

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TECHNICAL REPORT COVERSHEET

650-050-38
ENVIRONMENTAL
MANAGEMENT
08/22

PD&E Re-evaluation Form

Florida Department of Transportation

District One

SR 739 (Metro Parkway) PD&E Re-evaluation

Limits of Project: SR 739 (Metro Parkway) at Daniels Parkway Intersection

Lee, Florida

Financial Management Number: 431334-2

ETDM Number: N/A

Date: July 2023

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.

**RE-EVALUATION
FORM****1. GENERAL PROJECT INFORMATION**A. Re-evaluation Type: Design Change, Right of Way PhaseB. Original approved Environmental Document:**Document Type:** EA**Date of Approval:** 02/11/1999**Project Numbers:**

N/A

195650-1-21-01

N/A

ETDM (if applicable)

Financial Management

Federal-Aid

Project Name: US 41 BUS FROM US 41 TO N OF SR 82**Project Location:** FDOT District 1 (Lee County)**Project Limits:** from US 41 to N of SR 82C. Prior Re-evaluation(s):

FM Number	Type				Date District Approved	Date Lead Agency Consultation	Date Lead Agency Approved (if applicable)
	PE	DC	ROW	CON			
431334-1-32-01	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	06/05/2013	06/18/2013	N/A

Description of Approval:

SR 739 (Metro Parkway) from Daniels Parkway to Winkler Avenue, Lee County, Florida.

D. Project or project segment(s) being evaluated

FAP Number	FM Number	Project/ Segment Name	Project/ Segment Location	Type				Project/ Segment Letting Type	Funding
				PE	DC	ROW	CON		
	431334-2-52-01	SR 739 (METRO PKWY) FROM S OF DANIELS PKWY TO N OF DANIELS PKWY	District 1 - LEE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Design-Bid-Build	State

2. PROJECT DESCRIPTION

SR 739 between Daniels Parkway and Winkler Avenue is a four-lane divided roadway within existing right of way (ROW) that ranges from 100-feet to 145-feet. Consistent with the PD&E Study typical section, the proposed design typical section is a six-lane divided urban roadway centered within 125-feet of proposed ROW. A maximum 12.5-feet of additional ROW will be acquired from each side of the roadway in areas where the existing ROW is less than 125-feet. Three 12-foot travel lanes, a 4-foot bicycle lane and a 6-foot sidewalk in each direction are separated by a 22-foot raised median. The typical section includes curb and gutter and an enclosed drainage system on both sides of the roadway.

The following projects are design/construction segments located within the original study limits.

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1. Financial Project ID: 195719-1-52-01

Federal Project ID: 3012 059 P

Project Limits: SR 739 (Metro Parkway) from US 41 (south of Alico Road) to Six Mile Cypress Parkway, a distance of 3.5 miles

Status: Construction Complete

1A. Financial Project ID: 420647-1-52-01

Federal Project ID: 8887 154 A

Project Limits: Alico Road from US 41 to Dusty Road, a distance of 0.9 mile

Status: Construction Complete

2. Financial Project ID: 195691-1-32-01

Federal Project ID: N/A

Project Limits: SR 739 (Metro Parkway) from US 41 (south of Alico Road) to Six Mile Cypress Parkway, a distance of 3.5 miles

Status: Construction Complete

2A. Financial Project ID: 408040-1-52-01

Federal Project ID: N/A

Project Limits: SR 739 from Six Mile Cypress Parkway to Daniels Parkway, a distance of 1.257 miles

Status: Construction Complete

2B. Financial Project ID: 431334-1-32-01

Federal Project ID: N/A

Project Limits: SR 739 from Daniels Parkway to Winkler Avenue, a distance of 3.91 miles

Status: Design is ongoing

3. Financial Project ID: 195718-2-52-01

Federal Project ID: N/A

Project Limits: Stage 2: SR 739 (Metro Parkway)/Kennesaw Crossover from Winkler Avenue to Hason Street, a distance of 1.455 miles; new alignment.

