Parrott, Melinda

From:

Weatherby, Larry R. [LWeatherby@ace-fla.com]

Sent: To:

Tuesday, April 14, 2009 12:02 PM

Subject:

Bain, Anita; Carter, Hugo; Parrott, Melinda

FW: Crosstown Parkway Conceptual ERP DEP letter 4-6-09 - last attachment

Follow Up Flag:

Follow up Red

Flag Status:

Attachments:

PotentialMitParcelsMapXtownPkwyExt_Rev_20090406.pdf



PotentialMitParcels MapXtownPkw...

2nd of 2 e-mails

----Original Message----From: Weatherby, Larry R.

Sent: Friday, April 10, 2009 11:55 AM

To: sally.mann@dep.state.fl.us; Bob Ballard

(bob.ballard@dep.state.fl.us); paul.rice@dep.state.fl.us;

laura.herren@dep.state.fl.us

Cc: Bobbie Richards; Patricia Roebling; Walter England; Roxanne Chesser;

'jkrane@keithandschnars.com'; 'paul.cherry@kimley-horn.com'

Subject: RE: Crosstown Parkway Conceptual ERP DEP letter 4-6-09 - last

attachment

Here is the other attachment that goes with the letter.

----Original Message----From: Weatherby, Larry R.

Sent: Friday, April 10, 2009 11:52 AM

To: sally.mann@dep.state.fl.us; Bob Ballard

(bob.ballard@dep.state.fl.us); paul.rice@dep.state.fl.us;

laura.herren@dep.state.fl.us

Cc: Bobbie Richards; Patricia Roebling; Walter England; Roxanne Chesser;

'jkrane@keithandschnars.com'; 'paul.cherry@kimley-horn.com' Subject: Crosstown Parkway Conceptual ERP DEP letter 4-6-09

This is the first of two separate e-mails, split up due to the large file sizes. This is a PDF copy of the letter with attachments to DEP re mitigation concepts for the Crosstown Parkway Extension Conceptual ERP. Several of the attachments are tabloid size for better legibility. next e-mail will include the parcel maps.

Larry Weatherby, PE (lweatherby@ace-fla.com) Senior Transportation Engineer/Project Manager

American Consulting Engineers of FL, LLC 2818 Cypress Ridge Blvd, Suite 200

Wesley Chapel, FL 33544 Voice: 813.435.2696

Cell: 813.927.0324 Fax: 813.435.2601



CITY OF PORT ST. LUCIE

ENGINEERING . . .

"The art of applying scientific and mathematical principals, experience, judgement, and common sense to make things that benefit people." - A.S.E.E.

April 06, 2009

Ms. Sally B. Mann, Director
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd, M.S. 47
Tallahassee, FL 32399-3000

Mr. Bob Ballard
Deputy Secretary, Land and Recreation
Florida Department of Environmental Protection
3900 Commonwealth Blvd, M.S. 44
Tallahassee, FL 32399-3000

Re: Crosstown Parkway Extension Conceptual ERP Mitigation Protocol

Dear Ms. Mann and Mr. Ballard:

We want to thank you and your staff for meeting with our consultant on March 19th regarding the Crosstown Parkway River Crossing initiative. We appreciate your cooperation and understand the meeting was very productive. During the meeting it was recommended that we provide you with information regarding the project and explore possible mitigation options.

The City of Port St. Lucie is working towards the construction of a new crossing of the North Fork of the St Lucie River (NFSLR) called the Crosstown Parkway Extension. The Crosstown Parkway Extension project includes the proposed construction of a bridge to provide an east-west connection of the Crosstown Parkway to US 1. At this time, the specific corridor alternative ("alignment") for the roadway and bridge crossing has not been determined. There are six (6) build corridor alternatives and a no-build alternative that are currently being considered as part of an ongoing Environmental Impact Statement (EIS) in accordance with National Environmental Policy Act (NEPA) guidelines and FHWA directives. The final alignment to be permitted for construction at a later time will be determined through the EIS process.

