



Appendix H

ETDM Screening Results Meeting Minutes

RECORD OF MEETING - DRAFT

SR 7 Corridor Extension PD&E Study
FPID No. 229664-2-22-01
ETDM #8127



SUBJECT: ETDM Screening Results Meeting

DATE AND TIME: November 9, 2006 from 10:00 AM to 12:00 PM

LOCATION: Palm Beach MPO Office

ORIGINATED BY: Beatriz Caicedo-Maddison, P.E.

RECORDED BY: Aniruddha S. Gotmare, P.E.
Michael Garau, P.E.
Sandy Scheda

PARTICIPANTS: Beatriz Caicedo-Maddison – FDOT, District 4
Richard Young – FDOT, District 4
Ann Broadwell – FDOT, District 4
Paul Lampley – FDOT, District 4
Gregor Sengor – FDOT, District 4 (via conference call)
Garett Lips – FDOT, District 4 (via conference call)
Vicki Sharpe – FDOT, Central Office (via conference call)
Larry Barfield – FDOT, Central Office (via conference call)
Nahir DeTizio – Federal Highway Administration (via conference call)
George Hadley – Federal Highway Administration (via conference call)
John Wrublik – U.S. Fish and Wildlife Service
Alisa Zarbo – U.S. Army Corps of Engineers
Lauren Milligan – Florida Dept. of Environmental Protection (via conference call)
Chris Stahl – Florida Department of Environmental Protection (via conference call)
Joe Walsh – Florida Fish and Wildlife Conservation Commission (via conference call)
Anita Bain – South Florida Water Management District
Tony Waterhouse – South Florida Water Management District
Randy Whitfield – Palm Beach MPO
Patricia Masterman – Palm Beach MPO
Steve Carrier – Palm Beach County Engineering
Kathleen Farrell – Palm Beach County Engineering
Ron Robbins – Palm Beach County Environmental Resources Management
Aniruddha Gotmare – Edwards and Kelcey
Michael Garau – Edwards and Kelcey
Sandy Scheda – Scheda Ecological Associates
Lauren Linares – Scheda Ecological Associates (via conference call)

Ms. Beatriz Caicedo-Maddison opened the meeting by thanking everyone for their attendance and participation. After self introductions, Ms. Caicedo-Maddison indicated that the goal for the meeting was to bring all the participating agencies together and present a project status update. She also wanted to present the summary of assigned ETAT degree of effects for the proposed build corridors, address concerns and to introduce a bridge and drainage concepts to minimize environmental impacts along proposed Corridor 4. Ms. Caicedo-Maddison began the power point presentation with an overview of the corridors under consideration and stated that the FDOT has asked the FHWA for concurrence to discard Corridors 1 and 2 from further consideration due to lack of public support and impacts to the Section 1 mitigation site. An aerial of the FDOT's Right-of-Way was also shown to illustrate the proximity of the

perimeter canal and berm to the FDOT's Right-of-Way. Pictures from the recent field review documenting existing conditions along SR 7 corridors were also shown during this meeting.

A summary of the public involvement effort was provided. During the last corridor public workshop, a ranking form was distributed to the public. This form provided the public with the opportunity to rank the corridors in order of preference including the no-build option. A total of 688 forms were received of which 405 listed Corridor 4 as their preferred option. Ms. Caicedo-Maddison indicated that the public is anxiously waiting for the outcome of this corridor study. Following the public involvement summary, an overview of the latest evaluation matrix was provided and she highlighted the ranking of public opinion and the ranking of the regulatory agency concurrence. The public has ranked Corridor 4 as their first choice while the regulatory agencies have ranked Corridor 4 as their 4th choice.

