

Federal Highway Administration
Florida Division

ADMINISTRATIVE ACTION
FINDING OF NO SIGNIFICANT IMPACT

U.S. Department of Transportation Federal Highway Administration and
Florida Department of Transportation, District Five

In cooperation with the Orlando-Orange County Expressway Authority

Financial Management Number(s): 238275 1 22 01 and 240200 1 22 01

Federal Aid Project Number(s): TCSP 025 U and TCSP 024 U

Wekiva Parkway (SR 429)/SR 46 Realignment
Orange, Lake, and Seminole Counties, Florida

Wekiva Parkway (SR 429)

From US 441 (SR 500)/John Land Apopka Expressway (SR 429/SR 414) Interchange, Orange County
to SR 417/I-4 (SR 400) Interchange, Seminole County

SR 46 Realignment

From US 441 (SR 500)/SR 46 Interchange, Lake County
to Wekiva Parkway (SR 429), Orange County

The proposed action is: construction of the Wekiva Parkway, a new four-lane/six-lane divided limited access tolled expressway to complete the Western Beltway (SR 429) around the metropolitan Orlando area from Apopka in Orange County to Sanford in Seminole County; realignment of CR 46A in Lake County as part of the Wekiva Parkway project; reconstruction of the existing SR 46 facility in Lake County and Mount Dora to provide six-lane divided controlled-access from US 441 to east of Round Lake Road; and the realignment of SR 46 as a limited access tolled expressway from east of Round Lake Road to a new systems interchange with Wekiva Parkway near the Orange/Lake County line.

Submitted pursuant to 42 U.S.C. 4332 (2)(c).

5 / 11 / 12
Date


Division Administrator
Federal Highway Administration

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the environment. This Finding of No Significant Impact is based on the attached Environmental Assessment which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached Environmental Assessment.

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Environmental Assessment (with Appendices A through G under separate cover)

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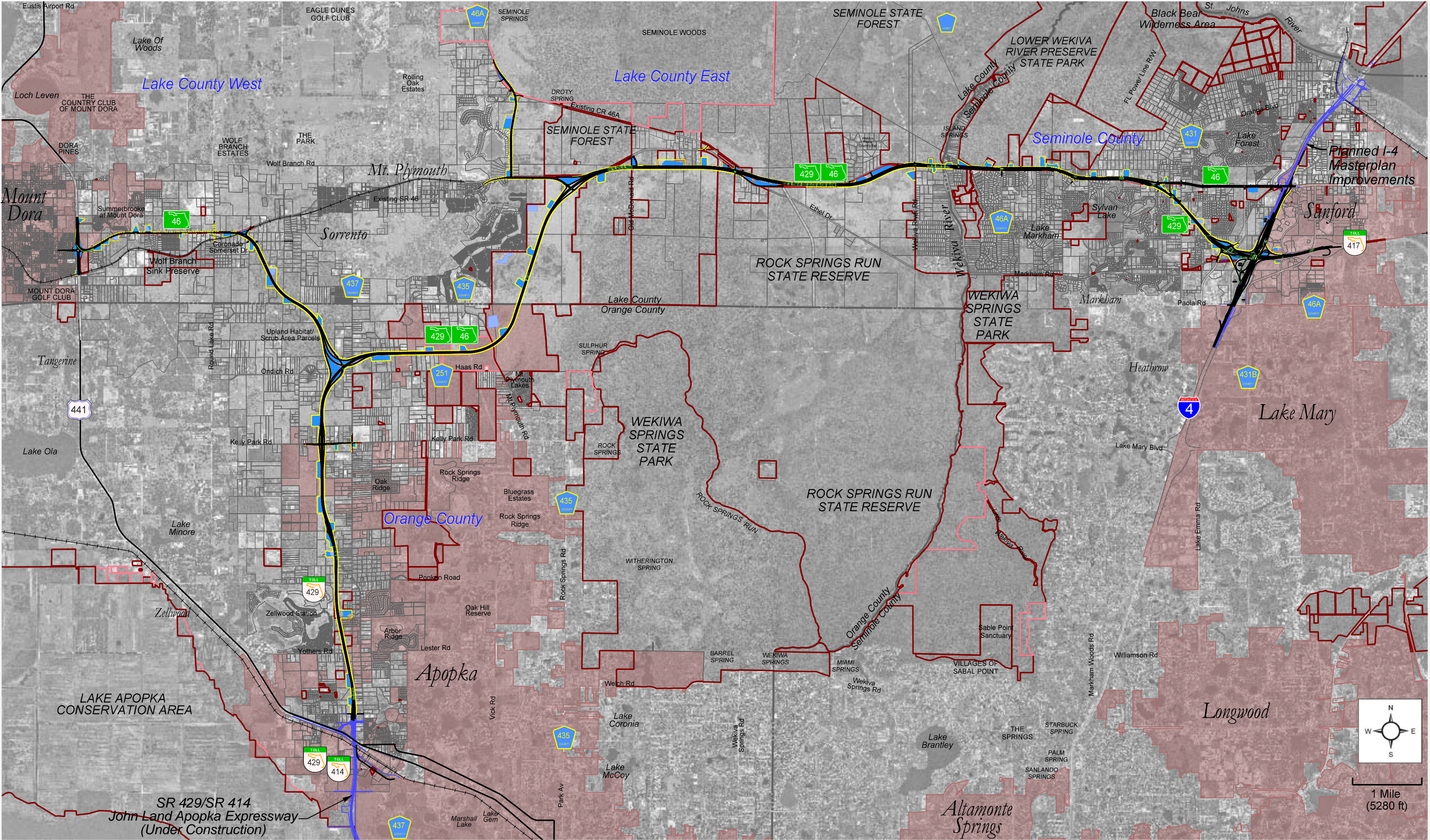
Description of Proposed Action

Selected Build Alternative Recommended for Construction

The Florida Department of Transportation (FDOT) and the Orlando-Orange County Expressway Authority (OOCEA) recommend for construction the Wekiva Parkway (SR 429)/SR 46 Realignment Selected Build Alternative which is composed of the following project components:

- **The Wekiva Parkway**, a four-lane divided and six-lane divided limited access toll facility, which would begin in Orange County at the terminus of SR 429/SR 414 (John Land Apopka Expressway) at US 441 just west of CR 437 and extend to the north/northeast into Lake County, turning east and crossing the Wekiva River into Seminole County and terminating at I-4. The approximate length of the Wekiva Parkway is 20.94 miles, with 8.16 miles in Orange County, 7.37 miles in Lake County and 5.41 miles in Seminole County.
- **SR 46 Reconstruction and Realignment**, which would begin at the SR 46/US 441 interchange in Lake County and extend along the existing SR 46 corridor to the east, then turning southeast on a new alignment and entering Orange County with a systems interchange connection at the Wekiva Parkway. The SR 46 improvements would provide six-lane divided controlled access along the existing alignment from US 441 to east of Round Lake Road, while the realignment to the southeast would be a limited access toll facility. The approximate length of the SR 46 Reconstruction and Realignment is 4.79 miles, with 4.01 miles in Lake County and 0.78 mile in Orange County.
- **CR 46A Realignment**, a two-lane rural (expandable to four-lane rural) roadway, which would begin on existing CR 46A in east Lake County and extend to the south on a new alignment and tie into existing SR 46 with an access connection to the Wekiva Parkway. The approximate length of the CR 46A realignment is 2.72 miles.
- **Wekiva Parkway Access Improvements** would be required between the realignment of CR 46A in Lake County and Orange Boulevard (CR 431) in Seminole County to allow access to the private property along existing SR 46. A two-lane, non-tolled service road would be parallel to the Wekiva Parkway from north of the Wekiva Parkway interchange near Neighborhood Lakes to just east of the Wekiva River in Seminole County. Two-lane, one-way non-tolled frontage roads would be parallel to the Wekiva Parkway from east of the Wekiva River to Orange Boulevard in Seminole County. Those service and frontage roads would provide access to properties while also providing a non-tolled alternative for local trips.

The overall Selected Build Alternative is depicted in **Exhibit 1**.



LEGEND

- | | | | | | |
|--|-----------------------------------------|--|---------------------------------------|--|-----------------------------------|
| | PROPOSED BUILD ALTERNATIVE RIGHT-OF-WAY | | PROPOSED BRIDGE | | PUBLIC LAND |
| | EXISTING RIGHT-OF-WAY | | PROPOSED STORMWATER POND | | POTENTIAL PUBLIC LAND ACQUISITION |
| | EXISTING PARCEL LINE | | PROPOSED FLOODPLAIN COMPENSATION POND | | MUNICIPAL BOUNDARY |

Exhibit 1
Overall Layout of Selected Build Alternative

Orange County Portion of Selected Build Alternative

The Selected Build Alternative for the Orange County portion of the project area is:

- Wekiva Parkway
 - Kelly Park Road Interchange Alternative and Alignment (from north of US 441 to systems interchange) – four-lane divided expressway expandable to six-lane divided in median
 - Orange County Alternative 1 (from systems interchange east to Lake County Line) – four-lane divided expressway expandable to six-lane divided in median
 - Systems Interchange Alternative 1
- SR 46 Realignment
 - Lake County West Alternative 1 (from systems interchange northwest to Lake County line) – four-lane divided expressway expandable to six-lane divided in median

The Orange County Selected Build Alternative is depicted in **Exhibit 2**.

Lake County West Portion of Selected Build Alternative

The Selected Build Alternative for the Lake County West portion of the project area is:

- SR 46 Reconstruction and Realignment
 - US 441/SR 46 Interchange Modification Alternative 2
 - SR 46 North Widening Alternative (from US 441 to east of Round Lake Road) – six-lane divided urban section with controlled access
 - Lake County West Alternative 1 (southeast to Orange County line) – six-lane divided urban section transitioning to four-lane divided expressway expandable to six-lane divided in median

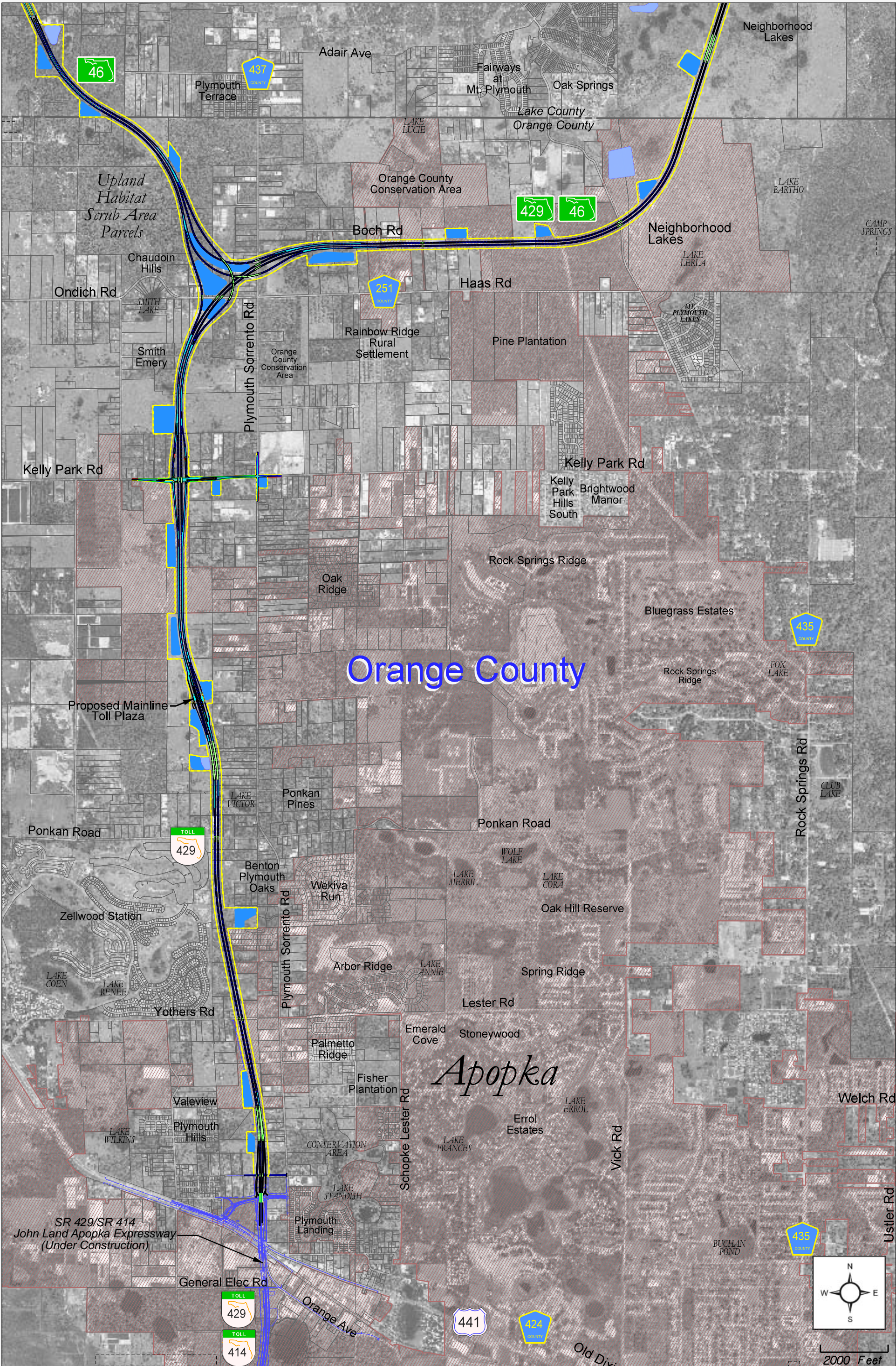
The Lake County West Selected Build Alternative is depicted in **Exhibit 3**.

