

Record of Decision

Indian Street Bridge Final Environmental Impact Statement (FL-EIS-03-02F)

State Road No.: SR 714 (Martin Downs Boulevard/Monterey Road)
Financial Project ID: 230978 1 21 01
Federal Aid Project No.: 0418 (001)
County: Martin
Description: New Bridge Crossing of the St. Lucie River
County Road 714/Martin Highway/SW 36th Street/Indian Street
From Florida's Turnpike to East of Willoughby Boulevard

This is the *Record of Decision (ROD)* and Section 4(f) Determination for the above subject project identified in the Martin County Metropolitan Planning Organization's (MPO's) 2025 *Long Range Transportation Plan (LRTP)*, as adopted. The need and purpose for this project includes system linkage, transportation and social demands, emergency response and evacuation, multimodal interrelationships, and capacity improvements. The need and the cost feasibility of the project have been reaffirmed by the recently adopted 2030 *LRTP* update. This *ROD* is made pursuant to the July 6, 2006, Indian Street Bridge Final Environmental Impact Statement (FL-EIS-03-02F) which is hereby incorporated by reference.

Decision

The Federal Highway Administration (FHWA) Florida Division, in coordination with the Florida Department of Transportation (FDOT) and associated consultants and in accordance with the National Environmental Policy Act (NEPA) and associated laws, regulations, and orders, proposes the construction of a new bridge (Indian Street Bridge) across the South Fork of the St. Lucie River. The selected alternative is designated as *Corridor 3* in the *Final Environmental Impact Statement (FEIS)*. The 4.26 mile project will begin at the intersection with Florida's Turnpike and CR 714 (Martin Highway) and continues along Martin Highway, SW 36th Street and will connect with the four-lane Indian Street on the east side of the river. Martin Highway and SW 36th Street will be improved from two to four lanes. The location map for the selected alternative can be viewed on page 12 of this *ROD*.

Background

In 1998, a *Feasibility Study* was completed by the Florida Department of Transportation to determine if widening State Road 714 and the Palm City Bridge to six or eight lanes would meet the purpose and need and alleviate traffic service concerns, and whether the proposed project would result in potential environmental and/or socio-economic impacts. In essence, the *Feasibility Study* indicated that this proposal would meet the purpose and need and alleviate traffic concerns; however, potential significant socio-economic impacts would be associated with the addition of lanes in the existing corridor and, therefore, alternate corridors needed to be evaluated in accordance with NEPA and associated laws, regulations, and orders. The results of the study are described in Section 2 of the *FEIS*.

Alternatives Considered

The goal of the Indian Street Bridge EIS study was to select an alternative that meets the project purpose and need and provides a safe and accessible transportation solution in harmony with the community and the environment. The *Final Environmental Impact Statement*, approved for circulation on July 6, 2006, describes the selection of *Corridor 3*, with associated alignment alternatives, as the Preferred Alternative. Below is an overview of those details.

Corridor Alternatives

The New Bridge Crossing Alternative Alignment Corridor Report (Corridor Report) was completed in March of 2001. Eight (8) corridor alternatives, including the No-Build, were evaluated in the report and are addressed in the *FEIS*. The *Corridor Report* included the evaluation of Cost, Traffic Service, Engineering, Environmental, and Socio-Economic factors that were quantitatively scored based upon established criteria and data. The results of the corridor study, briefly summarized in the evaluation matrices, provided support for the selection of Corridor 3 as the preferred, as well as the environmentally preferable, corridor alternative. The matrices can be found in tables 2-1, 2-2, and 2-3 of the *FEIS*.

Furthermore, public involvement played a key role in the selection of the preferred corridor. A corridor alternatives workshop was held in Martin County for the public to review and comment on the alternatives presented in the *Corridor Report*. In addition, information from the *Corridor Report* was presented to the Martin County MPO's Technical Advisory Committee (TAC), the Citizens Involvement Roundtable (CIR)/Citizen Advisory Committee (CAC), and the Martin County MPO. On December 11, 2000, the Martin County MPO unanimously endorsed Corridor 3 for further evaluation in the NEPA process.

No-Build Alternative

The No-Build Alternative was evaluated as a possible alternative to the proposed project. As the name implies, this alternative would simply leave the existing roadway in its current configuration. Though the No-Build Alternative does have a number of positive attributes- no expenditure of public funds, no impacts to natural resources like wetlands and floodplains, and no direct or indirect impacts to community cohesion- it would fail to fulfill the key needs of the communities of Palm City and Stuart.

Transportation System Management

Transportation System Management (TSM) was also evaluated as a possible alternative. TSM suggests solutions to substandard roadways within highly urbanized or constrained corridors. Though elements of this approach may be incorporated into the proposed project to the greatest extent possible, the TSM alternative, alone, would not provide the needed additional capacity crossing the St. Lucie River, nor would it provide needed facilities for pedestrians, bicycles, and other forms of non-motorized transportation. Further explanation is available on page 2-29 of the *FEIS*.

The Citizens Alternative to the Indian Street Bridge Project

On September 27, 2005, Citizens for Smart Growth, a private community organization based in Palm City, presented an alternative to the proposed project to the FHWA and the FDOT. During their presentation, they identified “general deficiencies” based upon their review of the environmental documentation, including associated technical studies that would not support the need for the project, as proposed. Of primary concern were the traffic projections and modeling processes which the organization believed to be “flawed”. Though the group’s concerns have been considered and evaluated to determine their merit, the traffic projections used for the *FEIS* are based upon professionally-accepted methodologies for transportation modeling and provide further support for the proposed project.

The *Citizens Alternative to the Indian Street Bridge Project (Citizens Alternative)* is a variation of the TSM approach and consists of approximately two (2) miles of traffic improvements along the Palm City Bridge Corridor and SR 714. These improvements include three multi-lane roundabouts, one-way pair couplets, and bicycle and pedestrian facilities. Additional information can be found in Section 2.4.4, “Citizen’s Alternative”, of the *FEIS*.

The *Citizens Alternative* was evaluated based on criteria related to purpose and need, traffic, engineering, right of way (R/W), environment, and project cost. Upon review, it was determined that the Citizens for Smart Growth’s proposed project is not a reasonable alternative to the proposed Indian Street Bridge project and does not meet the project’s purpose and need since it does not provide the needed four lanes of additional capacity across the river. For example, the *Citizens Alternative* fails to provide a suitable emergency/evacuation route and does not provide for the necessary transportation infrastructure or improved system linkage. Additionally, the *Citizens Alternative* does not satisfy the objective identified in Martin County’s 2025 LRTP of providing a parallel corridor to the Palm City Bridge.

