossing of the NFSLR. This project will relieve the existing Port St. Lucie Boulevard and Prima Vista Boulevard crossings (which are currently over capacity), and provide needed additional capacity to address the explosive growth in the area. The DOA study area includes all of the North Fork of the St. Lucie River and its floodplain, from Port St. Lucie Boulevard on the south to Prima Vista Boulevard on the north (see Figure 1). Subsequent to a screening analysis of various corridors and alternatives, it was determined that in addition to the No-Build alternative, three build alternatives should be evaluated (see Figure 2).

To comply with FHWA's request, information about the area's characteristics and use, and the potential impacts of the project on affected resources, must first be assembled. This information will assist FHWA in making their 4(f) determination. We hereby request that the FDEP provide us with the information listed below regarding the subject resource, or other known resources that may potentially be affected, so that we may prepare the DOA package. Once the DOA package is finalized, it will be submitted to FHWA for their determination. We request that your agency provide this information within 30 days of receiving this request, if possible. If that will not be possible, please let us know when we might anticipate a response so that we may adequately plan the necessary follow-up activities.

121 S.W. Port St. Lucie Boulevard • Port St. Lucie, FL 34984-5099 • 772/871-5177 • Fax 772/871-5289
TDD Line • 772/344-4222

For the area highlighted in Figure 1, please provide the following:

1) Please identify the current acreage and boundaries of all known parks, recreation areas, wildlife preserve areas, or other "public usage" areas between the limits of Port St. Boulevard on the south and Prima Vista Boulevard on the north. An electronic version of the boundary maps for each resource property would be preferred in order to aid in document production;

2) Please provide an Existing Management Plan for the NFSLR Aquatic Preserve, and a description and location of all planned public parks, recreation areas or wildlife preserves;

3) Please provide the usage of each resource by approximate number of users/visitors;

4) Please provide a statement as to the level of significance that the land in question has with regards to meeting the objectives of that resource. Note that significance in this instance means the degree to which the land in question meets the objectives for the availability and function of the recreation, park, wildlife or waterfowl refuge area;

5) There are a number of public parks, marinas, and recreation facilities all along the NFSLR Aquatic Preserve within the project area. There are also a number of points where canoes and kayaks can be launched (e.g., River Park Marina at the northern limits of the study area, and Veterans Memorial Park at the southern limits of the study area). Organized recreational tours, individual boaters, and fishing boats traverse the Aquatic Preserve and its tributaries from these public access locations. As such, please delineate the areas of the Preserve, and its adjacent associated floodplains, wetlands and uplands, between Prima Vista and Port St. Lucie Boulevards, that should be considered as recreational or park area use;

6) Please delineate those areas that serve conservation purposes; and

7) Please delineate those areas that serve to preserve wildlife species.