Lake County East Portion of Selected Build Alternative

The Selected Build Alternative for the Lake County East portion of the project area is:

- Wekiva Parkway
 - Neighborhood Lakes Alignment Alternative 1 (from Orange County line northeast to Neighborhood Lakes interchange) – four-lane divided expressway expandable to six-lane divided in median
 - South (Red) Alignment Alternative 2, revised to incorporate a parallel two-way, non-tolled Service Road within the Wekiva Parkway 300-foot wide right-of-way (from Neighborhood Lakes interchange east across Wekiva River) – 6-lane divided expressway with parallel two-lane rural service road on north side
- CR 46A Realignment
 - Alternative 1A, with SR 46 widening to the south (from existing SR 46 north to Arundel Way) – two-lane rural roadway expandable to four-lane rural roadway

The Lake County East Selected Build Alternative is depicted in **Exhibit 4**.



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




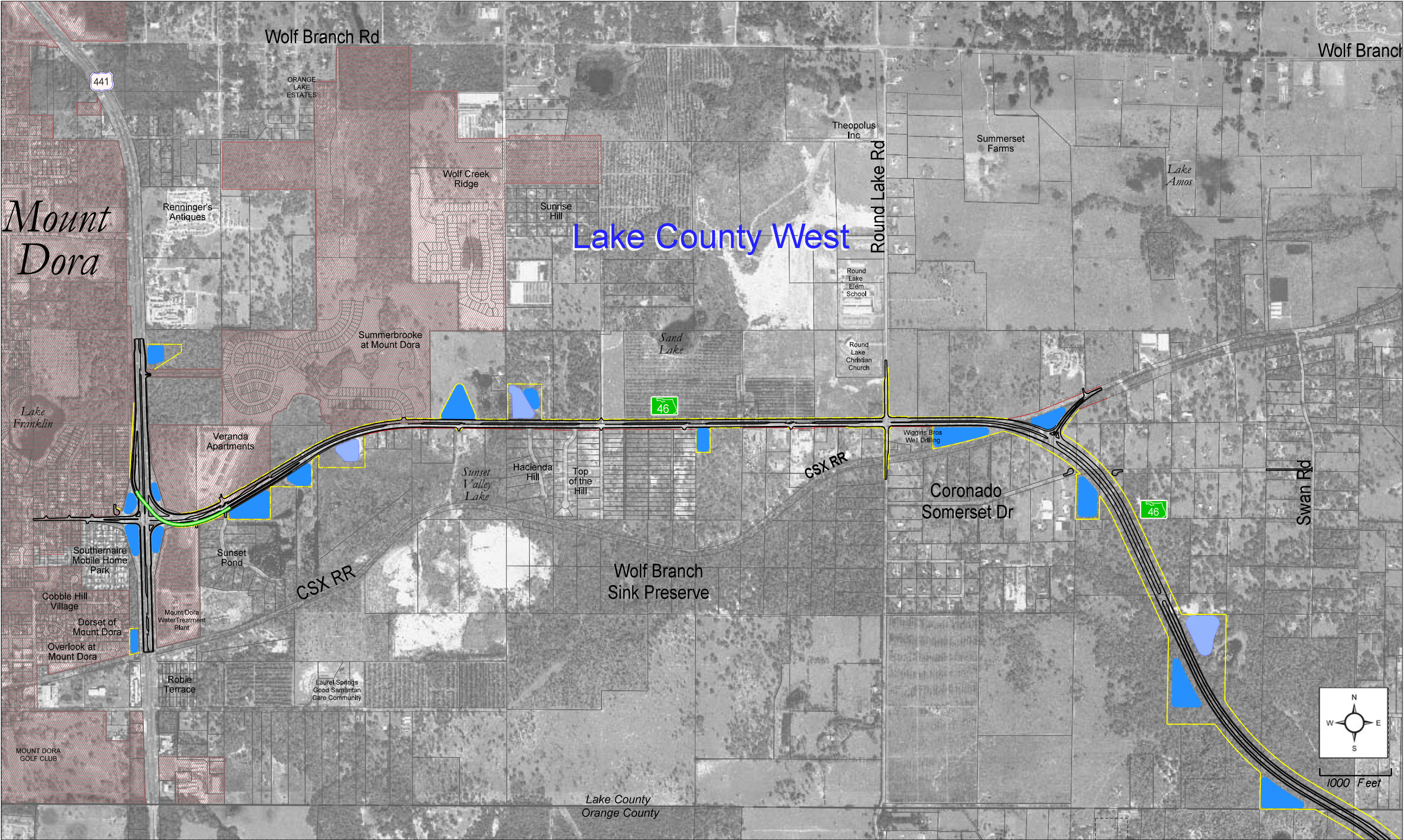
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|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
|  Stormwater Ponds |  Proposed Bridge |
|  Floodplain Compensation Ponds |  Proposed Build Alternative R/W |
|  Municipal Boundaries |  Existing R/W |
| |  Existing Parcel Line |

Exhibit 2
Orange County Selected Build Alternative



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






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|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
|  Stormwater Ponds |  Municipal Boundaries |  Proposed Build Alternative R/W |
|  Floodplain Compensation Ponds |  Proposed Bridge |  Existing R/W |
| | |  Existing Parcel Line |

Exhibit 3
Lake County West Selected Build Alternative

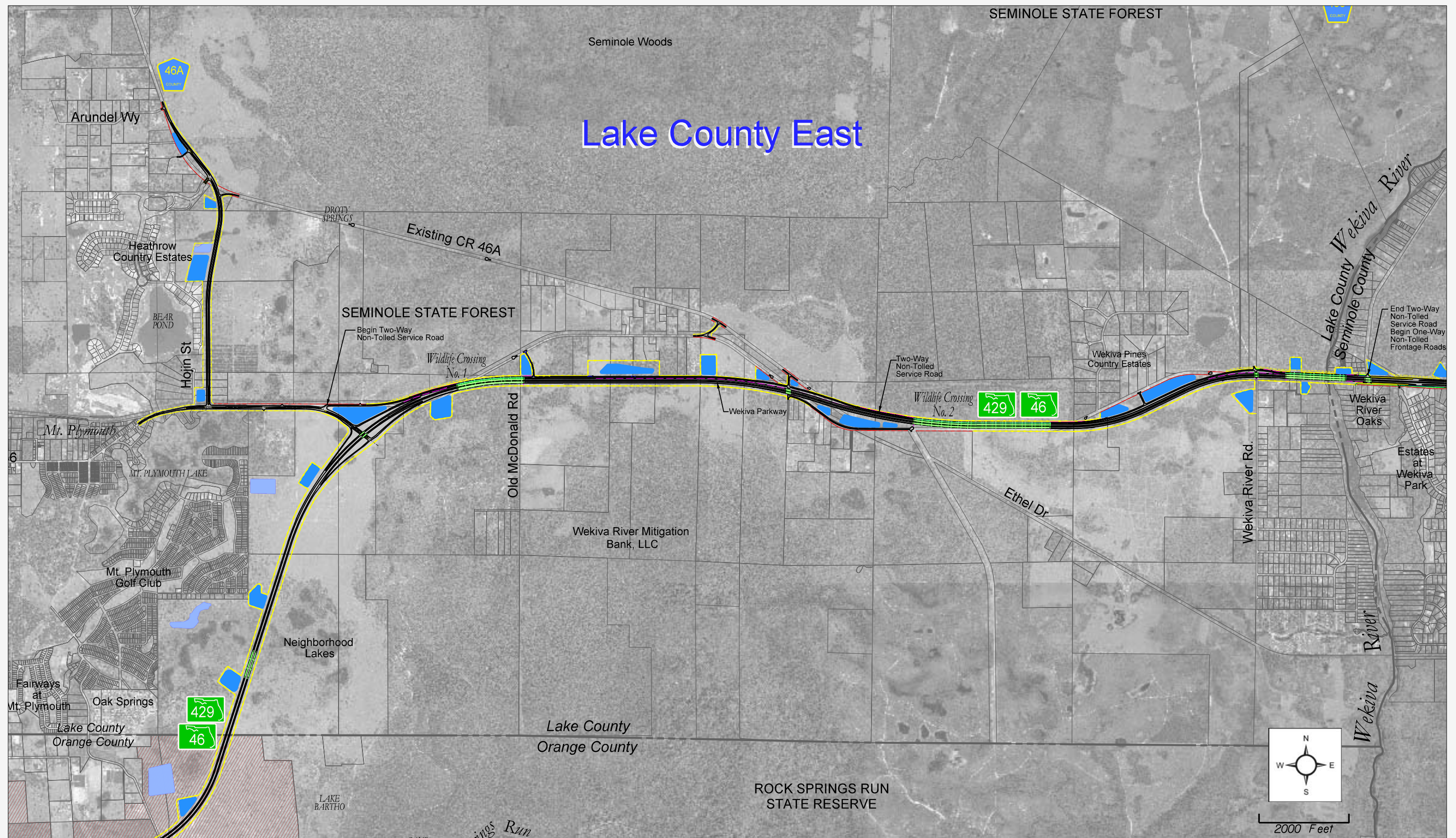


Exhibit 4 Lake County East Selected Build Alternative

Seminole County Portion of Selected Build Alternative

The Selected Build Alternative for the Seminole County portion of the project area is:

- Wekiva Parkway
 - North Widening Alternative (from Wekiva River east to near Orange Avenue) – 6-lane expressway with two-lane, one-way frontage roads on north and south sides
 - SR 417/I-4 Interchange Modification Alternative B Alignment (from SR 46 southeast to systems interchange) – 6-lane divided expressway
- SR 46 Reconstruction
 - Widen from Wekiva Parkway frontage roads to the SR 46/I-4 Interchange – 6-lane divided urban section with controlled access

The Seminole County Selected Build Alternative is depicted in **Exhibit 5**.

Purpose and Need

The purpose and need for the Wekiva Parkway (SR 429)/SR 46 Realignment project are summarized below. See Section 2 of the EA for more detailed information.

- Complete the Western Beltway (SR 429) around metropolitan Orlando
- Provide a higher capacity east-west travel facility in east Lake County and west Seminole County
- Improve safety to reduce vehicle crash fatalities
- Develop a transportation facility that minimizes impacts to the Wekiva Basin Area resources and that specifically improves wildlife habitat connectivity between conservation lands and reduces vehicle-wildlife conflicts

Statement of Public Availability

The approved Environmental Assessment addresses all of the viable alternatives that were studied during project development. The environmental effects of all alternatives under consideration were evaluated when preparing the assessment. Even though the document was made available to the public before the public hearing, the Finding of No Significant Impact was made after consideration of all comments received as a result of public availability and the public hearing.

