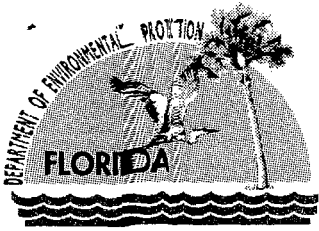




## **Appendix C**

### **Advance Notification Responses**



Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

August 18, 2005

Mr. Gustavo Schmidt, P.E.  
District Planning and Environmental Engineer  
Planning and Environmental Management  
Florida Department of Transportation  
3400 West Commercial Boulevard  
Ft. Lauderdale, FL 33309-3421

RE: Department of Transportation – Advance Notification – SR 7 Corridor Extension  
PD&E Study, from SR 704 (Okeechobee Boulevard) to Northlake Boulevard,  
Federal Aid Project No. 4752030P, Financial Project No. 2296642-22-01 – Palm  
Beach County, Florida

**SAI # FL200506231187C**

Dear Mr. Schmidt:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the referenced advance notification.

The Florida Fish and Wildlife Conservation Commission (FWC) notes that the proposed roadway corridor (a six-lane roadway with bike lanes, sidewalks, a bridge, curb and gutter, and associated storm water treatment facilities) would traverse an undeveloped corridor which is surrounded on three sides by publicly owned natural areas. The publicly owned natural areas within the study area are Palm Beach County's Pond Cypress Natural Area, the Loxahatchee Slough Natural Area, and the City of West Palm Beach's Grassy Waters Preserve (Water Catchment Area). The extension of SR 7 through these areas would potentially impede overland flow through a portion of an historic flow-way targeted for restoration, degrade wetlands within the foraging range of nesting wading birds, fragment existing wildlife habitat and preserves, and encourage further development in an environmentally sensitive area. While FWC cannot determine that the project is inconsistent with Chapters 370 or 372, Florida Statutes, they strongly recommend that FDOT avoid these potential impacts by expanding and upgrading existing roadways

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Mr. Gustavo Schmidt, P.E.  
August 18, 2005  
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through urban areas. The FWC staff will work with FDOT and local, regional and state agencies to address its ongoing concerns. The attached FWC letter further outlines potentially affected resources, potential effects of the proposal, and recommendations for resolving those issues.

The Florida Department of Environmental Protection (DEP) notes that the proposed project will traverse and or encroach upon the preserved Pond Cypress Area / Section 1 and other wetland systems both within and adjacent to the existing right-of-way. The project is directly adjacent to the City of West Palm Beach's Water Catchment Area, serving as the city's single source of potable surface water. As noted in the 1995 Florida Water Plan, concerns for natural systems maintenance are directly related to rapid population growth and development. Adverse impacts that often result include "the creation of flood hazards, destruction of valuable wildlife habitat and the degradation of water quality caused by development that encroaches into floodplains and flood-prone areas." Maintenance of the County's existing ecosystems, restoration of the Loxahatchee Slough, protection of the City of West Palm Beach's water supply and the multiple benefits they provide should weigh heavily in decisions on appropriate infrastructure expansion. These considerations apply also to the construction process itself. Special steps should be taken during construction to manage both storm water runoff and contamination, and prevent habitat destruction.

Section 3 of the report states that a Contamination Screening Evaluation (CSE) -- similar to Phase I and Phase II Audits -- would to be performed along the project rights-of-way. If the screening evaluations utilize reasonably current file data or establish new data points to identify potential soil and groundwater contamination areas, the data will be acceptable for use in the CSE. Copies of the screening evaluations should be supplied to DEP's Southeast District office -- Waste Cleanup Section -- and the Palm Beach County Health Department (PBCHD). The CSE should outline specific procedures that would be followed by the applicant in the event drums, wastes, tanks or potentially contaminated soils are encountered during construction. In the event contamination is detected during construction, the Department and PBCHD must be notified. FDOT may need to address the problem through additional assessment and/or remediation activities in accordance with Chapter 62-780, *Florida Administrative Code* (F.A.C).

Any land clearing or construction debris must be characterized for proper disposal and potentially hazardous materials must be properly managed in accordance with Chapter 62-730, F.A.C. In addition, any solid wastes or other non-hazardous debris must be managed in accordance with Chapter 62-701, F.A.C. Staging areas with controlled access should be planned in order to safely store raw material paints, adhesives, fuels, solvents, lubricating oils, etc. used during construction. The project managers should consider developing written construction Contingency Plans in the event of a natural disaster, spill,

Mr. Gustavo Schmidt, P.E.  
August 18, 2005  
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fire or environmental release of hazardous materials stored or handled during project construction.

The South Florida Water Management District (SFWMD) states that on April 13, 2005, the SFWMD issued an Environmental Resource Permit (ERP) for a portion of the proposed S.R. 7 extension project (a/k/a the Acreage Reliever Road)[Permit No. 50-05422-P/Application No. 030321-4]. The ERP authorized construction of that portion of the roadway from Okeechobee Boulevard to Persimmon Boulevard and conceptual approval from Persimmon Boulevard to the M-Canal. The SFWMD has not issued an ERP for that segment extending north from the M-Canal to Northlake Boulevard. Mitigation for wetland impacts associated with the project consisted of off-site mitigation within Section 1 (544 acres) and Unit 11 (194.25 acres). Please refer to the enclosed comments from SFWMD for additional information.

The Treasure Coast Regional Planning Council (TCRPC) indicates that the location of the proposed project in the existing right-of-way on the west side of Grassy Waters Preserve would eliminate a system of fresh water marsh wetlands. These high-quality wetlands provide natural storage and treatment of stormwater, groundwater recharge, and provide wildlife habitat. The extension of State Road 7 in this area would disrupt these functions and interrupt the existing ecological connection between the County's Pond Cypress Natural Area to the west and Grassy Waters Preserve to the east. Additionally, a new road located adjacent to the west side of the Grassy Waters Preserve would increase the potential for contamination of the City of West Palm Beach's water supply through fuel spills.

