

DRAFT

SECTION 4(f)

Determination of Applicability (DOA)

for

Project Development and Environment (PD&E) Study
Midway Road (County Road (CR) 712)
From Glades Cut Off Road (CR 709)(Milepost 5.813)
To
Selvitz Road (CR 615)(Milepost 7.405)
St. Lucie County, Florida

Financial Project ID: 231440-3-22-01

ETDM Number: 14177

Prepared for:



Florida Department of Transportation
District IV
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

September 2016

DRAFT

SECTION 4(f)

Determination of Applicability (DOA)

for

Project Development and Environment (PD&E) Study
Midway Road (County Road (CR) 712)
From Glades Cut Off Road (CR 709)(Milepost 5.813)
To
Selvitz Road (CR 615)(Milepost 7.405)
St. Lucie County, Florida

Financial Project ID: 231440-3-22-01

ETDM Number: 14177

Prepared for:



Florida Department of Transportation
District IV
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Prepared by:
Inwood Consulting Engineers, Inc.

September 2016

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	PROJECT DESCRIPTION	6
2.1	Purpose and Need	7
3.0	ALTERNATIVES CONSIDERED	11
3.1	No-Build Alternative	11
3.2	Build Alternatives	11
4.0	POTENTIAL SECTION 4(f) PROPERTIES	13
4.1	Canal 103 – City of Port St. Lucie	16
4.2	Tract H-15 – City of Port St. Lucie	18
4.3	Tract H-17 – City of Port St. Lucie	21
4.4	Tract G-4 – City of Port St. Lucie	24
4.5	Tract F – City of Port St. Lucie	27
4.6	Conservation Easement Permit 56-01444-P – South Florida Water Management District	30
4.7	Midway Road “Multi-Purpose” Trail – St. Lucie County	33
5.0	CONCLUSION	37
5.1	Canal 103 – City of Port St. Lucie	37
5.2	Tract H-15 – City of Port St. Lucie	37
5.3	Tract H-17 – City of Port St. Lucie	38
5.4	Tract G-4 – City of Port St. Lucie	38
5.5	Tract F – City of Port St. Lucie	39
5.6	Conservation Easement 56-01444-P - SFWMD	39
5.7	Midway Road “Multi-Purpose” Trail – St. Lucie County	42

LIST OF FIGURES

Figure 1 – Project Location Map		3
Figure 2 – Potential Section 4(f) Properties		4

LIST OF TABLES

Table 1 – Potential Section 4(f) Properties _____ 15

LIST OF APPENDICES

APPENDIX A – Project Exhibits

APPENDIX B – Canal 103 Exhibits

APPENDIX C – Tract H-15 Exhibits

APPENDIX D – Tract H-17 Exhibits

APPENDIX E – Tract G-4 Exhibits

APPENDIX F – Tract F Exhibits

APPENDIX G – SFWMD Conservation Easement 56-01444-P Exhibits

APPENDIX H – Midway Road “Multi-Purpose” Trail Exhibits

1.0 INTRODUCTION

The Florida Department of Transportation (FDOT), District Four, is conducting a Project Development and Environment (PD&E) Study to evaluate the proposed widening of Midway Road / County Road (CR) 712 from Glades Cutoff Road to Selvitz Road in St. Lucie County. The proposed action would widen the existing 2-lane rural roadway (no pedestrian or trail features) to a 4-lane urban roadway, including the construction of a shared-use path on the south side of the roadway and a sidewalk on the north side of the roadway. The total project length is approximately 1.6 miles. **Figure 1** shows the project location.

The purpose of this Section 4(f) Determination of Applicability (DOA) is to the information needed to determine the Section 4(f) applicability or non-applicability for seven potential Section 4(f) uses including six properties and one planned trail facility located along the project corridor in conjunction with the improvements to Midway Road.

“Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 which established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The law, now codified in 49 U.S.C. §303 and 23 U.S.C. §138, is implemented by the Federal Highway Administration (FHWA) through the regulation 23 CFR 774” (FHWA Environmental Review Toolkit).

The project was reviewed for potential Section 4(f) properties. The project area south of Midway Road is located within the City of Port St. Lucie and the project area north of Midway Road is located within unincorporated St. Lucie County. Databases, land-use and zoning maps, park and recreation components of planning documents, and staff interviews were obtained from St. Lucie County and the City of Port St. Lucie. The Florida Geographic Database Library (FGDL) public lands GIS files were reviewed for potential Section 4(f) land uses as well.

Additionally, the Cultural Resource Assessment Survey (CRAS) (Janus Research 2016) was reviewed for properties listed or eligible for listing on the National Register of Historic Places (NRHP). The Florida East Coast (FEC) Railroad – Lake Harbor Branch (8SL3014) is considered eligible for listing on the NRHP in the areas of Community Planning and Development, but the proposed improvements were determined not to constitute an adverse effect. The State Historic Preservation Office (SHPO) concurred with the findings of the CRAS on July 5, 2016. A copy of this concurrence is included in Appendix A as Exhibit A-4. A de minimis Section 4(f) is anticipated for the FEC Railroad and therefore it is not included as part of this DOA. No other NRHP eligible cultural or historic resources are located within the project corridor.

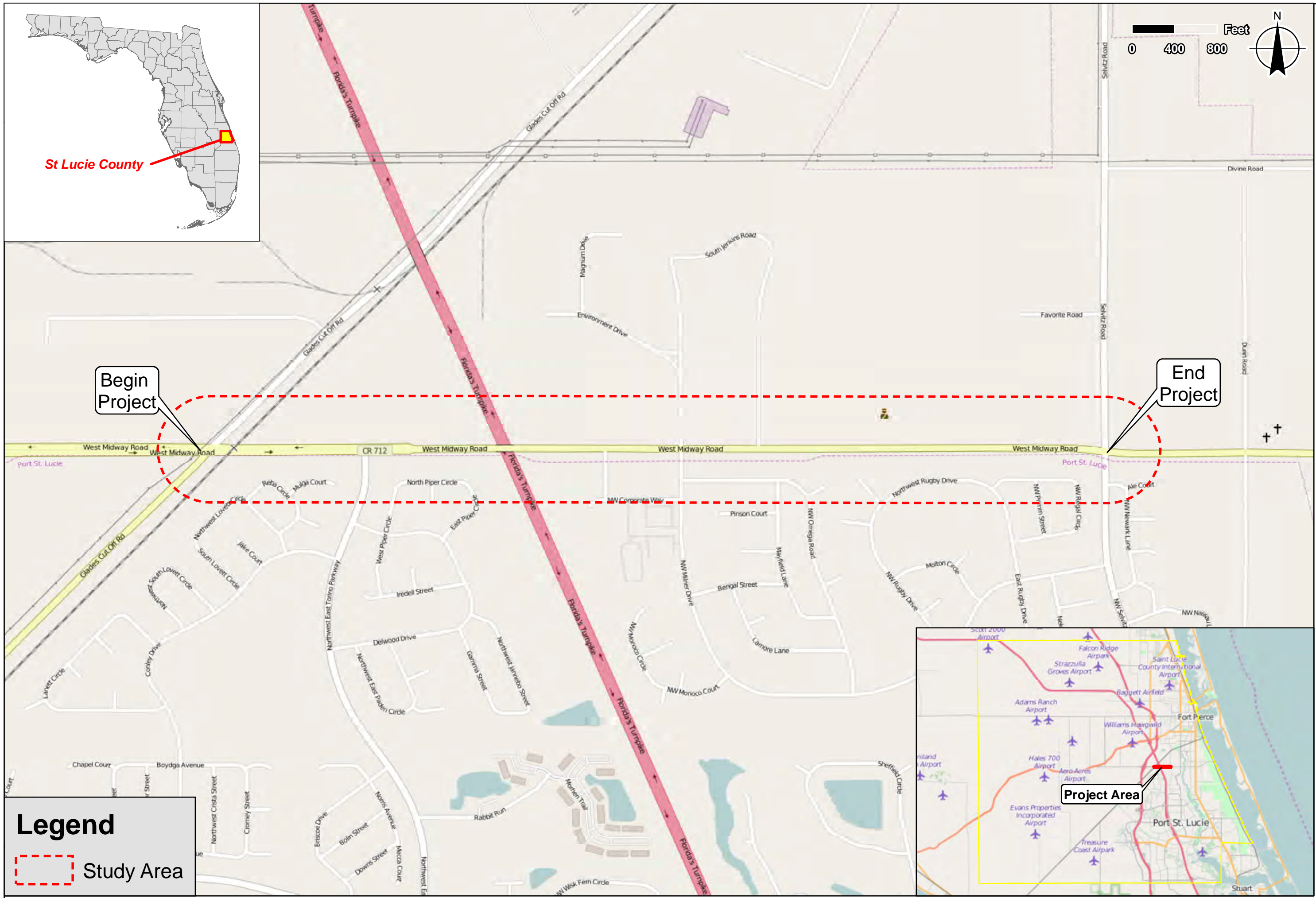
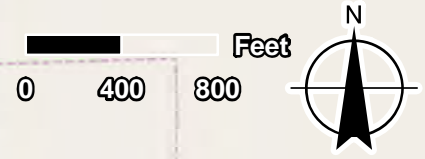
Based on this project review the following is a list of potential Section 4(f) properties located along the project corridor:

- Canal 103 – City of Port St. Lucie
- Tract H-15 – City of Port St. Lucie
- Tract H-17 – City of Port St. Lucie
- Tract G-4 – City of Port St. Lucie
- Tract F – City of Port St. Lucie
- Conservation Easement 56-01444-P – SFWMD
- Midway Road Multi-Purpose Trail – St. Lucie County

The potential Section 4(f) properties are shown in **Figure 2**.



