

Appendix C
Section 106 Meeting Summaries

Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study Cultural Resources Consultation Meeting - April 21, 2008

ATTENDEES: Sherry Anderson/DHR Architectural Historian, State Historic Preservation Officer (SHPO) representative
Royce Howell/Bock House Representative
Jerry Holder/Strite House Representative
Sally Holder/ Strite House Representative
Belle Gilliam/Museum of the Apopkans
Tana Porter/Orange County Regional History Center
Bob Gleason/FDOT
Gary Skaff/PBS&J for OOCEA
Tara Jones/ CH2M HILL
Mark Callahan/CH2M HILL
Ken Hardin/Janus Research
Amy Streelman/Janus Research

FROM: CH2MHILL

MEETING DATE: April 21, 2008, 1:00 P.M to 4:00 P.M.

LOCATION: Northwest Orange County Improvement Association, 4253 W Ponkan Rd, Apopka, FL 32712 [<http://www.nocia68.com>]

SUBJECT: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E study
County: Orange, Lake and Seminole
DHR Project File Number: 2007-5191

FDOT, in cooperation with the OOCEA, held a Cultural Resource Consultation meeting on April 21, 2008, in Apopka, Orange County. This meeting was scheduled as part of the Section 106 review process. The meeting focused on the range and types of proposed effects to historic resources and potential mitigation measures in order to complete Section 106 Case Studies and a potential Memorandum of Agreement (MOA) for the subject project. Historic properties for discussion include the following two properties:

- Paul "Bock House" at 2626 Boch Road, Apopka, FL 32712, in Orange County
Property Owner: Adelpha Howell (private)
Status: Potentially eligible for the National Register of Historic Places (NRHP) listing (SHPO Letter dated June 27, 2007; DHR File Number 2007-5191)
- "Strite House" at 6229 Plymouth-Sorrento Road, Apopka, FL 32712, in Orange County
Property Owner: Jerry Holder (private)
Status: Cultural Resource Assessment Survey (CRAS) and SHPO Determination pending
[Note: This meeting was scheduled in advance of the CRAS being finalized. Following the meeting a letter from SHPO confirmed that the Strite House was potentially eligible for the NRHP listing.]

Representatives of FHWA (George Hadley, Cathy Kendall, Michael Loyselle, Chad Thompson) and the Advisory Council on Historic Preservation were also invited to participate but were not in attendance.

Project Overview

Following introductions, Mark Callahan of CH2M HILL provided the project background and a brief review of the project to date. Mark explained the project development process including the protection of Wekiva River, the *Wekiva Parkway and Protection Act* and recommendations of the Wekiva River Basin Coordinating Committee.

Mark explained that the prescribed corridor as defined in *the Act* was used for the development of alignments in Orange, Lake, and Seminole Counties.

National Environmental Policy Act (NEPA) Process and Documentation

Mark explained the NEPA and PD&E process that is ongoing regarding the development of alternatives, assessment of project effects, documentation including the preparation of an Environmental Assessment. Mark also discussed the opportunities for public and agency input throughout the PD&E process to help the FDOT, OOCEA and FHWA officials make decisions on alternatives selected for further study and evaluation.

Alternatives Development by Mark Callahan

Numerous initial and viable alignments in Orange, Lake, and Seminole Counties were assessed and evaluated for potential environmental impacts. The initial alternatives were presented at three Public Workshops held in Orange, Lake, and Seminole Counties in November 2005. A draft CRAS for the viable alternatives was prepared in April, 2007. The preferred alternative in Orange County portion of the project is as follows and aerial displays were available for review and the meeting:

- Wekiva Parkway
 - Kelly Park Road Interchange Alternative
 - Orange County Alternative 1 (east of Plymouth Sorrento Road)
 - Systems Interchange Alternative 1
- SR 46 Realignment
 - Lake County West Alternative 1 (northwest to Lake County line)

Initial Alignments

Mark reviewed the alignment analysis to date with the use of maps provided on display boards and in handouts. **(The exhibits referenced refer to the Section 106 Case Study Report (July 2008)).** The alignment concepts initially developed within the study corridor in Orange County were divided into two sections:

- alignments east of Plymouth Sorrento Road, shown in **Exhibit A-1 and**
- alignments west of Plymouth Sorrento Road, shown in **Exhibits A-2 and A-3**

In all, there were 52 initial segments. Those segments could be combined into 42 possible alignment alternatives from the southern limits of the project corridor in Orange County to

Lake County East in the Neighborhood Lakes area. All of those alignments east of Plymouth Sorrento Road also impacted one or more planned developments within unincorporated Orange County (Palmetto Ridge) and the City of Apopka (Wekiva Run, Arbor Ridge, and Oak Ridge).