Status: Construction Complete

4. Financial Project ID: 195718-7-32-01

Federal Project ID: N/A

Project Limits: Stage 3: SR 739 (Metro Parkway) - Fowler Street from Hanson Street to SR 82, a distance of 1.26 miles; mill and resurface/build sidewalk.

Status: Construction Complete

5. Financial Project ID: 195766-1-43-01

Federal Project ID: 0671 017 S

Project Limits: Stage 1: SR 739 (Metro Parkway) northbound Evans Avenue (one-way, three-lane) from Hanson Street to SR 82 and realign railroad, a distance of 1.6 miles; added lanes and reconstruct.

Status: Construction Complete

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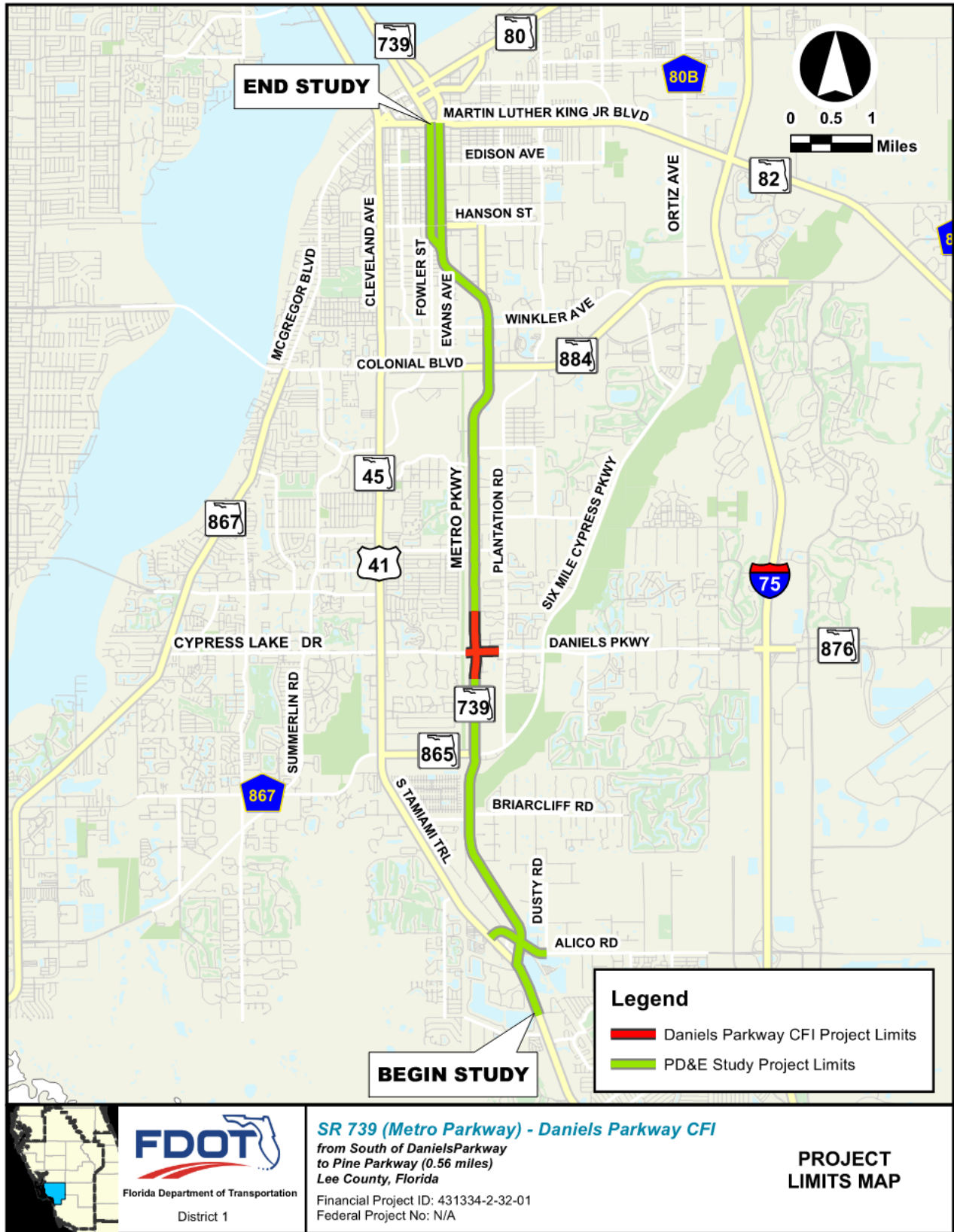
Design is underway to reconstruct the intersection of State Road (SR) 739 (Metro Parkway) and Daniels Parkway from a conventional intersection into a Continuous Flow Intersection (CFI). The CFI (Financial Project ID (FPID) 431334-2) is one segment of the Metro Parkway design project from south of Daniels Parkway to Winkler Avenue (FPID 431334-1), which proposes to reconstruct Metro Parkway from a four-lane undivided roadway to a six-lane divided roadway. The design project has been divided into the following three segments:

431334-2: Metro Parkway from south of Daniels Parkway to north of Daniels Parkway. This segment is funded for construction in 2026 and is the subject of this reevaluation.

431334-3: Metro Parkway from north of Daniels Parkway to south of Colonial Boulevard.

431334-4: Metro Parkway from south of Colonial Boulevard to Winkler Avenue.

RE-EVALUATION FORM



SR 739 (Metro Parkway) - Daniels Parkway CFI

from South of Daniels Parkway to Pine Parkway (0.56 miles)
Lee County, Florida

Financial Project ID: 431334-2-32-01
Federal Project No: N/A

PROJECT LIMITS MAP

3. CHANGES IN APPLICABLE LAW OR REGULATION

Are there changes in federal or state laws, rules, regulations, or guidance that require consideration since the date of the original Environmental Document or subsequent Re-evaluation(s)? Yes

On December 22, 2020, the US Environmental Protection Agency (EPA) published their approval of Florida's State 404 Program in the Federal Register, and the Florida Department of Environmental Protection (FDEP) began administering the State 404 Program on that date. The project is located in State Assumed Waters. As a result, the project no longer requires a USACE 404 permit, but it will require a State 404 Program permit from FDEP.

The Florida bonneted bat was not a federally listed species at the time of the 2011 PD&E study. On October 2, 2013, the US Fish and Wildlife Service (USFWS) listed the species as federally endangered. In October 2019, the USFWS expanded the Florida bonneted bat consultation area and established consultation key. The project occurs in Lee County and is, therefore, within the USFWS' consultation area for the species.

4. EVALUATION OF MAJOR DESIGN CHANGES AND REVISED DESIGN CRITERIA

Are there major design changes, including but not limited to changes in the alignment(s), typical section(s), drainage/stormwater requirements, design control and criteria, or temporary road or bridge? Yes

Typical Section Changes

The PD&E preferred typical section is a six-lane urban roadway centered within 125 feet of right-of-way. It includes three, 12-foot travel lanes and a four-foot on-road bicycle lane in each direction separated by a raised 22 foot median. Type F curb and gutter is provided along the inside and outside lanes. Six-foot concrete sidewalks are provided at the back of the curb in both directions within a 12-foot border area.

The Phase IIR plans typical section were updated from the PD&E concept to meet current context sensitive design and Florida Design Manual criteria. The proposed typical section is an urban typical section that includes three, 11-foot travel lanes and a seven-foot buffered bike lane in each direction separated by a raised median. Type F curb and gutter is provided along the outside and a six foot sidewalk is located at the back of sidewalk in each direction.

Changes to Intersection Concepts

Daniels Parkway

The PD&E preferred concept at the Daniels Parkway intersection with Metro Parkway is a standard signalized intersection. However, the updated traffic analysis for this intersection conducted as part of the design phase determined that a traditional at-grade intersection would not operate at an acceptable level of service, so other improvements were considered.

As a result of consideration of alternative intersection improvements, it was determined that an intersection with displaced left turns, or continuous flow intersection, is the best alternative for this intersection.