St Lucie County



Begin Project

End Project

Legend

Study Area



Project Area



Project Location Map
 Project Development and Environment (PD&E) Study - Midway Road (CR712)
 From Glades Cut Off Road (CR 709) to Selvitz Road (CR 615)
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01; ETD Number: 14177

1 inch = 800 feet

MAY 2016

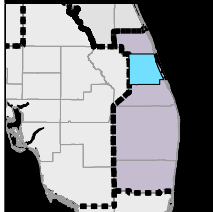
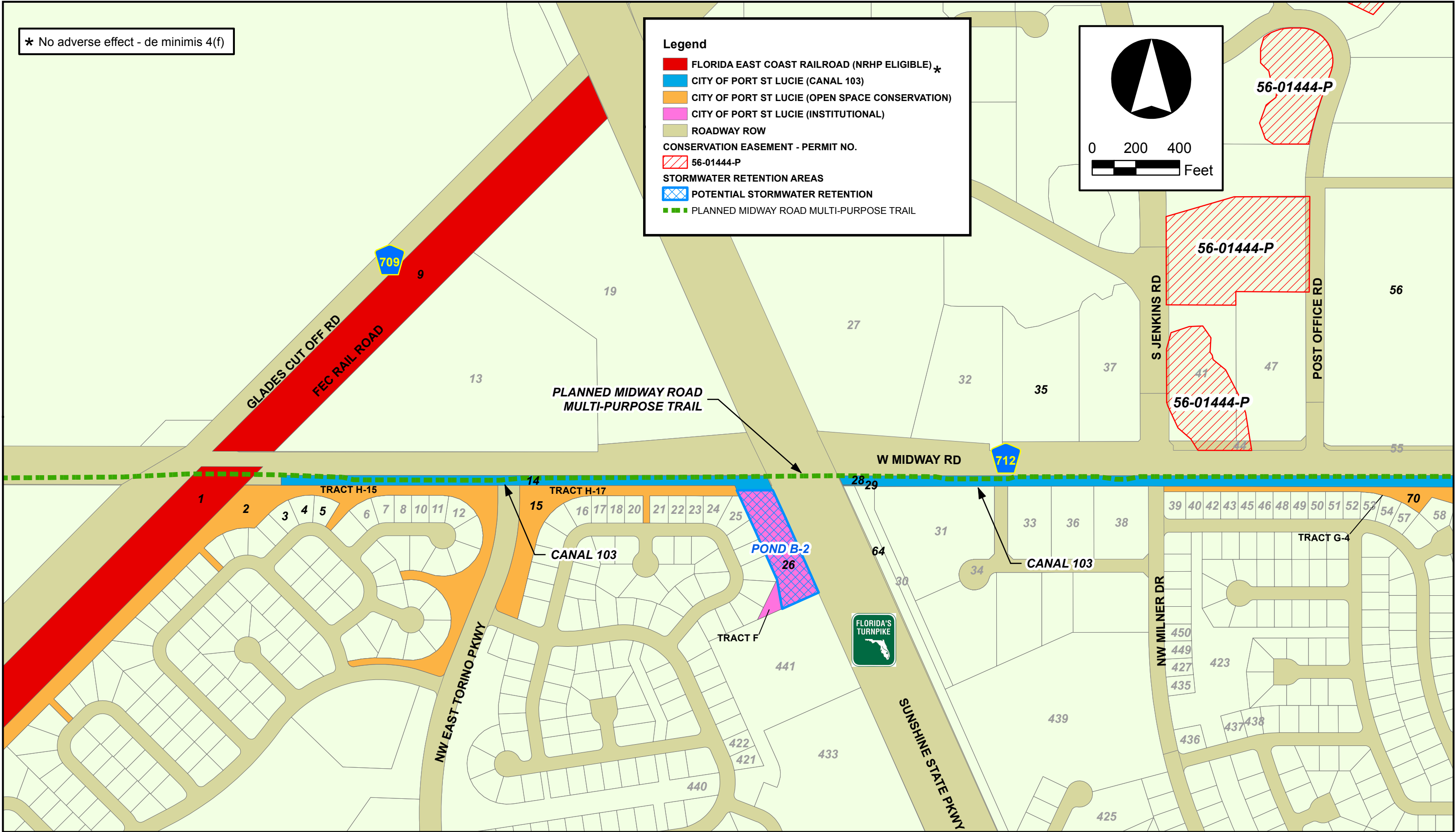
FIGURE 1

Source: Data courtesy of ESRI.

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
- 56-01444-P
- STORMWATER RETENTION AREAS
- POTENTIAL STORMWATER RETENTION
- PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL



Florida Department of Transportation
District 1

Midway Rd.(CR 712)
 from Glades Cut Off Road to Selvitz Road
 St. Lucie County, Florida
 Financial Project ID: 231440-3-22-01
 Federal Project No: TBD

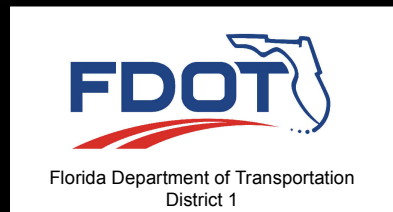
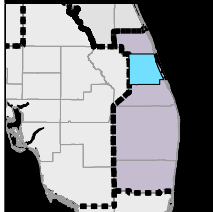
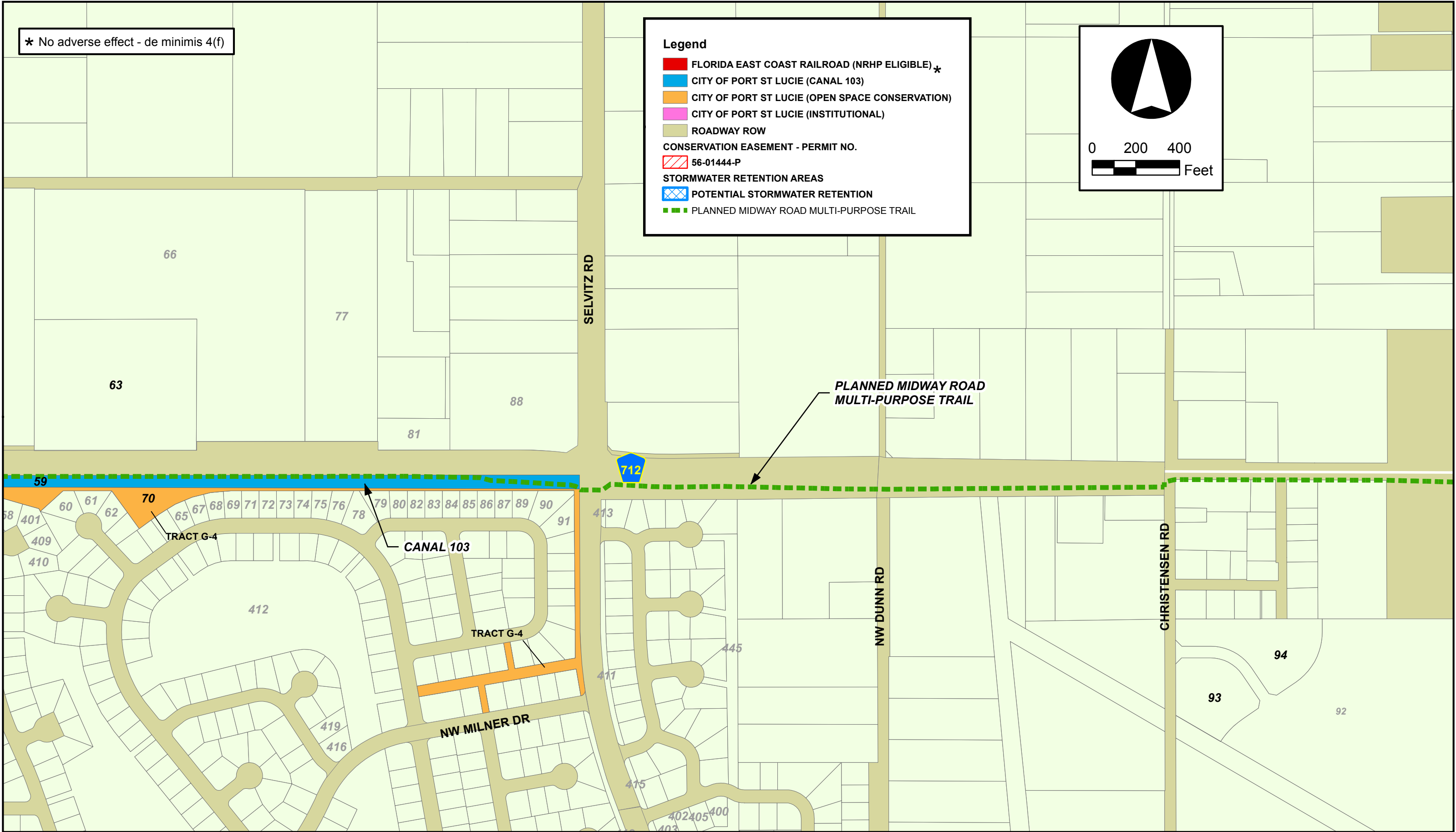
POTENTIAL SECTION 4(f) PROPERTIES

* No adverse effect - de minimis 4(f)

