

8.0 COMMENTS AND COORDINATION

This section details the project's process to identify, address, and resolve project-related issues through the Public Involvement Program (PIP).

The purpose of the PIP is to establish and maintain communication with the public at-large as well as individuals and agencies concerned with the project and its potential impacts. The PIP, an integral part of this project, was initially developed in June 2003. The PIP was updated in March 2008 and then again in November 2009 to keep it current with the project's public involvement activities.

8.1 Public Outreach Techniques

The PIP is in compliance with the Florida Department of Transportation (FDOT) *Project Development and Environmental (PD&E) Manual*, Part 1, Chapter 11; Section 339.155 Florida Statutes; Executive Orders 11990 and 11988; Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA); and 23 CFR 771.

The PIP prepared for the Crosstown Parkway Extension PD&E Study provides all the major elements of sharing project information with the public at-large and federal, state, and local agencies. The PIP consists of these major elements: a toll-free hotline; study sponsors; advisory committees; and community participation. Information has been provided through newsletters, maps, media releases, and other materials. Additionally, a project website (www.pslcrosstownparkway.com) was created to provide ongoing and updated information about the project's status, history, schedule, notification of public meetings, project reports, and other information to keep the public informed about the project. The website provides a place for the public to offer comments and/or input about the project throughout project development.

The public comments collected via the public outreach activities, have aided the study team throughout the process. A database consisting of mailing lists and other contact information was compiled for each of the public outreach activities. These databases were categorized as follows:

Elected/Appointed Officials

Prior to each mailing, this list was verified and updated accordingly.

Agencies/Working Group

This database includes all agencies (federal, state, regional, and local), monthly working group members, and Native American tribes.

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Summary
Overview of
Document and
Findings.

Section 2.0
Purpose of and
Need for Action

Section 3.0
Alternatives
Including
Proposed Action

Section 4.0
Affected
Environment

Section 5.0
Environmental
Consequences

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Evaluation

Section 7.0
Avoidance,
Minimization and
Compensatory
Mitigation

Section 8.0
Comments and
Coordination

Section 9.0
Commitments
and
Recommendations

Section 10.0
List of Preparers

Section 11.0
List of Agencies,
Organization and
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Sent

Section 12.0
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Interested Parties

This database is comprised of anyone who provided contact information at a public meeting or workshop throughout the study, anyone who corresponded with the Project Team, FDOT, City of Port St. Lucie (City) Engineering staff, and any group (civic, environmental or otherwise) that the Project Team identified as an interested party.

Property Owners

For each mailing, the City provided a new property mailing list within the project limits of the study to ensure that all current property owners within the study area were informed of new project information.

News Media

This list was maintained by the City's Communications Department Director. A current list was provided as needed for mailings and press releases.

Master Database

Contacts were routinely updated.

8.2 Corridor Analysis Phase

During the corridor analysis phase of this project, there were a series of public meetings held to keep the public informed of the project and to provide the public an opportunity to offer input and comment on the analyses and draft reports. The public meetings included the following (**Appendix I** contains the meeting minutes):

- Corridor Public Kick-off Meeting – June 5, 2003;
- La Buona Vita Homeowners Meeting – April 19, 2004;
- Homeowners Meeting – April 22, 2004; and
- Public Meeting – March 23, 2005.

During the corridor analysis phase, stakeholder groups were formed, which included a Citizen's Discussion Group (CDG), an Environmental Advisory Committee (EAC) and a Technical Advisory Committee (TAC). Meetings were held with these groups throughout the early stages of project development. In addition to the meetings listed above, the following meetings were held during 2004 and 2005. The minutes of these meetings are included in **Appendix I**.

- EAC Meeting – February 25, 2004;
- CDG Meeting – January 26, 2005;
- EAC Meeting – March 8, 2005;
- EAC/TAC Meeting – April 19, 2005; and
- EAC-Core Meeting – May 25, 2005.

At each of the above meetings, the data and analyses were presented and public and agency comments were obtained. The comments were summarized and considered in the corridor analysis process.

8.3 Initial Alternatives Analysis Phase

Following the corridor evaluation phase, the study results were presented at the Public Kick-off Meeting and the Agency and Elected Officials Kick-off Meeting. Section 8.6 (Interagency Coordination and Consultation) provides a summary of these meetings. Both meetings were held on July 10, 2008. At those meetings, copies of the *Analysis of Potential River Crossing Corridors (Corridor Report, June 2008)* and the *Crosstown Parkway Corridor Extension Alternatives Report (Alternatives Report, June 2008)* were available for review.

From June 27, 2008 through October 24, 2008, copies of the *Corridor Report* and *Alternatives Report* were made available for review and comment by the Environmental Technical Advisory Team (ETAT), cooperating agencies, other involved agencies, and the general public via the Efficient Transportation Decision Making (ETDM) public access website.

Cooperating agencies include the following:

- U.S. Environmental Protection Agency;
- U.S. Department of Interior – Fish and Wildlife Service;
- U.S. Army Corps of Engineers;
- U.S. Coast Guard; and
- U.S. Department of Commerce - National Marine Fisheries Service.

Other involved agencies include:

- U.S. Department of Agriculture - Natural Resources Conservation Service;
- Federal Transit Administration;
- Seminole Tribe of Florida;
- Miccosukee Tribe of Indians of Florida;
- Florida Department of Community Affairs (now Florida Department of Economic Opportunity);
- Florida Department of Agriculture and Consumer Services;
- Florida Fish and Wildlife Conservation Commission;
- Florida Department of Environmental Protection;
- South Florida Water Management District; and
- Treasure Coast Regional Planning Council.

The involved agencies were notified that the reports were available on the project website for review and comment. No comments were received regarding the reports. The reports have remained on the ETDM public access website as an informational source throughout the project development process.

8.4 Advance Notification

The purpose of the Advance Notification (AN) is to inform federal, state, and local agencies of the proposed action. The AN process provides the initial opportunity for these agencies to become involved in the project development phase and share information concerning the proposed action and the geographic area

potentially impacted. Two AN's were performed for the project. The first AN, was transmitted in 2003. This was prior to the project's designation as an EIS in 2008. A second AN was transmitted in June 2008 because the project termini had been modified and a time period of more than four years had elapsed between the initial AN and approval of the environmental document for public availability. Also, two alternatives (6B and 1F) not previously considered in the initial AN, had been added to the study. It is important to note that the responses to the AN's provided in this Environmental Impact Statement (EIS) have been updated, as appropriate, from the Draft Environmental Impact Statement (DEIS) to reflect the additional agency coordination and impact minimization measures that occurred once the Preferred Alternative was selected.

8.4.1 Advance Notification One

The first of two AN packages was transmitted in June 2003 in accordance with Executive Order 83-150. Early project coordination was initiated with the distribution of this AN package. The federal, state, regional and local agencies to whom a copy of the AN package was sent, are listed below:

Federal

Federal Highway Administration, Division Administrator;
Federal Aviation Administration - Airports District Office;
Federal Railroad Administration - Office of Economic Analysis (RRP-32);
Federal Emergency Management Agency, Regional Director, Region IV;
U.S. Department of Interior – Bureau of Land Management, Eastern States Office - Director;
U.S. Department of Interior – Bureau of Land Management - Jackson Field Office;
U.S. Department of Interior – U.S. Geological Survey - Chief;
U.S. Department of Interior - Bureau of Indian Affairs - National Park Service - Southeast Regional Office;
U.S. Department of Interior - Bureau of Indian Affairs - Office of Trust Responsibilities;
U.S. Department of Interior - National Park Service - Southeast Regional Office;
U.S. Environmental Protection Agency – Region IV - Regional Administrator;
U.S. Environmental Protection Agency – Water Management Division - Region IV;
U.S. Department of Interior – Fish and Wildlife Service - Field Supervisor - South Florida Field Office;
U.S. Department of Transportation – Federal Transit Administration;
U.S. Army Corps of Engineers – Regulatory Branch - District Engineer;
U.S. Army Corps of Engineers – South Permits Branch Office;
U.S. Department of Commerce – National Marine Fisheries Service – Southeast Regional Office;
U.S. Department of Commerce – National Marine Fisheries Service - SEFSC, Panama City Field Office;
U.S. Department of Commerce – National Oceanic and Atmospheric Administration - Administrator;
U.S. Department of Health and Human Services – Director;
U.S. Department of Housing and Urban Development – Regional Environmental Officer;
U.S. Department of Agriculture - Natural Resources Conservation Service;
U.S. Coast Guard – Commander – Seventh District;
U.S. Senator Bill Nelson;
U.S. Senator Bob Graham;
U.S. Representative - District 16 – Marc Foley;
U.S. Representative - District 22 – E. Clay Shaw, Jr.;
U.S. Representative - District 23 – Alcee Hastings;

Poarch Band of Creek Indians of Alabama – Chairman;
Muscogee (Creek) Nation of Oklahoma – Principal Chief;
Seminole Tribe of Florida – Chairman;
Miccosukee Tribe of Indians of Florida – Chairman; and
Seminole Nation of Oklahoma – Principal Chief.

State

Florida Department of Transportation – District 4 – District Planning and Environmental Engineer;
Florida Department of Transportation – Central Environmental Management Office;
Florida Fish and Wildlife Conservation Commission – South Region - Regional Director;
Florida Fish and Wildlife Conservation Commission – Office of Environmental Services;
Florida Department of Environmental Protection – Office of Federal Coastal Programs;
Florida Department of Environmental Protection – Division of State Lands - Director;
Florida Department of Environmental Protection – Southeast District Office - District Director;
Florida Department of Environmental Protection – Land and Recreation Department;
Florida Department of State, State Historical Preservation – Bureau Chief;
Florida Department of Community Affairs (now Florida Department of Economic Opportunity) – Director;
Florida Marine Fisheries Commission – Director;
Florida Transportation Commission – Chairman;
Florida State Representative – State Congressional District 78 – Richard Machek;
Florida State Representative – State Congressional District 80 – Stan Mayfield;
Florida State Representative – State Congressional District 81 – Gayle Harrell;
Florida State Representative – State Congressional District 82 – Joe Negron; and
Florida State Senate – District 28 – Ken Pruitt.

Regional

Treasure Coast Regional Planning Council;
Sierra Club – South Florida Regional Office;
St. Lucie Audubon Society;
Audubon Society of Florida; and
South Florida Water Management District – Executive Director.

Local

City of Port St. Lucie – Public Works Department;
School Board of St. Lucie County – Superintendent;
School Board of St. Lucie County – Vice-Chairman;
School Board of St. Lucie County – School Board Member;
City of Port St. Lucie Mayor – Robert Minsky;
City of Port St. Lucie City Manager – Donald Cooper;
City of Port St. Lucie City Clerk – Karen Phillips;
St. Lucie County Commissioner, District 1 – John D. Bruhn;
St. Lucie County Commissioner, District 2 – Doug Coward;
St. Lucie County Commissioner, District 3 – Paula A. Lewis;

St. Lucie County Commissioner, District 4 – Frannie Hutchinson;
St. Lucie County Commissioner, District 5 – Cliff Barnes;
City of Port St. Lucie Councilman, District 1 – Patricia Christiansen;
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City of Port St. Lucie Vice-Mayor – Patricia Christiansen;
St. Lucie County Administrator;
St. Lucie County Engineering Division – County Engineer;
St. Lucie County Planning Division – Planning Manager;
St. Lucie County Environmental Resources Division – Manager;
St. Lucie County Community Development – Director;
St. Lucie County MPO – Planning Division;
St. Lucie County Chamber of Commerce – President;
St. Lucie County Sheriff’s Department;
St. Lucie County Fire District – Fire Chief;
Port St. Lucie Fire Station 3;
Port St. Lucie Fire Station 5;
Fire Station 10;
Fire Station 12; and
Fire Station 13.

A summary list of comments received from the agencies in response to the first AN is provided below. The full text of the agencies’ comments is provided in **Appendix B**. Coordination with the agencies has occurred throughout the development of this project. Brief responses to agency comments are included in this section. More detailed information has been incorporated into this Environmental Impact Statement (EIS) and in the technical support documents.

U.S. Environmental Protection Agency (USEPA)

- Concerned that important aquatic resources may be degraded;
- Stated that a detailed alternatives analysis should be performed; and
- Noted that the applicant must demonstrate avoidance and minimization of wetland impacts before mitigation can be considered.

Response:

Impacts to aquatic resources have been evaluated along with avoidance and minimization measures. Information on the impacts to aquatic resources within the study area can be found in Section 5.0 (Environmental Consequences) and in the Endangered Species Biological Assessment (ESBA), Essential Fish Habitat (EFH) Assessment, and Wetlands Evaluation Report (WER).

A detailed alternatives analysis was undertaken for the project. Section 3.0 (Alternatives Including Proposed Action) provides the details of the alternatives analysis and screening. Impacts resulting from implementation of each build alternative and the No Build Alternative are disclosed in Section 5.0 (Environmental Consequences).

Through an extensive process of coordination with the agencies, a number of minimization strategies were incorporated into the viable build alternatives. A tunnel, various bridge designs including a cable-stayed bridge as requested by the U.S. Army Corps of Engineers (USACE) and National Marine Fisheries Service (NMFS) have been evaluated. These efforts along with the compensatory mitigation plan are discussed in Sections 3.0 (Alternatives Including Proposed Action) and 7.0 (Avoidance, Minimization and Compensatory Mitigation).

Miccosukee Tribe of Indians of Florida

- Suggested that a cultural resource survey be conducted and that they be copied on the survey; and
- Stated that they have no knowledge of any cultural, religious, or traditional sites at the proposed project location.