Right of Way Changes - roadway footprint, ponds

The original PD&E Study did not identify any pond sites. A pond site is being added to the design to address the required stormwater management and water quality criteria required for the Environmental Resource Permit (ERP). The PD&E Study required approximately 0.789 acres of additional right of way. The design requires approximately 3.315 acres of right of way, which results in an increase of 2.526 acres. A graphic depicting the differences between the original PD&E

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study and the subject of this reevaluation is attached.

[\[1 - 431334-2 - PD&E RW Exhibit\]](#)

5. PUBLIC INVOLVEMENT

Were there additional public involvement activities? Yes

Public hearing for the proposed design change will be held on Thursday, July 27, 2023, from 5 p.m. to 7 p.m. at the FDOT Southwest Area Office located at 10041 Daniels Parkway in Fort Myers, FL, 33913.

(TO BE UPDATED FOLLOWING PUBLIC HEARING)

6. PROJECT or SEGMENT(S) PLANNING CONSISTENCY

Segment FM Number: 431334-2-52-01

Currently Adopted CFP-LRTP	Comments				
Yes	<p><i>The Lee County Metropolitan Planning Organization (MPO) 2045 Long Range Transportation Plan (LRTP) was adopted in December 2020. This project is included in Table 5-9: Cost Feasible Projects: State/Other Arterial/Federal SU Funded Road Projects (\$1,000).</i></p> <p><i>The latest Lee MPO Transportation Improvement Program (TIP) for FY2022/23 - FY2026/27 was adopted June 17, 2022. This project is included in the TIP.</i></p> <p><i>ROW funding timeframes are inconsistent. Coordination with the Lee MPO is ongoing to update the TIP to reflect the STIP.</i></p>				
Phase	TIP/STIP	Currently Approved	\$	FY	Comments
PE (Final Design)	TIP	No			PE was funded <2023
PE (Final Design)	STIP	Yes	\$396,186	2023	PE was funded <2023
			\$396,186	All Years	
R/W	TIP	Yes	\$12,775,648 \$391,000 \$13,166,648	2023 2024	TIP/STIP timeframes are inconsistent
				All Years	
R/W	STIP	Yes	\$157,350 \$11,304,360 \$11,461,710	FY 2023, 2024	TIP/STIP timeframes are inconsistent
Construction	TIP	No			SR 730 (Metro Parkway) from S. of Daniels

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					Parkway to N. of Daniels Parkway is listed as the 2021 Federal and State Funded Priorities #9 in the Lee MPO TIP for Construction.
Construction	STIP	No			

[\[3 - 431334-1_PlanningConsistency-Updated_5-8-23\]](#)

7. EVALUATION OF CHANGES IN IMPACTS

a. SOCIAL & ECONOMIC

Are there changes in impacts to the social, economic, land use, mobility, and/or aesthetic effects? Yes
Changes to the social, economic, land use, mobility, and/or aesthetic effects include two potential business relocations, enhancements to the existing intersection, and added pond sites. The Conceptual Stage Relocation Plan is provided in the project folder.

Are there changes in right-of-way needs? Yes

The original PD&E Study required approximately 0.789 acres of right of way impacts. The new proposed design will require approximately 3.315 acres of right of way impacts.

The difference in required right of way between the original PD&E Study and the Design phase is an increase of 2.526 acres.

Is there a change in anticipated relocation(s)? Yes

The original PD&E study did not have any residential or business relocations anticipated. The intersection of SR 739 (Metro Parkway) and Daniels Parkway from a conventional intersection into a Continuous Flow Intersection (CFI) will require two potential full business relocations and no residential relocations. The businesses identified are Scan Design, located at 13411 Metro Parkway, Fort Myers, FL, and the Metropolitan Business Park located at 13641 Metropolis Avenue, Fort Myers, FL. The Conceptual Stage Relocation Plan is provided in the project folder.

Are there changes in impacts to Prime or Unique Farmlands? N/A

b. CULTURAL

Are there changes in impacts to cultural resources pursuant to Section 106 of the National Historic Preservation Act (historic sites/districts and archaeological sites)? Yes

The original PD&E Study did not identify any historic sites eligible for listing on the National Register of Historic Places (NRHP) or archaeological sites within Segment 2, in which the limits of this study are included.