The EIS effort is currently ongoing and an initial Draft EIS is expected to be completed in the winter for review by FWHA. The City is currently pursuing a Conceptual Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD) in order to reach an agreement with the District and the Florida Department of Environmental Protection (DEP) with respect to water management, wetland mitigation, preserve mitigation and a sovereign submerged lands (SSL) easement. Obtaining the Conceptual ERP would establish an agreement between the City and DEP on the mitigation required to offset the impacts from the proposed project's construction on state lands. Once we come to an agreement, we anticipate that dispute resolution with DEP, raised during the ETDM screening process, will be resolved and allow the EIS process to move forward without bias to one corridor alignment over another.

During the development stages of the project, the SFWMD agreed to establish a "representative corridor" approach in obtaining a Conceptual ERP. This corridor represents a composite of the highest impacts from each of the six corridor alternatives currently being evaluated in the EIS. Using this approach, it was anticipated that the Conceptual ERP could be issued and a mitigation plan could be developed based on the expected impacts from this proposed project that could occur for any particular resource. Once all of the agencies agree on a mitigation plan for the impacts to state lands, this mitigation plan would be committed to by the City. If a build alternative is selected as the preferred alternative, the City would anticipate DEP's support for the issuance of the necessary easement to construct the preferred corridor alternative.

The City submitted the Conceptual ERP application to the SFWMD in January 2009 and has received the first Request for Additional Information (RAI). We are currently working on responses to the RAI which are due no later than May 6, 2009. At the same time we are also engaging in conversations and meetings with your staff so that the process in determining mitigation requirements can begin to move forward. While we understand this process will not happen overnight, the City is ready to move forward.

Wetlands associated with the roadway and bridge for each alternative have been delineated in the field and were verified by SFWMD staff. Wetland delineation will still be required for the proposed pond sites once their locations are determined. Wetland impacts will be mitigated through the conceptual ERP process with the SFWMD.

Through meetings with the state and federal agencies in December 2008 and January 2009, the UMAM wetland assessments were completed and agreed to by all agencies for direct impacts. A separate UMAM assessment has been completed for each alternative and each Assessment Area within the corridor alternatives (see attached map of the Assessment Areas and their corresponding FLUCCs code). We are currently evaluating secondary impacts and recognize that mitigation will be required for secondary impacts as well. The UMAMs were used to determine the functional loss of the wetlands for each alternative, and this number can be found in the Draft Evaluation Matrix.

The attached Draft Evaluation Matrix breaks down impacts by corridor alternative from the roadway, bridge and stormwater ponds. This matrix is in draft form and the numbers are subject to change. Impact acreages from stormwater ponds are expected to change as we modify the pond sites under the direction of the SFWMD. In addition, this matrix currently only contains direct impacts. Impacts to the Aquatic Preserve are also subject to change.

As previously mentioned, the impacts in the Draft Evaluation Matrix are a composite of the highest impacts from each corridor alternative, e.g. the highest impacts to the state lands are from a combination of corridor alternatives 1C and 2A/2D, with corridor alternative 1C providing the most park wetland impacts, and corridor alternatives 2A/2D causing the most park upland impacts and most Aquatic Preserve impacts.

The City is willing to purchase other properties that may be beneficial to the DEP, if these properties can be acquired. The City is proposing to purchase a "cornerstone" parcel" that would be used in this agreement. Should the cornerstone parcel not contain all the acreage needed or not contain the proper ratio of upland/wetland habitat, the City will provide other properties necessary to complete the required mitigation obligations. Enclosed is a map and corresponding table of potential properties identified for use as possible mitigation for impacts to state lands.