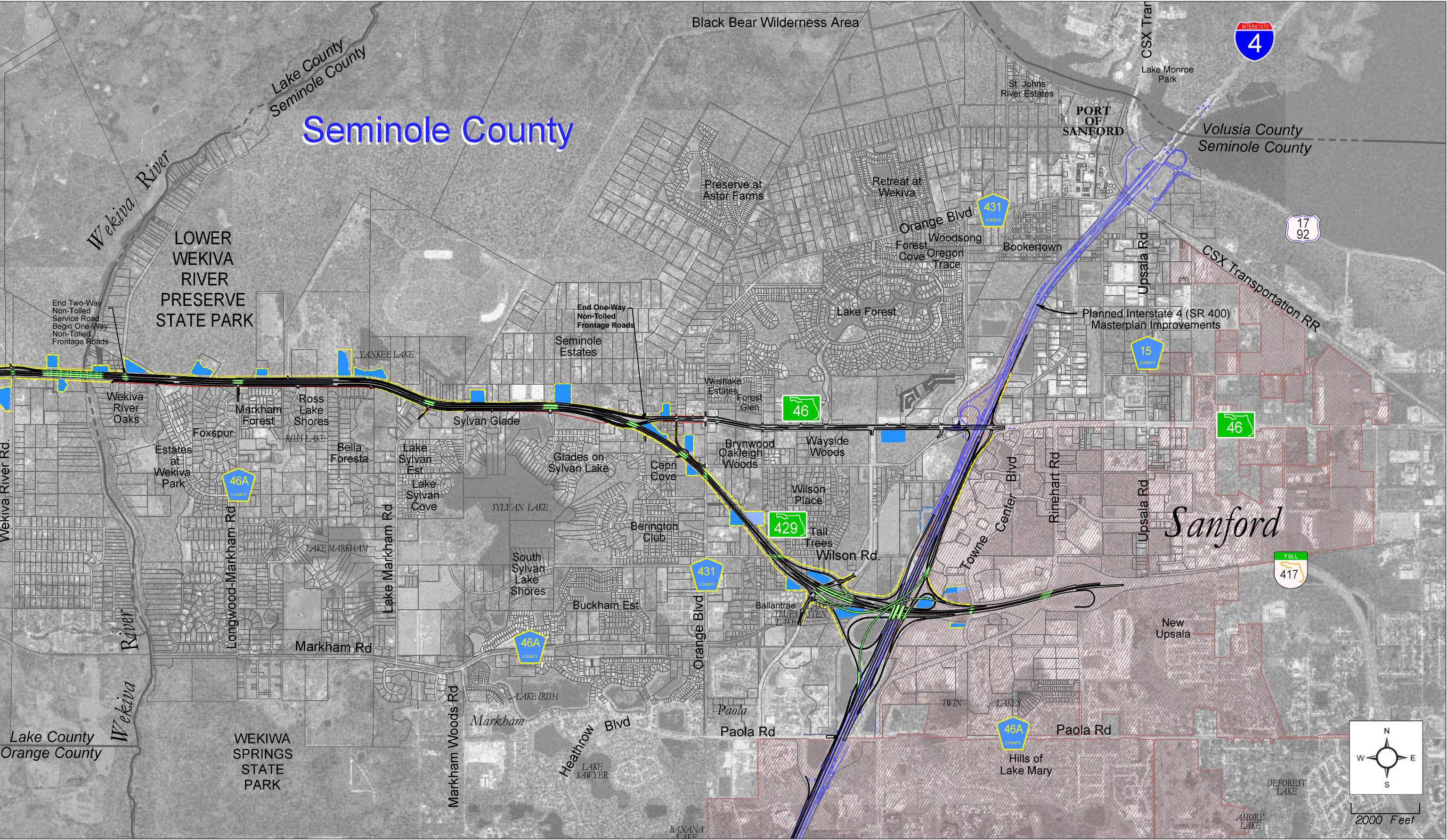


Exhibit 5
Seminole County Selected Build Alternative

Determinations and Findings

National Environmental Policy Act Finding

FHWA served as lead agency under the National Environmental Policy Act (NEPA) for the proposed project. The project sponsors prepared the EA in compliance with NEPA (42 USC, Section 4321 et seq.), with FHWA's regulations (23 CFR Part 771), with amended 23 CFR Part 772, and with the FDOT Project Development and Environment (PD&E) Manual. The EA provides information on the potential effects of the project on the environment so FHWA can determine whether significant adverse impacts (as defined by the Council on Environmental Quality in 40 CFR 1508.27) would occur. The EA indicates that the project's construction and operation will not cause any significant adverse environmental impacts, and that appropriate mitigation commitments have been made by the project sponsors. This finding applies to all applicable environmental elements.

The key findings of the evaluation of the project's environmental effects are summarized in the sections below. The impacts to the social, cultural, natural and physical environments summarized below are shown on **Table 1**. Section 4 of the EA provides more detailed information on impacts and mitigation.

Social and Economic Impacts

Community Services

There are no direct, physical impacts to any structures identified as community facilities due to the Selected Build Alternative. However, there are property impacts to three parcels upon which community facilities are located, including the Easter Seals Camp Challenge, Lakeside Fellowship United Methodist Church, and the Academy of Learning.

Easter Seals Camp Challenge is located in east Lake County south of the Seminole State Forest and east of Mt. Plymouth. The Selected Build Alternative results in minimal property impacts, comprising approximately 4.2 acres, to the northern boundary of the property along existing SR 46. These anticipated property impacts will not result in any impacts to existing structures or on-site recreational facilities. The intersection at Camp Challenge Road and SR 46 will be modified to accommodate the proposed SR 46 reconstruction included in the Selected Build Alternative. This modification will not affect the existing alignment of Camp Challenge Road. The proposed improvements will not impact access to, or the existing operations of, the Easter Seals Camp Challenge.

The Lakeside Fellowship United Methodist Church is located in Seminole County on the southeast corner of South Orange Boulevard (CR 431) and Wayside Drive. The Selected Build Alternative is anticipated to impact approximately 4.7 acres of the church's property, including proposed ball fields south of the church building; however, no existing structures will be impacted due to the proposed improvements and access to the church will be maintained.

Table 1. Summary of Impacts to Social, Cultural, Physical and Natural Environments

Evaluation Criteria		Orange County	Lake County West	Lake County East	Seminole County	Total
Social Environment	Parcel Impacts	133	56	119	122	430
	Total Right-of-Way (acres)	527	126	521	191	1,365
	Residential Displacements	36	2	1	18	57
	Businesses/Other Displacements	4	0	2	3	9
	Community Services					
	- Community Services Impacts (Number of Parcels)	0	0	1	2	3
	- Community Services Impacts (acres)	0	0	4.2	4.8	9.0
	- Community Services Displacements	0	0	0	0	0
	Utility Impacts (Number of Affected Companies)	7	5	4	7	23
	Railroad Involvement	No	Yes	No	No	Yes
Cultural Environment	Section 4(f) Public Land Impacts (acres)	0	0	155	3.86	159.24
	Section 106 Historic Properties Impacted	2	0	0	0	2
	- Number of Direct Use Impacts	2	0	0	0	2
	- Number of Resources with Adverse Affects	2	0	0	0	2
	Number of Archaeological Sites	0	0	0	0	0
Physical Environment	Air Quality (Design Year 2032)	Enhanced	Enhanced	Enhanced	Enhanced	Enhanced
	Noise Impacts – dB(A) approach/exceed Noise Abatement Criteria or substantial increase criteria (Design Year 2032)					
	- Total Number of Noise Sensitive Sites Impacted	66	65	22	133	286
	- Number of Benefited Receivers*	0	29	0	70	99
	Number Sites with High Potential Risk for Contamination	4	0	0	1	5
Natural Environment	Wetland Impacts (acres)	4.96	12.18	33.14	47.28	97.56
	Floodplain Impacts (acre-ft)	6.29	11.26	38	5.24	60.79
	Potential for Impacts to Threatened and Endangered Species	Low	Low	Low	Low	Low
	Special Designations Involvement (Wild and Scenic River, Aquatic Preserve, Outstanding Florida Waters)	None	None	Yes	Yes	Yes

*Number of receivers that may benefit from a noise barrier determined to be potentially feasible and cost reasonable.

The Academy of Learning is a private K-12 school located at 445 South Orange Boulevard in Seminole County. Approximately 0.13 acre of the school's property is anticipated to be impacted by the Selected Build Alternative; however, no existing structures will be impacted and existing access to the school will not be affected by the Selected Build Alternative.

The potential property impacts to Camp Challenge, the Lakeside Methodist Church, and the Academy of Learning are not anticipated to affect the ability of these community facilities to continue serving their intended purpose.

Community Cohesion

The Selected Build Alternative does not divide or isolate any existing communities or established, defined neighborhoods, and there is no separation of residences from community facilities. Based on the results of the evaluation of potential social impacts, no community cohesion issues are anticipated as a result of the Selected Build Alternative. This project has been developed in accordance with the Civil Rights Act of 1964, as amended by Title VIII of the Civil Rights Act of 1968 and related statutes. Title VI of the Civil Rights Act of 1964 provides that no person shall on the grounds of race, color, national origin, age sex, religion, disability, or family status be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program of the Federal, State or local government.

Environmental Justice

In addition to the requirements of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1968 and related statutes as referenced above, this project has been developed in accordance with *Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994*. Executive Order 12898 is meant to ensure that minority and/or low-income households are not adversely impacted by major transportation projects in a disproportionate manner.

A census block group in Orange County (census tract 179.02, block group 4) exhibits the highest percentage of minority population (89.55%) and the highest percentage with income below poverty level (21.59%) in the study area. Most of those households are within the Plymouth area north of US 441 which is not impacted by the Selected Build Alternative. A census block group in Lake County (census tract 309.11, block group 3) exhibits the second highest percentage of minority population (49.97%) and the second highest percentage with income below poverty level (16.46%) in the study area. That area of Mount Dora west of US 441 is not impacted by the Selected Build Alternative. A census block group in Seminole County (census tract 207.01, block group 1) exhibits the third highest percentage of minority population (21.26%) and the sixth highest percentage with income below poverty level (8.12%). Many of those households are within the Bookertown area north of US 46 which is not impacted by the Selected Build Alternative. A census block group in Orange County (census tract 179.02, block group 3) exhibits a 71.09% elderly population. Most of those households are in the Zellwood Station retirement community which is not impacted by the Selected Build Alternative. The highest number of potential impacts by the Selected Build Alternative is in census tract 179.02, block group 2 in Orange County with 25 displacements; that census block group exhibits a 92.29% white

population and 90.52% of the population above poverty level. Based upon this information, the Wekiva Parkway project is not expected to have a disproportionately adverse impact on minority or low-income households.

Utilities

A *Utilities and Railroads Impact Summary Report* was completed for the Wekiva Parkway project. Utilities potentially impacted by the Selected Build Alternative in the Orange County project area are listed below.