The construction of State Road 7 in the existing right-of-way is inconsistent with Regional Goal 6.6 of the Strategic Regional Policy Plan (SRPP) -- Protection of Wetlands and Deepwater Habitats. It is also inconsistent with Regional Policy 6.7.1.6, which states: "New land development in and adjacent to parks, recreation, and conservation areas should not impact public lands and should be compatible with the maintenance of existing wildlife populations and natural systems within these areas." TCRPC encourages FDOT to analyze alternative corridors and conduct a complete evaluation of environmental impacts that may result from this project. Please refer to the enclosed comments from TCRPC.

The Village of Royal Palm Beach notes that the applicant must obtain the Village's permission prior to construction of the roadway, because a portion of the proposed right-of-way traverses village property.

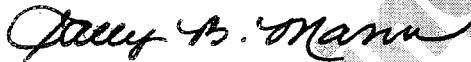
Based on the information contained in the advance notification and the enclosed state agency comments, the state has determined that, at this stage, the proposed activity is consistent with the Florida Coastal Management Program (FCMP). The applicant must,

Mr. Gustavo Schmidt, P.E.  
August 18, 2005  
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however, address the concerns identified by the reviewing agencies prior to project implementation. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews. The state's final concurrence of the project's consistency with the FCMP will be determined during the environmental permitting stage.

Thank you for the opportunity to review the proposed project. If you have questions regarding this letter, please contact Ms. Sylvia Cohen at (850) 245-2182.

Yours sincerely,



Sally B. Mann, Director  
Office of Intergovernmental Programs

SBM/sjc

Enclosures

cc: Mr. Tim Gray, DEP, West Palm Beach  
Mr. Jim Golden, SFWMD  
Ms. Mary Ann Poole, FWC  
Ms. Stephanie Heidt, TCRPC  
Mr. Raymond C. Liggins, Jr., P.E., Village of Royal Palm Beach



# Florida

Department of Environmental Protection

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Project Information	
<b>Project:</b>	FL200506231187C
<b>Comments Due:</b>	07/22/2005
<b>Letter Due:</b>	08/21/2005
<b>Description:</b>	DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - SR 7 CORRIDOR EXTENSION PD&E STUDY, FROM SR 704 (OKEECHOBEE BOULEVARD) TO NORTHLAKE BOULEVARD, FEDERAL AID PROJECT NO. 4752030P, FINANCIAL PROJECT NO. 2296642-22-01 - PALM BEACH COUNTY, FLORIDA.
<b>Keywords:</b>	DOT - SR 7 CORRIDOR EXTENSION PD&E STUDY - PALM BEACH CO.
<b>CFDA #:</b>	20.205
Agency Comments:	
<b>TREASURE COAST RPC - TREASURE COAST REGIONAL PLANNING COUNCIL</b>	
<p>The extension of State Road 7 in the existing right-of-way on the west side of Grassy Waters Preserve would eliminate a system of fresh water marsh wetlands. These high quality wetlands provide natural storage and treatment of storm water, ground water recharge, and provide wildlife habitat. The extension of State Road 7 in this area would disrupt these functions and interrupt the existing ecological connection between the County's Pond Cypress Natural Area to the west and Grassy Waters Preserve to the east. Additionally, a new road located adjacent to the west side of the Grassy Waters Preserve would increase the potential for contamination of the City of West Palm Beach water supply through fuel spills. Construction of State Road 7 in the existing right-of-way would be inconsistent with Regional Goal 6.6, Protection of wetlands and deepwater habitats. Also, it would be inconsistent with Regional Policy 6.7.1.6, which states: New land development in and adjacent to parks, recreation, and conservation areas should not impact public lands and should be compatible with the maintenance of existing wildlife populations and natural systems within these areas. Council encourages FDOT to analyze alternative corridors and conduct a complete evaluation of environmental impacts that may result from this project.</p>	
<b>PALM BEACH -</b>	
<p>The Village of Royal Palm Beach notes that the FDOT must obtain permission from the Village Engineer, Mr. Raymond C. Liggins, Jr., P.E., prior to construction.</p>	
<b>COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS</b>	
<b>FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION</b>	
<p>The proposed roadway corridor would traverse publicly owned natural areas, potentially impede overland flow through a portion of an historic flow-way targeted for restoration, degrade wetlands within the foraging range of nesting wading birds, fragment existing wildlife habitat and preserves, and encourage further development in an environmentally sensitive area. While we cannot determine that this project is inconsistent with Chapters 370 or 372, Florida Statutes, we continue to recommend as the Florida Game and Fresh Water Fish Commission did in 1998 that the DOT avoid these impacts by expanding and upgrading existing roadways through urban areas. Our staff is attempting to contact the local DOT staff to resolve our concerns, but have not yet been able to get in touch with them by the time that our response was due to the State Clearinghouse. We would strongly support having the opportunity to work these issues out with them at the earliest time possible. If you or your staff would like to coordinate further on the recommendations contained in this report, please contact Ms. Mary Ann Poole at 850-488-6661 or email maryann.poole@MyFWC.com. For additional information on these comments, please contact Dr. Joseph Walsh at our office in Vero Beach (772-778-5094; email joe.walsh@MyFWC.com).</p>	

**STATE - FLORIDA DEPARTMENT OF STATE**

No Comments Received

**ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The proposed project will traverse and or encroach upon the preserved Pond Cypress Area / Section 1 and other wetland systems both within and adjacent to the existing right-of-way. The project is directly adjacent to the City of West Palm Beach's Water Catchment Area, serving as the City's single source of potable surface water. Special considerations should be made to both manage stormwater runoff and contamination, and prevent habitat destruction during construction. Section 3j of the report states that a Contamination Screening Evaluation (CES) --similar to Phase I and Phase II Audits -- would to be performed along the project rights-of-way. If the screening evaluations utilize reasonably current file data or establish new data points to identify potential soil and groundwater contamination areas, the data will be acceptable for use in the CSE. Copies of the screening evaluations should be supplied to DEP's Southeast District office, Waste Cleanup Section and the Palm Beach County Health Department. The CES should outline specific procedures that would be followed by the applicant in the event drums, wastes, tanks or potentially contaminated soils are encountered during construction. In the event contamination is detected during construction, the Department and PBCHD need to be notified FDOT may need to address the problem through additional assessment and/or remediation activities in accordance with Chapter 62-780, F.A.C. Any land clearing or construction debris must be characterized for proper disposal. Potentially hazardous materials must be properly managed in accordance with Chapter 62-730, F.A.C. In addition, any solid wastes or other non-hazardous debris must be managed in accordance with Chapter 62-701, F.A.C. Staging areas, with controlled access, should be planned in order to safely store raw material paints, adhesives, fuels, solvents, lubricating oils, etc. that will be used during construction.

**SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

On April 13, 2005, the SFWMD issued an Environmental Resource Permit (ERP) for a portion of the proposed S.R. 7 extension project (a/k/a the Acreage Reliever Road)[Permit No. 50-05422-P/Application No. 030321-4]. The ERP authorized construction of that portion of the roadway from Okeechobee Boulevard to Persimmon Boulevard and conceptual approval from Persimmon Boulevard to the M-Canal. The SFWMD has not issued an ERP for that segment extending north from the M-Canal to Northlake Boulevard. Mitigation for wetland impacts associated with the project consisted of off-site mitigation within Section 1 (544 acres) and Unit 11 (194.25 acres). Also attached are previous comment letters sent by the SFWMD for this project, dated February 17, 2004, and November 9, 2001. NOTE: I WILL FAX THE TWO LETTERS

For more information please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD MS-47  
TALLAHASSEE, FLORIDA 32399-3000  
TELEPHONE: (850) 245-2161  
FAX: (850) 245-2190

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# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



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MARY ANN POOLE, DIRECTOR  
OFFICE OF POLICY AND STAKEHOLDER COORDINATION  
(850)488-6661 TDD (850)488-9542  
FAX (850)922-5679

August 10, 2005

Ms. Lauren Milligan, Clearinghouse Coordinator  
Florida State Clearinghouse  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, Mail Station 47  
Tallahassee, FL 32399-3000

Re: SAI #FL200506231187C, Notice for  
DOT Advance Notification on SR7 Corridor  
Extension PD&E Study from SR704  
(Okeechobee Blvd.) to Northlake Blvd.,  
Federal Aid Project No. 4752030P,  
Financial Project No. 2296642-22-01, Palm  
Beach County

Dear Ms. Milligan:

The Division of Habitat and Species Conservation, Habitat Conservation Scientific Services Section of the Florida Fish and Wildlife Conservation Commission (FWC) has coordinated agency review of the Department of Transportation (DOT) State Road (SR) 7 extension project from SR 704 (Okeechobee Boulevard) to Northlake Boulevard, and provides the following comments and recommendations in accordance with the Coastal Zone Management Act/Florida Coastal Management Program (15CFR 930 Sub part F) and the National Environmental Policy Act (NEPA).

## Background

On June 27, 2005, FWC received the Clearinghouse notice with a Project Development and Environment (PD&E) study letter and map attached. The proposed project would extend SR 7 from Okeechobee Boulevard to Northlake Boulevard for a distance of approximately nine miles. Proposed improvements include construction of a new six-lane divided urban roadway with bicycle lanes, curb and gutter, and sidewalk. Other improvements include a bridge over the M-canal and storm water collection and treatment systems. The proposed roadway would pass through presently undeveloped areas east of existing residential developments, including the Village of Royal Palm Beach, the Acreage community, and Ibis Landing.



Ms. Lauren Milligan

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The DOT Advance Notification letter included a map, showing the approximate start and end points for the SR 7 Extension Project. The map also displayed a proposed alignment for the Palm Beach County Persimmon Boulevard South Extension Project (Project No. 1998500), which would involve construction of a four-lane roadway, extending from the Okeechobee Boulevard and SR 7 intersection to Persimmon Boulevard. One of our biologists has participated on the team developing this project, and we understand that its current alignment would traverse the southern part of the natural area. This portion is heavily vegetated by melaleuca (*Melaleuca quinquenervia*), and our staff has indicated that this is likely to be a footprint that would not affect areas that represent high-quality habitat. Nevertheless, we understand that it is also possible that an entirely different footprint may be chosen (John Wrublik, U.S. Fish and Wildlife Service, pers. comm.).

Upon review of our files, we found documentation of a related PD&E study that was proposed by the DOT in 1998 (Financial Project No. 2296641). For this prior project, the DOT proposed to extend SR 7 from Okeechobee Boulevard to Beeline Highway (SR 710) in Palm Beach County. The proposed corridor would have extended slightly further north than the currently proposed corridor. The prior proposed project included an ultimate build-out to six lanes, along with the associated storm water treatment facilities. The primary justifications for the project were to alleviate traffic congestion in the area, and to provide for a regional north-south transportation corridor serving Dade, Broward, and Palm Beach counties.

On December 2, 1998, the Florida Game and Fresh Water Fish Commission (now the FWC) responded to a Clearinghouse request for input on the PD&E study. In our letter (enclosed) we stressed the environmental sensitivity of lands within the corridor study area and recommended against approval of the proposed extension of SR 7. We suggested that existing roadways could be modified and upgraded to reduce traffic congestion, in lieu of constructing the proposed new roadway.

### **Project Description**

Similar to the project proposed in 1998, the currently proposed project would involve construction of a new bridge and six-lane roadway through a presently undeveloped corridor, surrounded on three sides by public-owned natural areas. In their Advance Notification Fact Sheet, the DOT indicates that the project will remain west of the Grassy Waters Preserve (West Palm Beach Water Catchment Area), which serves as the City of West Palm Beach's primary water source. However, the Fact Sheet and project map both also indicate that the proposed project may traverse the county-owned Pond Cypress Natural Area and encroach upon other wetland systems, both within and adjacent to the existing right-of-way. If the footprint in Pond Cypress Natural Area is changed from the route through the melaleuca-dominated corner, then wetland types potentially impacted include pond cypress systems, herbaceous marshes, scrub-shrub wetlands, and canals/ditches. Publicly owned natural areas within the study area include Palm Beach County's Pond Cypress Natural Area and Loxahatchee Slough Natural Area, as well as the City of West Palm Beach Grassy Waters Preserve. These three protected areas immediately surround much of the proposed roadway corridor to the east, west, and north.

