

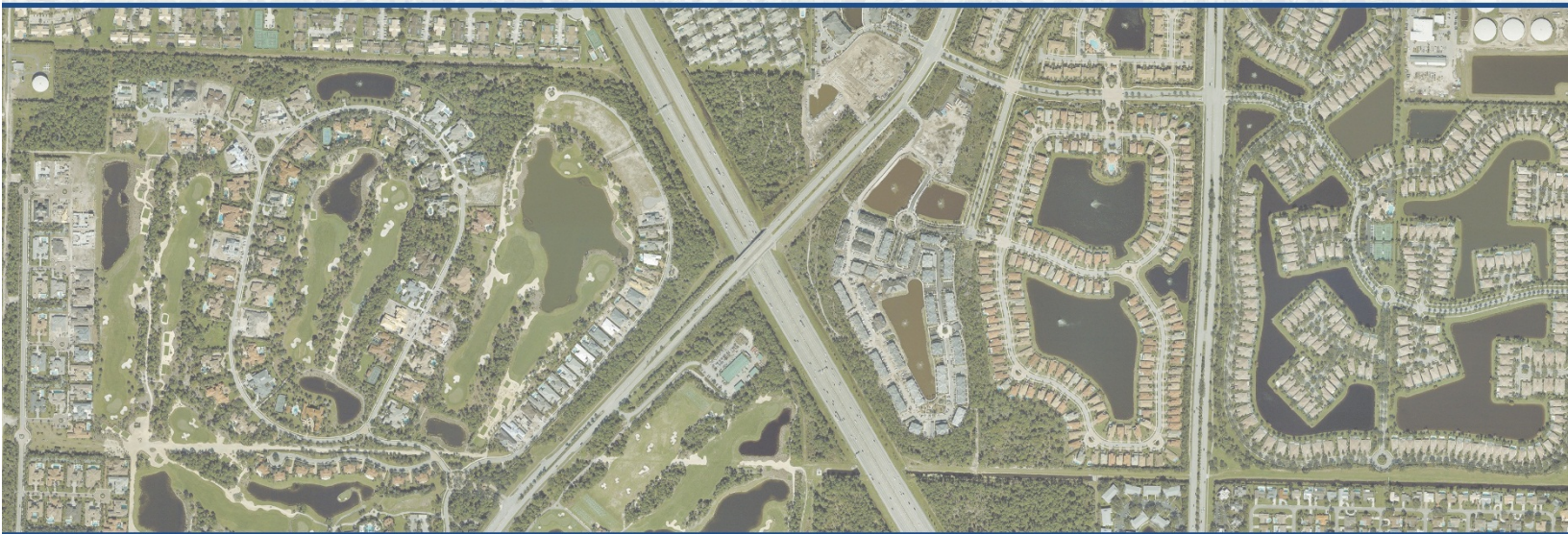
# Type 2 Categorical Exclusion Report /

## Section 4(f) *de minimis* Approval

# SR 9/I-95 at Central Boulevard Interchange PD&E Study

I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163)

ETDM 13748 • Palm Beach County • Financial Management Number: 413265-1-22-01 • Federal Aid Project No: N/A



Prepared for:  
FDOT District 4  
3400 West Commercial Blvd.  
Fort Lauderdale, Florida 33309

**November, 2016**



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Prepared by:

Stantec Consulting Services, Inc.  
901 Ponce de Leon Blvd.  
Suite 900  
Coral Gables, FL 33134



Prepared for:

FDOT District 4  
3400 West Commercial Blvd.  
Fort Lauderdale, Florida 33309

**November, 2016**





**Florida Department of Transportation**

**RICK SCOTT**  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

**JIM BOXOLD**  
SECRETARY

October 12, 2016

Mr. James Christian  
Division Administrator  
Federal Highway Administration  
3500 Financial Plaza, Suite 400  
Tallahassee, FL 32312

Attn: Mark E. Clasgens, P.E., District 4 Transportation Engineer

Dear Mr. Christian:

**Subject: Transmittal of Type 2 Categorical Exclusion for Approval**

I-95 at Central Boulevard Interchange Project Development & Environment Study  
I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163)  
Palm Beach County, Florida  
Financial Management ID No.: 413265-1-22-01  
Federal Aid Project No.: N/A  
Efficient Transportation Decision Making (ETDM) No.: 13748

Enclosed is the Type 2 Categorical Exclusion Determination Form and appropriate supporting documentation such as the Preliminary Engineering Report and the public hearing transcript for the public hearing held on September 28, 2016 for the subject project. Upon review and approval of the Type 2 Categorical Exclusion Class of Action Determination, we request this project be granted Location and Design Concept Acceptance in accordance with 23 CFR 771. Please acknowledge your concurrence with these findings by signing and dating the Type 2 Categorical Exclusion Determination Form and then returning a signed signature page for the project files.

Sincerely,

for: Steven C. Braun, P.E.  
District Planning and Environmental Engineer

Attachments

cc: Stacie E. Blizzard, FHWA





STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

## TYPE 2 CATEGORICAL EXCLUSION DETERMINATION FORM

### 1. GENERAL INFORMATION

County: Palm Beach  
 Project Name: SR 9/I-95 at Central Boulevard Interchange  
 Project Limits: I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163)  
 Project Numbers: 13748 413265-1-22-01 N/A  
 ETDM (if applicable) Financial Management Federal-Aid

### 2. PROJECT PURPOSE AND NEED

- a. Purpose and Need: See Section 1.3
- b. Proposed Improvements: Construction of a new interchange at I-95 and Central Boulevard (see Sections 1.2 and 1.6 for further detail)
- c. Project Planning Consistency:

| Currently Adopted CFP-LRTP | COMMENTS  |                         |                       |                 |   |
|----------------------------|---|-------------------------|-----------------------|-----------------|---|
| Y                          | The 2040 LRTP Adopted by the Palm Beach MPO Governing Board on October 16, 2014 lists project on Page 110.* |                         |                       |                 |   |
| PHASE                      | Currently Approved TIP  | Currently Approved STIP | TIP/STIP*<br>\$       | TIP/STIP*<br>FY | COMMENTS  |
| PE (Final Design)          | Yes   | Yes                     | \$2,525,000/2,531,000 | 2016/2016       | Adopted MPO TIP is from FY17-TIP funding amount is from prior year. |
| R/W                        | Yes   | No                      | \$10,517,000/--       | 2021/--         | Adopted STIP is to FY 19  |
| Construction               | No  | No                      | \$--/--               | --/--           |   |

**\*See Appendix A for pages from TIP/STIP/LRTP**





### 3. CLASS OF ACTION

a. Class of Action:

☒ Type 2 Categorical Exclusion

b. Other Actions:

☒ Section 4(f) Evaluation

☒ Section 106 Consultation

☒ Endangered Species Biological Assessment

c. Public Involvement:

1. ☐ A public hearing is not required, therefore, approval of this Type 2 Categorical Exclusion constitutes acceptance of the location and design concepts for this project.
2. ☒ A public hearing was held on September 28, 2016 and a transcript is included. Approval of this determination constitutes location and design concept acceptance for this project.  
☐ An opportunity for a public hearing was afforded and a certification of opportunity is included. Approval of this determination constitutes acceptance of the location and design concepts for this project.
3. ☐ A public hearing will be held and the public hearing transcript will be provided at a later date. Approval of this determination DOES NOT constitute acceptance of the project's location and design concepts.  
☐ An opportunity for a public hearing will be afforded and a certification of opportunity will be provided at a later date. Approval of this determination DOES NOT constitute acceptance of the project's location and design concepts.

d. Cooperating Agency: ☐ COE ☐ USCG ☐ FWS ☐ EPA ☐ NMFS ☒ NONE

### 4. REVIEWERS' SIGNATURES

FDOT Project Manager

10 / 12 / 2016  
Date

FDOT Environmental Administrator or Designee

10 / 12 / 2016  
Date

### 5. FHWA CONCURRENCE

for Division Administrator or Designee

11 / 28 / 16  
Date



## 6. ENVIRONMENTAL ANALYSIS

### Impact Determination\*

| Topical Categories  | Sig | Not Sig | None | Nolnv | Basis for Decision* |
|---|-----|---------|------|-------|---------------------|
| <b>A. SOCIAL &amp; ECONOMIC</b>   |     |         |      |       |                     |
| 1. Land Use Changes   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.1.1   |
| 2. Community Cohesion   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.1.2   |
| 3. Relocation Potential   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.1.3   |
| 4. Community Services   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.1.4   |
| 5. Nondiscrimination Considerations   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.1.5   |
| 6. Controversy Potential  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.1.6   |
| 7. Scenic Highways  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.1.7   |
| 8. Farmlands  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.1.8   |
| <b>B. CULTURAL</b>  |     |         |      |       |                     |
| 1. Section 4(f)   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.2.1   |
| 2. Historic Sites/Districts   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.2.2   |
| 3. Archaeological Sites   | [ ] | [ ]     | [ ]  | [X]   | See Section 2.2.3   |
| 4. Recreation Areas   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.2.4   |
| <b>C. NATURAL</b>   |     |         |      |       |                     |
| 1. Wetlands   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.3.1   |
| 2. Aquatic Preserves  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.3.2   |
| 3. Water Quality  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.3.3   |
| 4. Outstanding FL Waters  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.3.4   |
| 5. Wild and Scenic Rivers   | [ ] | [ ]     | [ ]  | [X]   | See Section 2.3.5   |
| 6. Floodplains  | [ ] | [ ]     | [X]  | [ ]   | See Section 2.3.6   |
| 7. Coastal Zone Consistency   | [ ] | [ ]     | [X]  | [ ]   | See Section 2.3.7   |
| 8. Coastal Barrier Resources  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.3.8   |
| 9. Wildlife and Habitat   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.3.9   |
| 10. Essential Fish Habitat  | [ ] | [ ]     | [ ]  | [X]   | See Section 2.3.10  |
| <b>D. PHYSICAL</b>  |     |         |      |       |                     |
| 1. Noise  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.1   |
| 2. Air Quality  | [ ] | [ ]     | [X]  | [ ]   | See Section 2.4.2   |
| 3. Construction   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.3   |
| 4. Contamination  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.4   |
| 5. Aesthetic Effects  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.5   |
| 6. Bicycles and Pedestrians   | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.6   |
| 7. Utilities and Railroads  | [ ] | [X]     | [ ]  | [ ]   | See Section 2.4.7   |
| 8. Navigation   | [ ] | [ ]     | [ ]  | [X]   | See Section 2.4.8   |
| a. [X] FHWA has determined that a USCG Permit IS NOT required in accordance with 23 CFR 650, Subpart H. |     |         |      |       |                     |
| b. [ ] FHWA has determined that a USCG Permit IS required in accordance with 23 CFR 650, Subpart H.     |     |         |      |       |                     |

\* **Impact Determination:** Sig = Significant; NotSig = Not significant; None = Issue present, no impact; Nolnv = Issue absent, no involvement. Basis of decision is documented in the referenced attachment(s).



## **E. ANTICIPATED PERMITS**

1. South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP)
2. SFWMD Right-of-Way Occupancy Permit
3. SFWMD Water Use Permit (Dewatering)
4. Florida Department of Environmental Protection (FDEP) National Pollutant Discharge Elimination System (NPDES) Permit
5. USACE Section 404 Dredge and Fill Permit

## **7. COMMITMENTS**

The following commitments have been made by the Florida Department of Transportation (FDOT) and will be adhered to during the final design and construction phases.

1. The FDOT will implement the most current version of the US Fish and Wildlife Service (USFWS) *Standard Protection Measures for the Eastern Indigo Snake*; which will be included in the construction documents and implemented during construction.
2. The FDOT will coordinate with the USFWS during final design (through the environmental permitting process) to determine if mitigation for loss of wood stork foraging habitat is required. Any required mitigation will occur through purchase of mitigation credits from an appropriate USFWS-approved mitigation bank.
3. The FDOT will coordinate with the SFWMD and USACE during final design (through the environmental permitting process) to further avoid and minimize, where practical, swale and surface water impacts.
4. During final design, if right-of-way is acquired for offsite ponds or other drainage features, the FDOT will perform protected species and wetlands reviews of those locations. Additionally, these potential areas of right-of-way acquisition will be evaluated for cultural resources and contamination.
5. The FDOT is committed to the construction of feasible noise abatement measures at the locations where noise barriers have been recommended for further consideration during the final design phase, contingent upon the following conditions:
  - Detailed noise analyses during the final design process support the need for abatement
  - Reasonable cost analyses indicate that the economic cost of the barrier(s) will not exceed the cost reasonable criterion
  - Safety and engineering aspects as related to the roadway user and the adjacent property owner have been reviewed and any conflicts or issues resolved
  - Community input regarding desires, types, heights and locations of barriers has been solicited by the FDOT
  - Any other mitigating circumstances found in Section 17-4.6.1 of FDOT's PD&E Manual have been analyzed
6. The FDOT will reevaluate the feasibility and reasonableness of noise abatement measures during Final Design if warranted by changes to the project's design.



7. Construction activities for the proposed action may potentially have short-term noise and vibration, air quality, and water quality impacts within the immediate vicinity of the project. Such potential impacts will be minimized by adherence to all applicable State and local regulations and to the latest edition of the FDOT *Standard Specifications for Road and Bridge Construction*.
8. The sequence of construction will be planned in such a way as to minimize traffic delays. The project will involve the development and use of a Maintenance of Traffic (MOT) Plan. This Plan will include traffic management and signage, access to local businesses and residences, detour routes, public notification of alternate routes, emergency services coordination and project scheduling. The local news media will be notified in advance of road closings and other construction-related activities which could excessively inconvenience the community so that business owners, residents, and tourists in the area can plan travel routes in advance. A sign providing the name, address, and telephone of an FDOT contact person will be displayed on-site to assist the public in obtaining answers to questions or complaints about project construction.
9. Before construction begins, an unanticipated finds plan will be developed. The plan will include specific procedures to be taken in the unlikely event that unanticipated finds, including human remains, are encountered during construction.
10. As part of a separate PD&E Study, the Department will study the possible additional improvements to the I-95 interchange at Northlake Boulevard, south of PGA Boulevard. That study scope has been amended to include an analysis of the feasibility of improving the operational performance of the area where the PGA Boulevard eastbound to I-95 southbound slip ramp, and the PGA Boulevard westbound to I-95 southbound flyover ramps merge with each other and subsequently with the I-95 travel lanes.
11. The Department commits to negotiating with Palm Beach County during the design phase to convey to the County a portion of an existing FDOT parcel adjacent to the County's District Park parcel as compensation for the expected right-of-way needed due to construction of the Recommended Alternative within the park parcel where it abuts I-95.
12. The Department commits to facilitate the negotiation between Palm Beach County and the City of Palm Beach Gardens to modify an existing City conservation easement within the County's park parcel to extend the easement onto the parcel the FDOT is conveying to the County, as compensation for the easement area lost due to construction of the Recommended Alternative.





## TABLE OF CONTENTS

|            |   |           |
|------------|---|-----------|
| <b>1.0</b> | <b>SUMMARY OF PROJECT .....</b>           | <b>1</b>  |
| 1.1        | PROJECT BACKGROUND.....                   | 1         |
| 1.2        | PROJECT DESCRIPTION.....                  | 3         |
| 1.3        | PURPOSE AND NEED .....                    | 5         |
| 1.4        | EXISTING FACILITY .....                   | 9         |
| 1.5        | ALTERNATIVES CONSIDERED .....             | 13        |
| 1.5.1      | BUILD ALTERNATIVES 2, 2A .....            | 15        |
| 1.5.2      | BUILD ALTERNATIVES 3, 3A .....            | 15        |
| 1.6        | RECOMMENDED ALTERNATIVE .....             | 15        |
| <b>2.0</b> | <b>ENVIRONMENTAL IMPACT ANALYSIS.....</b> | <b>21</b> |
| 2.1        | SOCIAL & ECONOMIC .....                   | 21        |
| 2.1.1      | Land Use Changes .....                    | 21        |
| 2.1.2      | Community Cohesion .....                  | 22        |
| 2.1.3      | Relocation Potential .....                | 22        |
| 2.1.4      | Community Services.....                   | 22        |
| 2.1.4.1    | Religious Facilities.....                 | 23        |
| 2.1.4.2    | Medical and Emergency Facilities .....    | 23        |
| 2.1.4.3    | Educational Facilities.....               | 24        |
| 2.1.4.4    | Government Facilities.....                | 25        |
| 2.1.5      | Nondiscrimination Considerations .....    | 25        |
| 2.1.6      | Controversy Potential .....               | 25        |
| 2.1.7      | Scenic Highways .....                     | 28        |
| 2.1.8      | Farmlands .....                           | 28        |
| 2.2        | CULTURAL.....                             | 28        |
| 2.2.1      | Section 4(f) .....                        | 28        |



|        |                                  |    |
|--------|----------------------------------|----|
| 2.2.2  | Historic Sites/Districts .....   | 31 |
| 2.2.3  | Archaeological Sites .....       | 32 |
| 2.2.4  | Recreation Areas .....           | 32 |
| 2.3    | NATURAL .....                    | 33 |
| 2.3.1  | Wetlands .....                   | 33 |
| 2.3.2  | Aquatic Preserves .....          | 35 |
| 2.3.3  | Water Quality .....              | 35 |
| 2.3.4  | Outstanding Florida Waters ..... | 36 |
| 2.3.5  | Wild and Scenic Rivers .....     | 36 |
| 2.3.6  | Floodplains .....                | 36 |
| 2.3.7  | Coastal Zone Consistency .....   | 37 |
| 2.3.8  | Coastal Barrier Resources .....  | 37 |
| 2.3.9  | Wildlife and Habitat .....       | 37 |
| 2.3.10 | Essential Fish Habitat .....     | 38 |
| 2.4    | PHYSICAL .....                   | 40 |
| 2.4.1  | Noise .....                      | 40 |
| 2.4.2  | Air Quality .....                | 41 |
| 2.4.3  | Construction .....               | 42 |
| 2.4.4  | Contamination .....              | 43 |
| 2.4.5  | Aesthetic Effects .....          | 45 |
| 2.4.6  | Bicycles and Pedestrians .....   | 45 |
| 2.4.7  | Utilities and Railroads .....    | 46 |
| 2.4.8  | Navigation .....                 | 47 |





## LIST OF FIGURES

|  |    |
|--|----|
| Figure 1– IJR Study Area .....   | 2  |
| Figure 2 -PD&E Study Limits .....  | 4  |
| Figure 3– Existing I-95 Roadway Typical Section – South of Central Boulevard .....                   | 11 |
| Figure 4– Existing I-95 Roadway Typical Section – North of Central Boulevard.....                    | 11 |
| Figure 5– Existing Central Boulevard Roadway Typical Section .....                                   | 12 |
| Figure 6– Existing Central Boulevard Bridge Typical Section.....                                     | 12 |
| Figure 7– Typical Section – I-95 South of Central Boulevard (Mainline Alternative 2) .....           | 17 |
| Figure 8– Typical Section – I-95 North of Central Boulevard (Mainline Alternatives 2<br>and 3) ..... | 17 |
| Figure 9- Typical Section - Central Blvd. Bridge for TDUI .....                                      | 18 |
| Figure 10-Proposed Typical Section-Central Blvd. West of I-95 - TDUI .....                           | 19 |
| Figure 11-Proposed Typical Section-Central Blvd. East of I-95 - TDUI.....                            | 19 |

## LIST OF APPENDICES

|  |
|--|
| <b>APPENDIX A</b> Planning Consistency Information |
| <b>APPENDIX B</b> Agency Coordination Letters      |
| <b>APPENDIX C</b> Public Hearing Transcript        |
| <b>APPENDIX D</b> Section 4(f) Documentation       |



## 1.0 SUMMARY OF PROJECT

The Florida Department of Transportation (FDOT) District Four is conducting a Project Development and Environment (PD&E) Study for the construction of a new interchange at I-95 and Central Boulevard in Palm Beach County, Florida. The limits of the study area extend along I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163), a distance of 3.38 miles.

### 1.1 PROJECT BACKGROUND

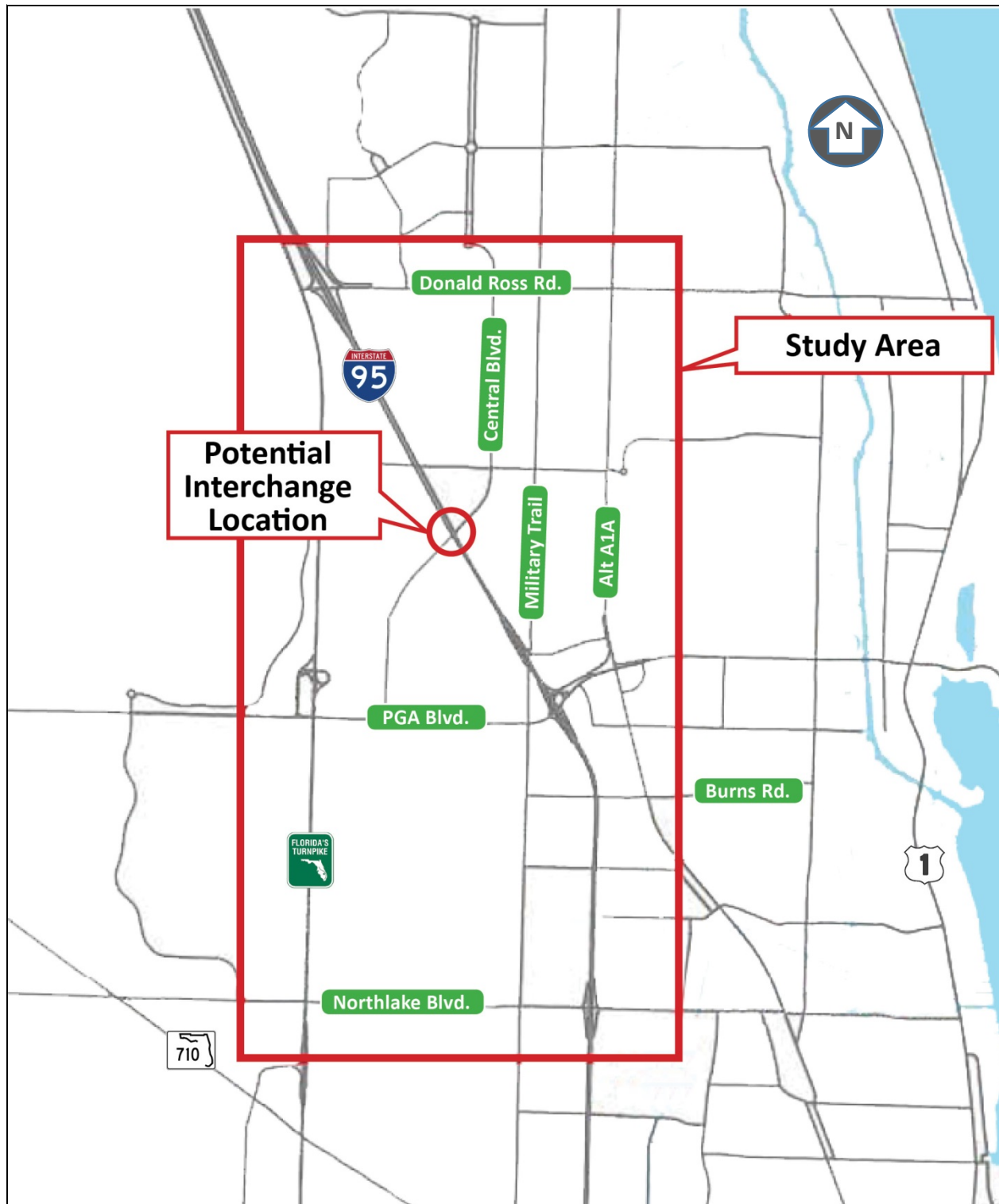
The Florida Department of Transportation, District Four conducted an Interchange Justification Study to evaluate improvements to SR 9/I-95 that would reduce congestion and improve mobility in the northern Palm Beach County area, within the City of Palm Gardens. The limits of this study extended from north of Northlake Boulevard to south of Donald Ross Road, PGA Boulevard from west of Military Trail to west of Lake Victoria Gardens Drive; and Central Boulevard from 1.0 mile south of I-95 to 1.0 mile north of I-95. The limits of this study are shown in **Figure 1**.

Specifically, this study focused on solutions that would reduce demand on regional transportation facilities, such as PGA Boulevard and Military Trail, by transferring that demand to other roadways with available capacity via a new or modified interchange between PGA Boulevard and Donald Ross Road along SR 9/I-95.

The Interchange Justification Report (IJR) was prepared in 2015. It concluded that a shift in demand to a new interchange at Central Boulevard would reduce the delay by approximately 1.4 million hours annually. The IJR was approved by the Federal Highway Administration (FHWA) in November, 2015. The Palm Beach County Metropolitan Planning Organization (MPO) 2040 Cost Feasible Plan was updated to include a new interchange at Central Boulevard. The Cost Feasible Plan was included in the MPO's Long Range Transportation Plan (LRTP), adopted in late 2014.

To address the improvements recommended in the IJR, FDOT initiated a Project Development and Environment (PD&E) study to evaluate potential improvements to SR 9/I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163), a distance of 3.38 miles. Specifically, the PD&E study evaluated alternatives for a new Interchange at Central Boulevard and for improvements to mainline I-95 within the reduced project limits.

Figure 1– IJR Study Area





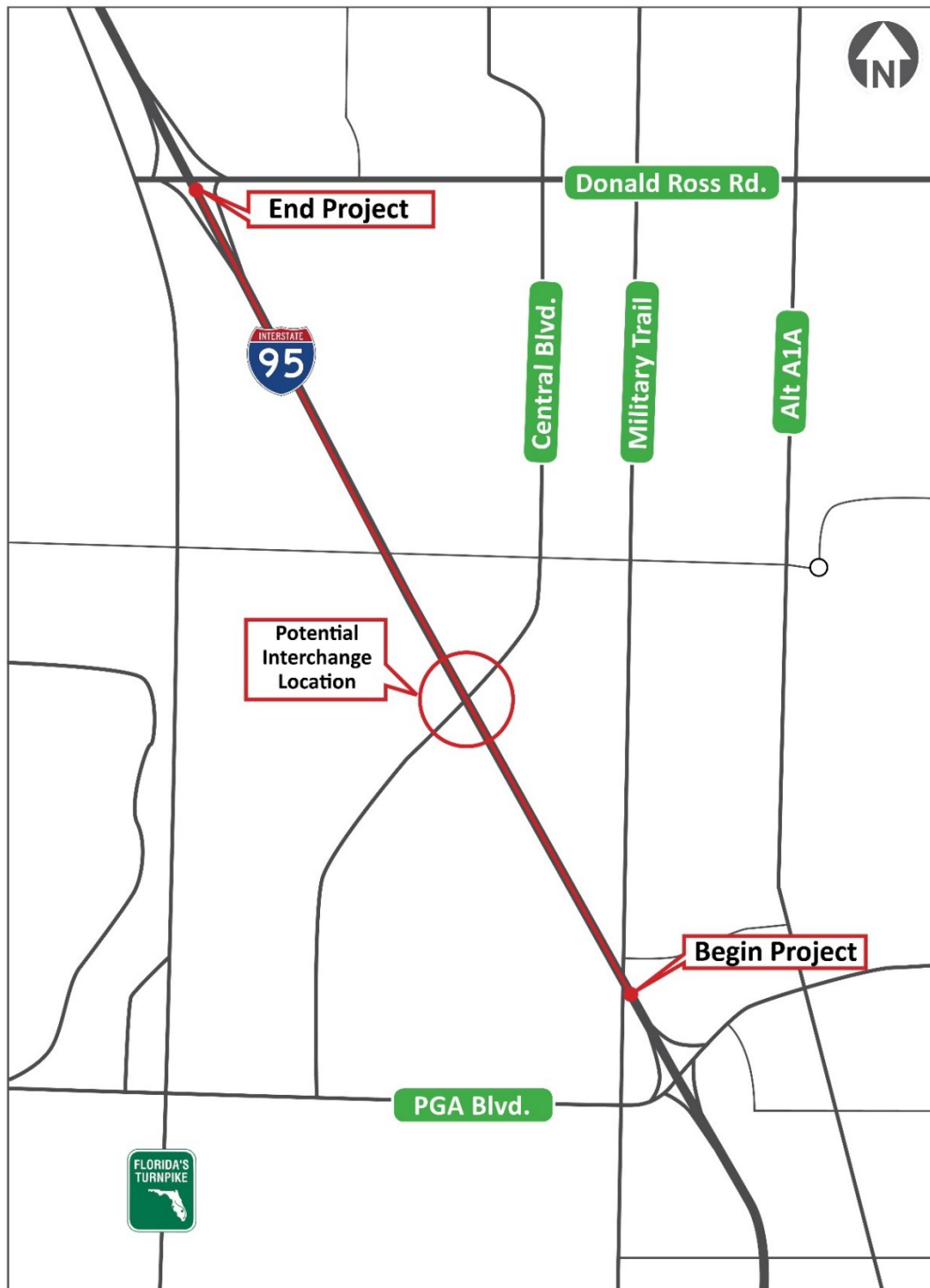


## 1.2 PROJECT DESCRIPTION

The ongoing PD&E study is evaluating alternatives for construction of a new interchange at SR 9/I-95 and Central Boulevard in the City of Palm Beach Gardens in northern Palm Beach County. Construction of a new interchange, if selected over the No-Build Alternative as the Recommended Alternative, will reduce congestion and improve mobility within the City of Palm Beach Gardens. SR 9/I-95 is owned and operated by FDOT. It is classified in the Palm Beach County Comprehensive Plan as a Principal Arterial. Central Boulevard is classified as an Urban Collector. Central Boulevard currently crosses over, but does not provide access to, I-95 at this location.

The original study area identified for the IJR, and described for the PD&E study in the ETDM Project Summary Report, extended from Northlake Boulevard to the south to Donald Ross Road to the north, and from Florida's Turnpike to the west to Lake Victoria Gardens Boulevard to the east (**Figure 1**). However, since the IJR recommended construction of a new interchange at Central Boulevard to address congestion, the new limits of the PD&E Study were reduced to include the area influenced by the proposed improvements, as shown in (**Figure 2**). The project limits for the PD&E study extend along I-95 from north of PGA Boulevard to Donald Ross Road. The proposed Central Boulevard interchange would be located approximately 1.0 mile north of the existing Military Trail (SR 809) partial interchange, and 2.0 miles south of the existing Donald Ross Road interchange.

Figure 2 -PD&E Study Limits





### 1.3 PURPOSE AND NEED

The purpose of the project is to improve operational capacity and overall traffic operations by determining if a new interchange at Central Blvd at I-95 will relieve traffic congestion at the existing interchange of SR 9 (I-95) and SR 786 (PGA Boulevard). Conditions at PGA Boulevard are anticipated to deteriorate below acceptable level of service (LOS) standards if no improvements occur by 2035; the interchange will have insufficient capacity to accommodate the projected travel demand. The need for the project is based on the following primary and secondary criteria:

#### PRIMARY CRITERIA

##### CAPACITY/TRANSPORTATION DEMAND: Improve Operational Capacity and Overall Traffic Operations (Level of Service)

Proposed construction of a new interchange at I-95 and Central Boulevard is anticipated to improve traffic operations by reducing demand at the PGA Boulevard interchange and study area roadways and continue to meet the future travel demand projected as a result of Palm Beach County population and employment growth. According to traffic data presented in the I-95 Area Wide Mobility Study, the northbound I-95 ramp terminal intersection at PGA Boulevard is currently operating at LOS E/F (AM/PM Peak Hours) and the intersection of PGA Boulevard at Military Trail is currently operating at LOS E (AM/PM Peak Hours). By year 2035, if no improvements occur, several additional locations are projected to deteriorate to unacceptable conditions, including the southbound I-95 ramp terminal intersection at PGA Boulevard to LOS F (PM Peak Hour), the intersection of PGA Boulevard and Central Boulevard to LOS F (AM/PM Peak Hours) and the intersection of PGA Boulevard at Florida's Turnpike to LOS F (AM/PM Peak Hours). The existing and projected future traffic conditions for the study area roadways are as follows:

#### **I-95 (South of PGA Boulevard)**

##### **-Existing Conditions-**

2011 Annual Average Daily Traffic (AADT): 145,000

2011 Truck AADT: 6.4% (9,280 trucks per day)

LOS C (8 General Use and 2 HOV Lanes)

##### **-Future Conditions-**

2035 AADT: 182,400





2035 Truck AADT: 6.4% (11,674 trucks per day)

LOS D (8 General Use and 2 HOV Lanes)

**PGA Boulevard (Florida's Turnpike to Military Trail)**

**-Existing Conditions-**

2011 AADT: 42,000

2011 Truck AADT: 4.8% (2,016 trucks per day)

LOS D (6 Lanes)

**-Future Conditions-**

2035 AADT: 55,700

2035 Truck AADT: 4.8% (2,674 trucks per day)

LOS F (6 Lanes)

**PGA Boulevard (Military Trail to I-95)**

**-Existing Conditions-**

2011 AADT: 37,000

2011 Truck AADT: 7.0% (2,590 trucks per day)

LOS D (6 Lanes)

**-Future Conditions-**

2035 AADT: 69,200

2035 Truck AADT: 7.0% (4,844 trucks per day)

LOS F (6 Lanes)

**PGA Boulevard (I-95 to Alt A1A)**

**-Existing Conditions-**

2011 AADT: 64,500

2011 Truck AADT: 2.6% (1,677 trucks per day)

LOS F (6 General Use plus 1 Auxiliary Lane [Eastbound])

**-Future Conditions-**

2035 AADT: 78,100



2035 Truck AADT: 2.6% (2,030 trucks per day)

LOS F (8 Lanes)

**Military Trail (South of PGA Boulevard)**

**-Existing Conditions-**

2011 AADT: 37,000

2011 Truck AADT: 4.7% (1,739 trucks per day)

LOS C (6 Lanes)

**-Future Conditions-**

2035 AADT: 59,100

2035 Truck AADT: 4.7% (2,778 trucks per day)

LOS F (6 Lanes)

Sources:

- (1) 2011 AADT and 2011 Truck AADT volumes obtained from the FDOT's Florida Traffic Online (2011).
- (2) Projected 2035 AADT volumes derived from the Southeast Regional Planning Model (SERPM) Version 6.5.2e.
- (3) Projected 2035 Truck AADT volumes are based on the assumption that future truck traffic percentages are consistent with the 2011 existing percentages.
- (4) LOS derived from the FDOT 2009 Quality/Level of Service Handbook: Generalized Annual Average Daily Volumes for Florida's Urban Areas, Table 1.

It should additionally be noted that the Palm Beach MPO 2035 Long Range Transportation Plan (LRTP) states that volume to capacity (V/C) ratios exceeding 1.1 are assumed to constitute a travel demand need or deficiency. Based on the projected 2035 AADT volumes derived from the Southeast Regional Planning Model (SERPM), PGA Boulevard and the interchange at I-95 are expected to have a V/C ratio greater than 1.1 and are, therefore, projected to be deficient in the future if no improvements are made.



**GROWTH MANAGEMENT: Accommodate Future Population and Employment Growth**

The study area is urbanized containing a mixture of commercial, industrial, mixed-use and residential land uses with vacant land in the northeast quadrant. According to the City of Palm Beach Gardens Comprehensive Plan, future land use is to remain relatively unchanged, with the exception of the area east of the interchange which has been designated as part of the Bioscience Research Protection Overlay (BRPO). The BRPO was developed to protect portions of land for biotechnology/biosciences land uses and includes the Scripps Florida Phase II/Briger Tract DRI which consists of 82 acres located south of Donald Ross Road, north of Hood Road and east and west of I-95 (just north of the study area). The DRI includes 1,600,000 square feet of Biotech Research and Development, 2,400,000 square feet of biotechnological/biomedical, pharmaceutical, and office space, 2,700 residential dwelling units, and 500,000 square feet of retail space.

According to SERPM projections developed for Palm Beach County as part of the Palm Beach MPO 2035 LRTP development:

- Population is projected to grow from 1,270,302 in 2005 to 1,677,170 in 2035 [32% increase].
- Employment is projected to grow from 544,496 in 2005 to 800,045 in 2035 [46.9% increase].

The improvements will be critical in supporting the growing bioscience industry and vision of the County, as well as the expanding residential, commercial and industrial uses in the vicinity of the interchange.

**SECONDARY CRITERIA**

**MODAL INTERRELATIONSHIPS: Enhance Freight Mobility**

I-95 is the primary interstate route along the east coast of the United States extending from Maine to Florida and serving some of the most populated urban areas in the country. In Florida, I-95 is both a designated Strategic Intermodal System (SIS) highway and a major facility of Florida's Intrastate Highway System (FIHS). The SIS is a statewide network of highway, railway and waterway corridors as well as transportation hubs that handle the bulk of Florida's passenger and freight traffic. Highways that are designated as part of the SIS provide for movement of high volumes of goods and people at high speeds. The Florida Intrastate Highway System (FIHS) is composed of interconnected limited- and controlled-access roadways (which include designated SIS highway corridors) that provide for high-speed and high-volume traffic movements within the state to serve both interstate and regional commerce and long-distance trips. This statewide transportation network accommodates high



occupancy vehicles, express bus transit and, in some corridors, passenger rail service. Within southeast Florida, I-95 is a vital north-south transportation corridor providing important regional access to major east/west and north/south transportation corridors, as well as residential and employment activity centers and other regional destinations in the area.

The proposed new interchange at I-95 and Central Boulevard and the mainline improvements between Military Trail and Central Boulevard are critical to enhance the mobility of goods by alleviating current and future congestion at the interchange and on the surrounding freight network. Reduced congestion will serve to maintain and improve viable access to the major transportation facilities and businesses of the area (including connectors to freight activity centers/local distribution facilities or between the regional freight corridors).

**EMERGENCY EVACUATION: Enhance Emergency Evacuation and Response Times**

I-95 and PGA Boulevard serve as part of the emergency evacuation route network designated by the Florida Division of Emergency Management. Also designated by Palm Beach County and the City of Palm Beach Gardens as evacuation facilities, I-95 and PGA Boulevard are currently critical in facilitating traffic during emergency evacuation periods as they connect other major arterials and highways of the state evacuation route network. Construction of a new interchange at Central Boulevard is anticipated to:

- Improve emergency evacuation capabilities by enhancing connectivity and accessibility to I-95 and other major arterials designated on the state evacuation route network.
- Increase the operational capacity of traffic that can be evacuated during an emergency event.
- Reduce demand at the existing I-95/PGA Boulevard interchange.

## **1.4 EXISTING FACILITY**

Within the study area, SR 9/I-95 is a ten-lane divided, limited access facility. The speed limit is 70 mph north of PGA Boulevard. Central Boulevard is a four-lane divided collector road. The speed limit is 45 mph. The existing typical sections for I-95 and Central Boulevard are described below.

**SR 9/I-95 South of Central Boulevard (from the PGA Boulevard ramps to Central Boulevard overpass)**

**Figure 3** depicts the existing roadway typical section for I-95 south of Central Boulevard. This section provides four 12-foot wide general purpose lanes, one 12-foot wide auxiliary lane, and a 15-foot inside and 12-foot outside shoulder in each direction. The northbound





and southbound lanes are separated by 32-foot median which contains a concrete barrier. The 12-foot auxiliary lanes are not continuous throughout the section. The roadside swales vary from 60 feet to 150 feet. The maximum width of the typical section is 300 feet.

SR 9/I-95 north of Central Boulevard (from Central Boulevard to Donald Ross Road)

**Figure 4** depicts the existing roadway typical section for I-95 north of Central Boulevard. This typical consists of four 12-foot wide general purpose lanes, two 12-foot wide auxiliary lanes, and a 14-foot inside and 12-foot outside shoulder in each direction. The northbound and southbound lanes are separated by a 28-foot grassed median (excluding the shoulders) and a double faced guardrail. The auxiliary lanes are not continuous throughout the section. The roadside swales vary from 60 feet to 146 feet. The maximum width of the typical section is 372 feet.

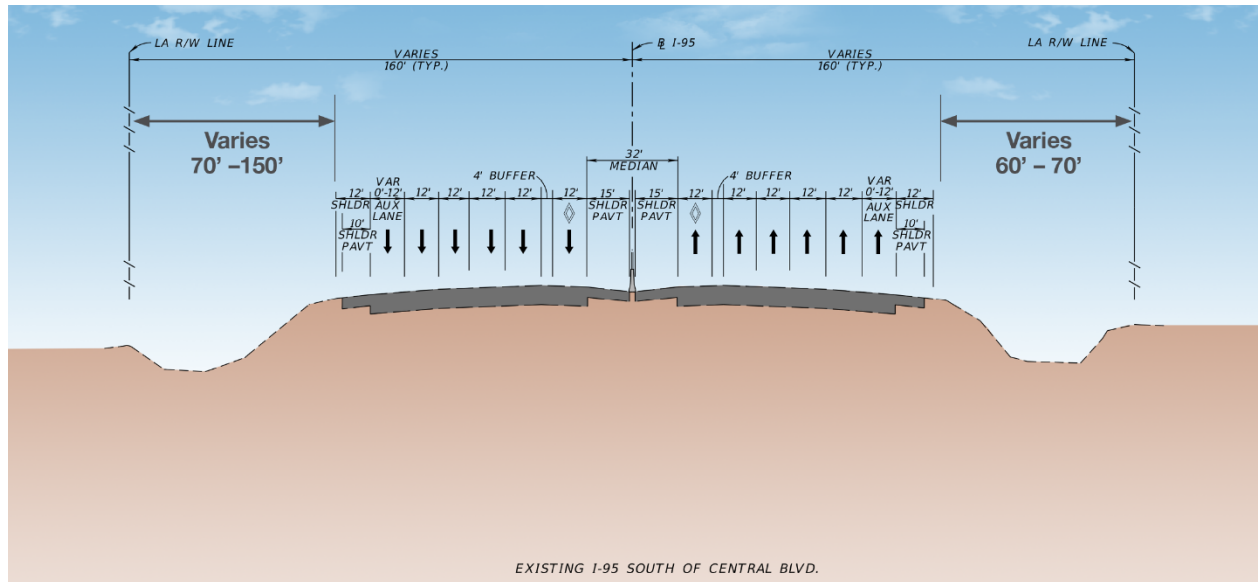
Central Boulevard

**Figure 5** depicts the existing roadway typical section for Central Boulevard approaching the bridge over I-95. Two 12-foot through lanes with a 10-foot wide outside shoulder are provided in each direction. The eastbound and westbound lanes are separated by a 22-foot raised median. An eight-foot wide sidewalk is provided on the west side and a five-foot wide sidewalk is provided on the east side of Central Avenue. The area between the outside of the sidewalk and the outer edge of the right-of-way varies from three to 98 feet. The total width of the typical section for this segment of Central Boulevard varies from 120 to 265 feet.

Central Boulevard Bridge over SR 9/I-95

**Figure 6** depicts the existing bridge typical section for the Central Boulevard Bridge over I-95. Two 12-foot through lanes with a 10-foot wide outside shoulder are provided in each direction. An eight-foot wide sidewalk is provided on the west side and a five-foot wide sidewalk is provided on the east side of Central Avenue. The eastbound and westbound lanes are separated by a 22-foot median (19 feet raised). The total out-to-out width of the existing bridge is 107 feet-six inches.

**Figure 3– Existing I-95 Roadway Typical Section – South of Central Boulevard**



**Figure 4– Existing I-95 Roadway Typical Section – North of Central Boulevard**

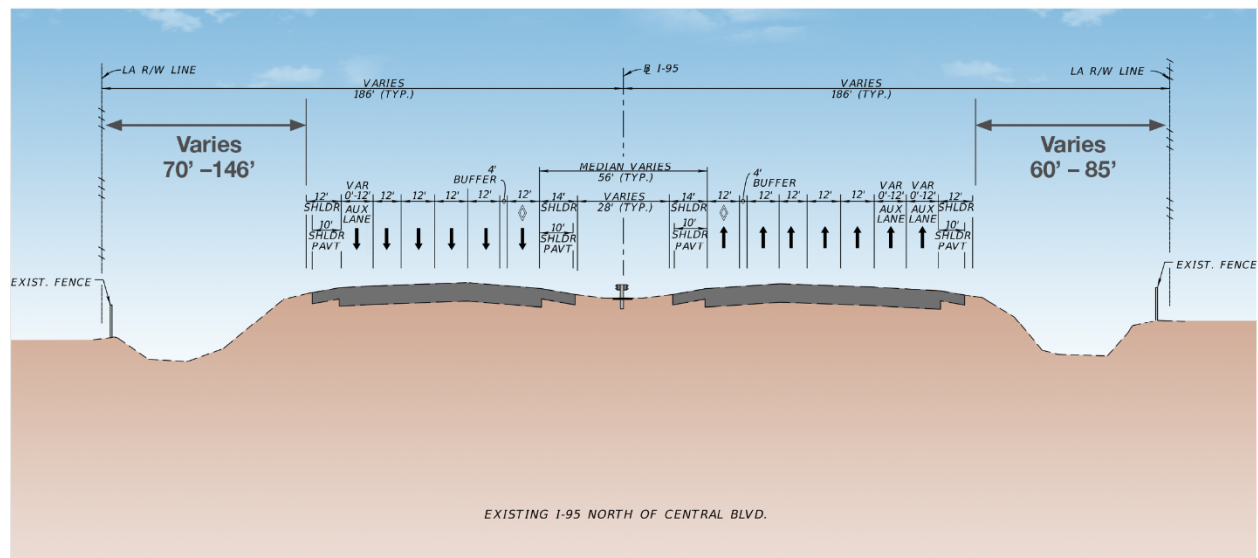


Figure 5– Existing Central Boulevard Roadway Typical Section

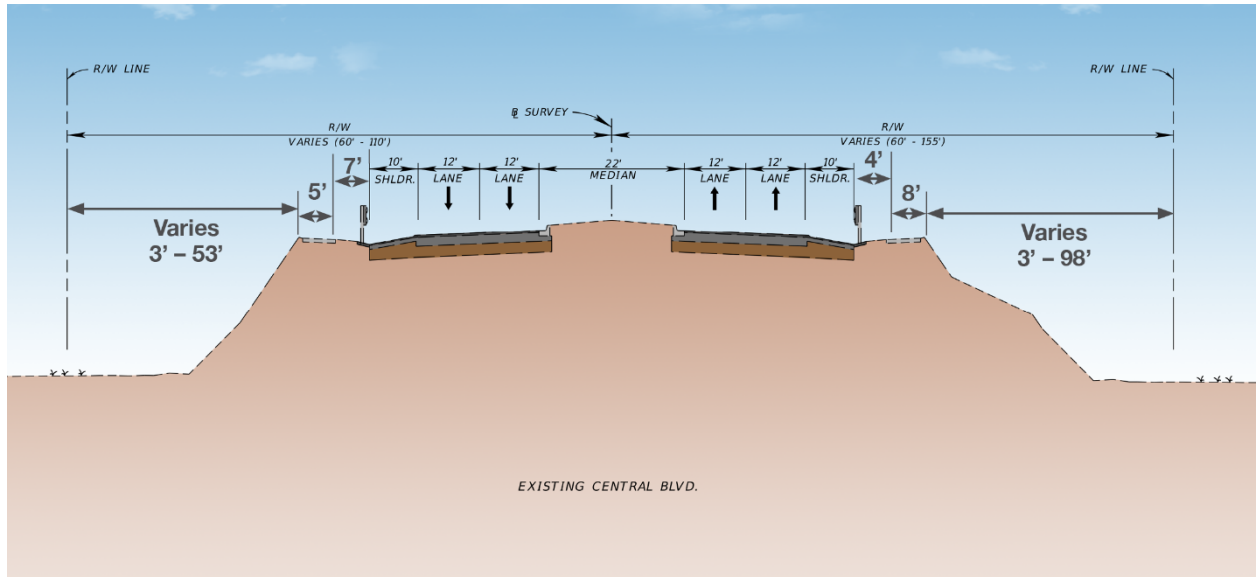
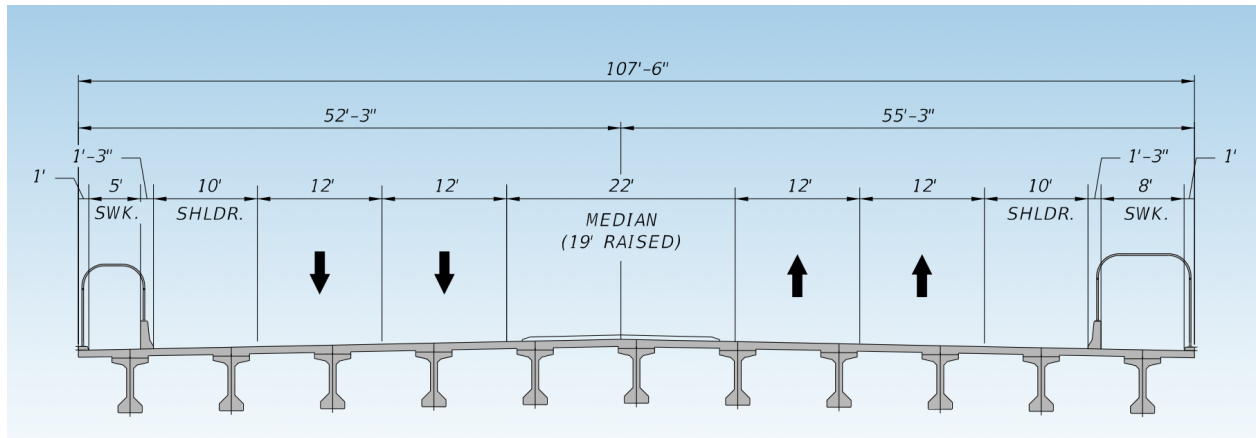


Figure 6– Existing Central Boulevard Bridge Typical Section





## 1.5 ALTERNATIVES CONSIDERED

Alternatives evaluated during the PD&E Study include the No-Build Alternative and two build alternatives. The No-Build Alternative will remain viable until after the Public Hearing. Over 20 build alternatives were evaluated as part of the IJR preceding this PD&E Study.

The advantages of the No-Build Alternative include the following:

- No disruption to motorists during construction,
- No additional noise impacts,
- No wetland or wildlife impacts,
- No temporary construction impacts, or disruption to motorists during construction,
- No additional right-of-way impacts, and
- No impacts to the Palm Beach County planned District Park.

The disadvantages of the No-Build Alternative include the following:

- Congestion within the project limits will not be reduced,
- Operational capacity will not be improved during emergency evacuations,
- Traffic Demand will continue to increase at the existing I-95/PGA Boulevard Interchange, and
- Mobility will not be improved within the City of Palm Beach Gardens.

Two interchange options for each build alternative are under consideration. Alternatives 2 and 3 include construction of a new tight diamond urban interchange(TDUI) at Central Boulevard and I-95. Alternatives 2A and 3A include construction of a new Diverging Diamond Interchange (DDI). Descriptions of these build alternatives are provided below. Both require varying amounts of Right of Way acquisition.

The TDUI interchange consists of one-way diagonal ramps in each quadrant of the interchange that are designed to minimize impacts to the existing right-of-way. The ramp terminals from the I-95 mainline to Central Boulevard will be signalized and consist of one left turn lane and two right turn lanes in each quadrant. The on-ramps from Central Boulevard to the I-95 mainline will consist of two signalized left turn lanes and a free-flow right turn one-lane ramp.

The DDI alternative requires drivers to briefly cross to the left, or opposite side of the road at carefully designed crossover intersections. Drivers will travel for a short distance, then cross back to the right side of the road. The design allows for free-flow movements for the





**SR 9/I-95 at Central Boulevard Interchange PD&E Study**  
FM 413265-1-22-01/ETDM 13748/Palm Beach County

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left and right turns to and from the I-95 ramps onto Central Boulevard without crossing the path of opposing traffic. This interchange does not require a signal for left turning vehicles, thus allowing more green time for opposing traffic. This design will, however, require the construction of two new bridges in order to accommodate the necessary geometry and acquisition of additional right-of-way.



### 1.5.1 BUILD ALTERNATIVES 2, 2A

Alternative 2 includes a new TDUI at Central Boulevard and a collector-distributor (CD) roadway system adjacent to northbound and southbound SR 9/I-95 between the Military Trail ramps and the Central Boulevard interchange ramps. This alternative removes the direct connection of the ramps at Military Trail to I-95. Northbound I-95 on ramp traffic at Military Trail merges with northbound I-95 off ramp traffic at Central Boulevard, and the weaving movement between the two occurs on the northbound collector road. Similarly, southbound I-95 on ramp traffic from Central Boulevard merges with southbound I-95 off ramp traffic at Military Trail, and the weaving movement between the two occurs on the on the southbound collector road. Alternative 2A is essentially the same as Alternative 2, except that a DDI is proposed.

### 1.5.2 BUILD ALTERNATIVES 3, 3A

Alternative 3 includes a new TDUI Central Boulevard. This alternative also includes braided ramps between Military Trail and Central Boulevard to eliminate the weaving sections in this area. The I-95 northbound off ramp to Central Boulevard passes over top of the I-95 northbound on ramp from Military Trail. The I-95 southbound off ramp to Military Trail passes over top of the I-95 southbound on ramp from Central Boulevard. This alternative differs from Alternative 2 only in the treatment of ramp maneuvers on I-95. Alternative 3A is essentially the same as Alternative 3, except that a DDI is proposed.

## 1.6 RECOMMENDED ALTERNATIVE

Evaluation Matrices were developed to facilitate comparison of traffic operation and engineering issues; construction costs and right-of-way impacts; socio-economic, natural and physical environmental impacts; and public input for the four viable alternatives. Based on comparative analysis of the four alternatives, the project team selected Alternative 2 as the Recommended Alternative. Alternative 2 combines the CD roadway system adjacent to northbound and southbound SR 9/I-95 between the Military Trail ramps and the Central Boulevard interchange ramps with construction of a new TDUI at Central Boulevard.