Alternatives Selected

Corridor 3 was divided into four segments in order to develop viable alignment alternatives. Initially, two alignments were developed for Segment 1; five alignments for Segment 2; three alignments for Segment 3; and three alignments for Segment 4. Detailed information regarding the alternatives considered can be found in Section 3 of the *FEIS*. These alignments were displayed at public workshops and ultimately either eliminated or refined for display at the November 6, 2003 Public Hearing. Based upon public input and documented technical support, the following segment alternatives within the Preferred Corridor are selected:

- **Selected Alternative for Segment 1 (From Florida’s Turnpike to Mapp Road)**

Alternative 1B, with wider sidewalks and buffer areas, is selected due to its incorporation of community values and needs, as well as, preference by the public. Additionally, the Martin County MPO, CIR/CAC, TAC, and other local groups endorsed Alternative 1B. Although impacts are relatively similar, Alternative 1A has fewer impacts to the natural environment, including wetlands. However, Alternative 1B was selected as it is more sensitive to the needs of the community, which requires additional R/W for the enhanced community features.

- Selected Alternative for Segment 2 (From Mapp Road to St. Lucie Shores Drive)
Alternative 2A, which is described as a “greenway corridor”, is selected due to public sentiment, improved drainage, landscape opportunities, and consideration of community values. Furthermore, the Martin County MPO, CIR/CAC, TAC, and other local groups endorsed Alternative 2A. Although impacts are relatively similar, Alternative 2B has fewer impacts to the natural environment, including wetlands and floodplains. However, Alternative 2A was selected as the preferred alternative since it provides enhanced engineering and community features, which have additional R/W requirements.
- Selected Alternative for Segment 3 (Bridge Alignment)
The proposed bridge alignment (Segment 3) was dependent upon which alternative was selected for Segments 2 and 4. **Alternative 3B** is selected and provides for an at-grade connection with auxiliary lanes to Kanner Highway. This alternative will have fewer environmental impacts due to a smaller footprint and will be more cost-effective when compared to the grade-separated alternatives. Comments from regulatory agencies, elected officials, and the public reinforced the preference for Alternative 3B. Also, the MPO, CIR/CAC, TAC, and other local groups endorsed Alternative 3B.
- Selected Alternative for Segment 4 (Along Indian Street from Kanner Highway to just east of Willoughby Boulevard)
Although a specific alternative was not preferred by the public or endorsed by the Martin County MPO or other local groups, **Alternative 4B** is selected as it impacts fewer parcels along the Indian Street Corridor. Public opinion only indicated the preference for an at-grade alternative, which Alternative 4B provides.

The Alternatives Impact Matrices for the alignment alternatives can be found in Tables 4-18 through 4-21 of the *FEIS*.

Section 4(f)

Four potential Section 4(f) properties were identified directly adjacent to the existing roadway along the corridor. Evaluations were conducted to determine whether the proposed action would impact these properties, and if so, whether there is a prudent and feasible alternative to avoid or minimize these impacts. (Detailed information can be found in Section 5 of the *FEIS*)

The Hidden Oaks Recreation Complex was identified and addressed. The proposed action will not impact the activities, features, or attributes of the property; compromise access, or result in the use of the property. Therefore, FHWA determined that Section 4(f) does not apply.

The proposed Danforth Park was identified and addressed. The proposed action will not impact the activities, features, or attributes of the property; compromise access; or result in the use of the property. Therefore, FHWA determined that Section 4(f) does not apply.

The Jock Leighton Park is located on the south side of SW 36th Street and on the east side of Mapp Road. Three concepts were proposed during the Section 4(f) evaluation of the Park along Mapp Road. Concept A would not require land from the Park; however, it was determined that this

concept was neither feasible nor prudent. Concepts B and C would require the acquisition of 13.5 ft and 17.25 ft , respectively, from the west side of Jock Leighton Park and, therefore, Section 4(f) would apply. Concept B was selected as the preferred alternative because it would have less impact along the Mapp Road side of the park and it would not diminish the activities, features, or attributes of this Section 4(f) resource. Measures to minimize harm to the Park will be employed. More detailed information can be found in Section 5.4 of the *FEIS*.

The Martin County Kiplinger sites were acquired by Martin County in conjunction with the Florida Communities Trust Fund (FCT) and these sites include several parcels. All sites were designated for conservation and are an important link within the Martin County Waterway Trail System. The site pertinent to this project is a mangrove-fringed island in the River- with the county-owned portion of this island comprising 41 acres. After coordination with several interested parties, including the Martin County Parks and Recreation Department, an agreement was reached that it would be acceptable for a bridge pier to be built on the island. It was decided that this would result in less detriment to the conservation areas than placing piers on either side of the island. Because there is no feasible and prudent avoidance alternative, Section 4(f) does apply. Measures to minimize harm to the resource will be implemented. More detailed information can be found in Section 5.5 of the *FEIS*.

Major Issues Considered

Context Sensitive Solutions/Public Involvement/Socio-Cultural Effects Evaluation

The FHWA and FDOT developed and executed an extensive Public Involvement Program as part of the NEPA process for this project. The purpose of this program was to establish and maintain communications with the public at large and the individuals and agencies concerned with the project and its potential impacts. A community Assessment Task Team (CATT) established for this project met with various stakeholders and interested parties in order to gain useful insight to impacts that this project may have on the community. This insight resulted in the development of the project alternatives with the community in mind. The public had several opportunities to share ideas and comments on the project alternatives. An overview of the Public Involvement Program can be found in Section 6 of the *FEIS*.

Members of the public played a considerable role in the decision-making process and, due to the size and scale of the proposed project, there was understandably a substantial interest by the public in the project development and selection of an alternative. Responses from surveys held during public meetings and workshops indicated that the majority of the public supported a build alternative and favored alternatives that would account for existing and desired community features and values. FDOT received an Honorable Mention Environmental Excellence Award from the FHWA for Public Involvement during the Indian Street Bridge project development.