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Grassy Waters Preserve, also known as the West Palm Beach Water Catchment Area, is a mosaic of wet pine flatwood, swamp, marsh, wet prairie, and cypress domes which comprise roughly half of the historic Loxahatchee Slough. The Preserve provides potable water for the City of West Palm Beach and supports several listed species, including the state- and federally endangered (E) snail kite (*Rostrhamus sociabilis plumbeus*) and the state- and federally threatened (T) bald eagle (*Haliaeetus leucocephalus*). An active eagle's nest (PB06, Lat/Long 80 09.30, 26 47.60) has been documented by the FWC in the northeastern corner of the Preserve (FWC 2003a). Snail kites have been documented in recent years nesting in the Grassy Waters Preserve, approximately one to two miles east of the Ibis Landing, just south of Northlake Boulevard, according to the FWS snail kite nesting database (John Wrublik, U.S. Fish and Wildlife Service, pers. comm.).

The Pond Cypress Natural Area is located on the north side of Okeechobee Boulevard, just west of State Road 7 (US 441), and is bordered on the east by the West Palm Beach Water Catchment Area. The natural area is a patchwork of high quality cypress swamps, marshes, and wet prairies, interspersed with pine flatwoods. It also contains part of the headwaters of the Loxahatchee River, the only federally designated Wild and Scenic River in Florida. Listed wildlife species observed on the site include the wood stork (*Mycteria americana*; E) snail kite (E), Florida sandhill crane (*Grus canadensis pratensis*; T), little blue heron (*Egretta caerulea*; Species of Special Concern [SSC]), white ibis (*Eudocimus albus*; SSC), limpkin (*Aramus guarauna*; SSC), snowy egret (*Egretta thula*; SSC), tricolored heron (*Egretta tricolor*; SSC), and least tern (*Sterna antillarum*; T). Although no observations have been documented recently, a red cockaded woodpecker (*Picoides borealis*; SSC) cavity was observed by FWC biologists in 1991 within this Natural Area. Although the FWC does not have jurisdiction over plant life in Florida, we note that state-listed threatened or endangered (Chapter 5B-40, Florida Administrative Code, 1998, amended) plant species on-site include: pinepink (*Bletia purpurea*; T), giant sword fern (*Nephrolepis biserrata*; T), longlip lady's tresses (*Spiranthes longilabris*; T), common wild pine (*Tillandsia fasciculata* var. *densispica*; E), giant wild pine (*Tillandsia uriculata*; E), reflexed wild pine (*Tillandsia balbisiana*; T), many-flowered grasspink (*Calopogon multiflorus*; E), snowy orchid (*Habenaria nivea*; T), Catesby's lily (*Lilium catesbaei*; T), and blue butterwort (*Pinguicula caerulea*; T) (Gann et al. 2005). We note this information to stress the quality and diversity of the general project area. The Pond Cypress Natural Area is protected to maintain the diversity of biological communities and species in Palm Beach County. It is open to the public for environmental education, scientific research, and passive recreation activities such as bird watching, nature walks, and photography (Palm Beach County Environmental Resource Management [PBCERM] 2005b).

The Loxahatchee Slough Natural Area is the largest and most diverse of the sites acquired as natural areas by Palm Beach County. It extends for up to seven miles north and south of the intersection of the Bee Line Highway and PGA Boulevard, bordering the Grassy Waters Preserve to the north and west. The Loxahatchee Slough is a wide, shallow channel of water that provides a deep drainage-way through historical strand swamp and peat soil swale systems. The Slough is a regionally significant wetland and the historic headwaters of the Loxahatchee National Wild and Scenic River. It is a mosaic of high-quality freshwater wetlands such as cypress swamps, marshes, and wet prairies, interspersed with pine flatwoods and hammocks.

Ms. Lauren Milligan

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Listed species known to inhabit the Loxahatchee Slough include the endangered snail kite and wood stork; as well as the state-listed species of special concern, the limpkin, little blue heron, tricolored heron, snowy egret, and white ibis. This natural area supports the largest population of the state-listed threatened Florida sandhill crane in southern Florida. Many state-listed plant species are known to occur on the site including celestial lily (*Nemastylis floridana*; E), many-flowered grasspink (E), comb polypody (*Pecluma ptilodon* var. *caespitosa*; E), common wild pine (E), giant wild pine (E), hand fern (*Ophioglossum palmatum*; E), blue butterwort (T), giant sword fern (T), longlip lady's tresses (T), and many others (Gann et al. 2005). Negotiations are in progress for acquisition of other tracts that will connect this natural area with the J. W. Corbett Wildlife Management Area, the West Palm Beach Water Catchment Area, and Jonathan Dickinson State Park to form wildlife corridors. The Loxahatchee Slough is managed as part of a countywide system of natural areas, protected to maintain the diversity of biological communities and species in Palm Beach County. This area is open to the public for environmental education, scientific research, and passive recreation activities, such as nature walks, bird watching, and photography (PBCERM 2005a).

The SR 7 Extension project area lies within an area targeted by the Comprehensive Everglades Restoration Plan (CERP) North Palm Beach County (NPBC) project for restoration. Specifically, NPBC project features proposed in this area include water conveyance, storage, and treatment features aimed at improving water quality and flows to the Loxahatchee Slough and River. Several alternative flow-ways have been proposed by the NPBC project team for accomplishment of the flow restoration. Flow-way #1, which is included in all NPBC action alternatives proposed thus far, routes L-8 Basin water eastward through the M-Canal, into or around Grassy Waters Preserve, and then northward through the Loxahatchee Slough to the Northwest Fork of the Loxahatchee River. Creation of this flow-way would involve facilitation of flows through pump station construction/modification and canal widening, among other measures (South Florida Water Management District and U.S. Army Corps of Engineers 2004).