Mark stated that the City of Apopka expressed concerns with Alignment East of Plymouth Sorrento Road and had documented their preference for the west alignments. As a result of the evaluation, and agency/public input, all alignments east of Plymouth Sorrento were eliminated from further study. **Exhibit A-3** shows the Refined Initial Alternatives.

Corridor Constraints and Viable Alignments

As viable alignments were developed, the constraints shown on **Exhibit B-1** were identified as:

- two conservation properties known as the former “Fazio” and former “Strite” properties, recently purchased by Orange County;
- a seepage spring located on the parcel currently owned by the Strite family which is directly north of the former “Strite” property;
- Rock Springs Run State Reserve in Lake County (avoided by having a more westerly alignment through the Neighborhood Lakes property);
- Residential areas along Bock Road and other residences.

As depicted in **Exhibit B-1**, initial alignment segments OC-5 and OC-7 directly impacted the former Strite property near the seepage spring, and initial alignment segments OC-14, OC-16, and OC-18 directly impacted the former Fazio property. Those segments and associated alignments were eliminated from further consideration.

As a result, Segment OC-17 that avoided the constraints was selected for further modification and study. Subsequently, OC-17 was refined (i.e., moving it slightly north and south) in order to further minimize/reduce impacts to the constraints. These revisions to OC-17 (i.e., south of and north of Boch Road) did not directly impact either the former Strite property or the seepage spring to the north of it. Thus, several dozen alignments were narrowed down to those shown in **Exhibit B-2**. Prior to the Viable Alternatives Public Workshops held in July and August 2006, the alignment segments were renamed Orange County Alternative 1 and Orange County Alternative 2, respectively, as shown in Exhibit B-2. Following the public workshops, Orange County Alternative 1 was selected as the recommended alternative.

III. Section 106 Process and Section 4(f) Overview by Ken Hardin and Mark Callahan

Ken Hardin of Janus Research and Mark then reviewed the Section 106 and Section 4(f) processes. Ken explained that today’s meeting was part of the Section 106 process which requires consultation with affected and interested parties, SHPO and FHWA. Ken proceeded to provide an overview of the process by using a handout showing the steps involved. Part of the process involves the assessment of effects and determination of adverse effects to resources that are listed on or eligible for listing on the National Register

of Historic Places (NRHP). Ken explained that the two resources, the Bock House and the Strite House, have both been determined to be eligible for listing on the NRHP and that this determination is made by SHPO. The effects to these properties have been assessed and now measures must be taken, as part of the Section 106 and Section 4(f) processes, to avoid/minimize the effects. Ken also discussed that if there are adverse effects (to the structures and/or the property that contributes to the resource's eligibility for NRHP listing) as a result of the recommended alternative then it would be necessary to identify and document the ways in which those effects are best mitigated. Ken pointed out that today's meeting was one of the opportunities that allows for input on solutions. Ken went on to explain the mitigation measures would be legally documented in a Memorandum of Agreement signed by SHPO, and FDOT. Ken also pointed out that if there is failure to agree on the effects and mitigation of adverse effects to the cultural resources, then the issues goes into "dispute" and further consultation is required.

Mark explained that any direct impacts to historic sites invoke Section 4(f) requiring additional documentation and the development of avoidance alternatives. Section 4(f) lands: Bob Gleason of FDOT continued to explain that Section 4(f) protects public recreation lands and protects historic resources. Other Section 4(f) lands area mapped in the study area as constraints. Neighborhood Lakes was just purchased; however is exempt from Section 4(f). The Orange County owned parcels are not exempt from Section 4(f).