Response:

*A Cultural Resource Assessment Survey (CRAS) has been conducted for this project and has been provided to the Miccosukee Tribe. The State Historic Preservation Officer (SHPO) has concurred with the findings that no culturally or historically significant properties are anticipated to be impacted as a result of this project. An additional study was undertaken to determine if the drainage pond sites for the Preferred Alternative would affect any cultural resources. SHPO concurred with the findings of that study that the Preferred Alternative would not impact any NRHP-eligible historic or archaeological resources. (See concurrence letters in **Appendix A**).*

Florida Natural Areas Inventory (FNAI)

- Commented on issues regarding the project's effect and location with respect to managed areas, land acquisitions, natural areas and potential habitat for rare species; and
- Provided data for listed plants and animals which may exist or utilize the project area.

Response:

Information and data provided by FNAI were used in the analyses documented in this study.

South Florida Water Management District (SFWMD)

- Proposed roadway will require an Environmental Resource Permit (ERP);
- Roadway improvements must meet SFWMD's water quality and quantity criteria;
- Bridge should be designed to direct all runoff to the stormwater management system;
- Bridge should be designed to avoid filling in the floodplain;
- Stormwater management system needs to provide 150 percent of the standard treatment;
- Stormwater management system needs to provide half-inch dry detention or retention pre-treatment;
- The post-development scenario must provide equal or greater compensation of flood storage than pre-development;

- ERP application should include thorough analysis of alignment alternatives/engineering design to avoid and minimize wetland impacts and why one alignment was selected over others;
- A Water Use Permit will be required for construction dewatering activities;
- A Water Use Permit will be required for ground and/or surface water withdrawal;
- Mitigation for wetland impacts should occur in the North Fork system (e.g., Ten Mile Creek);
- An estimation of the functional value of wetland impacts and the quantity of mitigation needed to offset impacts should be undertaken;
- Wetland impacts must be avoided and minimized. Mitigation is required for impacts;
- Publicly-owned lands in this project should be mapped and may require a land swap with the Board of Trustees or a public easement. Timeframe for completing this project should consider time needed for Board of Trustees approval; and
- City/FDOT should coordinate with Florida Fish and Wildlife Conservation Commission/U.S. Fish and Wildlife Service regarding listed species.

Response:

The City has coordinated closely with the SFWMD throughout the development of this project. An application for a Conceptual Environmental Resource Permit (ERP) which includes data on stormwater management, project impacts, floodplains, and proposed mitigation was submitted to SFWMD. For the purposes of the Conceptual ERP, a "representative alternative" was developed that included the highest impacts for each resource from all build alternatives. The Preferred Alternative will have fewer impacts than the representative ERP alternative. The Conceptual ERP process began in the spring of 2008 using this approach and provided the technical information for obtaining an easement to cross state lands. The process also developed a compensatory mitigation plan required under federal and state regulations.

Regarding stormwater management, the stormwater management plan described in this EIS, Preliminary Drainage Report, and Pond Siting Report, is in compliance with current SFWMD criteria. A construction ERP and Water Use Permit will be filed during the design phase of the project. The detailed alternatives analysis has been conducted and is discussed in Section 3.0 (Alternatives Including Proposed Action). The analysis and screening process continued throughout the EIS process. Alternative 1C was selected as the Preferred Alternative.

The Preferred Alternative, will bridge the floodplain and the three crossings of the NFSLR (North Coral Reef Waterway, the main channel, and Evans Creek). The Preferred Alternative will have a latitudinal impact of approximately 1.82 acres situated in the SPSP near U.S. 1. This impact will be mitigated by the construction of the Platt's Creek project as described in the technical support document titled "Location Hydraulic Report".

The detailed alternatives analysis was been conducted and is discussed in Section 3.0 (Alternatives Including Proposed Action).

An estimate of the wetland impacts, it functional value, and the amount of mitigation needed to compensate for unavoidable impacts, and avoidance and minimization efforts can be found in the WER, Section 5.0 (Environmental Consequences), and Section 7.0 (Avoidance, Minimization and Compensatory Mitigation). A mitigation plan to compensate for unavoidable impacts to wetlands, Sovereignty Submerged Lands, EFH, Section 4(f) resources, protected species, and habitats has been

developed in coordination with the agencies including SFWMD during the development of the EIS and the conceptual permitting process.

Coordination with FDEP and other regulatory and review agencies occurred throughout the development of this project. This coordination was instrumental in the development of the mitigation plan. The mitigation plan is discussed in Section 7.0 (Avoidance, Minimization and Compensatory Mitigation).

The City has coordinated with the FWC and USFWS and NMFS regarding listed species in the study area. Coordination with these agencies continued throughout the development of this project. Based on field surveys, literature reviews, and informal consultation with federal and state agency personnel, it was determined that the Preferred Alternative "May Affect but Not Likely to Adversely Affect" six federal listed threatened or endangered species or species of concern. Through informal Section 7 Consultation under the Endangered Species Act, the USFWS and NMFS have concurred with these findings in letters dated October 15, 2012 and January 4, 2013, respectively.

Florida Department of Environmental Protection (FDEP)

- Requested that an EIS be conducted to address the social and environmental impacts of the project including all the supporting documentation and analysis;
- Expressed concern regarding the project need;
- Stated that the study should examine alternatives such as widening existing bridges;
- Commented that the need for a hurricane evacuation route has not been established;
- Advised that Conservation and Recreation Lands were purchased by the State of Florida to preserve habitat for native/listed flora and fauna in North Fork St. Lucie River Aquatic Preserve;
- Requested further detailed evaluation of logical termini;
- Advised that the stormwater management system and stormwater discharge will be required to meet the requirements for Outstanding Florida Waters/Aquatic Preserve;
- Commented that bridge construction between I-95 and Hutchinson Island is located in high-hazard coastal area and may adversely impact barrier island's estuarine ecosystem; and
- Advised that the applicant must provide reasonable assurance that construction and operation will not have secondary impacts to adjacent wetlands.

Response:

The EIS includes analysis of the impacts on the community and the environment. Technical support documents, including the ESBA, WER, EFH Assessment, and the Sociocultural Effects Report, also discuss community and environmental impacts.

A detailed purpose and need section has been developed and refined throughout the study and is included in Section 2.0 (Purpose of and Need for Action).

Detailed alternative analyses and screening were conducted as documented in Section 3.0 (Alternatives Including Proposed Action). Widening of the existing bridges and other alternatives to minimize impacts have been evaluated in the Corridor Report, the Alternatives Report, and reevaluated in the Design Traffic Technical Memorandum (DTTM) and EIS.

While the proposed project would provide an additional hurricane and emergency evacuation route for coastal residents, it is not the primary purpose of this project. An evacuation route is a benefit that is consistent with the City of Port St. Lucie Comprehensive Plan, which calls for additional east-west thoroughfares across the North Fork St. Lucie River (NFSLR) to facilitate evacuations.

A detailed evaluation of the logical termini was undertaken and established to be Manth Lane on the West and U.S. 1 on the East. This has been documented in the ETDM screening tool.

Stormwater management design has been coordinated with SFWMD. The project meets current SFWMD criteria for discharge into the NFSLR (Outstanding Florida Waters) and into an aquatic preserve.

Discussions on alternative construction techniques (such as top down construction, construction methods from temporary construction platforms or trestles, or other similar methods were considered to minimize environmental impacts from the construction of the bridge) are included in Section 7.0 (Avoidance, Minimization and Compensatory Mitigation). Section 5.0 (Environmental Consequences) assesses direct, indirect (secondary), and temporary impacts to the adjacent wetlands and habitats.

Ongoing coordination with FDEP regarding the Conservation and Recreation Lands and the aquatic preserve seeks to define a mitigation plan for unavoidable impacts associated with the project.

U.S. Department of Commerce – National Marine Fisheries Service (NMFS)

- The North Fork St. Lucie River is designated as Outstanding Florida Waters;
- The project corridor includes wetland habitats of the St. Lucie River Aquatic Preserve;
- The project area contains estuarine and riverine habitats and mangrove wetlands;
- Aquatic habitat in the project area has been designated as Essential Fish Habitat;
- The mangrove systems in the project area are important; and
- The EIS should include an Essential Fish Habitat Assessment, a habitat characterization of wetlands, measures to avoid and/or minimize impacts to wetlands, and a mitigation plan to fully compensate for unavoidable impacts to wetlands.

Response:

The EIS includes the analysis of the impacts on the environment as requested. This document and the technical support documents (ESBA, EFH Assessment, and WER) evaluate the project effects on the NFSLR (Outstanding Florida Waters), the Aquatic Preserve, as well as the effect on estuarine and riverine habitats, mangrove wetlands, essential fish habitat, and mangrove systems in the project area. The EIS also includes a compensatory mitigation plan to fully compensate for unavoidable impacts of the Preferred Alternative.

8.4.2 Advance Notification Two

As previously noted, a second AN was transmitted in June 2008 because the project termini had been modified, more than four years had elapsed between the initial AN and approval of the environmental document for public availability, and two alternatives (6B and 1F) not previously considered in the initial AN had been added to the study.

The second AN was transmitted to the following agencies:

Federal

Federal Highway Administration - Division Administrator;
Federal Aviation Administration - Airports District Office;
Federal Railroad Administration - Office of Economic Analysis (RRP-32);
Federal Emergency Management Agency - Regional Director - Region IV;
U.S. Department of Interior – Bureau of Land Management - Eastern States Office - Director;
U.S. Department of Interior – Bureau of Land Management - Jackson Field Office;
U.S. Department of Interior – U.S. Geological Survey - Chief;
U.S. Department of Interior – Bureau of Indian Affairs-National Park Service - Southeast Regional Office;
U.S. Department of Interior – Bureau of Indian Affairs - Office of Trust Responsibilities;
U.S. Department of Interior – National Park Service - Southeast Regional Office;
U.S. Environmental Protection Agency – Region IV - Regional Administrator;
U.S. Environmental Protection Agency – Water Management Division - Region IV;
U.S. Department of Interior – Fish and Wildlife Service - Field Supervisor - South Florida Field Office;
U.S. Army Corps of Engineers – Regulatory Branch - District Engineer;
U.S. Army Corps of Engineers – South Permits Branch Office;
U.S. Department of Commerce – National Marine Fisheries Service – Southeast Regional Office;
U.S. Department of Commerce – National Marine Fisheries Service - SEFSC, Panama City Field Office;
U.S. Department of Commerce – National Oceanic and Atmospheric Administration - Administrator;
U.S. Department of Health and Human Services – Director;
U.S. Department of Housing and Urban Development – Regional Environmental Officer;
U.S. Department of Agriculture - Natural Resources Conservation Service;
U.S. Coast Guard – Commander – Seventh District;
U.S. Senator Bill Nelson;
U.S. Senator Mel Martinez;
U.S. Representative - District 16 – Tim Mahoney;
U.S. Representative - District 22 – Ron Klein;
U.S. Representative - District 23 – Alcee Hastings;
Poarch Band of Creek Indians of Alabama – Chairman;
Muscogee (Creek) Nation of Oklahoma – Principal Chief;
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Miccosukee Tribe of Indians of Florida – Chairman; and
Seminole Nation of Oklahoma – Principal Chief.

State

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Florida Department of Transportation – Central Environmental Management Office;
Florida Fish and Wildlife Conservation Commission – South Region-Regional Director;
Florida Fish and Wildlife Conservation Commission – Office of Environmental Services;
Florida Department of Environmental Protection – Office of Federal Coastal Programs;
Florida Department of Environmental Protection – Division of State Lands-Director;
Florida Department of Environmental Protection – Southeast District Office-District Director;
Florida Department of Environmental Protection – Land and Recreation Department;
Florida Department of State, State Historical Preservation – Bureau Chief;
Florida Marine Fisheries Commission – Director;
Florida Transportation Commission – Chairman;
Florida State Representative – State Congressional District 78 – Richard Machek;
Florida State Representative – State Congressional District 80 – Stan Mayfield;
Florida State Representative – State Congressional District 81 – Gayle Harrell;
Florida State Representative – State Congressional District 82 – William Snyder; and
Florida State Senate – District 28 – Ken Pruitt.

Regional

Treasure Coast Regional Planning Council;
Sierra Club – South Florida Regional Office;
St. Lucie Audubon Society;
Audubon Society of Florida; and
South Florida Water Management District – Executive Director.

Local

City of Port St. Lucie – Public Works Department;
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School Board of St. Lucie County – Vice-Chairman;
School Board of St. Lucie County – School Board Member;
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City of Port St. Lucie City Manager – Donald Cooper;
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St. Lucie County Commissioner, District 2 – Doug Coward;
St. Lucie County Commissioner, District 3 – Paula A. Lewis;
St. Lucie County Commissioner, District 4 – Charles Grande;
St. Lucie County Commissioner, District 5 – Chris Craft;
City of Port St. Lucie Councilman, District 1 – Linda Bartz;
City of Port St. Lucie Councilman, District 2 – Michelle Berger;
City of Port St. Lucie Councilman, District 3 – Christopher Cooper;
City of Port St. Lucie Councilman, District 4 – Jack Kelly;
City of Port St. Lucie – City Engineer;
City of Port St. Lucie – Assistant City Engineer;
City of Port St. Lucie – Planning Department-Director;

City of Port St. Lucie Police Department – Police Chief;
City of Port St. Lucie Vice-Mayor – Jack Kelly;
St. Lucie County Administrator;
St. Lucie County Engineering Division – County Engineer;
St. Lucie County Planning Division – Planning Manager;
St. Lucie County Environmental Resources Division – Manager;
St. Lucie County Community Development – Director;
St. Lucie County MPO – Planning Division;
St. Lucie County Chamber of Commerce – President;
St. Lucie County Sheriff’s Department;
St. Lucie County Fire District – Fire Chief;
Port St. Lucie Fire Station 3;
Port St. Lucie Fire Station 5;
Fire Station 10;
Fire Station 12; and
Fire Station 13.