### Potentially Affected Resources

Wetland habitats within the SR 7 Extension project area include cypress dome ponds and freshwater marsh and wet prairie, while the uplands consist mostly of pine-palmetto wet flatwoods. Many of the uplands have been impacted by the exotic tree, melaleuca. Protected species that occur or potentially occur in or adjacent to the project area based on GIS analysis, habitat preference, and FWC biological surveys and observations include: American alligator (*Alligator mississippiensis*; SSC), wood stork, snail kite, bald eagle, Florida sandhill crane, eastern indigo snake (*Drymarchon corais couperi*; T), little blue heron, white ibis, limpkin, roseate spoonbill (*Platalea ajaja*; SSC), snowy egret, tricolored heron, red-cockaded woodpecker, and least tern. Most of these species have been documented or surveyed on or adjacent to the proposed roadway corridor. FWC biologists have recovered eastern diamondback rattlesnakes (*Crotalus adamanteus*) from this corridor, so the potential still exists for an indigo snake to be present.

The FWC Waterbird Colony Locator documented numerous wading bird rookeries within a 10- to 20-mile radius of the project area, including one wood stork colony approximately 3.5 miles

east of the proposed corridor in the Solid Waste Authority's (SWA) property (FWC 2003b; MaryBeth Morrison, SWA, pers. comm.). Each colony supports its own assemblage of species, such as the wood stork, and snowy egret, little blue heron, tricolored heron, roseate spoonbill, and white ibis. During the 2004 nesting season, the main colony at the SWA's 45<sup>th</sup> Street site had approximately 240 wood stork nests. This has become a significant breeding colony on the southeast coast for this endangered species. In addition, during 2004 this colony had approximately 1,400 white ibis nests, 47 little blue heron nests, 89 tricolored heron nests, 131 great egret nests, 40 snowy egret nests, and a handful of roseate spoonbill and glossy ibis nests (MaryBeth Morrison, SWA, pers. comm.). The SWA rookery also currently supports approximately 50 roosting snail kites, and in drought years this area supports over 100 individuals (MaryBeth Morrison, SWA, pers. comm.; Jim Rodgers, FWC, pers. comm.).

The FWC has designated Strategic Habitat Conservation Areas within the study area for wading bird species as a group and for the following individual species: Florida sandhill crane, limpkin, and short-tailed hawk. In terms of habitat quality, the FWC Priority Wetlands Map for Wetland-dependent Listed Species ranks this area from a low of one to three species to a high of four to six focal species in wetlands, while uplands are ranked as supporting one to three focal species. Similarly, the FWC Biodiversity Hotspot Map shows most of the study area as supporting between three and six focal species.

### **Potential Effects of the Proposal**

The proposed project has the potential for direct and indirect effects that would potentially adversely impact any of the above species depending upon the design of the proposed features. Project impacts could include direct loss, degradation, and fragmentation of wetland, transitional and upland habitats in and around the project corridor. Potential effects on wetlands and water quality are particularly of concern where the roadway is proposed to lie adjacent to the West Palm Beach Water Catchment Area and where it would further fragment the Pond Cypress Natural Area; these areas both support state- and federally listed avifauna and provide valuable wetland habitats within an expanding urban area. In terms of secondary impacts, the DOT indicates that land use immediately surrounding the project is expected to remain undeveloped due to the proximity of the Grassy Waters Preserve and the Pond Cypress Natural Area, and therefore, the roadway is not anticipated to promote economic activity within the project limits. However, we note that undeveloped parcels do exist adjacent to the immediate project corridor and creation of this new roadway would likely encourage their development.

### **Summary**

The proposed roadway corridor would traverse publicly owned natural areas, potentially impede overland flow through a portion of an historic flow-way targeted for restoration, degrade wetlands within the foraging range of nesting wading birds, fragment existing wildlife habitat and preserves, and encourage further development in an environmentally sensitive area. While we cannot determine that this project is inconsistent with Chapters 370 or 372, Florida Statutes, we continue to recommend as the Florida Game and Fresh Water Fish Commission did in 1998 that the DOT avoid these impacts by expanding and upgrading existing roadways through urban

Ms. Lauren Milligan

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areas. Our staff is attempting to contact the local DOT staff to resolve our concerns, but have not yet been able to get in touch with them by the time that our response was due to the State Clearinghouse. We would strongly support having the opportunity to work these issues out with them at the earliest time possible. If you or your staff would like to coordinate further on the recommendations contained in this report, please contact me at 850-488-6661 or email me at [maryann.poole@MyFWC.com](mailto:maryann.poole@MyFWC.com), and I will be glad to help make the necessary arrangements. If your staff has any specific questions regarding our comments, I encourage them to contact Dr. Joseph Walsh at our office in Vero Beach (772-778-5094; email [joe.walsh@MyFWC.com](mailto:joe.walsh@MyFWC.com)).

Sincerely,



Mary Ann Poole, Director  
Office of Policy and Stakeholder Coord.

map/twr/yra

ENV 1-3-2

a: \FL200506231187C .doc

Enclosure

CC: Mr. Ricardo Zambrano, FWC, West Palm Beach  
Mr. Jay Slack, FWS, Vero Beach  
Mr. Jim Rodgers, FWRI, Gainesville  
Mr. Timothy W. Regan, FWC, West Palm Beach  
Ms. Mary Beth Morrison, Palm Beach Solid Waste Authority, West Palm Beach  
Mr. Gregor Senger, FDOT, Ft. Lauderdale

Ms. Lauren Milligan  
Page 7  
August 10, 2005

References Cited

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Palm Beach County, Environmental Resource Management (PBCERM). 2005b. Pond Cypress Natural Area Fact Sheet. [http://www.co.palm-beach.fl.us/erm/stewardship/Images/PDF\\_Documents/Pond%20Cypress%20fact%20sheet.pdf](http://www.co.palm-beach.fl.us/erm/stewardship/Images/PDF_Documents/Pond%20Cypress%20fact%20sheet.pdf)

South Florida Water Management District and U.S. Army Corps of Engineers. June 2004. North Palm Beach County – Part 1, Reformulated Alternatives Summary Report.