The remainder of the presentation focused on the ETDM process and comments. Corridor 4 received a "dispute resolution" level of effect by the U.S. Fish and Wildlife Service (USFWS) for the special designation, wetlands, and wildlife and habitat categories. One of the comments made by the USFWS regarded the concern for the bifurcation of the natural area. In response to this concern, Ms. Caicedo-Maddison stated that the FDOT has developed a bridge concept to span across a 3-mile portion of the area that borders the Water Catchment Area and the Pond Cypress Natural Area. Ms. Caicedo-Maddison then introduced Mr. Aniruddha Gotmare as Edwards and Kelcey's Project Manager for this PD&E study to further discuss the bridge option. Mr. Gotmare discussed the bridge typical section, top-down construction methods, and the drainage options. Three drainage options were developed and include (1) the recommendation to use the area below the bridge for drainage swales; (2) the recommendation to use larger ponds at intermediate locations; and (3) a closed drainage system with stormwater pumped to an offsite location. All three options will use pollution chamber, baffle walls, and/or structural BMPs to collect any oil or spills and filter/treat the stormwater before it goes to the swale areas.

Ms. Caicedo-Maddison provided an overview of the four reasons for assigning a "dispute resolution" level of effect as outlined by the ETDM manual and includes (1) project appears to be non-permittable; (2) project is contrary to a state or federal resource agency's program, plan or initiative; (3) project has significant environmental cost (which includes funding, environmental impacts, or quality of life); and (4) project purpose and need statement is disputable. Possible outcomes through the dispute resolution process were presented and include the following: (1) resolve the issue or conflict through consultation and document the resolution; (2) recommend FDOT complete an environmental or technical study for ETAT representatives to review; and (3) advance the project with conditions into the work program. She stressed that the third option is not applicable in this case since the project is already in the work program).

After the presentation, Ms. Caicedo-Maddison opened the floor for further discussion and began by asking Mr. John Wrublik the reason why he assigned a "dispute resolution" level of effect. Mr. Wrublik responded that the USFWS reviewed the County's proposal for the Acreage Reliever Road. During that time, and after extensive coordination with the permitting agencies, the alignment for the Acreage Reliever Road was moved further west. When the FDOT restarted its PD&E Study for the extension of SR 7, he expressed his surprise that Corridor 4 was under consideration again. Mr. Wrublik stated that the USFWS approved the permit for the Acreage Reliever Road with the understanding that the FDOT's Right-of-Way would become part of the mitigation plan. He also stated that a bridge option would be better than a surface roadway, but that he feels that Corridor 3 is the better option.

Mr. Steve Carrier mentioned that the use of FDOT's Right-of-Way was discussed during the initial permit coordination process as a possible mitigation option for the Acreage Reliever Road but was later taken out from the proposed mitigation plan. In order to fulfill the mitigation requirements, the County used "special reserve credits" in addition to the Section 1 property. The permit approved for Acreage Reliever Road project by the South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (ACOE) did not include FDOT's Right-of-Way as part of the mitigation plan. Mr. Rob

Robbins added that the Right-of-Way in question was discussed at the earlier stages but was later removed and not the part of final mitigation plan for the Acreage Reliever Road.

Ms. Ann Broadwell then asked Mr. Wrublik to categorize the agency's reason for assigning a "dispute resolution" based on the four options identified by the ETDM manual. Mr. Wrublik responded that his reasons would include the second and third categories (project is contrary to a state or federal resource agency's program, plan or initiative and project has significant environmental cost).

Ms. Alisa Zarbo asked why is the FDOT is considering building two roadways (Acreage Reliever Road and proposed SR 7 Extension) and if the FDOT sees the need for two roadways. Ms. Caicedo-Maddison responded that the FDOT's and County's projects are two separate projects and FDOT as a part of the PD&E Study will investigate the proposed traffic during the PD&E process.

Mr. Randy Whitfield indicated that it was never the County's intention to extend the Acreage Reliever Road up to Northlake Boulevard. Mr. Carrier also added that they were under the assumption that the FDOT will perform that task. Ms. Zarbo stated that the ACOE thought that the Acreage Reliever Road was going to replace the need for the SR 7 extension.

Ms. Caicedo-Maddison stated that when the FDOT started the study, it was decided that commitments to the Right-of-Way could not be made until after the study is over. It is still a possibility that the Right-of-Way could be released in the future based on the final outcome of the PD&E Study.

