

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
WATER QUALITY IMPACT EVALUATION CHECKLIST

650-050-37
ENVIRONMENTAL
MANAGEMENT
08/24

PART 1: PROJECT INFORMATION

Project Name:	State Road (SR) 70 from US 27 to County Road (CR) 29
County:	Highlands
FM Number:	414506-1-22-01 & 414506-4-52-01
Federal Aid Project No:	N/A
Brief Project Description:	The FDOT is conducting this PD&E Study to evaluate options for widening SR 70 in Highlands County. The PD&E limits are from Jefferson Avenue to C.R. 29. This only covers the design portion (414506-4) east of U.S. 27.

PART 2: DETERMINATION OF WQIE SCOPE

Does project discharge to surface or ground water? ☒ Yes ☐ No

Does project alter the drainage system? ☒ Yes ☐ No

Is the project located within a permitted MS4? ☐ Yes ☒ No
Name: _____

If the answers to the questions above are no, complete the applicable sections of Part 3 and 4, and then check Box A in Part 5.

PART 3: PROJECT BASIN AND RECEIVING WATER CHARACTERISTICS

Surface Water

Receiving water names: Harney Pond Canal

Water Management District: Southwest Florida Water Management District (SWFWMD) and South Florida Water Management District (SFWMD). SWFWMD will be the lead agency.

Coordination meeting date: 5/2/2024
Attach meeting minutes/notes to the checklist.

Water Control District Name(s) (list all that apply): None

Groundwater

Sole Source Aquifer (SSA)? ☒ Yes ☐ No

Name Biscayne Aquifer

If yes, complete Part 5, D and the [EPA Region 4 Sole Source Aquifer Project Review Form](#)

Other Aquifer? ☐ Yes ☒ No
Name _____

Springs vents? ☐ Yes ☒ No

Name _____

Well head protection area? ☐ Yes ☒ No

Name _____

Groundwater recharge? ☐ Yes ☒ No

Name _____

Notify District Drainage Engineer if karst conditions are expected or if a higher level of treatment may be needed due to a project being located within a WBID verified as Impaired in accordance with Chapter 62-303, F.A.C.

Date of notification: 2/4/2025

PART 4: WATER QUALITY CRITERIA

List all WBIDs and all parameters for which a WBID has been verified impaired, or has a TMDL in [Table 1](#). This information should be updated during each re-evaluation as required.

Note: If BMAP or RAP has been identified in [Table 1](#), [Table 2](#) must also be completed.
Attach notes or minutes from all coordination meetings identified in [Table 2](#).

EST recommendations confirmed with agencies? ☒ Yes ☐ No

BMAP Stakeholders contacted? ☐ Yes ☒ No

TMDL program contacted? ☐ Yes ☒ No

RAP Stakeholders contacted? ☐ Yes ☒ No

Regional water quality projects identified in through coordination or the WATERSS process? ☐ Yes ☒ No

If yes, describe:

Potential direct effects associated with project construction and/or operation identified? ☐ Yes ☒ No

If yes, describe:

Discuss any other relevant information related to water quality including Regulatory Agency Water Quality Requirements.

There are 12 existing stormwater ponds along Segment 13. These ponds will be removed or modified and proposed stormwater management facilities (SMF) will be added for this project. The proposed SMFs will provide water quality and water quantity according to SWFWMD ERP Applicant's Handbook II. Calculations on nutrient loading will demonstrate the SMFs meet required removal rates.

PART 5: WQIE DOCUMENTATION

- ☐ A. No involvement with water quality
- ☐ B. No water quality regulatory requirements apply.
- ☒ C. Water quality regulatory requirements apply to this project (provide Evaluator's information below). Water quality and stormwater issues will be mitigated through compliance with the design requirements of authorized regulatory agencies.
- ☒ D. EPA Ground/Drinking Water Branch review required. ☒ Yes ☐ No
Concurrence received? ☐ Yes ☒ No
If Yes, Date of EPA Concurrence: [Click here to enter a date.](#)
Attach the concurrence letter

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022, and executed by the Federal Highway Administration and FDOT.

Evaluator Name (print): Hong Ting Chiu, P.E.