IV. Special Issues related to Historic Resources by Amy Streelman

Amy Streelman of Janus Research explained that, as part of the PD&E study, a reconnaissance of cultural resources was performed for study corridor. Amy discussed that specific studies for the assessment of historic structures were done for the recommended alternative. Amy also took photos as part of the documentation for the Cultural Resource Assessment Survey report. According to research performed and collected by the local historic societies and museums, Amy stated that 43 pre-1905 structures are left in the study area; structures that were 50 years and older are included in the survey; and that the Boch House was documented in the CRAS and were provided to FDOT and SHPO for concurrence with the findings. Amy explained that little information was known about the Strite House and property at the beginning of the study. A field site visit was only performed once permission to access the property was provided by the property owner and Jerry Holder. Upon getting more information on the Strite property as a result of the field visit, an addendum to the CRAS was prepared. Amy discussed the Strite House and contributing characteristics and its significance in the area of Architecture as an example of a turn-of-the-century Cracker farmstead; and how the garage, water tower, pool and agricultural fields contribute to the property. Amy then explained that as part of the Section 106 process a Case Study Report would have to be prepared to document the determination of effects and measures take to minimize/avoid the resources. The Case Study Report would document the effects of the recommended alternative. Representatives of the Boch House inquired if documents would be available and it was explained that copies of documents would be provided upon request.

V. Discussion of Preliminary Section 106/Section 4(f) Effects Determination

Mark reviewed the potential effects and impacts that may result due to the recommended alternative.

1) Strite House and Contributing Structures and Property

- Impacts include property impacts (approx. 20 acres) and relocation of contributing structures including the house
- These impacts would potential result in a determination of “adverse effects”

2) Boch House and Contributing Property

- Impacts include property impacts (approx. 10 acres) formerly citrus groves; no direct impacts to contributing structures; direct impact to non-contributing outbuilding; and potential for visual and noise effects
- These impacts would potential result in a determination of “adverse effects”

VI. Alternatives with Adverse Effects

Sherry Anderson of SHPO requested more information about the comparison of alternatives. Mark explained that evaluation criteria for comparing alternatives included number of parcels impacted, area of right-of-way impacted, impacts to each resource, impacts to the wetland/seepage spring, businesses, protected species habitat and floodplain. Mark also noted that some seepage springs were also located north of the Boch House property, north of Bock Road, and could not be totally avoided.

Sherry asked why the alignment for the recommended alternative could not be moved further south towards Haas to avoid the Strite House. The following discussion took place regarding the constraints in moving the alignment further south. School House on Haas: During alignment development, in an effort to avoid all cultural resources, the school house on Haas Road was considered a constraint. The school house was determined illegible for NRHP listing based on inconclusive information. The following was discussed and Sherry requested more information on the school house. Belle Gilliam/Museum of the Apopkans noted that since 1958 the site was not used as a school. There was an agreement with Lake County to bus school children to another school and that this information was gathered from the new school’s census records and attendance records.

In summary, Mark committed to investigating alternatives that shifted the Or Co Alternative 1 to the south to further minimize/avoid impacts to the Strite and Boch Houses. It was discussed that these new avoidance/minimization alternatives should be analyzed and documented in the case study with regards to constraints, and open spaces for alternatives development, and project impacts and effects to the resources. [Note: following the meeting Alternatives A and B were developed. Alternative A was a modification of Or Co Alt 1, shifted south of the oak tree line. Alternative B was a modification of Or Co Alt 1, shifted south of avoid the Strite House].

VI. Discussion of Draft Memorandum of Agreement (MOA) by Ken Hardin

The following preferences were discussed regarding potential options for the mitigation of potential effects discussed.

Strite House Effects and Mitigation Options

Ken discussed that the potential mitigation options include the rehabilitation of the Strite House and/or the relocation of the house (moving the house) to another location further south on the Strite property closer to Haas Road while still providing a buffer and access to/from Haas Road. Ken spoke briefly about the Tampa Interstate Study that involved similar mitigation strategies. It was noted that the house is fragile and that visual and aesthetics were of a concern to the property owners. Jerry Strite reviewed the current uses on the Strite property including his businesses (chicken coup/hay barns/open fields) and noted that his family would like to keep the house and that relocation is something that they would consider. Utilities and access were also a concern.