The selected alternative (by segment) will be designed to incorporate various aspects of context sensitive solutions based upon the needs of the community. The selected alternative will include pedestrian and bicycle facilities, allow for a better transition to existing ground elevations to reduce the shadow size, and provide the community with a "greenway" type corridor (specifically in Alternative 2A). Further information can be found in Section 2.4.3, "Selection of Preferred Alternatives", of the *FEIS*.

Indirect and Cumulative Impacts

The construction of the Indian Street Bridge is not expected to substantially alter development patterns considering projected future growth and land use designations. In addition, indirect and cumulative impacts to wetlands, essential fish habitat, wildlife and water quality have been assessed and will be assessed further during design and permitting. Information can be found in Section 4.3.21 of the *FEIS*. The FHWA and FDOT received comments from the U.S. EPA regarding the lack of sufficient discussion of wetland and indirect and cumulative impacts in the *DEIS*. These issues were addressed in the *FEIS* and, in a letter dated August 25, 2006, the EPA stated that "FDOT has addressed all major concerns."

Land Use Changes

Concerns were raised over the potential for significant land use changes along the Indian Street and 36th Street corridor "as it becomes a major transportation thoroughfare." This issue is addressed in Appendix N of the *FEIS* (see FDOT's response to USEPA's comments dated May 3, 2004).

As discussed in the Section 4.1.3 of the *FEIS*, based upon field visits and information obtained from Martin County's Future Land Use Maps and county offices, including County plans for future development in the area based upon the proposed project's transportation improvements, it is reasonably clear that there will be no significant land use changes.

Early Right of Way Acquisition

On November 20, 1990, the Martin County Board of County Commissioners approved the purchasing of developed land along 36th Street- providing early acquisition approval "for a proposed corridor to extend Indian Street over the South Fork of the St. Lucie River with the construction of a bridge" (see page 4-16 in the *FEIS*). Although right of way (R/W) is typically acquired during the Design Phase, the selected alternative incorporates this land that the County had previously purchased. However, it should be noted that early property acquisition was not used as a basis for choosing the selected alternative; the FHWA weighed all factors equally in selecting an alternative that would provide for the needed transportation improvements while at the same time minimizing overall harm to the human and natural environment.

With the acquisition of this land occurring in the past, elected officials and the business and residential communities have accepted the current land use and have adjusted their present and future plans and lifestyles accordingly. Furthermore, to choose a route other than the selected alternative would potentially cause greater disruption to the community and existing land uses by requiring larger amounts of R/W to support the proposed improvements in an area not presently suited for such a project.

Measures to Minimize Harm

This project incorporates all practical measures to avoid or minimize environmental harm. Although some impacts will occur, every effort will be made to minimize impacts through the institution of feasible measures applicable to each situation. Numerous specific commitments have been made regarding engineering, environmental, Section 4(f), and community issues. These commitments are outlined in the *FEIS* and the *Preliminary Engineering Report (PER)* and included in the *ROD*.

Construction activities for the project may have short-term air, noise, vibration, water quality, traffic flow, and visual effects for those residents and travelers within the immediate vicinity of the project.

The air quality effects will be temporary and will primarily be in the form of emissions from diesel-powered construction equipment and dust from embankment and haul road areas. Air pollution associated with the creation of airborne particles will be effectively controlled through the use of watering or the application of other controlled materials in accordance with the latest edition of FDOT's *Standard Specifications for Road and Bridge Construction* as directed by the FDOT Project Engineer.

Noise and vibratory effects will be from the heavy equipment movement and construction activities such as pile driving and vibratory compaction of embankments. Noise control measures will include those contained in the latest edition of FDOT's *Standard Specifications for Road and Bridge Construction*. Specific noise level problems that may arise during construction of the project will be addressed by the FDOT's Construction Engineer in cooperation with the appropriate District Environmental Specialist.

Water quality effects resulting from erosion and sedimentation will be controlled in accordance with the latest edition of FDOT's *Standard Specifications for Road and Bridge Construction*, through the use of Best Management Practices (BMPs), and through strict adherence to the Permitting and Regulatory Agency conditions.

During Design, a top-down construction method, use of a temporary construction platform or other appropriate methods will be considered to minimize impacts to Essential Fish Habitat (EFH) and the mangrove island from the construction of the proposed bridge. A top-down construction method or other appropriate method would minimize impacts to the estuarine water column by reducing turbidity resulting from construction activities, and would avoid the need for dredged access channels for barge placement. At this stage of project design, coordination regarding construction methodology has taken place; however, the method of construction has not been determined. Turbidity will be further addressed through established permit conditions and BMPs to control erosion and sedimentation.

Maintenance of Traffic (MOT) and sequence of construction will be planned and scheduled so as to minimize traffic delays throughout the project. Signs will be used as appropriate to provide notice of road closures and other pertinent information to the traveling public. The local news media will be notified in advance of road closings and other construction-related activities so that motorists, residents, and business persons can plan travel routes in advance.

During Construction, a sign providing the name, address, and telephone of the Department Project Administrator will be displayed on-site to assist the public in obtaining immediate answers to questions and concerns about project activity. Access to all businesses and residences will be maintained to the extent practical through controlled construction scheduling. Traffic delays will be controlled to the extent possible where many construction operations are in progress at the same time. The contractor will be required to maintain one lane of traffic in each direction of the roadway at all times and to comply with the BMPs of FDOT.

Variations from access management standards will be requested for the western most median opening for Hidden Oaks Middle School and at the intersection of Palm City School Avenue to allow all movements at these locations.

Construction of the roadway and bridges requires excavation of unsuitable material (muck), placement of embankments, and use of materials, such as limerock, asphaltic concrete, and portland cement concrete. Demucking is anticipated at most of the wetland sites and will be controlled by Section 120 of the latest edition of FDOT's *Standard Specifications for Road and Bridge Construction*. Disposal will be on-site in detention areas or off-site. The removal of structures and debris will be in accordance with local and state regulation agencies permitting this operation. The contractor is responsible for its methods of controlling pollution on haul roads, in borrow pits, other materials pits, and areas used for disposal of waste materials from the project. Temporary erosion control features as specified in the latest edition of FDOT's *Standard Specifications for Road and Bridge Construction*, Section 104, will consist of temporary grassing, sodding, mulching, sandbagging, slope drains, sediment basins, sediment checks, artificial coverings, and berms.