Title: Stormwater Engineer, HNTB Corporation

Signature:

Date: 5/6/2026

Table 1: Water Quality Criteria

Receiving Waterbody Name (list all that apply)	FDEP Group Number / Name	WBID(s) Numbers	Classification (I,II,III,IIIL,IV,V)	Special Designations*	NNC limits**	Verified Impaired (Y/N)	TMDL (Y/N)	Pollutants of concern	BMAP, RA Plan or SSAC
Harney Pond Canal	4/Fisheating Creek	3204	3F			Yes	No	Nutrients	Lake Okeechobee BMAP
Harney Pond Canal	4/Fisheating Creek	3204	3F			Yes	No	Dissolved Oxygen	Lake Okeechobee BMAP

* ONRW, OFW, Aquatic Preserve, Wild and Scenic River, Special Water, SWIM Area, Local Comp Plan, MS4 Area, Other

** Lakes, Spring vents, Streams, Estuaries

Note: If BMAP or RAP has been identified in [Table 1](#), [Table 2](#) must also be completed.

**Purpose of Meeting:**

SR 70 Segments 12-13 – Jefferson Avenue to
CR 29 (414506-3 & 414506-4)
Highlands County
SWFWMD Pre-Application Meeting

Date of Meeting

May 2, 2024, 2:00pm – 4:00pm

Location:

Microsoft Teams

Attendees:

- FDOT – Brent Setchell, Melody Joyner, Nicole Monies (Melanie Calvo, Atkins for OEM)
- SWFWMD – Al Gagne, Chris Kuzlo
- PGA – Joe Lauk
- HNTB – Matt Dockins, Hong (Sam) Chiu, Gordon Mullen, James Fine, John Burton, John Fowler, Bill Jones

Attachment: See presentation slides attached.

Agenda & Notes

1. Introductions
2. Overview
 - a. Strategic Corridors – State Road (SR) 70
 - i. Segments 12 and 13 (FPIDs 414506-3 and 414506-4)
 - ii. Matt introduced the FDOT's Strategic Corridors program along SR 70 and the purpose and need for the proposed network improvements. Then specific discussion was provided relative to Segments 12 (from Jefferson Avenue east to US 27) and 13 (from US 27 east to County Road 29).
 - iii. Sam introduced the three proposed roadway typical sections along the corridor.
3. SWFWMD/SFWMD Interagency Agreement
 - a. The project limits crossing the SWFWMD/SFWMD boundaries in two locations, one west of US 27 and one east of US 27.
 - b. The Interagency Agreement executed March 24, 2018 delegated the permitting authority for the entire limits of this project to the SWFWMD.
4. Stormwater Management
 - a. Water Quality
 - i. Sam referenced the prior December 2014 pre-application meeting and provided additional discussion for how the proposed improvements will address the nutrient impaired water bodies by demonstrating net improvement and meet SWFWMD's 150% of presumptive treatment volume for direct discharge to the Placid Lakes Outstanding Florida Water (OFW).
 - ii. The Project Development and Environment (PD&E) study is expected to be complete approximately Summer of 2025 and therefore, should fall under the current stormwater rules.
 - b. Water Quantity
 - i. Sam provided additional discussion that the proposed improvements will address both peak discharge rates (in open basins) and discharge volumes (in closed basins).
 - c. Floodplains

- i. Part of the project is located within the Lake Placid watershed model. The project will use this watershed model as the best available information. Further evaluation may be necessary to model initial stages and the project specific seasonal high water.
 - ii. In the area without the watershed model, the Federal Emergency Management Agency (FEMA) map will be reviewed in conjunction with other data sources. The FDOT/Consultant will determine the appropriate 100-Year Base Flood Elevations and compensate for any impacts. Cup-for-cup compensation is the anticipated approach for those areas.
 - d. SWFWMD did not object to the proposed design criteria and approach discussed.
- 5. Utility and Environmental Considerations
 - a. Utilities
 - i. The project is sandwiched between a Florida Power & Light (FP&L) transmission line to the north and Florida Gas Transmission (FGT) pipeline to the south. Both are immediately adjacent to the SR 70 right-of-way and are costly to impact/relocate.
 - ii. FP&L is currently in the process of relocating further to the north and enhancing their facilities.
 - iii. FDOT is continuing coordination with both entities.
 - b. Conservation Lands
 - i. Much of the western project portion within Segment 12 is bounded by the Lake Wales Ridge Wildlife and Environmental Area (LWRWEA) and Archbold Biological Station.
 - ii. The roadway improvements are evaluating widening to the north, which would impact the LWRWEA. FDOT is coordinating further with the Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, and applicable state land agencies.
 - c. Protected Species
 - i. Numerous federal and state listed/protected species are or may be present in the project vicinity. Field surveys are on-going.
 - ii. Brent discussed the location/siting rationale for the three proposed wildlife crossings.
 - iii. Brent suggested that potential additional land acquisition(s) may be needed specifically for listed/protection species mitigation.
 - d. Wetlands
 - i. Based on preliminary impact analysis, approximately 18.5 acres of direct and secondary wetland impacts at approximately 8.8 UMAM functional loss units are anticipated for Segment 12.
 - ii. Approximately 12.3 acres of direct and secondary wetland impacts at approximately 5.4 UMAM functional loss units are anticipated for Segment 13.
 - iii. These impacts have not been field-reviewed with SWFMWD or US Army Corps of Engineers staff and are subject to change.
 - iv. Mitigation options are limited within the three watershed basins. Only state credits are available within the Kissimmee Ridge (SWFWMD) and South Kissimmee (SFWMWD) basins. State credits are not currently available within the Fisheating Creek basin. SWFWMD will accept state mitigation bank credits.
 - v. No federal 404 credits are available in any of the three basins. FDOT expects that the existing banks will not be able to obtain federal credits by the time Segments 12 and 13 may need them prior to construction.
 - e. Impacts & Mitigation Approaches
 - i. Due to the location and environmentally sensitive nature of the project limits, FDOT is evaluating a variety of potential options.
 - 1. On-site mitigation is not initially desirable for FDOT, and there are limited options for this within the SR 70 corridor.