Bock House Effects and Mitigation Options

It was noted that although moving the proposed alignment further south will not make a difference to the impacts to the Strite property, it may reduce affects to the Boch House. Royce Howell noted that the alignment could avoid the line of old trees on the property.

Mark indicated that we would further examine the alignment to avoid the trees. It was noted that the land in that area is not flat, that the grade drops about six feet and that the Boch House in on a shelf. The proposed mainline is on lower land. Mark indicated that we would further examine the grade of the land in that area. It was discussed that on the property that are seepage springs, and trees (live oak, bay tree, magnolias) that the owner would like to keep.

There were questions about what the proposed mainline would look like and if vegetation was allowed in the right-of-way. Ken indicated that as part of MOA vegetation on private land could be included and possibly funded. Mark indicated that the elevation of the proposed mainline varies but would be approximately 20 feet higher than existing ground in the vicinity of the properties requiring a lot of fill.

Amy discussed other possible remedies for mitigation of visual and noise effects including double glazing windows for noise, additional vegetative. MOA would provide the guidelines for mitigation to maintain resource eligibility and character.

Jerry asked about the timeframe of the MOA and its purpose, and about the right-of-way acquisition process. The MOA is an agreement with SHPO, FDOT, OOCEA and others based on consultation with property owners. The MOA can be changed and amended. Acquisition of land is a separate process. No funding sources are currently identified for right-of-way acquisition, design or construction. The public hearing is currently scheduled for July 2008. [Note: This information on funding and schedule has since changed.] Local officials are supportive of the project. There are some issues on SR 46 that are ongoing and may affect the study schedule. The widening of SR 46 is not feasible due to environmental issues. Mark noted that we are seeking federal funding through the PD&E (NEPA) process. He also noted that the MOA development may occur after the public hearing when a locally

preferred alternative is identified. The project reports will document commitments and recommendations for future teams and FDOT and OOCEA members.

VII. Schedule of Upcoming Events

Mark summarized the next steps in the study. The team will continue to refine concepts to minimize/avoid impacts. The Strite House property impact may still result; however Mark indicated that we would look at alternatives to avoid the House, and avoid the springs and vegetation area near Boch House. The team would determine how the shift in alignment affects the systems interchange, and natural environment. Mark emphasized that the study corridor was developed based avoidance/minimization of the Ocala Greenway and Florida species habitat. There are several T&E species protected by the Endangered Species Act in the study area. The alignment shifts may incur additional impact to these sensitive environmental areas and habitat. Also other properties are being acquired for conservation and have to be considered in the evaluation of alternatives and have bearing on the recommendations.

ACTION ITEMS:

- Provide more information to SHPO on School House. Document the School House as a constraint during initial alignment development.
- Document alternatives analysis in Case Study
- Re-examine alignment south of recommended alternative (Or Co Alt 1) to Bock House to minimize visual and aesthetic impacts, and tree line. Share results with property owner.
- Examine natural grade of land. Share results with property owner.
- Provide documents to property owners by July 2008 [Note: Document was not ready for public review at this time]
- Examine culvert connections and redirection of any water on property

**Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Cultural Resources Consultation Meeting #2 - August 16, 2010**

ATTENDEES: Jerry Holder/ Representing Property Owner "Strite House"
Beth Arnold/ Representing Property Owner "Strite House"
Royce Howell/ Representing Property Owner "Bock House"
Jack Prickett/ Representing Property Owner "Bock House"
Angela Nicols/ Apopka Historical Society
Tana Porter/ Orange County Regional History Center
Agencies & Consultants:
George Hadley/ FHWA
Linda Anderson/ FHWA
Jennifer Ross/ DHR Architectural Historian, State Historic Preservation
Roy Jackson/ FDOT Central Office (by phone)
Brian Stanger/ FDOT District Five Project Manager
Mike Snyder/ OOCEA Executive Director
Michelle Maikisch/ OOCEA Public Affairs
Deborah Keeter/ PBS&J for OOCEA
Mark Callahan/ CH2M HILL Project Manager
Tara Jones/ CH2M HILL
Ken Hardin/ Janus Research
Amy Streelman/ Janus Research

FROM: CH2M HILL

MEETING DATE: August 16, 2010, 1:00 P.M to 4:00 P.M.