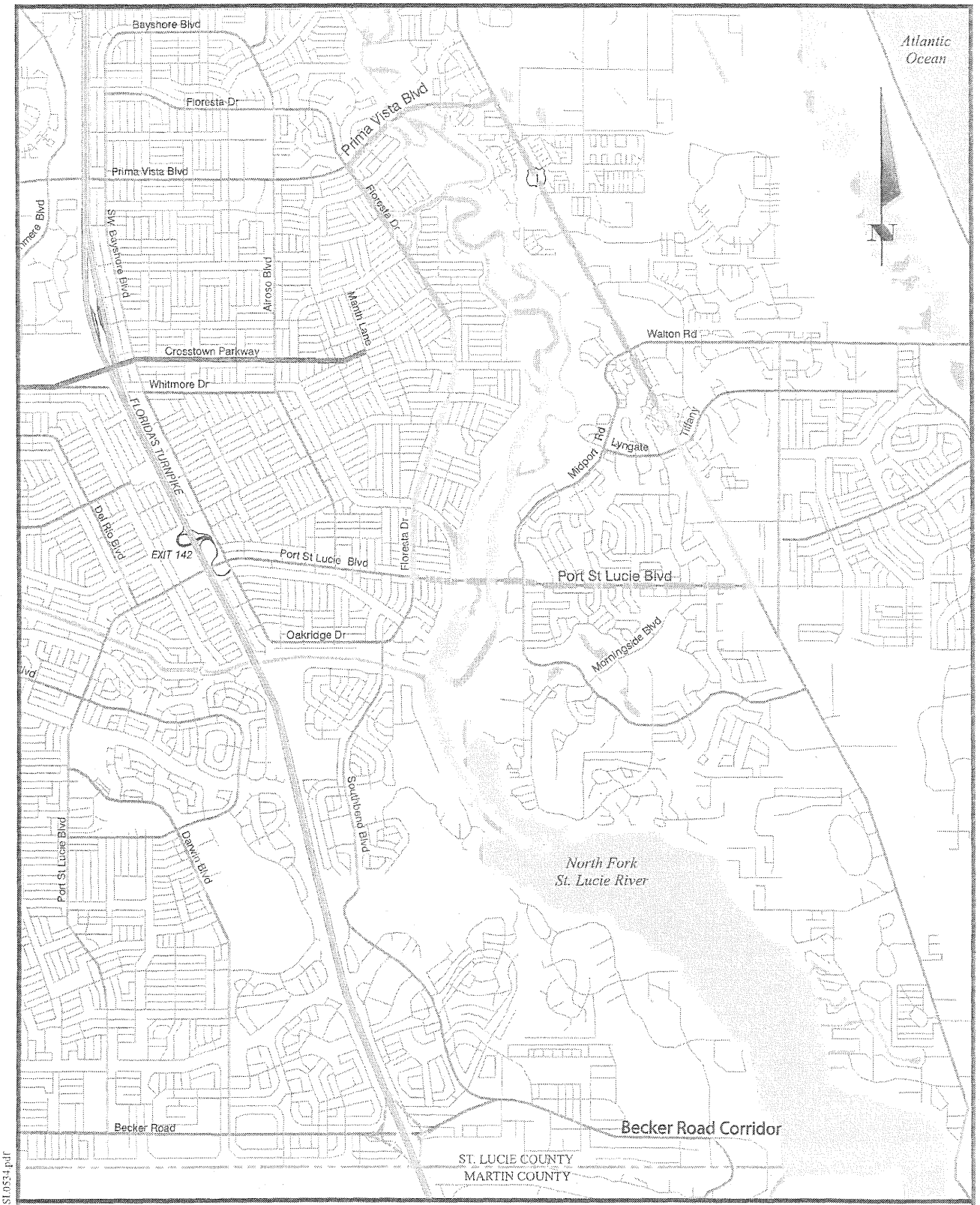
In addition to responding to the above items, feel free to include any additional information that you believe will be helpful to FHWA in making their determination. Thank you for your attention to this request. The information you provide will allow the City to comply with the FHWA request. If you have any questions regarding the process or the information requested, please do not hesitate to contact me at (772) 871-5175.

Sincerely,
CITY OF PORT ST. LUCIE

Walter B. England

Walter England, P.E.
City Engineer

Cc: Don Cooper, City Manager – City of Port St. Lucie
George Hadley, Environmental Programs Coordinator – FHWA
James A Wolfe, P.E., District Secretary – FDOT
Beatriz Caicedo-Maddison, P.E., Senior Project Manager – FDOT
John Krane, P.E., Director of Transportation Planning – Keith and Schnars
Patricia Roebling, P.E. – Assistant City Engineer



CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

CITY OF PORT ST. LUCIE
Crosstown Parkway Extension River Crossing

Determination of Applicability Study Area

Figure No. 1

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CITY of PORT ST. LUCIE

KEITH and SCHNARS, P.A.
ENGINEERS, PLANNERS, SURVEYORS

CULPEPPER & TERPENING, INC.

CITY OF PORT ST. LUCIE

Crosstown Parkway Extension River Crossing

Alternatives Under Evaluation

Figure No. 2

Florida Department of
Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 22, 2007

RECEIVED
MAR 2 3 2007
City Manager's Office

The Honorable Ken Pruitt
President, The Florida Senate
Room 312, Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Mr. President:

Over the last couple of years, the City of Port St. Lucie (City) and its consultants have conducted corridor studies for a third east-west crossing of the North Fork St. Lucie River and the surrounding public and private conservation lands. Throughout that process, the Department met several times with City officials, the City's consultants, the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA), and other state and regional agencies to discuss concerns with the various alternative alignments proposed by the City.