In the meeting held on March 19, 2009 with representatives from the Division of State Lands and CAMA, it was mentioned that DEP may be willing to begin conducting field reviews of these and other potential properties to determine the quality of the natural communities present. The City would like DEP to provide us with a list of potential properties ranked by DEP staff in order of most to least beneficial. With this information, the City can then conduct more detailed field reviews, gather additional information and initiate inquiries about acquiring those properties. Recently the City received approval by FHWA to purchase options on properties designated for mitigation.

In addition to the acquisition of property and necessary mitigation in consideration for an easement, the City is prepared to conduct restoration projects on behalf of the DEP as mitigation for impacts to the Aquatic Preserve. We understand that the CAMA has submitted a revised Management Plan for the Preserve that contains preferred restoration and enhancement projects, and the Division of State Lands has a list of preferred restoration and enhancement projects within the state park. Please provide us a copy of these documents. If any of the projects identified in the revised management plan are anticipated to be implemented already by DEP or by another party, please provide this information as well.

We understand that DEP may have a formula for determining secondary effects to state lands and for determining mitigation required for direct impacts to state lands. If this is the case please provide us this formula.

We look forward to working with you on the process and appreciate your time and effort in reaching an agreement.

Sincerely, City of Port St Lucie

Water England, PE

City Engineer

Enclosures

CC:

Paul Rice, Chief – Bureau of Parks District 5 - FDEP Laura Herren, Manager - FDEP Brian Mirson, PE, American Consulting Engineers of Florida, LLC

AGENDA CROSSTOWN PARKWAY CORRIDOR EXTENSION TEAM MEETING

April 16, 2009

2:00 to 3:00

FDOT West Palm Beach Operations Center Teleconference 1-888-273-3658 Access Code: 4478017

1)	Introductions and Finalize Meeting Minutes from 3/19/09 – 10 Minutes			
2)	Schedule Review – 20 Minutes Final Draft Reports and Concept Plans Submitted to the City and FDOT/Comments Received Status of Report Comments Location Hydraulics Report (Projected Completion in April) Noise Analysis is On-Going (Projected Completion in May) Design Traffic is On-Going (Projected Completion in May) Air Quality Analysis is On-Going (Projected Completion in June) Alternatives Meeting (Scheduled for June 4, 2009)			
3)	Follow-Up Items From Last Month – 10 Minutes Alternatives Meeting Planning Cul-de-sac Meeting 4-1-07 Sheet network revisions Pond Siting Meeting Legal Sufficiency Letters			
4)	Open Discussion - 10 Minutes Eagle's Nest Inquiry Pipefish Inquiry - some parasent Federal SSC not EFH. No Section 7 consultation			
5)	Conceptual Permit Review Update – 5 Minutes Meeting with DEP (March 19, 2009)			
6)	Next Team Meeting – May 21, 2009; 2:00 p.m.			
Summa	ary of Follow-Up Activities – 5 Minutes			

Attachments:

03-19-09 Draft Team Meeting Minutes

Meeting Minutes Crosstown Parkway Extension EIS Team Meeting - March 19, 2009 2:00 p.m. to 3:00 p.m. **FDOT West Palm Beach Operations Center**

Purpose: Project Team Meeting for Crosstown Parkway Extension

Attendees:

Paul Lampley, P.E., PD&E Engineer – Florida Department of Transportation Dawn Raduano – Florida Department of Transportation D4 Legal Don Cooper - City Manager - City of Port St. Lucie Jerry Bentrott, Assistant City Manager – City of Port St. Lucie Walter England, P.E., City Engineer - City of Port St. Lucie Patricia Roebling, P.E., Assistant City Engineer – City of Port St. Lucie Roberta Richards, Manager, Engineering Operations – City of Port St. Lucie John Krane, P.E. – Keith and Schnars, P.A.

Barry Ehrlich - Keith and Schnars, P. A.

Harry Fulwood, Jr. – Keith and Schnars, P.A.

Yuri Hood, P. E. – Keith and Schnars, P. A.

Fadi Nassar, Ph. D., P.E., PTOE – Keith and Schnars, P.