The proposed typical section for I-95 south of Central Boulevard for the CD road alternative is shown in **Figure 7**. This section includes four 12-foot wide general purpose lanes and one 12-foot wide special use lane, a 15-foot inside shoulder, and a 12-foot outside shoulder in each direction. A continuous 12-foot wide auxiliary lane in each direction is also provided. The north and southbound lanes are separated by a two-foot wide concrete median barrier.

The proposed CD road is separated from the mainline by a grassed median that varies in width from six feet to 55 feet. Three 12-foot wide through lanes, with 12-foot wide inside and outside shoulders are provided. The swales at the edges of the right-of-way vary in

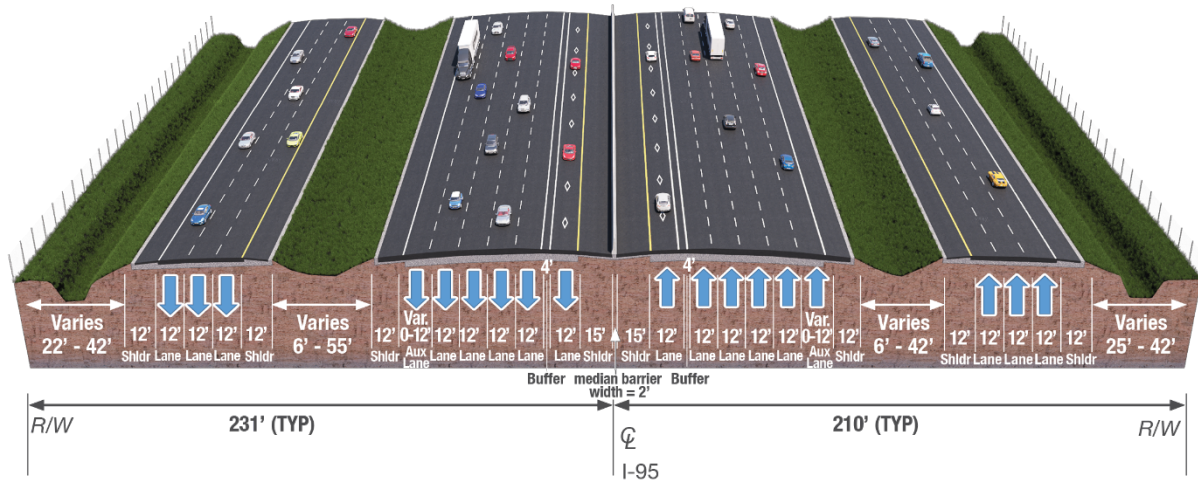


width from 22 feet to 42 feet. The total width of the typical section, including the CD road, is 441 feet.

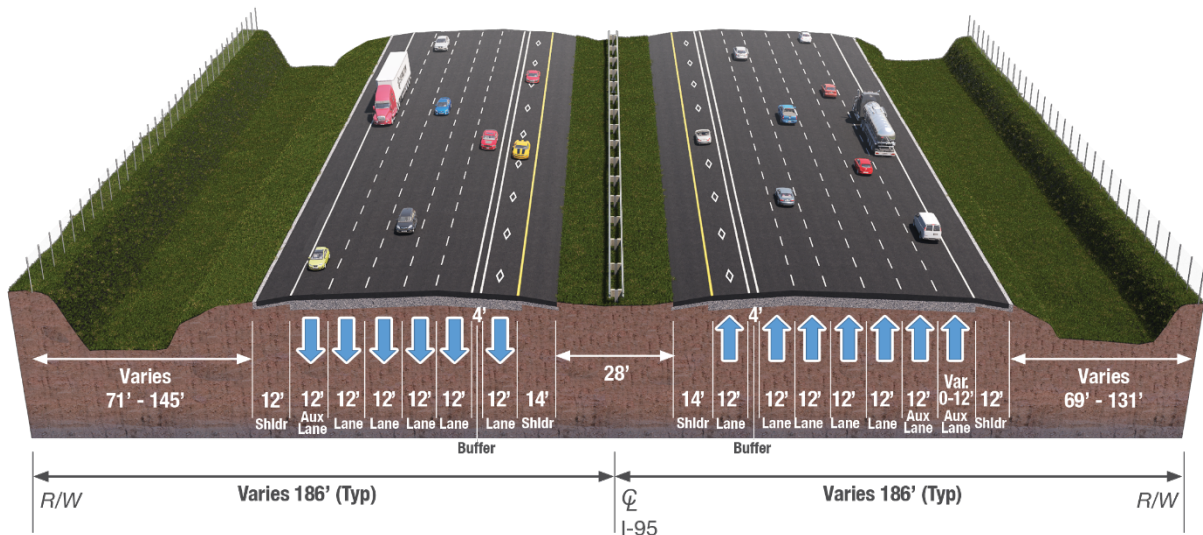
The proposed typical section for I-95 north of Central Boulevard is shown in **Figure 8**. This typical section is the same for Mainline Alternative 3. The typical section consists of four 12-foot wide general purpose lanes, one 12-foot wide special use lane, and a 14-foot inside and a 12-foot outside shoulder in each direction. Two southbound 12-foot auxiliary lanes are provided in each direction. Northbound and southbound lanes are separated by a 28-foot grassed median and a double faced guardrail. The swales at the edges of the right-of-way vary in width from 69 feet to 145 feet. The maximum total right-of-way required for this proposed typical section is 372 feet.

Along Central Boulevard through the project limits, the Palm Beach County MPO endorsed the use of 11-foot travel and turn lanes to maximize the space available within the right of way for bicycle and pedestrian facilities. The typical section descriptions and figures that follow reflect this. The typical section for the proposed Central Boulevard Bridge for the proposed TDUI at Central Boulevard is shown in **Figure 9**. This section provides two 11-foot wide through lanes, two 11-foot left turn lanes, a seven-foot designated bicycle lane, and an ten-foot wide enclosed sidewalk in each direction, separated by a four-foot traffic separator. The out-to-out width of the proposed bridge is 130 feet six inches.

**Figure 7– Typical Section – I-95 South of Central Boulevard (Mainline Alternative 2)**



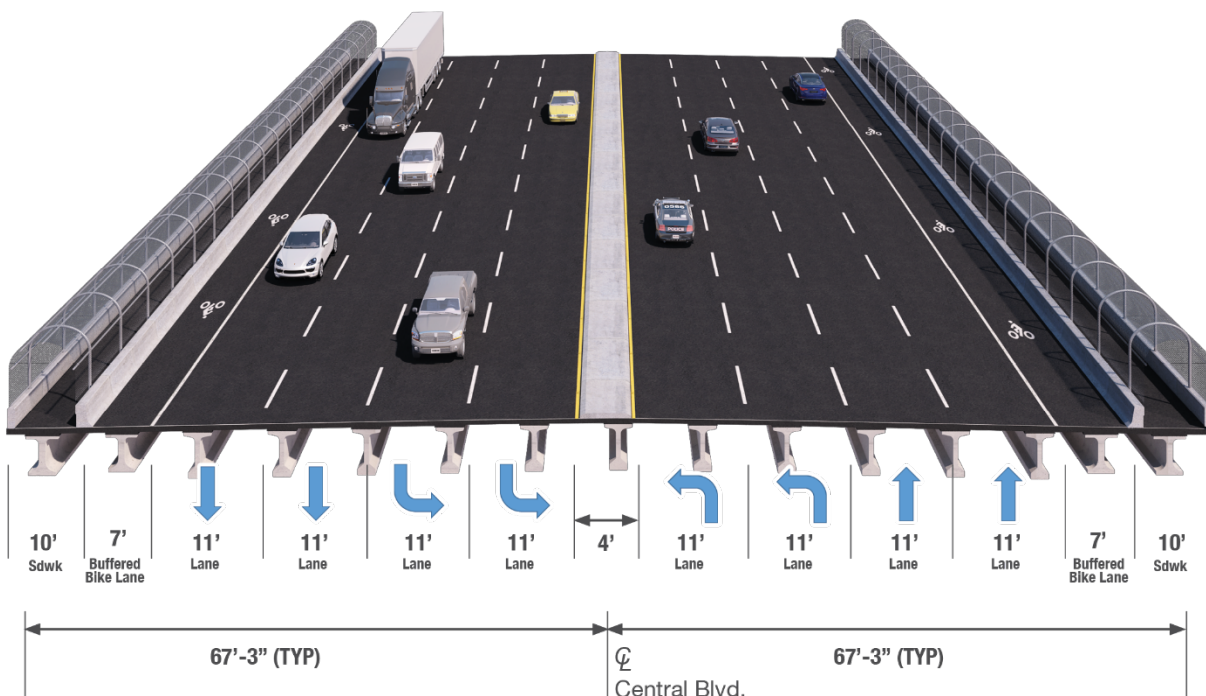
**Figure 8– Typical Section – I-95 North of Central Boulevard (Mainline Alternatives 2 and 3)**



The proposed typical section for Central Boulevard east of I-95 is shown in **Figure 10**. In the eastbound direction, this section provides two 11-foot through lanes, a seven-foot designated bicycle lane and a ten-foot sidewalk. In the westbound direction this section provides four 11-foot through lanes, one 11-foot auxiliary lane, a seven-foot wide designated bicycle lane, and a ten-foot wide sidewalk separated from the travel lanes by a pedestrian rail. The eastbound and westbound lanes are separated by a grassed median that varies in width from 13 feet to 27.5 feet. The total width of this typical section varies from 120 feet to 253 feet.

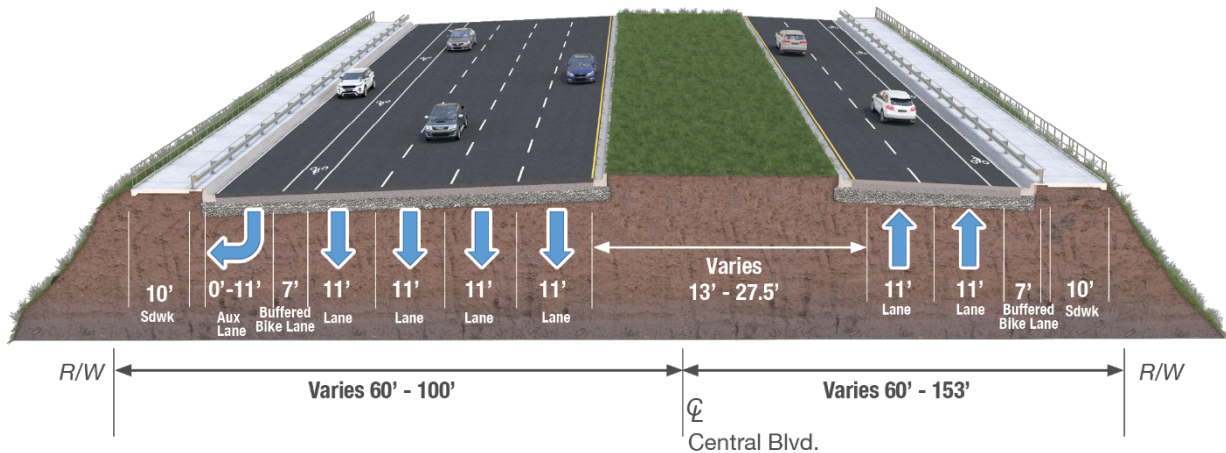
The proposed typical section for Central Boulevard west of I-95 is shown in **Figure 11**. In the eastbound direction, this section provides two 11-foot through lanes, a seven-foot designated bicycle lane and a ten-foot sidewalk. In the westbound direction, this section provides four 11-foot through lanes, one 11-foot auxiliary lane, a seven-foot wide designated bicycle lane, and a ten-foot wide sidewalk separated from the travel lanes by a pedestrian rail. The east and westbound lanes are separated by a grassed median that varies in width from 13 feet to 27.5 feet. The total width of this typical section varies from 120 feet to 265 feet.

**Figure 9- Typical Section - Central Blvd. Bridge for TDUI**

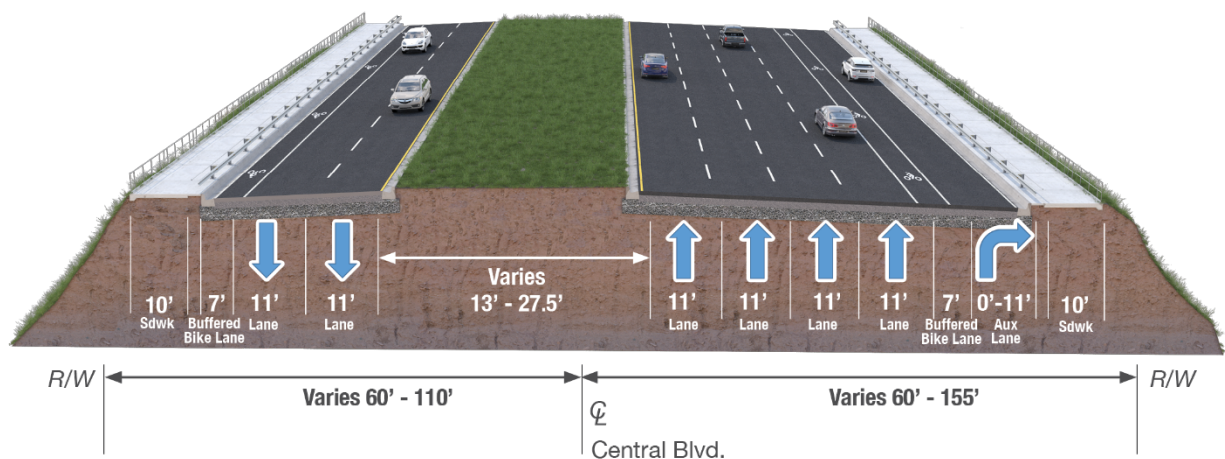




**Figure 10-Proposed Typical Section-Central Blvd. West of I-95 - TDUI**



**Figure 11-Proposed Typical Section-Central Blvd. East of I-95 - TDUI**



It is anticipated that acquisition of approximately 11.34 acres of right-of-way would be required for construction of the Recommended Alternative 2. No business or residential relocations will be required. Environmental impacts are anticipated to be minimal. The estimated total construction cost for Alternative 2 is approximately \$33.9 million.



**SR 9/I-95 at Central Boulevard Interchange PD&E Study**  
FM 413265-1-22-01/ETDM 13748/Palm Beach County

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The Recommended Alternative will meet the purpose and need of the project, have minimal environmental impacts, requires acquisition of the least amount of additional right-of-way, and is the most acceptable to the community. Construction costs for Alternative 2 are estimated to be the lowest of the four build alternatives evaluated.



## 2.0 ENVIRONMENTAL IMPACT ANALYSIS

Summarized below are the results of the environmental data collection and analysis conducted as part of this PD&E Study. The purpose of this analysis was to determine the effects associated with the Recommended Alternative being considered for this project. This analysis was conducted using the information obtained from detailed studies of the Social & Economic, Cultural, Natural and Physical environments conducted for this project; as well as comments made by the various Environmental Technical Advisory Team (ETAT) members through the ETDM process, and the use of the Environmental Screening Tool (EST). The ETAT review occurred during October-November 2012 and the ETDM Programming Screen Summary Report (#13748) was published on July 3, 2013. This report is on file at the District Four Planning and Environmental Management (PLEM) Office.

### 2.1 SOCIAL & ECONOMIC

#### 2.1.1 Land Use Changes

The existing land uses within the project area were determined through the interpretation and review of the 2008 SFWMD Florida Land Use and Cover Geographical Information Systems (GIS) layer. The primary land use within the project area is Roads and Highways, with sizeable areas of single-family residential land use, and smaller areas of commercial services and institutional land uses. Adjacent to the east side of the project corridor, there are small areas of light industrial land use, and shopping centers. Moving northward, between Central Boulevard and Donald Ross Road, areas of open land are more predominant, consisting primarily of pine flatwoods on the east and west sides, with upland mixed coniferous land and forested wetlands to the west, and improved pasture land and small areas of mixed shrubs to the east. Single-family residential land use occurs east and west of the project. A golf course is located within the Old Palm Golf Club Community to the west.

The City of Palm Beach Gardens Future Land Use Map, dated 2011, identifies the project corridor from Donald Ross Road to Hood Road as mixed use, with a bioscience research protection overlay on the east side of I-95. The area from south of Hood Road to the end of the project limits is predominantly residential (low, medium, and high densities) and some mixed use with bioscience research protection overlay areas. The Palm Beach County MPO 2040 Cost Feasible Plan was updated to include a new interchange at Central Boulevard. The Cost Feasible Plan was included in the MPO's LRTP, adopted in late 2014.

Any changes in land use identified in the Future Land Use Plan were considered as part of the future traffic development through the transportation modeling process. The character of the study area remains relatively unchanged. The proposed interchange improvements aim to achieve an acceptable LOS at the interchange in the future condition by



accommodating future travel demand projected as a result of Palm Beach County population and employment growth. It will also allow I-95 to continue to serve as a critical arterial in facilitating the north-south movement of traffic in southeast Florida as it connects major employment centers, residential areas, and other regional destinations between Miami-Dade, Broward, and Palm Beach Counties. The population is expected to increase or decrease in response to regional factors unrelated to the project and it is anticipated that any future growth in the study area will be in accordance with the Palm Beach County Comprehensive Plan.

### 2.1.2 Community Cohesion

I-95 is an existing limited access facility. The proposed improvement will reduce congestion and improve local and regional mobility. The proposed mainline improvements and new interchange will not change the relationships of the existing communities on either side of the facility. The project is not anticipated to have effects on community cohesion, create isolated areas, disrupt social relationships and patterns or affect connectivity to community activity centers.

### 2.1.3 Relocation Potential

Approximately 11.3 acres of right-of-way acquisition will be necessary to accommodate the proposed improvements. This project has been reviewed by the appropriate agencies in the ETDM Tool and has been assigned a summary degree effect of Moderate. While some right-of-way acquisition is anticipated, no residential or business relocations are expected as part of this project.

*The proposed project, as presently conceived, will not displace any residences or businesses within the community. Should this change over the course of the project, the FDOT will carry out a Right-of-Way and relocation program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91- 646 as amended by Public Law 100-17). The brochures that describe in detail the department's relocation assistance program and Right-of-Way acquisition program are "Your Relocation: Residential," "Your Relocation: Business, Farms and Nonprofit Organizations," "Your Relocation: Signs" and "The Real Estate Acquisition Process." All of these brochures are distributed at all public hearings and made available upon request to any interested persons.*

### 2.1.4 Community Services

Community services located within the IJR study area, which extended from Northlake Boulevard to the south to Donald Ross Road to the north, and from Florida's Turnpike to the west to Lake Victoria Gardens Boulevard to the east (see Error! Reference source not found.), include community centers, religious facilities, medical and emergency facilities,

educational facilities, and government facilities, as listed below. Based on the Recommended Alternative and the distances between the project area and community services, no adverse impacts to community facilities and services are anticipated. Furthermore, access to all properties in the immediate vicinity of the project will be maintained through controlled construction scheduling.

#### **2.1.4.1 Religious Facilities**

There are eight religious facilities located within the socio-cultural effects study area. These religious facilities are listed below:

- Chabad of Palm Beach Gardens
- Nativity Lutheran Church
- Church in the Gardens
- Trinity United Methodist Church
- St. Ignatius Loyola Church – Catholic Diocese of Palm Beach
- Covenant Centre International
- Palm Beach Counseling Center
- Palm Beach Community Church

No impacts to any of these religious facilities are anticipated from the Recommended Alternative due to their relative distances from the proposed improvements.

#### **2.1.4.2 Medical and Emergency Facilities**

There are 21 medical and emergency facilities located within the socio-cultural effects study area. These facilities are listed below:

- Gardens Urgent Care
- Grace Medical Center Of Florida Inc.
- Northlake Medical Center
- Gardens Health & Wellness
- MD Now Medical Centers Inc.
- Palm Beach Medical Clinic
- Jstadoc, Inc. / MCCI Group Holdings
- North County Surgicenter
- Ahner Health & Medical Center
- Powers Chiropractic Center
- Palm Beach Dermatology / Berto Lopez, M.D., P.A. / Youthful Balance Medical Center / Vanaja Sureddi, M.D., P.A.
- Emergency Care Service Of JFK Medical
- Minute Clinic



- Garden Dermatology
- Gardens Plastic Surgery / Evan R. Shapiro, M.D.
- Palm Beach Institute For Cosmetic Surgery & Longevity
- Laser Skin Solutions / Palm Beach Facial Plastic Surgery, LLC / Kotzen Center for Women's Health
- Neurosurgery Clinic of the Palm Beaches
- Dermatology Associates P.A. of the Palm Beaches
- Palm Beach Gardens Police Department
- Palm Beach Gardens Fire Department and Rescue Station 1

These facilities are not anticipated to be impacted due their relative distances from the proposed improvements.

#### **2.1.4.3 Educational Facilities**

There are 25 educational facilities located within the socio-cultural effects study area. These facilities are listed below:

- Barry University - North Palm Beach Campus
- Howell L Watkins Middle School
- Trinity Christian School Of Palm Beach Gardens
- Palm Beach Gardens High School And Adult Education
- Palm Beach Gardens Elementary School
- Nativity Lutheran Church & School
- Church In The Gardens School
- The Weiss School
- Riverside Partners, LLC, Lessor
- Bright Futures International - Riverside Campus
- Saint Mark's Episcopal School
- Palm Beach Community College
- Watson B Duncan Middle School
- Benjamin Private School, Inc.
- William T Dwyer High School And Adult Education
- Marsh Pointe Elementary School
- School Two Inc., Lessor
- University Of Phoenix- West Palm
- Palm Beach State College - Palm Beach Gardens
- Beacon Cove Intermediate School
- Florida Atlantic University - JD MacArthur Campus
- Sunshine Tree School
- Timber Trace Elementary School
- Independence Middle School





- Holland Northlake Day School

These facilities are not anticipated to be impacted due their relative distances from the proposed improvements.

#### **2.1.4.4 Government Facilities**

One government facility, the City of Palm Beach Gardens Municipal Complex, is located within the socio-cultural effects study area. Impacts to this facility are not anticipated.

#### **2.1.5 Nondiscrimination Considerations**

In accordance with the Title VI of the Civil Rights Act of 1964 and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)", public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Public involvement has been conducted by FDOT, with attention to Environmental Justice, to ensure transportation needs are addressed throughout the project. In determining if LEP services would be required for this project, factors such as the number and proportion of LEP persons in the area, the frequency with which LEP persons come in contact with the project area, the nature and importance of the project to the public, and the availability and economic feasibility of LEP resources were considered.

Demographic information obtained for the 2015 IJR study area indicate the presence of low income and minority populations living along I-95. However, it should be noted that within the PD&E Study area, low-income and minority populations are not present. As detailed in the project's Public Involvement Plan, there are multiple census blocks that are within and near the project area. Of these, only census block 2051 has an LEP population of greater than 5%, and census block 2051 is neither within nor touching the study area. Based on in this information, specific LEP accommodations such as translations of brochures, meeting invitations, and newsletters were not provided. However, LEP accommodations will be provided as needed in response requests from the public or their representatives, or comments or questions received in languages other than English. FDOT and consultant staff fluent in English and Spanish have been present at all public outreach events and meetings to assist with conveying information to the public as needed. A review of the potential impacts to demographics, community cohesion, safety and community goals, and quality of life issues was conducted, and impacts are expected to be minimal.

#### **2.1.6 Controversy Potential**

The proposed improvements for the Recommended Alternative are not anticipated to require relocations. Substantial controversy was not identified during the public outreach activities conducted during the study.



Two Kick-off meetings, the Agency Kick-Off Meeting and the Public Kick-Off Meeting, were held on Thursday, January 29, 2015 at the City of Palm Beach Gardens Council Chamber. An opportunity was provided to agency representatives to review information and displays in an open house format at 2:30, with a formal presentation at 3:00 pm. Similarly, information and displays were available for review in an open house format at the Public Kick-off meeting prior to the formal presentation at 6:00 pm. The purpose of the meeting was to provide elected officials, residents, businesses, and interested parties an opportunity to obtain information regarding the study, answer questions and receive comments.

Approximately 30 individuals attended the Agency Kick-Off Meeting, representing local agencies, elected officials, and media, as well as FDOT staff and FDOT consultants. The Public Kick-Off Meeting was attended by approximately 125 residents, business owners, interested parties, members of the media and staff. The two media outlets in attendance were the Palm Beach Post and ABC affiliate WBPF 25.

An Alternatives Public Workshop was held on Thursday, February 18, 2016 at the City of Palm Beach Gardens Council Chamber. The purpose of the workshop was to provide elected officials, residents, businesses, and stakeholders, and interested parties an opportunity to provide input concerning the alternatives under consideration and to encourage interested parties to submit their comments. Comment forms were available. The Workshop was attended by over 100 residents, business owners, interested parties, and staff. A handout was provided which provided information about the alternatives under consideration.

Twenty-six written comments were received in response to the Alternatives Public Workshop. These included comments submitted on comment forms (either left at the workshop and mailed to the project manager after the workshop), and emails sent to the project manager. Some individuals indicated a preference for a specific alternative, or opposed specific alternatives. Of these, 15 opposed construction of any new interchange, regardless of the configuration. Four individuals stated they preferred construction of a new tight diamond urban interchange over construction of a diverging diamond interchange. One individual expressed a preference for the CD road system over the braided ramp system.

A presentation was made on April 7, 2016 to the Palm Beach Gardens City Council to update them on the progress of the study. The Council wanted to ensure that recent development approvals were adequately reflected in the traffic forecasts, and that every effort would be made to mitigate the impact of a new interchange on adjacent communities.

Presentations were made to the advisory committees and Governing Board of the Palm Beach Metropolitan Planning Organization in July, 2016. The Governing Board accepted recommendations from the advisory committees and endorsed the Recommended Alternative: a tight diamond interchange at Central Boulevard, with CD roads along I-95 between the Military Trail and Central Boulevard interchanges, with 11-foot travel and turn



lanes, seven-foot buffered bicycle lanes, and ten-foot sidewalks on Central Boulevard through the project limits.

The Public Hearing was held on Wednesday, September 28, 2016 at the City of Palm Beach Gardens Council Chamber. The presentation outlined the process by which the Recommended Alternative was selected, and summarized its environmental impacts. A comment period followed that provided elected officials, residents, businesses, stakeholders, and interested parties an opportunity to provide input concerning the Recommended Alternative. Comment forms were available. Attendees could also dictate their comment to the reporter recording the Hearing. The Public Hearing was attended by nearly 100 residents, business owners, interested parties, and staff. A handout provided information about the Recommended Alternative.

Twenty citizens and elected officials provided comments in response to the Public Hearing (before, during, and after). These included comments submitted following the notice of the Hearing, provided verbally during the Hearing, submitted on comment forms (either left at the Hearing or mailed to the project manager after the Hearing), dictated to the reporter, or emails sent to the project manager.

Based on 24 comments received from the public throughout the study in opposition to the project, eight of which were received at the Public Hearing, there are concerns regarding induced increases in traffic in the neighborhoods adjacent to the project as well as concerns for pedestrian safety, decrease in property value, decrease in mobility within the nearby neighborhood, cost to taxpayers, and crime. Several citizens commented that additional traffic analysis should be conducted and improvements should be made to existing interchanges rather than constructing a new interchange.

However, the purpose of the project is to improve operational capacity and overall traffic operations along I-95 in the project study area. The study determined that a new interchange at Central Blvd at I-95 will relieve traffic congestion at the existing interchange of SR 9 (I-95) and SR 786 (PGA Boulevard). Overall, the findings indicated that the proposed improvement will reduce congestion and improve local and regional mobility. The proposed mainline improvements and new interchange will not change the relationships of the existing communities on either side of the facility. In addition, to address pedestrian and bicycle safety, pedestrian and bicycle facilities will be maintained along Central Boulevard. Central Boulevard currently provides sidewalks along both eastbound and westbound lanes. Pedestrian and bicycle facilities along the roadway crossings over or under I-95 will not be impacted. The proposed typical sections associated with the Recommended Alternative for Central Boulevard provide a seven-foot wide designated bicycle lane and a ten-foot wide sidewalk in the eastbound and westbound directions. One citizen requested that the project include an elevated walkway, and this request will be forwarded to the design team. During the ETDM Programming Screen, the ETAT reviewers assigned a degree of effect of Enhanced to Mobility and Moderate to Social.



Based on Census data obtained for the project area, there are no nearby low-income or minority communities that would be disproportionately impacted, nor are there any communities within the project area that are likely to be disproportionately impacted. Approximately 11.3 acres of right-of-way acquisition will be necessary to accommodate the proposed improvements. The ETAT reviewers assigned a summary degree effect of Moderate to Relocation Potential. While some right-of-way acquisition is anticipated, no residential or business relocations are expected as part of this project.

While there are concerns from the public regarding the new interchange, the study has determined that the new interchange meets the purpose and need of the study and design features have been included to ensure bicycle and pedestrian safety is maintained within the corridor.

### **2.1.7 Scenic Highways**

This project has no involvement with Scenic Highways.

### **2.1.8 Farmlands**

Through the ETDM review process, the degree of effect assigned by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) was Minimal. The NRCS considers important soil properties for agricultural uses to be Prime Farmland. In addition, the NRCS considers any soils used in the production of commodity crops (e.g., cotton, citrus, row crops, specialty crops, nuts) to possibly be considered Unique Farmlands. NRCS determined that while there is significant Prime Farmland acreage within the project study area, there are no active agricultural lands within the vicinity of the project. The project area has been converted to nonagricultural uses (urban land) since the original mapping of Palm Beach County was completed. According to Part 2, Chapter 28, Section 28-2.1 of the FDOT PD&E Manual, transportation projects situated entirely within urbanized areas with no adjacent present or future agricultural lands are excluded from Farmland Assessments.

The USDA-NRCS further commented that there are no active agricultural lands within the scope of this project, and mapping of Palm Beach County was completed in 1978. Substantial urbanization has taken place since this time and if these areas were remapped today, many of the map units would be correlated as "Soil-Urban land complexes". These map units would not be considered as Farmlands of Prime, Unique, or Local importance. Therefore, no impacts to farmlands will occur from this project.

## **2.2 CULTURAL**

### **2.2.1 Section 4(f)**

There are two recreational Section 4(f) resources located adjacent to the corridor:



- Palm Beach Gardens City Park and Tennis Center located at 5070 117th Court North
- Palm Beach County District Park located west of I-95, south of Central Boulevard

A summary of the Section 4(f) findings for each recreational resource are included below:

Palm Beach Gardens City Park and Tennis Center

City Park is owned and operated by the City of Palm Beach Gardens. The 32 acre property is comprised of a 19 acre multiuse recreational park and a 13 acre tennis center. A portion of the Park is currently under construction to expand the site to include the Joseph R. Russo Athletic Complex. Construction completion is estimated for October 2016.

No right-of-way will be acquired from City Park. Access from Central Boulevard will be maintained during construction and there will be no permanent or temporary changes to park access. There will be no direct use of the park, but the SR 9/I-95 Southbound edge of pavement will move slightly closer to the park.

A Noise Analysis was conducted for the Recommended Alternative. The impacted areas of the park include the existing handball, basketball and tennis courts, as well as a walking trail, athletic fields and additional tennis courts that are all currently under construction as part of an expansion of the park facilities. With the proposed project, traffic noise levels at the impacted areas of the park are predicted to range from 66.3 to 73.6 dB(A), levels that approach and exceed the NAC for Activity Category C land uses. The feasibility and reasonableness of providing noise barriers at impacted recreational areas for this site was determined following guidance found in the FDOT publication "A Method to Determine Reasonableness and Feasibility of Noise Abatement at Special Use Locations". Consistent with that methodology, a noise barrier for special land uses must not cost more than \$995,935 per person-hour per square foot of noise barrier. The Noise Analysis determined that a noise barrier could provide a reduction in traffic noise of at least 5 dB(A) while also achieving the required noise reduction design goal of at least 7 dB(A) at a portion of the impacted area; however, the noise barrier was determined not to be a cost reasonable noise abatement measure for the impacted areas of the Palm Beach Gardens City Park. The Noise Study Report is on file at the District Four PLEM Office.

Although Section 4(f) does apply to Palm Beach Gardens City Park, the proposed improvements will not entail a "use" (either actual or constructive) of the Section 4(f) resource. FHWA concurred with this finding on April 17, 2016 (**see Appendix D**).

Palm Beach County District Park (Future Park)

Palm Beach County's District Park (future park) is currently an 80+ acre undeveloped parcel purchased by Palm Beach County using 1999 Recreational and Cultural Facilities Bond funds



with the intent to develop the property as an active park facility. There are no existing activities, features or attributes on the parcel. The property is located within the City of Palm Beach Gardens, which is in favor of the County's plan to develop the park and has expressed interest in operating the park post-construction. The County recognizes the need for the park and provided a letter of significance for the future park, which states the County's intent to develop the park when funding becomes available. However, the park is currently unfunded and there is no established timeframe for development. The County is currently considering a sales tax referendum for the 2016 ballot to begin acquiring funds for the park development.

The County has developed a Conceptual Master Plan for the park, but any final plan would first require approval by Palm Beach County's Board of County Commissioners (landowner) and the City of Palm Beach Garden's Town Council (jurisdiction). Both Build Alternatives would require minor right-of-way acquisition (1.33 acres or approximately 1.6% of total property) from the future park property. The County has acknowledged that the Conceptual Master Plan is subject to change and stated that they are willing to work with FDOT to accommodate the I-95 improvements since their design is not yet finalized.

No other short or long term impacts will occur to the facility as there are currently no features, activities or attributes, or access to affect. The site is currently fenced with no access to the public. Future access is anticipated via a side road (117<sup>th</sup> Ct. N.) from Central Boulevard. This is the same road currently provides access to City Park. Access to 117<sup>th</sup> Ct. N. will be maintained during and post-construction. Regarding noise, as this park is only planned and not yet permitted, FHWA and FDOT procedures do not require consideration of noise impacts because there are no existing or future usage numbers available. However, the area will be reevaluated for noise, as well as other impacts, during the design phase.

#### Determination of Applicability

The potential applicability of Section 4(f) to the existing Palm Beach Gardens City Park and the planned Palm Beach County District Park was presented to FHWA on April 26, 2016, where the FDOT concluded that Section 4(f) would be applicable to the parks. The meeting minutes and PowerPoint presentation, which constitute the Section 4(f) Determination of Applicability (DOA) for the PD&E Study, are located in **Appendix D**. The FHWA's concurrence of no involvement with the Palm Beach Gardens City Park, and finding that it is appropriate to pursue a Section 4(f) *de minimis* finding for the anticipated minor impacts to the planned Palm Beach County District Park was provided on June 17, 2016 (**Appendix D**).

#### *de minimis* Finding

Based on FHWA's determination referenced above, the FDOT pursued a *de minimis* finding from FHWA for the District Park. The Section 4(f) *de minimis* Request Package including the





checklist and attachments are in **Attachment D**. FDOT will mitigate the direct impact to 1.33 acres of the park property via a land swap with the County for an adjacent parcel directly south of the Park property. This adjacent parcel would complement the Park property and the habitat is of similar quality to the area being impacted. The FDOT will swap a minimum similar acreage to that being impacted. In addition, the area of the park to be impacted is currently under a Conservation Easement to the City of Palm Beach Gardens. This conservation easement will require approval from the City of Palm Beach Gardens in order to change the use, such as transportation. The City has concurred that this option is a feasible alternative for mitigation and has agreed to cooperate with the Department and County during the design phase to modify the conservation easement. FDOT has committed to continue more detailed discussions with the City and County once the final right-of-way need has been defined and maps have been created of the parcels.

The proposed impacts and mitigation options were shown to the public at the Public Hearing held on September 28, 2016 to gain the public's input and comments. The public was afforded the opportunity to comment and provide input on both the impacts and mitigation options. However, no comments were received regarding the park impacts or mitigation options during the hearing or the 10-day comment period.

Therefore, in accordance with Section 4(f) Policy Paper, Section 4(f) Applicability Question 12 [*De minimis* Impact Determinations], the FDOT is requesting approval from FHWA that the action constitutes a *de minimis* impact. By signing this Type II Categorical Exclusion, FHWA concurs with the final determination of a *de minimis* impact for the project.

## 2.2.2 Historic Sites/Districts

Through the ETDM review process, the Florida Department of State (FDOS) and FHWA assigned the degree of effect as Moderate, and noted that a number of recorded resource groups including the FEC Railroad and the Old Dixie Highway, were in proximity to the project. The FDOS noted it was unlikely that the project would adversely impact significant cultural resources due to the level of development within the project area. However, the FDOS noted that some sections of the project area had not been subjected to a prior cultural resource survey.

In accordance with the procedures contained in 36 CFR Part 800, a Cultural Resource Assessment Survey (CRAS), including background research and a field survey coordinated with the State Historic Preservation Officer (SHPO), was performed for the project, and is on file at the FDOT District Four PLEM Office. As a result of the assessment, five historic resources (four newly recorded and one previously recorded) within the Area of Potential Effect (APE) were identified. None of these historic resources are considered eligible for listing in the National Register of Historic Places (National Register).



The historic resources survey resulted in the identification of one previously recorded 19<sup>th</sup> century Seminole footpath and military trail (8PB13795), two newly identified historic buildings (8PB16283 and 8PB16284), and two newly identified historic canals (8PB16285 and 8PB16286). No evidence of the 19<sup>th</sup> century military trail was identified during the survey and the portion of the resource within the APE is considered ineligible for listing in the National Register due to its lack of integrity.

The newly recorded Dog Days building located at 4052 Burns Road (8PB16283) and Anspach Building/4500 Riverside Drive (8PB16284) are common vernacular style buildings that do not possess historical or architectural significance. Therefore, these buildings are considered ineligible for listing in the National Register individually or as part of the historic district. The newly recorded Earman River Relief Canal (8PB16285) and Earman River Canal Branch (8PB16286) are examples of common canals which do not exhibit significant engineering techniques. These canals are also considered ineligible for listing in the National Register individually or as part of a historic district. In accordance with the Section 106 Programmatic Agreement which was executed on March 15, 2016, the CRAS was not reviewed by FHWA. The SHPO provided concurrence on July 1, 2016 that the Recommended Alternative will have no adverse effect on any National-Register eligible resources (**Appendix B**).

### 2.2.3 Archaeological Sites

Through the ETDM review process, the FDOS and FHWA assigned the degree of effect as Moderate. The FDOS noted it was unlikely that the project would adversely impact significant cultural resources due to the level of development within the project area. However, the FDOS noted that some sections of the project area had not been subjected to a prior cultural resource survey.

No archaeological sites were identified during the current survey. Background research indicated that the archaeological APE has been heavily altered by urban development and has a low potential for containing archaeological sites. One shovel test was excavated within the archaeological APE. No archaeological material was identified. The pedestrian survey and subsurface testing confirmed the low archaeological site potential of the archaeological APE. In accordance with the Section 106 Programmatic Agreement which was executed on March 15, 2016, the CRAS was not reviewed by FHWA. The SHPO provided concurrence on July 1, 2016 that the Recommended Alternative will have no adverse effect on any National-Register eligible resources (**Appendix B**).

### 2.2.4 Recreation Areas

Through the ETDM process, the degree of effect assigned to Recreation Areas by the National Park Service (NPS) was No Involvement and both the US Environmental Protection



Agency (EPA) and the FDEP was None. The degree of effect assigned by the FHWA was Moderate. The FHWA commented that one Greenway Ecological Priority Linkage exists within 200 feet of the project area, and a golf course, greenway, and trails exist in the area of Central Boulevard and I-95. The FHWA also noted Gardens Park at 4301 Burns Road, Gardens Tennis Center at 5110 117<sup>th</sup> Ct. N. (part of the Palm Beach Gardens City Park complex), and Another Generation Preschool (also listed as Chesterbrook Academy) at 3932 RCA Boulevard within the project area.

As detailed in Section 2.2.1 Section 4(f), two parks are located along the project corridor: Palm Beach Gardens City Park and the planned Palm Beach County District Park. Although Section 4(f) does apply to Palm Beach Gardens City Park, the proposed improvements will not entail a “use” (either actual or constructive) of the Section 4(f) resource. FDOT pursued a *de minimis* finding for minor right-of-way acquisition from the District Park as detailed in Section 2.2.1 and the *de minimis* checklist is included in **Attachment D**. No other public golf course, trails or trail priorities, conservation lands or recreational areas, including Gardens Park and Another Generation Preschool, are located in close enough proximity to be affected by the project.

## 2.3 NATURAL

### 2.3.1 Wetlands

The project was reviewed through the FDOT’s ETDM process where members of the ETAT provide input/comments. In summary, the USACE, USFWS, FDEP and the National Marine Fisheries Service (NMFS) stated that the project will have Minimal effect on wetlands. The EPA and the SFWMD commented that the project will have a Moderate effect on wetlands. The EPA’s and SFWMD’s ratings of moderate are based on the potential proximity of wetlands to the corridor north of Military Trail and the need to avoid and minimize wetland impacts.

A Wetland Evaluation Report (WER) was prepared and is on file at the FDOT District Four PLEM Office. Overall, the I-95 corridor is located within urbanized portions of Palm Beach County, and the drainage swales within the right-of-way typically contain stormwater swales, sod and upland landscaping. Four canals cross underneath I-95 along the proposed corridor, one of which has been converted into a stormwater management system for residential communities located on both the eastern and western sides of I-95 near the North Military Trail overpass. Additional wetlands are located outside the biological assessment area, and are not discussed in detail as they are not directly adjacent to the I-95 right-of-way and will not be affected by this project.

The stormwater swales located within the biological assessment area are isolated from one another and are found in different locations within the right-of-way on either side of I-95.



Most of the water collected in these swales is temporarily detained by water management structures to provide some water quality treatment prior to being discharged into the closest canal or ditch. These swales exhibit similar characteristics and function in the same manner as they are components of the highway's drainage system, (i.e. constructed, man-made features). Swales that contained obligate and facultative wet (i.e. hydrophytic) vegetation were considered jurisdictional pursuant to Chapter 62-340 F.A.C. The remaining stormwater swales did not contain hydrophytic plants or were dominated by upland herbaceous species. The hydrology of these onsite swales, both currently and historically, is dependent upon rainfall, stormwater runoff, and groundwater. None of these swales are directly connected to offsite wetland habitats other than ditches or canals that allow the removal of the water from the site. A FLUCCS classification of 534 (Reservoirs less than 10 acres) was used to describe these shallow surface water conveyances.

The Recommended Alternative will not directly affect any natural wetland systems that are present adjacent to the existing or proposed right-of-way line. The habitats identified are generally isolated pockets scattered within the exotic infested pine flatwoods located adjacent to the I-95 corridor. A majority of these systems are herbaceous, with exotic tree species (Brazilian pepper and ear leaf acacia) dominating forested wetlands.

The two stormwater retention ponds and two canals within the I-95 right-of-way are classified as OSWs. These OSWs are stormwater retention and conveyance features that display minimal littoral wetland habitat value.

As detailed in the WER, no impacts are proposed to natural wetland systems, and no mitigation will be required for any of the build alternatives being considered for the improvements to this portion of the I-95 corridor. The total stormwater swale (with hydrophytic vegetation) and OSW acreages are 11.83 and 11.02, respectively. For the No-Build Alternative, no swales or OSWs will be impacted as work will not be performed. The potential direct impacts associated with the Recommended Alternative are 8.14 acres of stormwater swales and 1.25 acres of OSWs. The Recommended Alternative is estimated to have no indirect effect on stormwater swales that have hydrophytic vegetation or OSWs. Final USACE and SFWMD jurisdiction will be determined during final design through the environmental permitting process.

Since the jurisdictional areas are part of a previously permitted stormwater treatment system, impacts to these systems will likely not require any additional mitigation. If the USACE does claim these jurisdictional areas, they have been accepting the same acreage of swales within 12 inches of the seasonal high groundwater table to provide compensation for the loss of "wetland" functions. As mentioned above, no secondary or indirect impacts are anticipated as a result of the proposed construction activities, thus new mitigation will only be required for the direct impacts for roadway widening and interchange enhancement activities. Future coordination efforts with State and Federal regulatory agencies during the



design phase will verify impact acreage and UMAM calculations. If it is determined that mitigation is required, a formal mitigation plan will be developed during the project's final Design and Permitting phase.

### 2.3.2 Aquatic Preserves

This project has no involvement with Aquatic Preserves.

### 2.3.3 Water Quality

During the ETDM Programming Screen, comments were provided by the EPA, FDEP, and SFWMD under the Water Quality and Quantity issue, with degrees of effects as Minimal (EPA and FDEP) and Moderate (SFWMD). Under the related Special Designations issue, FHWA assigned a degree of effect of None and the EPA assigned a degree of effect of Minimal and commented that the project is located within an area designated as a Sole Source Aquifer (Biscayne Aquifer) recharge area. The SFWMD stated that the project may require modifications to one or more of the following Environmental Resource Permits: I-95 (50-03527-S), PGA Boulevard (50-02631-S, 50-04656-P), Military Trail (50-02054-S) and Central Boulevard (86-00016-S). The ERP application will need to address water quality treatment and water quantity from the construction of additional impervious areas; work in other surface waters, including any impacts to other surface waters; and, mitigation to offset those impacts. SFWMD further commented that the ERP application will need to demonstrate that the project will not adversely affect the existing permitted systems' ability to provide flood protection and water quality. The ERP application will include storm water pollution prevention and erosion control plans with appropriate Best Management Practices (BMPs) for construction.

Preliminary analysis of drainage requirements indicates that treatment of runoff from the proposed additional impervious areas can be accomplished in dry retention swales and exfiltration trenches located within the proposed roadway right-of-way. Construction of additional outfall control structures and modification of some existing outfall structures will be required to increase treatment capacity in some of the existing roadside swales.

A Water Quality Impact Evaluation (WQIE) Checklist was performed for the project, in accordance with Part 2, Chapter 20 of the FDOT PD&E Manual, and is on file at the FDOT District Four PLEM Office. The proposed stormwater facility design will include, at a minimum, the water quantity requirements for water quality impacts as required by the SFWMD in Chapter 62-302 of the Florida Administrative Code. Therefore, it is anticipated that water quality within the project area will remain the same or improve slightly due to the proposed stormwater treatment measures. In addition, all necessary permits will be obtained in accordance with federal, state, and local laws and regulations. Also, as noted in Section 2.4.4 Contamination, a re-assessment of potential contamination sources in the



area is recommended prior to any subsurface work to further quantify impacts to the project due to potential contamination.

The Biscayne Aquifer underlies all of Palm Beach County, thus the project lies inside its designated boundaries. This aquifer is a designated Sole Source Aquifer, i.e., it is the sole or principal drinking water source for a populated area. The FDOT requested that the EPA review the project's effects on the Sole Source Aquifer. The EPA concurred that the project is not expected to cause significant impacts to the aquifer system, as long as proper protection measures were followed. The concurrence letter dated October 5, 2016 is included in **Appendix B**.

Water quality impacts resulting from erosion and sedimentation during construction activities will be controlled in accordance with FDEP's NPDES Permit (including the preparation of a SWPPP), the latest edition of the FDOT *Standard Specifications for Road and Bridge Construction*, and through the use of BMPs including temporary erosion control features. Turbidity will be appropriately addressed through established permit conditions and appropriate BMPs to control erosion and sedimentation during construction. As per State water quality standards, no degradation of water quality, increased turbidity of the waters, or the discharge of any foreign material into the water is permitted. Turbidity is not allowed to exceed 29 Nephelometric Turbidity Units (NTUs) above background beyond the turbidity controls. The FDOT will continue to coordinate water quality and quantity impacts and stormwater management with the appropriate regulatory agencies as required throughout the design and permitting phases of the project, as well as during and after construction.

#### 2.3.4 Outstanding Florida Waters

This project has no involvement with Outstanding Florida Waters.

#### 2.3.5 Wild and Scenic Rivers

This project has no involvement with Wild and Scenic Rivers.

#### 2.3.6 Floodplains

During the ETDM review process, the degree of effect assigned by the EPA to Floodplains was None. The EPA stated that additional floodplain impacts would be minimal due to the existing facility and project scope. No review comments were provided by FDEP or FHWA. The 200-foot project buffer contains 385.8 acres (100%) of Flood Zone X500 (areas between the limits of the 100-year and 500-year flood; or certain areas subject to 100-year flood with average depths less than 1 foot or where the contributing drainage area is less than 1





square mile; or areas protected by levees from the 100-year flood). Due to the absence of the 100-year floodplain within the project area, floodplain impacts are not anticipated.

### 2.3.7 Coastal Zone Consistency

The FDEP is responsible for the coordination of the review of federal activities for consistency with the Coastal Zone Management Act and its implementing regulations, 15 CFR 930. Based on comments provided by various Florida Coastal Management Plan (FCMP) agencies, FDEP makes a determination (on behalf of the State of Florida) regarding the consistency of a proposed federal action with the policies in the FCMP. On November 15, 2012, during the ETDM Programming Screen review, this project was determined to be consistent with the Coastal Zone Management Program. Therefore (as per the FDOT PD&E Manual, Part 2, Chapter 25), the State of Florida has determined that this project is consistent with the Florida Coastal Zone Management Plan.

Note that a separate Coastal Zone Consistency determination will be provided during the final design phase, in which the permitting process (e.g., issuance of SFWMD ERP) serves as the State's consistency decision.

### 2.3.8 Coastal Barrier Resources

This project has no involvement with Coastal Barrier Resources.

### 2.3.9 Wildlife and Habitat

The USFWS assigned a degree of effect of Minimal and the FWC assigned a degree of effect of Moderate to this issue in the ETDM Programming Screen. The USFWS reviewer stated that the project is located in the CFA of an active nesting colony of the endangered wood stork, and that that federally listed Eastern indigo snake has the potential to occur within the project area. The FWC noted that various State or Federally listed species have potential to occur in the project area.

An Endangered Species Biological Assessment (ESBA) was prepared for the project in accordance with Section 7(c) of the Endangered Species Act of 1973, as amended, as well as the FDOT PD&E Manual, Part 2, Chapter 27, and is on file at the FDOT District Four PLEM Office. The ESBA identifies the Federally and State listed species that could potentially occur in the project area, consisting of seven species designated as Federally Endangered (E) or Threatened (T), and nine species designated as State Threatened (ST) or Species of Special Concern (SSC).

The Federally listed species under the purview of the USFWS are: wood stork (*Mycteria americana*) (E); Everglade snail kite (*Rostrhamus sociabilis plumbeus*) (E); Florida scrub jay



(*Aphelocoma coerulescens*) (T); red cockaded woodpecker (*Picoides borealis*) (E); Eastern indigo snake (*Drymarchon corais couperi*) (T); American alligator (*Alligator mississippiensis*) (T due to similarity of appearance); and tiny polygala (*Polygala smallii*) (E).

The State-listed species under the purview of FWC are: gopher tortoise (*Gopherus polyphemus*) (ST); gopher frog (*Lithobates capito*) (SSC); least tern (*Sterna antillarum*) (ST); little blue heron (*Egretta caerulea*) (SSC); tricolored heron (*Egretta tricolor*) (SSC); snowy egret (*Egretta thula*) (SSC); reddish egret (*Egretta rufescens*) (SSC); roseate spoonbill (*Platalea ajaja*) (SSC); and white ibis (*Eudocimus albus*) (SSC).

Field investigations were conducted in September and October 2015, and no evidence of the occurrence of any of these species was found. Limited or no suitable upland or wetland habitats for any of these species occur in the highly urbanized and disturbed project area. The stormwater swales without hydrophytic vegetation, stormwater retention ponds, and canals were not considered suitable foraging habitat for the wood stork or foraging areas for state-listed wading birds. Minimal appropriate uplands are available for use by protected species within the right-of-way, and the existing wetlands and uplands located outside the right-of-way will not be impacted. Those stormwater swales within the right-of-way provide marginal habitat for wading birds, including the wood stork, and impacts to these areas will be minimized to the greatest extent possible. Protected species were not observed in upland, stormwater swales, or OSWs during this study's field reviews.

The presence of an inactive gopher tortoise burrow necessitates the effect determination of "may affect, not likely to adversely affect" for the Eastern indigo snake as per the 2013 USFWS Programmatic Effect Determination Key. The study area is within the CFA of an active wood stork colony and wood stork foraging habitat occurs within the study area; therefore, the effect determination for the wood stork is "may affect, not likely to adversely affect". The commitment to follow the prescribed cautionary measures for each federally listed species and the incorporation of BMPs into the construction plan has resulted in a determination that the project will have "no effect" on the remaining species. It is not anticipated that this project will impact any state listed species.

The ESBA was submitted to the USFWS on August 2, 2016 for concurrence that the project will not adversely affect Federally-listed species under their purview. The USFWS concurred with this determination in a letter dated September 12, 2016. The letter is included in **Appendix B**).

### 2.3.10 Essential Fish Habitat

In accordance with the FDOT PD&E Manual, Part 2, Chapter 11 – Essential Fish Habitat (EFH; dated November 26, 2007), the project was reviewed for involvement with EFH. The canals and water bodies in the vicinity of the project location are not tidal and are located



**SR 9/I-95 at Central Boulevard Interchange PD&E Study**  
FM 413265-1-22-01/ETDM 13748/Palm Beach County

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upstream of SFWMD water control structures. Based on the project location, information provided in the ETDM website, and GIS based analysis of impacts, NMFS concluded that the proposed work would not directly impact areas that support EFH or NOAA trust fishery resources. This project will not require an EFH assessment, nor is further consultation with the NMFS necessary unless future modifications to the project could result in adverse impacts to EFH.