Project Status

On August 16, 2006, FDOT posted the City's proposed alignments on FDOT's ETDM[1] website for review by federal, state and local agencies. That "programming" review was completed on October 1, 2006, when interagency team reviewers posted comments on the potential environmental impacts of three proposed alternatives on the St. Lucie River, the North Fork St. Lucie Aquatic Preserve, and the Savannas Preserve State Park. The Department, the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS) assigned a "dispute resolution" degree-of-effect (the highest level of concern available under ETDM review) on the following resource categories: Recreation Lands (public conservation lands), Secondary and Cumulative Effects, Water Quality and Quantity, Wetlands, and Wildlife and Habitat.

Under the ETDM process, when a reviewing agency assigns "dispute resolution" as its level-of-concern, the project cannot proceed to FDOT's Project Development Phase other than for the purpose of preparing technical studies and preliminary design work

[1] Efficient Transportation Decision Making.

necessary to resolve the agencies' objections. On December 5, 2006, FDOT initiated an informal dispute resolution process at an interagency meeting in Port St. Lucie. At that meeting, the City's consultants presented a draft report on alignment alternatives, and the reviewing agencies described their concerns and requested additional information. On December 20, 2006, the City forwarded an update of the Crosstown Parkway Corridor Extension Alternatives Report to the FHWA, DEP, FWC and USFWS for review.

At the December 5th meeting, the City asserted that it had "reserved" bridge landing sites along the river when it conveyed certain conservation lands along the North Fork St. Lucie River to the Board of Trustees in 1992. DEP Division of State Lands' records indicate, however, that conveyance of the conservation lands was unconditional and unencumbered.

On February 27, 2007, FDOT advised the Department that the City has decided to pursue formal dispute resolution under ETDM, and that it would send an official notification of that election to the Department. To date, I have not yet received any such communication from the City. Under the ETDM manual, the next step in the formal dispute resolution process will be the preparation of positions papers by the City and reviewing agencies.

Proposed Alternative Approach

To address resource questions that arose during interagency review of the proposed alternative alignments, the Department suggests that the City consider applying for a Conceptual Approval Permit from the South Florida Water Management District – the agency having environmental resource permitting (ERP) jurisdiction for the project. While a conceptual approval does not authorize construction or operation of the project, it would provide resource agencies with technical data and analysis from which the agencies could determine whether the project is permittable. Until specific, detailed information is submitted to and reviewed by the resource agencies, they will not be able to definitively state whether any of the proposed alignments will be able to meet federal and state permitting requirements.

The application process for a conceptual permit is generally the same as the process for an individual ERP, except that it does not require the same detailed, signed-and-sealed engineering calculations and drawings, or environmental impact analysis necessary for an ERP. While the minute details of siting and mitigation would not be required until later in the project permitting process, the City would have to delineate wetlands and provide reasonable assurance that:

- All practicable impact avoidance and minimization options have been explored;
- Sufficient area is available for construction of the staging areas and stormwater treatment ponds;
- A public easement could be granted on state-owned uplands and sovereignty submerged lands; and
- The conceptual mitigation plan will offset the direct, secondary and cumulative impacts of the project.

The Honorable Ken Pruitt
March 22, 2007
Page Three

The City would apply to the SFWMD for both the conceptual ERP and a sovereignty submerged lands (SSL) authorization at the same time (concurrent review). In addition, the City would also apply to the DEP Division of State Lands, Bureau of Public Land Administration for a public easement or lease over the Savannas Preserve State Park. As a major linear facility, the proposed easement or lease must be reviewed by the Acquisition and Restoration Council (ARC), which then issues a recommendation to the Board of Trustees (Governor and Cabinet), which makes the final decision on the granting of an easement or lease across state-owned submerged lands and uplands.

The end result of the conceptual approval process would be a conceptual permit (ERP) for siting the project and establishment of the basic regulatory requirements for future construction. The advantage of a conceptual ERP is that the City would not have to spend as much money up-front to determine whether the bridge is permittable. The disadvantage is that the City must thereafter obtain an individual ERP for the actual construction and operation of the project.