Kristine Stewart, Ph. D. - Keith and Schnars, P. A.

Brain Mirson – American Consulting Engineers of Florida LLC

Corey Carter – American Consulting Engineers of Florida L.C.

Anna Peterfreund – American Consulting Engineers of Florida.

Attendees by Telephone:

Larry Weatherby - American Consulting Engineers of Florida, LLC

Linda Anderson – FHWA Florida Division

George Hadley – FHWA Florida Division

Cathy Kendall – FHWA Florida Division

Kime Landes – Florida Départment of Environmental Protection

Lauren Milligan – Florida Department of Environmental Protection

Catherine Bradley – Florida Department of Transportation – Central Office

Pete McGilvravi - Florida Department of Transportation - Central Office

Paul Rice Florida Division of Regression and Parks

Paul Cherry, P.E. - Kimley Forn and Associates, Inc.

Hugo Cante South Florida Water Management District/Martin/St. Lucie Services

Terry Gilbert URS Corporation - Florida Fish and Wildlife Conservation Commission

John Wrublik – US Fish and Wildlife Service

Introductions

Introductions were made, and it was noted that the final meeting minutes of the February Working Group Meeting were sent with the meeting announcement, and attached to the hard-copy of the day's agenda. John Krane mentioned an e-mail from FHWA that clarified that the Web Site is not considered part of the Administrative Record for the project. A copy of this e-mail was distributed with the meeting announcement, and attached to the hard-copy of the day's agenda.

Meeting Minutes Crosstown Parkway Extension EIS Team Meeting – March 19, 2009 2:00 p.m. to 3:00 p.m. FDOT West Palm Beach Operations Center

Schedule Review

<u>Received FHWA Determination on DOA Addendum</u> – John Krane noted that Keith and Schnars received FHWA's Determination on the Section 4(f) DOA Addendum from FDOT. All corridors affect section 4(f) resources.

<u>Concept Plans</u> – John Krane stated that all of the comments for the Concept Plans have been addressed and that they are being officially submitted to both FDOT and the City today. Intersection geometry will be refined when the Design Traffic has been developed.

<u>Location Hydraulics Report</u> – Mr. Krane stated that the Location Hydraulics Report is ongoing and scheduled for completion in April 2009.

<u>Noise Analysis</u> – Mr. Krane stated that the Noise Analysis is ongoing and scheduled for completion in April 2009. Mr. Krane also said that Dr. Fadi Nassar would give a presentation later during the meeting on the ongoing work.

<u>Design Traffic Memorandum</u> – John Krane indicated that the analysis for the Design Traffic Memorandum is ongoing and is scheduled for completion in May 2009. The modeling approach has been reviewed and approved by FDOT, and the ABL traffic projections were being submitted to FDOT. Once approved by FDOT, the Design Hour Traffic (intersection projected turning movements will be developed.

Advancing Alternatives Meeting – John Krane highlighted that as a result of discussions with FDOT and the City, the Alternatives Public Meeting will be advanced to June 4, 2009 in the City's new Civic Center. Mr. Krane stated that a specific lime had not been decided yet, but the meeting will probably be held in the early evening. He requested that attendees make note of the date on their calendars.

Final Draft Reports – John Kane sald that the final draft reports along with the Concept Plans were being delivered to the City and FDOT today except for the Design Traffic Memo, Noise Analysis, Air Quality Report, and Location Hydraulics Report. Mr. Krane said that a three week review period is requested. Once the appropriate revisions are made, the reports will be sent to the Cooperating Agencies for review.

John Krane asked if the National Marine Fisheries Service (NMFS) may want to review the reports early, before militation has been included. Ron Miedema said that he would be speaking with NMFS and would pose the guestion to them.

Follow Up Items from Last Month

<u>Alternatives Public Meeting</u> – Mr. Krane discussed the Alternatives Public Meeting scheduled to be held on June 4, 2009. He stated that the format of the meeting will be finalized after further discussions with FDOT and the City.