## 2.4 PHYSICAL

### 2.4.1 Noise

The FHWA did not provide comments under the Aesthetics ETDM issue (which includes Noise). The FDOT District Four ETAT reviewer provided a Minimal degree of effect, noting the potential for minor noise and vibration effects on residential and business areas in proximity to the project.

A Noise Study Report (NSR) was prepared for the proposed project and is on file at the FDOT District Four PLEM Office. The traffic noise analysis was performed following FDOT procedures that comply with Title 23 Code of Federal Regulations (CFR), Part 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise. The evaluation uses methodology established by the FDOT and documented in the PD&E Manual, Part 2, Chapter 17 (May 24, 2011). The prediction of existing and future traffic noise levels with and without the roadway improvement was performed using the Federal Highway Administration (FHWA) Traffic Noise Model (TNM).

Within the project study limits, 775 noise sensitive sites were evaluated, consisting of 758 residences, 13 recreational areas, two schools, one assisted living facility and one hotel pool. Exterior traffic noise levels were predicted for the residential and recreational sites as well as the hotel pool. Interior traffic noise levels were predicted for the schools and assisted living facility.

The results of the analysis indicate that existing (2013) exterior traffic noise levels are predicted to range from 48.9 to 74.6 dB(A) at the residential and recreational sites evaluated for exterior traffic noise. Future no-build (2040) exterior traffic noise levels at these sites are predicted to range from 50.3 to 75.9 dB(A). With the proposed build Alternative 2, traffic noise levels are predicted to range from 49.9 to 76.2 dB(A). Exterior traffic noise levels are predicted to approach, meet, or exceed the respective FHWA Noise Abatement Criteria (NAC) at 151 residences and five recreational areas.

The results of the analysis also indicate that existing interior traffic noise levels are predicted to range from 38.8 to 45.2 dB(A) at the locations evaluated for interior traffic noise levels. Future no-build interior traffic noise levels are predicted to range from 40.5 to 46.5 dB(A). With the future build Alternative 2, interior traffic noise levels are predicted to range from 40.5 to 48.0 dB(A). None of the locations evaluated for interior traffic noise are predicted to experience future build traffic noise levels that approach, meet or exceed the NAC for Activity Category D.

When compared to the existing condition, the maximum increase in traffic noise levels with the proposed Alternative 2 is predicted to be 4.1 dB(A). As such, none of the sites are



predicted to experience a substantial increase in traffic noise as a result of the proposed improvements.

Noise barriers were evaluated as an abatement measure for the 152 residential and six recreational noise sensitive receptors predicted to experience future build traffic noise levels that approach, meet, or exceed the NAC for their respective activity category of the NAC. Based on the results of the analysis, noise barriers are a potentially feasible and cost reasonable noise abatement measure for up to 94 of the impacted receptors located in Garden Lakes (Noise Barrier 1), Winchester Court (Noise Barrier 5) and the Quay Apartments (Noise Barrier 8).

The FDOT is committed to the construction of these barriers contingent upon the following conditions:

- Detailed traffic noise analysis during the design phase of the proposed improvements supports the need, feasibility and reasonableness of providing abatement;
- Cost analysis indicates that the cost of the noise barriers will not exceed the cost reasonableness criterion;
- Community input regarding desires, locations, and aesthetic options have been solicited by the District Office; and
- Safety and engineering aspects as related to the roadway user and the adjacent property owner have been reviewed and any conflicts or issues resolved.

Noise barriers were not feasible and cost reasonable at the remaining impacted receptors due to the inability of the evaluated noise barrier to meet the minimum requirements for feasibility and reasonableness due to site specific geometry or the distance between the evaluated noise barrier and the impacted receptors. A noise barrier was not evaluated for Site 356 located in Westwood Gardens (east of I-95) since there is only one impacted receptor and as such, would not meet the minimum feasibility requirements set forth in FDOT's traffic noise policy. In the case of the impacted recreational areas, the recreational facilities would likely not generate enough person-hours of use to meet the cost reasonableness requirements for special land uses.

#### **2.4.2 Air Quality**

Through the ETDM review process, the EPA assigned the degree of effect of None to Air Quality and did not provide any additional comments. The FHWA did not provide comments under the Air Quality issue, but noted the potential for "air pollution" effects on adjacent residents under the Social ETDM issue.



An air quality review of the subject project was conducted following procedures documented in Part 2, Chapter 16 (Air Quality) of the FDOT PD&E Manual (September 13, 2006). The proposed project is located in Palm Beach County, an area currently designated as being in attainment for all of the National Ambient Air Quality Standards (NAAQS) under the criteria provided in the Clean Air Act.

The preferred alternative for the project was subjected to a carbon monoxide (CO) screening model that makes various conservative worst-case assumptions related to site conditions, meteorology and traffic. The FDOT's screening model for CO (COFL 2012) uses the latest EPA approved software to produce estimates of one-hour and eight-hour CO concentrations at default air quality receptor locations. The one-hour and eight-hour estimates can be directly compared to the current one- and eight-hour NAAQS for CO, which are 35 parts per million (PPM) and 9 PPM, respectively.

The signalized roadway intersection forecast to have the highest total approach traffic volume was the intersection of PGA Boulevard and Military Trail. The Build and No-Build scenarios for both the opening year (2020) and the design year (2040) were evaluated.

Estimates of CO were predicted for the default receptors which are located 10 feet to 150 feet from the edge of the roadway. Based on the results from the screening model, the highest project related one- and eight-hour levels for CO are not predicted to meet or exceed the one- or eight-hour NAAQS for this pollutant with either the No-Build or Build alternatives. As such, the project "passes" the screening model.

Air quality impacts will be temporary and will primarily be in the form of emissions from diesel powered construction equipment and dust. 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 FDOT's *Standard Specifications for Road and Bridge Construction* as directed by the FDOT Project Engineer.

### 2.4.3 Construction

Construction activities for the proposed project may have temporary air, noise, vibration, water quality, traffic flow, and visual impacts for those residents and travelers within the immediate vicinity of the project. As stated in the previous section, air quality impacts will be temporary and will primarily be in the form of emissions from diesel powered construction equipment and dust.

Water quality impacts resulting from erosion and sedimentation will also be controlled in accordance with FDOT's *Standard Specifications for Road and Bridge Construction* and through the use of BMPs. Temporary erosion control features will consist of temporary





grassing, sodding, mulching, sand bagging, slope drains, sediment basins, sediment checks, artificial coverings, and berms.

The maintenance of traffic and sequence of construction will be planned and scheduled so as to minimize traffic delays throughout the project. Access to all businesses and residences will be maintained through controlled construction scheduling. Traffic delays will be controlled to the extent possible where many construction operations are in progress at the same time.

Construction of the project may require excavation of unsuitable material (muck), placement of embankments, and use of materials such as limerock, asphaltic concrete, and Portland cement concrete. Any demucking will be controlled by adherence to Section 120 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 regulatory agencies permitting this operation. The contractor is responsible for his methods of controlling pollution on haul roads, in borrow pits, other materials pits, and areas used for disposal of waste materials from the project.

Noise and vibration impacts are anticipated to result from movement of heavy equipment and construction activities such as pile driving and vibratory compaction of embankments. Noise control measures will include those contained in FDOT's *Standard Specifications for Road and Bridge Construction* in addition to those noted in the Noise Study Report, developed under separate cover, for this project. Adherence to local construction noise and construction vibration ordinances by the contractor will also be required where applicable.

#### **2.4.4 Contamination**

During the ETDM review process, the EPA assigned a Moderate degree of effect for contaminated sites, recommending site specific surveys to assess historical contamination at six RCRA regulated sites (including two drycleaner sites) within 500 feet of the project. The EPA further recommended putting contingencies in place to manage any contaminated media that may be encountered during construction.

The FDEP also assigned a Moderate degree of effect, reporting one dry cleaning program site, three hazardous waste facilities, nine petroleum contamination monitoring sites, eight storage tank contamination monitoring sites, three Super Act Risk Sources, three RCRA regulated facilities, and two regulated air emission facilities within 200 feet of the project. The FDEP further commented that the FDOT's *Special Provisions for Unidentified Areas of Contamination* should be included in the project's construction contract documents in the event any hazardous material or suspected contamination is encountered during



construction, or in the event of a construction-related spill or discovery of groundwater monitoring wells. These provisions of the *Standard Specifications for Road and Bridge Construction* will be provided in the proposed project's construction contract documents.

A Contamination Screening Evaluation Report (CSER) was prepared in accordance with the FDOT PD&E Manual, Part 2, Chapter 22, and is on file at the FDOT District Four PLEM Office. This report evaluated potential and existing contamination sources within the larger study area included in the Interchange Justification Study along SR 9/I-95 from north of Northlake Boulevard to south of Donald Ross Road. The current PD&E study project limits are located entirely within this study area, which contains all potential contamination sources within and adjacent to the recommended build alternative.

A preliminary (Level I) evaluation of the IJR study area was conducted to determine the potential risks associated with any soil or groundwater contamination within the proposed project limits from properties or existing operations located within the project vicinity. The contamination study area encompasses the right-of-way, properties within 500 feet of the project area, solid waste sites within one-quarter mile of the project, and Superfund sites within one mile of the project. Sites found to have a history of contamination, or to house hazardous substances, were evaluated for potential contamination involvement with the proposed Build Alternative and a degree of risk was assigned for each site.

Three of the sites were determined to have a High or Medium risk of potential contamination involvement with the recommended build alternative. The potential contamination types at the facilities reviewed include petroleum hydrocarbons, halogenated and non-halogenated solvents, pesticides and herbicides, metals, corrosive or caustic materials, and a variety of industry specific regulated compounds. The potential for contamination involvement is equivalent for all build alternatives studied.

The majority of potential contamination sites within 500 feet of the project area are considered to present Low risk based on their current and historical permit(s), site use, and regulatory status. This includes those sites which have no records of industrial or storage tank permits, no documented contamination events, or have an agency approved SRCO/NFA status as the result of successful remedial actions (other than petroleum contaminated sites). Sites are also assigned a Low rating based on their proximity to the project corridor if they held or currently hold an EPA Hazardous Waste Generator permit, even if contamination concerns were not discovered in the records review.

While some right-of-way acquisition will be required, right-of-way acquisition is not anticipated from properties rated as High or Medium risk of contamination. This proposed project contains no known significant contamination. However, it is recommended that the project be reevaluated during design to determine if any new contamination-related risks are present and to evaluate potential dewatering concerns. Level II Contamination



Assessment investigations are recommended for any areas that have proposed dewatering or subsurface work activities (e.g. pole foundations, drainage features) occurring adjacent to or at any of these sites. If dewatering will be necessary during construction, a SFWMD Water Use Permit will be required. The contractor will be held responsible for ensuring compliance with any necessary dewatering permit(s). Any dewatering operations in the vicinity of potentially contaminated areas shall be limited to low-flow and short-term. A dewatering plan may be necessary to avoid potential contamination plume exacerbation. All permits will be obtained in accordance with Federal, State, and local laws and regulations.

Additionally, Section 120 Excavation and Embankment – Subarticle 120-1.2 *Unidentified Areas of Contamination* of the *Standard Specifications for Road and Bridge Construction* will be provided in the proposed project’s construction contract documents. This specification requires that in the event that any material or suspected contamination is encountered during construction, or if any spills caused by construction-related activities should occur, the contractor shall be instructed to stop work immediately and notify the FDOT PLEM Office as well as the appropriate regulatory agencies for assistance.

#### **2.4.5 Aesthetic Effects**

Aesthetic issues in transportation planning encompass how the community is affected visually by a project. Potential impacts include actual or perceived changes to viewsheds, exposure to noise and vibration sources, and compatibility of the project with the surrounding area. The placement and design of a transportation facility can diminish the aesthetic character of the surrounding area due to contrasts between natural landforms or existing structures. Roadway elements, blocked views, or a facility with a scale that is out of proportion to the surrounding landscape elements are other factors that can interfere with the aesthetic character of an area.

This project has been reviewed by the appropriate agencies in the ETDM Tool and has been assigned a summary degree effect of Minimal. Noise and vibration related effects may be of concern to proximate residences and businesses since the project traverses a residential and commercial area. However, given the presence of existing noise barriers and the fact that the project is consistent with future land uses identified by the Comprehensive Plans of the City of Palm Beach Gardens and Palm Beach County, impacts to aesthetics are anticipated to be minor.

#### **2.4.6 Bicycles and Pedestrians**



Pedestrian and bicycle facilities are provided along several of the surface streets crossing I-95. Central Boulevard currently provides sidewalks along both eastbound and westbound lanes. Pedestrian and bicycle facilities along the roadway crossings over or under I-95 will not be impacted. The proposed typical sections associated with the Recommended Alternative for Central Boulevard, provide a seven-foot wide designated bicycle lane and a ten-foot wide sidewalk in the eastbound and westbound directions. As I-95 is a limited access facility, accommodations for pedestrians and bicycles are not permitted on this facility.

#### 2.4.7 Utilities and Railroads

No ETDM comments were received from FHWA regarding the Infrastructure issue. Several utilities are located with the study corridor and are listed in Section 2.14 of the Preliminary Engineering Report (PER). A request was made to all 21 companies for additional detail; nine companies responded. Approximately 59 utility crossings have been noted within the study limits, most commonly found in and around interchanges and overpasses. The utility and crossing locations are also summarized in Section 2.14 of the PER.

The FDOT District Four Utility Office will maintain coordination with these utility providers throughout the subsequent Final Design phase. Based on early coordination with the utility owners, no significant impacts to the utility services or disruptions of services to area businesses are expected to occur.

There are no existing railroad crossings within the project limits. However, the Tri-Rail and Florida East Coast (FEC) rail line operate in the project vicinity. The northern terminus of Tri-Rail is the Mangonia Park station, which is located approximately seven miles from the PGA Boulevard Interchange. Palm Tran Route 20 provides service from Mangonia Park station to the Gardens Mall. The FEC rail line runs parallel to, and just west of A1A. Within the project limits, it passes underneath PGA Boulevard. There are at grade railroad crossings at Donald Ross Road, Hood Road and Kyoto Gardens Drive. Two future types of passenger service are proposed on the FEC track:

##### Coastal Link Service

Tri-Rail Coastal Link is a proposed commuter service on the FEC line for which the PD&E phase will commence in late 2013. The South Florida Regional Transportation Authority (SFRTA) publication *Tri-Rail Coastal Link Station Area Opportunities*, April 2013, shows a proposed station at PGA Boulevard.

##### All Aboard Florida



All Aboard Florida is one of four business lines overseen by Florida East Coast Industries (FECI). FECI will operate the Brightline intercity passenger rail service on the FEC track, providing three-hour service from Miami to Orlando. A new station is proposed between Datura and Evernia Streets, about 11 miles from the study area.

As the rail lines are not directly affected by the Recommended Alternative, it is anticipated that this project can be accomplished with no disruption of rail service.

#### **2.4.8 Navigation**

During the ETDM review, the USACE and USCG assigned degrees of effect of None as no navigable waterways are present within the project area.



## **APPENDIX A**

### **Planning Consistency Information**



### Planning Requirements for Environmental Document Approvals

**Document Information:**

**Date:** 8/2/2016 **Document Type:** CE II **Document Status:** Draft

**Project Name:** SR 9/I-95 at Central Boulevard Interchange **FM #:** 4132651

**Project Limits:** North of PGA Boulevard to Donald Ross Road **ETDM #:** 13748

**Are the limits consistent with the plans?** Yes

**Identify MPO(s) (if applicable):** Palm Beach **Original PD&E FAP#** Not available

**Adopted CFP-  
LRTP**

**COMMENTS**

**Y/N**

The 2040 LRTP Adopted by the Palm BeachMPO Governing Board on October 16, 2014 lists project on Page 110.

| PHASE             | Currently<br>Approved<br>TIP | Currently<br>Approved<br>STIP | TIP/STIP<br>\$      | TIP/STIP<br>FY | COMMENTS   |
|-------------------|------------------------------|-------------------------------|---------------------|----------------|--|
| PE (Final Design) | Yes                          | Yes                           | 2,525,000/2,531,000 | 2016/2016      | Adopted MPO TIP is from FY17- TIP funding amount is from prior year. |
| R/W(Right of Way) | Yes                          | No                            | 10,517,000/--       | 2021/--        | Adopted STIP is to FY 19   |
| Construction      | No                           | No                            | --/--               | --/--          |  |

**Project Segmented:** N

**FDOT Preparer's Name:** Bing Wang

**Date:** 10/12/16 **Phone #:** 954-777-4406

**Preparer's Signature:** 

**Email:** [bing.wang@dot.state.fl.us](mailto:bing.wang@dot.state.fl.us)

**\*Attach: LRTP, TIP, STIP pages**

Palm Beach MPO 2040 Long Range Transportation Plan



MAIN DOCUMENT





*Published by the  
Palm Beach Metropolitan Planning Organization (MPO)  
in coordination with  
Leftwich Consulting Engineers, Inc.*

*Adopted October 16, 2014  
by the  
Board of Directors  
Palm Beach Metropolitan Planning Organization*

*As Amended September 17, 2015*



The preparation of this report has been financed in part through grant(s) from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

| COST FEASIBLE PLAN STRATEGIC INTERMODAL SYSTEM & TURNPIKE |                     |                                       |                                       |                         |  |           |      |           |           |           |
|---|---------------------|---------------------------------------|---------------------------------------|-------------------------|--|-----------|------|-----------|-----------|-----------|
| Map No.   | Facility Name       | From                                  | To                                    | Improvement             | 2020-2040 Total Capital Cost (Million\$) | 2015-2019 | 2020 | 2021-2025 | 2026-2030 | 2031-2040 |
| Proposed Strategic Intermodal System Improvements         |                     |                                       |                                       |                         |  |           |      |           |           |           |
| H-9   | I-95                | @ Donald Ross Rd                      |                                       | Interchange Improvement | Fully Funded <sup>1</sup>                | ✓✖        |      |           |           |           |
| H-25  | I-95                | @ Blue Heron Blvd                     |                                       | Interchange Improvement | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
| H-65  | I-95                | @ Linton Blvd                         |                                       | Interchange Improvement | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
| H-64  | I-95                | @ Atlantic Ave                        |                                       | Interchange Improvement | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
| H-69  | I-95                | @ Spanish River Blvd                  |                                       | New Interchange         | Fully Funded <sup>1</sup>                | ✓+        |      |           |           |           |
| H-44  | Southern Blvd/SR 80 | L-8 Canal                             | Crestwood/Forest Hill Blvd            | Widen 4L to 6L          | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
| H-1   | SR 710              | Martin/PBC Line                       | W of Indiantown Rd                    | Widen 2L to 4L          | Fully Funded <sup>1</sup>                | ✓✖        |      |           |           |           |
| H-6   | SR 710              | W of Indiantown Rd                    | W of Pratt Whitney Rd                 | Widen 2L to 4L          | Fully Funded <sup>1</sup>                | ✓✖        |      |           |           |           |
| H-29  | SR-710              | W of Congress Ave                     | W of Australian Ave                   | Widen 2L to 4L          | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
|   | SR 710              | Australian Ave                        | Old Dixie Hwy                         | Widen 2L to 4L          | Fully Funded <sup>1</sup>                | ✓         |      |           |           |           |
| H-67  | I-95 Managed Lanes  | Broward/PBC Line                      | Linton Blvd                           | Add Managed Lanes       | \$36.1                                   | ✓         | ✓    | ✓         |           |           |
| H-57  | I-95                | @ Gateway Blvd                        |                                       | Interchange Improvement | \$87.9                                   |           | ✓    | ✓         |           |           |
| H-46  | I-95                | @ SR 80                               |                                       | Interchange Improvement | \$116.7                                  |           |      | ✓         |           |           |
| H-20  | SR 710              | Northlake Blvd                        | Blue Heron Blvd                       | Widen 4L to 6L          | \$35.3                                   | ✓         |      | ✓         |           |           |
| H-15  | SR 710              | PGA Blvd                              | Northlake Blvd                        | Widen 4L to 6L          | \$63.3                                   |           |      | ✓         |           |           |
| H-14  | I-95                | @ Central Blvd or PGA Blvd            |                                       | Interchange Improvement | \$86.7                                   |           |      |           |           | ✓         |
| H-58  | I-95                | @ Boynton Beach Blvd                  |                                       | Interchange Improvement | \$97.7                                   |           |      |           | ✓         |           |
| H-42  | I-95                | @ Palm Beach Lakes Blvd               |                                       | Interchange Improvement | \$150.1                                  |           |      |           | ✓         |           |
| H-48  | I-95                | @ 10th Ave N                          |                                       | Interchange Improvement | \$53.3                                   |           |      |           | ✓         |           |
| H-52  | I-95                | @ 6th Ave S                           |                                       | Interchange Improvement | \$71.4                                   |           |      |           | ✓         |           |
| H-56  | I-95                | @ Hypoluxo Rd                         |                                       | Interchange Improvement | \$73.9                                   |           |      |           | ✓         |           |
| H-54  | I-95                | @ Lantana Rd                          |                                       | Interchange Improvement | \$86.7                                   |           |      |           | ✓         | ✓         |
| H-4   | I-95 Managed Lanes  | Indiantown Rd                         | Martin/PBC Line                       | Add Managed Lanes       | \$56.4                                   |           |      |           |           | ✓         |
| H-11  | SR 710              | W of Seminole Pratt Whitney Rd        | PGA Blvd                              | Widen 4L to 6L          | \$59.6                                   |           |      |           |           | ✓         |
| Proposed Turnpike Improvements                            |                     |                                       |                                       |                         |  |           |      |           |           |           |
| H-27  | Turnpike Mainline   | Okeechobee Blvd/Jog Rd (Mile Post 98) | PGA Blvd (Mile Post 109)              | Widen 4L to 6L          | \$296.2                                  |           |      | ✓         |           |           |
| H-45  | Turnpike Mainline   | Boynton Bch Blvd (Mile Post 86)       | Okeechobee Blvd/Jog Rd (Mile Post 98) | Widen 4L to 6L          | \$274.9                                  |           |      | ✓         |           |           |
| H-59  | Turnpike Mainline   | Broward/PBC Line (Mile Post 73)       | Boynton Bch Blvd (Mile Post 86)       | Widen 6L to 8L          | \$297.8                                  |           |      | ✓         |           |           |
| H-55  | Turnpike            | @ Hypoluxo Rd                         |                                       | New Interchange         | \$113.1                                  |           |      |           |           | ✓         |

Note: Capital Cost includes Design, ROW, and Construction costs

+ Construction commenced in FY 2014

\* Design Build contract awarded in FY 2014

<sup>1</sup>Refer to the adopted 2015-2019 TIP for total project cost



*Transportation Planning  
for the Palm Beaches*



# **T**ransportation **I**mprovement **P**rogram

## **FY 2017-2021**

Adopted June 2016

[www.PalmBeachMPO.org/TIP](http://www.PalmBeachMPO.org/TIP)

**2300 North Jog Road • 4<sup>th</sup> Floor • West Palm Beach, FL 33411 • 561-684-4170**

*Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the American with Disabilities Act or translation services for a meeting, free of charge, or for complaints, questions or concerns about civil rights, please contact: Malissa Booth at 561-684-4143 or email [MBooth@PalmBeachMPO.org](mailto:MBooth@PalmBeachMPO.org). Hearing impaired individuals are requested to telephone the Florida Relay System at #711.*



# *Transportation Planning for the Palm Beaches*



## TRANSPORTATION IMPROVEMENT PROGRAM

**FY 2017-2021**

This Transportation Improvement Program was developed consistent with federal and state requirements. State and federally funded projects were approved by the Palm Beach MPO on June 16, 2016.

A blue ink signature of Susan Haynie, written in a cursive style, positioned above a horizontal line.

Mayor Susan Haynie

MPO Chair

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| Phase   | Fund Source | 2017      | 2018              | 2019 | 2020              | 2021               | Total       |
|---|-------------|-----------|-------------------|------|-------------------|--------------------|-------------|
| I-95/SR-9 @ PGA BOULEVARD/CENTRAL BOULEVARD - Proj# 4132651                               |             |           |                   |      | Length: 2.010 MI  | *SIS*              |             |
| Type of Work: INTERCHANGE - ADD LANES   |             |           |                   |      | Lead Agency: FDOT |                    |             |
| Description: IMR - INTERCHANGE MODIFICATION REPORT IJR - INTERCHANGE JUSTIFICATION REPORT |             |           |                   |      |                   |                    |             |
| ROW   | DIH         | 0         | 0                 | 0    | 0                 | 180,000            | 180,000     |
| ROW   | DDR         | 0         | 0                 | 0    | 0                 | 10,337,067         | 10,337,067  |
| Total   |             | 0         | 0                 | 0    | 0                 | 10,517,067         | 10,517,067  |
| Prior Years Cost  |             | 4,159,053 | Future Years Cost |      | 91,246,136        | Total Project Cost | 105,922,256 |
| I-95/SR-9 @ SOUTHERN BLVD/SR-80. INTERCHG. ULTIM. IMPRVMT. - Proj# 4355161                |             |           |                   |      | Length: 4.293 MI  | *SIS*              |             |
| Type of Work: INTERCHANGE - ADD LANES   |             |           |                   |      | Lead Agency: FDOT |                    |             |
| PE  | ACNP        | 0         | 0                 | 0    | 0                 | 7,625,000          | 7,625,000   |
| Total   |             | 0         | 0                 | 0    | 0                 | 7,625,000          | 7,625,000   |
| Prior Years Cost  |             | 2,521,465 | Future Years Cost |      | 105,914,902       | Total Project Cost | 116,061,367 |
| I-95/SR-9 FR S OF SR-706 INTERCHANGE TO PALM BEACH/MARTIN CO LINE - Proj# 4342733         |             |           |                   |      | Length: 2.572 MI  | *SIS*              |             |
| Type of Work: SAFETY PROJECT  |             |           |                   |      | Lead Agency: FDOT |                    |             |
| Description: ANTICIPATED SAFETY PROJECT   |             |           |                   |      |                   |                    |             |
| PE  | HSP         | 0         | 756,934           | 0    | 0                 | 0                  | 756,934     |
| CST   | HSP         | 0         | 0                 | 0    | 4,410,825         | 0                  | 4,410,825   |
| Total   |             | 0         | 756,934           | 0    | 4,410,825         | 0                  | 5,167,759   |
| Prior Years Cost  |             |           | Future Years Cost |      |                   | Total Project Cost | 5,167,759   |



# **T**ransportation **I**mprovement **P**rogram **FY 2016-2020**

**Adopted June 2015**

[www.PalmBeachMPO.org/TIP](http://www.PalmBeachMPO.org/TIP)

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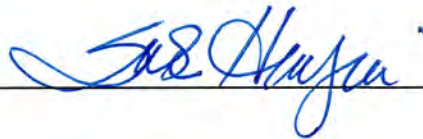
Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the American with Disabilities Act or translation services for a meeting, free of charge, or for complaints, questions or concerns about civil rights, please contact Malissa Booth at 561-684-4143 or email [MBooth@PalmBeachMPO.org](mailto:MBooth@PalmBeachMPO.org). Hearing impaired individuals are requested to telephone the Florida Relay System at #711.

## TRANSPORTATION IMPROVEMENT PROGRAM

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**FY 2016-2020**

This Transportation Improvement Program was developed consistent with federal and state requirements. State and federally funded projects were approved by the Palm Beach MPO on June 18, 2015.

A handwritten signature in blue ink, appearing to read "Susan Haynie", is positioned above a horizontal line.

Mayor Susan Haynie

MPO Chair

The preparation of this report was financed in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation; the Florida Department of Transportation; and participating local governments. The contents of this report do not necessarily reflect the official views or policy of the U. S. Department of Transportation.

| Phase  | Fund Source | 2016      | 2017              | 2018      | 2019               | 2020      | Total      |
|--|-------------|-----------|-------------------|-----------|--------------------|-----------|------------|
| I-95 AT ATLANTIC AVE/SR-806 INTERCHANGE - Proj# 4347221  |             |           |                   |           | Length: 2.865 MI   | *SIS*     | *RSP*      |
| Type of Work: INTERCHANGE - ADD LANES  |             |           |                   |           | Lead Agency: FDOT  |           |            |
| New Project?: Yes  |             |           |                   |           | LRTP#: S8-P110     |           |            |
| Lanes (Existing/Improve/Addl): 3/ 0/ 3   |             |           |                   |           |                    |           |            |
| Description: NEW SIS/NHS CONNECTOR PROJECT. FROM I-95 PALM BEACH COUNTY INTERCHANGE MASTER PLAN #432785-1-22-01. |             |           |                   |           |                    |           |            |
| ROW  | DS          | 389,000   | 2,700,000         | 0         | 0                  | 0         | 3,089,000  |
| ROW  | DIH         | 40,000    | 70,000            | 0         | 0                  | 0         | 110,000    |
| RRU  | DDR         | 0         | 0                 | 450,000   | 0                  | 0         | 450,000    |
| CST  | DS          | 0         | 0                 | 100,069   | 0                  | 0         | 100,069    |
| CST  | SA          | 0         | 0                 | 323,700   | 0                  | 0         | 323,700    |
| RRU  | ACNP        | 0         | 0                 | 1,443,048 | 0                  | 0         | 1,443,048  |
| CST  | ACNP        | 0         | 0                 | 6,552,081 | 0                  | 0         | 6,552,081  |
| Total  |             | 429,000   | 2,770,000         | 8,868,898 | 0                  | 0         | 12,067,898 |
| Prior Years Cost   |             | 1,260,183 | Future Years Cost |           | Total Project Cost |           | 13,328,081 |
| I-95 AT CENTRAL BLVD/PGA BLVD - Proj# 4132651  |             |           |                   |           | Length: 0.010 MI   | *SIS*     | *RSP*      |
| Type of Work: INTERCHANGE JUSTIFICA/MODIFICA   |             |           |                   |           | Lead Agency: FDOT  |           |            |
| Notes: INTERCHANGE MODIFICATION  |             |           |                   |           | LRTP#: S8-P110     |           |            |
| PE   | DIH         | 25,000    | 0                 | 0         | 0                  | 0         | 25,000     |
| PE   | DS          | 2,500,000 | 0                 | 0         | 0                  | 0         | 2,500,000  |
| Total  |             | 2,525,000 | 0                 | 0         | 0                  | 0         | 2,525,000  |
| Prior Years Cost   |             | 1,468,546 | Future Years Cost |           | Total Project Cost |           | 90,693,546 |
| I-95 AT GATEWAY BLVD. INTERCHANGE - Proj# 2319321  |             |           |                   |           | Length: 2.946 MI   | *SIS*     | *RSP*      |
| Type of Work: INTERCHANGE IMPROVEMENT  |             |           |                   |           | Lead Agency: FDOT  |           |            |
| New Project?: Yes  |             |           |                   |           | LRTP#: S8-P110-115 |           |            |
| Lanes (Existing/Improve/Addl): 10/ 10/ 0   |             |           |                   |           |                    |           |            |
| PE   | ACNP        | 0         | 0                 | 0         | 0                  | 6,000,000 | 6,000,000  |
| RRU  | ACNP        | 0         | 0                 | 0         | 0                  | 50,000    | 50,000     |
| Total  |             | 0         | 0                 | 0         | 0                  | 6,050,000 | 6,050,000  |
| Prior Years Cost   |             | 1,010,000 | Future Years Cost |           | Total Project Cost |           | 90,540,523 |



**Federal Highway Administration**  
Florida Division Office  
3500 Financial Plaza, Suite 400  
Tallahassee, Florida 32312  
(850) 553-2200  
[www.fhwa.dot.gov/fldiv](http://www.fhwa.dot.gov/fldiv)

**Federal Transit Administration**  
Region 4 Office  
230 Peachtree Street NW, Suite 800  
Atlanta, Georgia 30303  
(404) 865-5600

September 30, 2015

Mr. Jim Boxold  
Secretary of Transportation  
Florida Department of Transportation  
605 Suwannee Street / MS-59  
Tallahassee, Florida 32399-0450

Subject: Approval of FY 2015/16-2018/19 STIP and Statewide Planning Finding

Dear Secretary Boxold:

The following is in response to the Florida Department of Transportation's (FDOT) transmittal of the Fiscal Year (FY) 2015/2016 – 2018/2019 Transportation Improvement Programs (TIPs) for 26 of Florida's 27 Metropolitan Planning Organizations (MPO) for our review, which includes the letter of approval for the MPO TIPs, Florida's FY 2015/16-2018/19 Statewide Transportation Improvement Program (STIP) and the certification of the state planning process, dated September 4, 2015. The new Heartland TPO will develop and submit an adopted TIP before March 27, 2016. Our various metropolitan and statewide planning process findings and actions are summarized below:

**1. Metropolitan Transportation Planning Processes and TIPs:**

Based upon our review of the annual "self-certification" statements jointly developed between each of the MPOs and the Department and our joint certification reviews of Transportation Management Areas (TMA) during 2015, we hereby determine that the FY 2015/2016 – 2019/2020 TIPs developed and adopted by 26 of Florida's 27 MPOs are based on a continuing, cooperative and comprehensive planning process. We also hereby conclude that the content and elements of each of the TIPs generally satisfy the requirements of 23 U.S.C. 134, 49 U.S.C. 5303, 23 CFR Part 450 (Subpart C) and 49 CFR Part 613 (Subpart C).

**2. Statewide Transportation Planning Process and the STIP:**

23 U.S.C. 135(f)(4) and 23 CFR 450.218 require that the Federal Highway Administration / Federal Transit Administration (FHWA/FTA) approval of the STIP include a finding that the process from which the STIP was developed is consistent with the provisions of 23 U.S.C. 134 and 135 and 49 U.S.C. 5303 – 5305. Since 1995, an "annual assessment" of various aspects of the statewide transportation planning process has been a key source of information in supporting this FHWA/FTA statewide planning finding.

On July 21, 2015, a meeting was conducted with various members of your staff to discuss Florida's statewide transportation planning process. Enclosed for your reference and information is a copy of the summary report that concludes that the statewide transportation planning process largely satisfies the above requirements.

In summary, our review of the STIP, TIPs and supporting documentation concludes that the FY 2015/16-2018/19 STIP substantially meets the process and content requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303 - 5305, 23 CFR Part 450 (Subparts B and C) and 49 CFR Part 613 (Subparts B and C), including the provisions on public involvement and fiscal constraint. Therefore, on behalf of both agencies (FHWA/FTA), Florida's FY 2015/16-2018/19 STIP is hereby approved.

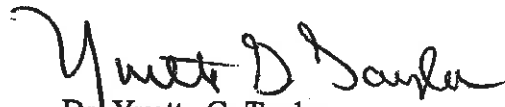
We look forward to continuing our coordination with the Department, the MPOs, the local/regional transit service providers and Florida's other transportation stakeholders in further implementing the various transportation planning and environmental provisions in federal law.

If you have any questions, please do not hesitate to contact Ms. LeeAnn Jacobs at (850) 553-2219 or Mr. Andres Ramirez at (404) 865-5611.

Sincerely,



James Christian  
Division Administrator  
Federal Highway Administration



Dr. Yvette G. Taylor  
Regional Administrator  
Federal Transit Administration

Enclosure: Annual Statewide Assessment Report (1ea Hard copy attached, cc: will receive electronic copy)

cc: Ms. Lora Hollingsworth, FDOT (MS-57)  
Mr. Jim Wood, FDOT (MS-57)  
Ms. Lisa Saliba, FDOT (MS-21)  
Mr. James Jobe, FDOT (MS-21)  
Ms. Carmen Monroy, FDOT (MS-28)  
Mr. Carl Mikyska, MPOAC (MS-28B)  
Mr. Billy Hattaway, Secretary, FDOT (District 1)  
Mr. Greg Evans, Secretary, FDOT (District 2)  
Mr. Tommy Barfield, Secretary, FDOT (District 3)  
Mr. Gerry O'Reilly, Secretary, FDOT (District 4)  
Ms. Noranne Downs, Secretary, FDOT (District 5)  
Mr. Gus Pego, Secretary, FDOT (District 6)  
Mr. Paul Steinman, Secretary, FDOT (District 7)  
Ms. Diane Gutierrez-Scaccetti, Executive Director, Florida's Turnpike Enterprise



PAGE 2096  
AS-OF DATE: 08/01/2015

FLORIDA DEPARTMENT OF TRANSPORTATION  
OFFICE OF WORK PROGRAM  
STIP REPORT

DATE RUN: 08/17/2015  
TIME RUN: 12.35.49  
MBRSTIP-1

=====

HIGHWAYS

=====

|                  |           |       |   |   |   |   |           |
|------------------|-----------|-------|---|---|---|---|-----------|
| DDR              | 3,656,515 | 0     | 0 | 0 | 0 | 0 | 3,656,515 |
| TOTAL 0951 663 I | 4,846,604 | 0     | 0 | 0 | 0 | 0 | 4,846,604 |
| TOTAL 413257 2   | 6,566,023 | 1,323 | 0 | 0 | 0 | 0 | 6,567,346 |
| TOTAL Project:   | 6,566,023 | 1,323 | 0 | 0 | 0 | 0 | 6,567,346 |

-----

ITEM NUMBER:436519 1 PROJECT DESCRIPTION:SR-9/I-95 FROM S OF 45TH STREET TO N OF 45TH ST \*SIS\*

DISTRICT:04 COUNTY:PALM BEACH TYPE OF WORK:PD&E/EMO STUDY

PROJECT LENGTH: 1.565MI

| FUND<br>CODE | LESS<br>THAN<br>2016 | 2016 | 2017 | 2018 | 2019 | GREATER<br>THAN<br>2019 | ALL<br>YEARS |
|--------------|----------------------|------|------|------|------|-------------------------|--------------|
|--------------|----------------------|------|------|------|------|-------------------------|--------------|

FEDERAL PROJECT NUMBER: <N/A>

PHASE: PRELIMINARY ENGINEERING / RESPONSIBLE AGENCY: MANAGED BY FDOT

|     |   |   |   |   |   |           |           |
|-----|---|---|---|---|---|-----------|-----------|
| DI  | 0 | 0 | 0 | 0 | 0 | 5,900,000 | 5,900,000 |
| DIH | 0 | 0 | 0 | 0 | 0 | 100,000   | 100,000   |

PHASE: RIGHT OF WAY / RESPONSIBLE AGENCY: MANAGED BY FDOT

|             |   |   |   |   |   |            |            |
|-------------|---|---|---|---|---|------------|------------|
| ACNP        | 0 | 0 | 0 | 0 | 0 | 14,914,742 | 14,914,742 |
| TOTAL <N/A> | 0 | 0 | 0 | 0 | 0 | 20,914,742 | 20,914,742 |

FEDERAL PROJECT NUMBER: 0951 682 I

PHASE: P D & E / RESPONSIBLE AGENCY: MANAGED BY FDOT

|                  |   |           |   |   |   |            |            |
|------------------|---|-----------|---|---|---|------------|------------|
| SA               | 0 | 1,550,000 | 0 | 0 | 0 | 0          | 1,550,000  |
| TOTAL 0951 682 I | 0 | 1,550,000 | 0 | 0 | 0 | 0          | 1,550,000  |
| TOTAL 436519 1   | 0 | 1,550,000 | 0 | 0 | 0 | 20,914,742 | 22,464,742 |
| TOTAL Project:   | 0 | 1,550,000 | 0 | 0 | 0 | 20,914,742 | 22,464,742 |

-----

ITEM NUMBER:413265 1 PROJECT DESCRIPTION:SR-9/I-95 @ PGA BOULEVARD/CENTRAL BOULEVARD \*SIS\*

DISTRICT:04 COUNTY:PALM BEACH TYPE OF WORK:INTERCHANGE JUSTIFICA/MODIFICA

PROJECT LENGTH: 2.010MI

| FUND<br>CODE | LESS<br>THAN<br>2016 | 2016 | 2017 | 2018 | 2019 | GREATER<br>THAN<br>2019 | ALL<br>YEARS |
|--------------|----------------------|------|------|------|------|-------------------------|--------------|
|--------------|----------------------|------|------|------|------|-------------------------|--------------|

FEDERAL PROJECT NUMBER: <N/A>

PHASE: P D & E / RESPONSIBLE AGENCY: MANAGED BY FDOT

|     |           |       |   |   |   |   |           |
|-----|-----------|-------|---|---|---|---|-----------|
| DDR | 1,397,625 | 0     | 0 | 0 | 0 | 0 | 1,397,625 |
| DIH | 65,249    | 6,146 | 0 | 0 | 0 | 0 | 71,395    |

|                |     |           |           |   |   |   |   |           |
|----------------|-----|-----------|-----------|---|---|---|---|-----------|
|                | DIH | 0         | 25,000    | 0 | 0 | 0 | 0 | 25,000    |
|                | DS  | 0         | 2,500,000 | 0 | 0 | 0 | 0 | 2,500,000 |
| TOTAL <N/A>    |     | 1,462,874 | 2,531,146 | 0 | 0 | 0 | 0 | 3,994,020 |
| TOTAL 413265 1 |     | 1,462,874 | 2,531,146 | 0 | 0 | 0 | 0 | 3,994,020 |
| TOTAL Project: |     | 1,462,874 | 2,531,146 | 0 | 0 | 0 | 0 | 3,994,020 |

```
ITEM NUMBER:416258 2  PROJECT DESCRIPTION:PALM BEACH COUNTY ITS FACILITY OPERATE & MAINTAIN JPA          *SIS*
DISTRICT:04              COUNTY:PALM BEACH              TYPE OF WORK:ITS FREEWAY MANAGEMENT
                        PROJECT LENGTH:      .000
```

| FUND<br>CODE | LESS<br>THAN<br>2016 | 2016 | 2017 | 2018 | 2019 | GREATER<br>THAN<br>2019 | ALL<br>YEARS |
|--------------|----------------------|------|------|------|------|-------------------------|--------------|
|--------------|----------------------|------|------|------|------|-------------------------|--------------|

FEDERAL PROJECT NUMBER: <N/A>

PHASE: OPERATIONS / RESPONSIBLE AGENCY: MANAGED BY FDOT

|                |        |        |        |        |        |   |         |
|----------------|--------|--------|--------|--------|--------|---|---------|
| DDR            | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 0 | 250,000 |
| TOTAL <N/A>    | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 0 | 250,000 |
| TOTAL 416258 2 | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 0 | 250,000 |

ITEM NUMBER:416258 3 PROJECT DESCRIPTION:PALM BEACH COUNTY ITS FACILITY OPERATE & MAINTAIN JPA \*NON-SIS\*  
DISTRICT:04 COUNTY:PALM BEACH TYPE OF WORK:ITS FREEWAY MANAGEMENT  
PROJECT LENGTH: .000

| FUND<br>CODE | LESS<br>THAN<br>2016 | 2016 | 2017 | 2018 | 2019 | GREATER<br>THAN<br>2019 | ALL<br>YEARS |
|--------------|----------------------|------|------|------|------|-------------------------|--------------|
|--------------|----------------------|------|------|------|------|-------------------------|--------------|

FEDERAL PROJECT NUMBER: <N/A>

PHASE: OPERATIONS / RESPONSIBLE AGENCY: MANAGED BY FDOT

[illegible]



## **APPENDIX B**

### **Agency Coordination Letters**



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

3400 West Commercial Blvd.  
Fort Lauderdale, FL 33309

JIM BOXOLD  
SECRETARY

June 28, 2016

Dr. Timothy Parsons, Director and  
State Historic Preservation Officer  
Division of Historical Resources  
500 South Bronough Street  
Tallahassee, Florida 32301

RECEIVED  
BUREAU OF  
HISTORIC PRESERVATION  
2016 JUL - 1 A 10:07

Subject: **Request for Review**  
Cultural Resources Assessment Survey (CRAS)  
SR-9 (I-95) at PGA Boulevard & Central Boulevard Project Development &  
Environment (PD&E) Study  
Financial Management #: 413265-1-22-01  
ETDM No. 13748  
Palm Beach County, Florida

Attention: Ginny Jones

Dear Ms. Jones:

Enclosed please find one unbound copy of the final report and the supporting documentation from the Cultural Resource Assessment Survey of the SR 9 (I-95) at PGA Boulevard & Central Boulevard Project Development & Environment (PD&E) Study. In accordance with the Section 106 Programmatic Agreement which was executed on March 15, 2016, this report is not being reviewed by FHWA.

The Area of Potential Effect (APE) for archaeological resources is confined to the footprint of the existing, proposed, and limited access right of way (ROW). The historic resources APE includes the footprint of the existing, proposed, and limited access ROW and extends up to 250 feet from the edge of the proposed improvements.

No archaeological sites were identified. The portion of the previously recorded Military Trail (road) (8PB13795) located within the APE is considered ineligible for listing in the National Register. Two newly identified historic buildings, Dog Days/4052 Burns Road (8PB16283) and Anspach Building/4500 Riverside Drive (8PB16284), and two newly identified historic canals, Earman River Relief Canal (8PB16285) and Earman River Canal Branch (8PB16286) were also identified. These four

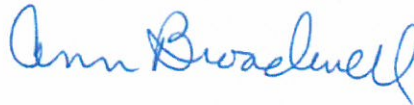
*Cultural Resources Assessment Survey  
SR-9/I-95 @ PGA/Central Blvd. PD&E Study  
FM 413265.1*

resources are not considered eligible for inclusion in the National Register individually or as contributing to a historic district.

The District has determined that no historic properties will be affected by the proposed improvements. I respectfully request your concurrence with this determination.

If there are any questions, please feel free to contact me at (954) 777-4324 or Lynn Kelley at (954) 777-4334.

Sincerely,



Ann Broadwell  
Environmental Administrator  
FDOT - District 4

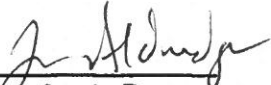
Enclosures  
cc. file

Cultural Resources Assessment Survey  
SR-9/I-95 @ PGA/Central Blvd. PD&E Study  
FM 413265.1

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number 2016-2748.

SHPO Comments:

|  |
|--|
|  |
|  |
|  |
|  |
|  |

*For*  Deputy SHPO  
Timothy A. Parsons  
State Historic Preservation Officer  
Florida Division of Historical Resources

7/1/2016  
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

October 5, 2016

Ms. Ann Broadwell  
District Four Environmental Administer  
Florida Department of Transportation, District IV  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309

Subject: Sole Source Aquifer Review for the FDOT SR 9/I-95 Project Development and Environment (PD&E) Study of mainline improvements to I-95 & new interchange at Central Blvd in Palm Beach Cty, Florida - FM No. 413265-1-22-01; ETDM No. 13748

Dear Ms. Broadwell:

The U.S. Environmental Protection Agency (EPA), Region 4, received your July 26, 2016 request to assess the above referenced project and we reviewed it pursuant to Section 1424(e) of the Safe Drinking Water Act. The assessment is to determine if the project lies within the boundaries (recharge and streamflow source zones) of an EPA designated Sole Source Aquifer (SSA); and to determine if the project poses potential, adverse health or environmental impacts. A sole source aquifer is the sole or principal water source for a designated area. If the aquifer is contaminated, there would be a significant hazard to public health and an economic burden for those using the aquifer to tap into and deliver drinking water from another water source.

The project has been determined to lie **inside** the designated boundaries of the Biscayne Aquifer. Regulatory groups within the EPA responsible for administering other programs may, at their own discretion and under separate cover, provide additional comments

Based on the information provided, the project is not expected to cause a significant impact to the aquifer system. However, it is requested that all debris from any demolition of the existing structures are properly contained and removed from the site prior to construction of the new building. If applicable, contractors should follow all county flood plain management's plans and public notification processes. During construction, it is EPA's understanding and expectation that those responsible for the project will strictly adhere to all Federal, State and local government permits, ordinances, planning designs, construction codes, operation & maintenance requirements, and engineering. All best management practices for erosion and sedimentation control should be followed. State and County environmental offices should be contacted to address proper drainage and storm water designs. Additionally, the project manager should contact State and local environmental officials to obtain a copy of any local Wellhead Protection Plans. <http://www.dep.state.fl.us/swapp/Default.htm>



If proper protection measures are followed, this project is not expected to cause significant adverse impacts to the aquifer. All findings of "no significant impact" are based on EPA's understanding and expectation that those responsible for the project will strictly adhere to all federal, state and local government permits, ordinances, best management practices, planning designs, construction and maintenance requirements, monitoring requirements and engineering recommendations to protect the integrity of the surrounding ground water recharge zones. It is requested that you contact the EPA Region 4 office should there be any major project changes.

Thank you for your concern with the environmental impacts of this project. If you have any questions, please contact me at 404-562-9474.

Sincerely,



Larry T. Cole  
Environmental Engineer  
Ground Water and UIC Section

2016-TA-0484



**Florida Department of Transportation**

**RICK SCOTT  
GOVERNOR**

3400 West Commercial  
Fort Lauderdale

August 2, 2016



U.S. Fish and Wildlife Service  
1339 20<sup>th</sup> Street  
Vero Beach, Florida 32960  
772-562-3909 Fax 772-562-4288

FWS Log No. 2016-I-0489

The U.S. Fish and Wildlife Service has reviewed the information provided and finds that the proposed action is not likely to adversely affect any federally listed species or designated critical habitat protected by the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et. seq.). A record of this consultation is on file at the South Florida Ecological Service Office.

This fulfills the requirements of section 7 of the Act and further action is not required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

Roxanna Hinzman, Field Supervisor

9/12/16  
Date

Mr. John Wrublik  
South Florida Ecological Services Office  
United States Fish and Wildlife Service.  
1339 20th Street  
Vero Beach, Florida 32960

**SUBJECT: USFWS Request for Concurrence**  
SR 9/I-95 at Central Boulevard Interchange  
Financial Management Number: 413265-1-22-01  
ETDM Number: 13748  
County: Palm Beach

Dear Mr. Wrublik:

Florida Department of Transportation (FDOT) District Four is conducting a Project Development and Environment (PD&E) Study for the construction of a new interchange at I-95 and Central Boulevard in Palm Beach County, Florida. The limits of the study area extend along I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 38.775), a distance of 2.0 miles. The project has been evaluated for impacts to threatened and endangered species in compliance with Section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.) and an *Endangered Species Biological Assessment* (ESBA) has been prepared. A copy of the ESBA is enclosed for your review.

Agency coordination to obtain species and habitat related information has occurred through the Efficient Transportation Decision Making (ETDM) Program Screening and the Advance Notification (AN) process. The AN for this project was published on October 5, 2012 and the final ETDM Summary Report was published on January 14, 2013. A summary of the wildlife-related comments received from the resource agencies charged with commenting on project-specific effects to the natural resources and wildlife is provided in the ESBA. The project's class of action was determined by the Federal Highway Administration (FHWA) to be a Type 2 Categorical Exclusion.

In accordance with Section 7(c) of the Endangered Species Act of 1973, as amended, and Chapter 68A-27, Florida Administrative Code (FAC), Rules Pertaining to Endangered and Threatened Species, the I-95 project corridor was evaluated for potential occurrences of federal and state-listed protected plant and animal species. No federally-listed wildlife species were observed in the vicinity of the project corridor during on-site reviews. No evidence of nesting, denning, roosting, or other important habitat components

by listed animal species were observed along the project corridor. The following protected federal animal and plant species were identified as having the potential to occur within the project area and evaluated as part of this ESBA.

| Federally Listed Species Potentially Associated with the Project |                |                      |
|--|----------------|----------------------|
| Species Name   | Listing Status | Occurrence Potential |
| <b>Birds</b>   |                |                      |
| Wood Stork ( <i>Mycteria americana</i> )                         | FE             | Moderate             |
| Everglades Snail Kite ( <i>Rostrhamus sociabilis plumbeus</i> )  | FE             | Low                  |
| Florida Scrub Jay ( <i>Aphelocoma coerulescens</i> )             | FT             | Low                  |
| Red Cockaded Woodpecker ( <i>Picoides borealis</i> )             | FE             | Low                  |
| <b>Reptiles</b>  |                |                      |
| Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )        | FT             | Moderate             |
| American Alligator ( <i>Alligator mississippiensis</i> )         | FT(S/A)        | Low                  |
| <b>Plants</b>  |                |                      |
| Tiny Polygala ( <i>Polygala smallii</i> )                        | FE             | Low                  |

\*FE – Federal Endangered, FT – Federal Threatened, FT(S/A) – Federal Threatened due to similarity of appearance



## **APPENDIX C**

### **Public Hearing Transcript**

### **PUBLIC HEARING TRANSCRIPT CERTIFICATION**

I hereby certify that on September 28, 2016, beginning at 5.30 p.m., I presided over a Public Hearing for the following project:

I-95 at Central Boulevard Interchange

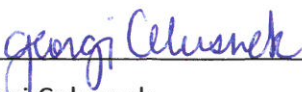
Project Development and Environment (PD&E) Study


I-95 from north of PGA Boulevard (MP 36.783) to Donald Ross Road (MP 40.163)

Palm Beach County, Florida

Financial Management No.: 413265-1-22-01

I further certify that the subject public hearing was conducted relative to the economic and social effects of the location and design concept for the subject project and its impact on the environment, that a transcript was made and the document attached herein is a full, true, and complete transcript of what was said at the hearing, and that the Florida Department of Transportation has considered the social, economic, and environmental effects of the proposed improvement and is of the opinion that it is properly located and should be constructed.

  
\_\_\_\_\_  
Georgi Celusnek  
FDOT Hearing Moderator

  
\_\_\_\_\_  
Date

HIGHWAY LOCATION AND DESIGN CONCEPT  
I-95 at Central Boulevard Interchange PD&E Study

Palm Beach County, Florida

FM# 413265-1-22-01

ETDM#: 13748

PUBLIC HEARING

Date: September 28, 2016

Time: 5:30 p.m. - 7:20 p.m.