Legend

- FLORIDA EAST COAST RAILROAD (NRHP ELIGIBLE) *
- CITY OF PORT ST LUCIE (CANAL 103)
- CITY OF PORT ST LUCIE (OPEN SPACE CONSERVATION)
- CITY OF PORT ST LUCIE (INSTITUTIONAL)
- ROADWAY ROW
- CONSERVATION EASEMENT - PERMIT NO.
 - 56-01444-P
- STORMWATER RETENTION AREAS
 - POTENTIAL STORMWATER RETENTION
 - PLANNED MIDWAY ROAD MULTI-PURPOSE TRAIL

0 200 400 Feet



Midway Rd.(CR 712)
from Glades Cut Off Road to Selvitz Road
St. Lucie County, Florida
Financial Project ID: 231440-3-22-01
Federal Project No: TBD

POTENTIAL SECTION 4(f) PROPERTIES

2.0 PROJECT DESCRIPTION

The Midway Road (CR 712) project corridor is centrally located in the eastern part of St. Lucie County, Florida, and is owned and maintained by St. Lucie County. The project corridor extends approximately 1.6 miles along Midway Road (Roadway ID 94530000), from Glades Cut Off Road (Mile Post 5.813) to Selvitz Road (Mile Post 7.405). The project ties into the existing 4-lane section to the west of Glades Cut Off Road and to future 4-lane segments from Selvitz Road to just east of US Highway 1. The project corridor is located in unincorporated St. Lucie County near the northern city limits of the City of Port St. Lucie. The project location map is shown in **Figure 1**.

Midway Road (CR 712) is a major east-west roadway that provides a vital connection to residents and commuters to and from Interstate 95 (I-95) to the commercial areas along US 1. Within the project limits, Midway Road (CR 712) is a two-lane undivided roadway with a varying posted speed from 35 to 45 miles per hour (mph). It is functionally classified as an Urban Principal Arterial and is designated as a hurricane evacuation route by the Florida Division of Emergency Management.

The existing roadway typical section consists of two 12-foot lanes, one in each direction, and the existing right-of-way (R/W) varies with a minimum width of 70 feet. The land uses consist of residential, commercial, government, and industrial facilities, such as Tropicana Products, Inc., CEMEX, Packers of Indian River Ltd., US Post Office, St. Lucie County Sheriff's Office, and New Horizons of the Treasure Coast, Inc. The existing typical section for Midway Road is shown in **Appendix A as Exhibit A-1**.

The study corridor includes a bridge (ID 940050) over Florida's Turnpike / State Road (SR) 91. The FEC railroad traverses the corridor by running adjacent and parallel to the Glades Cut Off Road. Canal 103, which is part of the St. Lucie Water Control District and owned and maintained by the City of Port St. Lucie, is the principal receiving water body for the project area and conveys stormwater from the west side of Florida's Turnpike through an existing concrete box culvert. The canal runs parallel along the south side of Midway Road (CR 712) and, after Selvitz Road, it diverges and continues southeasterly to discharge into the North Fork of the St. Lucie River. The canal, along with the adjacent vegetative buffer, provides a physical separation to the residential homes on the south side of Midway Road.

The Midway Road (CR 712) PD&E Study from Glades Cut Off Road to Selvitz Road will evaluate alternatives to widen the existing road from two to four lanes within the project limits in order to satisfy future traffic demand and capacity needs. The proposed study will also consider pedestrian, bicycle, and transit facilities and improvements to freight mobility, and it will evaluate operational improvements and access management into some commercial businesses along the

project corridor. Additional R/W requirements will be evaluated during the PD&E study for offsite ponds in order to meet stormwater management requirements.

2.1 Purpose and Need

Based on recent traffic data from St. Lucie County, the facility does not adequately handle the existing traffic demand. Without capacity improvements, the traffic operations along the corridor will continue to deteriorate. The primary purpose for this project is to provide additional capacity to meet existing and future traffic needs, improve safety by alleviating existing roadway and capacity deficiencies, and allow opportunities for pedestrian, bicycle, and transit facilities. The additional capacity will also improve freight mobility and enhance emergency evacuation along the project corridor. The purpose and need of this project are further described below and include Transportation Demand, Capacity, Plan Consistency, Social Demands and Economic Development, Modal Interrelationships, and Roadway Deficiencies.

Transportation Demand

The US Census-designated Port St. Lucie-Fort Pierce Metropolitan Statistical Area has been identified as one of the fastest growing metropolitan areas in Florida, which includes all of Martin and St. Lucie counties. From 2000 to 2010, this metropolitan area has experienced population growth from 319,426 persons in 2000 to 424,107 persons in 2010, representing an annual increase of 2.9%. Evaluating the population growth for the City of Port St. Lucie by itself revealed an even greater percentage increase. According to the Bureau of Economic and Business Research, the City has grown from a population of 88,769 in 2000 to 164,603 in 2010, representing an annual increase of 6.4%.

This rapid population growth has resulted in a significant increase in surface transportation demand along major arterials such as the Midway Road (CR 712) corridor. The population of the Port St. Lucie-Fort Pierce metropolitan area is projected to increase from 424,107 persons in year 2010 to 648,600 persons in year 2035, representing a growth of approximately 53% (Bureau of Economic Business Research).

As the population in the metropolitan area continues to increase, the developments in St. Lucie County will continue to push westward. In addition, the County is anticipated to experience traffic growth from the Developments of Regional Impact (DRI). A review of the recent DRI applications in the Treasure Coast Regional Planning Council shows the following statuses for the DRIs in the vicinity of the project corridor:

- Completed - Orange Blossom Mall and St. Lucie West

- Approved - The Reserve
- Pending Notice of Proposed Change - LTC Ranch
- Withdrawn - Provinces and Orchard Park

The DRI located along Midway Road (CR 712), which is LTC Ranch, would have the greatest impact on the project corridor if constructed. As currently approved, the development includes 4,000 dwelling units of residential, over 1,505,000 square feet (sq. ft.) of office space, 725,000 sq. ft. of retail, and 1,960,200 sq. ft. of industrial space. However, the status of this development is pending Notice of Proposed Change that may result in a change in the size of the approved development. The approval of the LTC Ranch DRI will further increase the transportation demand resulting in congested conditions along the project corridor. Since Midway Road (CR 712) is one of the vital east-west corridors in St. Lucie County, it is critical to increase capacity to meet the anticipated future transportation demand.

Capacity

Traffic data obtained from the St. Lucie County Transportation Planning Organization (TPO) Traffic Counts and Level of Service Report shows that the 2012 Annual Average Daily Traffic (AADT) along Midway Road (CR 712) west of Selvitz Road is 16,820 vehicles. Evaluating this traffic data using the 2012 FDOT Quality/Level of Service Handbook, the LOS is F which is beyond the St. Lucie County's adopted LOS criteria of E. This traffic data shows that the existing volume is already exceeding the capacity of the corridor which indicates that the roadway is operating in oversaturated and undesirable conditions. Furthermore, due to the industrial properties along the corridor, it has a high truck percentage at over 7% (Florida Traffic Online).

The traffic is anticipated to increase to 29,200 AADT by 2040 and the corridor will continue to operate at LOS F with degraded traffic operation unless the capacity is increased. The future traffic projections are based on the FDOT District Four Design Traffic Technical Memorandum for the I-95 PD&E Study from north of Becker Road to south of SR 70. This project utilized the Greater Treasure Coast Regional Planning Model as the basis for the future traffic projections. Without improvements, the congestion on the Midway Road (CR 712) project corridor will continue to operate at unacceptable driving conditions for residents and commuters due to the increased traffic volumes.

Plan Consistency

Martin and St. Lucie counties have independent Metropolitan Planning Organization/Transportation Planning Organization (MPO/TPO) but share a common Regional Long Range Transportation Plan (RLRTP). The RLRTP establishes a unified strategy for

transportation priorities and funding and creates a joint decision-making process regarding regional transportation issues.

The Midway Road (CR 712) project corridor extends from Glades Cut Off Road to Selvitz Road and is identified in the Martin and St. Lucie 2035 RL RTP. The project is identified in the St. Lucie County TPO 2035 Cost Feasible Plan (2016-2035) with a 2021-2025 implementation horizon. In addition, the project will be included in the next update to the State Transportation Improvement Program and the St. Lucie TPO Transportation Improvement Program. It should be noted that on the south side of the project corridor a multipurpose trail has been identified in the 2035 RL RTP in Table 4-9 of the Needs Plan Development.

Social Demands & Economic Development

Evacuation: Serving as part of the evacuation route network established by the Florida Division of Emergency Management, Midway Road (CR 712) plays an important role in facilitating traffic during emergency evacuation periods as it connects other major highways and arterials designated on the state evacuation route network within the project limits. These facilities include Okeechobee Road (SR 70), I-95, Glades Cut Off Road (CR 709), Selvitz Road, South 25th Street (CR 615), Oleander Avenue (CR 605), and US 1. During a twelve-month period in 2004-2005, St. Lucie County was hit directly by three major hurricanes. Midway Road (CR 712) is one of the County's most critical east-west routes and serves as a vital evacuation route for hurricanes or any other disasters. Additionally, widening Midway Road (CR 712) will ease traffic flow between South 25th Street and I-95, which will minimize a bottleneck effect during an emergency. It would also improve the ability of the local emergency management organization to evacuate large portions of the Treasure Coast in an acceptable timeframe which will enhance the safety of residents.