A summary list of comments received from the agencies in response to the second AN is provided below. The full text of the agencies’ comments is provided in **Appendix C**. Coordination with the agencies has occurred throughout the development of this project. A brief response to agency comments is included in this section; more detailed information has been incorporated into the EIS and in the technical support documents.

Florida Department of Community Affairs (now Florida Department of Economic Opportunity)

- Noted that no federal consistency review comments were found.

Response:

*On October 17, 2011, FDEP determined that the project is consistent with the Florida Coastal Zone Management Program. (See **Appendix A**)*

Florida Department of Environmental Protection (FDEP)

- FDEP did not provide comments specific to Advance Notification Two, but instead referred to previous comments provided in the ETDM Programming Summary Report.

Response:

*The Final Programming Summary Report is voluminous with 131 pages. For each of the alternatives, FDEP provided ETDM comments pertinent to Contamination, Water Quality and Quantity, Wetlands, Recreational Areas, and Secondary and Cumulative Effects. Due to the extensiveness of FDEP’s ETDM input, its comments are not reiterated in this section. However the full text of FDEP’s ETDM comments is provided in **Appendix D**. **Appendix D** contains a listing of all ETDM comments received, and provides direction as to how these comments were addressed in the development of the DEIS and/or technical support documents.*

Florida Department of State (FDOS)

- FDOS referred to its previous comments provided in the ETDM Programming Summary Report. The FDOS comments were brief and only pertained to cultural resources. Therefore, they are included herein. FDOS noted that:
 - Archaeological or Historic Sites may occur in the area;
 - No secondary or cumulative effects to cultural resources can be foreseen at this time; and
 - A systematic survey will identify those resources that may be vulnerable to secondary and cumulative impacts to cultural resources.

Response:

*A CRAS has been conducted for this project. SHPO has concurred with the findings that no culturally or historically significant properties are anticipated to be impacted as a result of this project. An additional study was undertaken to determine if the drainage pond sites for the Preferred Alternative would affect any cultural resources. SHPO concurred with the findings of that study that the Preferred Alternative ponds would not impact any NRHP-eligible historic or archaeological resources. (See concurrence letters in **Appendix A**).*

Florida Fish and Wildlife Conservation Commission (FWC)

- Noted that its previous ETDM comments remain applicable;
- Advised that due to the presence of upland and wetland habitat, including the floodplain of the River, which will be crossed by all six alternatives, there is no clear preferred Corridor Alternative from a resource standpoint; and
- Recommended measures that should be included in the Project Development and Environment (PD&E) Study regarding avoidance, minimization and mitigation; including maps and tables describing the purpose, impacts to wetlands and uplands areas, assessment of functional loss, analysis of avoidance alternatives, inclusion of minimization techniques, and mitigation.

Response:

The EIS includes the analysis of environmental impacts (social, physical, natural and cultural) for all of the build alternatives and the No Build Alternative. Based upon the analysis, public input, and the Locally Preferred Alternative selection process, Alternative 1C was selected as the Preferred Alternative.

An estimate of wetland impacts, their functional value, and the amount of mitigation needed to compensate for unavoidable impacts, avoidance and minimization efforts, evaluation of project effects on the NFSLR (Outstanding Florida Waters and Aquatic Preserve), as well as the effect on estuarine and riverine habitats, essential fish habitat, and mangrove systems in the project area can be found in this EIS, WER, ESBA, and EFH. Through extensive coordination with the agencies, a number of avoidance and minimization strategies were incorporated into the build alternatives. Furthermore, subsequent to the selection of the Preferred Alternative, and in coordination with the agencies, the bridge typical section was reduced resulting in further minimization of impacts. A compensatory mitigation plan has been developed in coordination with the agencies [Section 7.0 (Avoidance, Minimization and Compensatory Mitigation)]. Coordination with FWC has occurred throughout project development.

South Florida Water Management District (SFWMD)

- Roadway improvements will require an ERP;
- Roadway improvements must meet SFWMD's water quality and quantity criteria;
- Wetlands within the potential alignment area are of high quality and are within and adjacent to the North Fork St. Lucie River Aquatic Preserve;
- The District and other agencies have committed resources to preserve and restore the North Fork and its floodplain as part of the Comprehensive Everglades Restoration Plan;
- All alignments will cross state-owned sovereignty submerged lands;
- Lands within the Aquatic Preserve/State Park that will be utilized will require a land swap with the Board of Trustees of the Internal Improvement Trust Fund in addition to an easement over the Sovereignty Submerged Lands;
- Bridging should avoid filling of the floodplain;
- Impacts to wetlands should be avoided and minimized; mitigation will be required for any unavoidable wetland impacts;
- Coordination should occur with USFWS and FWC regarding potential impacts to listed species;
- Permitting and stormwater management requirements for the proposed project were noted; and
- An estimation of the functional value of wetland impacts and the quantity of mitigation needed to offset impacts will be determined pursuant to Chapter 62-345 Florida Administrative Code (FAC).

Response:

The City has coordinated closely with the SFWMD throughout the development of this project. An application for a Conceptual Environmental Resource Permit (ERP) which includes data on stormwater management, project impacts, floodplains, and proposed mitigation was submitted to SFWMD. For the purposes of the Conceptual ERP, a "representative alternative" was developed that included the highest impacts for each resource from all build alternatives. The Preferred Alternative will have fewer impacts than the representative ERP alternative. The Conceptual ERP process began in the spring of 2008 using this approach and provided the technical information for obtaining an easement to cross state lands. The process also developed a compensatory mitigation plan required under federal and state regulations.

Regarding stormwater management, the stormwater management plan described in this EIS, Preliminary Drainage Report, and Pond Siting Report, is in compliance with current SFWMD criteria. A construction ERP and Water Use Permit will be filed during the design phase of the project. The detailed alternatives analysis has been conducted and is discussed in Section 3.0 (Alternatives Including Proposed Action). The analysis and screening process continued throughout the EIS process. Alternative 1C was selected as the Preferred Alternative.

An estimate of the wetland impacts, its functional value, and the amount of mitigation needed to compensate for unavoidable impacts, and avoidance and minimization efforts can be found in the WER, Section 5.0 (Environmental Consequences), and Section 7.0 (Avoidance, Minimization and Compensatory Mitigation). A mitigation plan to compensate for unavoidable impacts to wetlands, Sovereignty Submerged Lands, EFH, Section 4(f) resources, protected species, and habitats has been developed in coordination with the agencies including SFWMD during the development of the EIS and the conceptual permitting process.

The Preferred Alternative, will bridge the floodplain and the three crossings of the NFSLR (North Coral Reef Waterway, the main channel, and Evans Creek). The Preferred Alternative will have a latitudinal impact of approximately 1.82 acres situated in the SPSP near U.S. 1. This impact will be mitigated by the construction of the Platt's Creek project as described in the technical support document titled Location Hydraulic Report.

Coordination with FDEP and other regulatory and review agencies occurred throughout the development of this project. This coordination was instrumental in the development of the mitigation plan. The mitigation plan is discussed in Section 7.0 (Avoidance, Minimization and Compensatory Mitigation).

The City has coordinated with the FWC and USFWS and NMFS regarding listed species in the study area. Coordination with these agencies continued throughout the development of this project. Based on field surveys, literature reviews, and informal consultation with federal and state agency personnel, it was determined that the Preferred Alternative "May Affect but Not Likely to Adversely Affect" six federal listed threatened or endangered species or species of concern. Through informal Section 7 Consultation under the Endangered Species Act, the USFWS and NMFS have concurred with these findings in letters dated October 15, 2012 and January 4, 2013, respectively.

Additional Consideration of AN Comments

The AN responses were primarily related to regulatory and permitting procedures; avoidance and minimization of impacts to wetlands, wildlife and habitat; stormwater management; and specially designated and/or culturally significant lands. In addition to the responses provided above, the agency comments received in response to both the first and second AN processes have been addressed throughout project development and, in particular, through extensive coordination with the involved agencies. With regard to the first AN agency comments, coordination to address agency concerns included meetings with the TAC, EAC, and EAC Core groups, as well as through project scoping. Agency comments pertinent to both the first and second AN are addressed via project scoping; information contained in the EIS and technical support documents; monthly agency working group meetings; and through recognition of agency comments contained in the ETDM Environmental Screening Tool (**Appendix D** contains the ETDM Comments Summary).

8.5 Scoping Process

To expedite the project development processes, eliminate unnecessary work, and provide a substantial issue identification and problem solving effort, a scoping process was carried out as required by the Council on Environmental Quality (CEQ) Guidelines and in accordance with 23 CFR 771.

Scoping began early in the project development process and included affected governmental agencies, interest groups and parties with specific knowledge about the project study area. Scoping for this project began in June 2003 with the distribution of the first AN. Scoping continued throughout the duration of project development.

8.5.1 Cooperating Agencies and Their Roles

Federal Highway Administration (FHWA) serves as the lead agency for the project. In addition, five federal agencies serve as cooperating agencies. The cooperating agencies and their specific project roles are:

- U.S. Army Corps of Engineers
 - *Clean Water Act dredge and fill permitting in waters of the United States, including wetlands;*
- U.S. Coast Guard
 - *Construction or modification of bridges over certain navigable waters;*
- U.S. Environmental Protection Agency
 - *Compliance with the Clean Water Act and the Clean Air Act;*
- National Marine Fisheries Service
 - *Coordination on Essential Fish Habitat and compliance with the Endangered Species Act; and*
- U.S. Fish and Wildlife Service
 - *Wildlife and Habitat and compliance with Endangered Species Act.*

In addition to the above, the overall roles of the cooperating agencies include:

- Reviewing and commenting on environmental documents (**Appendix A**);
- Participation in monthly project working group meetings (**Appendix I**); and
- Providing input and guidance in their areas of regulatory authority.

8.5.2 Scoping Meeting

Scoping Meeting – September 18, 2008

A formal scoping meeting was held on Thursday, September 18, 2008. The scoping meeting, which was noticed via an invitational mailout, consisted of a day-long series of events hosted by FDOT and the City.

The purpose of the meeting was to provide an overview of the project and to facilitate the scoping process, thus promoting participation of all affected resource and regulatory agencies and interested parties with specific knowledge about the project study area. The scoping meeting focused on identifying project issues and establishing information resources. In addition, various issues identified in the ETDM screening were addressed during the meeting presentation, by the display boards and via discussions between the agencies and project team.

Scoping Meeting boat tour, along North Fork St. Lucie River (NFSLR)



All participating and cooperating agencies, stakeholders and involved parties were invited. There were 44 participants. The following is a list of the agencies and other groups in attendance:

- Federal Highway Administration;
- U.S. Army Corps of Engineers;
- Florida Department of Environmental Protection;
- U.S. Coast Guard;
- U.S. Environmental Protection Agency;
- U.S. Fish and Wildlife Service;
- Florida Department of Transportation – Central Environmental Management Office;
- Florida Department of Transportation – District 4;
- Florida Fish and Wildlife Conservation Commission;
- South Florida Water Management District;
- Treasure Coast Regional Planning Council;
- City of Port St. Lucie;
- Indian River Keeper;
- Keith and Schnars, P.A.;
- American Consulting Engineers, Inc.; and
- Kimley-Horn and Associates, Inc.

In addition to a formal presentation and a designated agency comment and question period, the scoping meeting included a field survey by boat and a boat tour of the NFSLR. This field survey provided a first-hand view of the natural environment with particular attention paid to the location of each of the six build alternatives would cross the NFSLR. A bus trip along the roadways and into the neighborhoods potentially impacted by the various alternatives was also conducted.

The tone of the meeting was one of partnership and inclusion. The City, FDOT, and consultants participated in candid dialogue on issues, concerns, and suggestions to be considered throughout the project development process. Each agency representative provided input by addressing the attendees with comments, concerns and questions. Written comments were also provided by the attendees.

Main topics of discussion at the Scoping Meeting included:

- Commitment and cooperation to meet challenges of the project schedule;
- Role and process of the lead agency (FHWA);
- Content of the EIS;
- Purpose and need documentation;
- Conservation lands;
- Traffic modeling;
- Impact analysis process and documentation;
- Impact avoidance, minimization and mitigation;
- Public involvement and public outreach;
- Use of ETDM Environmental Screening Tool as resource for agencies and public;
- Administrative record;
- Construction methodology;

- Bridge clearance requirements;
- Funding opportunities through the Transportation Planning Organization;
- Uplands and wetlands analysis and impacts;
- Water quality and drainage;
- Cultural resource assessment process and results;
- Section 4(f) documentation and process;
- Public transportation opportunities; and
- SFWMD Conceptual Environmental Resource Permit.

Comments Received at the Scoping Meeting

Below is a summary of the specific oral and written comments offered by the scoping meeting attendees. Brief responses to the agencies' comments are included in this section; more detailed information has been incorporated into the EIS and the technical support documents. Similar to the AN responses, the Scoping Meeting responses provided in this EIS have been updated, as appropriate, from the DEIS to reflect the additional agency coordination and impact minimization measures that occurred once the Preferred Alternative was selected.

