

Appendix F
Sufficiency and Concurrence Form
Signed by the SHPO



Florida Department of Transportation

RICK SCOTT
GOVERNOR

District Five, MS-501
719 S. Woodland Blvd.
DeLand, FL 32720-6834

ANANTH PRASAD, P.E.
SECRETARY

July 26, 2011

Mr. Martin C. Knopp, P.E.
Division Administrator
Federal Highway Administration
Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, FL 32303

Attn: Ms. Cathy Kendall

Subject: Wekiva Parkway (SR 429)/SR 46 Realignment
Project Development and Environment (PD&E) Study
Orange, Lake and Seminole Counties, Florida
Financial Project ID: 238275 1 22 01 and 240200 1 22 01
DHR Project File Number: 2008-5789
Request for Concurrence on *Section 106 Documentation and
Determination of Effects Case Study Report (July 2011)*

Dear Mr. Knopp:

In accordance with the procedures contained in 36 CFR Part 800 (Protection of Historic Properties), the *Cultural Resource Assessment Survey (CRAS) Addendum* (October 2007, Revised March 2008, Updated Final May 2010) for the subject project was previously submitted by the Federal Highway Administration (FHWA), Florida Division Office to the Division of Historical Resources, State Historic Preservation Officer (SHPO). **The SHPO provided a concurrence letter on May 19, 2008** that concurred with the findings of the *CRAS Addendum*. Pursuant to the National Historic Preservation Act of 1966 (PL 89-665, as amended) and Section 800.5 of its implementing regulation 36 CFR 800, the *Draft Section 106 Documentation and Determination of Effects Case Study Report* (July 2008, revised June 2010) was submitted by FHWA to the SHPO for two (2) historic resources that will be adversely affected - the Paul Bock House (8OR7946) and the Strite House (8OR9844). **The SHPO provided concurrence letters on September 10, 2008 and July 6, 2010** stating that the Proposed Build Alternative would have an adverse effect on both the Bock House and the Strite House.

The Bock House and the Strite House are both individually eligible for listing in the National Register of Historic Places (NRHP). The Bock House and the Strite House are the only significant historic resources within the Area of Potential Effects for the proposed Wekiva Parkway project. No other historic resources were identified within the project Area of Potential Effects during the investigation. No archaeological sites were identified, nor are expected to be encountered during subsequent project development.

The Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study, under joint management of the Florida Department of Transportation and the Orlando-Orange County Expressway Authority, has evaluated and analyzed alignment alternatives since early 2005. The proposed direct and indirect effects to the Bock House and Strite House as a result of the Proposed Build Alternative are summarized below.

The Paul Bock House (8OR7946)/2626 Boch Road property contains two contributing structures - the main house (constructed circa 1900) and one outbuilding (a historic garage/tenants' quarters). There are also seven non-contributing structures (outbuildings) on the property including a car port, pump house, a modern mobile home, a modern nursery, two metal sheds, and former feed shed.

- The Bock House would not be directly impacted by the Proposed Build Alternative but the property on which the house is located would be directly impacted. Approximately 10 acres from the southern portion of the 14-acre Bock property would be impacted by the proposed improvements. The Bock House would be approximately 300 feet from the edge of the travelway and approximately 210 feet from the right-of-way fence. The proposed improvements would impact one metal shed and the former feed shed that are non-historic and non-contributing.
- The existing direct access to Boch Road would be maintained.
- The project traffic noise level increase near the Bock House (from 42.7 dBA existing to 61.2 dBA in Design Year 2032) would not exceed either the FHWA noise abatement criteria of 67 dBA for residential areas or the FDOT approach criteria of 66 dBA, but would exceed the FDOT increase threshold of 15 dBA requiring noise abatement analysis. Due to the sparsely populated area in which the Bock House is located, it does not meet the FDOT cost reasonable test for a noise barrier.
- In the vicinity of the Bock House, the Wekiva Parkway profile would be approximately 16 feet to 25 feet above the existing ground elevation; therefore, the viewshed from the historic resource would be affected.

The Strite House (8OR9844)/6229 Plymouth Sorrento Road property contains the main house (constructed circa 1910) and three contributing structures (historic garage, historic water tower, and historic swimming pool).

- Approximately 19.5 acres from the northern portion of the 48-acre Strite property would be impacted by the proposed improvements. This right-of-way impact would directly impact the Strite House, the historic garage and historic water tower. The acquisition would also take the original driveway, the front lawn, and land on which associated citrus groves were sited.
- The remaining 28.5 acres would permit existing direct access to both Haas Road and Plymouth Sorrento Road. However, the existing driveway from Plymouth Sorrento

Road will need to be relocated to the southern portion of the property due to the right-of-way acquisition for the proposed improvements.