LOCATION: Apopka City Hall, City Council Chambers, 120 East Main Street, Apopka, FL 32703

SUBJECT: Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study
Orange, Lake and Seminole Counties, Florida
DHR Project File Number: 2007-5191

FDOT, in cooperation with OOCEA, held the second Cultural Resource Section 106 Consultation meeting on August 16, 2010, at Apopka City Hall in Orange County. This meeting was scheduled as part of the Section 106 review process. The meeting focused on the proposed effects to historic resources and potential mitigation measures in order to complete a Memorandum of Agreement (MOA) and the Section 106 Case Study for the subject project. A PowerPoint presentation was given. Handouts included a copy of the presentation slides, and plan sheets of the proposed build alternative and the avoidance alternative. The draft Section 106 Case Study, Section (4) Individual Evaluation, Cultural Resource Assessment Survey (CRAS) and engineering documents prepared for this study were available at the meeting for reference.

Introduction

Following introductions, Tara Jones/CH2M HILL explained the purpose of today's meeting was to discuss potential effects of the proposed build alternative and mitigation measure as it relates to the following two properties and historic resources:

- Paul "Bock House" at 2626 Boch Road, Apopka, FL 32712, in Orange County
Property Owner: Adelpha Howell (private)
Status: Determined potentially eligible for listing in the National Register of Historic Places (NRHP) (SHPO Letter dated June 27, 2007; DHR File Number 2007-5191)
- "Strite House" at 6229 Plymouth-Sorrento Road, Apopka, FL 32712, in Orange County
Property Owner: Jerry Holder (private)
Status: Determined potentially eligible for listing in NRHP (SHPO Letter dated May 19, 2008; DHR File Number 2008-3009)

Adverse effects are anticipated to both properties (per SHPO letter dated September 10, 2008; DHR File Number 2008-5789), therefore invoking Section 106 and Section 4(f) processes. Part of today's meeting was to discuss solutions to mitigate the adverse effects. The first Cultural Resource (CR) Section 106 Consultation meeting was held on April 21, 2008. Tara summarized the outcome of that first meeting which included the documentation of the cultural resources and alternatives analysis in the Section 106 Case Study, and development of avoidance/minimization alternatives to the Bock House.

Project Review

Mark Callahan/CH2M HILL provided the project background and a brief review of the project to date. Mark explained that the proposed action was part of the Wekiva Beltway completion program. Due to the unique and sensitive environmental resources within the study area, the State of Florida formed the Wekiva Basin Area Task Force and a Wekiva Basin Coordinating Committee to evaluate the Wekiva Basin Area. As a result, the study corridor and project development processes included the protection of Wekiva River, the *Wekiva Parkway and Protection Act* and recommendations of the Wekiva River Basin Coordinating Committee. No changes have been made to the study corridor since the last CR Consultation meeting held in April 2008. Constraints considered within the study area during the corridor and alternatives development included public parks and recreations areas, wetlands, floodplains, archaeological and historic sites, threatened and endangered species habitat, and residences and businesses. These constraints were considered in the evaluation of the proposed build alternative and the avoidance/minimization alternatives. The focus of the following discussions would be in the constrained Orange County portion of the study area in the vicinity of the Bock and Strite properties.

Alternatives Development

Mark reviewed the alternatives development process. Numerous initial and viable alignments were assessed and evaluated for potential environmental impacts. The initial alternatives were presented at the Public Workshops held in November 2005. The viable alternatives were presented at the Public Workshops held in July/August 2006. A draft CRAS for the viable alternatives was prepared in April 2007. Following the Public

Workshops and opportunities for public and agency input, the proposed build alternative was identified. After receiving input from the first CR Consultation meeting, the avoidance/minimization alternatives were developed/refined and the draft Section 106 Case Study report was submitted by FDOT to FHWA for review.