Economic Development: The Treasure Coast Planning Council Alternative Infill Development Plan developed for Martin and St. Lucie counties has identified several regional workplace districts located along the Midway Road (CR 712) corridor. These regional workplace districts are locations where business and economic development would be focused in order to provide jobs for residents within this metropolitan area. The Midway Road (CR 712) project area is a high-growth area. Important state and federal offices and nonprofit centers are located along Midway Road (CR 712) or nearby streets. This includes the main St. Lucie County Branch of the US Post Office, St. Lucie County Sheriff's Office, St. Lucie County Health Department, St. Lucie County Fire District Office, Hospice of the Treasure Coast, and New Horizons of the Treasure Coast, Inc. (a mental health center which is currently expanding). Significant truck traffic from the nearby St. Lucie County Landfill, CEMEX, Packers of Indian River Ltd., and Tropicana Products, Inc. place additional demands on the roadway. Meanwhile, new residential units are planned nearby. The St. Lucie County Fairgrounds, the County's Emergency Operations Center, is just six miles west of the project site.

According to the Martin and St. Lucie 2035 RL RTP, "The Regional Workplace Districts in St. Lucie County are located along the I-95 and Florida's Turnpike corridors and include the Treasure Coast Education Research Development Authority (TCERDA) area; the Crossroads Park of Commerce; the existing Rinker and Tropicana facilities along Glades Cut Off Road; the LTC Ranch Commerce Park; St. Lucie West Commerce Park; and Torrey Pines Institute south of Tradition and Gatlin Boulevard. These districts are well-situated for regional access, have ample room to grow, and can provide jobs for local residents." The Midway Road (CR 712) project corridor is anticipated to serve as the main transportation corridor linking residents of both Martin and St. Lucie counties to this business area. Increasing the capacity along the project corridor will improve mobility and support the economic development of these districts as well as stimulate major construction activities that will contribute to economic growth within this area.

Modal Interrelationships

The accessibility to bicyclists and pedestrians along the corridor is minimal with only two sections of sidewalk within the corridor. They are located on the north side of Midway Road (CR 712) from East Torino Boulevard to Glades Cut Off Road and along the frontage of the recently constructed New Horizons medical facility. There are no bicycle lanes. During a recent field review (February 7, 2014), pedestrians were noted walking on the grassed shoulder while pushing a child's stroller. Additionally, the existing bridge over the Florida's Turnpike does not have sufficient shoulder width to accommodate pedestrian or bicycle traffic. A review of the Martin and St. Lucie 2035 RL RTP identified a multipurpose trail in Table 4-9 of the Needs Development Plan that would run along the entirety of Midway Road (CR 712) to connect with the other proposed multipurpose trails located on Okeechobee Road, Shin Road, Glades Cut Off Road, Selvitz Road, and Midway Road to the east.

The 2035 Future Bus and Train Network identified a proposed bus route along the entirety of Midway Road (CR 712) to connect to existing bus routes. Moreover, the County's Transit Development Plan from February 2014 identified Midway Road (CR 712) as a priority corridor to implement transit. The project will create opportunities to include pedestrian, bicycle, and transit facilities along the project corridor.

Roadway Deficiencies

The Midway Road (CR 712) bridge structure (ID 940050) over the Florida's Turnpike is located at Mile Post 6.346 and was constructed in 1957. The last inspection of the bridge was performed on December 19, 2013. Although the report notes no structural deficiencies, the bridge is classified as Functionally Obsolete.

3.0 ALTERNATIVES CONSIDERED

Three build alternatives, including the Transportation System Management and Operations (TSMO) alternative, were developed and considered during the preliminary engineering phase of this study. The No-Build Alternative, TSMO Alternatives, and Build Alternative 1 (Canal Avoidance) and Alternative 2 (Box Culvert) are described below.

3.1 No-Build Alternative

No improvements are made to Midway Road (CR 712) within the limits of the study.

3.2 Build Alternatives

Transportation System Management and Operations (TSMO) Alternatives

TSMO alternatives involve improvements designed to maximize the utilization and efficiency of the existing facility through improved system and demand management. The various TSMO options generally include traffic signal and intersection improvements, access management, and transit improvements. The additional capacity required to meet the projected traffic volumes along Midway Road (CR 712) in the design year cannot be provided solely through the implementation of TSMO improvements.

Build Alternative 1 (Canal Avoidance)

The typical section includes two, 11-foot travel lanes in each direction separated by a 22-foot median. Seven-foot buffered bike lanes would be provided in each direction located adjacent to the outside travel lanes. Type F curb and gutter is used along the inside and outside lanes and collects stormwater runoff which is then directed to stormwater retention ponds. A six-foot wide sidewalk would be provided on the north side of the roadway, and a 12-foot-wide shared-use path would be provided along the south side of the roadway. The alignment for this alternative would shift to the north to avoid impacts to Canal 103. This typical section requires a minimum of 153 feet of R/W. Since the existing county roadway R/W width varies between 107 feet and 153 feet, from zero feet up to 46 feet of R/W would need to be acquired along the north side of the roadway. The design speed for this typical section would be 45 mph. The preliminary concept plans for Build Alternative 1 are shown in **Appendix A as Exhibit A-2.**

Build Alternative 2 (Box Culvert)

The roadway and pedestrian features of the typical section for this alternative are similar to Alternative 1 except that Canal 103 would be enclosed with a box culvert. The canal is located within R/W owned by both St. Lucie County and the City of Port St. Lucie. This typical section requires a minimum of 160 feet of R/W. Approximately 25 feet to 32.5 feet of R/W would need to be acquired along the south side of the roadway. Additionally, up to 28 feet of R/W would need to be acquired along the north side of the roadway. The design speed for this typical section would be 45 mph. The preliminary concept plans for Build Alternative 2 are shown in **Appendix A** as **Exhibit A-3**.

4.0 POTENTIAL SECTION 4(f) PROPERTIES

The provisions of Section 4(f) apply to any significant publicly owned public park, recreation area, or wildlife and waterfowl refuge and any land from a historic site of national, state or local significance. "Significant" as applied in a Section 4(f) DOA is determined based on the availability and function of the recreational resource, park, and/or wildlife/waterfowl refuge area relative to the community objectives for those facilities and the role the site in question plays in fulfilling those objectives. The agencies that have jurisdiction over these sites make a significance determination based on the criteria described above and submit Statement of Significance Letters to the FDOT. Resources are presumed to be significant unless the official having jurisdiction over the site concludes that the entire site is not significant.

The project was reviewed for potential Section 4(f) properties. The project area south of Midway Road is located within the City of Port St. Lucie and the project area north of Midway Road is located within St. Lucie County. Databases, land-use and zoning maps, park and recreation components of planning documents, and staff interviews were obtained from St. Lucie County and the City of Port St. Lucie. The FGDL public lands GIS files were reviewed for potential Section 4(f) land uses as well.

Additionally, the CRAS (JANUS RESEARCH 2016) was reviewed for properties listed or eligible for listing on the NRHP. The FEC Railroad – Lake Harbor Branch (8SL3014) is considered eligible for listing on the NRHP in the areas of Community Planning and Development, but the proposed improvements were determined not to constitute an adverse effect. The SHPO concurred with the findings of the CRAS on July 5, 2016. A copy of this concurrence is included in Appendix A as Exhibit A-4. A de minimis Section 4(f) is anticipated for the FEC Railroad and therefore it is not included as part of this DOA. No other NRHP eligible cultural or historic resources are located within the project corridor.

Based on this project review the following is a list of potential Section 4(f) properties located along the project corridor:

- Canal 103 – City of Port St. Lucie
- Tract H-15 – City of Port St. Lucie
- Tract H-17 – City of Port St. Lucie
- Tract G-4 – City of Port St. Lucie
- Tract F – City of Port St. Lucie
- Conservation Easement 56-01444-P – SFWMD
- Midway Road Multi-Purpose Trail – St. Lucie County

The potential Section 4(f) properties are shown in **Figure 2. Table 1** provides a summary of the potential Section 4(f) property information. Sections 4.1 through 4.7 provide detailed information for each of the potential Section 4(f) properties.