The Cultural Resources Assessment Survey Addendum (April 2023) prepared for this study identified the CSX Railroad/Seminole Gulf Railway (8LL02445) within the vicinity of the project limits of this study. The railroad possesses significance for its association with the development of Florida's railroads and served as a transportation function. Furthermore, the railroad was constructed during one of the significant periods of history; therefore, the CSX Railroad/Seminole Gulf Railway (8LL02445) appears eligible at the local level for listing in the National Register of Historic Places (NRHP) under Criterion A in the area of Transportation. The proposed work stops approximately 60 feet from the

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tracks. Based on the proposed work at this location, the project will not change the overall integrity and characteristics of the linear resource that makes it eligible for listing in the NRHP due to the history and significance of the larger linear resource. A designation of No Adverse Effect was approved by SHPO on May 4, 2023. The CRAS Concurrence Letter is attached. No archaeological sites were discovered within the limits of this study.

[2 - SHPO Transmittal Letter]

Are there changes in effects to Section 4(f) of the Department of Transportation Act protected resources or other protected public lands? N/A

Are there changes in impacts to lands purchased under Section 6(f) of the Land and Water Conservation Fund Act? N/A

Are there changes in impacts to recreational areas or protected lands? N/A

c. NATURAL

Are there changes in impacts to protected species and habitat, wetlands and other surface waters, and/or essential fish habitat? Yes

An Environmental Support Document was drafted in March 2023, and updated in June 2023, to provide updated information for the section of Metro Parkway from Daniels Parkway to Winkler Avenue (FM No. 431334-1).

Changes from the PD&E study include updated wetland designation criteria as outlined by FDEP/South Florida Water Management District (SFWMD). The canal, while designated as a wetland in the original PD&E study, does not meet the current criteria for wetland designation. However, it does meet the criteria for Other Surface Waters. Therefore, we have included those impacts as surface waters in this reevaluation in order to match the current permitting criteria Florida Statute 62-340.600 FAC. Additionally, due to the minor nature of the impacts, which are limited to extending an existing culvert to accommodate a new turn lane, no mitigation is anticipated due to the impacts being non-adverse.

A pond is being added to the design to address the required stormwater management and water quality criteria required for the ERP. The PD&E study required approximately 0.789 acres of additional right of way. The design requires approximately 3.315 acres of right of way, which results in an increase of 2.526 acres. No impacts to wetlands, surface waters, or listed species are anticipated to occur as a result of the inclusion of the pond.

Commitments regarding the protection of interaction with listed species remain unchanged from the original study with the exception of the Florida bonneted bat, which was not listed at the time the original study was completed. All federal species with potential to occur within the project limits have an effect determination of no effect or MANLAA, with the exception of the Florida bonneted bat (FBB), which will be described below. State listed species have all been given an effect determination of "no adverse effect anticipated". Suitable gopher tortoise habitat was observed during general wildlife surveys occurring within the project limits and the FDOT will commit to completing a pre-construction 100% gopher tortoise survey, with any affected burrows excavated or otherwise trapped and their occupying tortoises relocated in accordance with the latest Florida Fish and Wildlife Conservation Commission (FWC) Gopher Tortoise Permitting Guidelines.

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The FBB was listed by the USFWS as endangered in October 2013. The basis for this listing is due to habitat loss, degradation, and modification, as well as other manmade and natural factors, including a small population size with few colonies, restricted range, slow reproductivity, and low fecundity. This change in listing status occurred after the original PD&E study was completed. Therefore, a FBB survey had not previously been required.

Following a preliminary review of the project corridor, it was determined that suitable FBB roosting and foraging habitat occurs within and abutting the project limits. In April and May 2023, a limited roost survey and acoustic survey was conducted within the project corridor. No evidence of roosting within the project corridor was documented during the roost survey and 16 verified FBB calls were identified during the acoustic survey. Based on the results of the survey, a determination of "**may affect, not likely to adversely affect - C**" (MANLAA-C) was made for the FBB using the Florida Bonneted Bat Consultation Key (USFWS 2019). The effect determination of MANLAA-C was made using the following sequence from the Key **1a-2a-3b-6a-7b-10a-11b = MANLAA-C**. The FBB key has been uploaded to the project file.