Mark provided an overview of the initial and viable alternatives developed in the vicinity of the Bock and Strite properties. Major constraints that influenced the alternatives development included:

- two conservation properties known as the former “Fazio” and former “Strite” properties, recently purchased by Orange County Environmental Protection;
- a seepage spring located on the parcel currently owned by the Strite family which is directly north of the former “Strite” property;
- Rock Springs Run State Reserve in Lake County (avoided by having a more westerly alignment through the Neighborhood Lakes property);
- Residential areas along Bock Road and other residences.

Viable Alternative “Orange County Alternative 1” (OC Alternative 1) was refined for the proposed build alternative. Viable Alternative “Orange County Alternative 2” (OC Alternative 2) was refined for the avoidance build alternative. Handouts were provided showing OC Alternatives 1 and 2.

Section 106 Process by Ken Hardin

Ken Hardin of Janus Research then reviewed the Section 106 process. Ken explained that today’s meeting was part of the Section 106 process which requires consultation with affected and interested parties, SHPO and FHWA. Part of the process involves the assessment of effects and determination of adverse effects to resources that are listed on or eligible for listing on the National Register of Historic Places (NRHP). Ken explained that the two resources, the Bock House and the Strite House, have both been determined to be eligible for listing on the NRHP and that this determination was made by SHPO. The effects to these properties have been assessed as “adverse”, and now measures must be taken, as part of the Section 106 and Section 4(f) processes, to avoid/minimize the effects.

Ken explained that an undertaking is considered to have an “adverse effect” when the effect on a historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association (FDOT’s PD&E Manual, Part 2 Chapter 12).

Ken pointed out that today’s meeting was one of the opportunities that allows for input on solutions. Ken went on to explain the mitigation measures would be legally documented in a MOA signed by FHWA, SHPO, FDOT and OOCEA. Ken also pointed out that if there is failure to agree on the effects and mitigation of adverse effects to the cultural resources, then the issues goes into “dispute” and further consultation is required.

Special Issues and Effects related to Historic Resources by Amy Streelman

Amy Streelman of Janus Research reviewed the special characteristics of the resources and the effects due to the proposed action. Amy explained that, as part of the PD&E study, a

CRAS was performed. Cultural resources within an area of potential effect were identified, evaluated and documented in the CRAS. According to research performed and collected by the local historic societies and museums, Amy stated that 43 pre-1905 structures are left in the study area; structures that were 50 years and older are included in the survey; and that the Bock House was documented in the CRAS and were provided to FDOT and SHPO for concurrence with the findings. Based on the CRAS, SHPO has determined that the Bock and Strite properties are eligible for NRHP listing.

Bock House (8OR7946): Amy discussed the Bock House, contributing characteristics and its significance in the area of Architecture as an example of a turn-of-the-century Cracker farmstead. Contributing features include the Bock House facing Boch Road and the property. The other structures on the property were not considered contributing to the significance of the property's NRHP-listing eligibility. As a result of the proposed build alternative, no contributing structures will be directly impacted. Impacts include approximately 10 acres of direct impact on the south end of the property, and visual and noise impacts introduced by the traffic on the proposed expressway. These impacts have resulted in a determination of adverse effects.

Strite House (8OR9844): Amy discussed the Strite House, contributing characteristics and its significance in the area of Architecture as an example of a turn-of-the-century Cracker farmstead. Contributing structures include the Strite House, the garage, water tower, the former swimming pool, and the agricultural fields. As a result of the proposed build alternative, the house, water tower and garage (all contributing structures) will be directly impacted and displaced. Impacts include approximately 20 acres of direct impact, and visual and noise impacts introduced by the traffic on the proposed expressway. These impacts have resulted in a determination of adverse effects.