Written Comment

U.S. Environmental Protection Agency (USEPA)

The proposed project is located within protected areas of the Savannas Preserve State Park and the North Fork St. Lucie River Aquatic Preserve. Wetlands associated with these areas contain high quality tidal and freshwater wetland systems. The USEPA addressed the types of habitat, wildlife, and vegetation that could be potentially impacted as a result of the proposed project.

The agency also addressed areas of the project considered to be aquatic resources of national importance. **Appendix I** contains the full text of this written comment.

Response:

The information provided by the USEPA was used to assess the project's impacts on wildlife, vegetation, and habitat. The PD&E Study includes an evaluation of impacts on the habitat, wildlife, vegetation, and aquatic resources in the project study area. This is documented in Sections 4.0 (Affected Environment) and 5.0 (Environmental Consequences) of the EIS as well as in the ESBA, WER, and EFH.

Oral Comments, Questions, and Other Input

U.S. Coast Guard (USCG)

The proposed bridge would need to have a minimum of 20-foot vertical clearance and a 75-foot horizontal clearance. The horizontal clearances along smaller, navigable legs of the River would have to be able to accommodate the movement and turning of boats. The navigability and horizontal clearance requirements of those legs will be investigated by the Coast Guard. The EIS should have a section on navigation. The study should include information on clearances for crossing the North Coral Reef Waterway.

Response:

Subsequent to the comment received at the Scoping Meeting, USCG provided further information regarding the clearances of the two existing bridges, Prima Vista Boulevard and Port St. Lucie Boulevard. Based on that information, minimum clearances for any type of structure over the main channel of the NFSLR would need to match those of the downstream (and controlling elevation) at the Port St. Lucie Boulevard Bridge. Those clearances are 18.6 feet vertically and 75.5 feet horizontally. Further coordination with USCG resulted in an Advance Approval designation for Evans Creek and a determination that the clearances over North Coral Reef Waterway would also need to match those of the Port St. Lucie Boulevard Bridge.

Sections on navigation are included in Section 4.0 (Affected Environment) and Section 5.0 (Environmental Consequences).

Florida Fish and Wildlife Conservation Commission (FWC)

FWC requested a copy of the Alternatives Evaluation Matrix that was displayed at the meeting. The study may need to consider a longer bridge that avoids upland impacts and impedance of wildlife movement. A strong mitigation plan will be needed.

Response:

A copy of the matrix was sent via email on September 19, 2008 and received by Mr. Steve Lau. A goal of the project has been to incorporate all practicable measures to avoid and minimize impacts associated with constructing a bridge over environmentally sensitive areas including wildlife habitat. A number of avoidance and minimization measures have been evaluated for the project, including a tunnel and a cable-stayed bridge. An aggressive mitigation plan has been developed in coordination with the involved review and regulatory agencies [see Section 7.0 (Avoidance, Minimization and Compensatory Mitigation).] Also see response to USACE below.

Florida Department of Transportation (FDOT) - Central Office

There must be a delicate balancing of the environmental and social aspects of the project. FDOT Central Office also was interested in when the Cultural Resources Assessment Survey (CRAS) was to take place and noted that sometimes the CRAS brings up additional Section 4(f) issues.

Response:

*The CRAS was undertaken and completed subsequent to the Scoping Meeting. No additional Section 4(f) issues were identified. Based on the findings of the CRAS, On April 19, 2010, FHWA made a determination that the six build alternatives would not impact any NRHP-eligible historic or archaeological resources. SHPO had concurred with the recommendations and findings of the CRAS on May 20, 2010. Subsequent to that SHPO concurrence, the CRAS was addended to address the drainage pond sites for the Preferred Alternative. On August 21, 2012, based on the findings of the addendum to the CRAS, FHWA made a determination that the drainage pond sites associated with the Preferred Alternative would not impact any NRHP-eligible historic or archaeological resources. SHPO concurred with the recommendations and findings of the CRAS addendum on September 4, 2012. (See concurrence letter in **Appendix A**).*

U.S. Army Corps of Engineers (USACE)

The study should include a very detailed discussion of construction methodologies. The construction methodology will be very important. We need to give a lot of thought about how borings will be conducted. The geologic conditions of the study area will make it tough. Trends for commuting are changing. Will

there be a point where there is no longer a project need? USACE indicated that they are not involved in the SFWMD conceptual permit application process.

Response:

A specific goal of the project has been to incorporate all practicable measures to avoid and minimize environmental impacts involved with constructing a bridge over environmentally-sensitive areas. Reducing the bridge footprint was considered one of the most important means of minimizing environmental harm. Measures such as top down construction, construction methods from temporary construction platforms or trestles, or other similar methods were considered to minimize impacts from the construction of the bridge. Also, provisions contained in FDOT's Standard Specifications for Road and Bridge Construction will be followed to further minimize impacts. Various bridge types were also considered for the proposed project. Additionally, coordination with the USACE occurred regarding the compensatory mitigation for the project.

Federal Highway Administration (FHWA)

This is a "Prior Concurrence" EIS. The Final EIS cannot be circulated unless FHWA headquarters give its permission. FHWA added that the environmental document should not be prepared as an "advertisement" nor in a manner that promotes the project. Just state the facts. In the EIS, refer to "identifying reasonable alternatives" rather than "eliminating alternatives". We are all working toward a common goal.

Response:

Comment acknowledged.

The City/FDOT should send a reminder that agencies can review the *Corridor and Alternatives Reports* on the ETDM Environmental Screening Tool. The public and agencies need to be able to comment on the purpose and need.

Response:

The reports, which include the project purpose and need, were uploaded to the ETDM Environmental Screening Tool to obtain agency comments. In addition, the reports were available at the Kick-off Meeting, Alternatives Public Workshop, and Public Hearing for public review. The reports have also been available to the public via the ETDM Environmental Screening website. Reminders were provided via email to ETAT and working group members, notifying them of their availability for review.

The study may need to include an expanded air quality analysis that addresses climate change.

Response:

Subsequent to the Scoping Meeting, it was determined that an expanded Air Quality Analysis would not be necessary. However, additional discussion within the Air Quality section of this EIS as well as in the Air Quality Report has been included to address climate change.

The type of construction method used will be very important. Measures to avoid and minimize impacts should be considered prior to considering mitigation measures.

Response:

Measures such as top down construction, construction methods from temporary construction platforms or trestles, or other similar methods were considered to minimize impacts from the construction of the

bridge. A number of avoidance and minimization measures have been evaluated for the project, including a tunnel and a cable-stayed bridge as requested by the USACE, NMFS, and others. These efforts are demonstrated in Section 7.0 (Avoidance, Minimization and Compensatory Mitigation) of this document.

FHWA was interested in who might be opposed to the project and to make sure that parties who oppose the project are invited to all public meetings.

Response:

All interested parties, whether opposed to or in favor of the proposed project, have been invited to all public meetings.

City of Port St. Lucie (City)

The City addressed FHWA's comment regarding project opposition by indicating that there were no organized groups, but that the Audubon Society had expressed their opposition. The City also noted that it is eager to hear any suggestions with regard to construction.

Response:

No response necessary.

U. S. Environmental Protection Agency (USEPA)

The City/FDOT will need to include analyses of pre, during, and post construction issues. A full analysis of the "No-Build" Alternative needs to be included. No alternative seems to be better than another from an environmental standpoint. We will need a "good" mitigation plan. There is no apparent winner in comparing the alternatives.

Response:

As noted in the responses to other attendees, consideration of construction methods, options, and impacts have been included as part of the study. The No Build Alternative has been included throughout the study process as a project alternative. Avoidance, minimization, and mitigation methods have been considered throughout the duration of this project.

The study should include a functional wetland analysis including values and types.

Response:

This document includes the evaluation of the project on the NFSLR (Outstanding Florida Waters and Aquatic Preserve) as well as the effect on estuarine and riverine habitats and mangrove wetlands, essential fish habitat, and mangrove systems in the project area.

A tunnel alternative should be included. Mr. Miedema (USEPA) wants to be included in the project meetings.

Response:

A number of avoidance and minimization measures have been evaluated for the project, including a tunnel and a cable-stayed bridge. Based on a comparative analysis of a tunnel alternative to a bridge alternative, it was concluded that a tunnel alternative is not a reasonable alternative. Mr. Miedema has been a member of the project's monthly interagency working group meetings.

U.S. Fish and Wildlife Service (USFWS)

The USFWS does not support the use of conservation lands for transportation projects. The mitigation plan will need to be very good.

Response:

An extensive mitigation plan has been developed for this project in coordination with the involved review and regulatory agencies [see Section 7.0 (Avoidance, Minimization and Compensatory Mitigation)]. Further, the City has coordinated closely with the SFWMD and FDEP throughout the project and has submitted a Conceptual Environmental Resource Permit application to SFWMD, which documents stormwater management, project impacts, and compensatory mitigation in accordance with SFWMD criteria. A construction ERP and Water Use Permit will be filed during the design phase of the project.

We need to consider spanning the entire floodplain.

Response:

The bridge would span the floodplain as well as the main channel rather than be constructed as causeway.

Florida Department of Transportation (FDOT) - District 4

FDOT District 4 noted that this is a very complex EIS and that all agencies need to be involved in this project and work together. Make sure the community is involved. Another “scoping” (type of) meeting may be needed later on. FDOT asked a project team member to explain the traffic diversion aspects of the project. The team member responded by addressing that issue.

Response:

Comment acknowledged.

South Florida Water Management District (SFWMD)

SFWMD asked why Alternative 1C has a looping curve. They noted that the study must consider offsetting habitat impacts. The study should consider alternative types of bridges. Consideration should be given to maintaining the visual quality of the area. No alternative is better than the others.

Response:

It was explained by a team member during the Scoping Meeting that the curvature of Alternative 1C was a result of geometric and design constraints necessary to accommodate the touch down points of that alternative.

Impacts to wildlife and habitats including listed species have been considered throughout the study process. Measures to offset potential impacts have also been an essential part of the study process. Section 4.0 (Affected Environment), Section 5.0 (Environmental Consequences), and Section 7.0 (Avoidance, Minimization and Compensatory Mitigation) document the measures to offset potential habitat impacts. Alternative types of bridges, including a cable-stayed bridge, as well as tunnel alternatives have been considered to avoid and minimize project impacts. In addition, measures such as top down construction, construction methods from temporary construction platforms or trestles, or other similar methods were considered to minimize impacts from the construction of the bridge. Maintaining the visual quality of the area has been an important consideration in the development of a

new crossing of the NFSLR. As such, an objective of the study was to remain nonintrusive to the existing landscape and be consistent with the visual characteristics of the surrounding area.

Indian River Keeper

The study has to consider downstream water quality, drainage, and construction methods. The project should avoid the state lands.

Response:

Water quality, drainage, and construction methods have been considered throughout project development. A Preliminary Drainage Report and Pond Siting Report have been completed in association with the project. Only one of the study alternatives (6A) would avoid state lands. However Alternative 6A was determined to have substantial social impacts on both sides of the NFSLR. There were no other alternatives that would meet the purpose and need of the project while avoiding state-owned lands. Extensive coordination with regulatory and permitting agencies was conducted throughout project development to assure that any potential impacts to state-owned lands would be minimized or offset through compensatory mitigation measures.

Keith and Schnars, P.A.

Keith and Schnars committed to all agencies that the process will be undertaken fairly.

Response:

No response necessary.

Florida Department of Environmental Protection (FDEP)

The project will need a "solid" EIS.

Response:

Comment acknowledged.

Treasure Coast Regional Planning Council

There needs to be a balance of the social and environmental impacts. The study should look at other options such as expanding the existing River crossings. The study should consider public transportation. The purpose and need must be clearly demonstrated.

Response:

The study team acknowledges the importance of a balance of the social and environmental impacts. The EIS and the supporting technical support documents assessed both the impacts to natural and social environments. Other options, including widening the existing River crossing have been evaluated as part of the study. It was determined that the widening of the existing bridges would not meet the purpose and need for this project. Additional information regarding this determination can be found in Section 3.0 (Alternatives including Proposed Action).

All of the build alternatives that were considered provide an additional crossing of the NFSLR, increasing intermodal connectivity between residential and non-residential areas for vehicles, including transit buses, bicycles, and pedestrians. A detailed purpose and need section has been developed and refined throughout the study and is included as Section 2.0 (Purpose of and Need for Action).

American Consulting Engineers

Explained the process and general methodology of applying for a conceptual permit from SFWMD (a conceptual permit for crossing state-owned lands is being undertaken parallel with, but is not a part of, this PD&E Study). They suggested there be a balancing of the design aspects of the project so that the public can view and appreciate the adjacent landscapes.

Response:

The City has coordinated closely with the SFWMD throughout the project and submitted a Conceptual Environmental Resources Permit application, which documents project impacts and proposed mitigation in accordance with SFWMD criteria. A construction ERP and Water Use Permit from SFWMD will be filed during the design phase of the project.

As previously noted, an objective of the study is to remain nonintrusive to the existing landscape and be consistent with the visual characteristics of the surrounding area.

8.6 Interagency Coordination and Consultation

8.6.1 Coordination and Meetings through the Public Hearing

ETDM

The ETDM Programming Screen was initiated on this project in August 2006 with the first review of the project by ETAT. The ETAT review was completed in September 2006 and the first publishing of the project through the ETDM Environmental Screening Tool (EST) was in October 2007. The project was published seven additional times to provide for updated data review. The most recent publishing of the project's Programming Summary Report is November 5, 2010. The project can be viewed via FDOT's Public Access Website as ETDM Number 8247. In accordance with the *PD&E Manual*, the comments have been addressed and are available in **Appendix D**. Due to the voluminous extent of the comments (primarily a result of multiple alternatives being commented upon), the full text of the comments is not included in this section.