- Lake Apopka Natural Gas District: Impacts are anticipated to a 2" gas line running along Southfork Drive.
- Progress Energy: Impacts are anticipated to 69 kilovolt power lines at the intersection of the Selected Build Alternative with Yothers Road, at the intersection of the Selected Build Alternative with Ponkan Road, at the Kelly Park Road interchange, and the intersection of the Selected Build Alternative with Ondich Road. Impacts are also anticipated to 69 kilovolt power lines at the intersection of the project alignment and Plymouth Sorrento Road just north of the Plymouth Sorrento Road/Ondich Road intersection, and to 230 kilovolt power lines about 1,900 feet west of the intersection of the project alignment with Mount Plymouth Road.
- Apopka Utilities: Impacts are anticipated to 16" water pipes at the intersection of the Selected Build Alternative with Schopke Road. Impacts are anticipated to 12" water pipes at the intersection of the Selected Build Alternative with Yothers Road, Appy Lane, and Kelly Park Road. Impacts are also anticipated to 12" reclaimed water pipes at the intersection of the Selected Build Alternative with Ponkan Road.
- Sprint: Impacts are anticipated to buried telephone lines at the intersection of the Selected Build Alternative with Schopke Road and south of Schopke Road for approximately 2000 feet. Impacts are anticipated at the intersection of the Selected Build Alternative with Yothers Road, at the intersection of the Selected Build Alternative with Ponkan Road, at the intersection of the Selected Build Alternative with Kelly Park Road, and at the intersection of the Selected Build Alternative systems interchange with Ondich Road. Impacts are also anticipated to buried telephone lines at the intersection of the Selected Build Alternative and Plymouth Sorrento Road just north of the Plymouth Sorrento Road/Ondich Road intersection, and at the intersection of the Selected Build Alternative with Mount Plymouth Road. TECO People's Gas: Impacts are anticipated to 6" gas lines at the Kelly Park interchange, and to 6" gas lines at the intersection of the Selected Build Alternative and Plymouth Sorrento Road just north of the Plymouth Sorrento Road/Ondich Road intersection within the Systems interchange.
- TECO People's Gas: Impacts are anticipated to 6" gas lines at the Kelly Park interchange, and to 6" gas lines at the intersection of the Selected Build Alternative and Plymouth Sorrento Road just north of the Plymouth Sorrento Road/Ondich Road intersection within the Systems interchange.
- Florida Gas Transmission Company: Impacts are anticipated to 24" and 26" gas lines running within an easement located approximately 1,800 feet west of the intersection of the Selected Build Alternative with Mount Plymouth Road.
- Brighthouse Networks: Impacts are anticipated to underground television cables in the residential development approximately 700 feet west of Plymouth Sorrento Road, south of North Schopke Road and North of Southfork Drive.

Utilities potentially impacted by the Selected Build Alternative in the Lake County West project area are listed below.

- Progress Energy: Impacts are anticipated to 230 kilovolt power lines at the intersection of SR 46 and US 441, and along SR 46 from Vista View Road in the west to the beginning of the limited access portion of the Selected Build Alternative in the east.
- Sprint: Impacts are anticipated to buried telephone lines at the intersection of SR 46 and US 441, and along SR 46 from US 441 to the beginning of the limited access portion (approximately 3,300 feet east of Round Lake Road) of the Selected Build Alternative in the east.
- TECO People's Gas: Impacts are anticipated to a 4" gas line at the intersection of SR 46 and Round Lake Road, a pressure regulation station on the northwest quadrant of this intersection, and 4" gas lines along SR 46 from just west of Round Lake Road to the beginning of the limited access portion of the Selected Build Alternative in the east. Impacts are also anticipated to 4" gas lines at the intersection of SR 46 and US 441.
- City of Mount Dora: Impacts are anticipated to 16" water, 12", 16", and 20" reclaimed water, and 10" and 16" sewer pipes at the intersection of US 441 and SR 46.
- Comcast Fiber Optics: Impacts are anticipated to buried fiber optic lines in the vicinity of the intersection of SR 46 and Round Lake Road and for approximately 800 feet east of Round Lake Road.

Utilities potentially impacted by the Selected Build Alternative in the Lake County East project area are listed below.

- Comcast Fiber Optics: Impacts are anticipated to portions of buried fiber optic lines along SR 46 for approximately two miles east of Atlantic Avenue, and for approximately four miles along SR 46 west of the Seminole County line.
- Florida Gas Transmission Company: Impacts are anticipated to 12" and 26" gas lines running along SR 46 for approximately two miles east of Atlantic Avenue. Impacts are anticipated along SR 46 for approximately one mile west of the Seminole County line. Impacts are also anticipated at the new connecting roadway between SR 46 and CR 46A.
- Sprint: Impacts are anticipated to buried telephone lines along portions of SR 46 for approximately one and one-half miles east of Camp Challenge Road, and for approximately four miles along SR 46 west of the Seminole County line.
- Seminole County Environmental Services: Impacts are anticipated to 12" water and sewer lines just west of the Lake/Seminole County line.

Utilities potentially impacted by the Selected Build Alternative in the Seminole County project area are listed below.

- Brighthouse Networks: Impacts are anticipated to overhead and underground cable television lines along SR 46 from the Lake County line to Rinehart Road (East of I-4). Additional impacts are anticipated at the Selected Build Alternative intersection with South Orange Boulevard, Wilson Road, International Parkway, and Wayside Drive in the area south of SR 46 and west of I-4.
- Comcast Fiber Optics: Impacts are anticipated to buried fiber optic lines along SR 46 from the Lake County line to I-4.

- Florida Gas Transmission Company: Impacts are anticipated to 12" and 26" gas lines running along SR 46 from the Lake County line (the pipelines are under the Wekiva River) to Wayside Drive, and to a 12" gas line running along Wayside Drive west of Orange Boulevard. Impacts are also anticipated to 12" gas lines at the intersection of SR 46 and Oregon Avenue in the vicinity of the SR 46 and I-4 interchange.
- Seminole County Environmental Services: Impacts are anticipated to 12" water, 16" water reclaim, and 12" sewer pipes along SR 46 from the Lake County line to I-4, a 20" water, 16" water reclaim, and 15" sewer pipe along International Parkway around the intersection with the Central Florida GreeneWay, a 12" water line and a 16" reclaimed water line at the intersection of the Selected Build Alternative with South Orange Boulevard, and an 8" water line at the intersection of the Selected Build Alternative with Wilson Road.
- Seminole County Traffic Engineering: Impacts are anticipated to buried fiber optic lines along SR 46 from Longwood Markham Road to I-4.
- Florida Public Utilities: Impacts are anticipated to 4" and 6" gas lines along SR 46 from about 1,500 feet east of Painted Post Point to I-4, and to a 6" gas line at the intersection of the project alignment with South Orange Boulevard.
- AT&T Fiber Optic Cable: Impacts are anticipated to fiber optic lines at the Selected Build Alternative intersection with Orange Boulevard.

The exact locations of existing utilities and the extent of impacts will be reviewed during the final design phase for this project. Coordination with the known utility companies during the final design phase will assist in minimizing relocation adjustments and disruptions of service to the public. Therefore, no unusually substantial impacts to existing utilities are anticipated due to the Selected Build Alternative.

Railroads

An existing railroad line is located near the western limits of the project study area in Lake County. The railroad right-of-way is owned by CSX Transportation (CSX) and is leased for operations by Florida Central Railroad (FCEN). This inactive rail line is the only railroad facility in the study area that would potentially be affected by the Selected Build Alternative. The potential impact is the proposed crossing of the inactive rail line by the SR 46 Realignment over a distance of a several hundred feet just west of the area where the rail line crosses existing SR 46.

The tracks run south of SR 46 from US 441 in Mount Dora and cross SR 46 approximately 500 feet west of CR 437, terminating at CR 437 just north of SR 46. To the east of that point the rail line has been abandoned and some portions of the right-of-way have been sold to contiguous landowners by CSX. The inactive railroad tracks east of US 441 and south of SR 46 are sometimes used for storage of surplus railcars according to FCEN. Lake County and Lake-Sumter MPO representatives have been in on-going discussions with FCEN about track removal and will be negotiating with CSX about acquisition of the rail right-of-way east of US 441 for a "Rails to Trails" conversion project. The Lake County Parks and Trails Department has indicated the discussions and negotiations are continuing. A final determination will need to be reached on the future use of the rail right-of-way, but no impacts to any rail operations are anticipated as a result of the Selected Build Alternative.

Relocations/Displacements and Right-of-Way

As shown on the previously referenced **Table 1**, the Selected Build Alternative improvements in Orange, Lake and Seminole Counties could potentially displace a total of fifty-seven (57) residences and nine (9) businesses. Of those totals, thirty-six (36) residences and four (4) businesses are in Orange County, three (3) residences and two (2) businesses are in Lake County, and eighteen (18) residences and three (3) businesses are in Seminole County. It is estimated that a total of 430 parcels may be impacted and 1,365 acres would be needed for right-of-way in Orange, Lake and Seminole Counties.

Pursuant to the authority granted in Chapter 348, Part V of the Florida Statutes, in Orange County the Expressway Authority shall obtain all rights of way and other property interests needed for construction, operation, maintenance, and repair of the Wekiva Parkway (SR 429)/SR 46 Realignment project and any associated local road improvements, in accordance with all applicable state laws. To the extent possible, the Expressway Authority shall attempt to negotiate agreements with landowners for voluntary acquisition of such property interests. Where necessary, the Expressway Authority shall acquire property interests needed through eminent domain in accordance with Chapters 73 and 74, Florida Statutes.

Any required relocations in Lake and Seminole Counties as a result of the Wekiva Parkway (SR 429)/SR 46 Realignment project are subject to the FDOT right-of-way acquisition process. In order to minimize the unavoidable effects of right-of-way acquisition, FDOT will carry out a right-of-way and relocation program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646 as amended by Public Law 100-17). A *Conceptual Stage Relocation Plan* (CSRP) has been prepared by FDOT in accordance with 23 CFR 771. The CSRP documents any relocation impacts resulting from the Selected Build Alternative.

As stated in the CSRP, FDOT is prepared to provide “housing of last resort” to any household requiring this type of relocation assistance. When comparable replacement dwelling units are not available within the monetary/affordability limits for owners and/or tenants, FDOT will provide additional alternative assistance under this plan. Decisions to provide last resort housing have to be adequately justified in one of two ways:

1. The maximum replacement housing payment under *Right-of-Way Manual, Section 9.4, Replacement Housing Payments* will not be sufficient to provide a comparable replacement dwelling in a timely manner.
2. The market does not contain comparable replacement housing that can be made available to the displacee in a timely manner.

Impacts to Cultural and Historic Resources

Section 106 Sites

In accordance with the provisions of the National Historic Preservation Act of 1966, as implemented by 36 CFR, Part 800 and related federal and state regulations, a Cultural Resource Assessment, including

background research and a field survey coordinated with the State Historic Preservation Office (SHPO), was prepared for the proposed project. A *Cultural Resource Assessment Survey (CRAS)* and a *CRAS Addendum* were performed for this PD&E Study to locate, identify, and assess any archaeological or historical resources identified within the Area of Potential Effect (APE) and to assess the significance and eligibility of those resources for potential listing in the National Register of Historic Places (NRHP) according to the criteria set forth in 36 CFR, Section 60.4.

Based on the results of the *CRAS* and *CRAS Addendum*, two historic resources within the project APE were identified and were subsequently determined by FHWA to be eligible for listing in the NRHP. Those two resources are:

- Paul Bock House (8OR7946)/2626 Boch Road, Apopka, FL (8OR7946), individually eligible for listing in the NRHP, and
- Strite House (8OR9844)/6229 Plymouth-Sorrento Road (8OR9844), Apopka, FL, individually eligible for listing in the NRHP.

Based on the amount of property that will be acquired as part of the proposed improvements and the proximity of those improvements to the Bock House, it was determined by the SHPO and FHWA that there would be an adverse effect on the historic House. Based on the impact to the Strite House, ancillary structures, landscape features, and the amount of property that will be required for project right-of-way, it was determined by the SHPO and FHWA that the proposed improvements would have an adverse effect on the historic house and contributing features. Coordination and consultation was undertaken with the SHPO by FHWA. Section 106 Consultation meetings with the SHPO, the landowners, local historical societies, and other stakeholders were held in April 2008 and August 2010.

After extensive analysis and evaluation of minimization and avoidance alternatives, it was concluded that there exists no prudent and feasible alternative to the use of the properties and that all practicable measures to minimize harm are being utilized. A *Memorandum of Agreement (MOA)* between FHWA and the SHPO to document mitigation measures to minimize impacts to the two NRHP eligible historic resources was executed in June 2011. Listed below is a general summary of the measures addressed in the MOA.

Measures to minimize and/or mitigate effects to the Bock House Property include:

- Historic American Building Survey (HABS) standard photography and documentation,
- Repairs to the Bock House, and
- Landscape screening between the historic structures and the proposed roadway.