A discussion followed about the significance of the setting, property and contributing structures to the eligibility status of the properties. Jerry Holder asked about how the property contributes to or is associated with the historic status. The study team responded that the property does contribute to the significance of the resource, as does the setting, and the context of the former farmhouse and buildings related to the land, its former uses and the agricultural way of life. All of these characteristics contribute to the "story" of the property, its historic uses and the families that reside there. Royce Howell stated that the storage sheds are currently used for storage, and the uses of them have changed and evolved over time. The team stated that the sheds were not verified in the field, and were considered non-contributing to the Bock House properties based on aerial maps and available research. For a structure to be considered potentially historic, it would have to be 50 years or older. It was noted that the proposed action affects the rural setting and the history or "story" of the property and the area.

Comparative Evaluation of Alternatives

Tara presented the potential impacts that may result due to the minimization alternatives (Alternative 1A and Alternative 1B), the avoidance alternative and refinements (Alternative 2), in comparison to the proposed build alternative (Alternative 1).

Alternative 1A (minimization) was developed at the request of the SHPO to minimize direct impacts to the Bock property by shifting the alignment further south to avoid impacts to existing mature oak trees and former citrus groves. Similar to Alternative 1, Alternative 1A

would result in direct use impacts to both the Bock and Strite properties. Similar to Alternative 1, this alternative would not directly impact the Bock House. Alternative 1A would increase the impacts to land use and contributing structures for the Strite House as compared to Alternative 1. Both Alternative 1 and Alternative 1A would require relocation or removal of the Strite House.

Alternative 1B (minimization) was developed at the request of the SHPO to minimize direct impacts to the Bock property and reduce impacts to the Strite property by shifting the alignment as far south as geometrically possible to avoid directly impacting the Strite House. Similar to Alternative 1, Alternative 1B would result in direct use impacts to both the Bock and Strite properties. Similar to Alternative 1, this alternative would not directly impact the Bock House. Alternative 1B would result in direct use impacts to the Strite property and divide the parcel.

Alternative 2 (avoidance) would not directly impact either the Bock House or Strite House properties as the alignment is further west and further north than Alternative 1. It requires the realignment of Boch Road. In order to totally avoid impacts to the Bock and Strite properties, Boch Road would have to be realigned under the proposed mainline requiring additional bridging.

The comparative evaluation is documented in the Section 106 Case Study. Alternative 2 would have more impacts to the environmental comparison to Alternative 1 including (additional impacts): 24.4 acres of habitat impacts for the Florida Scrub Jay, 14.1 acres of floodplain, 7 residences displaced, 3 businesses displaced, and community cohesion issues. Alternative 2 also has higher estimated right-of-way and construction costs (additional \$18.4 million in 2008 dollars, 30% higher compared to Alternative 1).

Therefore, Alternative 2 (avoidance) is not considered a reasonable alternative for further evaluation.

Discussion of Mitigation Measures

A discussion followed about the Section 106 process and the need for a preservation covenant. Jerry Holder stated that he understood the purpose of the study but would like a better understanding of the next steps, the process and what this means to his family, and schedule. As it relates to the relocation of the Strite house and its historic status, Mr. Holder wanted more information - about who moves it, and who decides where to move it, and what options exist - so he could communicate with his family. Mr. Holder said that he was not opposed to the moving of the house but would like to be involved in the siting of the house and have control over the future family homestead and appropriate treatment of the house. Ken Hardin stated that FDOT and OOCEA are constrained to what can be done to the historic house and contributing structures; however there are no constraints for the property owner. George Hadley of FHWA further clarified that in the MOA FHWA may require the property owner(s) to sign a preservation covenant that requires the property owner to keep the characteristics of the house that makes it eligible for NRHP listing. This preservation covenant may be required even if FHWA does not fund this portion of the project. Roy Jackson (by phone) added that there are incidences where a preservation covenant is not necessary if agreeable by all parties involved. The preservation covenant is used when tax dollars are involved in funding the relocation of historic structures. Roy

indicated that there was room to work with preservation covenant. The MOA can be changed and amended. Acquisition of land is a separate process.

Royce Howell was concerned the impacts to the existing landscaping and impacts to remaining land due to future screening options – would trees be planted in the right-of-way and if so what side of the fence – and would any screening occur prior to construction to allow for growth. Ken indicated that there would be opportunities prior to construction to plan for screening options. Mr. Howell was also concerned with long-term effects 10-20 years from now, tax implications, effects to “Save Our Homes” assessments, and zoning as a result of alterations to the historic house should mitigation measures include sound proofing or relocation. Mark said that we would verify with the FDOT right-of-way staff.