The ETDM screening process resulted in agency Dispute Resolution Degrees of Effect along multiple corridor alternatives. Therefore, the project underwent informal Dispute Resolution. The disputing agencies were:

- Florida Department of Environmental Protection;
- U.S. Fish and Wildlife Service; and
- Florida Fish and Wildlife Conservation Commission.

The Project Team used display boards to assist the meeting attendees in visualizing the process and corridor alternatives.



Informal Dispute Resolution resulted in the reduction of the Dispute Degree of Effect by FDEP and FWC. The USFWS maintained its Dispute Degree of Effect for all build alternatives except for Alternative 6A (Alternative 4 in ETDM, **Appendix D**) throughout the development of the DEIS. After the project's Public Hearing and prior to finalization of the FEIS, further coordination occurred with USFWS which resulted in resolution and lowering of USFWS' Dispute Degree of Effect (see correspondence in Appendix A). Section 8.6.3 (Agency Coordination and Concurrences After Public Hearing) provides further information regarding the coordination that occurred with USFWS.

Agency Kick-off Meeting – July 10, 2008

On July 10, 2008, FDOT and the City hosted an Agency Kick-off Meeting for the Crosstown Parkway Extension PD&E Study and Environmental Impact Statement. There were 41 recorded attendees at this Agency Kick-off Meeting.

Notification methods for the Agency Kick-off Meeting included the following:

- An invitation letter mailed by the City to local appointed/elected officials and agencies that were determined or anticipated to have regulatory review or other involvement in the project;
- A poster produced and placed at various City locations (such as City Hall, the Engineering Building and the Community Center on July 1, 2008); and
- A press release developed and sent to all local and regional media on June 27, 2008.

The following agencies were represented at the meeting:

Federal Agencies

U.S. National Marine Fisheries Service Habitat Conservation Division
U.S. Army Corps of Engineers

State Agencies

FDOT – District 4
Florida Department of Environmental Protection

Regional Agencies

South Florida Water Management District

Local Agencies

City of Port St. Lucie
St. Lucie County Fire District

The primary purposes of the meeting were to:

- Provide an overview of the project;
- Identify project issues;
- Provide agencies with a forum to address their concerns and issues; and
- Facilitate an open line of communication throughout the study process.

The Agency Kick-off Meeting began at 2:00 p.m. and ended at 4:00 p.m. The first 30 minutes of the meeting were conducted in an “open house” format to allow the agency attendees the opportunity to ask project specialists questions in a one-on-one informal format.

Eighteen display boards were provided at the meeting to convey information about the project. The boards were placed on both sides of the room (the same boards on each side) and project managers and specialists stationed near the display boards addressed comments and concerns.

A formal presentation was provided by the project team. Public comment forms were provided to the attendees, along with a two-page project handout and the project contact information flyer.

No comments were received.

Public Kick-off Meeting – July 10, 2008

On July 10, 2008, the City hosted a Public Kick-off Meeting for the Crosstown Parkway Extension PD&E Study and Environmental Impact Statement. There were 231 recorded attendees at this Public Kick-off Meeting.

Notification methods for the Public Kick-off Meeting included the following:

- An invitation letter mailed by the City to 9,500 property owners within the project limits;
- A newspaper advertisement produced and distributed via the Port St. Lucie News on July 1, 2008; and
- A press release developed and sent to all local and regional media on June 27, 2008.



The primary purposes of the meeting were to:

- Provide an overview of the project;
- Identify project issues including purpose and need;
- Provide the public a forum to address their concerns and issues; and
- Facilitate an open line of communication throughout the project development process.

The Public Kick-off Meeting began at 6:00 p.m. and ended at 7:30 p.m. The first 30 minutes of the meeting were conducted in an “open house” format to allow the attendees the opportunity to ask project specialists questions in a one-on-one informal format.

Eighteen display boards were provided at the meeting to convey information about the project. The boards were placed on both sides of the room (the same boards on each side) and project managers and specialists stationed near the display boards addressed comments and concerns.

A formal presentation was provided. Public comment forms were provided to the attendees, along with a two-page project handout and the project contact information flyer. A court reporter was also present to transcribe all verbal comments.

During the meeting, the City received the following number of public comments:

- Court Reporter Verbal Comments - 10 comments;
- Public Comment Forms - 41 comments; and
- Other comments received (via letter and email after the meeting) - 9 comments.

The following is a summary of the comments:

1. Alternative Preferred

11 – Preferred Alternative 1C

2 – Preferred Alternative 1F

4 – Preferred Alternative 2A

3 – Preferred Alternative 6A

2 – Preferred the No Build Alternative

8 – Did not have a preference, but wanted a bridge built

Of the additional comments received, where a specific preference was not noted or stated, comments received (both oral and written) stated that certain alternatives were not favorable:

5 – Preferred anything other than Alternatives 2A or 2D

1 – Preferred anything but Alternative 1C

1 – Preferred anything but Alternative 6A

2. Additional Comments and Concerns

Seven attendees expressed their displeasure in the amount of time the Study has taken.

One attendee was disappointed that the West Virginia corridor has not been selected as the preferred corridor and moved the project forward.

There were five comments that expressed concerns related to property issues. Of those, three mentioned compensation for their property.

There were two comments received regarding the height of the proposed bridge.

Two written comments expressed concern for the environment but noted that they wanted the City to place a higher value on humans than the environment.

Six comments listed traffic congestion and noise as concerns.

Five comments noted concerns about purchasing property without having the permits and approvals to move forward.

Scoping Meeting – September 18, 2008

A formal Scoping Meeting was held on September 18, 2008. Information about this meeting is contained in Section 8.5 (Scoping Process).

Monthly Interagency Working Group Meetings

An agency/project team working group was formed in March of 2008 that meets monthly to discuss resource and regulatory requirements, work products, issues and concerns for the project, as well as to coordinate document reviews.

Participants of the monthly working group meetings include: City of Port St. Lucie; Federal Highway Administration; Florida Department of Transportation – District 4 and Central Office; Florida Department of Environmental Protection; Florida Fish and Wildlife Conservation Commission; National Marine Fisheries Service; South Florida Water Management District; U.S. Army Corps of Engineers; U.S. Coast Guard; U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; Keith and Schnars, P.A.; Kimley-Horn and Associates, Inc.; and American Consulting Engineers of Florida. Meeting minutes associated with the working group meetings are included in **Appendix I**.

Cul-de-sac Meeting – April 28, 2009

On April 28, 2009, a meeting was held in Port St. Lucie with City officials, including members of the Police Department, Fire Department, and the School District. This meeting was held to discuss access management impacts and the proposed cul-de-sac plan for the Crosstown Parkway Extension project.

A plan was presented for the layouts of the six Crosstown Parkway Extension alternative alignments. These plans showed the proposed cul-de-sac locations and interconnecting street details as well as the overall access management plan. Comments from the attendees were elicited and discussed. The meeting minutes for this meeting are located in **Appendix I**.

There were 14 attendees representing local City and County officials:

- 4 members of the Port St. Lucie Police Department
- 3 City of Port St. Lucie officials
- 2 members of the Port St. Lucie School District
- 1 member of the Port St. Lucie Fire Department
- 4 Keith and Schnars employees

Alternatives Public Workshop – June 4, 2009

On June 4, 2009, the City hosted an Alternatives Public Workshop for the Crosstown Parkway Extension PD&E Study and EIS. There were 157 recorded attendees at this workshop, which were broken down as follows:

There were 157 attendees, 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)

Notification methods for the Workshop included the following:



Alternatives Public Workshop attendees were provided with specific information at each of the eight stations used to disseminate information.



- An invitation letter mailed by the City to 8,146 property owners within the project limits;
- Newspaper advertisements placed in the *Port St. Lucie News* and the *Palm Beach Post* on Sunday, May, 24, 2009;
- “Save the Date” emails 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, as well as state and regional elected officials and agencies;
- A press release developed and sent to all local and regional media on May 19, 2009;
- Michael Davis, Vice President and 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 24 and Sunday, May 25, 2009;
- A “Save the Date” announcement run on the City’s governmental channel, TV 20, for two weeks prior to the Workshop;
- An announcement placed on the “What’s New” section of the Project website: www.pslcrosstownparkway.com; and
- An announcement 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 PD&E process; and
- Explain to the public the various ways to provide input.

The Alternatives Public 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 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, a 15-minute informational multi-media presentation (including voiceover) was ongoing throughout the workshop in a separate room.



Forty 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. The project stations were as follows:

- Station One: *Check-in;*
- Station Two: *Project Overview (Study Process/Schedule/Accomplishments);*
- Station Three: *Environmental Impacts/ Regulatory;*

- Station Four: *Concept Plans;*
- Station Five: *Traffic/Noise/Air Impacts;*
- Station Six: *Community Impacts (Relocations/Community Services/Parks);*
- Station Seven: *General Comments;*
- Station Eight: *Presentation Room; and*
- Station Nine: *Court Reporter.*

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 submitted two separate comments)
Oral Comments Received during the Workshop	9 oral comments provided to the court reporter
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 15, 2009)

A summary of the comments received is provided below:

1. Alternative Preference

- 29 – Preferred Alternative 1C
- 1 – Preferred Alternative 2A
- 7 – Preferred the “No Build” Alternative
- 10 – Did not have a preference

As noted above, 10 attendees did not have a specific preference, but would be inclined to accept two or more alternatives. Additional comments included:

- 1 – Preferred either of the Alternatives 1C, 2A, or 2D
- 2 – Preferred either of the Alternatives 1C or 2A

Of the additional comments received, where a specific preference was not identified, comments noted that certain alternatives were not favorable:

- 3 – Preferred anything other than Alternatives 2A or 2D
- 1 – Preferred anything but Alternatives 1F or 6B
- 1 – Preferred anything but Alternatives 6A, 6B, or 1F
- 2 – Preferred anything but Alternative 1C

2. Additional Comments and Concerns

Ten attendees did not identify a preference for an alternative, but provided other comments applicable to the overall project. The majority of these concerns were related to property issues, compensation for their

homes if an alternative was selected that impacted their property, and speeding up the process so that they were not kept in limbo.

Five comments addressed environmental issues. The comments expressed concerns about eagles, osprey, pipefish, and horsetail plants. Other comments 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.”

Four attendees listed traffic congestion and noise as concerns.

Several members of La Buona Vita Village attended the meeting and questioned how the City would purchase their properties in the event that Alternative 6B or 1F was chosen.

Many comments were made with regard to the Alternative Public Workshop being very informative. Several comments praised the City for the presentation of materials, as well as the Project Team’s attention in addressing their concerns and questions.

Public Hearing – September 22, 2011

A Public Hearing was held on Thursday, September 22, 2011 at the Port St. Lucie Civic Center, 9221 S.E. Civic Center Place, Port St. Lucie, FL 34952. The purpose of the Public Hearing was to elicit public comment and opinion with regard to the Crosstown Parkway Extension PD&E Study/EIS. The Public Hearing provided interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The Public Hearing also provided an opportunity for the public to review information and ask questions of the project team. The project team consisted of representatives of the City, Florida Department of Transportation (District 4), and the consulting firm of Keith and Schnars, P.A. The Public Hearing was moderated by the Port St. Lucie City Manager, Mr. Jerry Bentrutt. According to the attendance records, approximately 400 people attended the Public Hearing.



The Public Hearing began at 6:00 p.m. with an open forum, where participants could ask questions of the project team representatives and could examine project maps (especially the concept plans) and technical documents. The project team representatives also remained available to answer questions and receive input after the formal proceedings.

The open forum was followed by a formal presentation that began at 7:00 p.m. Following the introductory remarks by Mr. Bentrott, a PowerPoint presentation was provided which, among other information, summarized the need for the project and described the socio-cultural and environmental impacts associated with the project. The remaining portion of the hearing was devoted to public input. A court reporter recorded and transcribed the public input and was also available to record any public comment during the open house period. During the closing remarks, it was stated that the time allotted for the submission of written responses and comments to be included as part of the Public Hearing Record ended ten days after the Public Hearing. The Public Hearing adjourned at 8:40 p.m.

During the Public Hearing, 19 individuals spoke publicly, 12 individuals provided oral comments to the Court Reporter, and 106 individuals provided written input on comment cards. In addition, 48 written comments and 22 email comments were received by the City within the ten-day comment period following the Public Hearing.

Comments Summary

1. Alternative Preference

A total of 134 comments were received that just expressed a preference for a specific alternative:

115 – Preferred Alternative 1C
9 – Preferred Alternative 2A
6 – Preferred the No Build Alternative
2 – Preferred Alternative 6B
2 – Preferred Alternative 6A

A total of 15 comments preferred more than one alternative:

- Alternative 2A was mentioned in 10 comments as being the favored alternative
- Alternative 2D was mentioned in 9 comments as being the favored alternative
- Alternative 1C was mentioned in 12 comments as being the favored alternative
- Alternative 1F was mentioned in 9 comments as being the favored alternative
- Alternative 6B was mentioned in 10 comments as being the favored alternative
- Alternative 6A was mentioned in 10 comments as being the favored alternative

Of the remaining comments received, where a specific preference was not identified or a comment was made “against” one or more alternative(s):

- Alternative 2A was mentioned in 5 comments that were against one or more alternative(s)
- Alternative 2D was mentioned in 4 comments that were against one or more alternative(s)

- Alternative 1C was mentioned in 6 comments that were against one or more alternative(s)
- Alternative 1F was mentioned in 9 comments that were against one or more alternative(s)
- Alternative 6B was mentioned in 8 comments that were against one or more alternative(s)
- Alternative 6A was mentioned in 8 comments that were against one or more alternative(s)

2. Summary of Oral Comments Recorded by Court Reporter During Hearing

Before and after the Public Hearing PowerPoint presentation, oral comments were recorded by the Court Reporter in attendance. A total of 32 comments were recorded. Of those 32 comments, 22 of them were in favor of selecting Alternative 1C as the Preferred Alternative. In general, the reasons stated for favoring Alternative 1C included: less residential impact; proximity to U.S. 1; better hospital access; it was a more sensible alternative; it was a more practical alternative; and, effectiveness and efficiency.