This DOA is being conducted to determine if the properties located along Midway Road meet the criteria required for protection under Section 4(f). The following information was evaluated for each site as the basis for the DOA:

- 1. A detailed map identifying the relationship of the proposed project alternatives to the properties,*
- 2. Size and location of the properties,*
- 3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic),*
- 4. Function or available activities on the properties,*
- 5. Description/location of all existing and planned facilities,*
- 6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors),*
- 7. Relationship to other similarly used lands in the vicinity,*
- 8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture,*
- 9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property,*
- 10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use),*
- 11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use, and*
- 12. Grants Applicable to Section 4(f) Properties.*

Table 1 - Potential Section 4(f) Properties

MAP ID	NAME	LOCATION	OWNER / AGENCY WITH JURISDICTION	CHANGES TO ACCESS? (Y/N)	EXISTING FACILITIES	DIST. FROM PROJECT (FT.)	SIZE (AC)	POTENTIAL IMPACT AREA (AC)	
								ALT 1	ALT 2
14, 28, 29, 59	CANAL 103	South side of existing roadway between FEC Railroad and Selvitz Road	City of Port St. Lucie	N	None	0	9.08	0.771	5.890
2	Vegetated Undeveloped Parcel (H-15)	South side of roadway between FEC Railroad and NW East Torino Pkwy	City of Port St. Lucie	N	None	0	11.01	0.000	0.267
15	Vegetated Undeveloped Parcel (H-17)	South side of roadway between NW East Torino Pkwy and Florida's Turnpike	City of Port St. Lucie	N	None	0	2.62	0.000	0.166
70	Vegetated Undeveloped Parcel (G-4)	South side of Midway Road between NW Milner Drive and Selvitz Road	City of Port St. Lucie	N	None	0	4.41	0.023	0.041
26	Vegetated Undeveloped Parcel (Tract F)	South side of Midway Road adjacent to Florida's Turnpike	City of Port St. Lucie	N	None	0	2.13	2.130	2.130
41, 44, 47	Conservation Easement - Midway Industrial Park Phase III South - Permit No. - 56-01444-P	North side of Midway Road between Jenkins Road and Post Office Road	South Florida Water Management District	N	None	0	10.16	0.937	0.610
1, 9	FEC Railroad	North South crossing of Midway Road just east of Glades Cut-Off Road	FEC Railroad	N	None	0	NA	0.545	0.545
N/A	St. Lucie County Multi-Purpose Trail	Planned along south side of Midway Road within roadway R/W	St. Lucie County	N	None	0	NA	NA	NA

4.1 Canal 103 – City of Port St. Lucie

Canal 103 – City of Port St. Lucie (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-000-7)

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

The Canal 103 property is comprised of four parcels owned by the City of Port St. Lucie (Parcel IDs: 3301-411-0003-000-6, 3301-411-0002-000-9, 3301-411-0001-000-2, and 3406-311-0001-000-7) and is shown in relationship to the proposed build alternatives in **Appendix B, Exhibits B-1 and B-2**. Canal 103 is located adjacent to and on the south side of the existing Midway Road R/W.

Build Alternative 1 would require the acquisition of approximately 0.77 acres of R/W from Canal 103. Build Alternative 2 would require the acquisition of approximately 5.89 acres of R/W from Canal 103 which includes approximately 3.51 acres of temporary construction easement.

2. Size and location of the properties

The Canal 103 property is comprised of four parcels which total 9.08 acres in size and is located adjacent to and on the south side of the existing Midway Road R/W. **Exhibits B-1 and B-2 in Appendix B** show the location of the Canal 103 property. **Exhibit B-3 in Appendix B** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The Canal 103 property is owned by the City of Port St. Lucie with a non-exclusive drainage agreement from the North St. Lucie River Water Control District (NSLRWCD). The Canal 103 property was evaluated for potential Section 4(f) applicability based on potential park, recreation, and wildlife and waterfowl refuge functions. Ownership information including the following documents are included as **Exhibit B-4 in Appendix B**:

- St. Lucie County Property Appraiser information
- NSLRWCD Location Map with existing drainage canals including Canal 103
- Midway Road / Canal 103 Interlocal Agreement
- Canal 103 Quit Claim from NSLRWCD to General Development Corporation (GDC)
- Property Transfer Documentation from GDC to the City of Port St. Lucie including non-exclusive easement to NSLRWCD

4. Function or available activities on the properties.

The property was reviewed for potential Section 4(f) functions and activities. A field review was conducted as well as a review of existing property management documents. Based these reviews, Canal 103 currently functions as a drainage canal and is managed for stormwater drainage by the City of Port St. Lucie under a non-exclusive drainage easement with NSLRWCD. Some potential for dispersed and occasional wildlife habitat and foraging exist but wildlife and waterfowl refuge activities or functions are not a primary use of the property.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

Management and function documentation is included in **Exhibit B-4 in Appendix B.**

5. Description/location of all existing and planned facilities

The property is managed and functions as a drainage canal. No recreation, wildlife or waterfowl refuge or historic facilities exist or are planned for the Canal 103 property. Ownership, management and function documentation is included in **Exhibit B-4 in Appendix B.**

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Although public access is not precluded, it is not currently maintained or managed. No fishing, boating or recreational uses exist.

7. Relationship to other similarly used lands in the vicinity,

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road by utilizing a portion of Canal 103 from just east of Selvitz Road to Selvitz Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. Among other stipulations, the construction of a “multi-purpose path” along the south side of Midway Road was included as a condition of the use of the City owned R/W. The Interlocal Agreement, dated April 9, 2014, is included as **Exhibit B-4 in Appendix B.**

Under the proposed build alternatives, the widening of Midway Road within the current project would include a “multi-purpose” trail. The inclusion of the trail, would provide an additional segment for the trail through the project limits. The applicability of Section 4(f) to the “multi-purpose” trail is discussed in Section 4.7 of this DOA.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

The NSLRWCD currently holds a non-exclusive drainage easement for maintenance and management of Canal 103. Any modifications to Canal 103 would require accommodation of the existing drainage. Build Alternative 1 would not modify Canal 103. Build Alternative 2 proposes to enclose Canal 103. Copies of the proposed Typical Sections showing the location and treatment of Canal 103 are included in the Preliminary Concept Plans in **Exhibits A-2** and **A-3** located in **Appendix A**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the Canal 103 property. A copy of this letter is included in **Appendix B** as **Exhibit B-5**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.2 Tract H-15 – City of Port St. Lucie

Tract H-15 – City of Port St. Lucie (Parcel ID: 3420-735-0022-000-6)

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

Tract H-15 owned by the City of Port St. Lucie (Parcel ID: 3420-735-0022-000-6) is shown in relationship to the proposed build alternatives in **Appendix C, Exhibits C-1 and C-2**. Tract H-15 is located on the south side of the existing Midway Road R/W between the FEC railroad and NW East Torino Parkway.

Build Alternative 1 would not require acquisition of R/W from Tract H-15. Build Alternative 2 would require acquisition of approximately 0.267 acres of temporary construction easement.

2. Size and location of the properties

Tract H-15 is 11.01 acres in size and is located on the south side of the existing Midway Road R/W between the FEC railroad and NW East Torino Parkway. **Exhibits C-1 and C-2 in Appendix C** show the location of the Tract H-15 property in relationship to the project. **Exhibit C-3 in Appendix C** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The property is owned by the City of Port St. Lucie. The Tract H-15 property is being evaluated for potential Section 4(f) applicability for this project based on potential park, recreation and wildlife and waterfowl refuge functions and activities.

The property is zoned as Single Family Residential. The Port St. Lucie future land-use map shows Tract H-15 as Open Space Conservation (OSC) land-use. Section 158.01 of the City of Port St. Lucie Land-Use Code provides the purpose and permitted uses for OSC land-use.

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

(1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wildlife.

(2) Hiking and/or bicycle trails.

(3) Nature study areas and boardwalks.

- (4) Picnic areas.
- (5) Boat ramps or docks.
- (6) Experimental stations (public or private).
- (7) Observation towers or platforms.
- (8) Pavilions for outdoor exhibits and special nature study instruction.

Property ownership, land-use, and zoning information including the St. Lucie County Property Appraiser information, plat book page 40K, future land-use maps, and the City of Port St. Lucie Parks Map are included in **Exhibit C-4** in **Appendix C**.

4. Function or available activities on the properties.

The property was reviewed for potential Section 4(f) functions and activities. A field review was conducted as well as a review of existing property management documents. Based on the field review, planning documentation, and interviews with City staff, the Tract H-15 property primarily functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

5. Description/location of all existing and planned facilities

The Tract H-15 property currently functions as vegetated open space. No existing or planned park, recreation, or wildlife and waterfowl refuge facilities are located on the property. A copy of the City of Port St. Lucie Parks Map from the City Comprehensive Plan showing that park facilities are not currently planned for Tract H-15 is included in **Exhibit C-4** located in **Appendix C**.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Although public access is not precluded, it is not currently maintained or managed. Occasional and dispersed use may occur.

7. Relationship to other similarly used lands in the vicinity,

The City of Port St. Lucie owns several properties similar to Tract H-15 within the vicinity of the project. Tract H-17 and Tract G-4 are similar vegetated undeveloped properties that include a OSC future land-use. These properties are shown in **Figure 2**.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

No ownership, leases, easements, covenants, restrictions or conditions exist that would affect ownership. Ownership, management and function documentation from the St. Lucie County Property Appraiser is included in **Exhibit C-4** in **Appendix C**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the Tract H-15 property. A copy of this letter is included in **Appendix C** as **Exhibit C-5**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.3 Tract H-17 – City of Port St. Lucie

Tract H-17 – City of Port St. Lucie (Parcel ID: 3420-735-0024-000-0)

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

Tract H-17 owned by the City of Port St. Lucie (Parcel ID: 3420-735-0024-000-0) is shown in relationship to the proposed build alternatives in **Appendix D, Exhibits D-1 and D-2**. Tract H-17 is located on the south side of the existing Midway Road R/W between NW East Torino Parkway and Florida's Turnpike.

Build Alternative 1 would not require the acquisition of R/W from Tract H-17. Build Alternative 2 would require the acquisition of approximately 0.166 acres for a temporary construction easement.

2. Size and location of the properties

Tract H-17 is 2.62 acres in size and is located on the south side of the existing Midway Road R/W between NW East Torino Parkway and Florida's Turnpike. **Exhibits D-1 and D-2 in Appendix D** show the location of the Tract H-17 property in relationship to the project. **Exhibit D-3 in Appendix D** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The Tract H-17 property is owned by the City of Port St. Lucie. The Tract H-17 property is being evaluated for potential Section 4(f) applicability for this project based on potential park, recreation and wildlife and waterfowl refuge functions and activities. A CRAS (JANUS Research, 2016) was conducted for the project including this property and no significant historic or archaeological sites were discovered.