<u>Letter to Cooperating Agencies on Legal Sufficiency</u> – John Krane stated that all letters were sent out by FDOT on March 4, 2009 to the Cooperating Agencies, and that the Coast Guard had already responded. He asked for confirmation from the agencies present (and on the phone) if they received the letters and would be responding. After a brief discussion Mr. Krane indicated he would send PDF copies to Ron Miedema and John Wrublik to ensure that they get the letter.

Meeting Minutes Crosstown Parkway Extension EIS Team Meeting – March 19, 2009 2:00 p.m. to 3:00 p.m. FDOT West Palm Beach Operations Center

Keith and Schnars Staff Presentation and Q&A

<u>Concept Plans</u> – Yuri Hood, lead designer on the project, discussed the methodology used to develop the Alternative Concept Plans. Mr. Hood mentioned that he and his staff used the PPM (FDOT's Plans Preparation Manual), which is based on AASHTO criteria but is generally more conservative than AASHTO, in producing the Concept Plans. He also noted that he tried to maintain the typical section of the Crosstown Parkway to the west. Mr. Hood said that he is still working on including the cul-de-sacs plan for the City where concepts cut through existing neighborhood streets, and that he is planning to meet with the City within the next week to discuss this further. Mr. Hood also said that the layouts for major intersections within the project limits are cannot be developed further until the completion of the Design Traffic.

<u>Noise Analysis</u> – Dr. Fadi Nassar discussed the work currently being performed for the Noise Analysis, including the noise contours. Mr. Nasser stated that he is using the TNM software (Traffic Noise Model), which was developed by FHWA for performing Noise Analyses.

Dr. Nassar said that once traffic projections are finalized for the design year, he will be able to determine the noise and air impacts of the Crosstown Parkway Extension, and to perform noise attenuation analyses. Dr. Nassar said that he has already modeled the worst case scenario (LOS C traffic volume thresholds) for the development of preliminary noise contours.

George Hadley asked if any field measurements had been taken. Dr. Nasser confirmed that field measurements had already been taken.

Brian Mirson asked if any mitigation for secondary impacts to wildlife had been developed yet. John Krane suggested meeting to develop the methodology on how to handle any issues with secondary impacts.

<u>Environmental Analysis</u> Dr. Krist he Stewart provided information on the environmental analysis performed in conjunction with the Watlands Evaluation Report, Essential Fish Habitat Assessment, and the Endangered Species Biological Assessment. Dr. Stewart discussed that she identified natural habitats, wetland areas, and evaluated plant species. Dr. Stewart stated that, at this point, we believe that none of the build alternatives would adversely affect the continued existence of any listed species; and that as we go forward, we look forward to agency input in helping to weigh the various impacts, and to come up with mitigation opportunities.

Paul Lampley discussed an email received from a resident that mentioned noticing a Bald Eagle's nest near the location of Atternative 1C. John Krane said that the project team was aware of the email, and that further esearch would be done in order to properly identify the nest, including the possibility of a field visit.

Lauren Milligan said that her staff had information on the eagle's nest, and was able to confirm its existence and location. She recommended that Laura Herren be contacted for more information.

Meeting Minutes Crosstown Parkway Extension EIS Team Meeting – March 19, 2009 2:00 p.m. to 3:00 p.m. FDOT West Palm Beach Operations Center

Open Discussion

<u>UMAM Scoring</u> – John Krane summarized that the Conceptual Environmental Resource Permit (ERP) has been submitted to SFWMD, however, secondary impacts still needed to be addressed. He also said that after speaking with Mindy Parrot, it was understood that the City's response to the Request for Additional Information (RAI) was expected to include a methodology on how to score the secondary impacts for the UMAM. Mr. Krane stated the Ms. Parrot offered to coordinate an interagency meeting once the methodology had been agreed upon, and that any of the review agencies interested in participating should contact Ms. Parrot.