Measures to minimize and/or mitigate effects to the Strite House Property include:

- HABS standard photography and documentation,
- Relocate Strite House and contributing structures, if feasible, to south end of the Strite property,
- Exterior rehabilitation of relocated historic structures, and
- Landscape screening between the historic structures and the proposed roadway.

A *Section 106 Documentation and Determination of Effects Case Study Report* was prepared in July 2011 for review and concurrence by the SHPO, and updated in November 2011. The SHPO provided written concurrence in October 2011. An *Individual Section 4(f) Evaluation* for Historic Resources has been prepared for the Bock House and the Strite House. FHWA coordinated with the U.S. Department of the Interior (DOI) on the Section 4(f) evaluation. On February 22, 2012, the DOI Office of Environmental Policy and Compliance sent a concurrence letter to FHWA stating that there is no feasible and prudent alternative to the use of the Section 4(f) properties and that all possible planning has been done to minimize harm to those properties. A copy of the DOI concurrence letter is provided in Appendix F of the EA. After coordination with all required consulting parties, the resolution of adverse effects has been documented in accordance with Section 106 and in compliance with the requirements mandated by Section 4(f) of the U.S. Department of Transportation Act (USDOT) of 1966 [Title 49, USC, Section 303] and [Title 23, USC, Section 138]; as amended. See Section 4.2.1 in the EA for more information on Section 106 and Section 4(f) coordination and consultation.

Section 4(f) Lands

The Selected Build Alternative for Wekiva Parkway closely follows the existing SR 46 alignment through the easternmost portion of Lake County, across the Wekiva River, and on to the east of the Wekiva River in Seminole County. Minimal impacts to Rock Springs Run State Reserve, Lower Wekiva River Preserve State Park, and Seminole State Forest are anticipated due to the improvements associated with the Selected Build Alternative; however, no adverse effects are anticipated. FHWA determined that these State park and forest lands are Section 4(f) resources. The Wekiva River is a federally-designated National Wild and Scenic River, and FHWA determined that a segment of the river is protected as a Section 4(f) resource due to recreation usage. No impacts to recreational activities on the Wekiva River are anticipated as a result of this project. Impacts to all four of these Section 4(f) resources were considered under the programmatic “Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges.”

Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park

Direct use impacts to Rock Springs Run State Reserve are expected to occur as a result of the Selected Build Alternative. The proposed alignment generally impacts the northern portions of the Reserve that are contiguous with existing SR 46. Right-of-way acquisition for roadway and stormwater ponds is estimated at approximately 97 acres of the Reserve. The existing public recreational areas (hiking, biking, and canoe trails) will not be impacted by the proposed improvements. The proposed right-of-way requirement of 97 acres is less than 0.7 percent of the total existing acreage of the Reserve (14,011 acres). Direct use impacts to Lower Wekiva River Preserve State Park are expected to occur as a result of the selected Wekiva Parkway alignment. Right-of-way acquisition for the proposed roadway improvement is approximately 4 acres. The proposed right-of-way acquisition of 4 acres is less than 0.1 percent of the total existing acreage (17,405 acres) of the Preserve.

In March 2010, the Florida Department of Environmental Protection (FDEP) provided in writing full Section 4(f) concurrence for these impacts. FDOT and/or the Expressway Authority have committed to actively support the involvement of FDEP in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of proximity impacts. FDEP indicated that they appreciate the substantial wildlife bridging in the proposed project to enhance habitat connectivity and the natural resource value of State lands in the Wekiva River Basin. Further, FDEP stated that they recognize FDOT and the Expressway Authority have made substantial contributions toward acquisition of conservation lands as a part of the Wekiva Parkway project, and FDEP confirmed that those acquisition contributions are on an acre-for acre, value-for value basis adequate mitigation for the impacts to Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park. There exists no prudent and feasible alternative to the use of these properties and all practicable measures to minimize harm are being utilized.

Seminole State Forest

Approximately 58 acres of Seminole State Forest will incur direct use impacts due to right-of-way requirements for roadway and stormwater ponds, which is about 0.21 percent of the existing 27,063 acres. However, a section of existing CR 46A from the northern limits of the CR 46A realignment to just northwest of the properties in the vicinity of the “hump” in SR 46 will be removed. As a result, approximately 13 acres of the existing CR 46A right-of-way will be added to Seminole State Forest due to the proposed improvements. The net impact on Seminole State Forest of approximately 45 acres represents 0.17 percent of the existing 27,063 acres.

In April 2010, the Florida Department of Agriculture and Consumer Services, Division of Forestry provided in writing full Section 4(f) concurrence for these impacts. The following commitments have been made to the Division of Forestry by the project sponsors:

- to avoid any proximity impacts, particularly smoke management issues, which might impair the use of Seminole State Forest for its intended purpose,
- to actively support the involvement of DOF in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of any such proximity impacts,
- to install two permanent overhead variable message signs that can be used to notify motorists of dangerous smoke conditions,
- to provide funding up to \$75,000 (in 2010 dollars) either as an advance or reimbursement to assist DOF in the provision of one or more remote weather stations to obtain data that can be used in conducting prescribed burns or fighting wildfires, and
- to address with permitting agencies the usage of flowage easements instead of stormwater ponds during the drainage design/permitting phase.

There exists no prudent and feasible alternative to the use of this property and all practicable measures to minimize harm are being utilized. A *Programmatic Section 4(f) Evaluation* for Public Lands has been prepared. See Section 4.2.2 in the EA for more information on these Section 4(f) public lands.

Wekiva Wild and Scenic River

As a National Wild and Scenic River, the Wekiva River is under the auspices of the U.S. Department of the Interior, National Park Service (NPS) as the designated federal agency for oversight. FHWA determined that a segment of the Wekiva River is protected as a Section 4(f) resource due to recreation usage. The Selected Build Alternative would bridge the Wekiva River at the same crossing location as the existing SR 46 bridge. After substantial consultation with NPS and FHWA, including three conceptual bridge design charette meetings in 2011, the project sponsors have made the following commitments to NPS:

- to clear span the waters of the Wekiva River with the proposed Wekiva Parkway mainline and service road bridges;
- to coordinate with the Wekiva River System Advisory Management Committee on final design of the Wekiva Parkway mainline and service road bridges, and;
- to obtain the Wild and Scenic Rivers Act Section 7(a) determination from NPS prior to approving the final design documents for the Wekiva Parkway mainline and service road bridges over the Wekiva River.

In October 2011, NPS provided in writing full Section 4(f) concurrence, subject to an ultimate Section 7(a) Evaluation and Determination by NPS during final design. There exists no prudent and feasible alternative to the use of this property and all practicable measures to minimize harm are being utilized. Consultation between FHWA, NPS, and the project sponsors has resulted in the conceptual design of a bridge that avoids direct Section 4(f) impacts to recreational use of the river by clear spanning the river. Minimization of noise and visual intrusion from the proposed bridges has resulted from the coordination and conceptual design activities of the charettes and will be revisited in the final design process, preventing both from rising to the level of constructive impacts. No impacts to recreational activities on the Wekiva River are anticipated as a result of this project.

A *Wild and Scenic River Addendum* to the *Programmatic Section 4(f) Evaluation* has been prepared. See Section 4.3.10 in the EA for more information on coordination and consultation with NPS on bridging the Wekiva Wild and Scenic River.

Natural and Physical Impacts

Air

National Ambient Air Quality Standards (NAAQS) established for air pollutants have also been adopted as the ambient air quality standards for the State of Florida. The proposed project is in the Central Florida Intrastate Air Quality Control Region, an area which has been designated as attainment for all the air quality standards under the criteria provided in the Clean Air Act Amendments of 1990; therefore, State Implementation Plan (SIP) conformity under 23 CFR 770 does not apply.

An *Air Quality Analysis Report* was prepared for the proposed project. As required by the FDOT *PD&E Manual* for attainment areas, carbon monoxide (CO) screening tests were performed for the Selected Build Alternative and the No Build scenario. The screening model, *CO Florida 2004*, uses EPA-approved

software to produce estimates of 1-hour and 8-hour vehicular CO emissions at default receptor locations. The model was utilized to perform screening tests for worst-case traffic locations to estimate the effects of the proposed improvements on local air quality conditions. The results of the *CO Florida 2004* screening test were compared to the NAAQS to determine if there was any potential for violation of the standards established for CO. The results of the analysis indicate the proposed improvements will not cause CO concentrations at or above the maximum 1-hour and 8-hour NAAQS. In fact, the comparative 1-hour and 8-hour CO concentrations are lower for the Selected Build Alternative than for the No Build Alternative.

Noise

A *Noise Study Report* was prepared for the PD&E Study in accordance with the requirements of amended 23 CFR Part 772 – *Procedures for Abatement of Highway Traffic Noise and Construction Noise* and Part 2, Chapter 17 of the FDOT's *PD&E Manual*. Future traffic noise levels for the No-Build and Build Alternatives were predicted using the FHWA TNM, Version 2.5, computerized highway noise prediction model. The noise levels for the design year (2032) Build Alternative were calculated and compared to the existing condition noise levels measured at 43 representative noise sensitive sites along the project corridor. The TNM model was used to analyze the acoustical effectiveness of a noise barrier at each of the noise sensitive sites with a predicted future noise level that approaches or exceeds the Noise Abatement Criteria or that would result in a substantial increase per FDOT criteria. The noise abatement analysis indicates that there are 99 receivers that may be benefited by a potentially feasible and cost reasonable noise barrier.

The results of the noise abatement evaluation indicate:

- A 16 foot high noise barrier was determined to be potentially cost reasonable for the Southernaire Mobile Home Park, Cobble Hill Village, and Dorset of Mount Dora subdivisions in the Lake County West project area.
- A 22 foot high noise barrier was determined to be potentially cost reasonable for the Twelve Oaks RV Resort in the Seminole County project area.
- A 16 foot high noise barrier was determined to be potentially cost reasonable for the Ballantrae Apartments (formerly Cobblestone Apartments) in the Seminole County project area.
- Noise barriers were determined to not be a feasible and/or cost reasonable abatement measure at 187 noise sensitive sites identified as impacted by the proposed project.

In this analysis, noise abatement is proposed based on the alignment of the Selected Build Alternative. If pertinent parameters change substantially for any reason, the noise barriers may be altered or eliminated from the final project design. A final decision on construction of noise barriers will be made upon public input and completion of the project design. Where determined to be needed based on the results of the noise analysis, FDOT and the Expressway Authority are committed to the construction of noise barriers where reasonable and feasible, contingent upon the following conditions:

- Detailed noise analysis during the final design phase supports the need for abatement.

- Reasonable cost analysis indicates that the economic cost of the barrier(s) will not exceed acceptable guidelines as determined by FDOT and the Expressway Authority.
- Community input regarding the barrier(s), solicited by FDOT and the Expressway Authority during the final design phase, is positive.
- Safety and engineering aspects as related to the roadway user and the adjacent property owner(s) are acceptable.
- Any other mitigating circumstances have been resolved.

FDOT and/or the Expressway Authority have committed to conduct a more detailed noise analysis during the final design phase. If, during the final design phase of the project, any of the contingency conditions listed above cause abatement to no longer be considered reasonable or feasible for a given location or locations, such determination will be made prior to requesting approval for construction advertisement. In addition, during final design and prior to construction, those sites that may be affected through any final design alignment changes, including those sites now considered borderline, will be revisited with regard to noise abatement analysis.

FDOT and/or the Expressway Authority have committed to the following with regard to potential construction noise and/or vibration impacts during construction of the proposed roadway improvements.

- For construction noise and vibration sensitive receptors, avoidance and/or mitigation options will be developed during the final design phase. For example, places of worship are considered to be noise-sensitive receivers; particularly noisy construction activities should be limited or avoided during scheduled worship services. These types of avoidance and/or mitigation options will be placed in the construction plans and applied during the construction of the project.
- Should unanticipated noise or vibration issues arise during the construction process, FDOT and/or the Expressway Authority will investigate additional methods of controlling such impacts.