Monitoring or Enforcement Program

The FDOT District Four has committed, and therefore shall adhere to the following monitoring and enforcement measures for this project:

- A signal warrant analysis and access management review will be performed during the Final Design phase to evaluate the potential placement of a traffic signal at one of the following locations: Hidden Oaks Middle School, Berry Avenue, Danforth/Palm City School Avenue, and Whispering Sound.
- The project will include sidewalks, bicycle lanes, and "green" buffer strips on both sides of the roadway throughout the project corridor. Sidewalks from the project's beginning to St. Lucie Shores Drive will be 8 ft. in width as requested by the communities bordering the project. Sidewalks along the bridge and the Indian Street portion of the project will be a minimum of 6 ft. in width. There will be signalized crosswalks at each signalized intersection. In addition, there will be consideration of a signalized crosswalk and pedestrian refuge in the vicinity of the Hidden Oaks Middle School during the Final Design phase of project development.
- FDOT shall minimize impacts to the Martin County Kiplinger site, a narrow fringed island acquired by Martin County for conservation, that separates the South Fork of the St. Lucie River and Okeechobee Waterway, by examining the feasibility of designing the bridge in such a way as to reduce the number of bridge pilings that will directly impact the mangrove island. During the Final Design phase, the FDOT will evaluate the agreement reached with the Martin County Parks and Recreation Department of designing the bridge with a target of only one pier within the mangrove island.
- Avoidance and minimization of impacts to Essential Fish Habitat will be continually reviewed and implemented, where possible, through the Final Design and Construction phases.

- Assistance will be provided to Martin County for implementation of the elements of the FCT Management Plan as Section 4(f) compensation for impacts to the island portion of the Kiplinger site.
- Neither the Danforth Park nor Leighton Park sites will be used for staging or storage areas during the construction phase.
- Prior to the Construction phase, notification and coordination will occur with the Martin County Parks and Recreation Department regarding the removal of the existing oak trees along SW 36th Street and the transportation easement along Jock Leighton Park. Any landscaping at Jock Leighton Park that may be affected by construction will be replaced with similar material. Should the fence around the park be affected, a suitable replacement fence will be furnished and installed.
- Opportunities for aesthetic treatments and community amenities will be evaluated and developed during the Final Design phase with input from local government entities and the community. Design of these features will be coordinated with the Palm City Community Redevelopment Agency (CRA) and the Palm City Neighborhood Advisory Committee (NAC).
- During the Final Design phase, there will be further consideration of noise barriers at two locations: the Martin Downs neighborhood and the Crossings at Indian Run Apartments. The traffic noise barrier evaluation for these locations will be refined using specific horizontal and vertical alignment data for Martin Highway and Indian Street. A land use review will also be implemented during the Final Design phase to identify noise sensitive sites that may have received a building permit subsequent to this noise study, but prior to the “date of public knowledge” (the date that the record of decision, granting location and design concept acceptance, was approved by the Federal Highway Administration [FHWA]). If the review identifies noise sensitive sites that have been permitted prior to the “date of public knowledge”, then those noise sensitive sites will be evaluated for traffic noise and abatement considerations. During the Final Design phase, a commitment to construct feasible and reasonable noise barriers will be contingent upon the following conditions:
 - Detailed noise analysis during the Final Design process supports the need for abatement.
 - Detailed noise barrier analysis indicates that the cost of the barriers will not exceed the cost reasonableness criteria.
 - Community input regarding desires, types, heights, and locations of barriers is received by the FDOT and supports the construction of noise barriers.
 - Preferences regarding compatibility with adjacent land uses, particularly as expressed by officials having jurisdiction over such lands, have been addressed.
 - Safety and engineering aspects related to roadway users and adjacent property owners have been reviewed and any conflicts or issues resolved.
 - Any other mitigating circumstances revealed during Final Design have been analyzed and resolved.
- A R/W and Relocation Program will be carried out in accordance with F.S. 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (Public Law 91-646, as amended by Public Law 100-17). The Department has developed a plan to ensure

that the properties in Palm City purchased by Martin County will comply with federally mandated criteria. After Location Design Concept Acceptance (LDCA) is granted in the *ROD* for this project, the Department will make all reasonable attempts to contact the seven residential homeowners/occupants and offer them full relocation benefits as mandated by the Uniform Act. These benefits shall include both financial benefits and advisory services, as needed. The financial relocation benefits may include purchase additive payments (replacement housing payments), move cost payments, incidental expense/closing cost payments, and increased interest payments as necessary. The history of these acquisitions along with the details of these commitments is outlined in Section 4.1.4 of the *FEIS*.

- Seven identified potential petroleum contamination sites will be investigated prior to any construction and any necessary cleanup plans will be developed. Actual cleanup will take place during construction. Special provisions for handling unexpected contamination discovered during construction will be included in the construction plans package.
- Every effort will be made to mitigate any wetland impacts within the project corridor if possible, and if not, other areas within Martin County will be explored for restoration options. Freshwater and estuarine wetland impacts, which would result from the construction of this project, are proposed for mitigation through the following options: pursuant to S. 373.4137 F.S. (Senate Bill 1986), through available established banks within Martin County, or through on-site mitigation. Senate Bill 1986 will be pursued as the first option to satisfy all mitigation requirements of Part IV, Chapter 373, F.S. and 33 U.S.C. 1344. Details of this commitment are outlined in Section 4.3.5 of the *FEIS*.
- During the project's Final Design/Permitting phase, when more specific design information is available, the FDOT will re-evaluate fresh water wetlands affected by the project using the Unified Mitigation Assessment Method (UMAM). This investigation will determine if wetlands within the Wood Storks' Core Foraging Area (CFA) will be impacted and if those wetlands support suitable hydroperiods for foraging habitat. The Department will coordinate with the U.S. Fish and Wildlife Service (USFWS). Mitigation for any potential losses to fresh water wetlands used by the Wood Stork will be located within the Wood Stork CFA to the maximum extent possible, thereby resulting in a "may affect, but is not likely to adversely affect" finding for this species.
- Standard construction provisions for the Eastern Indigo Snake and West Indian Manatee will be incorporated into the Specification Package, thereby resulting in a "may affect, not likely to adversely affect" finding for these species. Also, further coordination with National Marine Fisheries Service (NMFS) will occur during the Final Design phase to establish a determination of effect for the recently listed federally protected endangered Smalltooth sawfish and any potential protection measures will be implemented based upon the determination.
- Further coordination with the NMFS will be conducted during the Final Design and Permitting phases to assess impacts to EFH. An Addendum to the EFH Assessment will be prepared during the Final Design phase to document in detail the impacts and mitigation for EFH. Coordination will be initiated with the NMFS for their review of the Addendum.