Regardless of the City's decision on whether to pursue formal dispute resolution under bTDM or submit an application for a conceptual approval permit, the Department remains available for further discussion of available options and alternatives.

Sincerely,

Michael W. Sole
Secretary

MWS/sm

cc: Stephanie Kopelousos, Interim DOT Secretary
Carol Wehle, Executive Director, South Florida Water Management District
Bob Ballard, DEP Deputy Secretary for Land and Recreation

Florida Department of Transportation
Third East-West Crossing of the St. Lucie River – St. Lucie County
ETDM # 8247, SAI # FL200307143088C

December 4, 2006

Based on a review of the limited information provided by the Applicant, the Department remains concerned about several aspects of the proposal, particularly the need for the project (based on available transportation studies) and the environmental impacts that would likely result from the construction of a third east-west crossing of the St. Lucie River, North Fork St. Lucie Aquatic Preserve (NFSLAP) and Savannas Preserve State Park (SPSP), designated Outstanding Florida Waters. The DEP recommends that the Applicant prepare an environmental impact statement (EIS) on the entire transportation corridor proposed or contemplated between I-95 and Hutchinson Island, in accordance with the Federal Highway Administration's National Environmental Policy Act (NEPA) requirements. The draft EIS should document the purpose and need for the project, logical termini of all proposed or contemplated corridor segments, and the other items described below.

STATE LANDS

The Applicant should provide to the Department's Division of State Lands sufficient information necessary for its consideration of an easement and sovereignty submerged lands authorization across the NFSLAP and SPSP.

The Department's "Linear Facility Policy" provides criteria for the avoidance of impacts to conservation lands. If it appears that a proposed transportation project will impact public conservation lands, the Applicant must demonstrate that there is no "prudent and practical" way to avoid the lands. Before any portion of state-owned conservation lands can be considered for a non-conservation use, the Division of State Lands requires a letter from the agency managing the lands, indicating its willingness to release the property. In its letter, the management agency would describe the specific mitigation proposed for the loss of the lands from conservation use and for the increased management costs expected as a result of the roadway impacts (*e.g.,* inability to use prescribed fire). The Division of State Lands would subsequently develop an agenda item (on the request to impact state conservation lands) for deliberation by the state's Acquisition and Restoration Council (ARC), which is comprised of five state agency heads and four Governor appointees. The ARC must make a determination that the release (surplus) of the lands is "compatible with the resource values of and management objectives for such lands." Furthermore, a 1998 amendment to the State Constitution provides that before state-owned conservation lands can be converted to non-conservation purposes, the Trustees must make an affirmative determination (by two-thirds vote) that the lands are "no longer needed for conservation purposes."

WATER QUALITY AND HABITAT

Substantial state and federal investments have been made to protect lands and natural resources that would be affected by the proposed bridge construction. In addition to the public funds expended to acquire environmentally sensitive lands and implement state and federal resource management plans, public funds are being spent to develop a pollution load-reduction model for the Indian River Lagoon (IRL), which includes the NFSLAP and SPSP areas. As part of the Comprehensive Everglades Restoration Plan (CERP), the establishment and implementation of a total maximum daily load model for the lagoon will reduce phosphorus levels and turbidity in the estuary. Retention reservoirs similar in function to those being used to clean water entering the Everglades system have been proposed in the IRL-South Feasibility Study, a combined federal-state-local effort to restore water quality in the IRL ecosystem. An analysis of the potential adverse impacts related to the restoration effort should be included in the draft EIS.

Stormwater runoff from the proposed bridge would exacerbate water quality problems, yet plans for the proposed bridge submitted to date have not indicated that stormwater retention or detention measures will be considered or implemented. Sufficient space for stormwater treatment is not evident on the mainland due to developed residential areas. Without appropriate stormwater management facilities, the waters and other resources of the NFSLAP, SPSP, and IRL ecosystems cannot be protected from oils, greases, metals, sediment, and other pollutants contained in stormwater discharges from the proposed bridge. Compliance with regulatory requirements for Outstanding Florida Waters may be difficult to achieve under current proposals, and a thorough environmental assessment of stormwater treatment systems necessary for protecting the Outstanding Florida Waters will be required.