Wetlands Finding

A *Wetlands Evaluation Report* was prepared for the proposed project. In compliance with Presidential Executive Order 11990, FHWA's Technical Advisory T6640.8A and 23 CFR Part 777, and in accordance with guidelines presented in Part Two, Chapter 18 of FDOT's *PD&E Manual*, assessments of wetland and other natural resources within the project study corridor were conducted. The Uniform Mitigation Assessment Method (UMAM), per Chapter 62-345 F.A.C., was used to evaluate the function and condition of wetlands that may be impacted by the proposed improvements.

Avoidance and minimization of wetland impacts was an important objective during the project planning process. Wetland impact avoidance was balanced with impact avoidance of historic structures, valuable upland habitats, natural resources, and public park/forest/conservation property. It is estimated that a total of 97.56 acres of wetlands may be directly impacted. Actual impact acres may be reduced from this conservative estimate in the final design, permitting, and construction phases. The use of floating turbidity barriers, silt screens, upland setbacks, and other discharge prevention measures during construction will minimize impacts to remaining wetlands within the vicinity of the project. The proper

erosion and turbidity control will be identified during final design, including that needed to meet the Wekiva River Basin special protection requirements, per *Applicant's Handbook* subsections 11.3.3 (SJRWMD, 2006).

Impacts to wetlands that are unavoidable in the construction of this project will be mitigated in accordance with state and federal laws. The project sponsors are considering using funding mechanisms established by the state legislature, and in part through the purchase of mitigation bank credits from permitted banks.

Based upon the above considerations, it is determined that there is no practicable alternative to the proposed new construction in wetlands and the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use. See Section 4.3.5 in the EA for more information.

Essential Fish Habitat

This project is not located within, and will not adversely affect, areas identified as Essential Fish Habitat (EFH). Therefore, an EFH consultation is not required. A concurrence letter from the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, stating that the project will have no impact on EFH, was received in August 2010. See Section 4.3.5.4 in the EA.

Aquatic Preserves

The Wekiva Parkway (SR 429) will traverse the Wekiva River Aquatic Preserve. Aquatic Preserves are considered the vested interest of the State of Florida, Board of Trustees through the Florida Aquatic Preserve Act of 1975 (Sections 258.35-258.394 and 258.40-258.46, F.S.). Aquatic preserves are submerged lands that are to be preserved in their natural or existing condition based on their aesthetic, biological, and scientific value to the public and future generations.

The Selected Build Alternative will utilize the existing SR 46 Wekiva River crossing location. Use of the existing crossing location will avoid additional impacts associated with construction of a new expressway through the remaining undeveloped, natural environment of the Wekiva River Aquatic Preserve. The Selected Build Alternative will bridge the entire width of the Wekiva River Aquatic Preserve and its adjacent forested wetland. The additional right-of-way width required for the proposed project will necessitate relocation of an existing Sovereign Submerged Lands (SSL) easement adjacent to the existing north SR 46 right-of-way line. The SSL easement was granted to Florida Gas Transmission for a 26" gas pipeline located 48.6 feet below the bottom of the Wekiva River. Both the directionally drilled pipeline and the encompassing easement will be relocated as a result of this project; however, the directional drilling send and receive locations will be located outside of the limits of the Aquatic Preserve and adjacent Riparian Habitat Protection Zone. In addition, the depth of the pipeline relative to the river bottom will be at least the depth of the existing pipeline. For these reasons, relocation of the pipeline will not impact the Wekiva River Aquatic Preserve.

Aquatic Preserves are also considered Outstanding Florida Waters, which have been given additional protection against pollutant discharges that may lower the existing high water quality standards in their

current natural state. The Wekiva River is most stringently protected by its own legislation under the *Wekiva River Protection Act* and the *Wekiva Parkway and Protection Act*, Florida Statutes, Chapter 369, Parts II and III, respectively. The PD&E Study recommendations have been developed to adhere to the design criteria and recommendations prescribed by the above legislation. The proposed project is consistent with the 1987 *Wekiva River Aquatic Preserve Management Plan*, which identified concerns for stormwater quality and protection through preservation of habitats and living conditions in the most natural condition possible. No adverse impacts to water quality are expected as a result of this project. The stormwater treatment system will be designed to satisfy current stormwater management criteria, including special basin criteria developed for the Wekiva River hydrologic basin. Water quality treatment will be improved over the existing conditions through the Aquatic Preserve and adjacent wetlands.

There is no practical alternative to the proposed bridge construction in the Wekiva River Aquatic Preserve. Any alternative alignment would necessitate filling and/or new bridges across a wider wetland reach which could have far greater impacts. Temporary impacts due to construction will be assessed during the final design phase of the project. The proposed project includes all practical measures to minimize harm to the Wekiva River Aquatic Preserve such as a lengthened and heightened channel span over the river and a lengthened bridge span over the floodplain. The existing bridge does not span the entire length of the Aquatic Preserve or the wetlands abutting the Wekiva River, whereas the proposed bridges would span both. In addition, the filled land supporting the existing bridge abutment located within the Preserve boundaries can be removed, which will restore the wildlife corridor adjacent to the river.

The Wekiva River Aquatic Preserve is managed by the Florida Department of Environmental Protection (FDEP), Office of Coastal and Aquatic Managed Areas. FDEP indicated they recognize that a portion of the Wekiva River Aquatic Preserve is within a designated recreation segment of the Wekiva Wild and Scenic River and is, therefore, a Section 4(f) resource. As such, FDEP indicated it is under the auspices of the U.S. Department of the Interior, National Park Service (NPS) as the designated federal agency for oversight of the Wekiva National Wild and Scenic River. FDEP determined that gaining concurrence for potential impacts to the portion of the aquatic preserve within the Wekiva River recreation resource area was a matter for Section 4(f) consultation between the project sponsors and NPS. In October 2011, NPS provided in writing full Section 4(f) concurrence, subject to an ultimate Section 7(a) Evaluation and Determination by NPS during final design. See the information previously provided under **Section 4(f) Lands – Wekiva Wild and Scenic River**.

Water Quality

A *Water Quality Impact Evaluation* was prepared in the PD&E Study. The proposed project was evaluated for potential impacts to surface water and groundwater resources within the project study area. The proposed stormwater facility design will include, at a minimum, the water quantity requirements for water quality impacts as required by SJRWMD under Chapters 40C-4, 40C-41, and 40C-42 F.A.C. and the Wekiva River Protection Act, Chapter 369, Part II F.S.

The proposed improvements for the Wekiva Parkway (SR 429)/SR 46 Realignment will require permits from federal and state regulatory agencies for wetland impacts, stormwater discharge, treatment and attenuation, and crossing of sovereign submerged state lands. Potentially required permits needed prior to construction include:

- Environmental Resource Permit (ERP), issued by FDEP;
- Sovereign Submerged State Lands Public Easement over the Wekiva River, issued by FDEP;
- National Pollution Discharge Prevention and Elimination System (NPDES), issued by FDEP; and
- Federal Dredge and Fill Permit filed jointly with the ERP, issued by USACE.

The project will be permitted by FDEP with coordination on wetland mitigation plans with the SJRWMD.

This project is not within the streamflow and recharge source zone of an officially designated sole source aquifer. The study area lies between the boundaries of the Biscayne Sole Source Aquifer streamflow and recharge zone and the Volusia-Floridan Sole Source Aquifer. A letter from the United States Environmental Protection Agency (USEPA) received in September 2008 states that the project does not lie within the boundaries of a sole source aquifer. Therefore, no mitigation for water quality impacts related to drinking water sources will be required.

A *Pond Siting Report* was prepared for the project. Stormwater pond sizes have been developed for the purpose of estimating right-of-way requirements only. The actual physical size, location and configuration of all required water management facilities will be determined during the final design phase of the project. All stormwater facility design will be in accordance with the regulations of the various permitting agencies, including FDEP, SJRWMD, and Orange County. Special water quality criteria associated with the Wekiva River and Lake Apopka Hydrologic Basins will be incorporated, as appropriate.

The Florida Department of Agriculture and Consumer Services, Division of Forestry has requested that on/near Seminole State Forest land, and on/near adjacent state park and conservation lands, flowage easements be considered instead of stormwater ponds. Also, some wildlife advocacy stakeholders have expressed concern over the location of proposed stormwater ponds near the Wekiva River bridges as they perceive it may impact wildlife movement and habitat connectivity. The study team has previously discussed alternatives to stormwater ponds in the Wekiva River Basin with the appropriate permitting agencies, however, those agencies cannot provide formal comment until final drainage design is prepared for their review. The study team has shown the stormwater ponds in the preliminary plans as placeholders to meet stormwater attenuation and treatment requirements. The project sponsors have committed to assess alternatives to stormwater ponds in the final design phase if those drainage alternatives can demonstrate compliance with all applicable stormwater permitting requirements, including prevention of runoff into the Wekiva River.

No significant degradation of water quality is anticipated as a result of the proposed action. The water quality impacts in relation to groundwater and surface waters will be temporary and associated with construction. Best Management Practices (BMPs) will be maintained in accordance with F.A.C., Rules

40C-4, 40C-40, and 40C-42. BMPs will be used to minimize water quality impacts during construction and achieve a no-net effect on water quality in the system. A stormwater management plan will be established and implemented during construction in accordance with the USEPA *National Pollution Discharge Prevention Elimination System (NPDES) General Permit* for construction projects greater than five acres of land disturbance. As required by local and state agencies, the stormwater management systems, such as stormwater ponds, are required to be constructed initially, and may serve as sedimentation basins during construction if necessary. See Section 4.3.7 in the EA for more information.

Outstanding Florida Waters

Outstanding Florida Waters are waters that have been given additional protection against both direct and indirect pollutant discharges that may lower the existing high water quality standards in their current natural state, and include those waters designated as State Aquatic Preserves and waters within State Reserves and Preserves. The Wekiva River and its tributaries are designated Outstanding Florida Waters and State Aquatic Preserves.

In addition to the baseline level of stormwater treatment required for Class III receiving waters, an additional level of stormwater treatment is required for systems which discharge to Outstanding Florida Waters. The Wekiva River Protection Act, codified in Chapter 369, Part II F.S. established the Wekiva River Protection Area (WRPA) to protect the natural resources of the area by enacting standards for water quality, water quantity, and protection of riparian habitat. Chapter 40C-41, F.A.C. establishes additional standards for erosion and sediment control, water quantity, and water quality required for projects constructed within the WRPA. The proposed stormwater management systems within the WRPA have been designed to meet the additional standards for water quality; therefore, water quality is not expected to be degraded or substantially impacted due to stormwater discharge.

The existing bridge over the Wekiva River will be replaced at the existing crossing location. Measures for erosion and pollution control will be implemented in strict adherence to Chapter 40C-41, F.A.C. and the FDOT's *Standard Specifications for Road and Bridge Construction*. Water quality is not expected to be degraded or substantially impacted due to bridge construction.

Contamination

A *Contamination Screening Evaluation Report* was prepared in the PD&E Study. For the Selected Build Alternative, several sites with potential for contamination were identified within the proposed right-of-way needed for roadways and stormwater ponds. In Orange County, there are three former landfills between Yothers Road and Ponkan Road, several plant nurseries within or adjacent to the proposed alignment, and a solid waste dumping area on the Neighborhood Lakes property. In Lake County West, there are several industrial or business sites and a landfill adjacent to existing SR 46, as well as the CSX railbed. In Lake County East, there are two plant nurseries, one inside and one adjacent to proposed right-of-way, and two above-ground storage tanks with unknown contents within the alignment. In Seminole County, there are four plant nurseries within or adjacent to the proposed right-of-way, as well as an auto repair facility within the alignment. Along the entire project alignment, a total of five of these sites were rated as having a medium or high potential risk for contamination.

The findings of the contamination screening and evaluation are based on preliminary information only and are not intended to replace more detailed studies including individual site assessments and subsurface soil and groundwater investigations. Information regarding potential petroleum and/or hazardous waste contamination sites will be updated, including site evaluations and organic vapor analysis screening/groundwater monitoring if necessary, during the final design phase and prior to right-of-way acquisition or construction. Estimated areas of contamination will be marked prior to construction. Actual clean-up will take place prior to or during construction, if deemed feasible. Special provisions for handling expected and unexpected contamination during construction will be included in the construction plans package.