- Over the next three years, the Department will conduct Submerged Aquatic Vegetation (SAV) surveys according to the NMFS monitoring protocol outlined in *The Johnson's Seagrass Recovery Plan*. This information shall be documented and coordination with the NMFS conducted as part of the Addendum to the EFH Assessment.
- Although not observed during field surveys of the corridor, foraging and nesting habitat for the Florida sandhill crane exists within and adjacent to the project. Resurveys in areas that may support nesting habitat will be conducted and the type of protective measures for this species will be determined during the Final Design and the Permitting phases. If nests are identified, the Florida Fish and Wildlife Conservation Commission (FFWCC) will be contacted immediately. Protective measures implemented during construction are determined on a case-by-case basis and will depend upon site factors.
- During the field surveys, gopher tortoise burrows were observed immediately adjacent to and within 200 ft of the existing roadway. A comprehensive resurvey will be conducted during Final Design and prior to construction. If tortoises or burrows are found within proposed impact areas, coordination with the FFWCC will be initiated to determine the appropriate mitigation and to acquire the necessary incidental take or relocation permits.
- The bridge design, if required, will consider the use of viable, non-harmful deterrent mechanisms to discourage birds, such as the brown pelican, from perching on the bridge. Should such treatments be required, the details will be developed during subsequent phases of project development.
- Coordination with the United States Coast Guard (USCG) will take place during the Final Design phase with regard to permitting of the bridge over the Okeechobee waterway and determination of any navigational aids required.
- During construction, all provisions of the FDOT's most recent version of the *Standard Specifications for Road and Bridge Construction* will be followed.

The FDOT Reevaluation Process serves to ensure compliance with all applicable Federal and State laws and regulations prior to the advancement of the project to the next major production phase. This process also provides the mechanisms by which commitments made during the project development process are identified, updated, and their status confirmed. Any new commitments or laws which may have come into effect since the approval of the original final environmental document are addressed in the Reevaluation. As a result, the environmental documentation on a project is always current with prevailing rules and regulations, as well as, any commitments resulting from the project development process, including permit requirements. FDOT District IV tracks these commitments through a data base in order to manage and access the large and diverse amount of data in a timely manner.

Comments on Final Environmental Impact Statement

The *FEIS* was approved for circulation on July 6, 2006 and the notice of its availability was published in the *Federal Register* on July 28, 2006, with a request that comments be postmarked by August 28, 2006. The FHWA, in coordination with the FDOT, has taken into consideration all

pertinent correspondence, documents, and technical reports postmarked through September 5, 2006 FDOT has adequately responded to all substantive comments received from interested parties regarding the content and accuracy of the *FEIS* and supporting studies for selection of Corridor 3 and selection of the alignment alternatives within Segments 1 through 4 of this corridor.

Summary of Comments and Responses Concerning the FEIS

Issue Area	Comment Summary	Response Summary
<p>Right of way cost estimates – 8/26/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>This is a detailed critique on the FDOT methodology for estimating the right of way costs. Detailed comments indicate why they believe the estimated right of way costs that have been associated with the Citizens Alternative by FDOT are much too high.</p>	<p>The FHWA is satisfied that FDOT used accepted methodology for Parcel Count Based on Required Designs; Allocated Value for Affected Parcels; Business Damage Costs; Expert Fees; and Factor Analysis.</p>
<p>Project Alternatives – 8/25/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>Additional viable alternatives have not been sufficiently evaluated.</p>	<p>Various alternatives were evaluated in the 1998 Feasibility Study, the 2001 Corridor Report, the Preliminary Engineering Report and the Draft and Final EIS. Many of the alternatives, as indicated in the <i>FEIS</i>, were determined by FHWA to not be viable.</p>
<p>Public Participation – 8/25/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>Insufficient opportunities for public participation were provided in the selection and review of alternatives.</p>	<p>Public involvement, including numerous workshops, meetings with various stakeholders groups and the public hearing, played a key role in the evaluation of alternatives. FDOT received national recognition and was honored with an Honorable Mention Environmental Excellence Award from the FHWA for Public Involvement during the Indian Street Bridge project development. The <i>FEIS</i> includes a detailed overview of the extensive Public Involvement effort.</p>
<p>Evaluation of Significant</p>	<p>The proposed alignment</p>	<p>Impacts to communities and</p>

<p>Impacts – 8/25/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>causes significant impacts to environmental resources and communities that have not been fully evaluated.</p>	<p>environmental resources have been adequately evaluated using acceptable procedures and methodology.</p>
<p>Traffic Projections and Modeling – 8/25/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>Traffic projections and modeling processes are flawed.</p>	<p>Traffic projections developed for the <i>FEIS</i> are based upon a professionally acceptable methodology for travel demand modeling. They are consistent with FDOT standard practices for assessing corridor demand, and are consistent with the FDOT policies and procedures used to develop design traffic.</p>
<p>Evaluation Methods and procedures – 8/25/06 by Odias Smith, President <i>Citizens for Smart Growth</i></p>	<p>Evaluation methods and procedures are illogical and irresponsible.</p>	<p>The interdisciplinary team approach used on this project combines the strengths of engineering, natural and social science disciplines. The team used acceptable procedures and methodologies during project development to produce a sound public works project which serves the needs and goals of the community as a whole.</p>
<p>Air Quality – 8/24/06 by Timothy A. Gray, Florida Department of Environmental Protection</p>	<p>Do Corridor 4 intersections fail air quality standards in existing or future years, and what mitigation will be used to meet the standards?</p>	<p>FHWA has selected Corridor 3. The air quality study for Corridor 3 determined that predicted CO concentrations in the opening and design years will be below the 1-hour NAAQS of 35 parts per million and the 8-hour standard of 9 parts per million, therefore we do not expect the standard to be exceeded .</p>