Environmental issues were noted in five of the comments. Concerns for the River's water quality, fishes, birds, pollution, and the pristine acres of land, were the core of the environmental comments. Concerns for safety pertinent to Alternatives 2A and 2D were noted due to the number of students that walk to Floresta Elementary School in the vicinity of those alternatives. One comment supported Alternative 2A, stating that this alternative is more efficient in connecting to existing roadways and Walton Road. One commenter noted the hardship it would cause him to move his home-based business if his home were relocated. There were two comments complimenting the City and the project team on all the work that had gone into the project and the Public Hearing preparation.

3. Summary of Written Comments

In summary, based on the comments received, the majority of the comments expressed a preference for Alternative 1C. Fewer relocations and less neighborhood disruption were cited, in large part, as the reasons for favoring Alternative 1C as compared to the other build alternatives. Some of the comments stated that Alternatives 2A and 2D would present safety problems to children since Floresta Elementary School is located in the vicinity of those alternatives. Comments pertinent to the natural environment expressed concerns about impacts to natural resources, wetlands, river otters, eagles, panthers, bobcats, and owls. One comment noted that the trade-off between the environmental issues that may arise would be small when compared to the impacts of displacing residents. One comment stated that the damage done to the River would be, "irreversible." Other comments expressed concern about increased traffic, increased noise levels and concern for disabled residents. The importance of maintaining mobility for disabled residents and the importance of having an additional evacuation route was also noted in the comments. The desire for the project to move along more quickly was expressed in various comments.

4. Summary of Substantive Questions/Comments with Response

All of the comments received at the Public Hearing, including those provided in writing within ten days after the Public Hearing are included in **Appendix N**. Specific questions and comments raised at the Public Hearing were answered and/or acknowledged at the hearing, in this EIS, by letter, or during informal discussions with concerned individuals. The following are the substantive questions/comments made at the Public Hearing with a response to each.

Comment: What route have you chosen?

Response:

At the time of the Public Hearing, a Preferred Alternative had not been selected. However, following the Public Hearing and an examination of all public and agency comments, the City selected Alternative 1C as its Locally Preferred Alternative. FHWA has concurred with this selection and determined that Alternative 1C is the Preferred Alternative.

Comment: There are no cost projections for each route. I would also like to see a total of how much money has been spent so far. I feel as a taxpayer we need a cap on spending and surveys.

Response:

Estimated project costs for each alternative were provided in the Alternatives Matrix at the Concept Plan station in the back of the room. Project costs are also provided in Tables 1.1 and 3.16 of the EIS.

Comment: I think that enough study has been done and the process should speed up.

Response:

The study has been prepared in compliance with the requirements of the National Environmental Policy Act (NEPA) as well as other federal and state guidelines. The project's Class of Action is an EIS, which requires the highest level of documentation under NEPA. As such, a systematic set of steps, analyses, and evaluation procedures must be followed to assess the project's effects on the environment.

Comment: Please consider the impact on the community as a whole - less noise, fewer commercial impacts and less negative operational impacts. This project can be a great benefit, but if it destroys the community that it serves, what good is it?

Response:

The EIS process has evaluated and taken into consideration community impacts [see Section 5.0 (Environmental Consequences)]. Measures to avoid, minimize, and compensate for impacts are presented throughout the EIS. The Preferred Alternative (Alternative 1C) was determined to have the fewest community impacts since it traverses the existing West Virginia Drive alignment and does not cut diagonally through neighborhoods.

Comment: The Savannas Preserve State Park was preserved and its destruction can never be mitigated. All options are difficult, many will be impacted.

Response:

The impacts to the Savannas Preserve State Park (SPSP) are addressed throughout the EIS. All build alternatives would impact the SPSP, except for Alternative 6A. Measures to minimize impacts to the SPSP are also addressed throughout the EIS. Measures to minimize impacts, including a suite of mitigation projects, described in Section 7.0 (Avoidance, Minimization And Compensatory Mitigation) have been developed to compensate for impacts.

Comment: The bridge, while important, severely impacts the environmental qualities that we selected our homes for.

Response:

As discussed throughout the EIS, unavoidable impacts will be minimized to the greatest degree practicable. As noted previously, measures to minimize impacts, including a suite of mitigation projects, described in Section 7.0 (Avoidance, Minimization and Compensatory Mitigation) have been developed to compensate for impacts. Project impacts are discussed in Section 5.0 (Environmental Consequences) of the EIS.

Comment: Please do not destroy the rare natural wetlands in the estuary. My property will be directly impacted by having a bridge in my backyard.

Response:

As stated in the previous comment, unavoidable impacts will be minimized to the greatest degree practicable. It is anticipated that the proposed mitigation program will compensate for any unavoidable impacts in a manner that would result in no overall net loss to wetlands.

Comment: They should allow the people of PSL [Port St. Lucie] who live here now to vote. Back then; this was passed by a small amount of the population. We do not need this highway and bridge.

Response:

This proposed project has been under consideration since the late 1980s. City residents have generally supported the project because of traffic congestion along the existing bridge corridors. In 2005, 89 percent of the City residents that voted approved the Crosstown Parkway Bond Referendum in the amount of \$165 million for construction of the Crosstown Parkway including a new crossing of the NFSLR. Based on the comments received at the Public Hearing, the majority of the attendees expressed support for the project and the majority preferred Alternative 1C.

Comment: I don't want the road to go through Veterans Memorial Parkway. It will be too disruptive to the village of Village Green. It will create too much traffic for our community and congestion will be prohibitive. Noise level is another factor.

Response:

The Preferred Alternative (Alternative 1C) would not "go through" Veterans Memorial Parkway (Alternatives 2A and 2D would utilize Veterans Memorial Parkway to connect with Walton Road).

Comment: Our home is on Midport behind CVS. Since US 1 was widened the noise in our neighborhood has increased. If the Crosstown Parkway is built along Midport Road, the noise will be unbearable and we will have no alternative but to sell and move out of the county.

Response:

The Preferred Alternative (Alternative 1C) would not result in noise impacts to residents along Midpoint Road.

Comment: We need to have connecting links ASAP [as soon as possible]. It should extend ultimately to Hutchinson Island; evacuation needs are a higher concern to me than simple traffic relief.

Response:

The additional River crossing would improve connectivity between points east and west of the River and reduce congestion on the existing bridges. This would result in improved traffic flow, improved emergency vehicle response time, improved safety, and improved access to evacuation routes. There are no plans to extend the Crosstown Parkway Extension to Hutchinson Island.

Comment: I have been held hostage, in limbo, for several years and really would like to move on in my life before I end up in assisted living. The best route would be straight out West Virginia Drive and over the river as it would expedite emergency response from police department, fire rescue, and ambulance. The shortest line between two points would be West Virginia Drive.

Response for 1 and 2:

The route of the Preferred Alternative would traverse West Virginia Drive. It is anticipated that the Preferred Alternative would expedite emergency response from the police department, fire rescue, and ambulance service.

Comment: Proposal 2A or 1C alleviate the problem of a midpoint drop-off on US 1. I am completely for extending the Crosstown Parkway. However, in this economy to offer fair market value at today's price and not the initial Crosstown Parkway date and propose to buy someone's house for almost \$100,000 less than what they owe is robbery. Please adjust that.

Response:

Your comment is acknowledged. Where property acquisition is required, the City would follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17; commonly referred to as the Uniform Act). The Uniform Act requires that just compensation be paid based on market value as determined through the appraisal process.

Comment: Any use of State Park Lands will result in delays due to legal challenges; F. S. [Florida Statutes] requires avoidance unless no other alternative exists. Land was purchased for all Florida citizens not just PSL [Port St. Lucie] residents and the City has insisted on the State Park route despite advice by their own consultants. Conservation Alliance and Indian River Keeper will challenge any use of State Park Lands, which will only delay this project.

Response:

Your comment is acknowledged. Based on the information contained in Section 2.0 (Purpose of and Need for Action), the project is needed to alleviate the traffic congestion within the City. The two existing bridges over the North Fork St. Lucie River already exceed their capacity and are projected to worsen in the future. All alternatives except Alternative 6A use land from the SPSP [State Park Lands]. The use and avoidance of state-owned lands is discussed in detail in Section 6.0 (Section 4(f) Evaluation) of this EIS. Alternatives to the action are detailed in Section 3.0 (Alternative Including Proposed Action). Based on the Section 4(f) evaluation and, specifically, the information contained in Section 6.2 (Avoidance Alternatives), Section 6.3 (Measures to Minimize Harm), Section 6.5 (Constructive Use Determination), and Section 6.6 (Evaluation of Alternatives), there is no avoidance

alternative that is feasible and prudent. The proposed action includes all possible planning to minimize harm to the SPSP resulting from such use.

Comment: Please consider closing off access on Manth Lane at (the) Crosstown, this would be the Manth Lane section south of (the) Crosstown it is at this time to be considered north of Manth as a right or east turn only. The Sandia intersection is sufficiently close to use Manth Lane is a very narrow specifically residential Road – Sandia Lane is much wider with bigger setbacks – this would make Manth Lane much safer, because as it is now, it is just a long narrow race way with too much speeding.

Response:

Manth Lane would remain open as a right turn in and right turn out at the proposed Crosstown Parkway. Manth Lane is the only north-south continuous roadway between SE Sandia Drive and SE Floresta Drive that provides access to the community south of the proposed Crosstown Parkway Extension to SE Seahouse Drive.

8.6.2 Agency Comments Received after DEIS Approval for Public Availability

This section contains the comments received from those resource and regulatory agencies that provided comments after the DEIS was approved for public availability and the responses (included in **Appendix A**) that were sent to those agencies. The agencies that commented on the DEIS were: USFWS; NMFS; USEPA; and USACE. Subsequent to transmitting the responses to these agencies' comments, and following selection of the Preferred Alternative, additional agency coordination took place. In particular, additional avoidance and minimization measures were developed through coordination with NMFS, USACE, and USFWS to reduce the impacts of the Preferred Alternative to wetlands, listed species habitats, essential fish habitat, the SPSP, and AP. Specifically, the bridge typical section was reduced from 143 feet to 103 feet. The reduced typical section consists of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures. By reducing the typical section, wetland impacts, wetland functional loss, and upland impacts were reduced.

Therefore, a note is included after any response where the substantive information contained in the response has changed based on the additional agency coordination and the reduced typical section [Also see Section 8.6.3 (Additional Agency Coordination and Concurrences After Public Hearing)].

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).

Note: *Subsequent to this response, additional avoidance and minimization measures were developed through coordination with NMFS, USACE, and USFWS to reduce the impacts of the Preferred Alternative to wetlands, listed species habitats, essential fish habitat, SPSP and AP. The bridge typical section was reduced to 103 feet, consisting of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures. Section 8.6.3 (Agency Coordination and Concurrences After Public Hearing) identifies the agency meetings and coordination that occurred pertinent to the reduction of the typical section width. **Appendix A** and **Appendix I** document the agency coordination and include*

By reducing the typical section of the bridge crossing the AP and the SPSP and by assessing shading impacts based on the physical width of the bridge, wetland impacts decreased 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). Upland impacts were reduced from 6.45 acres to 2.96 acres, a reduction of 3.49 acres of impact.

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 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 letters.

Note: Subsequent to this response, FDOT requested written concurrence on the effects determinations from USFWS and NMFS. USFWS and NMFS concurred with the effects determinations in letters dated October 15, 2012 and January 4, 2013, respectively.

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 federal and state 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 crossing over 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 USFWS 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 Florida..

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 the 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 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 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 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 safety considerations, it is not 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.

Note: *Subsequent to this response, additional agency coordination resulted in a reduction of the bridge typical section width. The bridge typical section was reduced to 103 feet, consisting of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures.*

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 (Appendix H). 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.

Note: Subsequent to providing this response, the bridge typical section was reduced from 143 feet wide to 103 feet wide. By reducing the typical section of the bridge, the impervious area was reduced thereby reducing stormwater control requirements. Furthermore, the stormwater runoff calculations determined that the stormwater pond on the Liberty Medical property has sufficient capacity to accommodate the runoff from the bridge and does not require expansion. As a result, the stormwater pond impacts for uplands are reduced from 2.81 to 0.34 acres (this does not include residential lot sites).

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.

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 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 from the North Fork St. Lucie River Aquatic Preserve Management Plan (2009). On April 26, 2010, the City entered into a Memorandum of Understanding (MOU) with the FDEP. The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the 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 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; and*
- *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 of Florida. 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 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,

Note: This has been updated subsequent to this response to, "The easement will authorize the crossing of 960 linear feet of shoreline (160 feet along each shoreline pair for three crossings for the Preferred Alternative); the acquired lands will increase the linear feet of shoreline under state ownership by 12,645 feet, or a net increase of 11,685 feet".