PERMITTING REQUIREMENTS

The proposed alternatives will affect sovereignty submerged lands and state-owned wetlands and uplands; therefore, the project will require final authorization for use of those lands from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (Trustees). The City's request for an easement to cross the aquatic preserves must be presented to the Trustees for a determination of the road's compatibility with the conservation and preservation purposes for which the lands were acquired. The City must also demonstrate that development of the corridor is "in the public interest" as that term is defined in Chapter 258, *Florida Statutes* (*F.S.*), and Chapter 18-20, *Florida Administrative Code* (*F.A.C.*).

The NFSLAP and IRL were established as aquatic preserves under Chapter 258, Part II, *F.S.* As stated in Section 258.36, *F.S.*, it was the Legislature's intent that aquatic preserves be kept in essentially natural condition so their biological, aesthetic and scientific values may endure for the enjoyment of future generations. The preserves have been designated as Class III and

Outstanding Florida Waters, designations that afford the two aquatic preserves special protection because of their high-quality recreational and ecologically significant waters. Water quality in Outstanding Florida Waters may not be degraded, and any proposed activity must be found to be "clearly in the public interest" upon weighing and balancing the factors stated in Paragraph 40E-4.302(1)(a), *F.A.C.*

SUMMARY

Until the Department has an opportunity to evaluate more detailed information on the proposed project and related projects in the I-95-to-Hutchinson Island corridor and their effects on aquatic preserves, wetlands and surface water quality, the Department cannot support the project or evaluate its consistency with the Florida Coastal Management Program. The scope and magnitude of the proposed roadway improvements dictate that the Applicant comply with NEPA requirements, by evaluating the anticipated environmental impacts at logical termini. It is therefore recommended that the Applicant engage all state, local and federal agencies whose jurisdictions will be affected in further discussions before proceeding to PD&E with the proposal.

To avoid crossing the NFSLAP and SPSP, the City must identify and assess potential alternatives to the proposed bridge construction, including land use changes and modification of existing transportation system components.

RECOMMENDATIONS

1. Significant state and federal commitments to protection of the Indian River estuarine system, together with the potential for adverse impacts to federal and state resources resulting from construction of a new bridge across the NFSLAP and SPSP, warrant preparation of an EIS in accordance with NEPA regulations. The EIS should document the purpose and need for the project, include adequate data, information and analyses of the issues discussed in this Memorandum, and give serious consideration to a "no-build" alternative.

2. An analysis of existing river crossings should be conducted to determine whether the enhancement of existing bridges would achieve the objectives sought by the City. FDOT studies do not support the need for a third river crossing.

3. The scope of the EIS should include all improvements proposed or contemplated along the West Virginia Drive – Walton Road corridor between I-95 and Hutchinson Island. The analysis should include an evaluation of the primary, indirect and cumulative impacts of transportation improvements through the NFSLAP and SPSP, the Indian River Lagoon Aquatic Preserve, and surrounding communities.

4. The EIS should focus on impacts to identified natural resources, water quality degradation, stormwater management and treatment, and compatibility with state and federal resource management plans. In addition to a no-build alternative, the list of project alternatives should describe measures that would be taken to avoid and minimize all impacts.

5. The EIS should assess potential direct and indirect impacts to neighborhoods within the City of Port St. Lucie that may be affected by increased traffic resulting from the proposed re-routing of I-95 and Turnpike traffic through the City.

6. The Department recommends that any further planning and evaluation of the project be coordinated with and evaluated by a state-federal-local interagency team, in consultation with the local Metropolitan Planning Organization. If another east-west transportation corridor across the NFSLAP and SPSP can be justified, the team should also determine the location that minimizes impacts to environmental resources. State participants should include the Florida Departments of Transportation, Community Affairs and Environmental Protection, the Florida Fish and Wildlife Conservation Commission, and the South Florida Water Management District, which is responsible for environmental resource permitting and review of proprietary (state lands) issues in the preserves.