Ken requested input from the local historians, Tana Porter and Angela Nicols. They noted that there are no local restrictions or preservation ordinances in place in Apopka. There is a desire to inform and educate the public of the rich history of the area. Ken indicated that research and documentation could be provided to the historical societies. Ken also discussed other useful media such as videos (4th grade level), posters, and exhibits. They noted that the 1995 survey of Orange County is dated and the site files are incomplete, and the local historians would like new survey of the area historic resources. There are concerns about impacting resources that cannot be replaced. It was noted that these houses were a part of the Bay Ridge area. Historic American Building Survey (HABS) standard photography and documentation as a potential mitigation measure was discussed.

The local historians were also concerned that the relocation of historic structures would affect its eligibility for NRHP listing. Ken clarified that historic structures, if relocated correctly, will retain its NRHP-listing eligibility. Jennifer Ross of SHPO added to the discussion that in order to retain historic status, it helps if the house is moved on the same parcel. Jerry Holder indicated there is a 5-acre property south of Haas Rd to which the house could be moved which may be his family’s preference as it is further from the proposed expressway and is surrounded by conservation lands formerly owned by the Strite family. Jennifer indicated that due to the road dividing the properties, that this location may not be ideal and that SHPO may prefer the house to be near the original site.

The property owners and the local historical society requested copies of the CRAS and Section 106 documents.

In summary, potential measures to minimize and/or mitigate effects to the Bock House Property include:

- HABS standard photography and documentation,
- Repairs to structures, and
- Landscape screening between the structures and the proposed roadway.

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

- HABS standard photography and documentation,
- Repairs to structures,
- Landscape screening between the structures and the proposed roadway, and
- Relocate house, garage and water tower (the property owner has proposed several relocation options).

In addition, a historic resources survey may be considered in the rural areas of Orange County such as Tangerine, Plymouth, Bay Ridge, and Rock Springs, which includes some of the County's earliest agricultural communities. As part of this survey after the boundaries are determined, historic resources that are 50 years and older would be documented with Florida Master Site File forms and their significance would be evaluated according to criteria established by the National Register of Historic Places.

Next Steps

Mark discussed the following next steps. OOCEA and FDOT will continue to proceed with the next steps in the PD&E and Section 106 processes, which involves the distribution of the Draft EA for comment, public hearing and development appropriate and acceptable minimization and mitigation measures for the resources that will be adversely affected by the project. George Hadley noted that the public hearing provides public and agency opportunity to review the study documents; the public hearing addresses all applicable federal and state laws including Section 106 consistent with the National Environmental Policy Act (NEPA). He said the MOA cannot be formally submitted until after the Public Hearing and a locally preferred alternative is identified. Signatories on the MOA would include FDOT, OOCEA, FHWA and SHPO. The MOA is a plan and considers what the agencies are able to fund. Changes to the MOA may be made through the design phase and can be renegotiated with input from the property owners. It was noted that right-of-way acquisition may start in a couple of years. Royce expressed concerns with environmental impacts. Mark acknowledged his concerns and the uniqueness of this project through rural communities and the efforts made by the Task Force to address those issues. The public hearing is tentatively scheduled for October 2010.

ACTION ITEMS:

- Follow up with FDOT and OOCEA right-of-way on tax and zoning implications on improved buildings
- Send hard copy and cd pdf of draft Case Study to Jerry Holder
- Send hard copy and cd pdf of draft Case Study to Royce Howell
- Scan in sign in sheet and send to all attendees
- Revisit “non-contributing” structures on Bock property – Royce Howell indicated that the out buildings are contributing to historic use of land
- After the public hearing and identification of the locally preferred alternative, prepare draft MOA for review and comment by FHWA and SHPO.
- Provide hard copies Final CRAS, Case Study and MOA to Historical Society (after Public Hearing) for their library
- Provide final copies of Final CRAS, Case Study and MOA to property owners.