Appearances:

Georgi Celusnek, District Project Development Engineer  
State of Florida, Dept. of Transportation, District 4

Ms. Bing Wang, Project Manager with District 4

Mr. Jose Munoz, Consultant Project Manager with  
BBC Engineering

1           MR. MUNOZ: Good evening, everyone. If you  
2           could please take a seat, we're going to start with  
3           the formal part of our hearing this evening.

4           MS. CELUSNEK: Okay. Good evening, ladies and  
5           gentlemen. My name is Georgi Celusnek. I am a  
6           District Project Development Engineer for the  
7           Fourth District of the State of Florida, Department  
8           of Transportation. This hearing is relative to the  
9           potential new interchange along I-95 at Central  
10          Boulevard in Palm Beach County.

11          Here with me tonight are Miss Bing Wang,  
12          Project Manager with the Department of  
13          Transportation, District 4. This is Mr. Jose  
14          Munoz. He is the Consultant Project Manager with  
15          BCC Engineering. There are other representatives  
16          of the Department of Transportation and Consultant  
17          Project Team sitting amongst you.

18          At this time, we would like to recognize any  
19          federal, state, county or city officials who may be  
20          present tonight. Are there any officials who would  
21          like to be recognized?

22          MAYOR TINSLEY: Marcie Tinsley, the Mayor of  
23          Palm Beach Gardens.

24          MS. CELUSNEK: Thank you very much.

25          CITY COUNCILWOMAN MARINO: Marie Marino, City



1 Councilwoman.

2 MS. CELUSNEK: Thank you, ma'am. Okay. Can  
3 we begin the formal presentation, please.

4 PRESENTATION SPEAKER: Good evening. The  
5 Florida Department of Transportation would like to  
6 welcome you to the public hearing for the I-95 and  
7 Central Boulevard interchange. This public hearing  
8 is relative to Financial Management Project Number  
9 413265-1-22-01. The proposed improvement involves  
10 the construction of a new interchange on I-95 at  
11 Central Boulevard in Palm Beach County. The  
12 project limits extend along I-95 from north of PGA  
13 Boulevard to Donald Ross Road.

14 The purpose of this public hearing is to share  
15 information with the general public about the  
16 proposed improvement, its conceptual design, all  
17 alternatives under study and the potential  
18 beneficial and adverse social, economic and  
19 environmental impacts along the community.

20 The public hearing also serves as an official  
21 forum providing an opportunity for the public to  
22 express their opinions and concerns regarding the  
23 project. Public participation at this hearing is  
24 encouraged and solicited without regard to race,  
25 color, national origin, age, sex, religion,

1           disability or family status.

2           There are three primary components to  
3           tonight's hearing: First, the open house, which  
4           occurred prior to this presentation where you were  
5           invited to view the project displays and to speak  
6           directly with the project team and provide your  
7           comments in writing or to the court reporter;  
8           Second, this presentation which will explain the  
9           project purpose and mean, study alternatives,  
10          potential impacts, both beneficial and adverse, and  
11          proposed methods to mitigate adverse project  
12          impacts; and, Third, a formal comment period  
13          following this presentation where you will have the  
14          opportunity to provide oral statements at the  
15          microphone or you may provide your comments to the  
16          court reporter or in writing at the end of this  
17          presentation.

18          This public hearing was advertised consistent  
19          with federal and state requirements. Persons  
20          wishing to express their concerns about Title VI  
21          may do so by contacting either the Florida  
22          Department of Transportation, District 4 Office, or  
23          the Tallahassee office at the Florida Department of  
24          Transportation. This contact information is also  
25          provided in the project brochure and on a sign

1 displayed at this hearing.

2 The Project Development and Environment, or  
3 PD&E, Study phase for planned transportation  
4 projects provides the interface between the  
5 planning and the design phases to evaluate and to  
6 document solutions to transportation needs that are  
7 compatible with the environment. Simply stated,  
8 the PD&E study determines if there is an  
9 engineering and environmentally feasible  
10 alternative to meet the need determined in the  
11 planning phase.

12 This process is mandated by the National  
13 Environmental Policy Act, or NEPA, Federal and  
14 State law. It represents a combined effort by  
15 technical professionals who analyze information and  
16 document the best alternative for a community's  
17 transportation needs.

18 A PD&E study has three main components: An  
19 engineering component which entails the  
20 identification and analysis of potential design  
21 solutions, an environmental component to evaluate  
22 potential impacts to the natural, social and  
23 physical environments and a public involvement  
24 component to inform and involve all interested  
25 parties in the development of the planned

1           transportation project.

2           The project is consistent with local and  
3           regional plans including the Palm Beach County  
4           Metropolitan Planning Organization, MPO,  
5           Transportation Improvement Program and Long Range  
6           Transportation Plan as well as the FDOT State  
7           Transportation Improvement Program.

8           The project was identified as a priority  
9           project in the MPO 2014 Priority Projects Report  
10          that was adopted in September of 2014. The MPO  
11          works with the Florida Department of Transportation  
12          and local governments to fund and implement  
13          critical projects. The MPO is composed of local  
14          elected officials from Palm Beach County, FDOT and  
15          the City of Palm Beach Gardens, as well as other  
16          municipalities within Palm Beach County.

17          The following slides will discuss the design  
18          alternatives that were evaluated for the I-95 and  
19          Central Boulevard interchange PD&E Study.

20          The proposed Central Boulevard interchange is  
21          located between the two existing interchanges of  
22          Donald Ross Road and PGA Boulevard/Military Trail  
23          interchange complex.

24          The purpose of the project is to improve  
25          operational capacity and overall traffic operations

1 by determining if a new interchange at Central  
2 Boulevard at I-95 will relieve traffic congestion  
3 at the existing interchange of I-95 and PGA  
4 Boulevard. Conditions at PGA Boulevard are  
5 anticipated to deteriorate below acceptable levels  
6 of service, LOS, standards if no improvements occur  
7 by 2035. The interchange will have insufficient  
8 capacity to accommodate the projected travel  
9 demand.

10 Improvements in the area of the I-95/PGA  
11 Boulevard interchange are needed in order to  
12 improve operational capacity and overall traffic  
13 operations or level of service, accommodate future  
14 population and employment growth, enhance freight  
15 mobility and enhance emergency evacuation and  
16 response times.

17 An Interchange Justification Report, or IJR,  
18 was approved by the Federal Highway Administration,  
19 FHWA, in November of 2015.

20 The IJR initially considered twenty-five  
21 different interchange options including other  
22 locations. It projected an annual savings of 1.4  
23 million hours of delay at area intersections due to  
24 the shift of demand to a new interchange at Central  
25 Boulevard.

1           It proposed preliminary concepts of two I-95  
2           mainline alternatives, a collector distributor or  
3           CD road, and a braided ramp system. It also  
4           proposed a preliminary concept of one interchange  
5           alternative, the tight diamond.

6           The shift in demand to the new interchange is  
7           projected to produce widespread reductions in  
8           traffic volumes and intersection delays, shown here  
9           in green, with the consequent increase in traffic  
10          volumes and intersection delays north of the  
11          interchange, shown here in red.

12          The no build alternative was evaluated as a  
13          base line condition compared to the build  
14          alternatives. While it would involve no impacts,  
15          the no build alternative fails to meet the purpose  
16          and need for the project. Congestion within the  
17          project limits will not be reduced. Operational  
18          capacity will not be improved during emergency  
19          evacuations and mobility will not be improved  
20          within the city of Palm Beach Gardens. The no  
21          built alternative remains a viable alternative  
22          through the PD&E process.

23          Along I-95, between Military Trail interchange  
24          and the proposed interchange at Central Boulevard,  
25          there would be a mix of on-ramp and off-ramp



1 traffic that would create what is termed a weaving  
2 section. One proposed treatment for this a  
3 collector distributor or CD road on either side of  
4 the I-95 travel lanes. The on-ramp and off-ramp  
5 travel streams would cross on this CD road instead  
6 of the I-95 travel lanes.

7 South of Central Boulevard, a CD road would be  
8 constructed on either side of I-95. It would  
9 include three 12-foot lanes and two 12-foot  
10 shoulders.

11 North of Central Boulevard, in addition to the  
12 existing travel lanes, the I-95 section would  
13 include two 12-foot auxiliary lanes in the  
14 northbound direction, one 12-foot auxiliary lane in  
15 the southbound direction, 12-foot outside shoulders  
16 and 14-foot inside shoulders.

17 In addition to the right-of-way already  
18 available, this CD road alternative would involve  
19 acquiring slightly under ten acres total from ten  
20 different parcels.

21 The second alternative proposed for the  
22 weaving section is a braided ramp system. The  
23 northbound off-ramp to Central Boulevard and the  
24 southbound off-ramp to Military Trail would use a  
25 bridge to pass over the on-ramps below them. This

1 system separates the on and off-ramp traffic  
2 streams from each other in addition to separating  
3 them from the I-95 travel lanes.

4 South of Central Boulevard, the Central  
5 Boulevard off-ramp would be two 12-foot lanes with  
6 8-foot and 12-foot shoulders. The Military Trail  
7 off-ramp would be one 15-foot lane with 6-foot  
8 shoulders on both sides. The on-ramps would be one  
9 15-foot lane with 6 foot shoulders on both sides.

10 North of Central Boulevard, the I-95 section  
11 will be the same as for the CD road alternative.

12 In addition to the right-of-way already  
13 available, the braided ramp alternative would  
14 involve acquiring slightly more than ten acres  
15 total from ten different parcels. Both  
16 alternatives would involve acquiring 1.33 acres  
17 from the parcel owned by Palm Beach County and  
18 proposed for future use as a county park. The  
19 recommended alternative for the I-95 weaving  
20 section is the CD road. Compared to the braided  
21 ramp alternative, the CD road alternative is  
22 projected to provide adequate traffic capacity  
23 beyond the 2040 design year, avoids the  
24 construction and appearance of two new bridges for  
25 the on-ramps and has an estimated construction cost

1 over thirteen million dollars less than the braided  
2 ramp alternative.

3 For the Central Boulevard interchange, two  
4 potential interchange configurations were studied.  
5 One interchange alternative was the tight diamond  
6 interchange. Its construction would affect I-95  
7 from just north of the PGA Boulevard interchange at  
8 the south end to the Donald Ross interchange at the  
9 north end and along Central Boulevard for  
10 approximately fifteen hundred feet on either side  
11 of the interchange.

12 West of the interchange, Central Boulevard  
13 northbound would be expanded to two 11-foot travel  
14 lanes, two 11-foot auxiliary lanes, a 7-foot  
15 buffered bicycle lane, an 11-foot auxiliary lane  
16 and a 10-foot sidewalk. In the southbound  
17 direction would be two 11-foot travel lanes, a  
18 7-foot buffered bicycle lane and a 10-foot  
19 sidewalk.

20 East of the interchange, the reverse would  
21 occur. Central Boulevard southbound would be  
22 expanded to two 11-foot travel lanes, two 11-foot  
23 auxiliary lanes, a 7-foot buffered bicycle lane, an  
24 11-foot auxiliary lane and a 10-foot sidewalk. In  
25 the northbound direction would be two 11-foot

1 travel lanes, a 7-foot buffered bicycle lane and a  
2 10-foot sidewalk.

3 The Central Boulevard bridge over I-95 would  
4 be expanded to include in each direction two  
5 11-foot travel lanes, two 11-foot left turn lanes,  
6 a 7-foot buffered bicycle lane and a 10-foot  
7 enclosed sidewalk. The total bridge width would  
8 increase from 107 feet 6 inches to 134 feet 6  
9 inches.

10 In addition to the right-of-way already  
11 available, the tight diamond interchange  
12 alternative would involve acquiring a little less  
13 than one and a half acres from one parcel in the  
14 northeast quadrant.

15 The second interchange alternative examined  
16 was the diverging diamond interchange or DDI. In  
17 the DDI alternative, drivers briefly cross to the  
18 left or opposite side of the road at carefully  
19 designed crossover intersections. Drivers travel  
20 for a short distance, then cross back to the  
21 righthand side of the road. The design allows for  
22 free-flow movements for the left and right turns to  
23 and from the I-95 ramps onto Central Boulevard  
24 without crossing the path of opposing traffic.  
25 This interchange does not require a signal for left

1        turning vehicles, thus allowing more green time for  
2        opposing traffic.

3                The DDI alternative would involve replacing  
4        the existing Central Boulevard bridge over I-95  
5        with a pair of bridges. On each would be three  
6        lanes for through and turning traffic, an 8-foot  
7        shoulder next to the outer edge and a 7-foot  
8        buffered bicycle lane and 6-foot covered sidewalk  
9        next to the inner edge.

10              In addition to the right-of-way already  
11        available, the diverging diamond interchange  
12        alternative would involve acquiring a little over  
13        two acres total from three parcels.

14              The recommended interchange alternative is the  
15        tight diamond. Compared to the DDI, it is more  
16        familiar to drivers, provides adequate traffic  
17        capacity, requires right-of-way acquisition from  
18        fewer parcels and has an estimated construction  
19        cost approximately ten million dollars less than  
20        the DDI.

21              The recommended build alternative combination  
22        of the CD road with the tight diamond interchange  
23        is estimated to have a construction cost of 33.9  
24        million dollars and an estimated right-of-way  
25        acquisition cost of 7.9 million dollars, for a

1 total of 41.8 million dollars. The estimated total  
2 costs of the other combinations range from 52.2  
3 million to 65.8 million dollars. Right-of-way  
4 needs are similar, ranging from 11.3 to 12.2 acres.

5 Although this project does require some  
6 right-of-way acquisition, no relocation of families  
7 or businesses is anticipated. All right-of-way  
8 acquisition will be conducted in accordance with  
9 the Federal Uniform Relocation Assistance and Real  
10 Property Acquisition Policies Act of 1970, commonly  
11 known as the Uniform Act.

12 We will now discuss potential environmental,  
13 social and physical impacts that would result in  
14 construction of the recommended alternative.  
15 Environmental reports that provide additional  
16 information about the studies that were conducted  
17 and possible impacts are also available for your  
18 review here tonight.

19 Project information is also available for  
20 review until October 13, 2016 at the FDOT, District  
21 4 office, located at 3400 West Commercial  
22 Boulevard, Fort Lauderdale, Florida, 33309, at Palm  
23 Beach Gardens City Hall, 10500 North Military  
24 Trail, Palm Beach Gardens, Florida, 33410, and on  
25 the study website [www.95pgacentralblvd.gov](http://www.95pgacentralblvd.gov).

1           The project has been evaluated to determine  
2           possible impacts to floodplains. The project is  
3           not located within the 100-year floodplain.  
4           Accordingly, it has been determined that there will  
5           be no significant floodplain impacts associated  
6           with construction of the recommended alternative.

7           Impacts to wetlands were evaluated. No  
8           impacts to natural wetland areas are anticipated.  
9           However, the proposed project will impact  
10          approximately 8.1 acres of existing storm water  
11          swales and 1.3 acres of other surface waters.

12          All reasonable measures to avoid or minimize  
13          impacts to wetlands were considered during  
14          development of the design concept. Additional  
15          efforts to reduce impacts to wetlands will be  
16          evaluated during final design.

17          Construction techniques which minimize  
18          possible impacts will also be recommended.  
19          Although not anticipated, if required by regulatory  
20          agencies, mitigation will be proposed to offset  
21          unavoidable impacts. Coordination concerning  
22          wetland impacts will continue during the design  
23          phase.

24          A water quality impact evaluation was  
25          conducted. The proposed storm water treatment



1 design will include measures to assure that no  
2 adverse water quality impacts would result from  
3 construction of the recommended alternative. The  
4 design will comply with all water quality  
5 requirements of the South Florida Water Management  
6 District.

7 Threatened and endangered species are afforded  
8 special protection under the Endangered Species  
9 Act. An assessment of possible impacts to these  
10 species was conducted. A number of protected  
11 wildlife species, including wading birds and  
12 Woodstorks, occur in the vicinity of the  
13 recommended alternative. Impacts to these species  
14 would be expected to be minimal. It is likely that  
15 the Eastern Indigo snake occurs in the project  
16 area. Special provisions required by the U.S. Fish  
17 and Wildlife Service would be implemented to  
18 protect this species during construction.

19 Public parks, recreation areas, wildlife and  
20 waterfowl refuges and historic sites are afforded  
21 special protection by the Federal Government under  
22 Section 4(f) of the 1966 U.S. Department of  
23 Transportation Act, as amended. Impacts to these  
24 areas are allowed only if there are no prudent and  
25 feasible alternatives. The Federal Highway

1 Administration may require mitigation for these  
2 impacts. Opportunity for public input concerning  
3 these impacts is required. Two properties  
4 protected under Section 4(f) occur within the  
5 project limits.

6 The Palm Beach Gardens City Park on the west  
7 side of I-95 south of Central Boulevard is  
8 protected under Section 4(f). No direct impacts to  
9 this park would occur. The Federal Highway  
10 Administration determined that there would be no  
11 direct or constructive use of this resource.

12 On the west side of I-95 south of Central  
13 Boulevard, Palm Beach County owns an undeveloped  
14 approximately eighty acre parcel with the intent to  
15 develop the property as a future district park.  
16 The Federal Highway Administration determined that  
17 this future park is protected under Section 4(f).  
18 The park is located within the city of Palm Beach  
19 Gardens. Currently, there are no activities or  
20 facilities on the park property and no access is  
21 provided.

22 The County has developed a draft master plan  
23 for the park, but no final plans have been approved  
24 by the Palm Beach County Board of County  
25 Commissioners or the Palm Beach Gardens City

1 Council.

2 Construction of the recommended alternative  
3 would involve acquiring approximately 1.33 acres of  
4 this parcel intended for a future park. To offset  
5 this impact, FDOT and Palm Beach County are  
6 negotiating the terms of a transfer to the County  
7 of an FDOT parcel. Because the City of Palm Beach  
8 Gardens has a conservation easement on the 1.33  
9 acres within the potential park site, the City and  
10 Palm Beach County are negotiating the terms for  
11 extending the conservation easement onto the  
12 transferred parcel.

13 Your comments concerning the proposed impacts  
14 to the possible planned future facilities,  
15 activities and attributes on the future Palm Beach  
16 County park are encouraged.

17 A study was conducted to evaluate potential  
18 impacts to cultural resources within the project  
19 corridor. The State Historic Preservation Officer  
20 determined that construction of the recommended  
21 alternative would have no adverse effect on any  
22 national register eligible historic or  
23 archeological resources.

24 A contamination screening evaluation was  
25 conducted to identify potential hazardous materials

1           and petroleum contamination involvement.  
2           Properties located within or near the proposed  
3           project limits were evaluated. Three sites were  
4           identified to have a high or medium risk of  
5           potential contamination involvement. Additional  
6           investigation of potential contamination related  
7           risks will be conducted during the design phase of  
8           the project.

9           An air quality assessment was conducted to  
10          determine potential impacts resulting from the  
11          proposed improvements. The project is located in  
12          an area currently designated as being in attainment  
13          under the Clean Air Act. The recommended build  
14          alternative was subject to an air quality  
15          assessment. This project meets the maximum air  
16          quality standards established by the U.S.  
17          Environmental Protection Act.

18          A noise study was conducted in accordance with  
19          Federal Highway Administration approved procedures  
20          to evaluate potential noise impacts from the  
21          recommended alternative. Noise barriers are  
22          potentially feasible and cost reasonable in three  
23          areas. These three areas will be evaluated further  
24          during final design. As numbered in the Noise  
25          Study Report, they are: Recommended noise barrier

1           number 1, along the eastern edge of Garden Lakes  
2           along Military Trail; recommended noise barrier  
3           number 5, along the western edge of Winchester  
4           Court along Military Trail; and recommended noise  
5           barrier number 8, along the western edge of Quaye  
6           Apartments along I-95. Temporary noise impacts  
7           during construction may occur.

8           If you have an additional questions about  
9           noise impacts, a noise specialist is here tonight  
10          to address your individual questions and concerns.

11          The design phase is fully funded and a  
12          consultant has been selected. The design task  
13          moving forward is contingent on FHWA acceptance of  
14          the recommended alternative. Right-of-way purchase  
15          funds are programmed in the fiscal year beginning  
16          July 1st, 2020. Construction funds are programmed  
17          in the Strategic Intermodal System Approved Second  
18          Five Year Plan in the fiscal year beginning July 1,  
19          2023.

20          The proposed improvements were documented in  
21          the engineering and environmental studies conducted  
22          for this project. These documents and preliminary  
23          plans showing the proposed interchange are  
24          available here tonight. Project information is  
25          also available for review at the FDOT, District 4

1 Office, located at 3400 West Commercial Boulevard  
2 Fort Lauderdale, Florida, 33309, at Palm Beach  
3 Gardens City Hall, 10500 North Military Trail, Palm  
4 Beach Gardens, Florida, 33410, and on the study  
5 website [www.95pgacentralblvd.com](http://www.95pgacentralblvd.com).

6 There have been various opportunities for the  
7 public to provide input on this project. Several  
8 public meetings have been held dating from  
9 January 22nd, 2015 until tonight. We welcome any  
10 oral or written comments you might have that will  
11 help us make this important decision.

12 At the conclusion of this presentation, our  
13 personnel will distribute speaker cards to those in  
14 the audience who have not received one and would  
15 like to make a statement. A court reporter will  
16 record your statement and a verbatim transcript  
17 will be made of all oral proceedings at this  
18 hearing.

19 If you do not wish to speak at the microphone,  
20 you may present your comments in writing or  
21 directly to the court reporter at the comments  
22 table. Each method of submitting a comment carries  
23 equal weight. Written comments received or  
24 postmarked no later than ten days following the  
25 date of this public hearing will become a part of

1       the public record for this public hearing. All  
2       written comments should be mailed to the address  
3       shown here or in your handout.

4               The next step is to incorporate your input on  
5       this public hearing into our decisionmaking  
6       process. After the comment period closes and your  
7       input has been considered, a decision will be made  
8       and the final PD&E document will be sent to the  
9       Federal Highway Administration for location and  
10      design concept acceptance. This project has and  
11      will continue to be undertaken within all  
12      applicable state and federal rules and regulations.

13              Thank you. This concludes our presentation.  
14      We will now offer you the opportunity to make a  
15      public statement.

16              MS. CELUSNEK: Anyone desiring to make a  
17      statement or present written views and/or exhibits  
18      relative to the location, the conceptual design,  
19      socioeconomic effects or impact on the environment  
20      as a result of this project will now have an  
21      opportunity to do so. This is an opportunity for  
22      you to formally present your comments, opinions and  
23      ideas about the project for the permanent record.  
24      We ask that you limit your comments to three  
25      minutes and if you have additional comments, you



1           may continue after other people have had the  
2           opportunity to comment. We will have staff  
3           available after the comment period to address any  
4           questions one on one.

5           If you are holding a speaker's card, please  
6           pass your cards to the aisle and our staff will  
7           collect them. If you have not received a card and  
8           wish to speak, please raise your hand and our staff  
9           will provide you with one.

10          I would like to remind you that this is not a  
11          question and answer session or debate but an  
12          opportunity for you to provide your input for  
13          consideration by our project team as we move  
14          forward with selecting a final alternative. Staff  
15          will remain after the public comment period to  
16          address specific comments, questions or concerns.

17          Are there any elected public officials who  
18          would like to make a comment at this time?

19          CITY COUNCILWOMAN MARINO: Sure. I'm not so  
20          shy. For the record, Maria Marino, 906 Windemere  
21          Way, Palm Beach Gardens, Florida, and I am a Palm  
22          Beach Gardens City Councilwoman and my question is  
23          have you taken into consideration all of the  
24          projects that will be coming on-line in the next  
25          few years in our city, i.e, the FP&L project that's

1           going to be next to Military, the Military exit of  
2           95? Have you taken into consideration the spine  
3           road in Alton and the commercial pieces in there?  
4           Has that been considered in your plans? And  
5           there's more, but I mean if you're not going to  
6           build 'til 2024, shouldn't projects that are  
7           occurring between now and then be taken into  
8           consideration?

9           MR. MUNOZ: So it was taken into consideration  
10          at the time of the approved Palm Beach County MPO  
11          model. Some of those projects that you're --  
12          there's some that are and there's some that were  
13          not.

14          MS. CELUSNEK: Are there any officials  
15          representing federal, state or local government  
16          agencies that would like to make a comment at this  
17          time?

18          (no response.)

19          MS. CELUSNEK: Okay. We will now call on  
20          those who have turned in cards. When you come  
21          forward, please state your name and address. If  
22          you represent an organization, municipality or  
23          other public entity, we would appreciate that  
24          information as well. Please use the microphones so  
25          that our reporter will be sure to get a complete

1 record of your comments. Just speak naturally.  
2 The volume will be adjusted so the rest of us can  
3 hear you.

4 MR. MUNOZ: Okay. Mr. Don Mathis, 146 Gordon  
5 Drive, Palm Beach Gardens, 33418, representing  
6 himself.

7 MR. MATHIS: Council Member Maria -- Marino,  
8 I'm sorry, Maria Marino, there we go, your question  
9 about whether they considered the growth on Alton  
10 and those places, the real issue on this, and if  
11 you go back to the original part of your  
12 presentation, it says this is to rate the traffic  
13 on PGA Boulevard. The question at the MPO,  
14 Citizens Advisory Committee put to them by the  
15 chairman was did you consider the million square  
16 feet for FP&L, did you consider this stuff and 5A  
17 and D next to it over there and the answer was no,  
18 we didn't. It wasn't all there then. That is the  
19 key to this whole thing. This road, it may be  
20 needed some day, but it's not going to relieve PGA  
21 Boulevard. If you look at the numbers I have and  
22 what's interesting, and I'll show this to the  
23 people that haven't been involved in this pretty  
24 much, this is the original IJR. It was February,  
25 wasn't November 15. The one that came out in

1 November cut your numbers fifty percent in a lot of  
2 cases and when you look at that, you still look at  
3 a problem.

4 There's a section of the road, if you look at  
5 your graph here, you talked in a very technical  
6 presentation and I'll go out on a limb and say  
7 nobody was really concerned about whether that  
8 bridge was going to be 134 feet and 5 inches across  
9 or 124 feet, but they are concerned that if you  
10 look at your traffic estimations in 2004 out of  
11 your current IJR, the traffic between Hood Road and  
12 Central Boulevard interchange, if you built this,  
13 would be the same as the traffic on PGA Boulevard  
14 west of Military Trail. That's a six-lane road  
15 with extra turn lanes, unbelievable construction,  
16 and you're going to put that traffic in there and  
17 when you start looking up and down with your  
18 numbers, and we had a report here, I know the Mayor  
19 sent me a little memo awhile ago that Central's not  
20 going to need to be improved because we don't  
21 exceed the four-lane capacity under the traffic  
22 counts and other traffic engineers here can tell  
23 you what those numbers are, I can't, but when you  
24 look at the peak hour, which you guys are talking  
25 about doing, those peak hour traffic, this is a

1 collector road for the neighborhood, for the people  
2 that live along here. Your original IJR said it  
3 was a major truck route connecting traffic to US-1.  
4 That's how far off it was originally and hasn't  
5 gotten much better because I heard about freight  
6 was going to be on this road. It's not a road  
7 that's used for that. It's a road that connects to  
8 the five schools in peak hour in the morning and  
9 peak hour in the afternoon. If you look at four  
10 peak hours, two in the morning and two in the  
11 afternoon, you get about sixty percent of the total  
12 traffic on that road by 2040. You're talking about  
13 massive congestion and at school rush hour with two  
14 high schools and young kids, you're talking about  
15 five total schools in there and you're going to put  
16 this in and yet when you go back and you look at  
17 your numbers, and I have a sheet here somewhere I  
18 drew up awhile ago, you're going to release,  
19 between a no build alternative and a build  
20 alternative for this interchange, you're going to  
21 reduce the traffic on PGA Boulevard between the  
22 Turnpike and I-95 two hundred trips in peak hour,  
23 two hundred trips. Now, based on about four or  
24 five thousand, that's almost no reduction at all  
25 and you still haven't counted in almost two million

1 square feet of property that's going to be  
2 developed in the city for the new downtown that's  
3 becoming Palm Beach Gardens' real base.

4 You've got to put this on hold. You've got to  
5 take a comprehensive look. If you go back and look  
6 right now, the traffic on PGA Boulevard, you got a  
7 thousand trips a day coming out of the peak hour  
8 off the Turnpike and you can track them all the way  
9 west of I-95. You gotta start getting everybody in  
10 here. You've got to get the Turnpike in. You've  
11 got to get the County. You've got to do a  
12 comprehensive study on how to relieve PGA Boulevard  
13 and I-95, and I know I'm over time with it, but  
14 when you look at your interchange, when you did  
15 this study, you did twenty-six alternatives, right?  
16 Did any of them look at any ramp alignment, any  
17 changes at all at PGA Boulevard interchange? The  
18 answer is no. How can you do that when you're  
19 trying to relieve PGA Boulevard, and you're looking  
20 at your million fours, is that the number of delay?  
21 How much of that is on the two ramps off of PGA  
22 Boulevard for I-95 onto PGA? About sixty percent,  
23 so basically you're not taking much out of that  
24 neighborhood. You're killing the main roads  
25 through our communities and yet you're not

1           relieving the road that's going to be a massive  
2           problem for us. Stop, put it on the shelf. Some  
3           day you may need it. Get a comprehensive study and  
4           let's fix PGA so it works for the good things our  
5           City Council's been doing in developing one of the  
6           great downtowns in south Florida right now, so that  
7           you won't have the interchange in the middle of  
8           neighborhoods in the entire county and you're going  
9           to wreck one of the best cities by doing it. It's  
10          just not right. You started a bad premise. The  
11          only thing you looked at in PGA was not going to  
12          eight lanes. You can't do that. You've got to go  
13          back and slow down and go take a look and fix PGA  
14          Boulevard.

15                 MS. CELUSNEK: Okay. Thank you for your  
16                 comment.

17                 MR. MUNOZ: It's Betsy Strasser.

18                 MS. STRASSER: I couldn't agree more with some  
19                 in many ways and you have young children, bothers  
20                 me more the elementary schools. You have a lot of  
21                 children that walk. I don't care if you make the  
22                 sidewalks ten feet, they're still going to cross  
23                 the street somewhere. A car's still going to  
24                 become crazy at some point and hit somebody. If  
25                 you put in Nova, you've got six schools. It's so

1           close to so many schools and you didn't even put  
2           the two elementary schools on your map.

3           Environmentally, you can't do anything without  
4           affecting the environment and it's interesting that  
5           you went onto the snakes and not the Woodstorks  
6           which do congregate in that area.

7           When Timber Trace gets out of school and goes  
8           to school in the morning, that road is clogged.  
9           It's totally clogged as it is and now you want to  
10          put more traffic on it. I just feel that you're in  
11          the middle of producing more problems than you're  
12          going to solve and you have what, a mile away, a  
13          mile and a half away, you have all these other  
14          interchanges coming off of 95. Again, you need to  
15          take the Turnpike into consideration, too, and you  
16          know that with these green spaces, some day you're  
17          just going to widen them to be part of the road and  
18          we're just going to look like some northern city  
19          and lose what we used to have here. Progress is  
20          fine, but progress needs to have some planning and  
21          until the county and the towns start planning  
22          together and we stop with these three, four,  
23          thousand, five thousand places west of town that  
24          are going to impact everything, it needs to be --  
25          we're not, we're not an entity. It needs to be an



1           entirety. Thank you.

2           MR. MUNOZ: Linda Mencino.

3           MS. MENCINO: Hello. I live at 12724 Woodmill  
4           Drive. I'm in Westwood Lakes and I use Central  
5           Boulevard quite a bit and the gentleman was right.  
6           It's a, it's a feeder road into neighborhoods. It  
7           just doesn't go with an interchange onto 59, so I  
8           was just going to go on record by saying if it has  
9           to happen, I like the alternative where it comes in  
10          from Military Trail, I don't remember the name of  
11          the design, but it comes in from Military Trail,  
12          close to there. Plus, if they're doing the FP&L,  
13          they're, you know, building there, seems that that  
14          would be easier for that to get onto I-95, kind of  
15          doing a frontage road and it seems that there's not  
16          so much bridge and expanding road, Central  
17          Boulevard. I can't even imagine Central Boulevard  
18          ten lanes and ten foot sidewalk. I just, I just  
19          can't picture it. If you look at these pictures, I  
20          just can't picture it, so I just want to go on  
21          record saying if it has to happen, that is the  
22          route I would like to go.

23          MS. CELUSNEK: Okay. Thank you for your  
24          feedback.

25          MR. MUNOZ: And Mr. Richard Alman.

1                   MR. ALMAN: We live in Hampton Cay at 4045  
2                   Kingston Lane. This is a community that backs up  
3                   to Central Boulevard at PGA on the, on the  
4                   northeast side of that intersection. That  
5                   community's pretty new. We've been living there  
6                   three years since we started and the traffic on  
7                   that street is, I don't know, quite heavy now  
8                   compared to when we first moved in. There are, as  
9                   previously stated, some elementary, well, an  
10                  elementary school and a middle school there at  
11                  117 Court and the traffic, as was stated, is really  
12                  quite heavy during the hours for kids who are being  
13                  dropped off and picked up. There are walkways  
14                  along that street. A lot of people really  
15                  appreciate the quality of life issue that those  
16                  walkways have provided, our ability to walk up and  
17                  down Central Boulevard and cross I-95 without  
18                  having to encounter an intersection and none of  
19                  your plans, none of your renderings show how you're  
20                  going to mitigate the issue of pedestrian and  
21                  bicycle traffic approaching and leaving those  
22                  interchanges. There would be four places where  
23                  they have to push a button and you're talking about  
24                  children on bikes getting out of school as well as  
25                  persons like myself walking and riding our bikes.

1           If, indeed, you're going to mitigate to some  
2           degree the implementation of this interchange which  
3           really is poorly thought out and should not be  
4           constructed in that neighborhood, then your project  
5           plans and your budget should include uninterrupted  
6           and elevated bike and walking lanes across that. I  
7           mean if we're going to be the first place in the  
8           country where this is going to occur, then your  
9           true mitigation of the interchange should at least  
10          consider that. I mean we have issues here, as  
11          previously stated. We have city and county  
12          planners who are allowing way too much development  
13          to occur for this area and it's impossible that  
14          we're going to be able to accommodate this traffic  
15          without traffic tie-ups and, well, I think that's,  
16          I gotta lot more to say, but I've run out of time,  
17          but I appreciate the opportunity to speak to you.  
18          Thank you.

19                MS. CELUSNEK: Appreciate your comments.  
20          Anyone else?

21                MS. STRASSER: Can I just say one more thing?

22                MS. CELUSNEK: Yes.

23                MS. STRASSER: One of the things that bothers  
24          me, too, is the fact that you keep saying, well, it  
25          will be evaluated in the plan. That leaves an

1           awful lot of leeway and when would we be notified?  
2           When it's already approved by you all or what?

3           MS. CELUSNEK: We'll be happy to answer these  
4           specific questions after the formal presentation.

5           MS. STRASSER: All right.

6           MS. CELUSNEK: You can speak to one of the  
7           people on the project team.

8           If no one else desires to speak, I wish to  
9           remind you that written statements and/or exhibits  
10          may be presented in lieu of or as support to oral  
11          statements made here tonight. Written statements  
12          may be sent to the attention of Miss Bing Wang,  
13          Professional Engineer at the Florida Department of  
14          Transportation, District 4 Office, at 3400 West  
15          Commercial Boulevard, Fort Lauderdale, Florida,  
16          33309-3421. If written statements are received  
17          within ten days after the date of this hearing,  
18          they will be included as part of this hearing. The  
19          verbatim transcript of tonight's oral proceedings  
20          together with all the material displayed at this  
21          hearing will be made part of the project  
22          decisionmaking process and will be available for  
23          public review at the district's office in Fort  
24          Lauderdale. Thank you for attending this public  
25          hearing.

1           AUDIENCE MEMBER: I just had a question on  
2           your ten days. Is that ten business days or ten  
3           calendar days?

4           MR. MUNOZ: It's until October 13th.

5           MR. FOLEY: Hi. I'm Kevin Foley. I am  
6           privileged to represent Palm Beach and Martin  
7           County on the Treasure Coast Regional Planning  
8           Council for twenty something years. I was also on  
9           the Palm Beach County Planning and Zoning Board for  
10          twenty years, so I attend a lot of these and I was  
11          just curious about this one because I traverse this  
12          often and I just came to look, but I'm struck by a  
13          couple of comments. One was how did this get  
14          started and why is it being built? I was told, I  
15          thought I understood it was to relieve PGA  
16          Boulevard and then some of the comments tonight led  
17          me to believe that it really won't relieve PGA  
18          Boulevard that much.

19          Another one that stuck out in the discussion  
20          was that many of the projects that are planned and  
21          we know are coming, they're in various stages of  
22          approval or construction and yet they haven't been  
23          counted in the traffic counts, so my opinion would  
24          be that that's invalid.

25          Another question is have all the ghost trips

1           that are attributed to this general area been  
2           accounted for? For those that don't know what  
3           ghost trips are, it's when projects are approved  
4           for X number of units and aren't built out to that  
5           capacity, they end up with ghost trips that will  
6           never be built. When PGA National, for example,  
7           was approved for sixty-five or sixty-six hundred  
8           units, but they used well units one time, I  
9           believe, and somebody may be from PGA in here, I  
10          think it got built out at about fifty-five or  
11          fifty-six hundred units. The thousand units, plus  
12          or minus, are ghost trips or ghost units that will  
13          obviously never generate any traffic, so those  
14          kinds of things, and I'm not here to criticize  
15          or -- I'm just, I've probably seen a hundred and  
16          fifty, maybe two hundred of these. These are  
17          questions that just sitting there out of curiosity  
18          occurred to me, so if you could tell me if the  
19          original reason was to relieve PGA and it's not  
20          going to relieve PGA, it doesn't appear, why are  
21          you, why is it still being built? Maybe it's still  
22          needed for another reason, and the other is you  
23          need to take a new look at it, given that the  
24          projects that at least Palm Beach Gardens knows are  
25          coming ought to be counted in the, in a newer plan.

1           MAYOR TINSLEY: For the record, Marcie  
2           Tinsley, the Mayor of Palm Beach Gardens, and I  
3           didn't want to speak in the beginning because I  
4           wanted the opportunity to hear all of the comments  
5           that were mentioned here today and I'm happy to  
6           fill out a card if I need to. A few things, we've  
7           discussed this and I know you've been here before.  
8           We've had an opportunity to speak with you in  
9           regards to the different alternatives. Our council  
10          has spoken about the various alternatives. I know  
11          that you've had an opportunity to go to the MPO.  
12          This coming up council meeting which will be the  
13          first Thursday of October, we will be discussing  
14          this as a council and providing our written  
15          comments to you, but we do share a lot of the  
16          concerns that were mentioned here tonight. I know  
17          we've spoken with the county in regards to a  
18          comprehensive approach because we do want to make  
19          sure, as Council Member Maria Marino mentioned,  
20          that the traffic associated with the approved  
21          ordinances are in this traffic report that you, or  
22          in the traffic that you consider and that is  
23          important to us and we would like to make sure. I  
24          know that you have to have a cutoff date, but the  
25          traffic is exponentially different and we want to

1           make sure that that is incorporated, but again,  
2           we'll have a conversation with the entire council  
3           and collectively as a council, we will provide our  
4           written comments and everyone's welcome to attend  
5           that meeting. Thank you.

6           MS. CELUSNEK: Thank you. Okay. Anyone else?  
7           (no response.)

8           MS. CELUSNEK: All right. Thank you for  
9           attending the public hearing and for providing your  
10          input into this project. At 6:50 p.m., this  
11          hearing is officially adjourned. Thank you and  
12          goodnight.

13          (Public Hearing adjourned.)

14          MS. LABARBIERA: Hi. I just wanted to give  
15          you my feedback. My name is Kimberly Labarbiera,  
16          L-a-b-a-r-b-i-e-r-a. I'm a resident at 12218  
17          Tillinghast Circle. I live in a development called  
18          Old Palm. I am a year round resident, so I live  
19          here full-time. I live right off of Central  
20          Boulevard. I access the road all the time. It is  
21          a small community neighborhood. We do not need any  
22          highway traffic coming into our neighborhood  
23          streets. Children ride bicycles, parents ride  
24          their kids to school. I have two children that  
25          attend schools right in the development, in the



1 community. We don't need Interstate 95. It will  
2 not relieve anything in PGA. Anybody who wants to  
3 get to Donald Ross, there's an exit off of 95 and  
4 if they want PGA, they'll get off of PGA. Central  
5 Boulevard, Hood Road is strictly for the  
6 neighborhood and the people who live there. It  
7 will not relieve any traffic, and that's all I want  
8 to say. Thank you.

9 MS. CASAGRANDE: My name is Cheryl Casagrande,  
10 C-a-s-a-g-r-a-n-d-e. I live in Paloma, single  
11 family homes, and there are many homeowners that  
12 are very concerned that this project is being  
13 dumped into a beautiful area in Palm Beach Gardens  
14 and it's all residential homes, million dollar  
15 homes, half a million dollar homes and we have five  
16 schools and there is only a small amount of space  
17 between where the exit and entrance is now between  
18 PGA and Donald Ross. I don't know why they're  
19 taking this project and dumping it into the middle  
20 of this beautiful area. This is a residential area  
21 and we all feel that this should be moved to a site  
22 that's a commercial site and not a residential  
23 area. From what I can see, the interchanges now  
24 that exist from PGA and Donald Ross, everything  
25 from 95 enters and exits on a commercial site.

1           This is the only project that is going to enter and  
2           exit in a residential area and a very large  
3           residential area, including schools, so I would  
4           love for them to find another alternative on behalf  
5           of our development Paloma and we're going to try to  
6           fight it because this would just destroy all of  
7           those homes, all the schools and most of Palm Beach  
8           Gardens. Thank you.

9                   (Public Hearing concluded.)

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1 THE STATE OF FLORIDA)

2 COUNTY OF PALM BEACH)

3

4 I, Angela F. Adler, Court Reporter, certify  
5 that I was authorized to and did stenographically report  
6 the Hearing, and that this Transcript is a true and  
7 complete record of my stenographic notes.

8 I further certify that I am not a relative,  
9 employee, attorney or counsel of any of the parties, nor  
10 am I a relative or employee of any of the parties'  
11 attorney or counsel connected with the action, nor am I  
12 financially interested in the action.

13 Dated this 10th day of October, 2016.

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*Angela F. Adler*

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Angela F. Adler, CR

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| <b>A</b>                                  |  |  |                                       |                                       |
|---|--|--|---------------------------------------|---------------------------------------|
| <b>ability (1)</b><br>32:16               | 23:16 24:21                                | <b>Alman (2)</b><br>31:25 32:1             | 36:20                                 | 35:10 38:4,25                         |
| <b>able (1)</b><br>33:14                  | <b>adequate (2)</b><br>10:22 13:16         | <b>alternative (37)</b><br>5:10,16 8:5,12  | <b>appearance (1)</b><br>10:24        | <b>attending (2)</b><br>34:24 38:9    |
| <b>acceptable (1)</b><br>7:5              | <b>adjourned (2)</b><br>38:11,13           | 8:15,21,21                                 | <b>Appearances (...)</b><br>1:11      | <b>attention (1)</b><br>34:12         |
| <b>acceptance (2)</b><br>20:13 22:10      | <b>adjusted (1)</b><br>25:2                | 9:18,21 10:11                              | <b>applicable (1)</b><br>22:12        | <b>attorney (2)</b><br>41:9,11        |
| <b>access (2)</b><br>17:20 38:20          | <b>Adler (2)</b><br>41:4,16                | 10:13,19,21,21                             | <b>appreciate (4)</b><br>24:23 32:15  | <b>attributed (1)</b><br>36:1         |
| <b>accommodate ...</b><br>7:8,13 33:14    | <b>Administratio...</b><br>7:18 17:1,10,16 | 11:2,5 12:12                               | 33:17,19                              | <b>attributes (1)</b><br>18:15        |
| <b>accounted (1)</b><br>36:2              | 19:19 22:9                                 | 12:15,17 13:3                              | <b>approach (1)</b><br>37:18          | <b>audience (2)</b><br>21:14 35:1     |
| <b>acquiring (6)</b><br>9:19 10:14,16     | <b>adopted (1)</b><br>6:10                 | 13:12,14,21                                | <b>approaching (1)</b><br>32:21       | <b>authorized (1)</b><br>41:5         |
| 12:12 13:12                               | <b>adverse (5)</b><br>3:18 4:10,11         | 14:14 15:6                                 | <b>approval (1)</b><br>35:22          | <b>auxiliary (6)</b><br>9:13,14 11:14 |
| 18:3                                      | 16:2 18:21                                 | 16:3,13 18:2                               | <b>approved (9)</b><br>7:18 17:23     | 11:15,23,24                           |
| <b>acquisition (5)</b><br>13:17,25 14:6,8 | <b>advertised (1)</b><br>4:18              | 18:21 19:14,21                             | 19:19 20:17                           | <b>available (10)</b><br>9:18 10:13   |
| 14:10                                     | <b>Advisory (1)</b><br>25:14               | 20:14 23:14                                | 24:10 34:2                            | 12:11 13:11                           |
| <b>acre (1)</b><br>17:14                  | <b>affect (1)</b><br>11:6                  | 27:19,20 31:9                              | 36:3,7 37:20                          | 14:17,19 20:24                        |
| <b>acres (10)</b><br>9:19 10:14,16        | <b>afforded (2)</b><br>16:7,20             | 40:4                                       | <b>approximatel...</b><br>11:10 13:19 | 20:25 23:3                            |
| 12:13 13:13                               | <b>afternoon (2)</b><br>27:9,11            | <b>alternatives (10)</b><br>3:17 4:9 6:18  | 15:10 17:14                           | 34:22                                 |
| 14:4 15:10,11                             | <b>age (1)</b><br>3:25                     | 8:2,14 10:16                               | 18:3                                  | <b>avoid (1)</b><br>15:12             |
| 18:3,9                                    | <b>agencies (2)</b><br>15:20 24:16         | 16:25 28:15                                | <b>archeological ...</b><br>18:23     | <b>avoids (1)</b><br>10:23            |
| <b>Act (7)</b><br>5:13 14:10,11           | <b>ago (2)</b><br>26:19 27:18              | 37:9,10                                    | <b>area (13)</b><br>7:10,23 16:16     | <b>awful (1)</b><br>34:1              |
| 16:9,23 19:13                             | <b>agree (1)</b><br>29:18                  | <b>Alton (2)</b><br>24:3 25:9              | 19:12 30:6                            | <b>awhile (2)</b><br>26:19 27:18      |
| 19:17                                     | <b>air (4)</b><br>19:9,13,14,15            | <b>amended (1)</b><br>16:23                | 33:13 36:1                            |                                       |
| <b>action (2)</b><br>41:11,12             | <b>aisle (1)</b><br>23:6                   | <b>amount (1)</b><br>39:16                 | 39:13,20,20,23                        |                                       |
| <b>activities (2)</b><br>17:19 18:15      | <b>alignment (1)</b><br>28:16              | <b>analysis (1)</b><br>5:20                | 40:2,3                                |                                       |
| <b>addition (6)</b><br>9:11,17 10:2,12    | <b>allowed (1)</b><br>16:24                | <b>analyze (1)</b><br>5:15                 | <b>areas (5)</b><br>15:8 16:19,24     | <b>B</b>                              |
| 12:10 13:10                               | <b>allowing (2)</b><br>13:1 33:12          | <b>and/or (2)</b><br>22:17 34:9            | 19:23,23                              | <b>back (5)</b><br>12:20 25:11        |
| <b>additional (5)</b><br>14:15 15:14      | <b>allows (1)</b><br>12:21                 | <b>Angela (2)</b><br>41:4,16               | <b>assessment (3)</b><br>16:9 19:9,15 | 27:16 28:5                            |
| 19:5 20:8                                 |  | <b>annual (1)</b><br>7:22                  | <b>Assistance (1)</b><br>14:9         | 29:13                                 |
| 22:25                                     |  | <b>answer (4)</b><br>23:11 25:17           | <b>associated (2)</b><br>15:5 37:20   | <b>backs (1)</b><br>32:2              |
| <b>address (5)</b><br>20:10 22:2 23:3     |  | 28:18 34:3                                 | <b>assure (1)</b><br>16:1             | <b>bad (1)</b><br>29:10               |
|   |  | <b>anticipated (4)</b><br>7:5 14:7 15:8,19 | <b>attainment (1)</b><br>19:12        | <b>barrier (3)</b><br>19:25 20:2,5    |
|   |  | <b>Anybody (1)</b><br>39:2                 | <b>attend (3)</b>                     | <b>barriers (1)</b><br>19:21          |
|   |  | <b>Apartments (1)</b><br>20:6              |                                       | <b>base (2)</b>                       |
|   |  | <b>appear (1)</b>                          |                                       |                                       |

|  |  |  |   |  |
|--|--|--|---|--|
| 8:13 28:3<br><b>based (1)</b><br>27:23<br><b>basically (1)</b><br>28:23<br><b>BBC (1)</b><br>1:15<br><b>BCC (1)</b><br>2:15<br><b>Beach (35)</b><br>1:3 2:10,23 3:11<br>6:3,14,15,16<br>8:20 10:17<br>14:23,24 17:6<br>17:13,18,24,25<br>18:5,7,10,15<br>21:2,4 23:21<br>23:22 24:10<br>25:5 28:3 35:6<br>35:9 36:24<br>37:2 39:13<br>40:7 41:2<br><b>beautiful (2)</b><br>39:13,20<br><b>becoming (1)</b><br>28:3<br><b>beginning (3)</b><br>20:15,18 37:3<br><b>behalf (1)</b><br>40:4<br><b>believe (2)</b><br>35:17 36:9<br><b>beneficial (2)</b><br>3:18 4:10<br><b>best (2)</b><br>5:16 29:9<br><b>Betsy (1)</b><br>29:17<br><b>better (1)</b><br>27:5<br><b>beyond (1)</b><br>10:23<br><b>bicycle (7)</b><br>11:15,18,23<br>12:1,6 13:8<br>32:21<br><b>bicycles (1)</b> | 38:23<br><b>bike (1)</b><br>33:6<br><b>bikes (2)</b><br>32:24,25<br><b>Bing (3)</b><br>1:13 2:11 34:12<br><b>birds (1)</b><br>16:11<br><b>bit (1)</b><br>31:5<br><b>Board (2)</b><br>17:24 35:9<br><b>bothers (2)</b><br>29:19 33:23<br><b>Boulevard (52)</b><br>1:2 2:10 3:7,11<br>3:13 6:19,20<br>7:2,4,4,11,25<br>8:24 9:7,11,23<br>10:4,5,10 11:3<br>11:7,9,12,21<br>12:3,23 13:4<br>14:22 17:7,13<br>21:1 25:13,21<br>26:12,13 27:21<br>28:6,12,17,19<br>28:22 29:14<br>31:5,17,17<br>32:3,17 34:15<br>35:16,18 38:20<br>39:5<br><b>Boulevard/Mi...</b><br>6:22<br><b>braided (5)</b><br>8:3 9:22 10:13<br>10:20 11:1<br><b>bridge (6)</b><br>9:25 12:3,7 13:4<br>26:8 31:16<br><b>bridges (2)</b><br>10:24 13:5<br><b>briefly (1)</b><br>12:17<br><b>brochure (1)</b><br>4:25<br><b>budget (1)</b> | 33:5<br><b>buffered (6)</b><br>11:15,18,23<br>12:1,6 13:8<br><b>build (8)</b><br>8:12,13,15<br>13:21 19:13<br>24:6 27:19,19<br><b>building (1)</b><br>31:13<br><b>built (7)</b><br>8:21 26:12<br>35:14 36:4,6<br>36:10,21<br><b>business (1)</b><br>35:2<br><b>businesses (1)</b><br>14:7<br><b>button (1)</b><br>32:23<br><hr/> <b>C</b> <hr/> <b>C-a-s-a-g-r-a-...</b><br>39:10<br><b>calendar (1)</b><br>35:3<br><b>call (1)</b><br>24:19<br><b>called (1)</b><br>38:17<br><b>capacity (8)</b><br>6:25 7:8,12 8:18<br>10:22 13:17<br>26:21 36:5<br><b>car's (1)</b><br>29:23<br><b>card (3)</b><br>23:5,7 37:6<br><b>cards (3)</b><br>21:13 23:6<br>24:20<br><b>care (1)</b><br>29:21<br><b>carefully (1)</b><br>12:18<br><b>carries (1)</b><br>21:22 | <b>Casagrande (2)</b><br>39:9,9<br><b>cases (1)</b><br>26:2<br><b>Cay (1)</b><br>32:1<br><b>CD (9)</b><br>8:3 9:3,5,7,18<br>10:11,20,21<br>13:22<br><b>Celusnek (16)</b><br>1:12 2:4,5,24<br>3:2 22:16<br>24:14,19 29:15<br>31:23 33:19,22<br>34:3,6 38:6,8<br><b>Central (32)</b><br>1:2 2:9 3:7,11<br>6:19,20 7:1,24<br>8:24 9:7,11,23<br>10:4,4,10 11:3<br>11:9,12,21<br>12:3,23 13:4<br>17:7,12 26:12<br>31:4,16,17<br>32:3,17 38:19<br>39:4<br><b>Central's (1)</b><br>26:19<br><b>certify (2)</b><br>41:4,8<br><b>chairman (1)</b><br>25:15<br><b>changes (1)</b><br>28:17<br><b>Cheryl (1)</b><br>39:9<br><b>children (5)</b><br>29:19,21 32:24<br>38:23,24<br><b>Circle (1)</b><br>38:17<br><b>cities (1)</b><br>29:9<br><b>Citizens (1)</b><br>25:14<br><b>city (19)</b> | 2:19,25,25 6:15<br>8:20 14:23<br>17:6,18,25<br>18:7,9 21:3<br>23:19,22,25<br>28:2 29:5<br>30:18 33:11<br><b>Clean (1)</b><br>19:13<br><b>clogged (2)</b><br>30:8,9<br><b>close (2)</b><br>30:1 31:12<br><b>closes (1)</b><br>22:6<br><b>Coast (1)</b><br>35:7<br><b>collect (1)</b><br>23:7<br><b>collectively (1)</b><br>38:3<br><b>collector (3)</b><br>8:2 9:3 27:1<br><b>color (1)</b><br>3:25<br><b>combination (1)</b><br>13:21<br><b>combinations ...</b><br>14:2<br><b>combined (1)</b><br>5:14<br><b>come (1)</b><br>24:20<br><b>comes (2)</b><br>31:9,11<br><b>coming (7)</b><br>23:24 28:7<br>30:14 35:21<br>36:25 37:12<br>38:22<br><b>comment (9)</b><br>4:12 21:22 22:6<br>23:2,3,15,18<br>24:16 29:16<br><b>comments (19)</b><br>4:7,15 18:13<br>21:10,20,21,23 |
|--|--|--|---|--|