<p>Construction Impacts to Air Quality – 8/24/06 by Timothy A. Gray, Florida Department of Environmental Protection</p>	<p>Site preparation, construction fugitive dust control measures, demolition site preparation and diesel emissions must meet national and state standards and procedures. Request full consideration be given to the use of bio-diesel fuel or requiring that only diesel equipment manufactured after 2007 be utilized. Both of these measures will assist in reducing CO and particulate matter.</p>	<p>Construction activities will be in accordance with all federal, state, and local requirements. Air pollution associated with the creation of airborne particles will be effectively controlled through the use of watering or the application of other controlled measures in accordance with latest edition of Florida Department of Transportation's (FDOT) Standard Specifications for Road and Bridge Construction.</p>
<p>SHPO Role – 7/31/06 by Mr. Frederick P. Gaske - Director and State Historic Preservation Officer Florida Department of State Division of Historical Resources</p>	<p><i>FEIS</i> findings consistent previous determinations that project will have no effect on cultural resources. The <i>FEIS</i> adequately documents minimization of 4(f) properties.</p>	<p>Comment noted.</p>
<p>Existing Mitigation Areas and Conservation Easements -9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>If existing mitigation areas or conservation easements are impacted, additional mitigation and conservation easements may be needed.</p>	<p>Existing mitigation associated with the Danforth conservation area is not directly impacted by this project.</p>
<p>Construction Access Impacts Outside Footprint - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation</p>	<p>Impacts from construction access outside the footprint should be estimated and included in the mitigation.</p>	<p>Potential impacts will be quantified during design, and mitigation will be refined and determined prior to and during permitting.</p>

<p>South Florida Water Management District</p>		
<p>Secondary Wetland Impacts Beyond Fill – 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Secondary wetland impacts from buffer elimination, shading, noise, should be included in the WER, and mitigation provided for.</p>	<p>This issue has been addressed in the <i>FEIS</i> and <i>WER</i>. Additional considerations of secondary impacts will be coordinated during the design phase and prior to permitting when more detailed information is available.</p>
<p>Wetland Mitigation Location - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Clarification needed to indicate whether wetlands will be mitigated on site, within the corridor, or in some other area.</p>	<p>If the Senate Bill (in lieu fee program for wetlands mitigation) cannot be utilized and an appropriate mitigation bank through Martin County has not been established, then on-site mitigation will be utilized. Agency coordination will continue through the design and permitting phases. A detailed discussion concerning mitigation is on Page 4-42 of the <i>FEIS</i>.</p>
<p>Mitigation Method – 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Mitigation proposal with adequate compensation needed for permitting. FDOT Mitigation Program (Senate Bill 1986) is not considered to be a viable option for this project due to the lack of mitigation presently available under this program. The SFWMD recommends land acquisition and preservation of similar habitats along the South Fork St. Lucie River, preferably adjacent to existing preserved public lands, as mitigation for both freshwater and estuarine</p>	<p>Agency coordination will continue through the design and permitting phase. A detailed mitigation proposal for the proposed wetland impacts will be developed as part of the permit application.</p>

	wetland impacts.	
<p>Mitigation Type and Amount - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Mitigation Type must be in-kind, and the amount needed to offset unavoidable impacts will be based on the Uniform Mitigation Assessment Method(UMAM).</p>	<p>Comment is noted.</p>
<p>Minimization of Wetland Impacts - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Six-Lane divided highway over mangrove and bay wetlands is not a design option that minimizes wetland impacts to the greatest extent practicable.</p>	<p>Section 5 of the FEIS contains the Section 4(f) documentation for the project. Within this section, there is the discussion of the Kiplinger Site and the selection of the preferred alternative (3B-4B) to adhere to Martin County's request to stay as far away from the landside boundary of the Kiplinger site as possible. Additional discussion regarding the selection of this alternative as the preferred is contained in Section 2 of the FEIS. A 4-lane at grade intersection alternative was evaluated but was eliminated due to its inability to provide the needed capacity at the intersection of Indian Street and SR 76 (Kanner Highway). The alternatives considered were discussed at several interagency coordination meetings. A grade-separated alternative was considered but eliminated based on public and agency input, due to its larger footprint area, greater environmental impacts and the fact that it was more costly than the at-grade alternatives. Thus, a 4-lane at-grade alternative with auxiliary lanes was developed to provide the necessary capacity at this intersection. The auxiliary lanes provide additional</p>

		through lanes at the intersection and require transition areas resulting in the “six-lane section” referenced in SFWMD’s comments.
<p>Re-suspension Construction Methods – 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Construction methodologies that minimize re-suspension of the fine, silty material on the shallow bottom of the western side of the South Fork of the river need to be incorporated to prevent a violation of state and water quality standards.</p>	<p>Fill activities within or adjacent to surface waters will be controlled using Best Management Practices such as temporary sheet piling, turbidity barriers, or other erosion and sedimentation controls. These controls will be shown in the Stormwater Pollution Prevention Plan as per Florida Department of Environmental Protection (FDEP) criteria. Agency coordination will continue during the permitting process.</p>
<p>Surface Water Management System - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Surface Water Management System must be compatible with any wetland preserve areas. FDOT must demonstrate that the proposed project will not adversely affect the hydroperiod of wetlands to be preserved.</p>	<p>The comment is noted and there will be coordination during design and permitting.</p>
<p>Conservation Easements - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District</p>	<p>Conservation easement documentation for the proposed wetland preservation and mitigation areas should be submitted as part of the ERP application. The protected onsite wetland areas, mitigation areas, and upland buffers should be dedicated as conservation areas and placed under a conservation</p>	<p>Detailed mitigation plans will be developed as part of the permit application package. Coordination with agencies will occur prior to submittal of the package.</p>

	easement. The conservation easement must meet the requirements of Chapter 704.06 F.S.	
Listed Species - 9/21/06 by Mr. James Golden, AICP Senior Planner Environmental Resource Regulation South Florida Water Management District	FDOT will need to address issues with endangered, threatened or species of special concern with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service before a SFWMD permit can be issued. Avoidance of any nesting sites and minimization of impacts to any habitat being utilized by wetland dependant listed species will be required by the SFWMD. This may include habitat set-aside and construction restrictions.	Coordination with the FFWCC and the USFWS has taken place throughout the study and review of the <i>FEIS</i> . In addition, continued agency coordination will occur prior to submittal of the permit application to address any species issues. In addition, the SFWMD will be coordinated with regarding wetland dependent species.
8/25/2006 by Mr. Pace Wilber U.S. Department of Commerce National Marine Fisheries Service Southeast Regional Office NOAA Fisheries	Our comments remain the same as those submitted in February, which are included in Appendix O of the <i>FEIS</i> . FDOT, in the <i>FEIS</i> has addressed previously stated concerns.	The comment is noted.
8/2/06 by Mr. Michael DiTerlizzi, Chairman Martin County Metropolitan Planning Organization	MPO supports project as their #1 priority. The scrutiny of the process has proved the need for this new bridge.	MPO support for the project is understood.
8/4/06 by Mr. Don G. Donaldson, P.E. Engineering Department Director/County Engineer Martin County	The bridge is the top priority of Martin County and we fully support its construction as outlined in the <i>FEIS</i> .	Martin County's support for the project is understood.
8/14/06 by Mr. Keith Holman	Project is beneficial for traffic emergencies and	FHWA accepts FDOT's 9/19/06 response and