The property is zoned as Single Family Residential. The Port St. Lucie future land-use map shows Tract H-17 as OSC land-use. Section 158.01 of the City of Port St. Lucie Land-Use Code provides the purpose and permitted uses for OSC land-use.

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

(1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wildlife.

- (2) Hiking and/or bicycle trails.*
- (3) Nature study areas and boardwalks.*
- (4) Picnic areas.*
- (5) Boat ramps or docks.*
- (6) Experimental stations (public or private).*
- (7) Observation towers or platforms.*
- (8) Pavilions for outdoor exhibits and special nature study instruction.*

Property ownership, land-use, and zoning information including the St. Lucie County Property Appraiser information, plat book page 40J, future land-use maps and City of Port St. Lucie Parks Map are included in **Exhibit D-4** in **Appendix D**.

4. Function or available activities on the properties.

The property was reviewed for potential Section 4(f) functions and activities. A field review was conducted as well as a review of existing property management documents. Based on the field review, planning documentation, and interviews with City staff, the Tract H-17 property primarily functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

5. Description/location of all existing and planned facilities

The Tract H-17 property currently functions as vegetated open space. No existing or planned park, recreation, or wildlife and waterfowl refuge facilities are located on the property. A copy of the City of Port St. Lucie Parks Map from the City Comprehensive Plan showing that park facilities are not currently planned for Tract H-17 is included in **Exhibit D-4** located in **Appendix D**.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Although public access is not precluded, it is not currently maintained or managed. Occasional and dispersed use may occur.

7. Relationship to other similarly used lands in the vicinity,

FPID No. 231440-3-22-01

St. Lucie County

The City of Port St. Lucie owns several properties similar to Tract H-17 within the vicinity of the project. Tract H-15 and Tract G-4 are similar vegetated undeveloped properties that include a OSC future land-use. These properties are shown in **Figure 2**.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

No ownership, leases, easements, covenants, restrictions or conditions exist that would affect ownership. Ownership, management and function documentation from the St. Lucie County Property Appraiser is included in **Exhibit D-4** in **Appendix D**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the Tract H-17 property. A copy of this letter is included in **Appendix D** as **Exhibit D-5**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.4 Tract G-4 – City of Port St. Lucie

Tract G-4 – City of Port St. Lucie (Parcel ID: 3420-741-0007-000-4)

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

Tract G-4 owned by the City of Port St. Lucie (Parcel ID: 3420-741-0007-000-4) is shown in relationship to the proposed build alternatives in **Appendix E, Exhibits E-1 and E-2**. Tract G-4 is located on the south side of the existing Midway Road R/W between NW Milner Drive and NW Selvitz Road.

Build Alternative 1 would require the acquisition of approximately 0.023 acres of R/W from Tract G-4. Build Alternative 2 would require the acquisition of approximately 0.041 acres of R/W from Tract G-4.

2. Size and location of the properties

Tract G-4 is 4.41 acres in size and is located on the south side of the existing Midway Road R/W between NW Milner Drive and NW Selvitz Road. **Exhibits E-1 and E-2** in **Appendix E** show the location of the Tract G-4 property. **Exhibit E-3** in **Appendix E** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The Tract G-4 property is owned by the City of Port St. Lucie. The Tract G-4 property is being evaluated for potential Section 4(f) applicability for this project based on potential park, recreation, and wildlife and waterfowl refuge functions and activities. A CRAS (JANUS Research, 2016) was conducted for the project including this property and no significant historic or archaeological sites were discovered.

The property is zoned as Single Family Residential. The Port St. Lucie future land-use map shows Tract G-4 as OSC land-use. Section 158.01 of the City of Port St. Lucie Land-Use Code provides the purpose and permitted uses for OSC land-use.

(A) Purpose. The purpose of the open space conservation zoning district (OSC) shall be to locate and establish areas within the City which are deemed to be uniquely suited for the conservation of open space and the natural environment, while allowing the limited use of said areas for recreational and open space activities.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

(1) Open space devoted to the conservation and maintenance of natural waterways, vegetation, and wildlife.

- (2) Hiking and/or bicycle trails.*
- (3) Nature study areas and boardwalks.*
- (4) Picnic areas.*
- (5) Boat ramps or docks.*
- (6) Experimental stations (public or private).*
- (7) Observation towers or platforms.*
- (8) Pavilions for outdoor exhibits and special nature study instruction.*

Property ownership, land-use, and zoning information including the St. Lucie County Property Appraiser property card, plat book page 23C and 23E, future land-use maps and City of Port St. Lucie Parks Map are included in **Exhibit E-4** in **Appendix E**.

4. Function or available activities on the properties.

The property was reviewed for potential Section 4(f) functions and activities. A field review was conducted as well as a review of existing property management documents. Based on the field review, planning documentation, and interviews with City staff, the Tract G-4 property primarily functions as vegetated open space with potential dispersed and occasional activities such as hiking and wildlife habitat and foraging. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

5. Description/location of all existing and planned facilities

The Tract G-4 property currently functions as vegetated open space. No existing or planned park, recreation, or wildlife and waterfowl refuge facilities are located on the property. A copy of the City of Port St. Lucie Parks Map from the City Comprehensive Plan showing that park facilities are not currently planned for Tract G-4 is included in **Exhibit F-4** located in **Appendix F**.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Although public access is not precluded, it is not currently maintained or managed. Occasional and dispersed use may occur.

7. Relationship to other similarly used lands in the vicinity,

FPID No. 231440-3-22-01

St. Lucie County

The City of Port St. Lucie owns several properties similar to Tract G-4 within the vicinity of the project. Tract H-15 and Tract H-17 are similar vegetated undeveloped properties that include a OSC future land-use. These similar properties are shown in **Figure 2**.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

No ownership, leases, easements, covenants, restrictions or conditions exist that would affect ownership. Ownership, management and function documentation from the St. Lucie County Property Appraiser is included in **Exhibit E-4** in **Appendix E**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the Tract G-4 property. A copy of this letter is included in **Appendix E** as **Exhibit E-5**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.5 Tract F – City of Port St. Lucie

Tract F – City of Port St. Lucie (Parcel ID: 3301-800-0010-000-2)

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

Tract F owned by the City of Port St. Lucie (Parcel ID: 3301-800-0010-000-2) is shown in relationship to the proposed build alternatives in **Appendix F, Exhibits F-1 and F-2**. Tract F is located on the south side of the existing Midway Road R/W just west of Florida's Turnpike.

Acquisition of approximately 2.13 acres of R/W would be required if Pond Alternative Site B-2 is selected as the preferred alternative. No R/W acquisition would be required if Pond Alternative Site B-2 is not selected.

2. Size and location of the properties

Tract F is 2.13 acres in size and is located on the south side of the existing Midway Road R/W just east of Florida's Turnpike. **Exhibits F-1 and F-2 in Appendix F** show the location of the Tract F property. **Exhibit F-3 in Appendix F** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The Tract F property is owned by the City of Port St. Lucie. The Tract F property is being evaluated for potential Section 4(f) applicability for this project based on potential park, recreation, and wildlife and waterfowl refuge functions and activities.

The property is zoned as Multi-Family Residential and is located adjacent to Winter Lakes Park which is owned and managed by the City of Port St. Lucie.

Property ownership, land-use, and zoning information including the St. Lucie County Property Appraiser information, plat book page 40J, future land-use maps and City of Port St. Lucie Parks Map are included in **Exhibit F-4 in Appendix F**.

4. Function or available activities on the properties.

The property was reviewed for potential Section 4(f) functions and activities. Based on a field review, planning documentation, and interviews with City staff, the Tract F property primarily functions as vegetated open space with potential dispersed and occasional wildlife habitat and foraging. No park or recreation activities were observed during the field review. Park, recreation, or wildlife and waterfowl refuge, activities and functions are not a primary use of the property.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

5. Description/location of all existing and planned facilities

The Tract F property currently functions as vegetated open space. No existing or planned park, recreation, or wildlife and waterfowl refuge facilities are located on the property. A copy of the City of Port St. Lucie Parks Map from the City Comprehensive Plan showing that park facilities are not currently planned for Tract F is included in **Exhibit F-4** located in **Appendix F**.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Although public access is not precluded, it is not currently maintained or managed. Occasional and dispersed use may occur.

7. Relationship to other similarly used lands in the vicinity,

The City of Port St. Lucie owns several properties similar to Tract F within the vicinity of the project. Tracts G-4, H-15 and H-17 are similar vegetated undeveloped properties. These similar properties are shown in **Figure 2**.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

No ownership, leases, easements, covenants, restrictions or conditions exist that would affect ownership. Ownership, management and function documentation from the St. Lucie County Property Appraiser is included in **Exhibit F-4** in **Appendix F**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the Tract F property. A copy of this letter is included in **Appendix F** as **Exhibit F-5**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.6 Conservation Easement Permit 56-01444-P – South Florida Water Management District

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

The South Florida Water Management District (SFWMD) conservation easement (CE) associated with Individual Environmental Resource Permit (ERP) No. 56-01444-P is located on three parcels with potential involvement with the project. The parcels include Parcel IDs: 3406-502-0011-000-6 and 3406-502-0012-000-3, owned by R and M, LLC and Parcel ID 3406-502-0003-000-7, owned by St. Lucie County as roadway R/W. The CE was a permit stipulation placed on remnant wetlands as part of an overall mitigation plan associated with the development of the Midway Industrial Park Phase III.