## FLORIDA GAME AND FRESH WATER FISH COMMISSION

QUINTON L. HEDGEPEETH, DDS    MRS. GILBERT W. HUMPHREY    THOMAS B. KIBLER    JAMES L. "JAMIE" ADAMS, JR.    JULIE K. MORRIS  
Miami    Miccosukee    Lakeland    Bushnell    Sarasota

December 2, 1998

ALLAN L. EGBERT, Ph.D., Executive Director  
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES  
BRADLEY J. HARTMAN, DIRECTOR  
FARRIS BRYANT BUILDING  
620 South Meridian Street  
Tallahassee, FL 32399-1600  
(850) 488-6661  
SUNCOM 278-6661  
FAX (850) 922-5679  
TDD (850) 488-9542

Ms. Cherie Trainor  
Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

RE:    SAI #FL9811160726C, Palm Beach County,  
Florida Department of Transportation,  
Advance Notification - SR 7 Extension  
PD&E Study

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has reviewed the referenced document, and offers the following comments.

The Florida Department of Transportation (FDOT) proposes to extend State Road 7 from Okeechobee Boulevard (SR 704) to the Beeline Highway (SR 710) in Palm Beach County. The proposed project includes an ultimate build-out to six lanes, along with the associated storm water treatment facilities. The primary justifications for the project are alleviating traffic congestion in the area, and providing for a regional north-south transportation corridor serving Dade, Broward, and Palm Beach counties.


We note that most of the proposed corridor study area includes environmentally sensitive lands. The study area is dominated by moderate to high quality wetlands, including the West Palm Beach Water Catchment Area and the Fox Habitat Preserve Mitigation Area. Moreover, the majority of these wetlands have been identified by the GFC as **Priority Wetlands for Listed Species**, and as **Strategic Habitat Conservation Areas**. Much of the study area provides excellent habitat for fish and wildlife. According to the Advance Notification Fact Sheet provided by the FDOT, 46 listed wildlife species have been identified as potentially occurring in the study area.

This project will negatively impact environmentally sensitive lands and could potentially impact listed species. Furthermore, due to the large amount of sensitive lands involved, the project may not be permitable by state and federal regulatory agencies. We also point out that several north-south corridors linking Dade, Broward, and Palm Beach counties already exist in

Ms. Cherie Trainor  
December 2, 1998  
Page 2

the area. Therefore, we recommend against approval of the proposed extension of SR 7, and suggest that existing roadways be modified and upgraded to reduce traffic congestion in the area.

Sincerely,

  
Bradley J. Hartman, Director  
Office of Environmental Services

BJH/JMW  
ENV 1-13-2  
dots7  
cc: Mr. Terry Gilbert

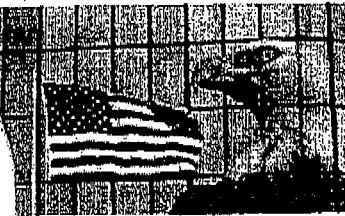




# Florida

Department of Environmental Protection

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Project Comment Confirmation	
<b>Project:</b>	FL200506231187C
<b>Comments Due:</b>	07/22/2005
<b>Description:</b>	DEPARTMENT OF TRANSPORTATION - ADVANCE NOTIFICATION - SR 7 CORRIDOR EXTENSION PD&E STUDY, FROM SR 704 (OKEECHOBEE BOULEVARD) TO NORTHLAKE BOULEVARD, FEDERAL AID PROJECT NO. 4752030P, FINANCIAL PROJECT NO. 2296642-22-01 - PALM BEACH COUNTY, FLORIDA.
<b>Keywords:</b>	DOT - SR 7 CORRIDOR EXTENSION PD&E STUDY - PALM BEACH CO.
<b>CFDA #:</b>	20.205
<b>Comment:</b>	On April 13, 2005, the SFWMD issued an Environmental Resource Permit (ERP) for a portion of the proposed S.R. 7 extension project (a/k/a the Acreage Reliever Road)[Permit No. 50-05422-P/Application No. 030321-4]. The ERP authorized construction of that portion of the roadway from Okeechobee Boulevard to Persimmon Boulevard and conceptual approval from Persimmon Boulevard to the M-Canal. The SFWMD has not issued an ERP for that segment extending north from the M-Canal to Northlake Boulevard. Mitigation for wetland impacts associated with the project consisted of off-site mitigation within Section 1 (544 acres) and Unit 11 (194.25 acres). Also attached are previous comment letters sent by the SFWMD for this project, dated February 17, 2004, and November 9, 2001. NOTE: I WILL FAX THE TWO LETTERS
<b>Comment Type:</b>	FINAL
<b>Comment Saved Date:</b>	07/14/2005

[Return to User Page](#)

For more information please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD MS-47  
 TALLAHASSEE, FLORIDA 32399-3000  
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## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

CON 24-06  
 Environmental Resource Regulation

February 17, 2004

Christopher Karch, P.E.  
 Indian Trail Improvement District  
 13476 – 61st Street North  
 West Palm Beach, Florida 33412-0874

Dear Mr. Karch:

**Subject: Acreage Reliever Road; Palm Beach County**

This letter is written to transmit the South Florida Water Management District's (District) staff comments regarding the State Road 7 Extension Preliminary Engineering Report dated November 17, 2003, prepared by C.A.S. for the Indian Trail Improvement District. The Report represents a thorough analysis of the environmental features of the project area. In addition, the Report considers the direct, secondary and cumulative impacts of the studied rangeline alignment. However, the Report does not adequately consider reduction of wetland impacts on a regional scale.

A North/South road, whether on the rangeline or located to the west, would, presumably impact about the same amount of wetlands. However, for this linear project, the location of the impacts has a greater affect on the ecology of the region than does the amount of impacts or the quality of the impact area.