- Substantial noise impacts are not anticipated as the potential relocation of the Strite House would involve on-site relocation of the Strite House residence on the remaining 28.5 acres allowing sufficient room to relocate the residence a minimum of 500 feet from the proposed improvements to avoid substantial noise impacts.
- In the vicinity of the Bock House, the Wekiva Parkway profile would be approximately 16 feet to 25 feet above the existing ground elevation; therefore, the viewshed from the historic resource would be affected.

As a result of the Section 106 consultation with the property owners, FHWA, the SHPO and other stakeholders, the enclosed *Section 106 Documentation and Determination of Effects Case Study Report* was revised and a *Memorandum of Agreement* has been executed to document measures to minimize and/or mitigate effects to the two NRHP eligible historic resources. **Please process the enclosed Case Study Report and the attached sufficiency/concurrence form, and forward them to the SHPO for review and concurrence.** The second copy of the report is for FHWA files. If additional information is required to further substantiate the determination, please feel free to contact me at (386) 943-5391 or by email at Brian.Stanger@dot.state.fl.us.

Sincerely,



Brian M. Stanger, P.E.
District Environmental Management Engineer
District Five

Enclosures: 2 copies of *Section 106 Documentation and Determination of Effects Case Study Report*
(July 2011)

Attachment: Sufficiency/Concurrence Form

Copies: Joe Berenis, P.E., OOCEA (w/o enclosure)
Massoud Moradi, P.E., Atkins (w/ enclosure)
Roy Jackson, FDOT CEMO (w/ enclosure)
Mark Callahan, P.E., CH2M HILL (w/o enclosure)

Mr. Martin C. Knopp
FHWA FL Division
July 26, 2011
Page 4 of 4

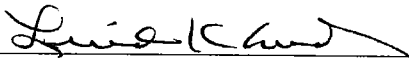
The FHWA finds the attached determination of effects documentation complete and sufficient, and ✓ approves/_____ does not approve the above recommendations and findings.

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

FHWA Comments: I AM APPROVING THE VERSION OF THE CASE STUDY THAT ENCOMPASSES MY COMMENTS
FOOT'S RESPONSES OF 9/2/11 AND 9/29/11 RESPECTIVELY (TO BE PRODUCED) INTO THE JULY 2011 DRAFT.
PLEASE ADDRESS COMMENTS + OPINION TO: LINDA ANDERSON, FHWA. ATTACHED

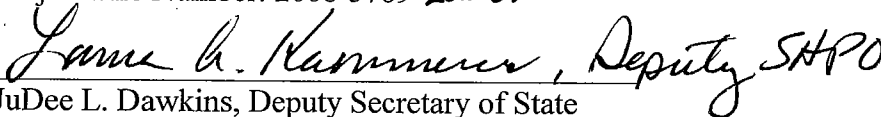
e: linda.anderson@dot.gov. P: 850-553-2226.

PLEASE CC: BRIAN STANGER, FOOT DS; PHILLIP BELL, FHWA; AND
ROY JACKSON, FOOT CMO

/s/ 
Martin C. Knopp, P.E.
Division Administrator, Florida Division
Federal Highway Administration

10-11-11
Date

The Florida State Historic Preservation Officer finds the attached determination of effects complete and sufficient and concurs with the effects provided in this cover letter for SHPO/DHR
Project File Number: ~~2008-5789~~ 2011-3905


JuDee L. Dawkins, Deputy Secretary of State

10/18/2011
Date

Cultural, Historical and Information Programs
Interim Florida State Historic Preservation Officer
Florida Department of State, Division of Historical Resources