Mr. Paul Lampley stated that the Palm Beach MPO requested FDOT to stop the project in 2000 and has since asked the FDOT in 2002 to continue with their study. Most likely, this project will be an EIS and for that reason we have to study all possible alignments. If we give up the Right-of-Way now, it will prejudice the decision.

Ms. Bain indicated that the possibility of having two roads (Acreage Reliever Road and new SR 7 extension) does create several challenges and SFWMD will have issues in permitting the new road along Corridor 4 as they stated in their letter to the FDOT.

Ms. Caicedo-Maddison then stated that the FDOT wants the flexibility to study Corridor 4 and asked if the USFWS would reduce the dispute resolution level of effect down to substantial. Mr. Wrublik responded that the FDOT could study that option if desired, but that the USFWS will not reduce the level of effect. Mr. Lampley added that the FDOT cannot study Corridor 4 until the level of effect is reduced.

Mr. Whitfield asked why the FDOT cannot consider studying Corridors 3 and 4 as part of the PD&E Study even if the USFWS has assigned a "red flag" to Corridor 4. Mr. Lampley responded that the FDOT has two options: (1) with a red flag, the FDOT has the option of studying Corridor 3 only; and (2) if the red flag is lowered to orange, then the FDOT can proceed with an analysis of Corridors 3 and 4 which will require an EIS. Ms. Nahir DeTezio indicated that the number of corridors under consideration does not determine the class of action.

Ms. Broadwell asked the County about its future management plan for the Pond Cypress Natural Area. Mr. Robbins responded that in the past, discussions have occurred to remove the berm and unite the Pond Cypress Natural Area and Water Catchment Area. Mr. Robbins also added that the Environmental Resources Management department is in favor of Corridor 3. Mr. Robbins appreciates the FDOT's effort to address the bifurcation issue, but it does not make the bridge option more compelling.

Ms. Lauren Milligan stated that DEP agrees with USFWS and SFWMD on not supporting Corridor 4. Mr. Joe Walsh added that substantial impacts are associated with Corridors 2 and 4 due to the presence of conservation lands and the potential for impacts to fish and wildlife resources. Mr. Walsh stated that the FWC is in favor of Corridor 1 but is more comfortable with Corridor 3 than Corridor 4.

Mr. Whitfield asked about the dispute resolution process. Mr. Young responded that the discussions begin at the staff level and work its way up the ranks, potentially up through the District Secretaries and ultimately the Governor. The FDOT has the option of proceeding through the dispute resolution process or dropping Corridor 4. Ms. Caicedo-Maddison added that an internal FDOT meeting has been scheduled for next week to discuss FDOT's options.

Ms. Vicki Sharpe reiterated the ETDM comments by the Department of Community Affairs (DCA) and that any corridor selected has to be consistent with the Palm Beach County Comprehensive Plan. DCA had also indicated that they are supportive of Corridor 3 as the preferred corridor due to the minimization of environmental impacts.

Mr. Lampley clarified why we are using the ETDM for this project even though the SR 7 Extension is already in the FDOT work program. He mentioned that this project was already in the work program before the ETDM process was implemented. He also indicated that due to the approval of SAFETEA-LU we are going through this ETDM process for this project.

Ms. Caicedo-Maddison asked Mr. Wrublik the status of the red flag. Mr. Wrublik responded that the level of effect will remain as a "red flag." Ms. Bain stated that she has more concern now than before about the possibility of two corridors in the project area. If Corridor 4 is selected, then one or two east-west connections will be required.

Mr. Gotmare asked if the USFWS or the SFWMD would like to make any recommendations or suggestions to the FDOT that would allow further study of Corridor 4 since the Corridor 4 has extensive public support. Mr. Wrublik responded that according to the USFWS, Corridor 3 is a better option.

Mr. Lampley asked Mr. Walsh about his opinion on Corridor 3 versus Corridor 4. Mr. Walsh responded that he could continue looking at Corridor 3. The FWC is more comfortable with Corridor 3 than with Corridor 4.

Ms. Caicedo-Maddison thanked everyone for their participation.

The meeting was adjourned at 11:15 a.m.