<p>Director of Emergency Management Martin County</p>	<p>evacuation. It would enhance evacuation capabilities for Martin County and reduce the time necessary to complete evacuations.</p>	<p>acknowledges their comment.</p>
<p>8/25/06 by Ms. Linda P. Poythress Regional Environmental Officer U.S. HUD</p>	<p>No objection to project.</p>	<p>Comment is noted.</p>
<p>Major Concerns – 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>FDOT has addressed all major concerns. Minor concerns identified.</p>	<p>We intend to address the remaining minor concerns identified by EPA during further project development.</p>
<p>Construction Costs – 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>Not clear whether the construction cost estimates include cost of environmental mitigation.</p>	<p>Construction costs contained in the <i>FEIS</i> Section 4.3.22 do not reflect environmental mitigation since the mitigation costs have not yet been determined. These costs will be developed once the method(s) of mitigation are determined during the Design phase and prior to permitting.</p>
<p>Migratory Birds - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>Portions of the mangrove island within the river functions as a bird rookery and therefore compliance with the Migratory Bird Treaty Act should be addressed. One measure would be to limit construction access at times of bird nesting. The USFWS serves as the authority on migratory birds and therefore consultation with that agency should occur and result in</p>	<p>No nesting areas for the species listed in the <i>FEIS</i> Section 4.3.15 are found within the project corridor. The closest previously documented rookery location is approximately 0.75 miles to the north of the project, just south of the Palm City Bridge. A great blue heron rookery was identified during Spring 2003 surveys on a mangrove peninsula located approximately 0.5 miles</p>

	mitigation being defined and committed to in the Record of Decision and reflected in the Section 404 Permit and other approvals.	north of the project. Impacts to freshwater wetlands have been minimized and will affect primarily the outer edges of these areas, along the existing road alignment. The most significant wetland habitat impact will be to the mangrove wetlands along the eastern shoreline of the South Fork of the St. Lucie River, in Segment 4 of the project. These impacts will be minimized to the greatest degree possible, and mitigation will be provided to compensate for loss of wetland habitat and function.
Construction Impacts Mitigation - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency	EPA is requesting that conditions for limiting construction techniques and dredging and construction timeframes (such as top-down construction, restoration of original bottom contours, and submerged aquatic re-vegetation) be drafted and included in construction plans and the CWA Section 404 Permit of the Corps of Engineers.	Top down construction and other methods to reduce impacts to Essential Fish Habitat will be evaluated during the Design phase and permit application process.
Specific Wetland Impacts - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency	Not clear whether the estimated wetland impacts in Table 4-20 includes areas dredged for construction access, how much is submerged and how much mangrove, and the types of mitigation techniques. The mitigation plan will need to detail these things.	Currently, there is no submerged aquatic vegetation to quantify. These impacts will be reevaluated during surveys in the Design phase and prior to permitting. These surveys will be coordinated with the permitting agencies.

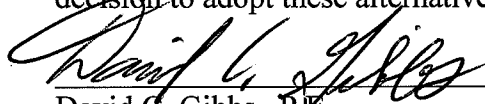
<p>Impact Minimization in Design - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>In the Design phase, FDOT may need to consider eliminating the lookout on the bridge. Unless it is a functional necessity, impact must be minimized. Additional footprint translates into additional shading and additional loads. Additional loads translate into additional pilings, which may result in larger impact.</p>	<p>Incorporation of a lookout on the bridge may be considered during the Design phase. If included, impacts resulting from this feature will be evaluated and mitigated. At this time, there is no submerged aquatic vegetation. It has been agreed that the bridge footprint will result in 100 percent shading and mitigation will be provided.</p>
<p>Seagrass Surveys - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>The EIS states that seagrass surveys will be performed for the next 3 years (pg vi). EPA recommends additional surveys immediately prior to construction.”</p>	<p>The comment is noted. Seagrass surveys will be performed during the Design phase and permit application process.</p>
<p>Water Quality Monitoring - 8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>EPA recommends a sediment quality analysis and water quality analysis prior to the project to determine whether water quality impacts will occur due to the suspension of contaminants? Also, EPA recommends water quality monitoring during placement of pilings with contingency plans in place if exceedences occur.</p>	<p>FDOT will comply with Federal and State water quality standards as the project advances. Specific details regarding these standards and turbidity control measures are typically part of the permit application process. The FDOT will be developing the necessary commitments as part of the permit application process through coordination with agencies as more detailed construction plans are developed.</p>
<p>Indirect Impacts to People -8/25/06 by Mr. Heinz Mueller U.S. Environmental Protection Agency</p>	<p>EPA notes the inclusion of an indirect and cumulative impact (ICI) analysis in the <i>FEIS</i>. Contrary to the <i>FEIS</i> findings EPA maintains that the ISB and corridor</p>	<p>The comment is noted. Potential indirect community impacts to the residential area were evaluated and considered when selecting the</p>