FHWA Review of Section 106 Case Study of Effects for Wekiva Parkway (SR 429)/SR46 Realignment, Orange, lake and Seminole Counties, Florida, Financial Project #'s: 238275 1 22 01 and 240200 1 22 01 Reviewer: Linda Anderson, Environmental Protection Specialist, FHWA Date: September 7, 2011			<i>FDOT and OOCEA Responses to FHWA Review Comments on the Section 106 Case Study prepared for Wekiva Parkway PD&E Study</i> <i>Date:</i> September 29, 2011
Comment #	Comment location/reviewer	Comment	Response
	General Comment	Why was the MOA signed and circulated prior to the conclusion of the Section 106 Case Study when it is based on the Case Study?	<i>In order to complete Section 6 – Conclusions in the Case Study, the measures to minimize/mitigate harm had to be agreed to by FHWA and the SHPO. Please see attached October 29, 2008 letter from FHWA to the SHPO. That agreement on minimization/mitigation measures was accomplished in the executed MOA. The need to prepare and complete the MOA was discussed at the Second Section 106 Consultation meeting in Apopka on August 16, 2010, which FHWA and SHPO staff attended. Please see the highlighted portions of the attached summary of that meeting. Also attached is a copy of an email string between FHWA and the SHPO during the period June 8 -15, 2011 regarding review and approval of the MOA.</i>
		Please add FMSF for Strite House to Section 106 Case Study.	<i>The Florida Master Site File (FMSF) forms for the Strite House are in the Cultural Resource Assessment Survey (CRAS) report addendum which was previously submitted to FHWA and the SHPO; the updated forms for the Bock House property included in the Case Study were for the significance reevaluation of the out-buildings requested by the landowner, as discussed at the Second Section 106 Consultation meeting (please see the explanation provided on page 5-4 of the Case Study).</i>
	p.4-3, par. 3	States that “No Build” alt. did not meet P&N, so was not included in alternatives analysis. It needs to be added per PD&E	<i>The sentence on page 4-3 states that the No Build Alternative “was not included in the alternatives</i>

		Manual, Part 2, p. 12-13, par. 2: "The Case Study report also includes a description and evaluation of all potential alternatives considered to avoid or minimize impacts to the property(ies) including the 'no build' alternative."	<i>comparison" (i.e., the comparison of Build Alternatives 1, 1A, 1B and 2). As discussed in Section 1.5 – Development of Alternatives on page 1-11 under Section 1.5.1 – No Build Alternative, the analysis of alternatives did include the No Build Alternative. The text in the sentence on page 4-3 will be revised to clarify this.</i>
	p.4-5, Table 4-1	<p>Please make the following changes:</p> <ol style="list-style-type: none"> 1) Add No Build alternative to this table. 2) Quantify the Florida Scrub Jay habitat Impact for all alternatives. 3) Replace N/A with data for noise categories and distance from edge of travel lanes. N/A appears to apply to whether noise abatement measures are applicable, but the descriptive criteria for these columns is about noise levels, not abatement. (should make this change for noise chapter as well-not logical as is). 	<p>1) Table 4-1 is entitled "Comparison of Orange County <u>Build</u> Alternatives". It is meant to show a relative comparison of impacts for the four Build Alternatives. As requested, the No Build Alternative will be added to the table, and it will show no impacts under any of the evaluation criteria categories in the table.</p> <p>2) The acreage will be quantified for Florida Scrub Jay habitat impact of all alternatives and included in the table; as shown on Table 4-1, the habitat impacts of Alternatives 1, 1A and 1B are similar, but Alternative 2 will have an additional 24.4 acres of impact and will be about 400 ft. closer to Scrub Jay sighting/nesting areas (please see details and maps provided in Appendix B).</p> <p>3) Comment 3 appears to be referring to Table 4-2. The N/A in the columns under the Strite House for Alternatives 1 and 1A does not mean whether noise abatement measures are applicable. What N/A means for the evaluation criteria "increase in noise level" and "distance from travel lanes" is, under both alternatives, the house would be displaced; its existing location is within the proposed right-of-way for Alternatives 1 and 1A. A footnote will be added to Table 4-2 to clarify this.</p>

	Exh. 4-6	Please include realignment of Boch Road in Legend.	<i>The requested addition to the Legend in Exhibit 4-6 will be incorporated.</i>
	p.4-10, sect. 4.3.4, bul. 5	Please provide some explanation of “high community cohesion impacts.” Seems like this would occur regardless of alternative.	<i>As noted in Section 4.3.4 – Alternative 2 (Avoidance) on page 4-10, the impacts are discussed in more detail in Appendix B. As indicated in Appendix B, Alternative 2 (the Avoidance Alternative) would result in the displacement of seven additional residential dwellings, which is about 20% of the residences within a relatively small cluster of about 35 homes in a rural setting. Alternative 2 would also displace three additional businesses. It would also require relocation of Boch Road and alteration of existing access to it for several parcels. For these reasons, Alternative 2 is expected to impact community cohesion and, based on comments received from area residents at public workshops, is expected to generate a high degree of public controversy. The text on page 4-10 will be revised to reference this information. Also, a footnote will be added to Table 4-1 to clarify “high” impact of Alternative 2 under “Community Disruption” Evaluation Criteria. These impacts would not occur with any of the other alternatives considered (i.e., Alternatives 1, 1A and 1B).</i>
	p.4-14, par. 1	Please show potential pond location on Exh. 4-7. Where are the four acres of contiguous property?	<i>As requested, the pond location will be shown on Exhibit 4-7. The four acres contiguous with the Bock House are located north of the proposed right-of-way line, south of Boch Road and east of the house, including the area labeled “Former Citrus Groves” on Exhibit 4-7. This information will be added to the text on page 4-14 to provide clarification.</i>