|   |   |   |   |   |
|---|---|---|---|---|
| 22:2,22,24,25<br>23:16 25:1<br>33:19 35:13,16<br>37:4,15 38:4<br><b>commercial (6)</b><br>14:21 21:1 24:3<br>34:15 39:22,25<br><b>Commissioner...</b><br>17:25<br><b>Committee (1)</b><br>25:14<br><b>commonly (1)</b><br>14:10<br><b>communities (1)</b><br>28:25<br><b>community (4)</b><br>3:19 32:2 38:21<br>39:1<br><b>community's (2)</b><br>5:16 32:5<br><b>compared (4)</b><br>8:13 10:20<br>13:15 32:8<br><b>compatible (1)</b><br>5:7<br><b>complete (2)</b><br>24:25 41:7<br><b>complex (1)</b><br>6:23<br><b>comply (1)</b><br>16:4<br><b>component (3)</b><br>5:19,21,24<br><b>components (2)</b><br>4:2 5:18<br><b>composed (1)</b><br>6:13<br><b>comprehensiv...</b><br>28:5,12 29:3<br>37:18<br><b>concept (4)</b><br>1:1 8:4 15:14<br>22:10<br><b>concepts (1)</b><br>8:1<br><b>conceptual (2)</b><br>3:16 22:18 | <b>concerned (3)</b><br>26:7,9 39:12<br><b>concerning (3)</b><br>15:21 17:2<br>18:13<br><b>concerns (5)</b><br>3:22 4:20 20:10<br>23:16 37:16<br><b>concluded (1)</b><br>40:9<br><b>concludes (1)</b><br>22:13<br><b>conclusion (1)</b><br>21:12<br><b>condition (1)</b><br>8:13<br><b>Conditions (1)</b><br>7:4<br><b>conducted (10)</b><br>14:8,16 15:25<br>16:10 18:17,25<br>19:7,9,18<br>20:21<br><b>configuration...</b><br>11:4<br><b>congestion (3)</b><br>7:2 8:16 27:13<br><b>congregate (1)</b><br>30:6<br><b>connected (1)</b><br>41:11<br><b>connecting (1)</b><br>27:3<br><b>connects (1)</b><br>27:7<br><b>consequent (1)</b><br>8:9<br><b>conservation (2)</b><br>18:8,11<br><b>consider (4)</b><br>25:15,16 33:10<br>37:22<br><b>consideration ...</b><br>23:13,23 24:2,8<br>24:9 30:15<br><b>considered (5)</b><br>7:20 15:13 22:7 | 24:4 25:9<br><b>consistent (2)</b><br>4:18 6:2<br><b>constructed (2)</b><br>9:8 33:4<br><b>construction (...)</b><br>3:10 10:24,25<br>11:6 13:18,23<br>14:14 15:6,17<br>16:3,18 18:2<br>18:20 20:7,16<br>26:15 35:22<br><b>constructive (1)</b><br>17:11<br><b>consultant (4)</b><br>1:14 2:14,16<br>20:12<br><b>contact (1)</b><br>4:24<br><b>contacting (1)</b><br>4:21<br><b>contamination...</b><br>18:24 19:1,5,6<br><b>contingent (1)</b><br>20:13<br><b>continue (3)</b><br>15:22 22:11<br>23:1<br><b>conversation (1)</b><br>38:2<br><b>Coordination ...</b><br>15:21<br><b>corridor (1)</b><br>18:19<br><b>cost (5)</b><br>10:25 13:19,23<br>13:25 19:22<br><b>costs (1)</b><br>14:2<br><b>council (9)</b><br>18:1 25:7 35:8<br>37:9,12,14,19<br>38:2,3<br><b>Council's (1)</b><br>29:5<br><b>Councilwoma...</b><br>2:25 3:1 23:19 | 23:22<br><b>counsel (2)</b><br>41:9,11<br><b>counted (3)</b><br>27:25 35:23<br>36:25<br><b>country (1)</b><br>33:8<br><b>counts (2)</b><br>26:22 35:23<br><b>county (26)</b><br>1:3 2:10,19 3:11<br>6:3,14,16<br>10:17,18 17:13<br>17:22,24,24<br>18:5,6,10,16<br>24:10 28:11<br>29:8 30:21<br>33:11 35:7,9<br>37:17 41:2<br><b>couple (1)</b><br>35:13<br><b>court (7)</b><br>4:7,16 20:4<br>21:15,21 32:11<br>41:4<br><b>covered (1)</b><br>13:8<br><b>CR (1)</b><br>41:16<br><b>crazy (1)</b><br>29:24<br><b>create (1)</b><br>9:1<br><b>critical (1)</b><br>6:13<br><b>criticize (1)</b><br>36:14<br><b>cross (5)</b><br>9:5 12:17,20<br>29:22 32:17<br><b>crossing (1)</b><br>12:24<br><b>crossover (1)</b><br>12:19<br><b>cultural (1)</b><br>18:18 | <b>curiosity (1)</b><br>36:17<br><b>curious (1)</b><br>35:11<br><b>current (1)</b><br>26:11<br><b>currently (2)</b><br>17:19 19:12<br><b>cut (1)</b><br>26:1<br><b>cutoff (1)</b><br>37:24<br><hr/> <b>D</b> <hr/> <b>D (1)</b><br>25:17<br><b>date (4)</b><br>1:8 21:25 34:17<br>37:24<br><b>Dated (1)</b><br>41:13<br><b>dating (1)</b><br>21:8<br><b>day (5)</b><br>25:20 28:7 29:3<br>30:16 41:13<br><b>days (5)</b><br>21:24 34:17<br>35:2,2,3<br><b>DDI (5)</b><br>12:16,17 13:3<br>13:15,20<br><b>debate (1)</b><br>23:11<br><b>decision (2)</b><br>21:11 22:7<br><b>decisionmaki...</b><br>22:5 34:22<br><b>degree (1)</b><br>33:2<br><b>delay (2)</b><br>7:23 28:20<br><b>delays (2)</b><br>8:8,10<br><b>demand (3)</b><br>7:9,24 8:6<br><b>Department (9)</b> |
|---|---|---|---|---|

|  |   |  |   |   |
|--|---|--|---|---|
| 2:7,12,16 3:5<br>4:22,23 6:11<br>16:22 34:13<br><b>Dept (1)</b><br>1:12<br><b>design (19)</b><br>1:1 3:16 5:5,20<br>6:17 10:23<br>12:21 15:14,16<br>15:22 16:1,4<br>19:7,24 20:11<br>20:12 22:10,18<br>31:11<br><b>designated (1)</b><br>19:12<br><b>designed (1)</b><br>12:19<br><b>desires (1)</b><br>34:8<br><b>desiring (1)</b><br>22:16<br><b>destroy (1)</b><br>40:6<br><b>deteriorate (1)</b><br>7:5<br><b>determine (2)</b><br>15:1 19:10<br><b>determined (5)</b><br>5:10 15:4 17:10<br>17:16 18:20<br><b>determines (1)</b><br>5:8<br><b>determining (1)</b><br>7:1<br><b>develop (1)</b><br>17:15<br><b>developed (2)</b><br>17:22 28:2<br><b>developing (1)</b><br>29:5<br><b>development (9)</b><br>1:12 2:6 5:2,25<br>15:14 33:12<br>38:17,25 40:5<br><b>diamond (7)</b><br>8:5 11:5 12:11<br>12:16 13:11,15 | 13:22<br><b>different (5)</b><br>7:21 9:20 10:15<br>37:9,25<br><b>direct (2)</b><br>17:8,11<br><b>direction (5)</b><br>9:14,15 11:17<br>11:25 12:4<br><b>directly (2)</b><br>4:6 21:21<br><b>disability (1)</b><br>4:1<br><b>discuss (2)</b><br>6:17 14:12<br><b>discussed (1)</b><br>37:7<br><b>discussing (1)</b><br>37:13<br><b>discussion (1)</b><br>35:19<br><b>displayed (2)</b><br>5:1 34:20<br><b>displays (1)</b><br>4:5<br><b>distance (1)</b><br>12:20<br><b>distribute (1)</b><br>21:13<br><b>distributor (2)</b><br>8:2 9:3<br><b>district (12)</b><br>1:12,12,13 2:6,7<br>2:13 4:22<br>14:20 16:6<br>17:15 20:25<br>34:14<br><b>district's (1)</b><br>34:23<br><b>diverging (2)</b><br>12:16 13:11<br><b>document (3)</b><br>5:6,16 22:8<br><b>documented (1)</b><br>20:20<br><b>documents (1)</b><br>20:22 | <b>doing (5)</b><br>26:25 29:5,9<br>31:12,15<br><b>dollar (2)</b><br>39:14,15<br><b>dollars (6)</b><br>11:1 13:19,24<br>13:25 14:1,3<br><b>Don (1)</b><br>25:4<br><b>Donald (6)</b><br>3:13 6:22 11:8<br>39:3,18,24<br><b>downtown (1)</b><br>28:2<br><b>downtowns (1)</b><br>29:6<br><b>draft (1)</b><br>17:22<br><b>drew (1)</b><br>27:18<br><b>Drive (2)</b><br>25:5 31:4<br><b>drivers (3)</b><br>12:17,19 13:16<br><b>dropped (1)</b><br>32:13<br><b>due (1)</b><br>7:23<br><b>dumped (1)</b><br>39:13<br><b>dumping (1)</b><br>39:19<br><hr/> <b>E</b> <hr/> <b>easement (2)</b><br>18:8,11<br><b>easier (1)</b><br>31:14<br><b>East (1)</b><br>11:20<br><b>eastern (2)</b><br>16:15 20:1<br><b>economic (1)</b><br>3:18<br><b>edge (5)</b><br>13:7,9 20:1,3,5 | <b>effect (1)</b><br>18:21<br><b>effects (1)</b><br>22:19<br><b>effort (1)</b><br>5:14<br><b>efforts (1)</b><br>15:15<br><b>eight (1)</b><br>29:12<br><b>eighty (1)</b><br>17:14<br><b>either (4)</b><br>4:21 9:3,8 11:10<br><b>elected (2)</b><br>6:14 23:17<br><b>elementary (4)</b><br>29:20 30:2 32:9<br>32:10<br><b>elevated (1)</b><br>33:6<br><b>eligible (1)</b><br>18:22<br><b>emergency (2)</b><br>7:15 8:18<br><b>employee (2)</b><br>41:9,10<br><b>employment (1)</b><br>7:14<br><b>enclosed (1)</b><br>12:7<br><b>encounter (1)</b><br>32:18<br><b>encouraged (2)</b><br>3:24 18:16<br><b>endangered (2)</b><br>16:7,8<br><b>Engineer (3)</b><br>1:12 2:6 34:13<br><b>engineering (5)</b><br>1:15 2:15 5:9,19<br>20:21<br><b>engineers (1)</b><br>26:22<br><b>enhance (2)</b><br>7:14,15<br><b>entails (1)</b> | 5:19<br><b>enter (1)</b><br>40:1<br><b>enters (1)</b><br>39:25<br><b>entire (2)</b><br>29:8 38:2<br><b>entirety (1)</b><br>31:1<br><b>entity (2)</b><br>24:23 30:25<br><b>entrance (1)</b><br>39:17<br><b>environment (4)</b><br>5:2,7 22:19 30:4<br><b>environmenta...</b><br>3:19 5:13,21<br>14:12,15 19:17<br>20:21<br><b>environmenta...</b><br>5:9 30:3<br><b>environments ...</b><br>5:23<br><b>equal (1)</b><br>21:23<br><b>established (1)</b><br>19:16<br><b>estimated (5)</b><br>10:25 13:18,23<br>13:24 14:1<br><b>estimations (1)</b><br>26:10<br><b>ETDM (1)</b><br>1:4<br><b>evacuation (1)</b><br>7:15<br><b>evacuations (1)</b><br>8:19<br><b>evaluate (4)</b><br>5:5,21 18:17<br>19:20<br><b>evaluated (8)</b><br>6:18 8:12 15:1,7<br>15:16 19:3,23<br>33:25<br><b>evaluation (2)</b><br>15:24 18:24 |
|--|---|--|---|---|

|  |   |   |   |   |
|--|---|---|---|---|
| <b>evening (4)</b><br>2:1,3,4 3:4                  | 17:20 18:14   | 36:11   | <b>foot (2)</b><br>10:9 31:18               | 17:15,17 18:4<br>18:14,15   |
| <b>everybody (1)</b><br>28:9                       | <b>fact (1)</b><br>33:24  | <b>fight (1)</b><br>40:6  | <b>formal (4)</b><br>2:3 3:3 4:12<br>34:4   | <hr/> <b>G</b> <hr/>  |
| <b>everyone's (1)</b><br>38:4                      | <b>fails (1)</b><br>8:15  | <b>fill (1)</b><br>37:6   | <b>formally (1)</b><br>22:22                | <b>Garden (1)</b><br>20:1   |
| <b>examined (1)</b><br>12:15                       | <b>familiar (1)</b><br>13:16  | <b>final (5)</b><br>15:16 17:23<br>19:24 22:8<br>23:14  | <b>Fort (4)</b><br>14:22 21:2<br>34:15,23   | <b>Gardens (18)</b><br>2:23 6:15 8:20<br>14:23,24 17:6<br>17:19,25 18:8<br>21:3,4 23:21<br>23:22 25:5<br>36:24 37:2<br>39:13 40:8 |
| <b>example (1)</b><br>36:6                         | <b>families (1)</b><br>14:6   | <b>Financial (1)</b><br>3:8   | <b>forum (1)</b><br>3:21                    | <b>Gardens' (1)</b><br>28:3   |
| <b>exceed (1)</b><br>26:21                         | <b>family (2)</b><br>4:1 39:11  | <b>financially (1)</b><br>41:12   | <b>forward (3)</b><br>20:13 23:14<br>24:21  | <b>general (2)</b><br>3:15 36:1   |
| <b>exhibits (2)</b><br>22:17 34:9                  | <b>far (1)</b><br>27:4  | <b>find (1)</b><br>40:4   | <b>four (4)</b><br>27:9,23 30:22<br>32:22   | <b>generate (1)</b><br>36:13  |
| <b>exist (1)</b><br>39:24                          | <b>FDOT (6)</b><br>6:6,14 14:20<br>18:5,7 20:25   | <b>fine (1)</b><br>30:20  | <b>four-lane (1)</b><br>26:21               | <b>gentleman (1)</b><br>31:5  |
| <b>existing (5)</b><br>6:21 7:3 9:12<br>13:4 15:10 | <b>feasible (3)</b><br>5:9 16:25 19:22  | <b>first (4)</b><br>4:3 32:8 33:7<br>37:13  | <b>fours (1)</b><br>28:20                   | <b>gentlemen (1)</b><br>2:5   |
| <b>exit (4)</b><br>24:1 39:3,17<br>40:2            | <b>February (1)</b><br>25:24  | <b>fiscal (2)</b><br>20:15,18   | <b>Fourth (1)</b><br>2:7                    | <b>Georgi (2)</b><br>1:12 2:5   |
| <b>exits (1)</b><br>39:25                          | <b>federal (13)</b><br>2:19 4:19 5:13<br>7:18 14:9<br>16:21,25 17:9<br>17:16 19:19<br>22:9,12 24:15 | <b>Fish (1)</b><br>16:16  | <b>FP&amp;L (3)</b><br>23:25 25:16<br>31:12 | <b>getting (2)</b><br>28:9 32:24  |
| <b>expanded (3)</b><br>11:13,22 12:4               | <b>feedback (2)</b><br>31:24 38:15  | <b>five (6)</b><br>20:18 27:8,15<br>27:24 30:23<br>39:15  | <b>free-flow (1)</b><br>12:22               | <b>ghost (5)</b><br>35:25 36:3,5,12<br>36:12  |
| <b>expanding (1)</b><br>31:16                      | <b>feeder (1)</b><br>31:6   | <b>fix (2)</b><br>29:4,13   | <b>freight (2)</b><br>7:14 27:5             | <b>give (1)</b><br>38:14  |
| <b>expected (1)</b><br>16:14                       | <b>feel (2)</b><br>30:10 39:21  | <b>floodplain (2)</b><br>15:3,5   | <b>frontage (1)</b><br>31:15                | <b>given (1)</b><br>36:23   |
| <b>explain (1)</b><br>4:8                          | <b>feet (8)</b><br>11:10 12:8,8<br>25:16 26:8,9<br>28:1 29:22                                       | <b>floodplains (1)</b><br>15:2  | <b>full-time (1)</b><br>38:19               | <b>go (12)</b><br>25:8,11 26:6<br>27:16 28:5<br>29:12,13 31:7<br>31:8,20,22<br>37:11  |
| <b>exponentially ...</b><br>37:25                  | <b>fewer (1)</b><br>13:18   | <b>Florida (17)</b><br>1:3,12 2:7 3:5<br>4:21,23 6:11<br>14:22,24 16:5<br>21:2,4 23:21<br>29:6 34:13,15<br>41:1 | <b>fully (1)</b><br>20:11                   | <b>goes (1)</b><br>30:7   |
| <b>express (2)</b><br>3:22 4:20                    | <b>FHWA (2)</b><br>7:19 20:13   | <b>FM (1)</b><br>1:3  | <b>fund (1)</b><br>6:12                     | <b>going (30)</b><br>2:2 24:1,5 25:20<br>26:8,16,20<br>27:6,15,18,20  |
| <b>extend (1)</b><br>3:12                          | <b>fifteen (1)</b><br>11:10   | <b>following (3)</b><br>4:13 6:17 21:24   | <b>funded (1)</b><br>20:11                  |   |
| <b>extending (1)</b><br>18:11                      | <b>fifty (2)</b><br>26:1 36:16  |   | <b>funds (2)</b><br>20:15,16                |   |
| <b>extra (1)</b><br>26:15                          | <b>fifty-five (1)</b><br>36:10  |   | <b>further (2)</b><br>19:23 41:8            |   |
| <hr/> <b>F</b> <hr/>                               | <b>fifty-six (1)</b>  |   | <b>future (7)</b><br>7:13 10:18             |   |
| <b>F (2)</b><br>41:4,16                            |   |   |   |   |
| <b>facilities (2)</b>                              |   |   |   |   |



|  |   |   |   |  |
|--|---|---|---|--|
| 28:1 29:1,8,11<br>29:22,23 30:12<br>30:17,18,24<br>31:8 32:20<br>33:1,7,8,14<br>36:20 40:1,5<br><b>good (4)</b><br>2:1,4 3:4 29:4<br><b>goodnight (1)</b><br>38:12<br><b>Gordon (1)</b><br>25:4<br><b>gotta (2)</b><br>28:9 33:16<br><b>gotten (1)</b><br>27:5<br><b>government (2)</b><br>16:21 24:15<br><b>governments (1)</b><br>6:12<br><b>graph (1)</b><br>26:5<br><b>great (1)</b><br>29:6<br><b>green (3)</b><br>8:9 13:1 30:16<br><b>growth (2)</b><br>7:14 25:9<br><b>guys (1)</b><br>26:24 | <b>hazardous (1)</b><br>18:25<br><b>hear (2)</b><br>25:3 37:4<br><b>heard (1)</b><br>27:5<br><b>hearing (24)</b><br>1:6 2:3,8 3:6,7<br>3:14,20,23 4:3<br>4:18 5:1 21:18<br>21:25 22:1,5<br>34:17,18,21,25<br>38:9,11,13<br>40:9 41:6<br><b>heavy (2)</b><br>32:7,12<br><b>held (1)</b><br>21:8<br><b>Hello (1)</b><br>31:3<br><b>help (1)</b><br>21:11<br><b>Hi (2)</b><br>35:5 38:14<br><b>high (2)</b><br>19:4 27:14<br><b>highway (8)</b><br>1:1 7:18 16:25<br>17:9,16 19:19<br>22:9 38:22<br><b>historic (3)</b><br>16:20 18:19,22<br><b>hit (1)</b><br>29:24<br><b>hold (1)</b><br>28:4<br><b>holding (1)</b><br>23:5<br><b>homeowners (1)</b><br>39:11<br><b>homes (5)</b><br>39:11,14,15,15<br>40:7<br><b>Hood (2)</b><br>26:11 39:5<br><b>hour (7)</b><br>26:24,25 27:8,9 | 27:13,22 28:7<br><b>hours (3)</b><br>7:23 27:10<br>32:12<br><b>house (1)</b><br>4:3<br><b>hundred (7)</b><br>11:10 27:22,23<br>36:7,11,15,16<br><hr/> <b>I</b> <hr/> <b>I-95 (30)</b><br>1:2 2:9 3:6,10<br>3:12 6:18 7:2,3<br>8:1,23 9:4,6,8<br>9:12 10:3,10<br>10:19 11:6<br>12:3,23 13:4<br>17:7,12 20:6<br>27:22 28:9,13<br>28:22 31:14<br>32:17<br><b>I-95/PGA (1)</b><br>7:10<br><b>i.e (1)</b><br>23:25<br><b>ideas (1)</b><br>22:23<br><b>identification ...</b><br>5:20<br><b>identified (2)</b><br>6:8 19:4<br><b>identify (1)</b><br>18:25<br><b>IJR (5)</b><br>7:17,20 25:24<br>26:11 27:2<br><b>imagine (1)</b><br>31:17<br><b>impact (5)</b><br>15:9,24 18:5<br>22:19 30:24<br><b>impacts (29)</b><br>3:19 4:10,12<br>5:22 8:14<br>14:13,17 15:2<br>15:5,7,8,13,15 | 15:18,21,22<br>16:2,9,13,23<br>17:2,3,8 18:13<br>18:18 19:10,20<br>20:6,9<br><b>implement (1)</b><br>6:12<br><b>implementatio...</b><br>33:2<br><b>implemented (...)</b><br>16:17<br><b>important (2)</b><br>21:11 37:23<br><b>impossible (1)</b><br>33:13<br><b>improve (2)</b><br>6:24 7:12<br><b>improved (3)</b><br>8:18,19 26:20<br><b>improvement ...</b><br>3:9,16 6:5,7<br><b>improvements...</b><br>7:6,10 19:11<br>20:20<br><b>inches (3)</b><br>12:8,9 26:8<br><b>include (5)</b><br>9:9,13 12:4 16:1<br>33:5<br><b>included (1)</b><br>34:18<br><b>including (4)</b><br>6:3 7:21 16:11<br>40:3<br><b>incorporate (1)</b><br>22:4<br><b>incorporated (...)</b><br>38:1<br><b>increase (2)</b><br>8:9 12:8<br><b>Indigo (1)</b><br>16:15<br><b>individual (1)</b><br>20:10<br><b>inform (1)</b><br>5:24<br><b>information (7)</b> | 3:15 4:24 5:15<br>14:16,19 20:24<br>24:24<br><b>initially (1)</b><br>7:20<br><b>inner (1)</b><br>13:9<br><b>input (6)</b><br>17:2 21:7 22:4,7<br>23:12 38:10<br><b>inside (1)</b><br>9:16<br><b>insufficient (1)</b><br>7:7<br><b>intended (1)</b><br>18:4<br><b>intent (1)</b><br>17:14<br><b>interchange (4...</b><br>1:2 2:9 3:7,10<br>6:19,20,23 7:1<br>7:3,7,11,17,21<br>7:24 8:4,6,11<br>8:23,24 11:3,4<br>11:5,6,7,8,11<br>11:12,20 12:11<br>12:15,16,25<br>13:11,14,22<br>20:23 26:12<br>27:20 28:14,17<br>29:7 31:7 33:2<br>33:9<br><b>interchanges (4)</b><br>6:21 30:14<br>32:22 39:23<br><b>interested (2)</b><br>5:24 41:12<br><b>interesting (2)</b><br>25:22 30:4<br><b>interface (1)</b><br>5:4<br><b>Intermodal (1)</b><br>20:17<br><b>intersection (4)</b><br>8:8,10 32:4,18<br><b>intersections (2)</b><br>7:23 12:19 |
|--|---|---|---|--|

|                                       |                                     |                                       |                                       |                                      |
|---------------------------------------|-------------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|
| <b>Interstate (1)</b><br>39:1         | <b>kind (1)</b><br>31:14            | <b>leaving (1)</b><br>32:21           | 7:22                                  | <b>Maria (4)</b><br>23:20 25:7,8     |
| <b>invalid (1)</b><br>35:24           | <b>kinds (1)</b><br>36:14           | <b>led (1)</b><br>35:16               | <b>Long (1)</b><br>6:5                | 37:19                                |
| <b>investigation (1)</b><br>19:6      | <b>Kingston (1)</b><br>32:2         | <b>leeway (1)</b><br>34:1             | <b>look (17)</b><br>25:21 26:2,2,4    | <b>Marie (1)</b><br>2:25             |
| <b>invited (1)</b><br>4:5             | <b>know (12)</b><br>26:18 28:13     | <b>left (4)</b><br>12:5,18,22,25      | 26:10,24 27:9                         | <b>Marino (7)</b><br>2:25,25 23:19   |
| <b>involve (9)</b><br>5:24 8:14 9:18  | 30:16 31:13                         | <b>let's (1)</b><br>29:4              | 27:16 28:5,5                          | 23:20 25:7,8                         |
| 10:14,16 12:12                        | 32:7 35:21                          | <b>level (1)</b><br>7:13              | 28:14,16 29:13                        | 37:19                                |
| 13:3,12 18:3                          | 36:2 37:7,10                        | <b>levels (1)</b><br>7:5              | 30:18 31:19                           | <b>Martin (1)</b><br>35:6            |
| <b>involved (1)</b><br>25:23          | 37:16,24 39:18                      | <b>lieu (1)</b><br>34:10              | 35:12 36:23                           | <b>massive (2)</b><br>27:13 29:1     |
| <b>involvement (3)</b><br>5:23 19:1,5 | <b>known (1)</b><br>14:11           | <b>life (1)</b><br>32:15              | <b>looked (1)</b><br>29:11            | <b>master (1)</b><br>17:22           |
| <b>involves (1)</b><br>3:9            | <b>knows (1)</b><br>36:24           | <b>limb (1)</b><br>26:6               | <b>looking (2)</b><br>26:17 28:19     | <b>material (1)</b><br>34:20         |
| <b>issue (3)</b><br>25:10 32:15,20    | <hr/> <b>L</b> <hr/>                | <b>limit (1)</b><br>22:24             | <b>LOS (1)</b><br>7:6                 | <b>materials (1)</b><br>18:25        |
| <b>issues (1)</b><br>33:10            | <b>L-a-b-a-r-b-i-...</b><br>38:16   | <b>limits (4)</b><br>3:12 8:17 17:5   | <b>lose (1)</b><br>30:19              | <b>Mathis (2)</b><br>25:4,7          |
| <hr/> <b>J</b> <hr/>                  | <b>Labarbiera (2)</b><br>38:14,15   | 19:3                                  | <b>lot (7)</b><br>26:1 29:20          | <b>maximum (1)</b><br>19:15          |
| <b>January (1)</b><br>21:9            | <b>ladies (1)</b><br>2:4            | <b>Linda (1)</b><br>31:2              | 32:14 33:16                           | <b>Mayor (5)</b><br>2:22,22 26:18    |
| <b>Jose (2)</b><br>1:14 2:13          | <b>Lakes (2)</b><br>20:1 31:4       | <b>line (1)</b><br>8:13               | 34:1 35:10                            | 37:1,2                               |
| <b>July (2)</b><br>20:16,18           | <b>lane (12)</b><br>9:14 10:7,9     | <b>little (3)</b><br>12:12 13:12      | <hr/> <b>M</b> <hr/>                  | <b>mean (4)</b><br>4:9 24:5 33:7,10  |
| <b>Justification (1)</b><br>7:17      | 11:15,15,18,23                      | 26:19                                 | <b>ma'am (1)</b><br>3:2               | <b>measures (2)</b><br>15:12 16:1    |
| <hr/> <b>K</b> <hr/>                  | 11:24 12:1,6                        | <b>live (8)</b><br>27:2 31:3 32:1     | <b>mailed (1)</b><br>22:2             | <b>medium (1)</b><br>19:4            |
| <b>keep (1)</b><br>33:24              | 13:8 32:2                           | 38:17,18,19                           | <b>main (2)</b><br>5:18 28:24         | <b>meet (2)</b><br>5:10 8:15         |
| <b>Kevin (1)</b><br>35:5              | <b>lanes (20)</b><br>9:4,6,9,12,13  | 39:6,10                               | <b>mainline (1)</b><br>8:2            | <b>meeting (2)</b><br>37:12 38:5     |
| <b>key (1)</b><br>25:19               | 10:3,5 11:14                        | <b>living (1)</b><br>32:5             | <b>major (1)</b><br>27:3              | <b>meetings (1)</b><br>21:8          |
| <b>kids (3)</b><br>27:14 32:12        | 11:14,17,22,23                      | <b>local (4)</b><br>6:2,12,13 24:15   | <b>Management ...</b><br>3:8 16:5     | <b>meets (1)</b><br>19:15            |
| 38:24                                 | 12:1,5,5 13:6                       | <b>located (7)</b><br>6:21 14:21 15:3 | <b>Manager (4)</b><br>1:13,14 2:12,14 | <b>Member (3)</b><br>25:7 35:1 37:19 |
| <b>killing (1)</b><br>28:24           | 26:15 29:12                         | 17:18 19:2,11                         | <b>mandated (1)</b><br>5:12           | <b>memo (1)</b><br>26:19             |
| <b>Kimberly (1)</b><br>38:15          | 31:18 33:6                          | 21:1                                  | <b>map (1)</b><br>30:2                | <b>Mencino (2)</b><br>31:2,3         |
|                                       | <b>large (1)</b><br>40:2            | <b>location (3)</b><br>1:1 22:9,18    | <b>Marcie (2)</b><br>2:22 37:1        | <b>mentioned (3)</b>                 |
|                                       | <b>Lauderdale (4)</b><br>14:22 21:2 | <b>locations (1)</b>                  |                                       |                                      |
|                                       | 34:15,24                            |                                       |                                       |                                      |
|                                       | <b>law (1)</b><br>5:14              |                                       |                                       |                                      |
|                                       | <b>leaves (1)</b><br>33:25          |                                       |                                       |                                      |

|   |  |   |  |  |
|---|--|---|--|--|
| 37:5,16,19<br><b>method (1)</b><br>21:22<br><b>methods (1)</b><br>4:11<br><b>Metropolitan ...</b><br>6:4<br><b>microphone (2)</b><br>4:15 21:19<br><b>microphones (1)</b><br>24:24<br><b>middle (4)</b><br>29:7 30:11<br>32:10 39:19<br><b>mile (2)</b><br>30:12,13<br><b>Military (12)</b><br>8:23 9:24 10:6<br>14:23 20:2,4<br>21:3 24:1,1<br>26:14 31:10,11<br><b>million (13)</b><br>7:23 11:1 13:19<br>13:24,25 14:1<br>14:3,3 25:15<br>27:25 28:20<br>39:14,15<br><b>minimal (1)</b><br>16:14<br><b>minimize (2)</b><br>15:12,17<br><b>minus (1)</b><br>36:12<br><b>minutes (1)</b><br>22:25<br><b>mitigate (3)</b><br>4:11 32:20 33:1<br><b>mitigation (3)</b><br>15:20 17:1 33:9<br><b>mix (1)</b><br>8:25<br><b>mobility (2)</b><br>7:15 8:19<br><b>model (1)</b><br>24:11<br><b>morning (3)</b><br>27:8,10 30:8 | <b>move (1)</b><br>23:13<br><b>moved (2)</b><br>32:8 39:21<br><b>movements (1)</b><br>12:22<br><b>moving (1)</b><br>20:13<br><b>MPO (7)</b><br>6:4,9,10,13<br>24:10 25:13<br>37:11<br><b>municipalities...</b><br>6:16<br><b>municipality (1)</b><br>24:22<br><b>Munoz (9)</b><br>1:14 2:1,14 24:9<br>25:4 29:17<br>31:2,25 35:4<br><hr/> <b>N</b> <hr/> <b>name (5)</b><br>2:5 24:21 31:10<br>38:15 39:9<br><b>national (4)</b><br>3:25 5:12 18:22<br>36:6<br><b>natural (2)</b><br>5:22 15:8<br><b>naturally (1)</b><br>25:1<br><b>near (1)</b><br>19:2<br><b>need (9)</b><br>5:10 8:16 26:20<br>29:3 30:14<br>36:23 37:6<br>38:21 39:1<br><b>needed (3)</b><br>7:11 25:20<br>36:22<br><b>needs (6)</b><br>5:6,17 14:4<br>30:20,24,25<br><b>negotiating (2)</b><br>18:6,10 | <b>neighborhood...</b><br>27:1 28:24 33:4<br>38:21,22 39:6<br><b>neighborhood...</b><br>29:8 31:6<br><b>NEPA (1)</b><br>5:13<br><b>never (2)</b><br>36:6,13<br><b>new (9)</b><br>2:9 3:10 7:1,24<br>8:6 10:24 28:2<br>32:5 36:23<br><b>newer (1)</b><br>36:25<br><b>noise (10)</b><br>19:18,20,21,24<br>19:25 20:2,4,6<br>20:9,9<br><b>north (8)</b><br>3:12 8:10 9:11<br>10:10 11:7,9<br>14:23 21:3<br><b>northbound (4)</b><br>9:14,23 11:13<br>11:25<br><b>northeast (2)</b><br>12:14 32:4<br><b>northern (1)</b><br>30:18<br><b>notes (1)</b><br>41:7<br><b>notified (1)</b><br>34:1<br><b>Nova (1)</b><br>29:25<br><b>November (3)</b><br>7:19 25:25 26:1<br><b>number (7)</b><br>3:8 16:10 20:1,3<br>20:5 28:20<br>36:4<br><b>numbered (1)</b><br>19:24<br><b>numbers (5)</b><br>25:21 26:1,18<br>26:23 27:17 | <hr/> <b>O</b> <hr/> <b>obviously (1)</b><br>36:13<br><b>occur (8)</b><br>7:6 11:21 16:12<br>17:4,9 20:7<br>33:8,13<br><b>occurred (2)</b><br>4:4 36:18<br><b>occurring (1)</b><br>24:7<br><b>occurs (1)</b><br>16:15<br><b>October (4)</b><br>14:20 35:4<br>37:13 41:13<br><b>off-ramp (7)</b><br>8:25 9:4,23,24<br>10:1,5,7<br><b>offer (1)</b><br>22:14<br><b>office (6)</b><br>4:22,23 14:21<br>21:1 34:14,23<br><b>Officer (1)</b><br>18:19<br><b>official (1)</b><br>3:20<br><b>officially (1)</b><br>38:11<br><b>officials (5)</b><br>2:19,20 6:14<br>23:17 24:14<br><b>offset (2)</b><br>15:20 18:4<br><b>Okay (7)</b><br>2:4 3:2 24:19<br>25:4 29:15<br>31:23 38:6<br><b>Old (1)</b><br>38:18<br><b>on-line (1)</b><br>23:24<br><b>on-ramp (2)</b><br>8:25 9:4<br><b>on-ramps (3)</b> | 9:25 10:8,25<br><b>open (1)</b><br>4:3<br><b>operational (3)</b><br>6:25 7:12 8:17<br><b>operations (2)</b><br>6:25 7:13<br><b>opinion (1)</b><br>35:23<br><b>opinions (2)</b><br>3:22 22:22<br><b>opportunities ...</b><br>21:6<br><b>opportunity (...)</b><br>3:21 4:14 17:2<br>22:14,21,21<br>23:2,12 33:17<br>37:4,8,11<br><b>opposing (2)</b><br>12:24 13:2<br><b>opposite (1)</b><br>12:18<br><b>options (1)</b><br>7:21<br><b>oral (5)</b><br>4:14 21:10,17<br>34:10,19<br><b>order (1)</b><br>7:11<br><b>ordinances (1)</b><br>37:21<br><b>organization (2)</b><br>6:4 24:22<br><b>origin (1)</b><br>3:25<br><b>original (4)</b><br>25:11,24 27:2<br>36:19<br><b>originally (1)</b><br>27:4<br><b>ought (1)</b><br>36:25<br><b>outer (1)</b><br>13:7<br><b>outside (1)</b><br>9:15<br><b>overall (2)</b> |
|---|--|---|--|--|

|  |  |  |  |  |
|--|--|--|--|--|
| 6:25 7:12<br><b>owned (1)</b><br>10:17<br><b>owns (1)</b><br>17:13 | <b>parties (2)</b><br>5:25 41:9<br><b>parties' (1)</b><br>41:10<br><b>pass (2)</b><br>9:25 23:6<br><b>path (1)</b><br>12:24<br><b>PD&amp;E (7)</b><br>1:2 5:3,8,18<br>6:19 8:22 22:8<br><b>peak (7)</b><br>26:24,25 27:8,9<br>27:10,22 28:7<br><b>pedestrian (1)</b><br>32:20<br><b>people (6)</b><br>23:1 25:23 27:1<br>32:14 34:7<br>39:6<br><b>percent (3)</b><br>26:1 27:11<br>28:22<br><b>period (4)</b><br>4:12 22:6 23:3<br>23:15<br><b>permanent (1)</b><br>22:23<br><b>personnel (1)</b><br>21:13<br><b>persons (2)</b><br>4:19 32:25<br><b>petroleum (1)</b><br>19:1<br><b>PGA (30)</b><br>3:12 6:22 7:3,4<br>11:7 25:13,20<br>26:13 27:21<br>28:6,12,17,19<br>28:21,22 29:4<br>29:11,13 32:3<br>35:15,17 36:6<br>36:9,19,20<br>39:2,4,4,18,24<br><b>phase (5)</b><br>5:3,11 15:23<br>19:7 20:11 | <b>phases (1)</b><br>5:5<br><b>physical (2)</b><br>5:23 14:13<br><b>picked (1)</b><br>32:13<br><b>picture (2)</b><br>31:19,20<br><b>pictures (1)</b><br>31:19<br><b>pieces (1)</b><br>24:3<br><b>place (1)</b><br>33:7<br><b>places (3)</b><br>25:10 30:23<br>32:22<br><b>plan (5)</b><br>6:6 17:22 20:18<br>33:25 36:25<br><b>planned (4)</b><br>5:3,25 18:14<br>35:20<br><b>planners (1)</b><br>33:12<br><b>planning (7)</b><br>5:5,11 6:4 30:20<br>30:21 35:7,9<br><b>plans (6)</b><br>6:3 17:23 20:23<br>24:4 32:19<br>33:5<br><b>please (6)</b><br>2:2 3:3 23:5,8<br>24:21,24<br><b>plus (2)</b><br>31:12 36:11<br><b>point (1)</b><br>29:24<br><b>Policies (1)</b><br>14:10<br><b>Policy (1)</b><br>5:13<br><b>poorly (1)</b><br>33:3<br><b>population (1)</b><br>7:14 | <b>possible (5)</b><br>14:17 15:2,18<br>16:9 18:14<br><b>postmarked (1)</b><br>21:24<br><b>potential (14)</b><br>2:9 3:17 4:10<br>5:20,22 11:4<br>14:12 18:9,17<br>18:25 19:5,6<br>19:10,20<br><b>potentially (1)</b><br>19:22<br><b>preliminary (3)</b><br>8:1,4 20:22<br><b>premise (1)</b><br>29:10<br><b>present (4)</b><br>2:20 21:20<br>22:17,22<br><b>presentation (...)</b><br>3:3,4 4:4,8,13<br>4:17 21:12<br>22:13 25:12<br>26:6 34:4<br><b>presented (1)</b><br>34:10<br><b>Preservation (1)</b><br>18:19<br><b>pretty (2)</b><br>25:23 32:5<br><b>previously (2)</b><br>32:9 33:11<br><b>primary (1)</b><br>4:2<br><b>prior (1)</b><br>4:4<br><b>priority (2)</b><br>6:8,9<br><b>privileged (1)</b><br>35:6<br><b>probably (1)</b><br>36:15<br><b>problem (2)</b><br>26:3 29:2<br><b>problems (1)</b><br>30:11 | <b>procedures (1)</b><br>19:19<br><b>proceedings (2)</b><br>21:17 34:19<br><b>process (4)</b><br>5:12 8:22 22:6<br>34:22<br><b>produce (1)</b><br>8:7<br><b>producing (1)</b><br>30:11<br><b>Professional (1)</b><br>34:13<br><b>professionals (...)</b><br>5:15<br><b>Program (2)</b><br>6:5,7<br><b>programmed (...)</b><br>20:15,16<br><b>progress (2)</b><br>30:19,20<br><b>project (50)</b><br>1:12,13,14 2:6<br>2:12,14,17 3:8<br>3:12,23 4:5,6,9<br>4:11,25 5:2 6:1<br>6:2,8,9,24 8:16<br>8:17 14:5,19<br>15:1,2,9 16:15<br>17:5 18:18<br>19:3,8,11,15<br>20:22,24 21:7<br>22:10,20,23<br>23:13,25 33:4<br>34:7,21 38:10<br>39:12,19 40:1<br><b>projected (4)</b><br>7:8,22 8:7 10:22<br><b>projects (9)</b><br>5:4 6:9,13 23:24<br>24:6,11 35:20<br>36:3,24<br><b>properties (2)</b><br>17:3 19:2<br><b>property (4)</b><br>14:10 17:15,20<br>28:1 |
|--|--|--|--|--|

|  |   |   |   |   |
|--|---|---|---|---|
| <b>proposed (18)</b><br>3:9,16 4:11 6:20<br>8:1,4,24 9:2,21<br>10:18 15:9,20<br>15:25 18:13<br>19:2,11 20:20<br>20:23  | 27:15 28:4<br>29:2,25 30:1<br>30:10                       | 15:12 19:22   | 15:19   | 5:14  |
| <b>protect (1)</b><br>16:18  |   | <b>received (4)</b><br>21:14,23 23:7<br>34:16   | <b>related (1)</b><br>19:6  | <b>require (3)</b><br>12:25 14:5 17:1                                       |
| <b>protected (4)</b><br>16:10 17:4,8,17  |   | <b>recognize (1)</b><br>2:18  | <b>relative (5)</b><br>2:8 3:8 22:18<br>41:8,10                                   | <b>required (3)</b><br>15:19 16:16<br>17:3                                  |
| <b>protection (3)</b><br>16:8,21 19:17   | <b>Q</b>  | <b>recognized (1)</b><br>2:21   | <b>release (1)</b><br>27:18   | <b>requirements ...</b><br>4:19 16:5  |
| <b>provide (9)</b><br>4:6,14,15 10:22<br>14:15 21:7<br>23:9,12 38:3  | <b>quadrant (1)</b><br>12:14                              | <b>recommended...</b><br>10:19 13:14,21<br>14:14 15:6,18<br>16:3,13 18:2<br>18:20 19:13,21<br>19:25 20:2,4<br>20:14 | <b>relieve (10)</b><br>7:2 25:20 28:12<br>28:19 35:15,17<br>36:19,20 39:2<br>39:7 | <b>requires (1)</b><br>13:17  |
| <b>provided (3)</b><br>4:25 17:21<br>32:16   | <b>quality (7)</b><br>15:24 16:2,4<br>19:9,14,16<br>32:15 | <b>record (9)</b><br>21:16 22:1,23<br>23:20 25:1<br>31:8,21 37:1<br>41:7  | <b>relieving (1)</b><br>29:1  | <b>resident (2)</b><br>38:16,18   |
| <b>provides (2)</b><br>5:4 13:16   | <b>Quaye (1)</b><br>20:5                                  | <b>recreation (1)</b><br>16:19  | <b>religion (1)</b><br>3:25   | <b>residential (5)</b><br>39:14,20,22<br>40:2,3                             |
| <b>providing (3)</b><br>3:21 37:14 38:9  | <b>question (6)</b><br>23:11,22 25:8<br>25:13 35:1,25     | <b>red (1)</b><br>8:11  | <b>relocation (2)</b><br>14:6,9   | <b>resource (1)</b><br>17:11  |
| <b>provisions (1)</b><br>16:16   | <b>questions (6)</b><br>20:8,10 23:4,16<br>34:4 36:17     | <b>reduce (2)</b><br>15:15 27:21  | <b>remain (1)</b><br>23:15  | <b>resources (2)</b><br>18:18,23  |
| <b>prudent (1)</b><br>16:24  | <b>quite (3)</b><br>31:5 32:7,12                          | <b>reduced (1)</b><br>8:17  | <b>remains (1)</b><br>8:21  | <b>response (3)</b><br>7:16 24:18 38:7                                      |
| <b>public (27)</b><br>1:6 3:6,7,14,15<br>3:20,21,23<br>4:18 5:23<br>16:19 17:2<br>21:7,8,25 22:1<br>22:1,5,15<br>23:15,17 24:23<br>34:23,24 38:9<br>38:13 40:9 | <b>R</b>  | <b>reductions (1)</b><br>8:7  | <b>remember (1)</b><br>31:10  | <b>rest (1)</b><br>25:2   |
| <b>purchase (1)</b><br>20:14   | <b>race (1)</b><br>3:24                                   | <b>reduction (1)</b><br>27:24   | <b>remind (2)</b><br>23:10 34:9   | <b>result (3)</b><br>14:13 16:2<br>22:20                                    |
| <b>purpose (4)</b><br>3:14 4:9 6:24<br>8:15  | <b>raise (1)</b><br>23:8                                  | <b>refuges (1)</b><br>16:20   | <b>renderings (1)</b><br>32:19  | <b>resulting (1)</b><br>19:10   |
| <b>push (1)</b><br>32:23   | <b>ramp (6)</b><br>8:3 9:22 10:13<br>10:21 11:2<br>28:16  | <b>regard (1)</b><br>3:24   | <b>replacing (1)</b><br>13:3  | <b>reverse (1)</b><br>11:20   |
| <b>put (8)</b><br>25:14 26:16  | <b>ramps (2)</b><br>12:23 28:21                           | <b>regarding (1)</b><br>3:22  | <b>report (6)</b><br>6:9 7:17 19:25<br>26:18 37:21<br>41:5                        | <b>review (4)</b><br>14:18,20 20:25<br>34:23                                |
|  | <b>range (2)</b><br>6:5 14:2                              | <b>regards (2)</b><br>37:9,17   | <b>reporter (6)</b><br>4:7,16 21:15,21<br>24:25 41:4                              | <b>Richard (1)</b><br>31:25   |
|  | <b>ranging (1)</b><br>14:4                                | <b>regional (2)</b><br>6:3 35:7   | <b>reports (1)</b><br>14:15   | <b>ride (2)</b><br>38:23,23   |
|  | <b>rate (1)</b><br>25:12                                  | <b>register (1)</b><br>18:22  | <b>represent (2)</b><br>24:22 35:6  | <b>riding (1)</b><br>32:25  |
|  | <b>real (3)</b><br>14:9 25:10 28:3                        | <b>regulations (1)</b><br>22:12   | <b>representative...</b><br>2:15  | <b>right (10)</b><br>12:22 28:6,15<br>29:6,10 31:5<br>34:5 38:8,19<br>38:25 |
|  | <b>really (5)</b><br>26:7 32:11,14<br>33:3 35:17          | <b>regulatory (1)</b>   | <b>representing (2)</b><br>24:15 25:5   | <b>right-of-way (...)</b><br>9:17 10:12<br>12:10 13:10,17                   |
|  | <b>reason (2)</b><br>36:19,22                             |   | <b>represents (1)</b>   |   |
|  | <b>reasonable (2)</b>                                     |   |   |   |

|   |   |  |   |  |
|---|---|--|---|--|
| 13:24 14:3,6,7<br>20:14<br><b>righthand (1)</b><br>12:21<br><b>risk (1)</b><br>19:4<br><b>risks (1)</b><br>19:7<br><b>road (31)</b><br>3:13 6:22 8:3<br>9:3,5,7,18<br>10:11,20,21<br>12:18,21 13:22<br>24:3 25:19<br>26:4,11,14<br>27:1,6,6,7,12<br>29:1 30:8,17<br>31:6,15,16<br>38:20 39:5<br><b>roads (1)</b><br>28:24<br><b>Ross (6)</b><br>3:13 6:22 11:8<br>39:3,18,24<br><b>round (1)</b><br>38:18<br><b>route (2)</b><br>27:3 31:22<br><b>rules (1)</b><br>22:12<br><b>run (1)</b><br>33:16<br><b>rush (1)</b><br>27:13 | 27:8,14,15<br>29:20,25 30:1<br>30:2 38:25<br>39:16 40:3,7<br><b>screening (1)</b><br>18:24<br><b>seat (1)</b><br>2:2<br><b>second (4)</b><br>4:8 9:21 12:15<br>20:17<br><b>section (10)</b><br>9:2,12,22 10:10<br>10:20 16:22<br>17:4,8,17 26:4<br><b>see (1)</b><br>39:23<br><b>seen (1)</b><br>36:15<br><b>selected (1)</b><br>20:12<br><b>selecting (1)</b><br>23:14<br><b>sent (3)</b><br>22:8 26:19<br>34:12<br><b>separates (1)</b><br>10:1<br><b>separating (1)</b><br>10:2<br><b>September (2)</b><br>1:8 6:10<br><b>serves (1)</b><br>3:20<br><b>service (3)</b><br>7:6,13 16:17<br><b>session (1)</b><br>23:11<br><b>sex (1)</b><br>3:25<br><b>share (2)</b><br>3:14 37:15<br><b>sheet (1)</b><br>27:17<br><b>shelf (1)</b><br>29:2<br><b>shift (2)</b> | 7:24 8:6<br><b>short (1)</b><br>12:20<br><b>shoulder (1)</b><br>13:7<br><b>shoulders (6)</b><br>9:10,15,16 10:6<br>10:8,9<br><b>show (2)</b><br>25:22 32:19<br><b>showing (1)</b><br>20:23<br><b>shown (3)</b><br>8:8,11 22:3<br><b>shy (1)</b><br>23:20<br><b>side (8)</b><br>9:3,8 11:10<br>12:18,21 17:7<br>17:12 32:4<br><b>sides (2)</b><br>10:8,9<br><b>sidewalk (7)</b><br>11:16,19,24<br>12:2,7 13:8<br>31:18<br><b>sidewalks (1)</b><br>29:22<br><b>sign (1)</b><br>4:25<br><b>signal (1)</b><br>12:25<br><b>significant (1)</b><br>15:5<br><b>similar (1)</b><br>14:4<br><b>Simply (1)</b><br>5:7<br><b>single (1)</b><br>39:10<br><b>site (4)</b><br>18:9 39:21,22<br>39:25<br><b>sites (2)</b><br>16:20 19:3<br><b>sitting (2)</b><br>2:17 36:17 | <b>six (1)</b><br>29:25<br><b>six-lane (1)</b><br>26:14<br><b>sixty (2)</b><br>27:11 28:22<br><b>sixty-five (1)</b><br>36:7<br><b>sixty-six (1)</b><br>36:7<br><b>slides (1)</b><br>6:17<br><b>slightly (2)</b><br>9:19 10:14<br><b>slow (1)</b><br>29:13<br><b>small (2)</b><br>38:21 39:16<br><b>snake (1)</b><br>16:15<br><b>snakes (1)</b><br>30:5<br><b>social (3)</b><br>3:18 5:22 14:13<br><b>socioeconomic...</b><br>22:19<br><b>solicited (1)</b><br>3:24<br><b>solutions (2)</b><br>5:6,21<br><b>solve (1)</b><br>30:12<br><b>somebody (2)</b><br>29:24 36:9<br><b>sorry (1)</b><br>25:8<br><b>south (7)</b><br>9:7 10:4 11:8<br>16:5 17:7,12<br>29:6<br><b>southbound (4)</b><br>9:15,24 11:16<br>11:21<br><b>space (1)</b><br>39:16<br><b>spaces (1)</b><br>30:16 | <b>speak (9)</b><br>4:5 21:19 23:8<br>25:1 33:17<br>34:6,8 37:3,8<br><b>speaker (2)</b><br>3:4 21:13<br><b>speaker's (1)</b><br>23:5<br><b>special (3)</b><br>16:8,16,21<br><b>specialist (1)</b><br>20:9<br><b>species (6)</b><br>16:7,8,10,11,13<br>16:18<br><b>specific (2)</b><br>23:16 34:4<br><b>spine (1)</b><br>24:2<br><b>spoken (2)</b><br>37:10,17<br><b>square (2)</b><br>25:15 28:1<br><b>staff (4)</b><br>23:2,6,8,14<br><b>stages (1)</b><br>35:21<br><b>standards (2)</b><br>7:6 19:16<br><b>start (4)</b><br>2:2 26:17 28:9<br>30:21<br><b>started (3)</b><br>29:10 32:6<br>35:14<br><b>state (11)</b><br>1:12 2:7,19 4:19<br>5:14 6:6 18:19<br>22:12 24:15,21<br>41:1<br><b>stated (4)</b><br>5:7 32:9,11<br>33:11<br><b>statement (4)</b><br>21:15,16 22:15<br>22:17<br><b>statements (5)</b> |
| <hr/> <b>S</b> <hr/>  |   |  |   |  |
| <b>savings (1)</b><br>7:22<br><b>saying (3)</b><br>31:8,21 33:24<br><b>says (1)</b><br>25:12<br><b>school (7)</b><br>27:13 30:7,8<br>32:10,10,24<br>38:24<br><b>schools (11)</b>  |   |  |   |  |