Ron Miedema asked how the UMAM scores developed by Keith and Schnars differed from their numbers developed for the Conceptual ERP. Dr. Stewart noted that there was no difference in the scores, except for some additional information requested by the Arry Corps.

John Wrublik noted that, with regards to the Bald Eagle's nest mentioned garlier, the nest must be avoided by a minimum distance of 660' or the Regional Office in Atlanta, GA must be contacted for further consultation.

Walter England announced that the ribbon cutting ceremony for the opening of the Crosstown Parkway from Interstate 95 to Manth Lane would occur of that 28, 2009 at 11:30 a.m. He invited everyone to attend the program and the reception to follow.

Terry Gilbert asked if an electronic copy of the RAI would be made available to all participating agencies. John Krane stated that the files would be available to everyone through the Water Management District's electronic permitting system. John Krane indicated he could send the link.

Brian Mirson asked if a date-had been set for selecting a preferred alternative. John Krane said that this issue has not been addressed as yet; however, he anticipated future discussions with FHWA and FDOT on the natter. FHWA suggested that all six alternatives would likely need to go into the FEIS. Mr. Krane indicated that he would hope that if an alternative is proved not to meet the Purpose and Need that its climination would be reasonable. Further discussion will be needed on this topic.

Conceptual Permit Review Update

Brian Mirson said the response to the RAI is under development, and that he hopes to have it completed by the next meeting

Next Team Meeting

The next Working Group Meeting will be held on April 16, 2009 at 2:00.

These minutes were produced by Keith and Schnars, and are an attempt to capture the essence of conversations and decisions made at the meeting. They do not represent a transcript of the meeting. Any statements attributed to others have been paraphrased unless otherwise noted, and should be clarified with the individual before use or reuse in another context.

Crosstown Parkway Extension Conceptual ERP

Potential Parcels for Mitigation of Impacts to Wetlands and Use of State Lands

Map ID	Current Owner	Current Land Use Classification	Size (Acres)	Upland/Wetland
1	David G Evans and Nancy A Evans	SF Residential	53.70	Wetland
2	Wynne Building Corp.	Parking/Mobile	83.80	Both
3	Pauline Martin	Unclassified Agriculture	16.96	Both
4	Pauline Martin	Grazing	19.96	Both
5	Pauline Martin	Grazing	21.33	Both
6	Kathy Peters	Grazing	11.67	Both
7	Justine Roberts	Nursery	30.51	Upland
8	Craig Kastner and Stacy A Kastner	Vacant Residential	7.55	Both
9	Harold G Melville and Claire S Melville	Vacant Residential	3.75	Upland
10	Aurelio Pereira and Maria Pereira	Vacant Residential	9.43	Upland
11	AW River Landing LLC	Vacant Commercial	24.43	Both
12	Lillian J Volk	Unclassified Agriculture	8.47	Upland
13	Thomas C Tighe and Luisa Hahn Tighe	Unclassified Agriculture	11.13	Upland
14	Elaine Haas	Vacant Residential	2.88	Wetland
15	Frank Evans Hedvig and Tetens Evans	Outdoor Recreational	27.33	Upland
16	Creekside IS LLC	Vacant Residential	16.93	Upland
17	Creekside IS LLC	Vacant Residential	15.98	Upland
C1	City of Port St. Lucie	Municipal Property	0.23	Wetland
C2	City of Port St. Lucie	Municipal Property	0.35	Wetland
C3	City of Port St. Lucie	Municipal Property	0.52	Wetland
C4	City of Port St. Lucie	Municipal Property	0.46	Wetland
C5	City of Port St. Lucie	Municipal Property	12.20	Both
C6	City of Port St. Lucie	Municipal Property	3.90	Both

Source: American Consulting Engineers of Florida, LLC

Rev. 4/6/2009