- Three improved recreational/educational projects will be 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 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.

Note: Subsequent to this response, the bulleted item, "Close a gap in the NFSLR greenway" has been removed from the list because it is not a designated greenway.

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and EWRAP (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.

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 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;*
- 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. 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.

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 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.

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.

***Note:** Subsequent to this response, additional coordination occurred with NMFS to further minimize environmental impacts [see **Appendix A**, **Appendix B**, and Section 8.6.3 (Agency Coordination and Concurrences After Public Hearing)]. As a result of this coordination, the bridge typical section was*

*reduced, thereby reducing impacts to the AP and SPSP. During a meeting held with NMFS (June 1, 2012) NMFS indicated that it is comfortable with the mitigation plan and are willing to close consultation under the Endangered Species Act for the smalltooth sawfish. Furthermore, FDOT requested NMFS concurrence that the Preferred Alternative "May Affect but Not Likely to Adversely Affect" the smalltooth sawfish and will not have adverse effects to Essential Fish Habitat. NMFS has concurred with these findings in letters dated November 27, 2012 and January 4, 2013, respectively (see **Appendix A**).*

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 in 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 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 the 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 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 EIS discusses the Widening of Existing Bridges Alternative and a new Section 3.2.3.4.1 in the EIS discusses the additional analysis that was performed to address this comment.

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 (Appendix H). 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.

***Note:** Subsequent to providing this response, the bridge typical section was reduced from 143 feet wide to 103 feet wide. By reducing the typical section of the bridge, the impervious area was reduced thereby reducing stormwater control requirements. The stormwater runoff calculations determined that the stormwater pond on the Liberty Medical property has sufficient capacity to accommodate the runoff from the bridge and does not require expansion. As a result, the stormwater pond impacts for uplands are reduced from 2.81 to 0.34 acres (this does not include residential lot sites).*

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. 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, 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.

Note: Further agency coordination occurred subsequent to this response that resulted in reduction of the gap to 2 inches

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.

Note: Subsequent to this response, the bridge typical section was reduced to 103 feet.

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 of Florida 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 transmitted to your office (as well as the attached EFH Assessment). The mitigation plan includes all of the USACE's 12-point elements required for 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 Aquatic Preserve Management Plan. On April 26, 2010, the City entered into a Memorandum of Understanding (MOU) with the FDEP. The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the 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; and
- 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 of Florida.. 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 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,

Note: This has been updated subsequent to this response to, "The easement will authorize the crossing of 960 linear feet of shoreline (160 feet along each shoreline pair for three crossings for the Preferred Alternative); the acquired lands will increase the linear feet of shoreline under state ownership by 12,645 feet, or a net increase of 11,685 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.
- 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.

Note: Subsequent to this response, USACE noted in an Email dated 8-20-2012 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 St. Lucie River.

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 for 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.*

Note: Subsequent to this response, the bulleted item, "Close a gap in the NFSLR greenway" has been removed from the list because it is not a designated greenway.

The proprietary and regulatory mitigation plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and EWRAP (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.

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 your office, by the responses in this EIS, and by the revised EFH and the ESBA Reports.

Note: As noted previously for NMFS Comment #1, further coordination occurred with NMFS, and additional measures (such as reducing the bridge typical section) were developed to minimize environmental impacts. Also, additional information was provided to NMFS to facilitate its review of the project. As a result of this coordination, NMFS indicated that it is comfortable with the project's mitigation plan and is willing to close consultation under the Endangered Species Act for the smalltooth sawfish. Furthermore, FDOT requested NMFS concurrence that the Preferred Alternative will not have adverse effects to Essential Fish Habitat and that the project "May Affect but Not Likely to Adversely Affect" the smalltooth sawfish. NMFS has concurred with these findings in a letter dated January 4, 2013.

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 alternative 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

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.

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 provided an interim response to your 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 design 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. The FDOT, as the designated non-federal action agency representative of the FHWA to conduct informal Section 7 consultation, has requested concurrence from the NMFS for the determination of "May Affect, but not Likely to Adversely Affect" for the smalltooth sawfish.

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) has been selected and Section 7 consultation for the smalltooth sawfish has been requested.

USEPA Comment #1

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 a full compensatory mitigation plan. 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.

Response to USEPA Comment # 1

The preference for Alternatives 6B and 6A is noted. 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 to wetlands, uplands, listed species habitats, Section 4(f) resources, Sovereignty Submerged Lands (SSL), essential fish habitat, recreational resources, and water quality due to the Preferred Alternative. The regulatory mitigation plan includes all of the USACE's 12-point elements required for 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 of Port St. Lucie (City) coordinated with the FDEP and proposed mitigation options that were the highest priority projects from the North Fork St. Lucie River Aquatic Preserve Management Plan (2009). On April 26, 2010, the City entered into a Memorandum of Understanding (MOU) with the FDEP. The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the 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; and*
- *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 of Florida. At the completion of the Proprietary Mitigation Plan:

- *Ownership of lands within the SPSP will increase by 108.15 acres over existing conditions.*
- *The easement would authorize the crossing of 960 linear feet of shoreline (160 feet along each shoreline pair for three crossings for the Preferred Alternative); the acquired lands will increase the linear feet of shoreline under state ownership by 12,645 feet, or a net increase of 11,685 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 threatened and endangered species and species of special concern.*

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 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. 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 functional gain units as mitigation for the Preferred Alternative, while the County will use the remaining units for future projects requiring mitigation. The USACE and SFWMD have agreed to this proposal.

Platt's Creek will construct 62.99 acres of restored/created wetland (49.34 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.

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;*
- *Re-establish wetland and upland habitat diversity directly adjacent to the NFSLR and Platt's Creek;*
- *Provide wetland habitat coverage for threatened and endangered species and species of special concern;*
- *Establish feeding, breeding and nursery habitat for fish in the NFSLR;*
- *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 potential for future passive recreational opportunities.*

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 Proprietary and Regulatory Mitigation Plans have been developed in conjunction with the regulatory agencies and in accordance with the UMAM and EWARP (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.

USEPA Comment #2

Section 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.

Response to USEPA Comment #2

The various mitigation projects were negotiated and coordinated with the USACE, USEPA, NMFS, SFWMD, and FDEP. The proprietary mitigation package is detailed in a Memorandum of Understanding (MOU) between the FDEP and the City. The regulatory mitigation package is detailed in a Memorandum of Agreement (MOA) between the St. Lucie County and the City. These agreements are valid only if one of the build alternatives is selected and the agreement stated that the mitigation would be the same for all build alternatives. Thus, the cost of the mitigation package is the same for each build alternative.

USEPA Comment #3

Section 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 [sic]

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.

Response to USEPA Comment #3

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 may be required. 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 survive, 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.

***Note:** Subsequent to this response, additional avoidance and minimization measures were developed through coordination with NMFS, USACE, and USFWS to reduce the impacts of the Preferred Alternative. As a result of the coordination with those agencies, the overall bridge typical section was reduced to 103 feet. This reduced typical section also reduces the gap from 10 feet 11 inches down to 2 inches between the structures.*

USEPA Comment #4

Section 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.

Response to USEPA Comment #4

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. The goal remains to minimize shading effects while meeting safety standards.

***Note:** As noted for the response to USEPA comment #3, additional avoidance and minimization measures were developed through further coordination with NMFS, USACE, and USFWS to reduce the impacts of the Preferred Alternative. Although both sidewalks will remain for safety reasons, the overall bridge typical section was reduced to 103 feet, consisting of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside*

shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures.

By reducing the typical section of the bridge crossing the AP and the SPSP, and by assessing shading impacts based on the physical width of the bridge, wetland impacts decreased 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). Upland impacts were reduced from 6.45 acres to 2.96 acres, a reduction of 3.49 acres of impact.

USEPA Comment #5

[Section] 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.

Response to USEPA Comment #5

The acronym has been revised as suggested.

USEPA Comment #6

Section 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 purposes. 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.

Response to USEPA Comment #6

The EIS has been updated with 2010 census data.

USEPA Comment #7

[Section 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.

Response to USEPA Comment #7

The EIS has been revised to add minimization strategies to Section 9.0 (Commitments and Recommendations). The need to further reduce the bridge typical section was addressed in the response to USEPA Comment #4. In addition, 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.

***Note:** Subsequent to this response, additional avoidance and minimization measures were developed to reduce the impacts of the Preferred Alternative. Although both sidewalks will remain due to safety reasons, the overall bridge typical section was reduced to 103 feet, consisting of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures.*

By reducing the typical section of the bridge crossing the AP and the SPSP, and by assessing shading impacts based on the physical width of the bridge, wetland impacts decreased 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). Upland impacts were reduced from 6.45 acres to 2.96 acres, a reduction of 3.49 acres of impact.

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 are 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 UMAM with an interagency team, of which the USACE was a part. The functional losses estimated for each build alternative are 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 1C. 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 EIS. The quality and ecological nature of the wetlands within the project area are discussed in the EIS and are reflected in the UMAM functional loss calculations.

***Note:** Subsequent to this response, the bridge typical section was reduced to 103 feet. By reducing the typical section of the bridge, and by assessing shading impacts based on the physical width of the bridge, wetland impacts were reduced to 6.83 acres and wetland functional loss was reduced to 8.34 acres (includes direct and indirect impacts). Upland impacts were reduced to 2.96 acres.*

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 is 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).

***Note:** Subsequent to providing this response, the bridge typical section was reduced from 143 feet wide to 103 feet wide. By reducing the typical section of the bridge, the impervious area was reduced thereby reducing stormwater control requirements. An assessment of the stormwater runoff calculations determined that the stormwater pond on the Liberty Medical property has sufficient capacity to accommodate the additional runoff from the reduced bridge and does not require expansion. As a result, the stormwater pond impacts for uplands are reduced from 2.81 to 0.34 acres (this does not include residential lot sites).*

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 [mitigation] 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 Platt's 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 Wetlands Evaluation Report. The mitigation plan includes all of the USACE's 12-point elements required for 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 NFSLR Aquatic Preserve Management Plan (2009) and other projects the FDEP wanted implemented on state lands and elsewhere. On April 26, 2010, the City entered into a Memorandum of Understanding (MOU) with the FDEP. The MOU states that the City will provide a Proprietary Mitigation Plan in exchange for an easement to cross the 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; and*
- *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 of Florida. 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, or a net increase of 11,685 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.

Note: *Subsequent to this response, USACE noted in an email dated 8-20-2012, 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 St. Lucie River.*

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 EWRAP (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.

USACE Comment #4

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.

Response to USACE Comment #4

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 gantry crane system, 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.

Note: Subsequent to providing this response, it was determined that if either the top down or the trestle methods of construction are used, the use of barges as a construction platform is likely in the main channel to minimize impacts from a trestle and to 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 as required by the USCG.

USACE Comment #5

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 EIS will discuss the additional analysis that was performed to address this comment.

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 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 City's goal is to minimize shading effects while meeting safety standards.

Note: *Subsequent to providing this response, additional avoidance and minimization measures were developed to reduce the impacts of the Preferred Alternative to wetlands, listed species habitats, and essential fish habitat. Although it was determined that both sidewalks should remain for safety reasons, the bridge typical section was reduced to 103 feet, consisting of twin structures, each consisting 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 6 ½-inch inside traffic barrier, a 1-foot 6-inch outside traffic barrier between the sidewalk and outside shoulder/bicycle lane, a 6-foot sidewalk, a 9 ½-inch pedestrian railing, and a 2-inch gap between the structures.*

By reducing the typical section of the bridge crossing the AP and the SPSP, and by assessing shading impacts based on the physical width of the bridge, wetland impacts decreased 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). Upland impacts were also reduced from 6.45 acres to 2.96 acres, a reduction of 3.49 acres of impact.

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 has been corrected in the EIS 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 EIS) distinguishes that current vacant land is outside of the state-owned lands.

Note: Subsequent to providing this response, it was determined that the language in the EIS be modified to read: "None of the build alternatives, including the Preferred Alternative, would have an appreciable effect on land use changes because most vacant lands classified for residential and commercial uses are already platted. These vacant parcels would be developed (or not) according to market factors that would not influenced by the implementation of any of the build alternatives, including the Preferred Alternative. Because the Savannas Preserve State Park lands are classified as conservation lands, none of the build alternatives, including the Preferred Alternative, would result in land use changes within the State Park".

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, USCG, and state agencies via the

ETDM public access website. These reports, which were accepted by the 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 1 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 its 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.

USACE Comment #9

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.

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; refer to **Appendix G** for more information.*

8.6.3 Agency Coordination and Concurrences After Public Hearing

The following is a chronological summary of agency coordination meetings (including email and telephone communications) that have occurred, and concurrences received, subsequent to the project's Public Hearing and through the development of the FEIS.

October 17, 2011 – FDEP State Clearance Letter

FDEP determined that the project is consistent with the Florida Coastal Zone Management Plan. (See **Appendix A**).

November 17, 2011 - LPA Selection

On November 17, 2011, an interagency panel made up of representatives from the City, FDOT, and the St. Lucie County Transportation Planning Organization (TPO) was convened to participate in the scoring and ranking of the six build alternatives and the No Build Alternative. The LPA selection process resulted in Alternative 1C scoring/ranking the highest. Subsequent to the scoring, 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 (Resolution 12-R18; **Appendix E**).

May 15, 2012 – FDEP Telephone Communication / Coordination on Bridge Pier Placement

The purpose of coordination was to determine if FDEP had a preference for the placement of the Preferred Alternative's piers to be in the NFSLR main channel or to have the NFSLR main channel completely spanned and place the piers in the adjacent wetlands (both the main channel and the adjacent lands were subject to Section 4(f)). FDEP 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. (See Memorandum to File in **Appendix I**).