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| 4:14 34:9,11<br>34:11,16<br><b>status (1)</b><br>4:1<br><b>stenographic (1)</b><br>41:7<br><b>stenographica...</b><br>41:5<br><b>step (1)</b><br>22:4<br><b>stop (2)</b><br>29:2 30:22<br><b>storm (2)</b><br>15:10,25<br><b>Strasser (5)</b><br>29:17,18 33:21<br>33:23 34:5<br><b>Strategic (1)</b><br>20:17<br><b>streams (2)</b><br>9:5 10:2<br><b>street (3)</b><br>29:23 32:7,14<br><b>streets (1)</b><br>38:23<br><b>strictly (1)</b><br>39:5<br><b>struck (1)</b><br>35:12<br><b>stuck (1)</b><br>35:19<br><b>studied (1)</b><br>11:4<br><b>studies (2)</b><br>14:16 20:21<br><b>study (15)</b><br>1:2 3:17 4:9 5:3<br>5:8,18 6:19<br>14:25 18:17<br>19:18,25 21:4<br>28:12,15 29:3<br><b>stuff (1)</b><br>25:16<br><b>subject (1)</b><br>19:14<br><b>submitting (1)</b><br>21:22 | <b>support (1)</b><br>34:10<br><b>sure (5)</b><br>23:19 24:25<br>37:19,23 38:1<br><b>surface (1)</b><br>15:11<br><b>swales (1)</b><br>15:11<br><b>system (4)</b><br>8:3 9:22 10:1<br>20:17<br><hr/> <b>T</b> <hr/> <b>table (1)</b><br>21:22<br><b>take (5)</b><br>2:2 28:5 29:13<br>30:15 36:23<br><b>taken (4)</b><br>23:23 24:2,7,9<br><b>talked (1)</b><br>26:5<br><b>talking (4)</b><br>26:24 27:12,14<br>32:23<br><b>Tallahassee (1)</b><br>4:23<br><b>task (1)</b><br>20:12<br><b>team (4)</b><br>2:17 4:6 23:13<br>34:7<br><b>technical (2)</b><br>5:15 26:5<br><b>techniques (1)</b><br>15:17<br><b>tell (2)</b><br>26:22 36:18<br><b>Temporary (1)</b><br>20:6<br><b>ten (13)</b><br>9:19,19 10:14<br>10:15 13:19<br>21:24 29:22<br>31:18,18 34:17<br>35:2,2,2 | <b>termed (1)</b><br>9:1<br><b>terms (2)</b><br>18:6,10<br><b>Thank (14)</b><br>2:24 3:2 22:13<br>29:15 31:1,23<br>33:18 34:24<br>38:5,6,8,11<br>39:8 40:8<br><b>thing (3)</b><br>25:19 29:11<br>33:21<br><b>things (4)</b><br>29:4 33:23<br>36:14 37:6<br><b>think (2)</b><br>33:15 36:10<br><b>Third (1)</b><br>4:12<br><b>thirteen (1)</b><br>11:1<br><b>thought (2)</b><br>33:3 35:15<br><b>thousand (5)</b><br>27:24 28:7<br>30:23,23 36:11<br><b>Threatened (1)</b><br>16:7<br><b>three (11)</b><br>4:2 5:18 9:9<br>13:5,13 19:3<br>19:22,23 22:24<br>30:22 32:6<br><b>Thursday (1)</b><br>37:13<br><b>tie-ups (1)</b><br>33:15<br><b>tight (5)</b><br>8:5 11:5 12:11<br>13:15,22<br><b>Tillinghast (1)</b><br>38:17<br><b>Timber (1)</b><br>30:7<br><b>time (10)</b><br>1:8 2:18 13:1 | 23:18 24:10,17<br>28:13 33:16<br>36:8 38:20<br><b>times (1)</b><br>7:16<br><b>Tinsley (4)</b><br>2:22,22 37:1,2<br><b>Title (1)</b><br>4:20<br><b>today (1)</b><br>37:5<br><b>told (1)</b><br>35:14<br><b>tonight (9)</b><br>2:11,20 14:18<br>20:9,24 21:9<br>34:11 35:16<br>37:16<br><b>tonight's (2)</b><br>4:3 34:19<br><b>total (8)</b><br>9:19 10:15 12:7<br>13:13 14:1,1<br>27:11,15<br><b>totally (1)</b><br>30:9<br><b>town (1)</b><br>30:23<br><b>towns (1)</b><br>30:21<br><b>Trace (1)</b><br>30:7<br><b>track (1)</b><br>28:8<br><b>traffic (38)</b><br>6:25 7:2,12 8:8<br>8:9 9:1 10:1,22<br>12:24 13:2,6<br>13:16 25:12<br>26:10,11,13,16<br>26:21,22,25<br>27:3,12,21<br>28:6 30:10<br>32:6,11,21<br>33:14,15 35:23<br>36:13 37:20,21<br>37:22,25 38:22 | 39:7<br><b>Trail (11)</b><br>6:22 8:23 9:24<br>10:6 14:24<br>20:2,4 21:3<br>26:14 31:10,11<br><b>transcript (3)</b><br>21:16 34:19<br>41:6<br><b>transfer (1)</b><br>18:6<br><b>transferred (1)</b><br>18:12<br><b>transportatio...</b><br>1:12 2:8,13,16<br>3:5 4:22,24 5:3<br>5:6,17 6:1,5,6<br>6:7,11 16:23<br>34:14<br><b>travel (12)</b><br>7:8 9:4,5,6,12<br>10:3 11:13,17<br>11:22 12:1,5<br>12:19<br><b>traverse (1)</b><br>35:11<br><b>Treasure (1)</b><br>35:7<br><b>treatment (2)</b><br>9:2 15:25<br><b>trips (7)</b><br>27:22,23 28:7<br>35:25 36:3,5<br>36:12<br><b>truck (1)</b><br>27:3<br><b>true (2)</b><br>33:9 41:6<br><b>try (1)</b><br>40:5<br><b>trying (1)</b><br>28:19<br><b>turn (2)</b><br>12:5 26:15<br><b>turned (1)</b><br>24:20<br><b>turning (2)</b> |
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| 13:1,6<br><b>Turnpike (4)</b><br>27:22 28:8,10<br>30:15<br><b>turns (1)</b><br>12:22<br><b>twenty (2)</b><br>35:8,10<br><b>twenty-five (1)</b><br>7:20<br><b>twenty-six (1)</b><br>28:15<br><b>two (27)</b><br>6:21 8:1 9:9,13<br>10:5,24 11:3<br>11:13,14,17,22<br>11:22,25 12:4<br>12:5 13:13<br>17:3 27:10,10<br>27:13,22,23,25<br>28:21 30:2<br>36:16 38:24 | 17:11 24:24<br>31:4<br><hr/> <b>V</b> <hr/> <b>various (3)</b><br>21:6 35:21<br>37:10<br><b>vehicles (1)</b><br>13:1<br><b>verbatim (2)</b><br>21:16 34:19<br><b>VI (1)</b><br>4:20<br><b>viable (1)</b><br>8:21<br><b>vicinity (1)</b><br>16:12<br><b>view (1)</b><br>4:5<br><b>views (1)</b><br>22:17<br><b>volume (1)</b><br>25:2<br><b>volumes (2)</b><br>8:8,10<br><hr/> <b>W</b> <hr/> <b>wading (1)</b><br>16:11<br><b>walk (2)</b><br>29:21 32:16<br><b>walking (2)</b><br>32:25 33:6<br><b>walkways (2)</b><br>32:13,16<br><b>Wang (3)</b><br>1:13 2:11 34:12<br><b>want (7)</b><br>30:9 31:20 37:3<br>37:18,25 39:4<br>39:7<br><b>wanted (2)</b><br>37:4 38:14<br><b>wants (1)</b><br>39:2<br><b>wasn't (2)</b><br>25:18,25 | <b>water (6)</b><br>15:10,24,25<br>16:2,4,5<br><b>waterfowl (1)</b><br>16:20<br><b>waters (1)</b><br>15:11<br><b>way (3)</b><br>23:21 28:8<br>33:12<br><b>ways (1)</b><br>29:19<br><b>we'll (2)</b><br>34:3 38:2<br><b>we're (7)</b><br>2:2 30:18,25,25<br>33:7,14 40:5<br><b>we've (4)</b><br>32:5 37:6,8,17<br><b>weaving (3)</b><br>9:1,22 10:19<br><b>website (2)</b><br>14:25 21:5<br><b>weight (1)</b><br>21:23<br><b>welcome (3)</b><br>3:6 21:9 38:4<br><b>went (1)</b><br>30:5<br><b>west (9)</b><br>11:12 14:21<br>17:6,12 21:1<br>26:14 28:9<br>30:23 34:14<br><b>western (2)</b><br>20:3,5<br><b>Westwood (1)</b><br>31:4<br><b>wetland (2)</b><br>15:8,22<br><b>wetlands (3)</b><br>15:7,13,15<br><b>widen (1)</b><br>30:17<br><b>widespread (1)</b><br>8:7<br><b>width (1)</b> | 12:7<br><b>wildlife (3)</b><br>16:11,17,19<br><b>Winchester (1)</b><br>20:3<br><b>Windemere (1)</b><br>23:20<br><b>wish (3)</b><br>21:19 23:8 34:8<br><b>wishing (1)</b><br>4:20<br><b>Woodmill (1)</b><br>31:3<br><b>Woodstorks (2)</b><br>16:12 30:5<br><b>works (2)</b><br>6:11 29:4<br><b>wreck (1)</b><br>29:9<br><b>writing (3)</b><br>4:7,16 21:20<br><b>written (9)</b><br>21:10,23 22:2<br>22:17 34:9,11<br>34:16 37:14<br>38:4<br><b>www.95pgace...</b><br>21:5<br><b>www.95pgace...</b><br>14:25<br><hr/> <b>X</b> <hr/> <b>X (1)</b><br>36:4<br><hr/> <b>Y</b> <hr/> <b>year (5)</b><br>10:23 20:15,18<br>20:18 38:18<br><b>years (4)</b><br>23:25 32:6 35:8<br>35:10<br><b>young (2)</b><br>27:14 29:19<br><hr/> <b>Z</b> <hr/> <b>Zoning (1)</b> | 35:9<br><hr/> <b>0</b> <hr/> <hr/> <b>1</b> <hr/> <b>1 (2)</b><br>20:1,18<br><b>1.3 (1)</b><br>15:11<br><b>1.33 (3)</b><br>10:16 18:3,8<br><b>1.4 (1)</b><br>7:22<br><b>10-foot (5)</b><br>11:16,18,24<br>12:2,6<br><b>100-year (1)</b><br>15:3<br><b>10500 (2)</b><br>14:23 21:3<br><b>107 (1)</b><br>12:8<br><b>10th (1)</b><br>41:13<br><b>11-foot (10)</b><br>11:13,14,15,17<br>11:22,22,24,25<br>12:5,5<br><b>11.3 (1)</b><br>14:4<br><b>117 (1)</b><br>32:11<br><b>12-foot (7)</b><br>9:9,9,13,14,15<br>10:5,6<br><b>12.2 (1)</b><br>14:4<br><b>12218 (1)</b><br>38:16<br><b>124 (1)</b><br>26:9<br><b>12724 (1)</b><br>31:3<br><b>13 (1)</b><br>14:20<br><b>134 (2)</b><br>12:8 26:8 |
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| <b>13748 (1)</b><br>1:4            | 14:22 21:2                         | <b>7</b>                         |  |  |
| <b>13th (1)</b><br>35:4            | <b>33309-3421 (1)</b><br>34:16     | <b>7-foot (6)</b><br>11:14,18,23 |  |  |
| <b>14-foot (1)</b><br>9:16         | <b>33410 (2)</b><br>14:24 21:4     | 12:1,6 13:7                      |  |  |
| <b>146 (1)</b><br>25:4             | <b>33418 (1)</b><br>25:5           | <b>7.9 (1)</b><br>13:25          |  |  |
| <b>15 (1)</b><br>25:25             | <b>3400 (3)</b><br>14:21 21:1      | <b>7:20 (1)</b><br>1:8           |  |  |
| <b>15-foot (2)</b><br>10:7,9       | 34:14                              | <b>8</b>                         |  |  |
| <b>1966 (1)</b><br>16:22           | <b>4</b>                           | <b>8 (1)</b><br>20:5             |  |  |
| <b>1970 (1)</b><br>14:10           | <b>4 (7)</b><br>1:12,13 2:13       | <b>8-foot (2)</b><br>10:6 13:6   |  |  |
| <b>1st (1)</b><br>20:16            | 4:22 14:21                         | <b>8.1 (1)</b><br>15:10          |  |  |
|                                    | 20:25 34:14                        | <b>9</b>                         |  |  |
|                                    | <b>4(f) (4)</b><br>16:22 17:4,8,17 | <b>906 (1)</b><br>23:20          |  |  |
| <b>2</b>                           | <b>4045 (1)</b><br>32:1            | <b>95 (5)</b><br>24:2 30:14 39:1 |  |  |
| <b>2004 (1)</b><br>26:10           | <b>41.8 (1)</b><br>14:1            | 39:3,25                          |  |  |
| <b>2014 (2)</b><br>6:9,10          | <b>413265-1-22-0...</b><br>1:3 3:9 |                                  |  |  |
| <b>2015 (2)</b><br>7:19 21:9       | <b>5</b>                           |                                  |  |  |
| <b>2016 (3)</b><br>1:8 14:20 41:13 | <b>5 (2)</b><br>20:3 26:8          |                                  |  |  |
| <b>2020 (1)</b><br>20:16           | <b>5:30 (1)</b><br>1:8             |                                  |  |  |
| <b>2023 (1)</b><br>20:19           | <b>52.2 (1)</b><br>14:2            |                                  |  |  |
| <b>2024 (1)</b><br>24:6            | <b>59 (1)</b><br>31:7              |                                  |  |  |
| <b>2035 (1)</b><br>7:7             | <b>5A (1)</b><br>25:16             |                                  |  |  |
| <b>2040 (2)</b><br>10:23 27:12     | <b>6</b>                           |                                  |  |  |
| <b>22nd (1)</b><br>21:9            | <b>6 (3)</b><br>10:9 12:8,8        |                                  |  |  |
| <b>28 (1)</b><br>1:8               | <b>6-foot (2)</b><br>10:7 13:8     |                                  |  |  |
| <b>3</b>                           | <b>6:50 (1)</b><br>38:10           |                                  |  |  |
| <b>33.9 (1)</b><br>13:23           | <b>65.8 (1)</b><br>14:3            |                                  |  |  |
| <b>33309 (2)</b>                   |                                    |                                  |  |  |



## **APPENDIX D**

### **Section 4(f) Documentation**



**Section 4(f) Determination of Applicability**

## MEETING MINUTES

|                      |  |
|----------------------|--|
| Meeting Title:       | <b>I-95 @ PGA/Central Blvd. PD&amp;E Study – Section 4f DOA Presentation</b> |
| Date of Meeting:     | April 26, 2016   |
| Meeting Time:        | 1:30 pm – 2:15 pm  |
| Location of Meeting: | D4-DO3, PLEM and GoTo Meeting / (224) 501-3412                               |
| Purpose of Meeting:  | Section 4(f) Determination of Applicability Presentation                     |

### Attendees:

| FDOT   | FHWA  | BCC   | STANTEC                                     |
|--|---|---|---|
| Ann Broadwell<br>Bing Wang<br>Christie Pritchard<br>Cesar Martinez<br>Henry Oaikhena<br>Cristine Balderes (GoTo Meeting) | Mark Clasgens<br>Buddy Cunill (GoTo Meeting)<br>Luis Lopez (GoTo Meeting) | Ann Venables<br>Jose Munoz<br>Gavin Jones<br>Lorin Brissett | Nicole Carter<br>Brook Wolfe (GoTo Meeting) |

The presentation began with a project overview including a summary of the project description and purpose and need. The project limits extend along SR 9/ I-95 from Northlake Blvd to Donald Ross Road in northern Palm Beach County. SR 9/I-95 is a Strategic Intermodal System (SIS) facility, a designated evacuation route, and a major local commuter route for the surrounding population. SR 9/I-95 is owned and operated by FDOT. It is classified in the Palm Beach County Comprehensive Plan as a Principal Arterial. Central Boulevard is classified as an Urban Collector. Central Boulevard currently crosses over, but does not provide access to, SR 9/I-95 at this location.

The ongoing PD&E study is evaluating alternatives for construction of a new interchange at SR 9/I-95 and Central Boulevard in the City of Palm Beach Gardens. Construction of a new interchange, if selected as the Preferred Alternative, will reduce congestion and improve mobility within the City of Palm Beach Gardens. Two mainline build alternatives are currently considered viable alternatives at this time. One Alternative, includes a collector distributor road between Central Boulevard and Military Trail. The second alternative includes a braided ramp in the same location. Both include the new interchange at Central Blvd and have a similar footprint along the remainder of the corridor. Two types of interchanges are also under consideration for each mainline alternative, a tight diamond and a diverging diamond.

There is one existing Section 4(f) recreational resource (Palm Beach Gardens City Park) and one future recreational resource (Palm Beach County District Park) located along the project corridor. Consistent with the 13 points for a Determination of Applicability (DOA) in Part 2, Chapter 13 of the PD&E Manual, the following information was discussed for each park:

- Location;
- Size;

- Ownership;
- Usage, Hours of operation, and Activities;
- Access;
- Short term or long term impacts; and,
- Direct or constructive use.

This information is provided for each park in the attached PowerPoint slides.

### **1. Palm Beach Gardens' City Park**

City Park is owned and operated by the City of Palm Beach Gardens, who provided a letter of significance for the park (see attached). The 32 acre property is comprised of a 19 acre multiuse recreational park and a 13 acre tennis center. A portion of the Park is currently under construction to expand the facilities as the Joseph R. Russo Athletic Complex. Construction completion is estimated for October 2016.

No right-of-way will be acquired from City Park. Access from Central Blvd will be maintained during construction; there will be no permanent or temporary changes to park access. There will be no direct use of the park, but the SR 9/I-95 Southbound edge of pavement will move slightly closer to the park.

A Noise Analysis will be conducted after selection of the Recommended Alternative. However, the 66.0 dB(A) Noise Contour Line indicates potential noise impacts to two existing tennis courts, 4 proposed tennis courts, most existing handball courts, portions of a proposed multi-purpose field, and a walking trail. The Noise Analysis will evaluate whether noise abatement is warranted, including a cost/benefit analysis which will consider the number of park visitors. However, it is not anticipated that noise impacts will substantially impair the use, value, activities, features or attributes of the park.

**FDOT's conclusion is that although Section 4(f) does apply to City Park, the proposed improvements will not entail a "use" (either actual or constructive) of the Section 4(f) resource.**

### **2. Palm Beach County's District Park (Future Park)**

The District Park property is currently an 80+ acre undeveloped parcel purchased by Palm Beach County using 1999 Recreational and Cultural Facilities Bond funds with the intent to develop the property as an active park facility. The property is located within Palm Beach Gardens, the City of which is actively pushing the County to develop the park and has expressed interest in operating the park post-construction. The County recognizes the need for the park and provided a letter of significance for the future park (see attached), which also states the County's intent to develop the park. However, park development is currently unfunded and there is no established timeframe for development. The County is currently considering a sales tax referendum for the 2016 ballot to begin acquiring funds for park development.

The County has developed a Conceptual Master Plan for the park, but any final plan would first require approval by Palm Beach County's Board of County Commissioners (landowner) and the City of Palm Beach Garden's Town Council (jurisdiction). Both Build Alternatives would require minor right-of-way acquisition (less than 2 acres or approximately 2% of total property) from the future park property. The County has acknowledged that the Conceptual Master Plan is subject to change and stated that they are willing to work with FDOT to accommodate the I-95 improvements since their design is not yet finalized.

No other short or long term impacts will occur to the facility as there are currently no features, activities or attributes, or access to affect. The site is currently fenced with no access to the public. Future access is anticipated off a side road (117th Ct N) from Central Boulevard - the same road currently providing access to City Park. Access to 117th Ct N will be maintained during and post-construction. Regarding noise, as this park is only planned and not yet permitted, FHWA and FDOT procedures do not require consideration of noise impacts because there are no existing or future usage numbers available. However, the area will be reevaluated for noise, as well as other impacts, during the design phase.

**FDOT requests to pursue a *de minimis* finding for the District Park.**

After the presentation given by Nicole, several questions were asked by FHWA.

Luis requested the Noise Contour information or actual impact information. A brief description of the methodology and results for the noise contour analysis is attached to these meeting minutes.

The teleconference meeting minutes will be submitted by FDOT to FHWA for review, along with an applicability determination for each park and the existing noise information. The PowerPoint and meeting minutes, along with FHWA approval, will be included in the Categorical Exclusion Type II.

The Team will prepare meeting minutes for the DOA package and will include the PowerPoint slides and the existing noise information.

City Park

The Team clarified that the usage (257,000 annually) at City Park needs to be reconfirmed, since it seems high (700+ visitors a day). The City has requested a noise wall, but it is anticipated that the park will not meet the criteria for a noise barrier.

District Park

Luis asked whether the District Park is designated or reserved as a park. It was explained that the County has determined it is a significant planned park. The property was purchased with recreational bond funds with intent to create a park. However, there is a possibility that the site could be developed for an alternative use and if so, funds would have to be repaid. He also asked if the public had access at this time. The park is currently fenced off with no access to the public.

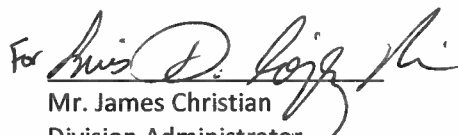
Buddy asked whether there is the possibility of a joint planning development. FDOT confirmed that the current plan for the park is only conceptual and that if FDOT moves forward with ROW acquisition, there is the potential for FDOT and the County to work together in the future. Buddy commented that FDOT may be able to request that the County set aside two acres for transportation use. Nicole commented that the County has expressed its willingness to work with FDOT and design the future park to minimize or avoid impacts to proposed facilities or features.

Buddy asked whether the community is pushing for the park. Nicole explained that the City of Palm Beach Gardens is pushing the County to develop the park and wants to operate it after construction. But the development is currently unfunded. Any development will require Palm Beach Gardens and Palm Beach County approval.

FDOT explained that they are willing to pursue a *de minimis* for the District Park, but is looking for guidance from FHWA given the unique circumstances surrounding the property.

These meeting minutes and the attached presentation constitute the Section 4(f) DOA for this PD&E Study for Palm Beach Garden's City Park. The FDOT's conclusion is that although Section 4(f) does apply to Palm Beach Garden's City Park, the proposed improvements will not entail a "use" (either actual or constructive) of the Section 4(f) resource.


The FHWA finds this information complete and sufficient, and concurs that there is no Section 4(f) involvement with Palm Beach Garden's City Park.

For   
Mr. James Christian  
Division Administrator  
Florida and Puerto Rico Divisions  
Federal Highway Administration

6-17-2016  
Date

These meeting minutes and the attached presentation constitute the Section 4(f) DOA for this PD&E Study for Palm Beach County's District Park. The FDOT's conclusion is that Section 4(f) applies to the District Park and that it is appropriate to pursue a Section 4(f) *de minimis* finding for the anticipated minor impacts to the planned park.

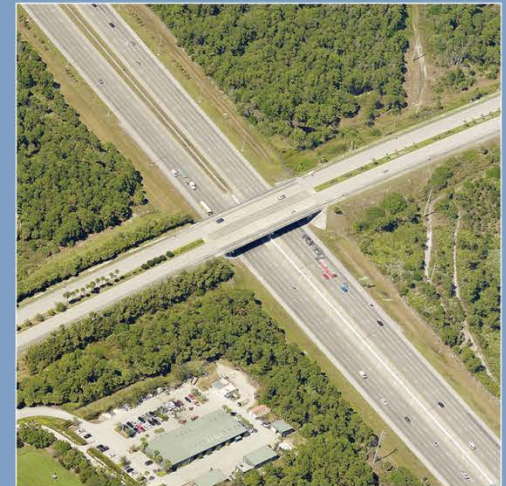
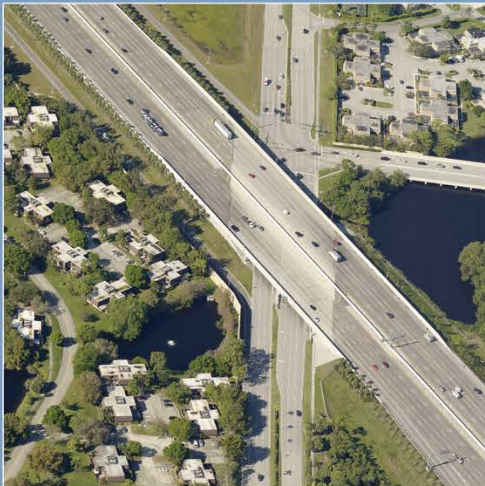
The FHWA finds this information complete and sufficient, and concurs that it is appropriate to pursue a Section 4(f) *de minimis* finding for the District Park.

for   
Mr. James Christian  
Division Administrator  
Florida and Puerto Rico Divisions  
Federal Highway Administration

6-17-2016  
Date



# Potential Section 4(f) Resources Presentation to FHWA Request for Determination of Applicability April 26, 2016





# SR 9/I-95 at Central Boulevard PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Project Overview – Project Location Map







## Project Overview

**Project Limits:** I-95 from Northlake Boulevard to Donald Ross Road

### Existing Conditions

- Strategic Intermodal System (SIS) Facility
- Florida's Interstate Highway System (FIHS) Facility
- Connects to other SIS facilities
- Designated Emergency Evacuation route
- 32% Projected Population increase 2005 to 2035
- 46.9% Project Employment increase 2005 to 2035



## Purpose and Need

- Proposed New Interchange at Central Boulevard
- Reduce demand and relieve congestion on regional facilities
- Reduce demand and congestion on PGA Boulevard and Military Trail
- Improve operation at ramp terminal intersections at adjacent interchanges (PGA Boulevard & Donald Ross Road)
- Improve Regional Mobility



## Alternatives

- Either Alternative will provide a tight diamond or a diverging diamond interchange at Central Boulevard
- **Alternative 2 (Collector Distributer Road)**
  - *Southbound Central Blvd on-ramp and SB Military Trail off-ramp share a 3-lane collector road*
  - *Avoids weaving on I-95*
- **Alternative 3 (Braided Ramp)**
  - *Southbound Military Trail off-ramp elevates and passes over Central Blvd SB on-ramp.*
  - *Separates weaving streams from each other and I-95*



# SR 9/I-95 at Central Boulevard Interchange

## PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Alternative 2





# SR 9/I-95 at Central Boulevard Interchange

## PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Alternative 3









# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Palm Beach Gardens City Park







## Palm Beach Gardens City Park



- **Ownership/Operation:** City of Palm Beach Gardens
- **Size:** 19 acres (Parcel is 32 acres with 13-acre Tennis Center)
- **Existing Facilities:** tennis courts, basketball courts, racquet/handball courts, multiuse trails, playground, restrooms, and parking.
- Renovations began Jan 2016 – Joseph R. Russo Athletic Complex (Est. Completion October 2016)
- **Proposed Additional Facilities:** soccer/lacrosse/football multiuse fields; tennis courts; playgrounds; trails & fitness course; concession facility; & sports lighting.
- **Park hours:** Dawn to Dusk
- **Usage:** 257,000 Visitors Annually

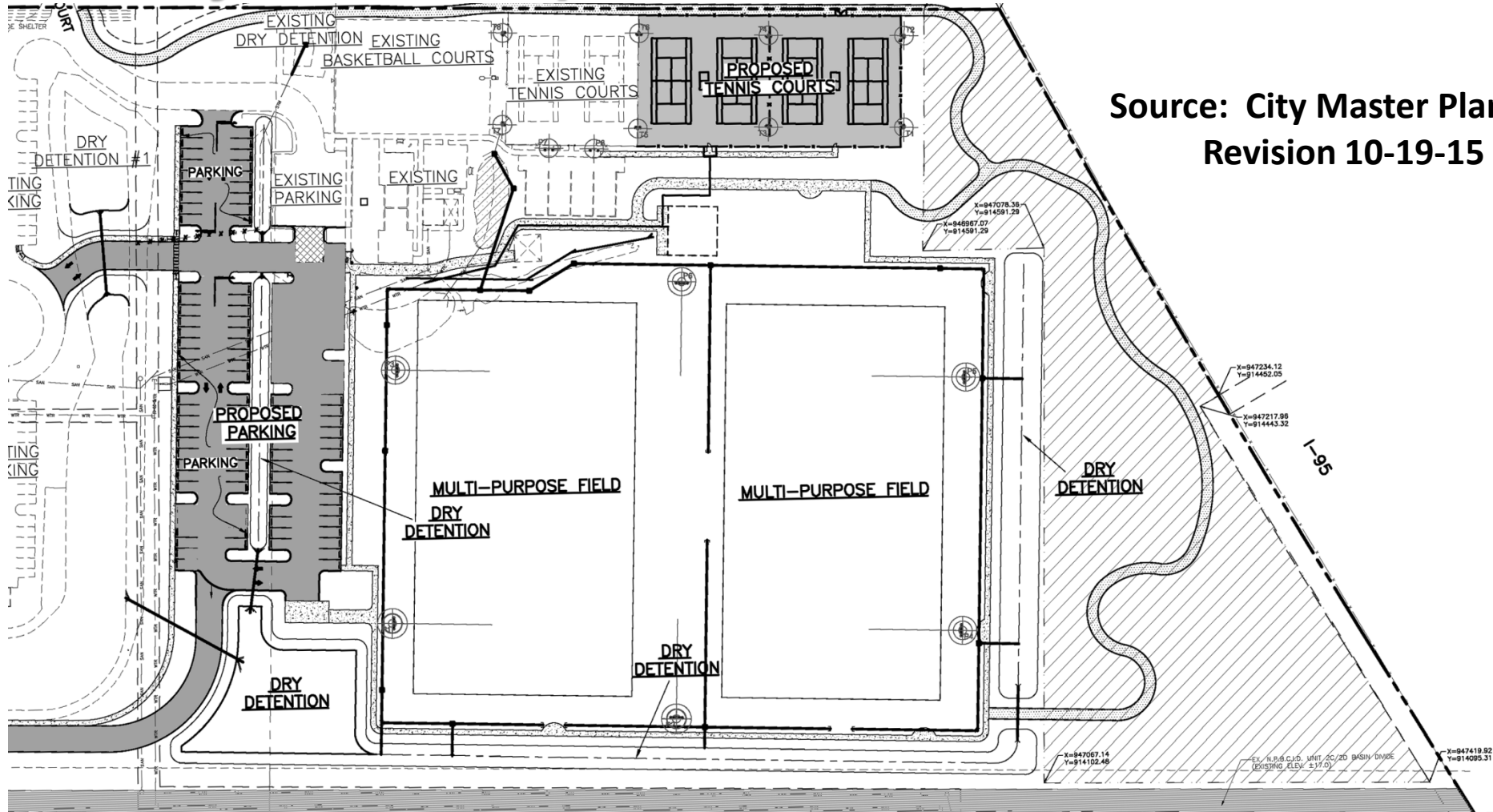


# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## City Park – Proposed





## City Park – Project Effects

- No right of way will be acquired from property (located at 5070 117th Court North)
- Access from Central Boulevard will be maintained during construction.
- Possible Noise Impacts are anticipated \*
- No other short term or long term impacts of the proposed improvements are anticipated to affect the facilities, activities or attributes of this park.
- No direct use of park is anticipated.

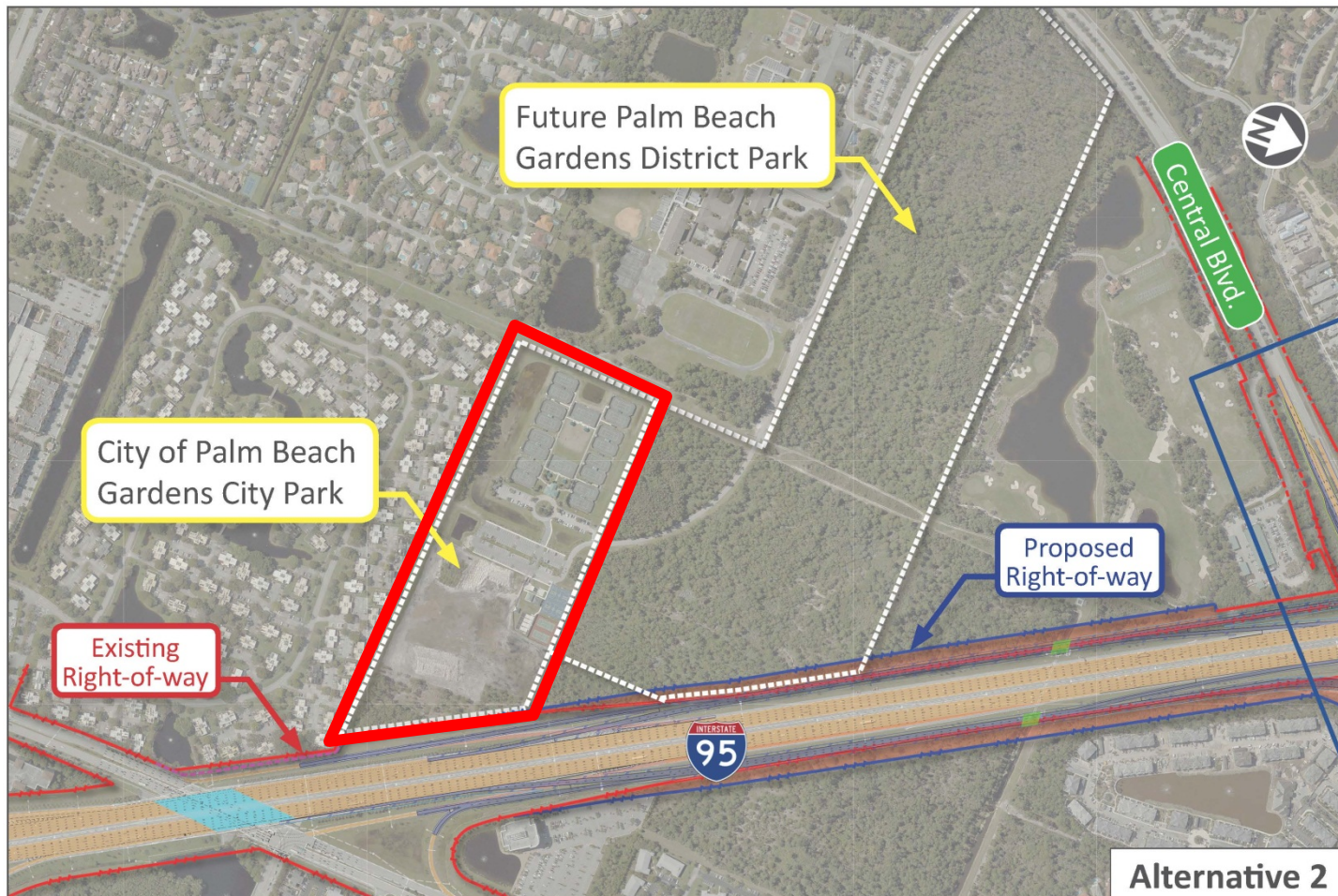


# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## City Park – Project Effects – Alternative 2



Alternative 2



# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## City Park – Project Effects – Alternative 3



Alternative 3

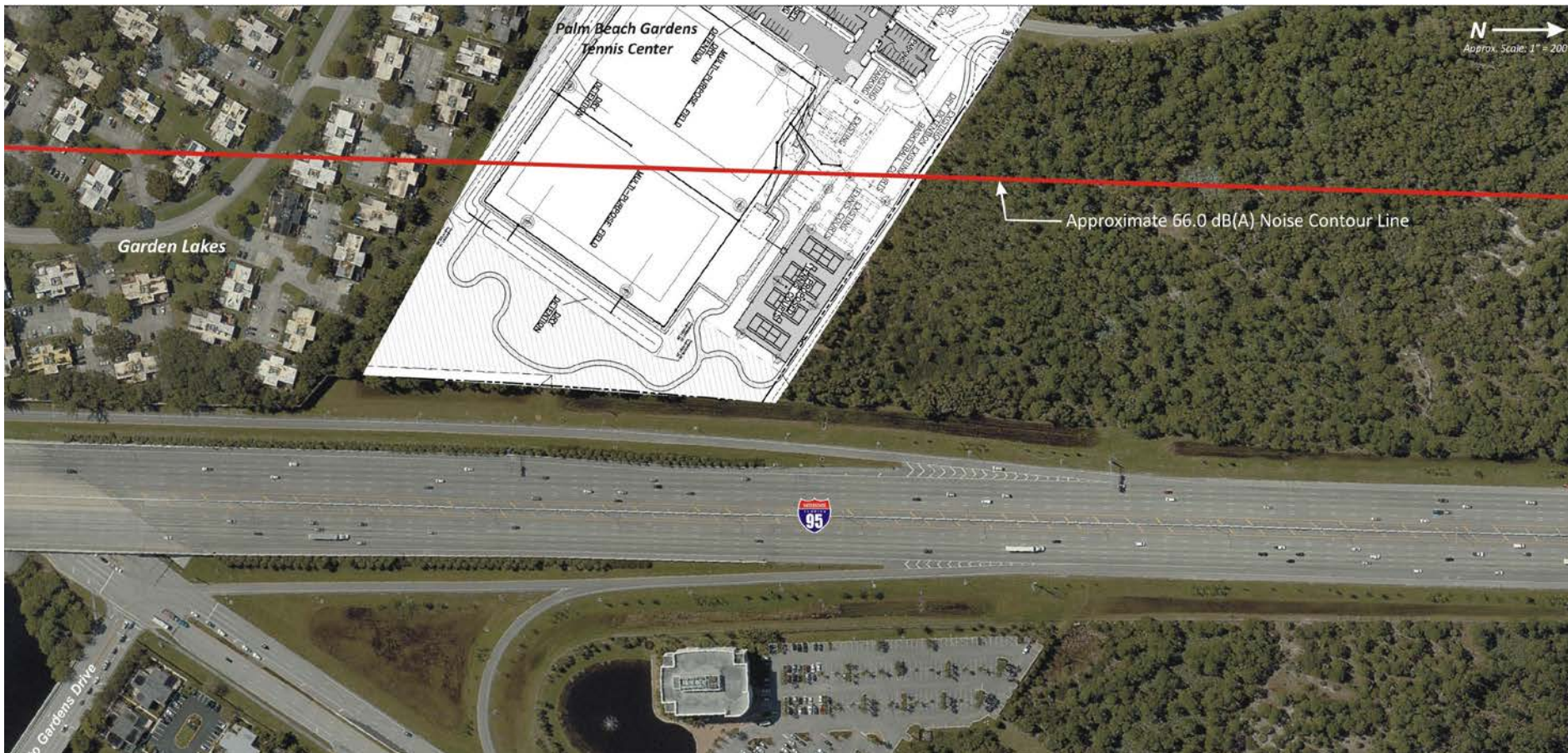


# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## City Park – Noise Analysis







## City Park – Project Effects - Potential Noise Impacts

- Noise Contour extends approximately 580 feet from the existing edge of pavement.
- Estimated Potential Noise Impacts to:
  - 2 existing tennis courts
  - 4 proposed tennis courts
  - Most of existing handball courts
  - Portions of proposed multi-purpose field
  - Walking trail
- Impact Determination, Reasonableness, and Feasibility to be determined based on analysis of Recommended Alternative.

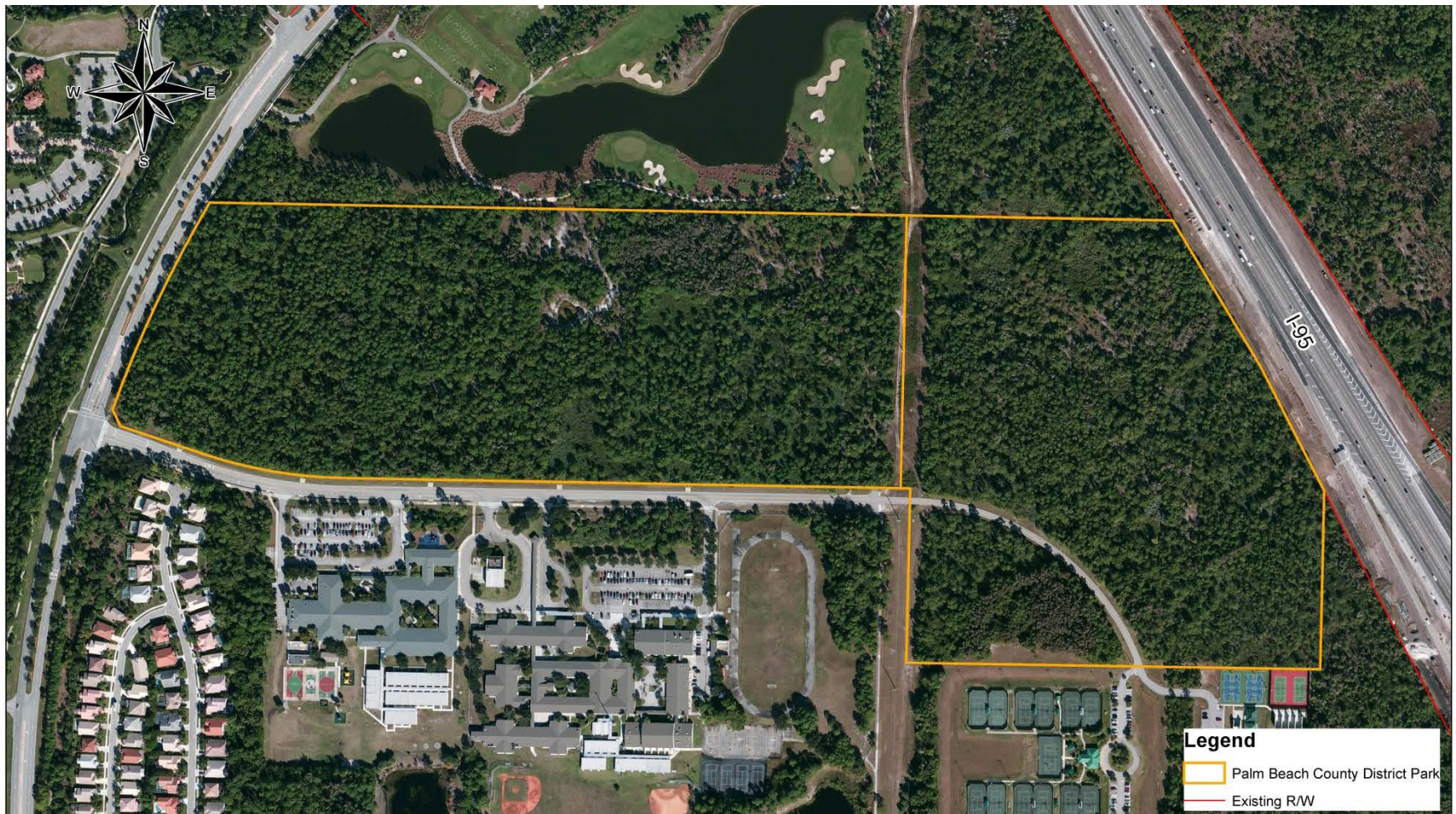


# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Palm Beach County District Park







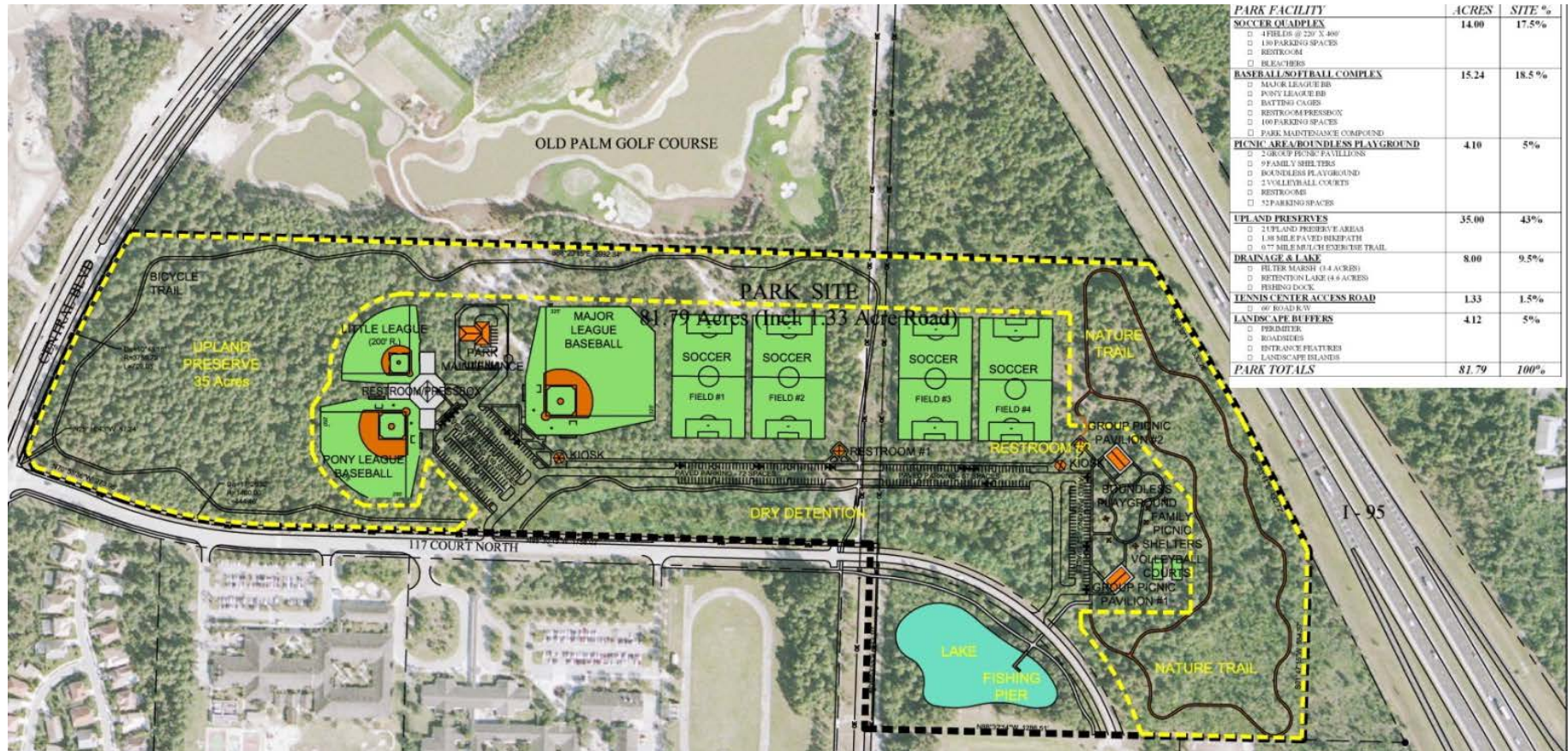
## **Palm Beach County District Park**

- **Property Ownership:** Palm Beach County
- **Proposed Park Construction:** Palm Beach County (unfunded)
- **Proposed Park Operation:** City of Palm Beach Gardens has expressed desire to operate after construction
- **Size:** 81.79 acres
- **Conceptually Proposed Facilities (subject to change):** Recreational activities planned - see Conceptual Master Plan
- **Development Approval:** Requires Palm Beach County Board of County Commissioners (landowner) and City of Palm Beach Gardens Town Council (jurisdiction)
- **Funding:** No Funding in County's 5-Year Capital Plan. Potential sales tax referendum Fall 2016.
- **Park hours:** To Be Determined
- **Usage:** Countywide. Visitation Numbers To Be Determined





# District Park – Conceptual Master Plan







## District Park – Project Effects

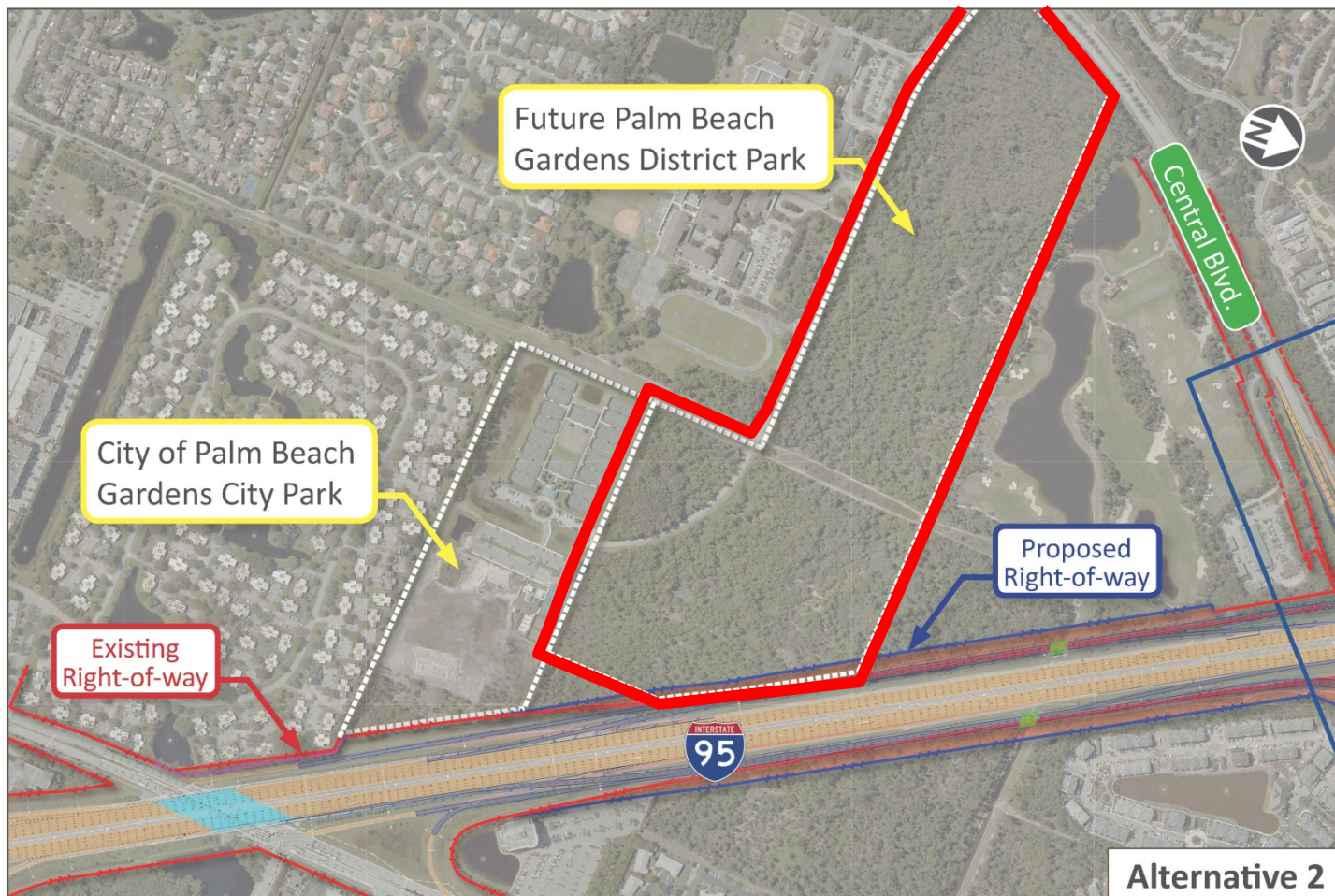
- Right of way acquisition required along east side of property.
  - Alt 2: 1.86 acres. 2.3% of total property.
  - Alt 3: 1.75 acres. 2.1% of total property
- Located west of I-95, between Central Blvd and PGA Blvd
- Direct impact to nature trail, as shown in Conceptual Master Plan
- Design not finalized – space and willingness from County for redesign to avoid future facilities.
- Noise Analysis: No Current Usage. Will include PD&E Commitment to Reevaluate during the Design Phase.
- No other short term or long term impacts from the project would affect the activities or attributes of this park
- Central Blvd Interchange would improve future accessibility

# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## District Park – Project Effects – Alternative 2





# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## District Park – Project Effects – Alternative 3





## Project Schedule

- **Public Hearing – October-November 2016**
- **LDCA – February 2017**





## Summary

### City Park –

- No Direct Impacts
- Potential Noise Impacts Only (anticipate noise abatement not warranted)
- Confirm no Section 4(f) Involvement

### Planned District (County) Park –

- Potential Direct Impacts to approximately 2.1 – 2.3% of total park area
- Request Determination of Applicability
- If applicable, request to proceed with *de minimis* process

# SR 9/I-95 at Central Boulevard Interchange PD&E Study

Financial Project Number: 413265-1-22-01  
ETDM Number: 13748



## Questions?



**Section 4(f) *de minimis* Request Package**



**Checklist of Required Items for *De minimis* Request Package**  
**For the Palm Beach County District Park**

The checklist of items provided below is not meant to be all inclusive. If there are considerations which are needed in order to determine the appropriateness of a *de minimis* make certain to include them in the narrative of the request.