2. FDOT is considering a partnering option with a third-party company (i.e., permittee-responsible offsite mitigation within the same basin. This may require 2 separate permits (one for the proposed improvements and one for the mitigation) and could potentially be linked as permit conditions. FDOT would be a co-permittee and have an MOU with a third-party contractor with specific conditions directed to the third-party contractor, who would be responsible for the construction, perpetual operations and maintenance of the mitigation site. FDOT would not want to do annual payments but would prefer to do a lump-sum payment for the third-party to put in escrow.
 - a. SWFWMD has recently received direction from FDEP. SWFWMD views this as being comparable to developer permits with excess functional gain in which they modify the excess functional gain permit for each phase of development. FDEP doesn't like this approach. Going forward, off-site mitigation permits will need to specifically identify to which project(s) the excess functional gain applies (i.e., like a bank ledger). SWFWMD has no issues with FDOT doing offsite mitigation, but they urged cautioned for who will be the permittee.
3. Brent discussed a potential option which could include land acquisition, livestock removal and potentially hydrologic improvements to be completed on large portion of acreage adjacent to the Platt Branch Wildlife and Environmental Area (FDOT's Platt Branch species mitigation bank) and US 27. FDOT could acquire the existing gap between both areas, remove cattle to gain functional lift to local wetlands and water quality, and add a second wildlife crossing at US 27. FDOT understands that sufficient functional lift may exist due to the large amount of acreage involved. The mitigation for several segments of the SR 70 could likely be tied to this mitigation site.
 - a. SWFWMD noted that this site would be within the Fisheating Creek watershed (within the SFWMD's boundaries). SWFWMD would allow this, but the FDOT would have to address the functional loss within the impacted Kissimmee Ridge basin, and potential cumulative impacts. SWFWMD may require a 1:1 (acreage) mitigation within the same basin (while other functional gain could occur out of basin). SWFWMD stated that FDOT may need to propose multiple different strategies to avoid cumulative impacts.
 - b. SWFWMD asked whether FDOT has had to address the USACE proximity (multiplication) factor for mitigation based on distance from the impacted hydrologic use code (HUC) basin (multiplier based on the # of basins away from subject basin). Brent indicated that District One's prior experience with this didn't work out, but not due to the proximity factor tool.
4. Brent discussed potential Cracker Hammock and Skipper Ranch mitigation options, also occurring within the Fisheating Creek basin. FDOT's Intent for these improvements is to connect conservation lands from SR 70 up to Highlands Hammock State Park. SWFWMD indicated that they generally don't like Conservation Easements as a mitigative measure but will consider them for parcels that are "large enough" and provide a significant ecological lift (benefit). SWFWMD also noted these were out of the basin with the impacts and cumulative impacts would need to be addressed.



- a. The permitting application submittal schedule is preliminarily anticipated for Fall 2025. The permitting aspects and schedule discussed are subject to change.
- b. Sam mentioned that this project is anticipated to be let as Design/Build, so the plans may be more consistent with a concept plans, in lieu of the traditional FDOT Phase II plans.