Base upon the above considerations, it is determined that there is no practicable alternative to the proposed action and that all practicable measures have been included to eliminate or minimize all possible impacts from contamination involvements. See Section 4.3.9 in the EA for more information.

Wild and Scenic Rivers

See information for the Wekiva Wild and Scenic River previously provided under **Section 4(f) Lands**.

Floodplains

A *Location Hydraulic Report* was prepared in the PD&E Study. The Selected Build Alternative does not involve any regulatory floodway. Pursuant to the requirements of Presidential Executive Order 11988, “Floodplain Management”, the proposed action was determined to potentially impact a total of 60.79 acre-feet of floodplains. Avoidance and minimization of floodplain impacts was an important objective during the project planning process. Floodplain impact avoidance was balanced with impact avoidance of historic structures, valuable upland habitats, natural resources, and public park/forest/conservation property. There is no practicable alternative to construction with the floodplain. The proposed action conforms to applicable State or local floodplain standards.

Impacts associated with the encroachment have been evaluated and determined to be minimal. Therefore, the proposed action does not constitute a significant encroachment. Floodplain compensation will be provided in compensating storage ponds to the extent possible to mitigate impacts to existing floodplains as required by the regulatory agencies. Final determination of impacts and compensation volumes will be made during the final design phase.

Coastal Zone Consistency

Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, coordinated a review of the proposed project during the Advance Notification phase. Based on the information provided in the Advance Notification Package and the state agency comments, the Florida State Clearinghouse determined that the allocation of federal funds for the project is consistent with the Florida Coastal Management Program (FCMP); however, the state’s final concurrence of the project’s consistency with the FCMP will be determined during the final environmental permitting stage.

The Department of Community Affairs has determined that this project is consistent with the Florida Coastal Zone Management Plan. See Section 4.3.12 in the EA.

Wildlife and Habitat

An *Endangered Species Biological Assessment* was prepared in the PD&E Study. A threatened and endangered species survey was conducted to qualitatively assess the potential for wildlife usage, or rare plant occurrence, within the project study area. The general survey activities consisted of characterizing land uses and vegetative communities within the study area, and conducting wildlife use assessments and protected species habitat assessments.

Threatened and endangered species have been observed within or adjacent to portions of the study area for the proposed action. However, no critical habitat for threatened and endangered species, as designated under the provisions of the Endangered Species Act of 1973, as amended, will be impaired. The Selected Build Alternative includes approximately 7,710 feet of wildlife bridging on the Wekiva Parkway, with those same bridge lengths on the parallel Service Road, in east Lake County from west of Old McDonald Road to east of the Wekiva River. Those bridges will provide enhanced habitat connectivity at two significant wildlife crossing locations, as well the riparian habitat adjacent to the river. After consultation with the project sponsors, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC) reached the following conclusions.

The USFWS concluded that no direct adverse impacts to individuals or to regional populations of Federally listed species or their habitat are anticipated as a result of the Selected Build Alternative. The USFWS provided a letter of concurrence in January 2008 which stated:

- This project will not adversely affect the Florida Manatee (E¹), the Bald Eagle (T²), the Crested Caracara (T), Osprey (not listed, but protected by Federal Migratory Bird Treaty Act), the Red-cockaded Woodpecker (E), or the Snail Kite (E). ¹(E) Endangered ²(T) Threatened
- The project may affect, but is not likely to adversely affect, the Florida Scrub Jay (T), the Wood Stork (E), the Burrowing Owl (not listed, but protected by Federal Migratory Bird Treaty Act), the American Alligator (T), the Eastern Indigo Snake (T), or the Sand Skink (T).

The FWC concluded that no direct adverse impacts to State-only listed species, including species of special concern (SSC), and their habitat are anticipated as a result of the Selected Build Alternative. The FWC provided a letter of agreement in May 2008 which stated:

- This project will not adversely affect the Least Tern (T), Peregrine Falcon (E), Southeastern American Kestrel (T), Little Blue Heron (SSC), Tricolored Heron (SSC), Snowy Egret (SSC), White Ibis (SSC), or the Limpkin (SSC).
- The project may affect, but is not likely to adversely affect, the Florida Black Bear (T), Sherman's Fox Squirrel (SSC), Florida Mouse (SSC), Burrowing Owl (SSC), Florida Sandhill Crane (T), Gopher Tortoise (T), Gopher Frog (SSC), Florida Pine Snake (SSC), or the Short-tailed Snake (T). In fact, the long bridges in the conservation areas should substantially reduce wildlife-vehicle conflicts, particularly for the Black Bear.

- Prior to construction, a survey should be conducted in the Wekiva River for a species of special concern, the bluenose shiner, to determine if it is present.

See Section 4.3.13 in the EA for more information on consultation with the USFWS and the FWC during the PD&E Study and the concurrence/agreement letters mentioned above.

The ongoing coordination activities with the USFWS and the FWC will continue into the final design phase. Species-specific surveys will be conducted during the final design and permitting phase of the project, and permits will be obtained from the appropriate agencies should impacts to federally and/or state listed species be unavoidable. Where protected species are determined to be present, the timing and location of construction activities, and specific mitigation measures, will be in accordance with regulatory guidelines established with the appropriate agencies during the permitting process.

Farmlands

Through coordination with the Natural Resources Conservation Service, it has been determined that no prime or unique farmlands, as defined by 7 CFR 658, are located in the project vicinity.

Construction

Construction activities will produce temporary air, noise, water quality, traffic flow, and visual impacts on the residences, businesses, and motorists within the immediate vicinity of the project. All construction impacts will be minimized or controlled by adherence to measures set forth in the FDOT's *Standard Specifications for Road and Bridge Construction*.

Secondary and Cumulative Effects

The potential effects or impacts of a proposed action can be direct, indirect (secondary) and cumulative. According to 40 CFR 1508.7 and 1508.08:

- direct effects are caused by the action and occur at the same time and place;
- secondary effects are caused by the action and are later in time or farther removed in distance, but are reasonably foreseeable;
- cumulative effects result from the incremental consequences of the action when added to other past and reasonably foreseeable future actions regardless of who undertakes such other actions.

The potential direct effects of the Selected Build Alternative have been discussed in the preceding portions of this document. With regard to secondary and cumulative effects, the proposed project is one component of a comprehensive plan developed through Executive Orders, subsequent task force and committee findings of diverse stakeholders, and the resultant *Wekiva Parkway and Protection Act* legislation. The strategic priorities address growth management and a sustainable environment, including master stormwater management, water supply protection, land use strategies, and land acquisition for conservation. The potential for negative secondary and cumulative effects of the Wekiva Parkway project was realized early in the process, analyzed and addressed in those comprehensive actions. The PD&E Study has followed that guidance in planning to protect the rural character of the

study area and the unique resources of the Wekiva River Basin. The following is a brief assessment of the potential secondary and cumulative effects of the proposed project.

Secondary Effects

Generally, secondary or indirect impacts are induced by the initial action. They may be comprised of a variety of effects such as changes in land use, development patterns, water quality, wildlife habitat, and other natural systems. Transportation projects may influence development in localized areas and have environmental impacts resulting from land use changes. However, those types of potential consequences were analyzed and addressed in the comprehensive stakeholder findings and the resultant legislation completed prior to the start of the PD&E Study. Many secondary effects of the proposed project are anticipated to be positive, such as the following.

Land Use and Development

The *Wekiva Parkway and Protection Act* specifically recommended limiting the number and location of local access interchanges in order to control induced growth and unforeseen changes in land use. Over the 20.94 mile length of the proposed Wekiva Parkway, there are only three local access interchanges in the Selected Build Alternative -- one in Orange County at Kelly Park Road, one in Lake County East in the Neighborhood Lakes area, and one in Seminole County at International Parkway near I-4. The Act requires local governments to develop specific land use plans for those interchange areas to address appropriate uses and compatible development. Also, the acquisition of conservation lands in Lake County East and Orange County was undertaken, in part, to preserve those lands along the proposed roadway alignment for conservation and preclude future development.

Natural Environment

A major focus of the Executive Orders, stakeholder task force and committee findings, and the Act was to protect and enhance the unique natural resources of the Wekiva River Basin area. This includes master stormwater management, water supply protection, wildlife habitat protection and connectivity, and other ecosystem protections. The recognition of the importance of the Wekiva River Basin, its habitat, wildlife, conservation and recreation values, the associated spring systems, and the connection to the Ocala National Forest elevated the protection of this resource to a primary component of the purpose and need for the Wekiva Parkway.

Conservation Lands

Although there will be some unavoidable impacts to Section 4(f) public lands, State parks and conservation lands in Lake County East and Orange County have been enhanced by the proposed project because of the following acquisitions which meet the goals of the Wekiva-Ocala Greenway *Florida Forever* project:

- Wekiva River Mitigation Bank (1,553 acres) – the perpetual conservation easement and transfer of development rights assure that the land will be preserved in its natural state augmented by created wetlands;

- Neighborhood Lakes (1,584 acres) – the property is immediately adjacent to the Rock Springs Run State Reserve; the acquisition included transfer of development rights so the land will be preserved for public conservation purposes and may become a part of the Reserve;
- Pine Plantation (385 acres) – the land acquired is not needed for right-of-way for the Wekiva Parkway, but will serve as a buffer to protect surface water and groundwater resources, including recharge within the Wekiva River spring-shed; the acquisition included transfer of development rights so the property will be conservation land protected from future development.

Economic Vitality

The economic vitality of the study area and the region will be enhanced by completion of the Western Beltway around metropolitan Orlando. The Wekiva Parkway is a planned addition to Florida's Strategic Intermodal System (SIS), an integrated transportation network consisting of statewide and regionally significant transportation facilities, services, modes of transportation and linkages. The SIS was established to focus limited state resources on transportation facilities that are critical to Florida's economy and quality of life.

It is not expected that the displacement/relocation of the nine small businesses (some are backyard greenhouses) that are estimated to be impacted by the proposed project over the three county area will have a substantial effect on the economic vitality of the study area or the region.

Cumulative Effects

Cumulative impacts can result from individually minor, but collectively significant, actions which take place over a period of time. Such effects include the total of all impacts to a particular resource that have occurred, are occurring, and will likely occur as a result of any action or influence, including the direct and reasonably foreseeable indirect impacts of the proposed action.

Cumulative impacts within the Wekiva River Basin portion of the study area, beyond past actions and with the expected direct and secondary effects of the proposed project, may be positive or benign. The environmental protections and enhancements recommended or provided by the previously referenced stakeholder findings, requirements of the *Wekiva Parkway and Protection Act*, conservation land acquisitions, components of the proposed project, and other state/local government actions pursuant to the *Act* should ensure no future habitat loss, ecosystem degradation, or development pressure.

There are no other major roadways planned within the study area, and the proposed Wekiva Parkway project is meant to replace an existing roadway (SR 46) through the most environmentally sensitive area. Those actions that can be most reasonably foreseen are the projects included in the Transportation Improvement Program and the Long Range Transportation Plan. There is very limited data available to allow for quantification of the potential effects associated with those planned and programmed projects. Consideration of the planned and programmed projects was included in the deliberations which resulted in the *Wekiva Parkway and Protection Act*. Through those discussions it was noted that the cumulative effects of those actions, along with the proposed Wekiva Parkway project, would not result in significant impacts. In fact, the actions pursuant to the *Wekiva Parkway and Protection Act* are widely viewed as providing positive benefits that outweigh the potential effects of all planned and programmed actions in the study area.

Comments and Coordination

Comments and Coordination Package

A complete *Comments and Coordination Package* was prepared and maintained during the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study from 2005 to 2012. The package includes chronological lists of the individual and small group meetings that were held, summaries of the Public Workshops and the Public Hearing sessions, public/agency comments and responses, and other public involvement information as discussed below.

Advance Notification

The Advance Notification (AN) package for the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study was provided to federal, state and local agencies, elected officials and others on February 23, 2005. A complete mailing list for the AN package, as well as comments received and responses provided, is included in Section 5.1 of the EA. The complete AN package and more information is provided in **Appendix A** of the *Comments and Coordination Package*.