These parcels together with the SFWMD CE are shown in relationship to the proposed build alternatives in **Appendix G, Exhibits G-1 and G-2**. The SFWMD CE associated with permit 56-01444-P is located on the north side of the existing Midway Road R/W between South Jenkins Road and Post Office Road.

Build Alternative 1 would require approximately 0.94 acres of impacts to the CE including 0.33 acres of R/W acquisition from the R and M, LLC parcels and 0.61 acres of impacts to the existing roadway R/W parcel owned by St. Lucie County.

Build Alternative 2 would require approximately 0.61 acres of impacts to CE associated with the existing roadway R/W parcel owned by St. Lucie County.

2. Size and location of the properties

The SFWMD CE associated with ERP No. 56-01444-P is approximately 10.2 acres in size and is located on the north side of the existing Midway Road R/W between South Jenkins Road and Post Office Road.

Exhibits G-1 and G-2 in Appendix G show the location of the property. **Exhibit G-3 in Appendix G** provides photographs of the property.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The SFWMD CE associated with ERP No. 56-01444-P is located on three parcels with potential involvement with the project. The parcels include Parcel IDs: 3406-502-0011-000-6 and 3406-502-0012-000-3, owned by R and M, LLC and Parcel ID 3406-502-0003-000-7, owned by St. Lucie County as roadway R/W. No park, recreation or historic resources functions or activities exist or are planned for this property.

ERP No. 56-01444-P was reviewed for potential wildlife and waterfowl refuge functions and activities under Section 4(f). The CE was a permit stipulation placed on remnant wetlands as part of an overall mitigation plan associated with the development of the Midway Industrial Park Phase III. The stated purpose of the permit mitigation proposal was to offset wetland impacts and habitat. A five-year monitoring plan was included as a special condition of the permit but did not provide any management activities or goals specific to threatened or endangered species.

The three parcels are currently zoned industrial by St. Lucie County. **Exhibit G-4 in Appendix G** includes information from the St. Lucie County Property Appraiser, future land-use maps, and a copy of the staff report associated with ERP No. 56-01444-P.

4. Function or available activities on the properties.

The CE associated with ERP No. 56-01444-P was reviewed for potential Section 4(f) activities and functions. The CE was a permit stipulation placed on remnant wetlands as part of an overall mitigation plan associated with the development of the Midway Industrial Park Phase III. No park or recreation, activities and functions exist or are planned for the three properties associated with ERP No. 56-01444-P. The stated purpose of the permit mitigation proposal was to offset wetland impacts. Parcel ID 3406-502-0003-000-7 was acquired by St. Lucie County for roadway right-of-

way with the intent that if widening encroaches into the CE, additional mitigation would be provided to offset losses to the CE. A five-year monitoring plan was included as a special condition of the permit but did not provide any management activities or goals specific to wildlife or waterfowl.

A CRAS (JANUS Research, 2016) was conducted for the project including this property and no historic or archaeological sites were discovered on this property.

5. Description/location of all existing and planned facilities

The SFWMD CE 56-01444-P currently functions as a conservation area. No existing or planned park, recreation, wildlife or waterfowl refuge, or historic facilities are located on the property. Parcel ID 3406-502-0003-000-7 was acquired by St. Lucie County for roadway right-of-way with the intent that if widening encroaches into the CE, additional mitigation would be provided to offset losses to the CE.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

Public access is currently prohibited.

7. Relationship to other similarly used lands in the vicinity,

The SFWMD has recorded several conservation easements similar to SFWMD CE 56-01444-P within the vicinity of the project. **Exhibit G-5** in **Appendix G** shows the location of similar conservation easements located near the project.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

No ownership, leases, easements, covenants, restrictions or conditions exist that would affect ownership other than the existing CE associated with ERP No. 56-01444-P. Ownership, management and function documentation is included in **Exhibit G-4** in **Appendix G**.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

No unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to the City of Port St. Lucie requesting a Statement of Significance for the SFWMD CE 56-01444-P. A copy of this letter is included in **Appendix G** as **Exhibit G-6**.

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

The site does not include Section 4(f) attributes; therefore, no proximity impacts will occur.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

4.7 Midway Road “Multi-Purpose” Trail –St. Lucie County

1. A detailed map identifying the relationship of the proposed project alternatives to the properties.

The Midway Road “Multi-Purpose” Trail is a planned trail that has been incorporated into both of the build alternatives for this project. No existing trail or pedestrian facilities are currently located along this corridor. The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents. As part of the project, the trail is proposed to be located adjacent to the south side of the roadway within the proposed roadway R/W. The location of the trail in relationship to the project is shown in the Preliminary Concept Plans for both build alternatives as **Exhibit A-2** and **Exhibit A-3** in **Appendix A**.

2. Size and location of the properties

The Midway Road “Multi-Purpose” Trail is a planned facility. The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents. As part of the proposed project, the trail is proposed to be constructed adjacent to the south side of the roadway within the proposed roadway R/W. The location of the trail as part of the project is shown in the Preliminary Concept Plans as **Exhibit A-2** and **Exhibit A-3** located in **Appendix A**.

3. Ownership and type of Section 4(f) property (park, recreation, wildlife refuge, historic).

The Midway Road “Multi-Purpose” Trail is a planned facility by St. Lucie County and will serve a variety of users including recreational users. The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents. Both build alternatives under consideration for the Midway Road PD&E Study include the construction of a 12-foot-wide paved trail located on the south side of Midway Road.

4. Function or available activities on the properties.

The Midway Road “Multi-Purpose” Trail is a planned facility. No existing trail or pedestrian facilities are located within the project limits.

5. Description/location of all existing and planned facilities

The Midway Road “Multi-Purpose” Trail is a planned facility. No existing trail or pedestrian facilities are located within the project limits. The following planning documents and work programs were reviewed for planned projects:

- The St. Lucie County Countywide Bicycle, Pedestrian, Greenways and Trails Master Plan Map (2008) includes a “multi-purpose trail” along Midway Road within the project limits. Copies of this document are included in **Exhibit H-1 in Appendix H.**
- The Martin MPO / St. Lucie TPO 2035 Regional Long Range Transportation Plan (Map 4-8 and Table 4-9 of the Needs Plan) includes a “multi-purpose trail” along Midway Road as a funded project within the 2035 Bicycle, Pedestrian, Greenways, and Trails Vision. The funding source for the “multi-purpose trail” is listed as “Roadway Plans”. Copies of these references are included in **Exhibit H-2 in Appendix H.**
- The City of Port St. Lucie Comprehensive Plan – Within the Sidewalk Program Section of the Transportation Element on Page 9, the City of Port St. Lucie Comprehensive Plan includes a reference to the St Lucie TPO Bicycle and Pedestrian Plan. No other reference to trails within the City are provided. Page 9 of this document is included in **Exhibit H-3 in Appendix H.**

The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents and both build alternatives under consideration for the Midway Road PD&E Study include a 12-foot-wide paved trail located on the south side of Midway Road.

6. Access (pedestrian, vehicular) and usage (approximate number of users/visitors)

The Midway Road “Multi-Purpose” Trail is a planned facility. No existing trail or pedestrian facilities are located within the project limits.

7. Relationship to other similarly used lands in the vicinity,

East of Selvitz Road (outside the limits of this PD&E Study), St. Lucie County is currently widening Midway Road. As part of the roadway widening project, the City of Port St. Lucie and St. Lucie County entered into an Interlocal Agreement for an easement to construct the widening of Midway Road utilizing a portion of the City of Port St. Lucie owned Canal 103 R/W. A “multi-purpose trail” along the south side of Midway Road was included as a stipulation for the use of the Canal 103 R/W. The Interlocal Agreement, dated April 9, 2014, is included as **Exhibit H-4 in Appendix H.**

The planned widening of Midway Road will include a multi-purpose trail which will continue the planned trail system west throughout the project limits.

8. Applicable clauses affecting ownership, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

The Midway Road “Multi-Purpose” Trail is a planned facility. No existing trail or pedestrian facilities are located within the project limits. The location of the planned trail in relationship to Midway Road is not specific in any of the planning documents and therefore no ownership, leases, easements, covenants, restrictions or conditions exist.

9. Unusual characteristics of the Section 4(f) properties (flooding, terrain, other features) that either reduce or enhance the value of all or part of the property.

The Midway Road “Multi-Purpose” Trail is a planned facility and is not related to any specific parcel and therefore, no unusual characteristics of the property would be considered to either reduce or enhance the value of all or part of the property.

10. Statement on significance from the official who has jurisdiction over the Section 4(f) property (regarding the entire property, not of the proposed use).

A letter dated September 16, 2016 has been sent to St. Lucie County requesting a Statement of Significance for the Midway Road “Multi-Purpose” Trail. A copy of this letter is included in **Appendix H as Exhibit H-5.**

11. Project activities, which may result in proximity impacts to the resources, and attributes or features of the Section 4(f) properties, which may be sensitive to proximity impacts from potential constructive use.

No potential proximity impacts from constructive use exist or are anticipated.

12. Grants Applicable to Section 4(f) Properties.

There are no known grants that are applicable to this site.