	p.4-14m par. 4	Is the noise analysis based on the revised 23CFR772? It needs to be, for both this document and the EA. I assume that the noise data/conclusions are based on the old criteria as third draft of EA was completed in 2010. Any project for which LDCA is not granted by July 13, 2011 must meet new criteria described in revised 23CFR772. FDOT has revised PD&E Manual, Part 2, Chapter 17 to address changes in the CFR.	<i>The noise analysis will be evaluated and revised as necessary to be in compliance with amended 23 CFR 772 and the updated FDOT PD&E Manual, Part 2, Chapter 17 (Noise). As requested, the updated noise information will be incorporated in both the Section 106 Case Study and the Environmental Assessment (EA).</i>
	p.5-2, par. 2	Was Alt. 1 the only alternative presented at the Public Hearing? Were all the alternatives discussed in this Case study presented to the public? All alternatives studied must be described at Hearing (PD&E, Part 1, Chapter 11, Section 11-2.9.5.1, pp.11-38.	<i>At the Public Hearing, all of the Initial and Viable Alternatives analyzed in the PD&E Study were addressed and were depicted on large display boards for public review. For the two historic resources, the Section 106 Case Study and the Individual Section 4(f) Evaluation were specifically referenced and both documents, which contain the alternatives discussed in the Case Study, were made available in hard copies and on-line before, during and after the Public Hearing for public review. It was clearly stated at the Public Hearing that the Proposed Build Alternative would have adverse effects on the Strite House and Bock House historic resources.</i>
	p.5-4, par. 3	Please provide a summary of Public Hearing comments regarding Alt. 1, 1a, 1b, and 2, and effects to the Boch and Strite Houses.	<i>There were no public comments received during or after the Public Hearing regarding the alternatives and/or effects to the Bock House and Strite House properties. Comments from the affected property owners and other stakeholders have been addressed during the course of the PD&E Study public involvement process and in the two Section 106 Consultation meetings held on April 21, 2008 and August 16, 2010. Subsequent to the Public Hearing comment period, the affected property owners have contacted the Study Team to inquire about</i>

			<i>the status of the project. This information will be added to the text on page 5-4.</i>
	p.5-4	Please describe how Alt. 1 was selected as the preferred alternative, on which the MOA was based. Please provide documentation of consultation (after Public Hearing and comment period) with FHWA on the selection of the preferred alternative.	<i>Following the Public Hearing and comment period, the Preferred Alternative was selected at duly noticed public meetings/hearings held by the Seminole County Expressway Authority Board on November 9, 2010, the Lake County Board of County Commissioners on December 7, 2010, and the Orlando-Orange County Expressway Authority Board on December 14, 2010. This information will be added to the text on page 5-4. FHWA executed the MOA, which references the Proposed Build Alternative, on June 27, 2011. It is anticipated that FHWA's acceptance of the updated Environmental Assessment document, which is now being prepared for FHWA review with information added on the Public Hearing and Section 106/Section 4(f) matters, will constitute further FHWA consultation with approval to prepare the FONSI.</i>
	p.6-1, par. 3	MOA is dated June 2010, not 2011. Please revise.	<i>The date of the MOA will be corrected to read June 2011.</i>



U.S. Department
of Transportation

**Federal Highway
Administration**

Florida Division

**545 John Knox Road, Suite 200
Tallahassee, Florida 32303**

(850) 942-9650

October 29, 2008

In Reply Refer To: ENV-FL

DHR Project File Number: 2008-5789

Wekiva Parkway (SR 429)/SR 46

Realignment PD&E Study

Orange, Lake, and Seminole Counties

Section 106 Determination of Effects

Mr. Frederick Gaske
State Historical Preservation Officer
Division of Historical Resources
500 South Bronough Street
Tallahassee, FL 32399-0250

Received

OCT 30 2008

FDOT
Environmental Management

Dear Mr. Gaske:

As part of the ongoing Section 106 consultation required by the National Historic Preservation Act for the Wekiva Parkway project, the Federal Highway Administration's (FHWA's) Florida Division Office received correspondence dated September 10, 2008 from the Division of Historical Resources, State Historic Preservation Officer (SHPO) after review of the *Draft Section 106 Determination of Effect Case Study Report* (July 2008). The letter concurs that the recommended Preferred Alternative would have an adverse effect on both the *Paul Bock House* (8OR7946) and the *Strite House* (8OR9844).