	<p>modifications will substantially change the land uses proximal to both Indian Street and SW 36th Street. The presence of elevated sections of the end sections of the bridge transitioning to surface roadway will present visual and physical obstruction that will be objectionable to many area residents, and may have an indirect community impacts. This impact has not been defined or shown in the <i>FEIS</i>. It is necessary that extra attention is given in the Design phase to provide crossings, underpasses, and aesthetic design to help minimize this impact.</p>	<p>Preferred Alternative. As described in Section 6.3.2 of the <i>FEIS</i>, the FDOT Community Assessment Task Team conducted several meetings with individual homeowner and citizen groups to gain insight into the concerns specific to each group. In addition, on October 9, 2003, the FDOT held a Neighborhood Workshop particularly for the SW 36th Street/St. Lucie Shores Drive residents to gather feedback regarding St. Lucie Shores Drive and the proposed bridge. Feedback from the residents resulted in the incorporation of a vehicular and pedestrian underpass along St. Lucie Shores Drive. Visual and aesthetics were considered in the EIS study and are outlined in Section 4.3.2 of the <i>FEIS</i>. Coordination with Martin County and residents regarding specific landscaping plans will take place in the subsequent Design phase.</p>
<p>9/6/06 by Ms. Sally B. Mann, Director Department of Environmental Protection</p>	<p>No objection to allocation of federal funds for the subject project; consistent with the Florida Coastal Management Program. Applicant, however, is required to address the concerns from reviewing agencies prior to project implementation. Final consistency review will be at permitting.</p>	<p>Comment is noted. There will be additional coordination as part of project development.</p>

Need for Project - 8/3/06 by Mr. Clinton Bush	Against proposed bridge because, 1) wrong location; and 2) being promoted for the gain of several county commissioners.	The comment is noted. FDOT responded to Mr. Bush on August 31, 2006
Request for FEIS – 7/24/06 by Mr. Odias Smith, President Citizens for Smart Growth	Acknowledges receipt of printed copy of <i>FEIS</i> and requests a CD copy of the <i>FEIS</i> .	FDOT's 7/25/06 response transmits a CD copy of the <i>FEIS</i> as requested to Mr. Smith.

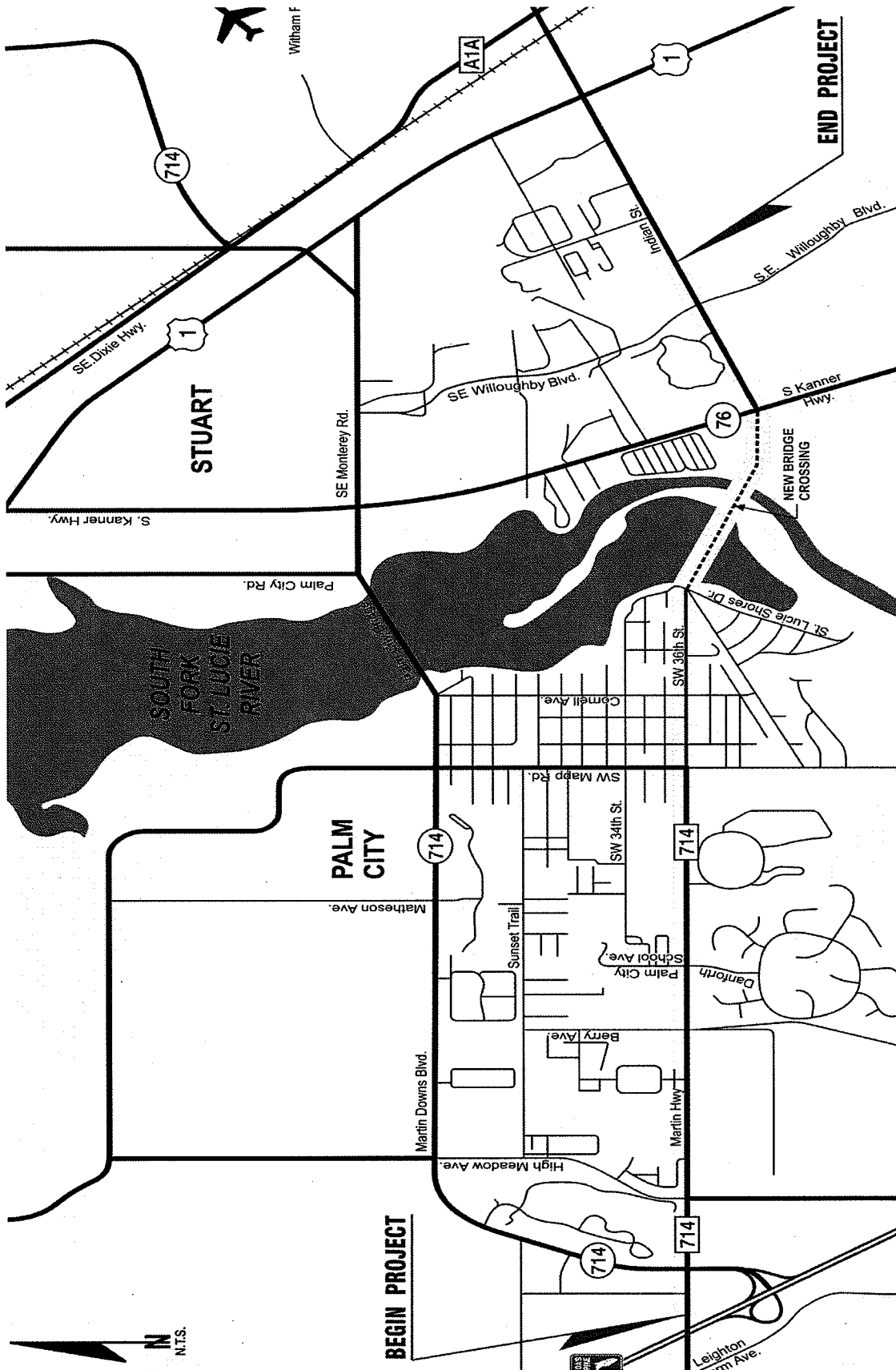
Conclusion

For the foregoing reasons, and based upon consideration of all the social, economic, and environmental evaluations contained in the Final Environmental Impact Statement, with the input received from other agencies, organizations, and the public; the Federal Highway Administration has determined that the *FEIS* preferred alternatives (Corridor 3), namely Alternative 1B for Segment 1, Alternative 2A for Segment 2, Alternative 3B for Segment 3 and Alternative 4B for Segment 4 are hereby the selected alternatives. Therefore it is my decision to adopt these alternatives as the proposed action for this project.

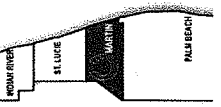

 David C. Gibbs, P.E.
 Florida Division Administrator

10/19/06



 Date



FLORIDA DEPARTMENT OF TRANSPORTATION
INDIAN STREET BRIDGE
 From Florida's Turnpike
 to East of Willoughby Blvd.
 Martin County, Florida



PROJECT LOCATION MAP

- LEGEND**
-  STATE ROAD
 -  COUNTY ROAD