The rangeline alignment would permanently bifurcate the Pond Cypress Natural Area from the Water Catchment Area. Beyond the impact of the footprint of the road, this alignment has the potential to disrupt wildlife movement and to reduce the value of the surrounding areas to wildlife. While the District recognizes the value of the wildlife crossings for the terrestrial species described in the report, such a crossing cannot be as valuable as a natural area. The Report also recognizes the high degree of wading birding utilization of the area. It is likely that the wading bird roosting and foraging habitat would be diminished for up to several hundred feet from the road.

The impacts described above also exist for the western alignment. However, the western alignment allows for a substantially larger area of contiguous habitat east of the road and results in less habitat fragmentation and less disruption of wildlife.

Additional impacts associated with the rangeline alignment include the East/West extensions for 60th Street and Persimmon Boulevard. The extensions of these roads to

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### EXECUTIVE OFFICE

Henry Dean, *Executive Director*

Christopher Karch, P.E.

February 17, 2004

Page 2

the rangeline alignment would further bifurcate the region and lessen the environmental value of the Pond Cypress Natural Area.

Lastly, the Report, quite correctly, in our opinion, describes Section 1 as a viable mitigation site. However, the rangeline option would add new roads to north, south and east boundaries of Section 1, thereby diminishing its mitigation value and potential to offset the impacts from the road network.

In conclusion, even if the direct impacts from the footprint of the road were the same, District Staff's evaluation is that the rangeline alignment would have a greater adverse impact on the wetlands and associated wildlife in the Pond Cypress region.

If you have any questions regarding the District's position in this matter, you may contact Mr. Robert Robbins, Director of our Natural Resource Management Division, at (561) 682-6951 or call me directly at (561) 682-6952.

Sincerely,



Terrie Bates, Director  
Environmental Resource Regulation Department  
South Florida Water Management District

TB/rr

c: Henry Dean, Executive Director, SFWMD  
George Webb, Palm Beach County Engineer  
Ed Oppel, Indian Trail Improvement District



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfvmd.gov

CON 24-06  
 Environmental Resource Regulation

November 9, 2001

James F. Schnelle  
 Environmental Management & Engineering, Inc.  
 8259 N. Military Trail, Suite 8  
 Palm Beach Gardens, FL 33410

Dear Mr. Schnelle:

**Subject: Acreage Reliever Road**

Thank you for including South Florida Water Management District (District) regulatory staff in the permit coordination workshop for the proposed Acreage Reliever Road corridor (a.k.a. Persimmon Blvd./Okeechobee Blvd.) held on October 25, 2001. This letter is intended to summarize the District's initial comments and concerns regarding the proposed road connector, as discussed during the workshop.

This roadway is part of the State Road 7 extension that has been discussed with the Florida Department of Transportation (FDOT) in several previous workshops. As indicated previously, this proposed roadway should undergo the same type of rigorous analysis that would be required of FDOT using the similar criteria addressed in an Environmental Impact Statement (EIS). This analysis must also demonstrate that it is not associated with any future extension of SR 7 and can stand alone (i.e., not dependent upon any extension and therefore not subject to future secondary or cumulative impacts). Additionally, the small extension connecting to Roebuck Road to this roadway should be eliminated for the reasons stated above.

The District encourages the county to coordinate with FDOT staff to provide the District with reasonable assurances that FDOT will not propose a separate roadway (in the same vicinity) for SR 7 in the future. Part of this reasonable assurance will be to get a written commitment from FDOT not to construct a different roadway in the future and to abandon the existing right-of-way. Furthermore, the county should use the previously identified roadway alignments to provide justification (reduction and elimination) for the project, including those alignments associated with Wildcat Way.

The proposed 3.7 mile roadway would result in approximately 70-80 acres of direct impacts based on the cross-section (180' wide construction area) provided during our meeting. Staff also has specific concerns related to the proposed 500' buffer between the existing development and the road alignment. This buffer area should be shifted further west to reduce the wetland impacts associated with the project. District staff recommends that the width of the proposed buffer be significantly reduced in order to minimize secondary wetland impacts and should be similar to the alignments provided by FDOT. All secondarily impacted buffer areas will require full mitigation.

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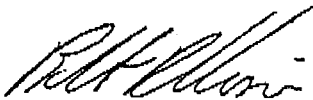
James Schnelle, P.E.  
Acreage Reliever Road  
November 9, 2001  
Page 2

Staff also had concerns regarding the proposed mitigation plan. While Staff agrees that the proposed scrape down area may provide some flood protection and water quality improvements for the project site, there are concerns that this area will not adequately offset impacts to wildlife and wildlife habitat associated with the roadway project. As discussed during the permitting workshop, District Staff recommends consideration of mitigation activities within the WCA or Section 1 (immediately north of the project area). Areas located east of the roadway alignment may also be considered as a component of the mitigation plan to compensate for direct and secondary impacts resulting from this project.

Other concerns related to the mitigation plan include enhancement through exotic plant species removal and wetland creation within productive upland habitat. Staff recommends that productive upland habitats not be scraped down for wetland creation. All exotic removal area associated with wetland enhancement must be accompanied with a diverse planting plan. As discussed during the workshop, it is unclear if the removal of exotic/nuisance vegetation within protected public lands was a requirement associated with the acquisition of the property under the Environmentally Sensitive Lands (ESL) Acquisition Program. The outcome of this issue may have a bearing on the use of this area for mitigation purposes.

It is hoped that these comments will serve as a useful planning tool as the county moves forward to develop the final plan for this project. Should you have any questions regarding this letter or for the project in general, please do not hesitate to contact me at 561-682-6340.