  X   1. Map(s) of sufficient scale to show the relationship of the proposed action to the Section 4(f) property. At minimum, this should include:

*The property on which the future Palm Beach County District Park is planned is located north and east of 117<sup>th</sup> Court North, along the west side of I-95, in Palm Beach Gardens, Florida. See **Attachment A** for figures detailing the boundaries of the Park as well as the proposed improvements within the Park including existing and proposed RW lines.*

  X   2. The type of property (park, refuge, historic, etc.), ownership, identification of the OWJs over the property, and, if applicable, the number of users. Identification of other laws which apply to the property such as Section 106 of the NHRP, Section 6(f) of the Land and Water Conservation Fund Act, Section 7 of the Wild and Scenic Rivers Act, and so forth.

*Palm Beach County's District Park (future park) is currently an 80+ acre undeveloped parcel purchased by Palm Beach County using 1999 Recreational and Cultural Facilities Bond funds with the intent to develop the property as an active park facility. There are no existing activities, features or attributes (AFAs) on the parcel. The property is located within the City of Palm Beach Gardens, which is in favor of the County's plan to develop the park and has expressed interest in operating the park post-construction. The County recognizes the need for the park and provided a letter of significance for the future park (see **Attachment B**), which states the County's intent to develop the park when funding becomes available. However, the park is currently unfunded and there is no established timeframe for development. The County is currently considering a sales tax referendum for the 2016 ballot to begin acquiring funds for the park development.*

*The County has developed a Conceptual Master Plan for the park, but any final plan would first require approval by Palm Beach County's Board of County Commissioners (landowner) and the City of Palm Beach Garden's Town Council (jurisdiction).*

  X   3. The total acreage of the protected property and the amount of acreage proposed for temporary and/or permanent occupation or acquisition.

*The property is approximately 80 acres in total. The proposed impact will be to 1.33 acres along the eastern boundary of the parcel. See **Attachment A** for reference.*

  X   4. A listing and description of the protected AFAs which qualify the property for protection under Section 4(f). Use photographs as appropriate to illustrate the AFAs.

*The property is currently undeveloped; therefore, there are no attributes, features or activities (AFAs) on the site. The County developed a Conceptual Master Plan that currently shows a passive use*

*path to be constructed within the 1.33 acres of impacted area. However, the plan may change when funding becomes available for park development.*

\_\_\_5. Unusual characteristics of the property or its features and facilities that either reduce or enhance the value of the portions of the property within or alongside the proposed acquisition/occupation which may have a bearing on evaluating the net impacts of the proposed project on the AFAs of the protected property. For example, ball fields which are subject to frequent flooding, a swing set designed specifically for younger children, a historic property where surrounding landscape features and setting are important aspects of its historical value, or a wildlife refuge where the protected animals frequently migrate to and from the refuge. Photographs may be needed to illustrate some of these.

*As noted in #4, the property is currently undeveloped and there are no AFAs to impact. The County has acknowledged that the Conceptual Master Plan is subject to change and stated that they are willing to work with FDOT to accommodate the I-95 improvements since their design is not yet finalized.*

\_\_X\_\_6. A discussion of all the impacts, both temporary and permanent, which may diminish or enhance the activities, features, and attributes which qualify the property for protection under Section 4(f).

*The proposed improvements will permanently impact 1.33 acres (approximately 1.6% of the parcel) along the eastern boundary of the parcel for the installation of the collector-distributor ramp to be installed along southbound I-95 (see **Attachment A** for reference).*

\_\_X\_\_7. Presentation of any proposed minimization, avoidance, enhancement, and/or mitigation measures incorporated into the proposed project lessening the impacts of the project to the protected property as a whole and to the protected AFAs of the property. Photographs and plan sheets may be needed to illustrate the proposal and how the impacts have been minimized or how the property has been enhanced. A statement regarding how the measures included to minimize harm to the property diminish the project impacts sufficiently to meet the *de minimis* threshold of either (1) an impact which will not adversely affect or (2) an impact which will not adversely affect the AFAs which qualify the property for protection under Section 4(f). In cases where the project, as proposed, meets this threshold without any additional minimization or mitigation of harm, this should be stated.

*FDOT is seeking to mitigate these impacts to the park via a land swap with the County for an adjacent parcel directly south of the Park property. (See **Attachment C**) This adjacent parcel would complement the Park property and the habitat is of similar quality to the area being impacted. The FDOT would be looking to swap a minimum similar acreage to that being impacted.*

*The area of the park to be impacted is currently under a Conservation Easement to the City of Palm Beach Gardens (see **Attachment D**). This conservation easement would require approval from the City of Palm Beach Gardens in order to change the use, such as transportation. The City has concurred that this option is a feasible alternative for mitigation and the City would cooperate with the Department and County during the design phase to modify the conservation easement. FDOT has committed to continue more detailed discussions with the City and County once the final right-of-way need has been defined and maps have been created of the parcels in question. See **Attachment E** for a letter from the City concurring with the mitigation option.*

X    8. Include the notification to the OWJ over the resource that FHWA may pursue a *de minimis* approval option for the use of the protected property under Section 4(f). Please note that in the case of pursuing a *de minimis* approval for Parks and Recreation Areas and Wildlife and Waterfowl Refuges, this notification must be completed prior to providing the public opportunity to comment on the effects of the proposed project on the AFAs of the protected property. In addition, the notification to the OWJ over these non-historic resources should inform the OWJ that FHWA will be offering the public an opportunity to comment on this matter.

*Please see **Attachment F** for correspondence with Palm Beach County, the Official with Jurisdiction for the Park. An email was sent to Mr. Eric Call, Director of the Parks and Recreation Department on July 15, 2016 informing him that FHWA may pursue a de minimis approval option for the Park.*

    X    9. Description of efforts to provide the public an opportunity to comment concerning the effects of the proposed project on the AFAs of the Section 4(f) resource along with the related public responses. Include the date and associated correspondence with FHWA's agreement with the approach used. For historic properties, the public opportunity to comment occurs within the Section 106 process and requires no separate actions for the purposes of a *de minimis* approval. However, provide any of the public comments related to Section 106 effects finding for the project, if any. If there were none, state this.

*The proposed impacts to the Park and mitigation options were shown to the public during the presentation given at the Public Hearing held on September 28, 2016. The public was afforded the opportunity to comment and provide input on both the impacts and mitigation options. However, no comments were received regarding the park impacts or mitigation options during the hearing or the 10-day comment period.*

    X    10. A copy of the written communication to the OWJ over the Section 4(f) resource that if they concur with an FHWA finding of either (1) a Section 106 finding of "No Effects on Historic Properties" or "No Adverse Effect" to the historic property in question or (2) that the proposed project will not adversely affect the AFAs qualifying the park, recreation area, or wildlife or waterfowl refuge for protection under Section 4(f) then FHWA may pursue a *de minimis* approval option for the use of the protected property.

*A letter was provided to the Palm Beach County Department of Parks and Recreation to seek their concurrence with FHWA's finding that the project will not adversely affect the AFAs of the Park and FHWA intends to pursue a de minimis approval option. The letter described the public opportunity for comment and the proposed mitigation options. The County issued their concurrence by signing the letter on October 10, 2016. The letter is included in **Attachment G**.*

    X    11. The communication in which the SHPO/THPO concurs with an FHWA finding of "No Historic Properties Affected" or "No Adverse Effects" to the relevant historic property or in which the OWJ over a non-historic 4(f) property concurs with a finding that the proposed project will not adversely affect the AFAs of the property. The project record must show that the OWJ was provided the public comments, if any, which the public made concerning the effects on the property on the AFAs of the protected property.

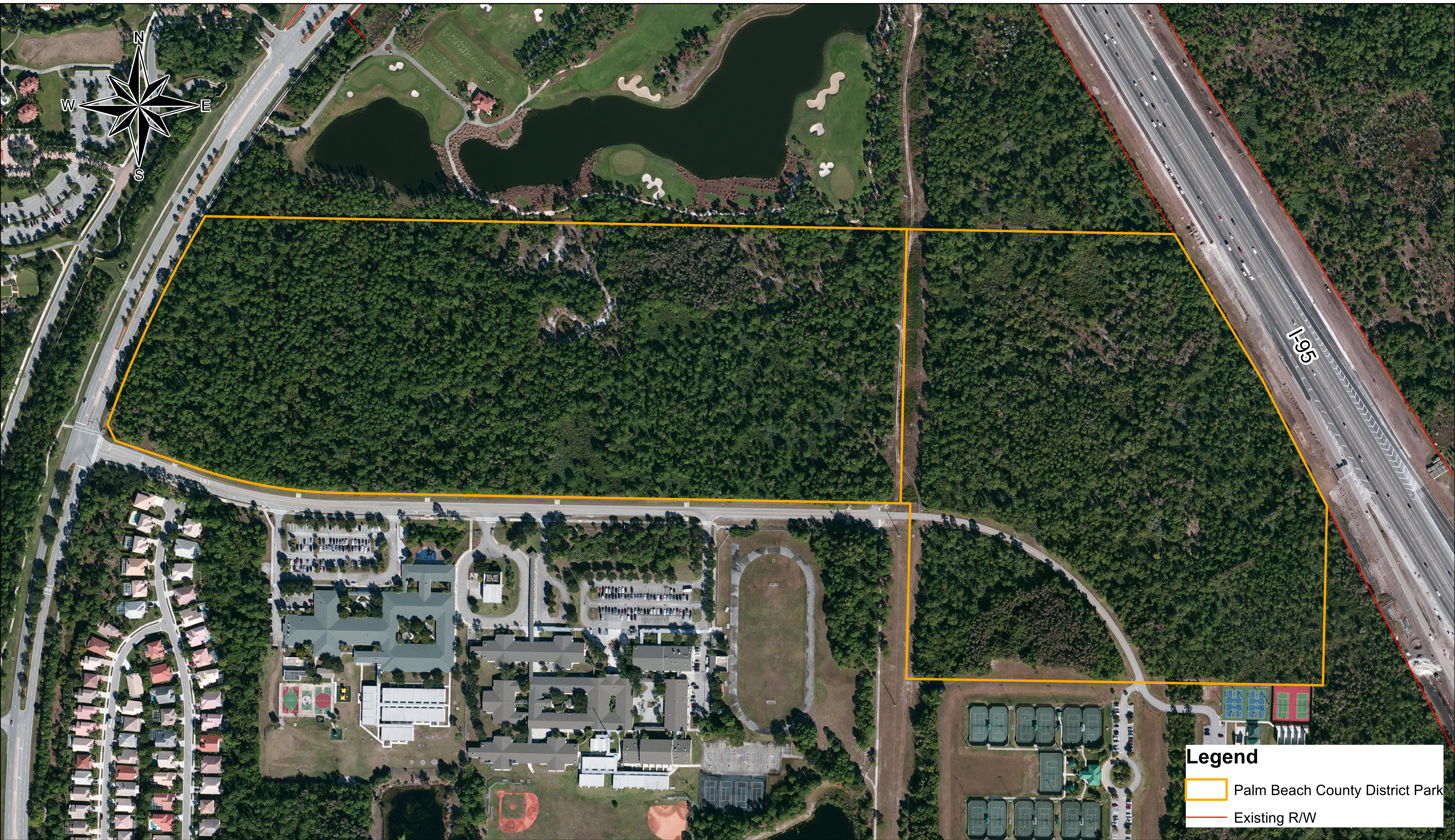
*A letter was provided to the Palm Beach County Department of Parks and Recreation to seek their concurrence with FHWA's finding that the project will not adversely affect the AFAs of the Park and*



*FHWA intends to pursue a de minimis approval option. The letter described the public opportunity for comment and the proposed mitigation options. The County issued their concurrence by signing the letter on October 10, 2016. The letter is included in **Attachment G**.*

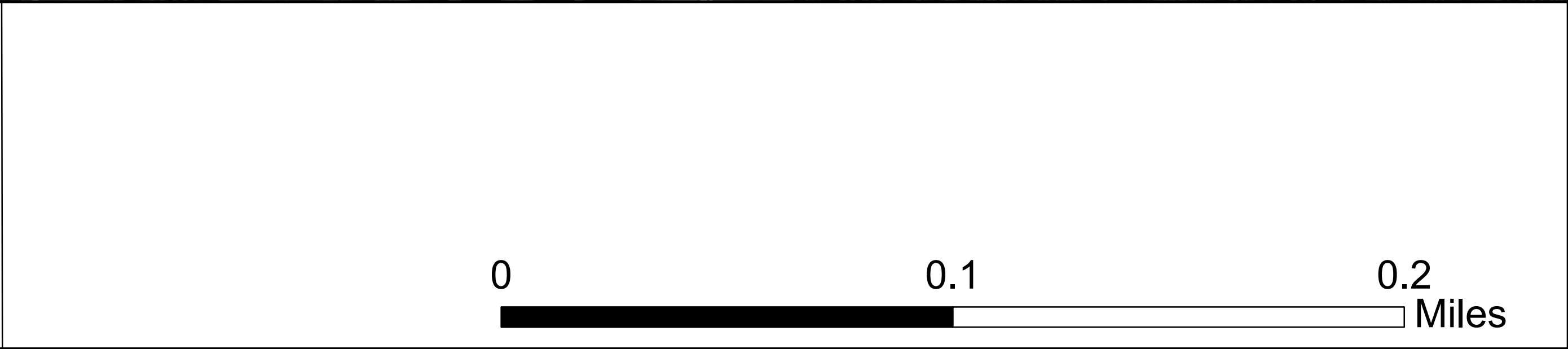
**ATTACHMENT A**  
**PARK LOCATION MAP AND IMPACT AREA**





Florida Department of Transportation  
3400 W. Commercial Blvd  
Ft. Lauderdale, FL 33309

I-95 at PGA Boulevard PD&E Study  
FM #: 431265-1-22-01  
PGA Section 4(F) Map  
Parcel ID#52424201000003050  
Location Map

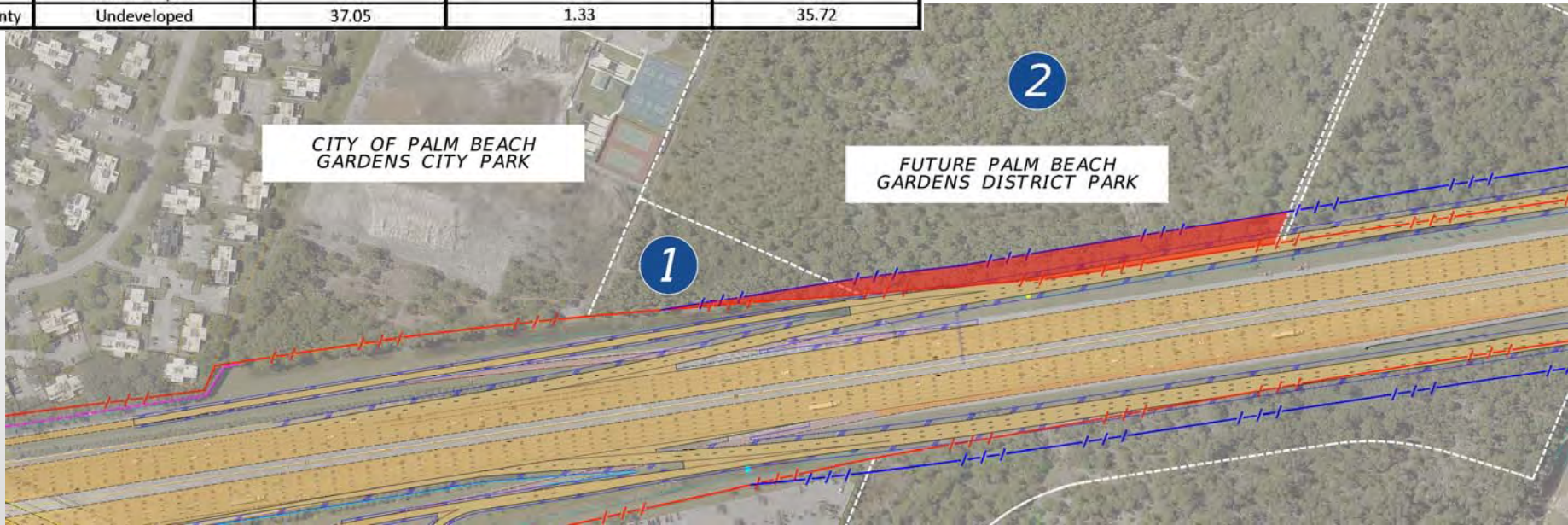




# Mainline R/W Impacts

## Alternative 2

| Alternative 2 |                   |                       |                      |                             |                       |
|---------------|-------------------|-----------------------|----------------------|-----------------------------|-----------------------|
| Parcel        | Parcel Name       | Developed/Undeveloped | Existing R/W (acres) | Proposed R/W Impact (acres) | Remaining R/W (acres) |
| 1             | FDOT              | Undeveloped           | 1.90                 | 0.17                        | 1.73                  |
| 2             | Palm Beach County | Undeveloped           | 37.05                | 1.33                        | 35.72                 |



**ATTACHMENT B**  
**OFFICIAL WITH JURISDICTION STATEMENT OF SIGNIFICANCE**



April 13, 2016

**Parks and Recreation  
Department**

2700 6th Avenue South  
Lake Worth, FL 33461  
(561) 966-6600  
Fax: (561) 966-7050  
www.pbcparcs.com



**Palm Beach County  
Board of County  
Commissioners**

Mary Lou Berger, Mayor  
Hal R. Valeche, Vice Mayor

Paulette Burdick  
Shelley Vana  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

Ms. Danielle Mullen  
Florida Department of Transportation  
3400 West Commercial Blvd  
Fort Lauderdale, FL 33309

**Subject: Palm Beach County District Park**

**FDOT Project Financial Project ID: 413265.1**

**FDOT Project Description: I-95 at Central Blvd/PGA Blvd**

**County: Palm Beach**

Dear Ms. Mullen:

Please accept this letter as a formal Statement from the Official with Jurisdiction that a conceptual plan has been drafted by the Palm Beach County Parks and Recreation Department to develop a significant active park on property located north and east of 117<sup>th</sup> Court North within the City of Palm Beach Gardens in Palm Beach County, Florida.

The 80+ acre, undeveloped property was purchased by Palm Beach County using 1999 Recreational and Cultural Facilities Bond funds with the intent to develop the property as an active park facility. The property was leased to the City of Palm Beach Gardens in 2000 to design, construct, operate and maintain a public park. In 2003, a City General Obligation Bond referendum that included development funds for the park was defeated by Palm Beach Gardens residents, leaving the City unable to fulfill its obligations to develop a district park on this site.

Upon request by the City of Palm Beach Gardens the lease agreement was terminated by Palm Beach County in 2007. Subsequent discussions with the City to develop the property as a passive park have not moved forward as the County recognizes the need for an active park facility within northern Palm Beach County to accommodate the area's growing population.

*"An Equal Opportunity  
Affirmative Action Employer"*



There is currently no established timeline for development of the property for any use and no funding sources have been committed within the Department's current Five Year Capital Plan for construction of an active park. The only recent onsite activity to date was the placement of a Conservation Easement on 12.7 acres as an upland preserve area for the Scripps Florida Phase 1/Briger Tract DRI.

The Department's intent remains to develop this property as a public park. Construction of a park or other use would require the approval of both the Palm Beach County Board of County Commissioners (landowner) and City of Palm Beach Gardens Town Council (jurisdiction).

Should you have any questions or require additional information, please contact Bob Hamilton, Director of Park Development at 561-966-6651.

Sincerely,



Eric Call

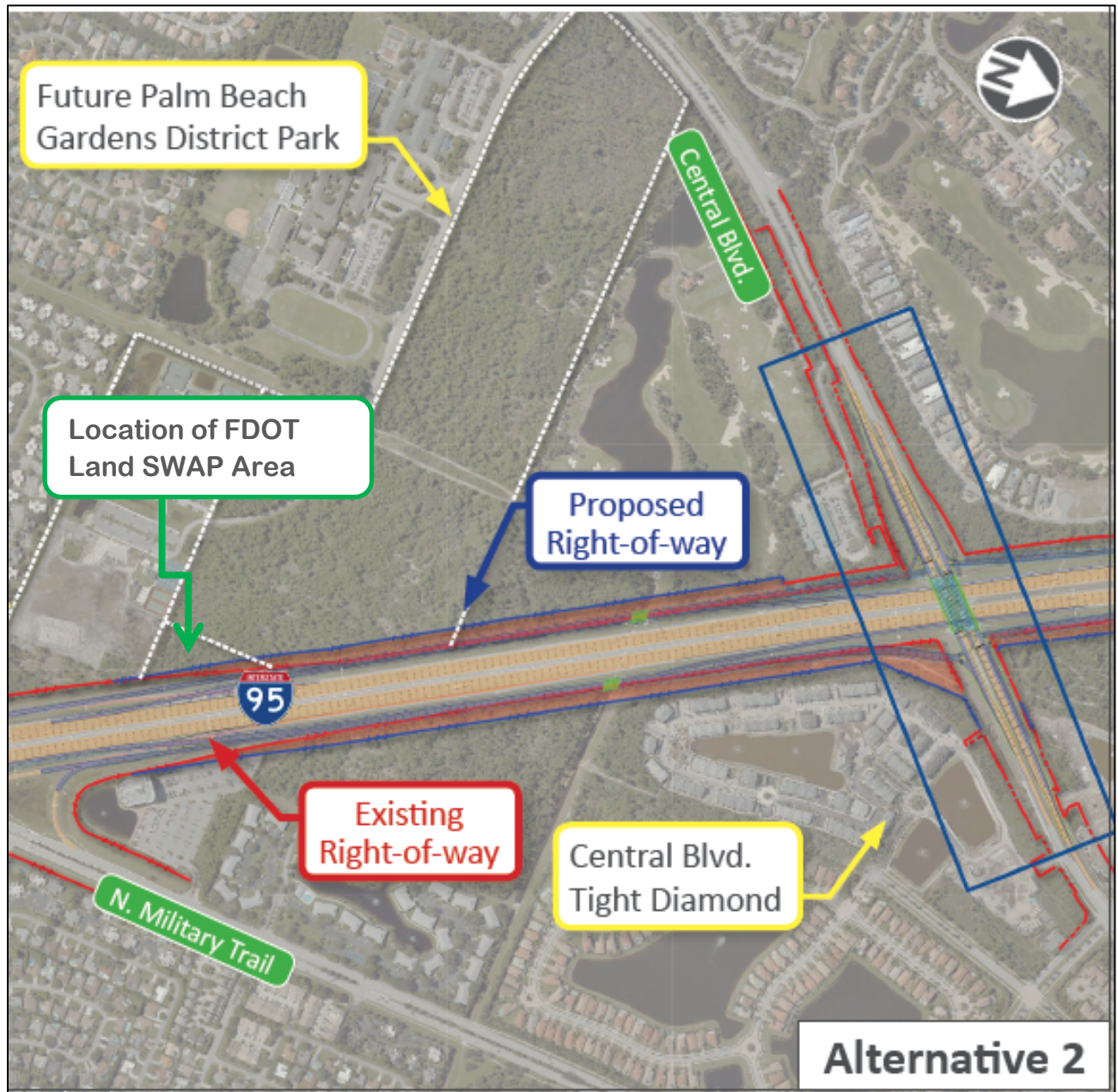
Director

Palm Beach County

Parks and Recreation

**ATTACHMENT C**  
**MITIGATION AREA LOCATION MAP**

## MITIGATION LAND SWAP AREA

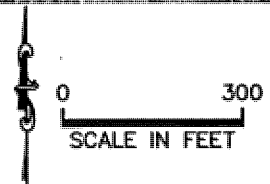


**ATTACHMENT D**  
**CONSERVATION EASEMENT**



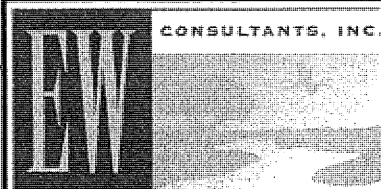


PALM BEACH COUNTY AERIALS DATED 2009



# **12.7 ± ACRE UPLAND PRESERVATION TRACT** **AERIAL PHOTO**

PBC BRIGER.dwg AERIAL



**EW CONSULTANTS, INC.**  
 2081 SE OCEAN BOULEVARD, SUITE 2B  
 STUART, FLORIDA 34996  
 772-287-8771 FAX 772-287-2988  
 WWW.EWCONSULTANTS.COM

**MAR 2010**

**FIGURE**

**2**

Agenda Item #: 5A-2

## AGENDA ITEM SUMMARY

Recommended By: Sharon G. By 12-14-2010  
Department Director Date

Approved By: Sharon G. By 12-14-2010  
County Administration Date

## **II. FISCAL IMPACT ANALYSIS**

### A. Five Year Summary of Fiscal Impact:

| <b>Fiscal Years:</b>               | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> |
|------------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Capital Expenditures</b>        | \$737,654   |             |             |             |             |
| <b>Operating Costs</b>             |             |             |             |             |             |
| <b>External Revenues</b>           |             |             |             |             |             |
| <b>Program Income<br/>(County)</b> |             |             |             |             |             |
| <b>In-Kind Match (County)</b>      |             |             |             |             |             |
| <b>NET FISCAL IMPACT</b>           | \$737,654   |             |             |             |             |

**# ADDITIONAL FTE POSITIONS (Cumulative) 0**

**Is Item Included In Current Budget?**    Yes                             No   X  

**Budget Account No.:** Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
Object \_\_\_\_\_ Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:**

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**


 N. Diaz 12/16/2010  
 Statistical OFMB  
 D. 11/16/10


 Dr. J. J. J. J. 12/16/10  
 Contract Dev. and Control

**B. Legal Sufficiency:**

5/10  
12/17/10  
Assistant County Attorney

**C. Other Department Review:**

**Department Director**

**REVISED 9/03**  
**ADM FORM 01**  
**(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)**

Prepared by and  
Return recorded original to:  
Howard J. Falcon, III  
Palm Beach County Attorney's Office  
301 N Olive Ave  
West Palm Beach, FL 33401

#### **CONSERVATION EASEMENT**

THIS CONSERVATION EASEMENT is made \_\_\_\_\_  
by Palm Beach County, a political subdivision of the State of Florida, having an address  
at 301 N Olive Ave, West Palm Beach, FL 33411 ("Grantor"), in favor of the CITY OF  
PALM BEACH GARDENS, FLORIDA, a Florida Municipal Corporation ("Grantee").

#### **WITNESSETH:**

WHEREAS, Grantor owns in fee simple certain real property in Palm Beach  
County, Florida, as more particularly described in Exhibit "A", attached hereto and  
incorporated by this reference (the "Property"), and desires to grant this Conservation  
Easement in favor of the City of Palm Beach Gardens, Florida; and

WHEREAS, Grantee has determined that this Conservation Easement is in the  
best interest of the health, safety, and welfare of the citizens of Palm Beach County,  
Florida.

NOW, THEREFORE, in consideration of the above and the mutual covenants,  
terms and conditions, and restrictions contained herein, Grantor hereby voluntarily  
grants and conveys to Grantee a Conservation Easement in perpetuity over the  
Property of the nature and character and to the extent hereinafter set forth (the



"Conservation Easement"), and such easement shall run with the land and shall be binding upon all successors and assigns.

1. Purpose. The purpose of this Conservation Easement is to provide that the Property will be retained in a natural condition and to prevent the development of the Property in perpetuity.
2. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited, unless otherwise approved by the City of Palm Beach Gardens:
  - a. Construction or placing buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
  - b. Dumping or placing soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
  - c. Removing, destroying, or trimming trees, shrubs, or other vegetation, except as otherwise provided herein or in the Management Plan for the Property dated June 2010 and prepared by EW Consulting, approved by and filed with the City of Palm Beach Gardens, as may be updated from time to time (the "Management Plan");
  - d. Excavating, dredging, or removing loam, peat, gravel, soil, rock, or other material substances in such a manner as to affect the surface; and
  - e. The granting of drainage or other surface water management easements.

3. Reserved Rights. Grantor reserves unto itself and its successors and assigns all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement, including, without limitation, the right to trim, maintain, and alter the upland habitat on the Property in accordance with the Management Plan. Nothing contained herein shall prevent Grantor from utilizing the Property for passive park purposes, which may include, without limitation, nature trails, fencing, and firebreaks.
4. Rights of Grantee. To accomplish the purposes stated herein, Grantor conveys the following rights to Grantee:
  - a. To enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Conservation Easement and the Management Plan; and
  - b. To proceed at law or in equity to enforce the provisions of this Conservation Easement.
5. Grantee's Discretion. Grantee may enforce the terms of this Conservation Easement at its discretion, but if Grantor breaches any term of this Conservation Easement and Grantee does not exercise its rights under this Conservation Easement, Grantee's forbearance shall not be construed to be a waiver of Grantee's rights. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

6. Acts beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property or to persons resulting from such causes.
7. Recordation. Grantor shall record this Conservation Easement in the Official Records of Palm Beach County, Florida at its expense.
8. Successors. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property, and shall not be released, vacated, or amended without the express written consent of Grantee.

**THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day and year first above written.

**ATTEST:**  
**SHARON R. BOCK, Clerk & Comptroller**

**PALM BEACH COUNTY, a Political subdivision of the State of Florida**

**By its BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Burt Aaronson, Chair  
**Karen T. Marcus, Chair**

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

By: \_\_\_\_\_  
Assistant County Attorney

**APPROVED AS TO TERMS AND CONDITIONS:**

By: \_\_\_\_\_  
Department Director



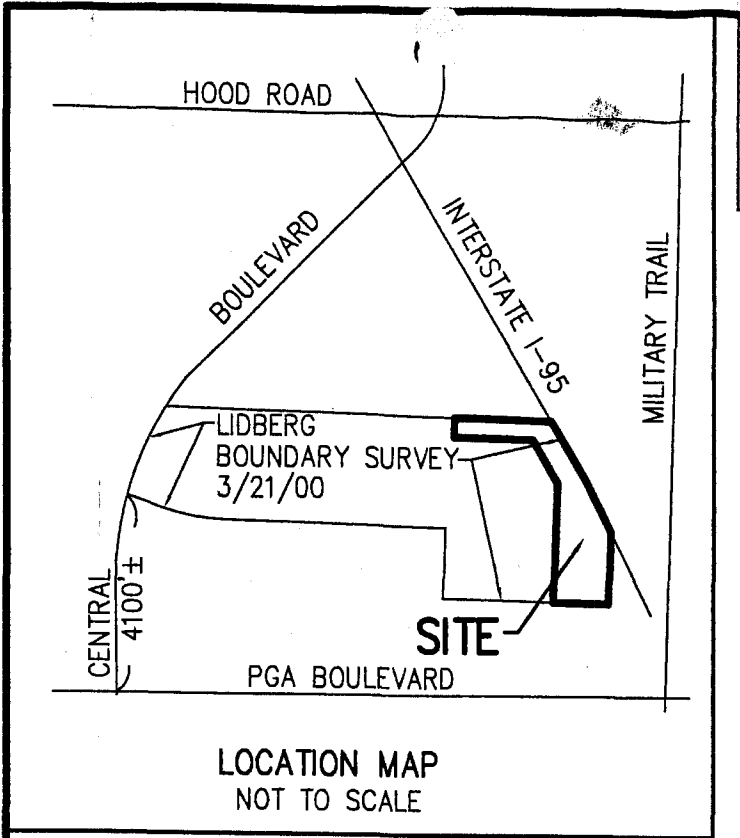


Exhibit A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN SECTION 01, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 01, TOWNSHIP 42 SOUTH, RANGE 42 EAST; THENCE ALONG THE WEST LINE OF SAID SECTION 01 NORTH 01°52'51" EAST A DISTANCE OF 732.77 FEET; THENCE DEPARTING SAID WEST LINE SOUTH 88°07'09" EAST A DISTANCE OF 30.00 FEET; THENCE SOUTH 88°31'01" EAST A DISTANCE OF 857.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°55'08" EAST A DISTANCE OF 914.16 FEET; THENCE NORTH 30°31'49" WEST A DISTANCE OF 379.85 FEET; THENCE NORTH 88°21'18" WEST A DISTANCE OF 614.99 FEET TO A POINT ON A LINE 70 FEET EAST OF, AND PARALLEL WITH THE WEST LINE OF SAID SECTION 01; THENCE ALONG SAID PARALLEL LINE NORTH 01°52'51" EAST A DISTANCE OF 150.00 FEET TO A POINT ON THE SOUTH LINE OF THE PLAT OF OLD PALM EAST, AS RECORDED IN PLAT BOOK 101, PAGES 114 THROUGH 118 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE DEPARTING SAID PARALLEL LINE AND ALONG SAID SOUTH PLAT LINE SOUTH 88°21'18" EAST A DISTANCE OF 756.29 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF INTERSTATE I-95 PER THE

(CONTINUED ON SHEET 2 OF 3)

SHEET 1 OF 3  
SEC. 01, TWP. 42 S., RGE. 42 E.

|            |  |                 |                                 |                  |
|------------|--|-----------------|---------------------------------|------------------|
| REV: -     | FL. E.B. NO. 48  | FL. L.B. NO. 48 | UPLAND<br>PRESERVATION<br>TRACT | SCALE: N/A       |
| FIELD: -   | <b>MOCK • ROOS</b><br>ENGINEERS SURVEYORS PLANNERS                                 |                 | SEC 01-T42S-R42E                | DATE: 11-20-09   |
| DRAWN: MAG |  |                 | PALM BEACH GARDENS, FL          | P.A.NO. A7054.00 |
| APPR: MHC  | 5720 Corporate Way, West Palm Beach, Florida 33407<br>(561) 683-3113, fax 478-7248 |                 |                                 | DR. NO. A-4531   |

DWG: S:\aest\brig\dwg\brigak01.dwg  
PLOT DATE: Dec 01, 2009 -- 10:13am  
XREFS: brigmo01.dwg  
IMAGES:

LEGAL DESCRIPTION

(CONTINUED FROM SHEET 1 OF 3)

FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 93220-2474; THENCE ALONG SAID WEST RIGHT-OF-WAY SOUTH 30°31'49" EAST A DISTANCE OF 529.73 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY SOUTH 26°31'49" EAST A DISTANCE OF 443.18 FEET; THENCE SOUTH 01°48'15" WEST A DISTANCE OF 554.22 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY NORTH 88°31'01" WEST A DISTANCE OF 429.10 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 553,029.00 SQUARE FEET, OR 12.70 ACRES, MORE OR LESS.


NOT VALID WITHOUT  
ACCOMPANYING SKETCH  
SHEET 3 OF 3

NOTES:

- 1. INFORMATION SHOWN HEREON DOES NOT CONSTITUTE, NOR DOES IT REPRESENT, A SURVEY OF THE SUBJECT PREMISES.
- 2. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3. MOCK, ROOS AND ASSOCIATES, INC., LICENSED AUTHORIZATION NO. LB-048.
- 4. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SECTION 01, TOWNSHIP 42 SOUTH, RANGE 42 EAST, AS SHOWN ON THE BOUNDARY SURVEY BY LIDBERG LAND SURVEYING, INC. TITLED "A PORTION OF PARCELS 31.09 AND 31.12" DATED 03/21/00. SAID LINE BEARS NORTH 01°52'52" EAST.

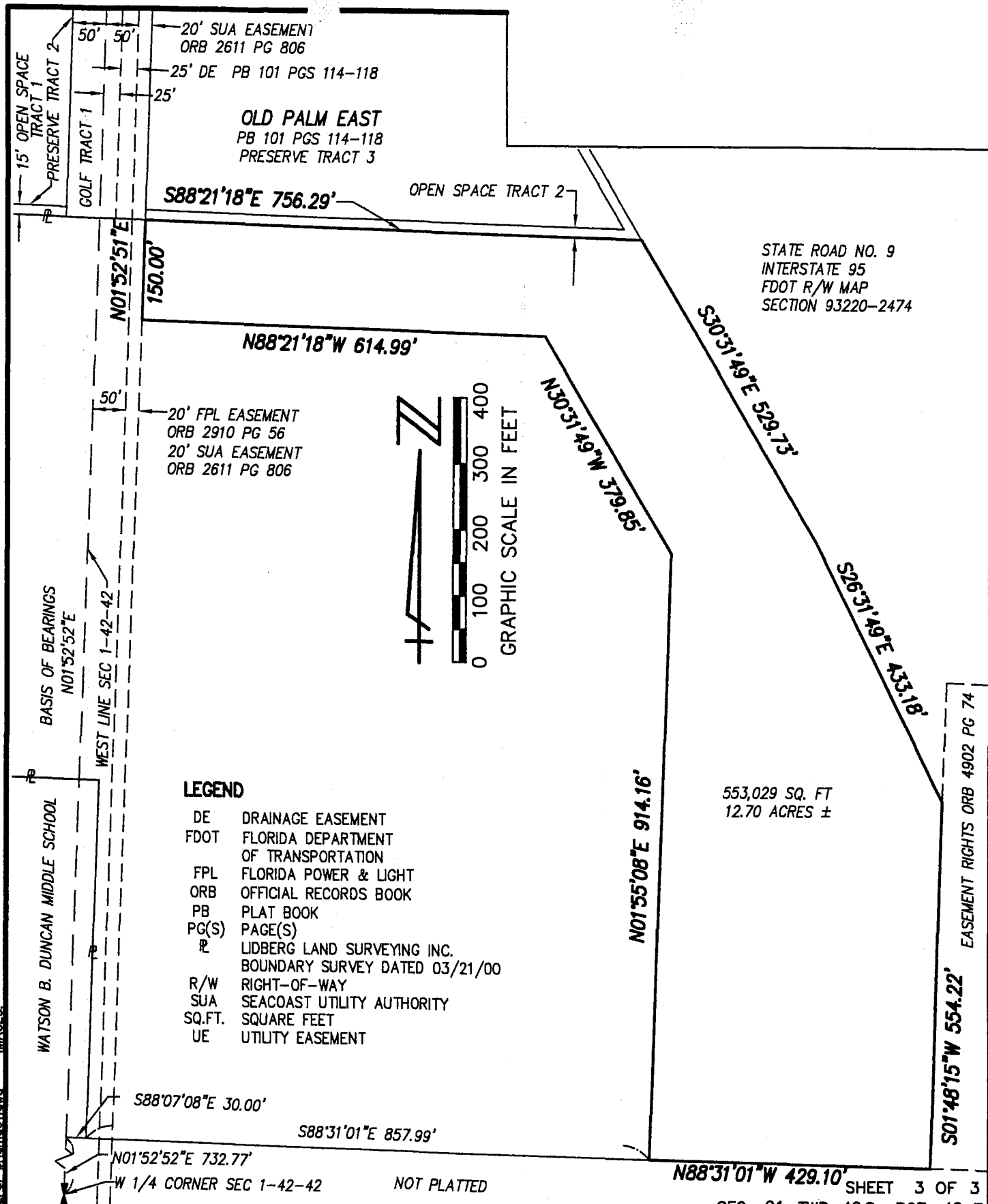
MANUEL A. GUTIERREZ  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA CERTIFICATE NO. 4102

SHEET 2 OF 3  
SEC. 01, TWP. 42 S., RGE. 42 E.

|            |   |                 |  |                  |
|------------|---|-----------------|--|------------------|
| REV: -     | FL. E.B. NO. 48   | FL. L.B. NO. 48 | UPLAND<br>PRESERVATION<br>TRACT  | SCALE: NTS       |
| FIELD: N/A | <br>ENGINEERS SURVEYORS PLANNERS |                 | SEC 01-T42S-R42E   | DATE: 11-20-09   |
| DRAWN: MAG |   |                 | PALM BEACH GARDENS, FL   | P.A.NO. A7054.00 |
| APPR: MHC  |   |                 | 5720 Corporate Way, West Palm Beach, Florida 33407<br>(561) 683-3113, fax 478-7248 | DR. NO. A-4531   |

PLOT DATE: Dec 01, 2009 - 10:14am

DWG: S:\east\eastbrg\dwg\brgsk01.dwg  
XREFS: brgsk01.dwg  
IMAGES:



LEGEND

- DE DRAINAGE EASEMENT  
FDOT FLORIDA DEPARTMENT OF TRANSPORTATION  
FPL FLORIDA POWER & LIGHT  
ORB OFFICIAL RECORDS BOOK  
PB PLAT BOOK  
PG(S) PAGE(S)  
R LIDBERG LAND SURVEYING INC.  
BOUNDARY SURVEY DATED 03/21/00  
R/W RIGHT-OF-WAY  
SUA SEACOAST UTILITY AUTHORITY  
SQ.FT. SQUARE FEET  
UE UTILITY EASEMENT

|            |  |                 |                           |                  |
|------------|--|-----------------|---------------------------|------------------|
| REV: -     | FL. E.B. NO. 48  | FL. L.B. NO. 48 | UPLAND PRESERVATION TRACT | SCALE: 1"=200'   |
| FIELD: N/A | <b>MOCK • ROOS</b><br>ENGINEERS • SURVEYORS • PLANNERS |                 | SEC 01-T42S-R42E          | DATE: 11-20-09   |
| DRAWN: MAG | 5720 Corporate Way, West Palm Beach, Florida 33407     |                 | PALM BEACH GARDENS, FL    | P.A.NO. A7054.00 |
| APPR: MHC  | (561) 683-3113, fax 478-7248                           |                 |                           | DR. NO. A-4531   |



**CITY OF PALM BEACH GARDENS**  
10500 N. MILITARY TRAIL PALM BEACH GARDENS, FLORIDA 33410-4698

June 29, 2010

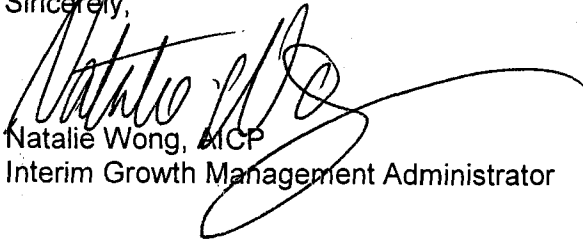
Ms. Lindsay Murphy  
Urban Design Kilday Studios  
477 S. Rosemary Avenue  
Suite 225 – The Lofts at City Place  
West Palm Beach, FL 33401

RE: Scripps Florida Phase II/Briger Tract DRI/PCD – Preserve Area Management Plan for Off-Site Mitigation

Dear Ms. Murphy:

Attached for your file is the final approved copy of the Preserve Area Management Plan (PAMP) for the 12.7 acre proposed upland preservation tract located north and east of 117<sup>th</sup> Court N in the City of Palm Beach Gardens. All outstanding issues have been addressed. The PAMP dated June 2010, will stand as the official document associated with the future Conservation Easement for said property. If you have questions, please feel free to contact myself or City Forester Mark Hendrickson.

Sincerely,

  
Natalie Wong, MCP  
Interim Growth Management Administrator

c: Shannon LaRocque, Assistant County Administrator  
Ed Weinberg, EW Consultants, Inc.  
Kristine Stewart, Keith & Schnars, P.A.  
Mark Hendrickson, City Forester

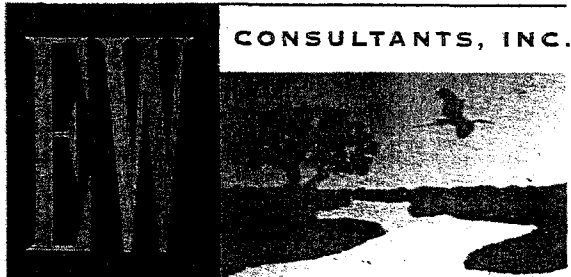
Attachment: PAMP for 12.7 Acre Preservation Tract

RECEIVED JUL - 6 2010



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Natural Resource Management, Wetland, and Environmental Permitting Services



CONSULTANTS, INC.

## Final Approval

### City of Palm Beach Gardens

Project Name: Scripps Florida Phase II /  
Briger Tract DRI/PCD

Petition #: ENRV-08-07-000002

Development Order: RESOLUTION 80, 2009  
RESOLUTION 1, 2010

Date: 6/29/10

Project Manager: Mark Henderson

## PRESERVE AREA MANAGEMENT PLAN

### 12.7 +/- ACRE PROPOSED UPLAND PRESERVATION TRACT

Prepared for:

Scripps Florida Phase II/Briger Tract DRI/PCD

Prepared by:

EW Consultants, Inc.

December 2009  
Revised March 2010  
Revised May 2010  
Revised June 2010



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### INTRODUCTION AND PURPOSE-

This Preserve Area Management Plan has been prepared to provide a program and direction for restoration and management of native habitat conditions on a 12.7 +/- acre parcel that occurs within an 81 +/- acre Palm Beach County Parks and Recreation property in the City of Palm Beach Gardens. This management plan is guided by the practices of Palm Beach County Parks and Recreation Department (P&RD) in their "Natural Areas Management Plan" and follows the general approach provided for under Article V, Division 5., Sec. 78-251 of the City of Palm Beach Gardens Land Development Code.

The subject 12.7 +/- acre property is located north and east of 117<sup>th</sup> Court N in the City of Palm Beach Gardens. It falls within Twp 42S, Rng 42E, Sec 1 and is depicted on the Location Map (Figure 1) provided in the Appendix. An aerial photo depicting the subject site boundary and the immediately surrounding area is provided as Figure 2 in the Appendix.

The purpose of this management plan is to restore and protect the native ecosystem and biological diversity components of the subject 12.7 +/- acre off site preserve area. The subject property is generally comprised of a mesic pine flatwoods ecosystem with several of its typically associated components. The parcel will be dedicated as off site upland preserve in support of the Scripps Phase II/Briger DRI project development. The subject preserve area will be restored as closely as possible to its natural state as a mesic pine flatwoods ecosystem and subsequently managed to preserve, in perpetuity, this ecosystem character. To the degree possible, the management of this preserve area will be consistent with that of the other natural areas in the Palm Beach County Parks system to support wildlife and native plant populations and to reflect the subtropical biological diversity and wilderness values characteristic of Palm Beach County.

The subject property is not currently intended to be used for public access purposes, and thus the typical public access components of P&RD's Master Plan have not been included in this plan. This is in no way intended to preclude future planning and implementation of public access and park use components (passive recreation) consistent with the goals of this management plan, especially given the location of this property within a Palm Beach County park site.

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### EXISTING HABITAT AND VEGETATIVE COVER –

The previous assessment of the overall park parcel of 81 +/- acres summarized the land use/ land cover characteristics of the property using the Florida Land Use, Cover, and Forms Classification System (FLUCFCS). The land use/land cover categories provided in that report for the subject 12.7 +/- acre portion of the site remain appropriate for the property in its current conditions. As such, a separate FLUCFCS map has not been prepared as part of this management plan. Rather, field reconnaissance on the subject property, aided by hand held GPS was conducted in order to inventory current site characteristics and develop an ecological categorization of the vegetative cover present on the site. These characteristics as described below provide more of a habitat management focused inventory rather than the somewhat more general FLUCFCS categories.

In general, the property can be characterized as a mesic pine flatwoods community in various stages of succession, and reflecting isolated occurrences of human disturbance which have resulted in varying levels of habitat alteration. The pine flatwoods ecological community is considered the most extensive and abundant habitat type in peninsular Florida. It is characterized by low flat topography, typically sandy soils, and in its natural state experiences frequent fire, which maintains the flatwoods as a sub-climax forest. The tree density in pine flatwoods communities can vary considerably ranging from nearly closed canopy cover to widely spaced trees and a "savanna-like" appearance.

On the subject 12.7 +/- acre property, the dominant canopy cover is south Florida slash pine with occasional occurrences of cabbage palms as well as patchy occurrence of non-native species such as ear leaf acacia. The understory vegetation is dominated by saw palmetto with a significant component that includes gallberry, fetterbush, and tarflower. The ground cover is discontinuous, primarily due shading by the extensive dense cover of understory species. In areas of open sub-canopy, however, wire grass and broom grass are the most common ground cover species.

Within the generalized pine flatwoods ecotype on the site, there are patchy occurrences (sometime exceeding 50 percent cover) of nuisance and invasive non-native species which will require restoration and management activity in order to maintain the native habitat characteristics and values of the subject property. A map depicting the generalized vegetative cover areas within the 12.7 +/- acre area is provided in the Appendix as Figure 3. In accordance with City Code requirements, a Soils Map is provided as Figure 4 in the Appendix. Each of the different land cover/vegetation cover types is described in detail below. A detailed vegetation species list is included in the Appendix.

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**Pine Flatwoods (10.5 +/- Acres)** - This vegetation association is predominant throughout the tract and is varied in canopy coverage as well as occurrence of nuisance and non-native invasive species. There are varying year classes of slash pine from as much as 50 years old through newly recruited seedlings. The understory of saw palmetto and associated species is generally more dense than might be found in an area that experienced a natural fire regime. In the northern portion of the tract and other small isolated patches there is considerable coverage (in places 50% or more) of nuisance vegetation in the form of muscadine grapevine, a native species that tends to create monotypic vegetative cover in areas of previous disturbance, greatly reducing otherwise natural plant diversity. There are also occasional occurrences of invasive non-native species such as Brazilian pepper, earleaf acacia, and melaleuca. Areas where nuisance and invasive non-native species occur display most or all of the vegetative species typical of the pine flatwoods ecotype, however, with reduced abundance and diversity due to "choking out" by the invasive species.

**Palmetto Prairie (1.8 +/- Acres)** - This native habitat type occurs in the southern and eastern portion of the subject property, and is characterized by sparse or nearly absent occurrence of slash pines and dominant cover of saw palmetto along with gallberry and fetterbush. There are isolated occurrences of the invasive exotic shrub downy rose myrtle primarily in the fringe area adjacent to the developed property south of the parcel.

**Melaleuca Wetland (0.4 +/- Acres)** - This small wetland area occurs in the northwestern portion of the subject parcel and is an extension of a larger wetland area that occurs south and west of the subject parcel. Melaleuca is the predominant canopy species with a ground cover that includes wetland species such as maidencane, blue maidencane, and spike rush. There were field indicators of regular inundation including adventitious rooting and dried algal mat fragments.

**WILDLIFE RESOURCES -**

The limited time frame for completion of this management plan did not allow for evaluation of wildlife activity on the subject property on diurnal or seasonal time scales. As such, the direct observations made during the field reconnaissance on September 15, 2009 likely significantly underreport actual wildlife utilization of the subject property. In addition, although the evaluation covered only the subject 12.7 +/- acre area, the tract does not "exist on an island" and a variety of wildlife species with larger home ranges likely include the subject property as part of a larger habitat area.



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Wildlife observations during field reconnaissance included only a few live sightings of native wildlife. These included the green anole observed in several locations typically associated with saw palmettos and several observations of nuthatches (likely brown headed nuthatch). A variety of field indicators of the presence of wildlife species were observed, including an active fox den in the central portion of the site and numerous indicators of activity by non-native nuisance species including armadillos and feral hogs. Abandoned gopher tortoise burrows were observed in several locations, and although no indicators of active habitation were observed, it is likely that this state listed threatened species is present on the site.

The following table provides a summary of potential occurrence of listed species on the subject property based on the habitat conditions and surrounding area. The likelihood of occurrence of these species is also provided in the table.

Potentially Occurring Listed Faunal Species

| Common Name                 | Scientific Name                         | Preferred Habitat   | Sampling Method                         | Occurrence*    | Listed Status** |
|-----------------------------|---|---|---|----------------|-----------------|
|                             |   |   |   |                | State/Federal   |
| American alligator          | <i>Alligator mississippiensis</i>       | Wetland and aquatic habitat   | Pedestrian and vehicular transects      | M <sup>3</sup> | SSC/T/SA        |
| Audubon's Crested Caracara  | <i>Caracara cheriway</i>                | Open prairies and rangeland   | Pedestrian and vehicular transects      | L              | T/T             |
| Bald Eagle                  | <i>Haliaeetus leucocephalus</i>         | Nest in tall trees (usually pine) near coasts, rivers, lakes and wetlands | Pedestrian and vehicular transects      | M <sup>3</sup> | T/T             |
| Burrowing Owl               | <i>Athene cunicularia</i>               | Sandhills, ruderal communities, dry prairies                              | Pedestrian and vehicular transects      | L              | SSC/-           |
| Eastern indigo snake        | <i>Drymarchon corais couperi</i>        | A diversity of upland/low land habitat                                    | Pedestrian and vehicular transects      | H              | T/T             |
| Florida black bear          | <i>Ursus americanus floridanus</i>      | Forested wetlands and uplands   | Pedestrian and vehicular transects      | L              | T/-             |
| Florida Grasshopper Sparrow | <i>Ammodramus savannarum floridanus</i> | Open prairies and rangeland   | Pedestrian transects and playback tapes | L              | E/E             |

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|                         |                                       |  |   |                | Listed Status** |
|-------------------------|---------------------------------------|--|---|----------------|-----------------|
| Florida panther         | <i>Felis concolor coryi</i>           | Large wilderness areas   | Pedestrian and vehicular transects                              | L              | E/E             |
| Florida Sandhill Crane  | <i>Grus canadensis pratensis</i>      | Breed in emergent palustrine wetlands;   | Pedestrian and vehicular transects; aerial nest survey          | L <sup>3</sup> | T/-             |
| Everglades Snail Kite   | <i>Rostrhamus sociabilis plumbeus</i> | Long hydroperiod wetlands/aquatic systems with Pomacea snails  | Pedestrian and vehicular transects                              | L              | E/E             |
| Gopher frog             | <i>Rana capito</i>                    | Xeric oak scrub, sand pine scrub, pine scrub, breed in shallow grassy ponds or ditches, use tortoise burrows | Pedestrian transects; transects; inspection of burrow entrances | M              | SSC/-           |
| Gopher tortoise         | <i>Gopherus polyphemus</i>            | Sandhills, xeric oak scrub, sand pine scrub, scrubby flatwoods; agricultural lands                           | Burrow survey ≥ 15% of suitable habitat                         | H <sup>4</sup> | T/-             |
| Limpkin                 | <i>Aramus guarauna</i>                | Nest in a variety of ground and tree locations, uses streams, swamps, and marshes with apple snails          | Pedestrian and vehicular transects                              | L              | SSC/-           |
| Little Blue Heron       | <i>Egretta caerulea</i>               | Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees                          | Pedestrian and vehicular transects                              | M <sup>3</sup> | SSC/-           |
| Red-cockaded Woodpecker | <i>Picoides borealis</i>              | Mature pine woodlands  | Pedestrian and vehicular transects                              | L              | T/T             |
|                         |                                       |  |   |                |                 |

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|                               |                                |   |                                    |                | Listed Status** |
|-------------------------------|--------------------------------|---|------------------------------------|----------------|-----------------|
| Roseate Spoonbill             | <i>Ajaia ajaja</i>             | Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees       | Pedestrian and vehicular transects | L              | SSC/-           |
| Snowy egret                   | <i>Egretta thula</i>           | Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees       | Pedestrian and vehicular transects | M <sup>3</sup> | SSC/-           |
| Southeastern American Kestrel | <i>Falco sparverius paulus</i> | Sandhill and open rangeland nest in cavities of dead trees and abandoned woodpecker nests | Pedestrian and vehicular transects | L              | T/-             |
| Tricolored Heron              | <i>Egretta tricolor</i>        | Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees       | Pedestrian and vehicular transects | M <sup>3</sup> | SSC/-           |
| White Ibis                    | <i>Eduocimus albus</i>         | Breeding: marshes, swamps, ponds, estuaries, rivers; nest in shrubs and small trees       | Pedestrian and vehicular transects | M <sup>3</sup> | SSC/-           |

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|                |                           |   |                                    |                | Listed Status**           |
|----------------|---------------------------|---|------------------------------------|----------------|---------------------------|
| Whooping Crane | <i>Grus americana</i>     | Breed in emergent palustrine wetlands; forage in pastures                             | Pedestrian and vehicular transects | L              | "Experimental population" |
| Wood Stork     | <i>Mycteria americana</i> | Estuarine or freshwater wetlands; nest in tops of trees in cypress or mangrove swamps | Pedestrian and vehicular transects | L <sup>3</sup> | E/E                       |

<sup>1</sup> Observed transient

<sup>2</sup> Observed nesting and/or resident

<sup>3</sup> Transient occurrence

<sup>4</sup> Resident occurrence

\*O= Observed; H= High probability; M= Medium; L= Low; \*\*USFWS; 50 CFR 17.11-12; FFWCC: Chapter 68A-27.002-004 F.A.C.; E = Endangered; T = Threatened; T/SA = Threatened due to similarity of appearance; SSC = Species of Special Concern

Although no direct or indirect observations of the following non-listed wildlife species were made during the field reconnaissance effort, the habitat type and landscape setting of the subject parcel are such that these species would typically occur on the site or include the site as part of larger transient foraging home ranges. This is not an exhaustive list of potential wildlife species that may occupy and/or forage on the site, but rather, is intended to provide a general cross section of the types of reptiles, birds, and mammals that would likely occur given the current overall habitat characteristics and conditions on the property and in the surrounding area.