We would like to schedule a coordination meeting as soon as possible with the SHPO, District Five of the Florida Department of Transportation, and the Orlando-Orange County Expressway Authority to discuss the potential effects and to address your comments. The purpose of this letter is to confirm the need for additional consultation.

**MOVING THE
AMERICAN
ECONOMY**

Thank you for the continued coordination that the SHPO has provided throughout the Wekiva Parkway (SR 429)/SR 46 Realignment PD&E Study. Project staff will be in contact with your office to schedule a consultation meeting and discuss the agenda.

If you have any further questions or would like additional information prior to the consultation meeting, please contact Ms. Cathy Kendall at (850) 942-9650 extension 3012, or Mr. George Hadley at extension 3011.

Sincerely,

/s/Cathy Kendall
For: David C. Gibbs
Acting Division Administrator

Enclosure: SHPO Letter (September 10, 2008)

cc: Ms. Marjorie Bixby, FDOT (CEMO)
Mr. Bob Gleason, FDOT (District 5)

**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.

From: George.Hadley@dot.gov [mailto:George.Hadley@dot.gov]
Sent: Wednesday, June 15, 2011 12:34 PM
To: Stanger, Brian; Snyder, Mike
Cc: Karen.Brunelle@dot.gov; Phillip.Bello@dot.gov; Jackson, Roy; Cathy.Kendall@dot.gov; Linda.Anderson@dot.gov; Joseph.Sullivan@dot.gov; Ginny.Jones@dos.myflorida.com
Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Brian, SHPO has reviewed and their comments are in this email string. The MOA is okay.

George Hadley, Environmental Coordinator
FHWA Florida Division Office
545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2224
george.hadley@dot.gov

From: Jones, Ginny L. [mailto:Ginny.Jones@dos.myflorida.com]
Sent: Wednesday, June 15, 2011 8:54 AM
To: Hadley, George (FHWA); Kendall, Cathy (FHWA); Jackson, Roy
Cc: McManus, Alyssa M.; Kammerer, Laura; McClarnon, Daniel P.
Subject: RE: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Good Morning,
After reviewing the Draft Wekiva Pkwy MOA, SHPO does not have any comments and finds it acceptable. We look forward to receiving the final version.

Please feel free to contact me if you have any questions.

Thanks,
Ginny

Ginny Jones, MA/Architectural Historian/Transportation Compliance Review Program/Division of Historical Resources/Florida Department of State
R.A. Gray Building/500 South Bronough Street/Tallahassee, Florida 32306-0250
850.245.6333 (main)/850.245.6432 (direct)/1.800.847.7278 (toll free)/gljones@dos.state.fl.us (electronic)

We Need Your Help! The Division of Historical Resources is updating Florida's Statewide Comprehensive Historic Preservation Plan. Please share your ideas, concerns and suggestions, or take a few moments to complete our survey at: www.surveymonkey.com/s/HistoricPreservationCompPlan2011-2015

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation.
[DOS Customer Satisfaction Survey](#)

From: McManus, Alyssa M.
Sent: Wednesday, June 08, 2011 9:58 AM
To: Jones, Ginny L.
Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Alyssa McManus

Compliance Review Architectural Historian
Division of Historical Resources

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation.

[DOS Customer Satisfaction Survey](#)

From: George.Hadley@dot.gov [<mailto:George.Hadley@dot.gov>]

Sent: Wednesday, June 08, 2011 9:51 AM

To: McManus, Alyssa M.

Cc: Cathy.Kendall@dot.gov; Karen.Brunelle@dot.gov

Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

I see that Laura is out until the 20th. Are you or others able to review and comment? If so, please provide comments.

George Hadley, Environmental Coordinator
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george.hadley@dot.gov

From: Hadley, George (FHWA)

Sent: Wednesday, June 08, 2011 9:47 AM

To: Kammerer, Laura

Cc: Snyder, Mike; 'Stanger, Brian'; Brunelle, Karen (FHWA); Kendall, Cathy (FHWA); Anderson, Linda (FHWA); Sullivan, Joseph(FHWA); Jackson, Roy

Subject: FW: Wekiva Pkwy -- FHWA/SHPO Memorandum of Agreement (MOA) Concerning Strite/Bock Historic Properties

Laura, the attached MOA is acceptable to the Division. Please review and send your comments on the MOA. There have been minor revisions involving removing reference to noise reduction from landscaping (landscaping is still to occur) and the other change is to remove 10 years from the stipulation for preservation covenants. The covenant time period would be developed as part of the covenant.

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