Sincerely,



Robert Robbins, Director  
Natural Resource Management Division  
South Florida Water Management District

RR/lr

cc: George Webb, PBC Engineering  
Steve Moore, FDOT  
Bob Paulson, USACOE



Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411

Telephone (561) 790-5165 Fax (561) 791-7087 E-mail: rliggins@royalpalmbeach.com

Raymond C. Liggins Jr., P.E.  
Village Engineer

RECEIVED

JUN 27 2005

OIP / OLGA

June 24, 2005

Ms. Lauren Milligan  
Florida State Clearinghouse  
Department of Environmental Protection  
3900 Commonwealth Blvd., Mail Station 47  
Tallahassee, Florida 32399-3000

Dear Ms. Milligan:

RE: Advanced Notification  
SR 7 Corridor Ext. Project Development and Environment Study  
Federal Aid Project Number: 4752030P  
Financial Project Number: 2296642-22-01  
Pam Beach County, Florida

In response to your June 16, 2005 letter, a portion of this project is on Village of Royal Palm Beach property and will require Village of Royal Palm Beach permission prior to construction.

If you have any questions, please feel free to contact me at 561-790-5165.

Sincerely,

Raymond C. Liggins, Jr., P.E.  
Village Engineer



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
South Florida Ecological Services Office  
1339 20<sup>th</sup> Street  
Vero Beach, Florida 32960



JUL 22 2005

July 18, 2005

Gustavo Schmidt  
Florida Department of Transportation  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309

Service Log No.: 4-1-05-PL-12633  
Date Received: June 22, 2005  
Project: State Road 7 Extension  
County: Palm Beach

Dear Mr. Schmidt:

Thank you for your letter dated June 16, 2005, in which you requested the Fish and Wildlife Service's (Service) technical assistance for the project site referenced above.

## PROJECT DESCRIPTION

The applicant proposes to conduct a Project Development and Environment Study for the extension of State Road 7 from Okeechobee Boulevard to North Lake Boulevard. The project would consist of a six lane divided roadway, with curb, gutters, and sidewalks. The purpose of the project is to accommodate the significant increase in vehicle traffic in the area that has occurred due to ongoing development. The project site is located north of Okeechobee Boulevard and south of Northlake Boulevard in Palm Beach County, Florida.

## THREATENED AND ENDANGERED SPECIES

The Service has reviewed its Geographic Information System (GIS) database for recorded locations of federally listed threatened and endangered species on or adjacent to your project. The GIS database is a compilation of data received from several sources.

Wood stork

The project occurs within the geographic range of the endangered wood stork (*Mycteria americana*). We have identified four active wood stork nesting colonies located near the project site. The site is located in the core foraging area (CFA) (within 18.6 miles) of these nesting colonies. These colonies are located approximately 3.5 miles east, and 11.5 miles, 14.7 miles and 15.9 miles south of the project corridor. The Service believes the loss of wetlands within a CFA due to an action could result in the loss of foraging habitat for the wood stork. To minimize



adverse effects to the wood stork, we recommend any lost foraging habitat resulting from the project be replaced within the CFA of the affected nesting colony. Moreover, wetlands provided as mitigation should adequately replace the wetland functions lost as a result of the action. In some cases, the Service accepts wetlands compensation located outside the CFA of the affected wood stork nesting colony. Specifically, wetland credits purchased from a "Service Approved" mitigation bank located outside the CFA would be acceptable to the Service, provided the impacted wetlands occur within the permitted service area of the bank.

No other federally listed species were identified on your project site. The Service has not conducted a site inspection to verify species occurrence or validate the GIS results. However, we assume listed species occur in suitable ecological communities and recommend site surveys to determine the presence or absence of listed species. Ecological communities suitable for listed species can be found in the species accounts in the *South Florida Multi-Species Recovery Plan*. This document is available on the internet at <http://verobeach.fws.gov/Programs/Recovery/esvb-recovery.html>.

We have also provided for your consideration two computer links: (1) <http://verobeach.fws.gov/Programs/Permits/Section7.html> and (2) <http://migratorybirds.fws.gov/>. The first link is a table of species by county in south Florida that are protected as either threatened or endangered under the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*). The table does not include State-listed species. Please contact the Florida Fish and Wildlife Conservation Commission at 772-778-5094 to identify potential State-listed species occurring in the vicinity of your project. The second link provides information on species the Service is required to protect and conserve under other authorities, such as the Fish and Wildlife Coordination Act of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*) and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 *et seq.*). A variety of habitats in south Florida occasionally provide resting, feeding, and nesting sites for a variety of migratory bird species. As a public trust resource, migratory birds must be taken into consideration during project planning and design.

## FISH AND WILDLIFE RESOURCES

Based on the conflicting information provided, it is not clear to the Service if the proposed State Road 7 extension project includes the segment from Okeechobee Boulevard to Persimmon Boulevard. The "Description of the Project" specifically denotes the project as an extension of State Road 7 from Okeechobee Boulevard to Northlake Boulevard, and appears to include the section from Okeechobee Boulevard to Persimmon Boulevard. However, the "Description of the Project" also refers to the section of roadway from Okeechobee Boulevard to Persimmon Boulevard as an "associated project proposed by Palm Beach County." Furthermore, we are aware that Palm Beach County has already applied to the U.S. Army Corps of Engineers for a permit to fill wetlands in association with the extension of State Road 7 from Okeechobee Boulevard to Persimmon Boulevard. Therefore, we ask that the FDOT clarify the proposed project description. It appears that the intent of the State Road 7 extension project is to construct



a new roadway to link Okeechobee Boulevard with Northlake Boulevard. We note that the extension of State Road 7 from Persimmon Boulevard to Northlake Boulevard would not be possible without extending State Road 7 from Okeechobee Boulevard to Persimmon Boulevard. In order for us to adequately assess the impacts of the project to fish and wildlife, the Service believes that the entire extension of State Road 7 from Okeechobee Boulevard to Northlake Boulevard should be proposed as a single project and not piecemealed into sections.

Thank you for the opportunity to comment. If you have any questions, please contact John Wrublik at 772-562-3909, extension 282.

Sincerely yours,

A handwritten signature in black ink that reads "Allen D. Webb" with a large, stylized flourish at the end.

James J. Slack  
Field Supervisor  
South Florida Ecological Services Office

cc:

DEP, West Palm Beach, Florida  
EPA, West Palm Beach, Florida  
FWC, Vero Beach, Florida