Florida Pine Snake

Black racer

Red tailed hawk

Mockingbird

Raccoon

White Tailed Deer

Feral hog

Wild turkey

*Pituophis melanoleucus mugitus*

*Coluber constrictor*

*Buteo jamaicensis*

*Mimus polyglottos*

*Procyon lotor*

*Odocoileus virginianus*

*Sus scrofa*

*Meleagris gallopavo*



### MANAGEMENT PLAN OBJECTIVES

The 12.7 acre preserve area management is the responsibility of Palm Beach County Parks and Recreation Department. As such, the management objectives provided below have been developed in accordance with the P&RD Natural Areas Plan and the City of Palm Beach Gardens Land Development Code requirements.

- 1) Maintain ecological integrity of native upland and wetland systems by providing for protection of listed plant and animal species present and which may inhabit the preserve area in the future.
- 2) Provide for ongoing removal and disposal of litter and debris from the preserve area.
- 3) Ongoing eradication and physical removal of non-native and pest plant species followed with periodic maintenance control as necessary throughout the subject property.
- 4) Implement access control measures to prevent unauthorized activities including off road vehicle (ORV) use, illegal dumping, and harassment of wildlife.
- 5) Maintain existing site hydrology.

The subject 12.7 +/- acre property comprises sufficient acreage to function as a stand-alone functional preserve area for mesic pine flatwoods habitat. Of the typical species that occupy this ecotype, the gopher tortoise is often considered a "cornerstone" species because of its provision of habitat for a variety of faunal commensals and its indicator status of a functional and diverse vegetative assemblage. Although no gopher tortoises were specifically observed during limited field reconnaissance, previous studies have documented their occurrence on the site, and secondary field indicators (abandoned burrows) indicate that the site is likely to support this species.

In addition to the capacity to support a "cornerstone" species such as the gopher tortoise, the subject property provides sufficient native habitat area to provide part or all of the typical home range for a variety of wildlife species that typically occur in the pine flatwoods habitat. For instance, female indigo snakes have a typical home range of between 45 and 120 acres, thus this property could provide between 10 and 25 percent of the necessary home range for this protected species. Given the capacity of the flatwoods habitat to support small mammals and other prey species for raptors such as the red tailed hawk, this preserve area can and will provide an important forage function for a variety of transient and far ranging birds of prey.

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Under its current conditions, the occurrence of nuisance and non-native invasive vegetation as well as fire suppression have resulted in sub-optimal habitat quality. The nuisance and non-native invasive species cause depression in the otherwise natural levels of plant species diversity by creating monotypic stands of species with little or no habitat value to native wildlife. For instance, Brazilian pepper creates monoculture stands of vegetation wherein all or nearly all native species of vegetation are shaded out or precluded from growth. The Brazilian pepper provides little if any functional forage for native wildlife thus creating an "ecological desert" within an otherwise vegetated area.

### MANAGEMENT ACTIVITIES

Application of appropriate land management techniques to the property will help maintain the vegetative diversity and thus the wildlife carrying capacity and diversity. The following management activities are to be implemented in order to achieve the appropriate restoration and ongoing maintenance that will result in a diverse and stable pine flatwoods ecosystem on the subject property.

#### Perimeter Control --

In order to control vehicular access to the park site and preserve/management area signage will be provided indicating the area is a native preserve. The north boundary is currently marked by an existing fence on adjacent property, and the boundary adjacent to I-95 is also fenced. The remaining unfenced park boundary along 117<sup>th</sup> Court North to the City's park will be marked by signs indicating the area is a native habitat preserve and prohibiting vehicular entry or dumping of any kind.

#### Management Units -

Although the site is relatively small, it is appropriate to establish several management units within the property to provide for systematic implementation of management activities and maintain interim habitat diversity and refugia for species which may be temporarily affected by the management activities.

There are a total of five management units established for the property (please refer to Figure 5 in the Appendix) based on the varying management needs within the site. Management Unit 1 is comprised of the northern reach of the preserve area which is characterized by overgrowth of muscadine grape vine. Management Unit 2 occurs along the northeast portion of the property and includes the heaviest infestation of mature woody exotics including Brazilian pepper, earleaf acacia, and melaleuca.

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Management Unit 3 is the area of wetland that occurs within the property, and is characterized by moderate to heavy cover of melaleuca. Management Unit 4 is comprised of a high canopy closure (> 65%) of slash pine and depleted understory and ground cover as a result of shading effects. Finally, Management Unit 5 is relatively open canopy with a heavy understory accumulation of saw palmetto, gallberry, and fetterbush. There are isolated and sometimes heavy patches of the invasive downy rose myrtle in the southern portion of Management Unit 5.

#### Control of Nuisance and Exotic Invasive Vegetation -

The first phase of the restoration program will entail cutting and manual removal of woody exotic species such as Brazilian pepper, melaleuca, and earleaf acacia. This vegetative material will be removed and disposed of off site in order to reduce the overall biomass as well as shading effects of these invasive species. This treatment will entail cutting and removal of woody trunks and direct application of herbicide to the stumps to prevent re-growth. In cases where the cutting and removal of woody species would cause significant impact or damage to existing native vegetation, basal bark application and/or "hack and squirt" application of appropriate herbicides will be employed to achieve kill in place treatment of woody species and minimize non-target mortality. An initial treatment will be completed within the first three months of plan implementation.

The second phase of the herbicide treatment program will include conducting foliar application of appropriate herbicides to broadleaf target species including old world climbing fern, muscadine grape vine where non-target affects can be minimized, and invasive turf grasses. This initial treatment throughout all of the management units will be completed within six months after plan implementation begins.

The downy rose myrtle that occurs on the site presents a difficult management issue as this species is difficult to eradicate with typical herbicides and is highly fire tolerant. Manual removal is likely the most successful option. In this case, the occurrence of this species is primarily located in a single area in the southern portion of the property, and thus manual pulling of trunk and roots followed by disposal of vegetative material off site will be implemented. This effort will be conducted concurrently with the cutting and manual removal program.

Once the initial herbicide and manual removal eradication has been completed, a maintenance control program will be implemented immediately on a semi-annual basis. Full sweeps of the entire property applying spot treatments of appropriate herbicides to occurrences of nuisance and exotic species resulting from re-growth of treated areas as well as germination of new plants will be conducted until monitoring indicates diminishing requirements over time as these species come under control.

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In the event that exotic and nuisance vegetation control leads to conditions that would warrant re-vegetation, such as un-vegetated areas that do not fill in by natural recruitment, re-planting with native species will be implemented. Minimum conditions that will warrant re-planting and/or reforestation would include any contiguous area greater than 1,000 square feet that has been rendered devoid of vegetation as a result of exotic or nuisance vegetation eradication. Re-planting/reforestation will be conducted with those components of canopy, understory, and ground cover that match the immediately surrounding area in native condition. For instance, areas that do not currently exhibit canopy species will be planted with understory and ground cover species only. Should re-planting be necessary, species from the following list, consistent with the general vegetative characteristics of the surrounding area will be installed in order to restore the goal habitat and vegetation coverage mix.

|                          |  |
|--------------------------|--|
| South Florida slash pine | ( <i>Pinus elliottii</i> var. <i>densa</i> ) |
| Cabbage palm             | ( <i>Sabal palmetto</i> )                    |
| Saw palmetto             | ( <i>Serenoa repens</i> )                    |
| Gallberry                | ( <i>Ilex glabra</i> )                       |
| Fetterbush               | ( <i>Lyonia lucida</i> )                     |
| Wire grass               | ( <i>Aristida</i> spp.)                      |
| Broom grass              | ( <i>Andropogon</i> spp.)                    |
| Gopher apple             | ( <i>Licania michauxii</i> )                 |
| Running oak              | ( <i>Quercus pumilia</i> )                   |
| American beautyberry     | ( <i>Callicarpa americana</i> )              |
| Beakrush                 | ( <i>Rhynchospora</i> spp.)                  |

A Typical Revegetation/Reforestation Plan is provided as Figure 6 in the Appendix. Other native species, as appropriate to the habitat type may also be included in any necessary re-vegetation efforts.

### Fuel Load Reduction and Prescribed Fire Management -

The current conditions on the site are such that the understory along with vines such as muscadine grape vine are occasionally dense to the degree that they cause shading and elimination of other native plant species. Herbicide treatments and manual removal of dead vegetative material will help to reduce the height and density of fuel load in the understory and minimize the potential for crown fire. The proximity of the subject site to I-95 and public schools makes it highly unlikely that a prescribed fire program could be successfully implemented. As such, a prescribed fire program is not recommended as part of this management plan.

Absent prescribed fire management, alternative techniques for fuel load reduction will be necessary. The primary approach proposed in this plan will be manual removal of all woody exotic and nuisance species to allow for opening of canopy in areas currently shaded out by these species.



### MONITORING

A monitoring program will be conducted as part of the management plan in order to track progress toward achievement of management objectives and provide needed information for adaptation of management techniques as the program proceeds. The monitoring approach will document and measure the success of exotic vegetation eradication, control, and fuel load management, and will be used to guide maintenance, control, and habitat enhancement techniques as necessary to achieve the management plan objectives.

The Monitoring Plan Map provided as Figure 7 in the Appendix depicts the monitoring transect as well as sample points located within each of the habitat management units. The entire transect will be traversed during each monitoring event with notations of areas where exotic and nuisance vegetation are observed, wildlife utilization and indicators are present, and the general habitat type description. In addition, six sample points will be established as shown, using hand held GPS. Sample points will be marked with PVC pipe to facilitate repetition of data collection during each monitoring visit.

At each sample point, vegetative coverage will be documented with photographs and detailed vegetation coverage data collection. The vegetative coverage will be measured as absolute coverage within an area of approximately 2,500 square feet at each monitoring station. The vegetation will be measured in percent coverage of the canopy/understory layer and ground cover. The total percent cover will not exceed 100 percent, and each species documented will be reported in both common and Latin names. The coverage will be measured by visual observation in each of four quadrants from the fixed sample point. Observations will extend approximately 25 feet from the observer in each direction thus covering approximately 2,500 square feet at each station. The data from each quadrant observation will be combined to calculate the vegetative coverage for the sample point. Station locations will be permanently marked with PVC pipe to ensure consistency in data collection. Photos will be collected from each of the established sample points to provide documentation of vegetative coverage. In addition to vegetative coverage, any observed wildlife utilization or indicators of wildlife (i.e. tracks, scat, etc.) will be documented.

An initial five year monitoring period will be established in order to measure the success and progression of the management activities. Monitoring will be conducted annually for the first five year period. After five years, monitoring may be conducted on a less frequent basis based on the success of the management activities.

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Success criteria will be based on coverage of exotic and nuisance vegetation as well as progression toward the desired habitat type. With regard to exotic and nuisance vegetation control, overall coverage will be at or below five percent at all sample points as well as observations made during traverse of the monitoring transect. Maintenance activities will be directed to any and all areas that have five percent or more total vegetative coverage by nuisance or exotic vegetation at any time during the monitoring period.

Progression toward desired habitat type will be measured as achieving 80 percent coverage of the desired native vegetation type(s) within two years of initiating management activities. The success criterion for the preserve area includes 80 percent coverage of desirable vegetation by the end of the second year through the fifth year, and areal coverage of exotic vegetation at zero percent and nuisance vegetation limited to five percent or less at the end of five years. Subsequent monitoring will be conducted at least biannually to document site conditions and continued success of the management activities.

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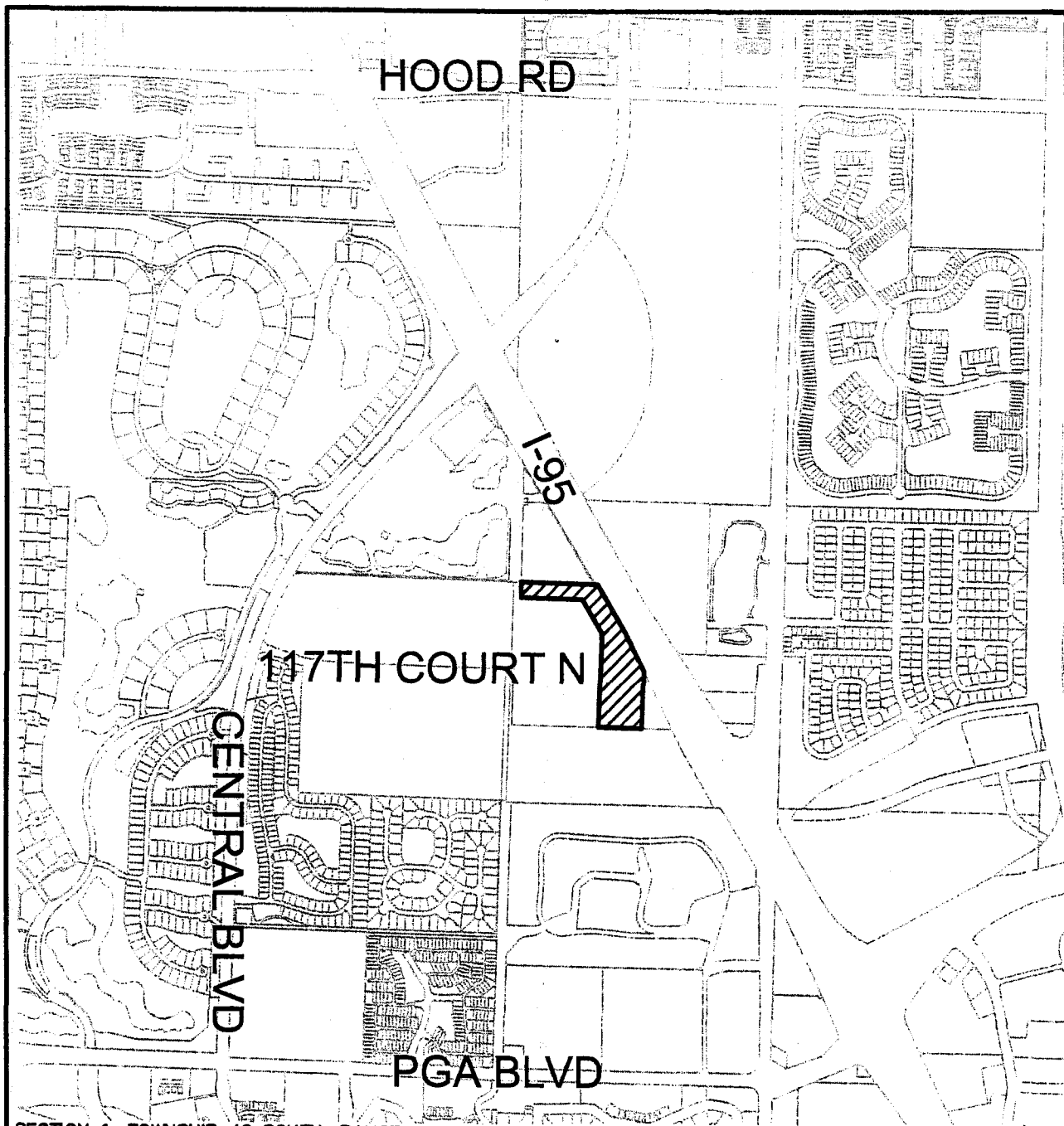
VEGETATION LIST

|                          |  |
|--------------------------|--|
| South Florida slash pine | ( <i>Pinus elliottii</i> var. <i>densa</i> ) |
| Cabbage palms            | ( <i>Sabal palmetto</i> )                    |
| Ear leaf acacia          | ( <i>Acacia auriculiformis</i> )*            |
| Saw palmetto             | ( <i>Serenoa repens</i> )                    |
| Gallberry                | ( <i>Ilex glabra</i> )                       |
| Fetterbush               | ( <i>Lyonia lucida</i> )                     |
| Tarflower                | ( <i>Befaria racemosa</i> )                  |
| Wire grass               | ( <i>Aristida</i> spp.)                      |
| Broom grass              | ( <i>Andropogon</i> spp.)                    |
| Melaleuca                | ( <i>Melaleuca quinquinervia</i> )*          |
| Muscadine grapevine      | ( <i>Vitis rotundifolia</i> )                |
| Brazilian pepper         | ( <i>Schinus terebinthifolius</i> )*         |
| Downy rose myrtle        | ( <i>Rhodomyrtus tomentosa</i> )*            |
| Maidencane               | ( <i>Panicum hemitomon</i> )                 |
| Blue maidencane          | ( <i>Amphicarpum muhlenbergianum</i> )       |
| Spikerush                | ( <i>Eleocharis</i> spp.)                    |
| Love grass               | ( <i>Eragrostis</i> spp.)                    |
| Rusty lyonia             | ( <i>Lyonia ferruginea</i> )                 |
| Dwarf blueberry          | ( <i>Vaccinium myrsinites</i> )              |
| Switch grass             | ( <i>Panicum virgatum</i> )                  |
| Slender bluestem         | ( <i>Schizachyrium tenerum</i> )             |
| Gopher apple             | ( <i>Licania michauxii</i> )                 |
| Running oak              | ( <i>Quercus pumilia</i> )                   |
| Dwarf live oak           | ( <i>Quercus minima</i> )                    |
| Myrtle oak               | ( <i>Quercus myrtifolia</i> )                |
| Blazing star             | ( <i>Liatris chapmanii</i> )                 |
| American beautyberry     | ( <i>Callicarpa Americana</i> )              |
| Beakrush                 | ( <i>Rhynchospora</i> spp.)                  |
| Chaffhead                | ( <i>Carphephorus corymbosus</i> )           |
| Blue maidencane          | ( <i>Amphicarpum muhlenbergianum</i> )       |
| Dwarf huckleberry        | ( <i>Gaylussacia dumosa</i> )                |
| Pigeon Plum              | ( <i>Coccoloba diversifolia</i> )            |
| Rattlesnake master       | ( <i>Eryngium yuccifolium</i> )              |
| Bristlegrass             | ( <i>Setaria parviflora</i> )                |
| Orange Milkwort          | ( <i>Polygala lutea</i> )                    |
| Candyroot                | ( <i>Polygala nana</i> )                     |
| Caric sedge              | ( <i>Carex albolutescens</i> )               |
| Sand cordgrass           | ( <i>Spartina bakeri</i> )                   |
| Winged sumac             | ( <i>Rhus copallinum</i> )                   |

\* Non-native

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Natural Resource Management, Wetland, and Environmental Permitting Services

## **APPENDIX**



SECTION 1, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH GARDENS, PALM BEACH COUNTY, FL,  
LAT 26°50'59" LONG 80°06'34"

### LEGEND

 - SITE (12.7 AC)

0 1500  
SCALE IN FEET

**12.7 ± ACRE UPLAND PRESERVATION TRACT**

## LOCATION MAP



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2081 SE OCEAN BOULEVARD, SUITE 2B

STUART, FLORIDA 34996

772-287-8771 FAX 772-287-2988

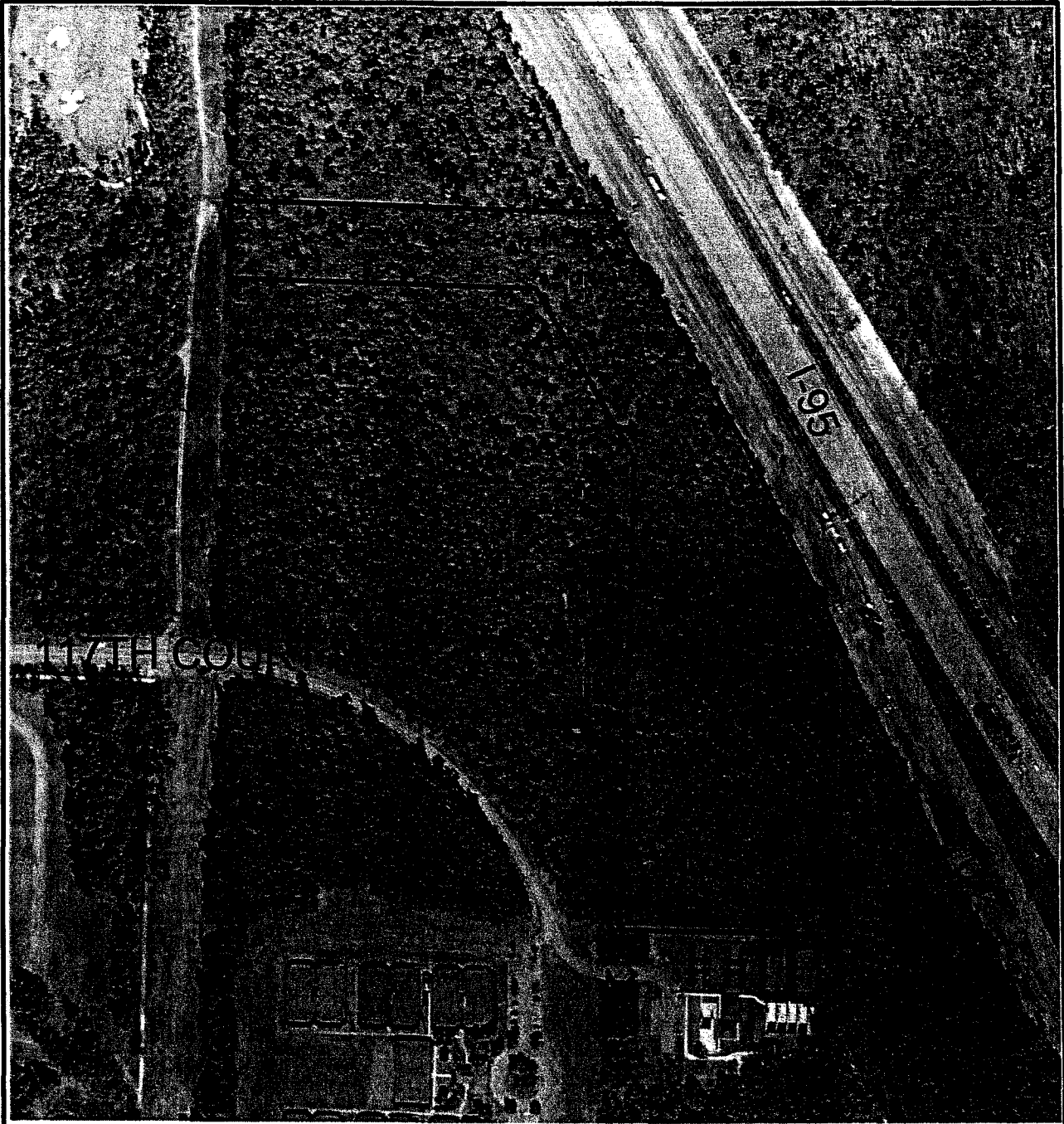
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**JUNE 2010**

**FIGURE**

**1**





PALM BEACH COUNTY AERIALS DATED 2009



**12.7 ± ACRE UPLAND PRESERVATION TRACT**

**AERIAL PHOTO**



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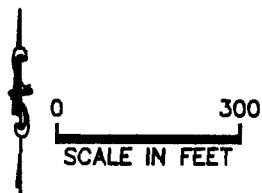
**JUNE 2010**

**FIGURE**

**2**



PALM BEACH COUNTY AERIALS DATED 2009



#### LEGEND

- PALMETTO PRAIRIE (1.8 AC)
- MELALEUCA WETLAND (0.4 AC)
- PINE FLATWOODS (10.5 AC)

## 12.7 ± ACRE UPLAND PRESERVATION TRACT EXISTING VEGETATION MAP



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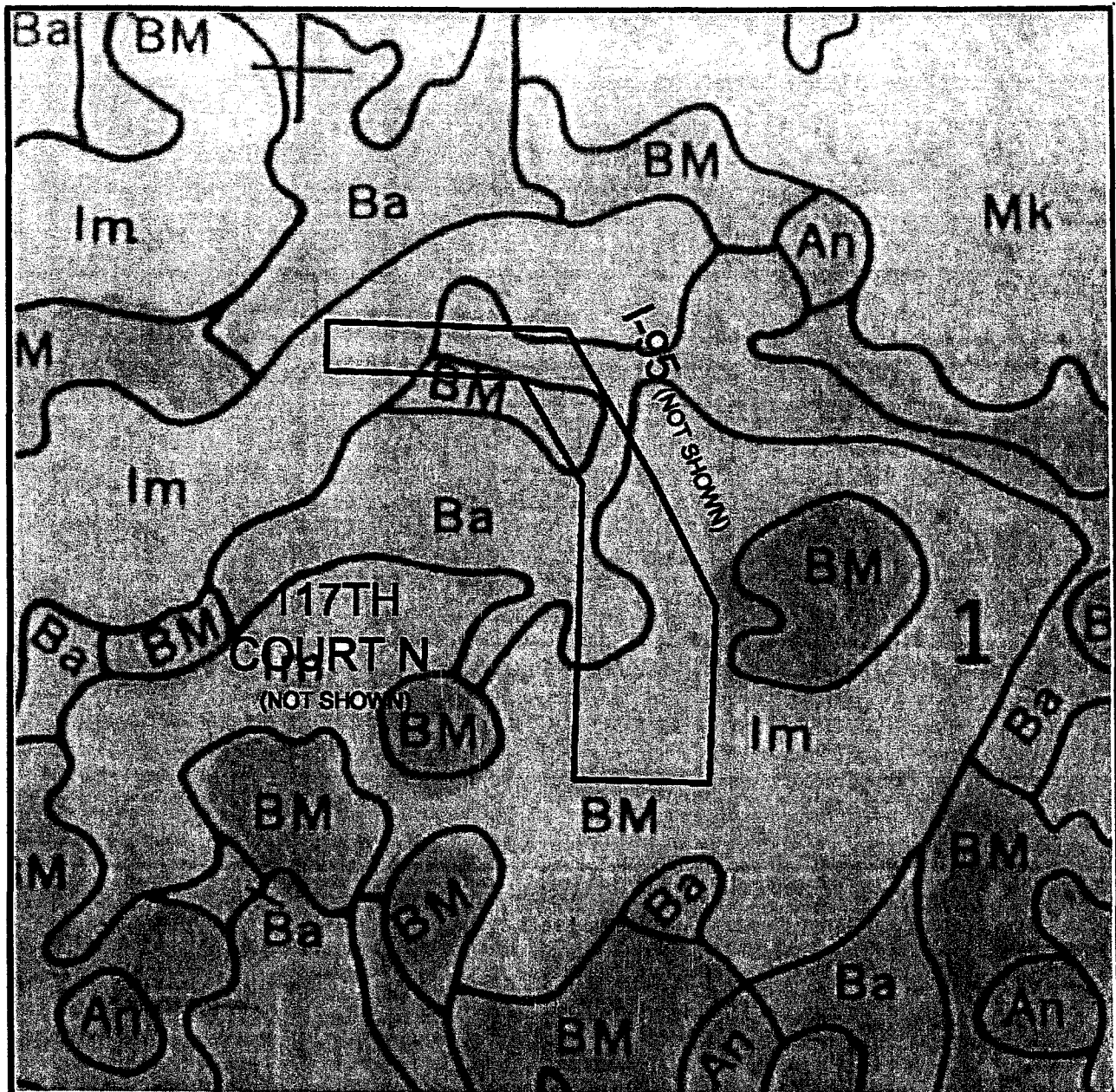
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**JUNE 2010**

FIGURE

**3**



USDA SOILS SURVEY "PALM BEACH AREA" BASED ON AERIAL PHOTOGRAPHY DATED 1970



0 500  
SCALE IN FEET

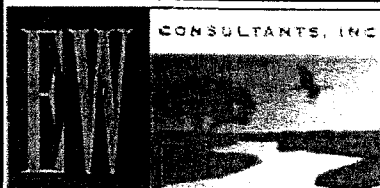
#### LEGEND

Ba - BASINGER FINE SAND

BM - BASINGER AND MYAKKA SANDS

Im - IMMOKALEE FINE SAND

## 12.7 ± ACRE UPLAND PRESERVATION TRACT SOILS MAP



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STUART, FLORIDA 34996

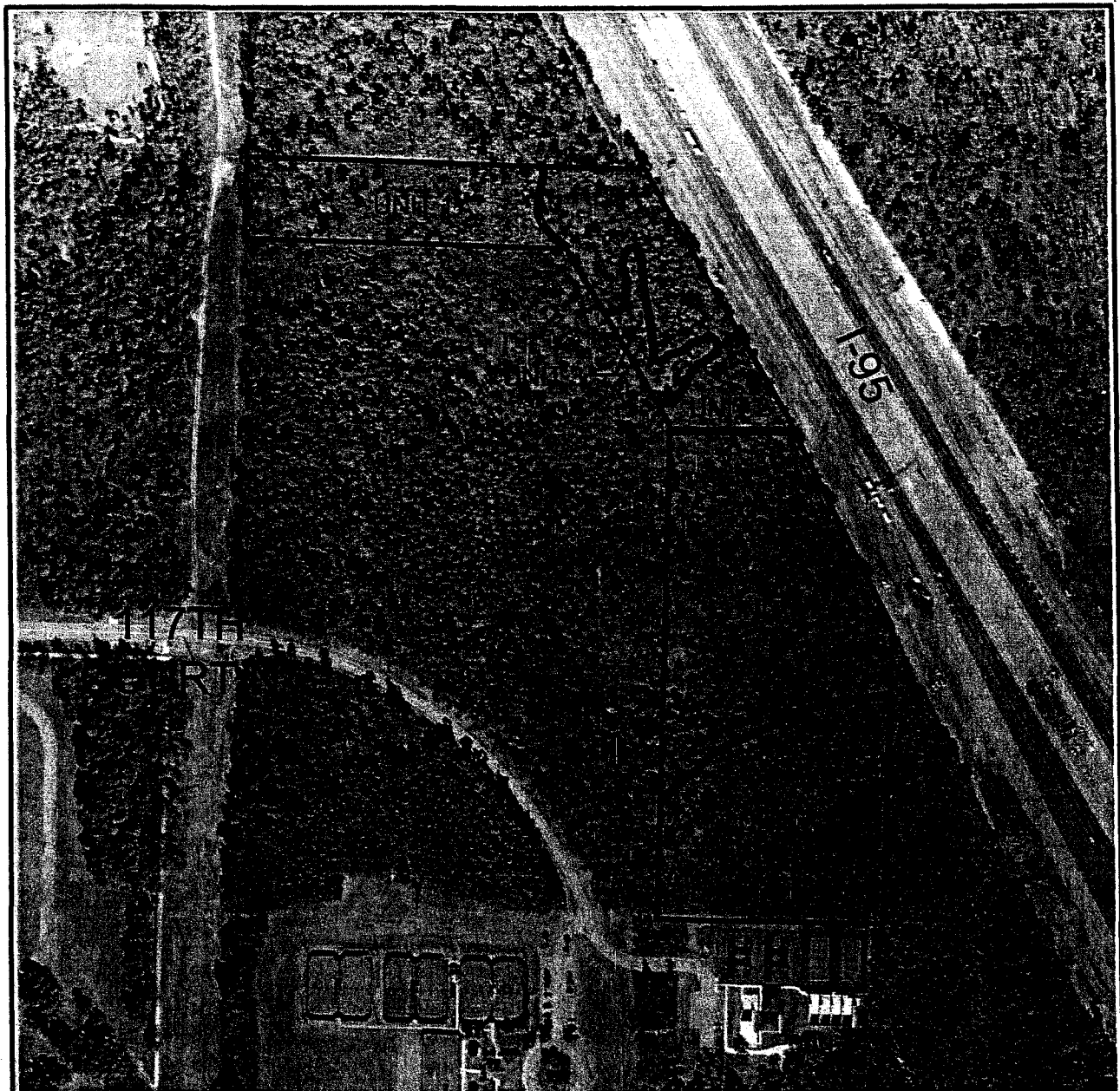
772-287-8771 FAX 772-287-2988

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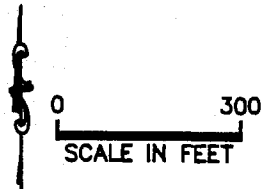
**JUNE 2010**

**FIGURE**

**4**



PALM BEACH COUNTY  
AERIALS DATED 2009



#### LEGEND

- UNIT 1 (2.0 AC±)
- UNIT 2 (2.2 AC±)
- UNIT 3 (0.4 AC±)
- UNIT 4 (4.6 AC±)
- UNIT 5 (3.5 AC±)

## 12.7 ± ACRE UPLAND PRESERVATION TRACT HABITAT MANAGEMENT UNITS



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STUART, FLORIDA 34996

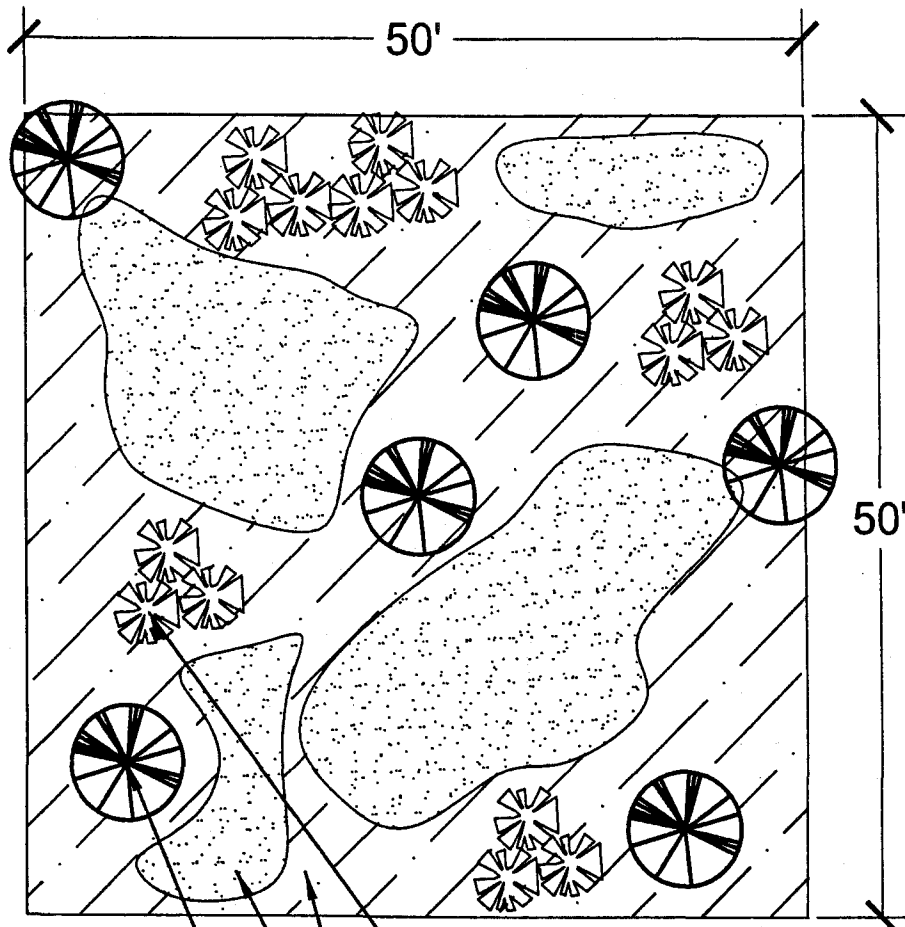
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**JUNE 2010**

**FIGURE**

**5**



Understory

Saw palmetto (*Serenoa repens*) 15  
 Gallberry (*Ilex glabra*) 10  
 Fetterbush (*Lyonia lucida*) 10  
 American beautyberry (*Callicarpa americana*) 10

Ground Cover

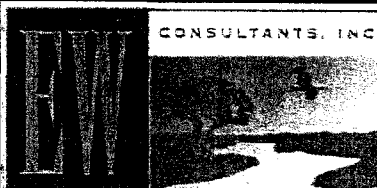
Wire grass (*Aristida* spp.) 75  
 Broom grass (*Andropogon* spp.) 75  
 Gopher apple (*Licania michauxii*) 25  
 Running oak (*Quercus pumilia*) 25  
 Beakrush (*Rhynchospora* spp.) 50

Canopy

South Florida slash pine (*Pinus elliottii* var. *densa*) 4  
 Cabbage palm (*Sabal palmetto*) 2

# 12.7 ± ACRE UPLAND PRESERVATION TRACT TYPICAL REVEGETATION/ REFORESTATION PLAN

PLANTING PLAN.dwg TYPICAL REVEG



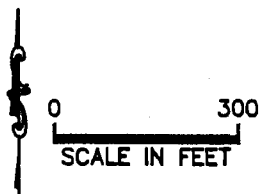
**EW CONSULTANTS, INC.**  
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**JUNE 2010**  
**FIGURE**  
**6**





PALM BEACH COUNTY AERIALS DATED 2009



#### LEGEND

- - MONITORING TRANSECT
- X - SAMPLE POINTS (6)

## 12.7 ± ACRE UPLAND PRESERVATION TRACT MONITORING PLAN MAP



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**JUNE 2010**

FIGURE

**7**

2011 - 0221

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

BUDGET TRANSFER  
FUND 3052 98.0M NAV 07C CTF, Scripps/Briger Bond Fund

BGEX 121410\*600

| ACCOUNT NAME AND NUMBER                                  | ORIGINAL<br>BUDGET | CURRENT<br>BUDGET | INCREASE | DECREASE | ADJUSTED<br>BUDGET | EXPENDED/<br>ENCUMBERED<br>AS OF 12/14/2010 | REMAINING<br>BALANCE |
|--|--------------------|-------------------|----------|----------|--------------------|---|----------------------|
| <u>EXPENDITURES</u>                                      |                    |                   |          |          |                    |   |                      |
| <u>Transfers-Fund 3052</u>                               |                    |                   |          |          |                    |   |                      |
| 3052-821-9129-9139 Tr To 25M GO Rec/Cul 99 CTF Fund 3000 | 0                  | 0                 | 737,654  | 0        | 737,654            | 0   | 737,654              |
| <u>Scripps-Briger Infrastructure</u>                     |                    |                   |          |          |                    |   |                      |
| 3052-429-B349-6505 Design/Eng.Mgmt -Cip Admin            | 3,993,913          | 3,986,595         | 0        | 737,654  | 3,248,941          | 35,299                                      | 3,213,642            |
| TOTALS   |                    |                   | 737,654  | 737,654  |                    |   |                      |

|   |                      |                                  |
|---|----------------------|----------------------------------|
| Administration                            | Signatures & Dates   | BY BOARD OF COUNTY COMMISSIONERS |
| INITIATING DEPARTMENT/DIVISION            | <i>Shanna Briger</i> | AT MEETING OF 12/21/2010         |
| Administration/Budget Department Approval | <i>Shanna Briger</i> |                                  |
| OFMB Department - Posted                  | <i>Shanna Briger</i> |                                  |

*Shanna Briger*  
12/15/10  
12/14/10

2011 - 0222

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

BUDGET AMENDMENT

Page 1 of 1

Fund 3000- 25.0M GO 99A, Recreation & Cultural Bond Fund

BGRV 121410\*152  
BGEX 121410\*599

| ACCOUNT NAME AND NUMBER | ORIGINAL<br>BUDGET | CURRENT<br>BUDGET | INCREASE | DECREASE | ADJUSTED<br>BUDGET | EXPENDED/<br>ENCUMBERED<br>AS OF 12/21/10 | REMAINING<br>BALANCE |
|-------------------------|--------------------|-------------------|----------|----------|--------------------|---|----------------------|
|-------------------------|--------------------|-------------------|----------|----------|--------------------|---|----------------------|

|                         |  |         |         |         |   |           |         |
|-------------------------|--|---------|---------|---------|---|-----------|---------|
| <u>Revenues</u>         |  |         |         |         |   |           |         |
| 3000-800-9100-8320      | Transfer from 98M Nav 07 CTF Fund 3052 | 0       | 0       | 737,654 | 0 | 737,654   | 737,654 |
| <hr/>                   |  |         |         |         |   |           |         |
| TOTAL FUND REVENUES     |  | 325,819 | 326,993 | 737,654 | 0 | 1,064,647 |         |
| <hr/>                   |  |         |         |         |   |           |         |
| <u>Expenditures</u>     |  |         |         |         |   |           |         |
| 3000-581-9900-9908      | Reserve- New Projects                  | 0       | 0       | 687,654 | 0 | 687,654   | 687,654 |
| 3000-581-P370-6509      | Mitigation                             | 5,293   | 5,293   | 59,000  | 0 | 55,293    | 55,293  |
| <hr/>                   |  |         |         |         |   |           |         |
| TOTAL FUND EXPENDITURES |  | 325,819 | 326,993 | 737,654 | 0 | 1,064,647 |         |

Administration

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS  
AT MEETING OF 12/21/2010

INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Deputy Clerk to the  
Board of County Commissioners

*[Signature]*  
12/21/10  
*[Signature]* 12/21/10  
*[Signature]* 12/21/10

**ATTACHMENT E**  
**MITIGATION APPROVAL LETTER FROM CITY OF PALM BEACH GARDENS**



***Florida Department of Transportation***

**RICK SCOTT  
GOVERNOR**

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

**JIM BOXOLD  
SECRETARY**

October 4, 2016

Mr. Todd Engle, PE, City Engineer  
City of Palm Beach Gardens  
10500 N. Military Trail  
Palm Beach Gardens, FL 33410

Re: I-95 at Central Boulevard Interchange PD&E Study  
Section 4(f) de minimis for Palm Beach County Regional Park  
FM No. 413265-1

Dear Mr. Engle:

As previously discussed, Florida Department of Transportation (Department) - District 4, is conducting a Project Development and Environment (PD&E) Study along I-95, from just north of PGA Boulevard to Donald Ross Road in Palm Beach County. Construction of the improvements for the Recommended Alternative will require acquisition of approximately 1.33 acres of the property currently owned by the County which has been identified as a future Palm Beach County District Park. The proposed improvements include the construction of a collector distributor roadway along the portion of I-95 adjacent to the park property and a new interchange at Central Boulevard (see attachment A).

The Federal Highway Administration (FHWA) has determined that the park property is afforded protection by Section 4(f) of the U.S. Department of Transportation Act of 1966 (as amended). Accordingly, FHWA and the Department intends to pursue a "de minimis" Section 4(f) determination for the proposed impacts. The Department is seeking to mitigate these impacts via a land swap with the County for an adjacent parcel directly south of the park's property (see attachment B). The habitat of the adjacent parcel is of similar quality and would complement the park's property. The Department in return is seeking to swap a minimum similar acreage for the impacted area.

During our research of the park property deed, the Department has discovered a conservation easement was granted by the City to Palm Beach County. This conservation easement would require approval from the City of Palm Beach Gardens to change the use such as for transportation (see attachment C). Presently the Department is seeking concurrence from the City that this a feasible alternative for mitigation and will coordinate with the County and the Department, during the design phase of the conservation easement modification.

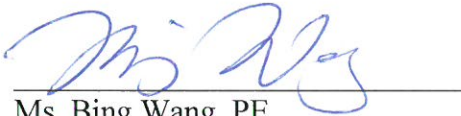


Mr. Todd Engle, PE  
October 4, 2016  
Page 2

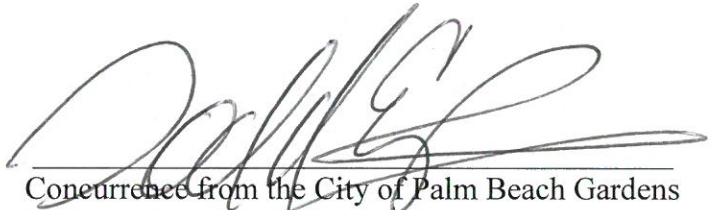
This concurrence is necessary to complete the study and obtain FHWA approval. The Department will enter into more detailed discussions with the City and County once the final right-of-way deed has been defined and maps have been created of the parcels in question. The Department looks forward to continue coordination with the City to ensure a successful project.

Please provide the City of Palm Beach Garden's concurrence with our proposed mitigation plan by providing your signature below.

Sincerely,



Ms. Bing Wang, PE  
Project Manager  
City Engineer



Concurrence from the City of Palm Beach Gardens  
Mr. Todd Engle, PE, City Engineer

**ATTACHMENT F**  
**NOTIFICATION TO OFFICIAL WITH JURISDICTION TO PURSUE DE MINIMIS APPROVAL**

**From:** [Jose Munoz](#)  
**To:** [Carter, Nicole](#)  
**Subject:** FW: FDOT's Intent to pursue a "de minimis" Section 4(f) Determination (FM 413265-1 Central Blvd interchange at I-95)  
**Date:** Thursday, July 28, 2016 3:24:51 PM

---

**From:** Wang, Bing [mailto:[Bing.Wang@dot.state.fl.us](mailto:Bing.Wang@dot.state.fl.us)]

**Sent:** Friday, July 15, 2016 8:11 AM

**To:** [ecall@pbcgov.org](mailto:ecall@pbcgov.org)

**Cc:** [rhamilton@pbc.gov](mailto:rhamilton@pbc.gov); Jose Munoz ; Broadwell, Ann L ; Milagros Radzikhovsky ([mradzikhovsky@bma-ce.com](mailto:mradzikhovsky@bma-ce.com)) ; Pritchard, Christine ; Ann Venables

**Subject:** FDOT's Intent to pursue a "de minimis" Section 4(f) Determination (FM 413265-1 Central Blvd interchange at I-95)

Dear Mr. Call:

As previously discussed, Florida Department of Transportation (FDOT), District 4, is conducting a Project Development and Environment (PD&E) Study along I-95 from just north of PGA Boulevard to Donald Ross Road in Palm Beach County. Construction of the improvements for the Recommended Alternative will require acquisition of approximately 1.86 acres of the property currently owned by the County which has been identified as the future Palm Beach County District Park. The proposed improvements include construction of a collector distributor roadway along the portion of I-95 adjacent to the park property, and a new interchange at Central Boulevard.

The Federal Highway Administration (FHWA) has determined that the park property is afforded protection by Section 4(f) of the U.S. Department of Transportation Act of 1966 (as amended). Accordingly, FDOT is required to document the potential impacts of the proposed improvements to the activities, features and attributes of the future park, coordinate with Palm Beach County concerning the potential impacts and possible mitigation to offset these impacts, and solicit input from the public on the net impacts to the park property.

It is anticipated that construction of the proposed improvements will not result in adverse impacts to the activities, features and attributes of the future park. FDOT will work with the County in future planning of the park during the Design Phase of the project to avoid or minimize potential impacts. Accordingly, FHWA and FDOT intend to pursue a "de minimis" Section 4(f) determination for the proposed impacts. The purpose of this email is to inform you of this intent.

FHWA requires concurrence from the official with jurisdiction (in this case -Palm Beach County) that the project will not adversely affect the activities, features, or attributes that are protected by Section 4(f). Prior to requesting your concurrence, consideration of public comments concerning the proposed impacts is required. Accordingly, input from the public will be solicited concerning the proposed impacts and any potential mitigation to offset these impacts at a Public Hearing for the ongoing PD&E study scheduled for September 28, 2016. The FDOT will be contacting you to discuss potential mitigation options in the near future.

Following the Public Hearing, all public comments related to impacts to the future park property will be provided to you. After your review of the public comments, FDOT will request your concurrence that the proposed project, including any mutually agreed upon mitigation measures, will be minimal and will not adversely affect activities, features or attributes of the facility.

If you have any questions, or need additional information, please don't hesitate contact me. My phone number and email address are provided below.

Thanks

Ms. Bing Wang, P.E.

FDOT D4-Consultant Management

3400 West Commercial Boulevard

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**ATTACHMENT G**  
**OFFICIAL WITH JURISDICTION CONCURRENCE LETTER**





*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

JIM BOXOLD  
SECRETARY

October 10, 2016

Mr. Eric Call, Director  
Palm Beach County Parks and Recreation  
2700 6<sup>th</sup> Avenue South  
Lake Worth, FL 33461

Re: Request for opinion on impacts of I-95 at Central Boulevard Interchange PD&E Study  
on the Future Palm Beach County District Park  
Limits: I-95 from North of PGA Boulevard to Donald Ross Road, Palm Beach County, FL  
FM No. 413265-1

Dear Mr. Call,

As previously discussed, Florida Department of Transportation (FDOT) - District 4, is conducting a Project Development and Environment (PD&E) Study along I-95, from just north of PGA Boulevard to Donald Ross Road in Palm Beach County. Construction of the improvements for the Recommended Alternative will require acquisition of approximately 1.33 acres of the property currently owned by the County which has been identified as a future Palm Beach County District Park. The proposed improvements include the construction of a collector distributor roadway along the portion of I-95 adjacent to the park property and a new interchange at Central Boulevard (see attachment A).

No other short or long term impacts will occur to the facility as there are currently no existing activities, features or attributes (AFAs), or access to affect. The site is currently fenced with no access to the public. The FDOT has coordinated with the City of Palm Beach Gardens to modify the existing conservation easement on the eastern portion of the Park property during the design phase. The City has also concurred with the proposed mitigation plan also be executed during the design phase. FDOT is seeking to mitigate the impact to the Park via a land swap with the County for an adjacent parcel located directly south of the Park property (see attachment B). This adjacent parcel would complement the Park's property since the habitat is of similar quality to the area being impacted. The FDOT would be looking to swap a minimum similar acreage to that being impacted. FDOT will enter into more detailed discussions with the City and County once the final right-of-way need has been defined and maps have been created of the parcels in question.

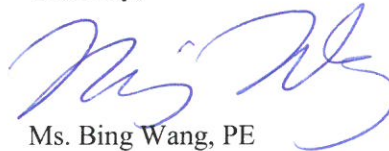
In addition, the proposed impacts and mitigation options were shown to the public at the Public Hearing held on September 28, 2016 to gain the public's input and comments. No comments were received regarding the park impacts or mitigation options during the hearing or the 10-day comment period.

Mr. Eric Call, Director  
October 10, 2016  
Page 2

Since there are no existing activities, features or attributes on the Park's property, no adverse effects to the AFAs of the property by the proposed undertaking are anticipated. In addition, the FDOT has committed to mitigate impact to the Park via a land swap, providing replacement land to the south. Therefore, based upon considerations contained in this letter and the attached documents, there are no adverse effects to the activities, features, and attributes of the resource due to the proposed project and we request concurrence that the information provided supports the finding of *de minimis* impact as per 23 CFR 774. As the Official with jurisdiction over this facility, please provide your signature below to signify the County's concurrence with this finding and then FHWA may determine the impacts to be *de minimis* per 23 CFR Part 774.

Thank you for your continued support on this project. Should you have any questions, please contact me at (954) 777-4406.

Sincerely,



Ms. Bing Wang, PE  
Project Manager

CONCURRENCE:

The Palm Beach County Parks and Recreation Department concurs that the Section 4(f) *de minimis* impact applies for the Future Palm Beach County District Park for the I-95 at Central Boulevard PD&E Study as described in this document and understands that FHWA may proceed with a *de minimis* impact finding based upon the County's concurrence that the proposed use will result in no adverse effects to the activities, features and attributes the property.

On: 10/12/16



Concurrence from Palm Beach County  
Mr. Eric Call, Director - Palm Beach County  
Parks and Recreation Department

Attachments

cc: Ann Broadwell - FDOT  
Jose Munoz - BCC  
Nicole Carter - Stantec