5.0 CONCLUSION

5.1 Canal 103 – City of Port St. Lucie

The City of Port St Lucie-owned Canal 103 property has been evaluated to determine if it meets the criteria as a Section 4(f) resource. The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- No park and recreation activities and functions are located on the property.
- No NRHP eligible historic resources are located on the property.
- The primary use of Canal 103 is for stormwater drainage.
- Wildlife and waterfowl refuge activities or functions are not a primary use of the property.
- Question 1A from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) requires that the primary purpose of a property be for protected uses under Section 4(f) and states “incidental, secondary, occasional or dispersed activities similar to park, recreation or refuge activities do not constitute a primary purpose within the context of Section 4(f).

5.2 Tract H-15 – City of Port St. Lucie

The City of Port St Lucie-owned Tract H-15 property has been evaluated to determine if it meets the criteria as a park or recreation resource under Section 4(f). The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- No NRHP eligible historic resources are located on the property.
- Although the property is zoned Open Space Conservation and some incidental and dispersed recreation activities exist, no existing or planned park, recreation, wildlife or waterfowl refuge activities or functions are located on the property.
- The property primarily serves as vegetated buffer for residences.
- Question 1A from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) requires that the primary purpose of a property be for protected uses under Section 4(f) and states “incidental, secondary, occasional or dispersed activities similar to park, recreation or refuge activities do not constitute a primary purpose within the context of Section 4(f).

5.3 Tract H-17 – City of Port St. Lucie

The City of Port St Lucie-owned Tract H-17 property has been evaluated to determine if it meets the criteria as a park or recreation resource under Section 4(f). The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- No NRHP eligible historic resources are located on the property.
- Although the property is zoned Open Space Conservation and some incidental and dispersed recreation activities exist, no existing or planned park, recreation, wildlife or waterfowl refuge activities or functions are located on the property.
- The property primarily serves as vegetated buffer for residences.
- Question 1A from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) requires that the primary purpose of a property be for protected uses under Section 4(f) and states “incidental, secondary, occasional or dispersed activities similar to park, recreation or refuge activities do not constitute a primary purpose within the context of Section 4(f).

5.4 Tract G-4 – City of Port St. Lucie

The City of Port St Lucie-owned Tract G-4 property has been evaluated to determine if it meets the criteria as a park or recreation resource under Section 4(f). The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- No NRHP eligible historic resources are located on the property.
- Although the property is zoned Open Space Conservation and some incidental and dispersed recreation activities exist, no existing or planned park, recreation, wildlife or waterfowl refuge activities or functions are located on the property.
- The property primarily serves as vegetated buffer for residences.
- Question 1A from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) requires that the primary purpose of a property be for protected uses under Section 4(f) and states “incidental, secondary, occasional or dispersed activities similar to park, recreation or refuge activities do not constitute a primary purpose within the context of Section 4(f).

5.5 Tract F – City of Port St. Lucie

The City of Port St Lucie-owned Tract F property has been evaluated to determine if it meets the criteria as a park or recreation resource under Section 4(f). The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- No NRHP eligible historic resources are located on the property.
- No existing or planned park or recreation, activities or functions are located on the property.
- Potential dispersed and occasional wildlife habitat and foraging exist but are not the primary purpose of the property.
- The property primarily serves as vegetated buffer for residences.
- Question 1A from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) requires that the primary purpose of a property be for protected uses under Section 4(f) and states “incidental, secondary, occasional or dispersed activities similar to park, recreation or refuge activities do not constitute a primary purpose within the context of Section 4(f).

5.6 Conservation Easement 56-01444-P - SFWMD

The SFWMD Conservation Easement associated with ERP No. 56-01444-P has been evaluated to determine if it meets the criteria as a wildlife or waterfowl refuge under Section 4(f). The findings of this Section 4(f) DOA report indicate that the property does not meet the Section 4(f) criteria for the following reasons:

- The property is not primarily managed as a wildlife or waterfowl refuge.
 - The property does not have a management plan.
 - The property is not actively managed for wildlife or waterfowl.
 - The primary purpose of the CE was for wetland conservation.
 - The CE stipulation in the original permit was mitigation for wetland impacts and not for impacts to threatened or endangered species impacts.

Question 1B and 1E from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper* (FHWA, July 20, 2012) address situations similar to this CE.

Question 1B from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper (FHWA, July 20, 2012)* addresses the situation of a public easement over private property.

Question 1B: Can an easement or other encumbrance on private property result in that property being subject to Section 4(f)?

Answer: *Yes, in certain instances. Generally, an easement is the right to use real property without possessing it, entitling the easement holder to the privilege of some specific and limited use of the land. Easements take many forms and are obtained for a variety of purposes by different parties. Easements or similar encumbrances restricting a property owner from making certain uses of his/her property, such as conservation easements, are commonly encountered during transportation project development. Easements such as these often exist for the purpose of preserving open space, protection of habitat, or to limit the extent and density of development in a particular area, and they may be held by Federal, State or local agencies or non-profit groups or other advocacy organizations.*

Although a conservation easement may not meet all of the requirements necessary to treat the property as a significant publicly-owned public park, recreation area, or wildlife and waterfowl refuge, it is a possibility that mandates careful case-by-case consideration when encountered. The terms of the easement should be carefully examined to determine if Section 4(f) applies to the property. Factors to consider include, but are not limited to, the views of the official(s) with jurisdiction, the purpose of the easement, the term of the easement, degree of public access to the property, how the property is to be managed and by whom, what parties obtained the easement (public agency or non-public group), termination clauses, and what restrictions the easement places on the property owner's use of the easement area. Questions on whether or not an easement conveys Section 4(f) status to a property should be referred to the FHWA Division Office and, if necessary, the Division Office should consult with the Headquarters Office of Project Development and Environmental Review, the Headquarters Office of Real Estate Services, the Resource Center Environment Technical Service Team, or the Office of Chief Counsel.

Question 1E from *Part II – Questions and Answers Regarding Section 4(f) Applicability and Compliance, Section 4(f) Policy Paper (FHWA, July 20, 2012)* addresses the definition of a wildlife and waterfowl refuge for the purposes of Section 4(f).

Question 1E: What is a wildlife and waterfowl refuge for purposes of Section 4(f)?

Answer: *The term wildlife and waterfowl refuge is not defined in the Section 4(f) law. On the same day in 1966 that Section 4(f) was passed, Congress also passed the National Wildlife Refuge System Administration Act (Pub. L. 89-669, 80 Stat. 926) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife*

Refuge System; and for other purposes. The Refuge System referred to in that Act includes areas that were designated as wildlife refuges and waterfowl refuges.¹¹ FHWA has considered this contemporaneous legislation in our implementation of Section 4(f) regarding refuges. For purposes of Section 4(f), National Wildlife Refuges¹² are always considered wildlife and waterfowl refuges by FHWA in administering Section 4(f); therefore no individual determination of their Section 4(f) status is necessary. In addition, any significant publicly owned public property (including waters) where the primary purpose of such land is the conservation, restoration, or management of wildlife and waterfowl resources including, but not limited to, endangered species and their habitat is considered by FHWA to be a wildlife and waterfowl refuge for purposes of Section 4(f).

In determining the primary purpose of the land, consideration should be given to:

- 1. The authority under which the land was acquired;*
- 2. Lands with special national or international designations;*
- 3. The management plan for the land; and,*
- 4. Whether the land has been officially designated, by a Federal, State, or local agency with jurisdiction over the land, as an area whose primary purpose and function is the conservation, restoration, or management of wildlife and waterfowl resources including, but not limited to, endangered species and their habitat.*

Examples of properties that may function as wildlife and waterfowl refuges for purposes of Section 4(f) include: State or Federal wildlife management areas, a wildlife reserve, preserve or sanctuary; and waterfowl production areas including wetlands and uplands that are permanently set aside (in a form of public ownership) primarily for refuge purposes. The FHWA should consider the ownership, significance, function and primary purpose of such properties in determining if Section 4(f) will apply. In making the determination, the FHWA should review the existing management plan and consult with the Federal, State or local official(s) with jurisdiction over the property. In appropriate cases, these types of properties will be considered multiple-use public land holdings (See 23 CFR 774.11(d) and Question 4) and must be treated accordingly.

Finally, it should be noted that sites purchased as mitigation for transportation projects (e.g., for endangered species impacts) can be considered refuges for purposes of Section 4(f) if the mitigation sites meet all of the applicable criteria for Section 4(f) status as a refuge, including public ownership and access, significance, and functioning primarily as a refuge.

Based on the Staff Report for the CE associated with ERP 56-01444-P, the conservation easement is not actively managed for wildlife and the property does not function primarily as a refuge. Therefore, the property is not protected under Section 4(f).

5.7 Midway Road “Multi-Purpose” Trail –St. Lucie County

The Midway Road “Multi-Purpose” Trail planned by St. Lucie County has been evaluated to determine if it meets the criteria for a park or recreation resource under Section 4(f). The findings of this Section 4(f) DOA report indicate that the planned facility does not meet the Section 4(f) criteria for the following reasons:

- The planned trail included within the County and TPO planning documents references the location of the trail in relationship to Midway Road but the location is general. The widening of Midway Road will include a multi-use trail that will provide continuity throughout the project limits. This situation meets the Section 4(f) exception in 23CFR774.13(f)(3);

23CFR774.13(f)(3) Trails, paths, bikeways, and sidewalks that occupy a transportation facility right-of-way without limitation to any specific location within that right-of-way, so long as the continuity of the trail, path, bikeway, or sidewalk is maintained;

Because the Midway Road “Multi-Use” Trail is planned to be located along Midway Road without limitation to any specific location within the R/W and the continuity of the trail will be maintained, a use of the planned multi-purpose trail under Section 4(f) will not occur.