Public Involvement Program

At commencement of the PD&E Study in 2005, a Public Involvement Program (PIP) Plan was developed in compliance with Chapter 8 in Part One the FDOT PD&E Manual, Section 339.155, Florida Statutes, Executive Orders 11990 and 11988, CEQ Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, and 23 CFR 771. The PIP Plan is provided in **Appendix B** of the *Comments and Coordination Package*.

Coordination with the Public, Agencies, and Other Stakeholders

Over three hundred coordination meetings were held with the public, federal, state and local agencies, elected officials, PD&E Study advisory groups, and other stakeholders during the course of the study. This includes seven Public Workshops on project alternatives which were held in 2005, 2006 and 2009. A complete chronological listing of all public meetings held during the study is provided in Section 5.2 of the EA. Information on the Environmental Advisory Committee and the Project Advisory Group is provided in **Appendices C and D**, respectively, of the *Comments and Coordination Package*. Summaries of the Public Workshops are provided in **Appendices E, F and G** of the *Comments and Coordination Package*. Public comments and questions were solicited over the course of the PD&E Study. Copies of the comments received from the public by the Public Information Officer during the study from 2005 to 2012 that were not directly related to the Public Workshops or the Public Hearing sessions are provided in **Appendix I** of the *Comments and Coordination Package*.

Public Hearing

Three Public Hearing sessions were held on the Selected Build Alternative in October 2010 in Orange, Lake and Seminole Counties. The Public Hearing sessions are discussed in Section 5.3 of the EA. A summary of the Public Hearing sessions is provided in **Appendix H** of the *Comments and Coordination Package*. Transcripts of the three Public Hearing sessions are provided in **Appendix H** of the *Comments and Coordination Package*. Copies of the comments received at and after the Public Hearing sessions and responses to those comments are also provided in **Appendix H** of the *Comments and Coordination Package*.

Commitments

Commitments made by the project sponsors and outstanding engineering/environmental issues that were deferred to the final design phase of the project are shown below. They are also listed in Section 5.5 of the EA.

US 441/SR 46 Interchange Reconstruction

There has been on-going coordination with the City of Mount Dora on the modification design concepts for the US 441/SR 46 interchange and projected traffic operations. The Selected Build Alternative proposes an at-grade intersection of US 441 and SR 46, with a grade separated flyover from southbound US 441 to eastbound SR 46. FDOT has committed to reassess projected traffic operations at the US 441/SR 46 interchange, and to reevaluate the design concept, during the final design phase of the project.

Wekiva Park Drive Intersection Design Concept

As requested by the Seminole County Engineer, the design concept for the intersection of Wekiva Park Drive with the service and frontage roads just east of the Wekiva River will be reevaluated during the final design phase of the project. The Selected Build Alternative proposes a roundabout intersection concept at that location. FDOT has committed to reassess projected traffic operations and further evaluate other design concepts for that intersection.

Special Design Features for the Wekiva River Protection Area

Consistent with the recommendations of the “Guiding Principles for the Wekiva Parkway Design Features and Construction” to support the conservation of dark skies in the Wekiva River Protection Area, FDOT and the Expressway Authority will incorporate non-intrusive and minimal roadway and bridge lighting in the final design plans in appropriate areas for Wekiva Parkway. In addition, safety and design features to promote the continuation of prescribed burning in the Wekiva River Basin will be incorporated in the final design in appropriate areas, particularly near Seminole State Forest.

Landscaping Treatments

The Wekiva River Basin Area Task Force envisioned the Wekiva Parkway as similar to well known scenic highways, and included promoting “a “Parkway” look with appropriate natural buffers between the roadway and the adjacent areas” in the “Guiding Principles”. FDOT and the Expressway Authority are committed to developing a landscape plan during the final design phase that will accentuate the natural environment.

Wildlife Corridors/Habitat Connectivity

As recommended by the “Guiding Principles”, the Selected Build Alternative includes approximately 7,710 feet of wildlife bridging on the Wekiva Parkway, with those same bridge lengths on the parallel Service Road, in east Lake County from west of Old McDonald Road to east of the Wekiva River. These bridges will provide enhanced wildlife habitat connectivity at two significant crossing locations, as well as the habitat adjacent to the river. Barriers or fencing to direct wildlife to these safe crossing points will be addressed during the final design phase of the project.

Section 4(f) Public Lands

Rock Springs Run State Reserve and Lower Wekiva River Preserve State Park

FDOT and/or the Expressway Authority have committed to actively support the involvement of FDEP, Division of Parks in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of proximity impacts.

Seminole State Forest

The following commitments have been made to the Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) by FDOT and/or the Expressway Authority:

- to avoid any proximity impacts, particularly smoke management issues, which might impair the use of Seminole State Forest for its intended purpose,
- to actively support the involvement of DOF in the proposed project during the final design and construction phases to coordinate on ensuring the avoidance or amelioration of any such proximity impacts,
- to install two permanent overhead variable message signs that can be used to notify motorists of dangerous smoke conditions,
- to provide funding up to \$75,000 (in 2010 dollars) either as an advance or reimbursement to assist DOF in the provision of one or more remote weather stations to obtain data that can be used in conducting prescribed burns or fighting wildfires, and
- to address with permitting agencies the usage of flowage easements instead of stormwater ponds during the drainage design/permitting phase.

Wekiva Wild and Scenic River

FDOT and the Expressway Authority have made the following commitments to the National Park Service (NPS):

- to clear span the waters of the Wekiva River with the proposed Wekiva Parkway mainline and service road bridges;
- to coordinate with the Wekiva River System Advisory Management Committee on final design of the Wekiva Parkway mainline and service road bridges over the Wekiva River, and;
- to obtain the Section 7(a) determination from NPS prior to approving the final design documents for the Wekiva Parkway mainline and service road bridges over the Wekiva River.

Section 106 Historic Resources

FDOT and the Expressway Authority have concurred with the executed *Memorandum of Agreement* (June 2011) between FHWA and the State Historic Preservation Officer (SHPO) for mitigation of adverse effects to the Bock House and Strite House historic resources in Orange County.

Stormwater Ponds in the Wekiva River Basin

Some wildlife advocacy stakeholders have expressed concern over the location of proposed stormwater ponds near the Wekiva River bridges as they perceive it may impact wildlife movement and habitat connectivity. The study team has previously discussed alternatives to stormwater ponds in the Wekiva River Basin with the appropriate permitting agencies, however, those agencies cannot provide formal comment until final drainage design is prepared for their review. The study team has shown the stormwater ponds in the preliminary plans as placeholders to meet stormwater attenuation and treatment requirements. FDOT and/or the Expressway Authority have committed to assess alternatives to stormwater ponds in the final design phase if those drainage alternatives can demonstrate compliance with all applicable stormwater permitting requirements, including prevention of runoff into the Wekiva River.

The Division of Forestry (DOF) has requested that on/near Seminole State Forest land, and on/near adjacent state park and conservation lands, flowage easements be considered instead of stormwater ponds. FDOT and/or the Expressway Authority have committed to DOF to address their request with the appropriate permitting agencies during the drainage design and permitting phase of the project.

Protected Species

The on-going coordination activities with the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC) will continue into the final design phase. Where protected species are determined to be present, the timing and location of construction activities, and specific mitigation measures, will be in accordance with regulatory guidelines established with the appropriate agencies during the permitting process. FDOT and the Expressway Authority acknowledge the USFWS letters of January 15, 2008 and April 24, 2009 and the FWC letters of May 5, 2008 and July 1, 2010 which request surveys, as well as continued coordination to avoid, minimize, and mitigate impacts to protected species. FWC staff has requested specific consideration of the bluenose shiner as potentially occurring in the Wekiva River; a sampling survey will be conducted prior to the permitting phase. If the bluenose shiner is found in the river, FDOT will coordinate with FWC to develop Best Management Practices to avoid and minimize adverse impacts to the bluenose shiner during work proposed in and around the Wekiva River.

Accommodations for Bat Roosting

During permitting, FDOT will coordinate with the FWC to identify bridges that cross suitable habitat for bats. On those bridges, design will include Texas Bat Abode-type accommodations for bat roosting constructed in accordance with the guidelines found in the on-line compendium for NCHRP Project 25-

25(04), “Environmental Stewardship Practices, Procedures and Policies for Highway Construction and Maintenance” posted on the AASHTO’s Center for Environmental Excellence website at the following link: http://environment.transportation.org/environmental_issues/construct_maint_prac/compendium/manual/ The number and locations of the roosts will be coordinated with FWC and the FDOT District Five offices of Environmental Management and Maintenance.

Noise

Where determined to be needed based on the results of the TNM, Version 2.5 highway noise prediction model, FDOT and the Expressway Authority are committed to the construction of noise barriers where reasonable and feasible, contingent upon the following conditions:

- Detailed noise analysis during the final design phase supports the need for abatement.
- Reasonable cost analysis indicates that the economic cost of the barrier(s) will not exceed acceptable guidelines as determined by FDOT and the Expressway Authority.
- Community input regarding the barrier(s), solicited by FDOT and the Expressway Authority during the final design phase, is positive.
- Safety and engineering aspects as related to the roadway user and the adjacent property owner(s) are acceptable.
- Any other mitigating circumstances have been resolved.

FDOT and/or the Expressway Authority have committed to conduct a more detailed noise analysis during the final design phase. If, during the final design phase of the project, any of the contingency conditions listed above cause abatement to no longer be considered reasonable or feasible for a given location or locations, such determination will be made prior to requesting approval for construction advertisement. In addition, during final design and prior to construction, those sites that may be affected through any final design alignment changes, including those sites now considered borderline, will be revisited with regard to noise abatement analysis.

FDOT and/or the Expressway Authority have committed to the following with regard to potential construction noise and/or vibration impacts during construction of the proposed roadway improvements.

- For construction noise and vibration sensitive receptors, avoidance and/or mitigation options will be developed during the final design phase. For example, places of worship are considered to be noise-sensitive receivers; particularly noisy construction activities should be limited or avoided during scheduled worship services. These types of avoidance and/or mitigation options will be placed in the construction plans and applied during the construction of the project.
- Should unanticipated noise or vibration issues arise during the construction process, FDOT and/or the Expressway Authority will investigate additional methods of controlling such impacts.

Public Outreach During Final Design and Construction

FDOT and the Expressway Authority commit to provide continued opportunities for public outreach during final design and construction, especially with regard to noise issues.

Floodplain Compensation

Floodplain compensation will be provided in compensating storage ponds to the extent possible to mitigate impacts to existing floodplains as required by the regulatory agencies. Final determination of impacts and compensation volumes will be made during the final design phase. The Florida Department of Environmental Protection (FDEP) has asked that all stormwater ponds be located on the west side of the alignment through the Neighborhood Lakes area and, in return, FDEP has agreed to consider additional floodplain compensation on the west side of the alignment with shortened bridge lengths over floodplains in the marsh areas to reduce construction costs.

Access Management

FDOT and the Expressway Authority are committed to working with affected property owners during the final design and right-of-way acquisition phases of the project to maintain or optimize, to the extent feasible, access to impacted parcels.

Access to Proposed Seminole County Fire Station

As discussed in a meeting with the Seminole County Assistant Fire Chief and the Seminole County Engineer on July 14, 2010, FDOT will consider and evaluate reasonable revisions to the Preliminary Plans during the final design phase in order to accommodate access needs for a proposed Fire Station near Yankee Lake.

Coordination with the U.S. Coast Guard

The United States Coast Guard (USCG) has stated in writing that a permit will not be required for the proposed Wekiva River bridge replacement. However, the USCG indicated that although a bridge permit will not be required from them, the Wekiva River is navigable for purposes of general USCG jurisdiction and the Seventh USCG District Bridge Office must be contacted at the completion of design regarding construction, approval of lights and other signals that may be required. Upon completion of final design of the bridges over the Wekiva River and prior to approval of construction plans, FDOT commits to coordinate with the Seventh USCG District Bridge Office on construction, approval of lights and other signals that may be required.