May 24, 2012 - Coordination Meeting with USFWS

This meeting provided an overview and update of the project. It focused on the Locally Preferred Alternative, mitigation plan, Endangered Species Biological Assessment and resolution of the USFWS' Dispute Degree of Effect. (See **Appendix I** - Public Meeting Summaries and Minutes)

May 25, 2012 – FDEP Memorandum of Understanding/Acquisition Mitigation

In response to a letter dated April 16, 2012, in which the City proposed additional lands for the land acquisition requirements of the MOU between the City and FDEP, FDEP stated they had completed their review of the City's amended list of parcels proposed for title conveyance to the Board of Trustees and had no objections. FDEP said that the parcels slated for transfer will satisfy the land acquisition part of the mitigation requirement under the MOU. (See **Appendix A**).

May 29, 2012 - Coordination Meeting with USACE and NMFS

The purpose of this meeting was to update the USACE and NMFS on the project's progress and mitigation plans. NMFS stated its desire that the bridge typical section be reduced to minimize impacts. Specific topics of discussion included: Agency Comments on the DEIS; Essential Fish Habitat Concurrence; CERP Coordination and Temporary Construction Impacts. (See **Appendix I**).

June 1, 2012 - NMFS Follow-up Coordination Meeting with NMFS

The purpose of the meeting was to address the specific comments and concerns of the National Marine Fisheries Service. These concerns were expressed at the joint meeting on 5/29/12 (see above). Specific issues that were discussed included the process of selecting the Locally Preferred Alternative, construction impacts, construction plans for the Platt's Creek mitigation area, Section 4(f), consideration of the alternative combining the widening of the existing bridges with the multimodal and TSM alternatives, reduction of the bridge typical section to further minimize impacts, and the requirements for Essential Fish Habitat (EFH) consultation. At this meeting, NMFS indicated that it is comfortable with the mitigation plan and is willing to close consultation under the Endangered Species Act for the smalltooth sawfish. NMFS suggested that FDOT make its determination and request concurrence for a determination to smalltooth sawfish. **Note:** Subsequent to this meeting, FDOT requested ESBA concurrence (June 19, 2012) and EFH concurrence (July 16, 2012) from NMFS pertinent to its effect determinations. FDOT received concurrences from the NMFS on January 4, 2013 and November 27, 2012, respectively.

June 8, 2012 - Discussion with SFWMD Regarding Piers in Water

SFWMD provided opinion that they would prefer piers in the open water over piers in wetlands. (See Record of Telephone Conversation in **Appendix A**).

June 19, 2012 - FEMA Coordination Regarding Flood Risk Concurrence

A telephone communication was conducted with the Regional Environmental Officer at the FEMA Region IV office. FEMA was advised that Alternative 1C was the Preferred Alternative and included a 1.82-acre

floodway encroachment; this encroachment would be offset by the excavation in the Platt's Creek Mitigation Area just north of the proposed project. The FEMA representative stated that his review of the DEIS did not raise concerns of an increased flood risk. FEMA advised that the requirements of EO 11998 and Federal-Aid Policy Guide 23 CFR 650A for coordination with FEMA were fully addressed through the Advance Notification and DEIS. (See File Documentation in **Appendix I**)

June 19, 2012 – USFWS ESBA Concurrence Request

FDOT, as the designated non-federal agency representative of FHWA to conduct informal Section 7 Consultation under the Endangered Species Act, requested concurrence from USFWS with effect determinations. (See **Appendix A**)

June 19, 2012 – NMFS ESBA Concurrence Request

FDOT, as the designated non-federal agency representative of FHWA to conduct informal Section 7 Consultation under the Endangered Species Act, requested concurrence from NMFS with effect determinations. (See **Appendix A**)

July 10, 2012 - FDEP – Multi-Purpose Coordination Meeting

Key issues discussed included mitigation plans, temporary construction impacts with regard to Section 4(f), USFWS' request to enter into a third party agreement over the conservation of acquired properties (perpetuity clause), maintenance of the Halpatokee canoe trail, and fire management. A draft summary of the impacts estimated for the Preferred Alternative (Alternative 1C) was provided to FDEP. FDEP said that the agency was comfortable with the adequacy of mitigation. With regard to fire management, FDEP said a new bridge would affect when and how burns are conducted but would not prevent a burn. (See Meeting Minutes in **Appendix I**).

July 11, 2012 - Telephone Communication with National Park Service (NPS) Regarding Section 4(f) and Section 6(f).

The purpose of this meeting was to obtain NPS's concurrence that the project does not affect Section 6(f) properties. During the meeting, NPS explained that the Department of Interior needs to review any Section 4(f) property for involvement with Section 6(f) or if properties received Land and Water Conservation Funds. NPS noted that the project information had been reviewed and it is adequate for purposes of Section 4(f). It was concluded that FHWA will send the Final Section 4(f) to Environmental Compliance Review and that NPS would provide a concurrence statement or comments with FHWA's finding for the FEIS. It was also concluded that, since this meeting was via telephone communication, a record of telephone conversation would serve to meet the coordination requirements with the DOI for the Final Section 4(f) Evaluation. (See Record of Telephone Conversation dated 7-11-12 in **Appendix I**).

July 16, 2012 – NMFS EFH Concurrence Request

FDOT requested NMFS concurrence that the Preferred Alternative will not have adverse effects to Essential Fish Habitat. (See **Appendix A**)

July 27, 2012 – USCG Permitting Coordination

The USCG had previously 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. Subsequent to the submittal of bridge project questionnaires for Evans Creek and North Coral Reef Waterway (June 13, 2012) USGC stated that the bridge at Evans Creek is in the Advance Approval category and, therefore, a USCG bridge permit will not be required for the crossing of that waterway. However, the lowest portion of the bridge superstructure across the waterway should clear the 100-year flood height. 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. (See USCG letter in **Appendix A**)

August 2, 2012 – USACE CERP Coordination

USACE stated that they had reviewed the details on the project and concurred that the project, as proposed, is compatible with the Indian River Lagoon South CERP project. (See Email in **Appendix A**)

August 3, 2012 - National Park Service Concurrence on Wild and Scenic Rivers

NPS stated that they concur with the findings that project is not likely to foreclose designation of the North Fork St. Lucie River as a Wild and Scenic River. (See Email in **Appendix A**)

August 7, 2012 - USACE Coordination on Compensatory Mitigation and Least Environmentally Damaging Alternative

USACE noted in an email 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 St. Lucie River. USACE also noted that the City's Preferred Alternative is not the least environmentally damaging practicable alternative (LEDPA) in terms of Section 404 of the Clean Water Act. (See email in **Appendix A**).

August 16, 2012 - USACE and NMFS Coordination Meeting on Bridge Typical Section Reduction and LEDPA

The purpose of this meeting was to discuss the EIS Preferred Alternative and the City's plan to further avoid and minimize impacts due to agency concerns. The process used for the selection of the Preferred Alternative was discussed, and the changes in impacts resulting from a reduction of the bridge cross section were discussed. After reviewing the information, the agencies requested that an evaluation be conducted which compared the impacts and functional loss associated for the Preferred Alternative based on the original bridge analysis of a 157-foot right of way footprint, the associated 143-foot physical bridge cross section footprint, and the 103-foot physical width footprint for the reduced bridge cross section. It was noted that the additional avoidance of impacts, through minimization of the bridge typical section, makes the impacts associated with the Preferred Alternative more comparable to those of the other build alternatives.

Subsequent to this meeting, the requested evaluation was performed and the results were provided to the USACE and NMFS via an e-mail from Michael Davis dated August 23, 2012. 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, wetland functional loss was reduced from 11.3 to 8.3 functional loss units. On September 7, 2012 Mr. John Krane sent additional information to NMFS related to the placement of a temporary trestle based on the revised typical section. (See **Appendix A** for the e-mail transmittal and **Appendix I** for the meeting minutes).

September 4, 2012 – State Historic Preservation Officer (SHPO) Concurrence.

On April 19, 2010, based on the findings of the Cultural Resources Assessment Survey (CRAS), FHWA made a determination that the six build alternatives would not impact any NRHP-eligible historic or archaeological resources. SHPO concurred with the FHWA recommendations and findings of the CRAS on May 20, 2010. Subsequent to that SHPO concurrence, the CRAS was addended to address the drainage pond sites for the Preferred Alternative. On August 21, 2012, based on the findings of the addendum to the CRAS, FHWA made a determination that the drainage pond sites associated with the Preferred Alternative would not impact any NRHP-eligible historic or archaeological resources. SHPO concurred with the recommendations and findings of the CRAS addendum on September 4, 2012. (See concurrence letter in **Appendix A**).

September 10, 2012 - Meeting with USFWS Regarding Additional Mitigation Measures/Reduced Typical Section

The primary purpose of this meeting was to update USFWS on additional Avoidance and Minimization Measures. It was explained to USFWS that, in order to further reduce impacts and reduce functional loss, the City agreed to reduce the width of the bridge over the NFSLR and its floodplain from 143 feet to 103 feet. USFWS supported the reduction in impacts. Also discussed was the request by the USFWS to have “third party” rights to lands to be conveyed to the State of Florida under the proprietary mitigation plan. It was clarified that because FDEP would be the sole owner of the lands to be transferred, that the USFWS request would be “second party” rights. Dispute Resolution was also discussed. USFWS stated that a joint meeting with the Environmental Technical Advisory Team would not be necessary to resolve the dispute, but that supervisory staff may want to have all related information, including the decision on third party rights from FDEP, before concluding informal consultation.

October 15, 2012 – USFWS ESBA Concurrence

USFWS concurred with the determination that the project “May Affect but Not Likely to Adversely Affect” four endangered or threatened species (smalltooth sawfish, eastern indigo snake, wood stork, and the West Indian manatee). (See **Appendix A**).

November 27, 2012 – NMFS EFH Concurrence

The FDOT received EFH concurrence from the NMFS that the project will not have adverse affects on Essential Fish Habitat. (See **Appendix A**).

November 28, 2012 – USFWS Dispute Resolution

As a result of continued coordination with USFWS, the USFWS has authorized the removal of the Dispute Resolution and reduced the Degree of Effect to *Substantial*. (See **Appendix A**).

January 4, 2013 – NMFS ESBA Concurrence

NMFS concurred with the determination that the project “May Affect but Not Likely to Adversely Affect” the smalltooth sawfish. (See **Appendix A**).

8.7 Summation of Comments and Coordination

Based on the analysis conducted, comments received, and public and agency coordination that occurred throughout the course of the project, Alternative 1C was selected as the Preferred Alternative. The Preferred Alternative will be a 6-lane facility that begins at Manth Lane and travels northeast along West Virginia Drive. It then crosses Savannas Preserve State Park and the NFSLR, bending slightly southward to its eventual terminus with U.S. 1, and its intersection with Village Green Drive at its eastern terminus (refer to **Figure 3.72**). West of the NFSLR, the roadway will generally consist of a suburban cross section consisting of three 12-foot travel lanes and a 14-foot outside shoulder, including a 5-foot paved designated bicycle lane in each direction. The travel lanes will be separated by a 32-foot raised landscaped median. As the roadway approaches the NFSLR, the roadway section will transition to an urban cross section and narrow down to match the bridge cross section. A wide area of green space with a pedestrian pathway will be constructed on both sides of the parkway. The bridge section will consist of twin structures, each consisting 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, and a 6-foot sidewalk. East of the NFSLR, the roadway will consist of an urban 6-lane section with three 12-foot travel lanes and a 5-foot designated bicycle lane in each direction, separated by a 30-foot raised grassed median.

Public involvement occurred throughout project development. For those individuals that expressed a preference for a particular alternative at the public meetings (including the Public Hearing), Alternative 1C (Preferred Alternative) was favored above the other alternatives. For example, of the 134 comments received at the Public Hearing that expressed a preference for a specific alternative, 115 (85 percent) preferred Alternative 1C. Public comments received at the public meetings primarily dealt with the length of time the “NEPA process” takes, traffic congestion, relocation and property compensation issues, environmental impacts (both natural and physical), and safety.

Coordination with the resource and regulatory agencies resulted in the resolution of all agency issues as described in this section. Based on comments provided by the regulatory and review agencies, the Preferred Alternative's bridge typical section was reduced from 143 feet to 103 feet thereby reducing environmental impacts to the NFSLR AP and SPSP.

Informal Section 7 Consultation occurred with USFWS and NMFS. USFWS concurred with the determination that the project “May Affect but Not Likely to Adversely Affect” four endangered or threatened species. The NMFS concurred with the determination that the project “May Affect but Not Likely to Adversely Affect” the smalltooth sawfish, and that the project will not have adverse affects on Essential Fish Habitat. The USACE acknowledged that the mitigation plan is sufficient to address unavoidable impacts. USACE also concurred that the project, as proposed, is compatible with the Indian River Lagoon South CERP project. SHPO concurrences were obtained for the overall project corridor on May 20, 2010 and the

Preferred Alternative's drainage pond sites on September 4, 2012. Coordination with the USFWS resulted in the resolution of that agency's ETDM Dispute Degree of Effect designation (see coordination letter in **Appendix A**). FDEP said that the agency was comfortable with the adequacy of mitigation and also concurred that all temporary occupancies will be so minimal as to not constitute a use within the meaning of Section 4(f). NPS concurred that the Preferred Alternative is not likely to foreclose designation of the North Fork St. Lucie River as a Wild and Scenic River.