As a result of the MANLAA-C determination, Further consultation with the USFWS will be required. The BMPs required to reach a MANLAA determination are based on couplet 11b. The requirements for couplet 11b include BMPs number 1 and 4 and any 4 BMPs out of BMPs 5 through 13. As a result, the FDOT will implement the following BMPs for the proposed project:

BMP 1

If potential roost trees or structures need to be removed, check cavities within 30 days prior to removal of trees, snags or structures. When possible, remove structure outside of breeding season (e.g., January 1 - April 15). If evidence of use by any bat species is observed, discontinue removal efforts in that area and coordinate with the Service on how to proceed.

BMP 4

For every 5 acres of impact, retain a minimum of 0.25 acre of native vegetation. If upland habitat is impacted, then upland habitat with native vegetation should be retained.

BMP 5

Conserve open freshwater and wetland habitats to promote foraging opportunities and avoid impacting water quality. Created/restored habitat should be designed to replace the function of native habitat.

BMP 7

Avoid or limit widespread application of insecticides (e.g., mosquito control, agricultural pest control) in areas where Florida bonneted bats are known or expected to forage or roost.

BMP 9

Retain mature trees and snags that could provide roosting habitat. These may include live trees of various sizes and dead or dying trees with cavities, hollows, crevices, and loose bark.

BMP 11

Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly lighting (e.g., downward facing and lowest lumens possible).

Are there changes in impacts to designated Aquatic Preserves, Coastal Barrier resources, Wild and Scenic Rivers, Nationwide Rivers Inventory Rivers, and/or Outstanding Florida Waters? N/A

Are there changes in impacts to Floodplains or Water Resources? Yes

The PD&E Study did not identify any pond sites. A pond is being added to the design to address the required stormwater management and water quality criteria required for the ERP. The PD&E Study required approximately 0.789 acres of additional right of way. The design requires approximately 3.315 acres of right of way, which results in an increase of 2.526 acres. Further coordination with the SFWMD will occur during the design/permitting phase in order to finalize the stormwater management requirements.

d. PHYSICAL**Are there changes in Air Quality? N/A****What is the status of Highway Traffic Noise?**

The original PD&E Study noted that approximately 83 residences may experience outdoor traffic noise levels that approach or exceed the FHWA Noise Abatement Criteria for Activity Category B. As a result of the PD&E Study, a noise barrier was found to be reasonable and feasible within the limits of segment 1, which does not include the limits of the current study.

Due to an increase in the development of the project area, additional noise sites were identified as a part of this re-evaluation. The Noise Study Report Addendum (June 2023) is included in the project file.

A total of seven receptors, all medical facilities, were evaluated. Following Federal Highway Administration (FHWA)/FDOT guidance, four of the seven medical facilities were evaluated as Activity Category "C" and abatement was considered if predicted exterior traffic noise in the project's design year of the CFI was equal to or greater than 66 decibels on the "A"-weighted scale (dB(A)). Because three of the medical facilities do not have areas of exterior use, the facilities were evaluated as Activity Category "D" and abatement was considered if the predicted future traffic noise level with the CFI was equal to or greater than 51 dB(A)).

The results of the traffic noise analysis indicate that the following three medical facilities evaluated for exterior traffic noise would be impacted with the CFI: WellMed Medical Facility - Outdoor Seating Area, Florida Skin Center Dermatology Medical Facility - Outdoor Seating Area, and Associates in Medicine and Surgery Medical Facility - Outdoor Seating Area. Abatement measures were evaluated for these facilities. Based on the results of the evaluation, there appear to be no feasible and reasonable measures to mitigate the predicted impacts.

As mentioned, the original PD&E Study identified noise-impacted locations as occurring within Segment 1, which does not include the limits of this study. Therefore, a noise barrier is not expected for the current segment proposed for advancement. The Noise Study Report is available in the project file.

What is the status of Contamination?

The original PD&E Study identified 11 sites ranked as High or Moderate risk for potential contamination. A commitment was made during the PD&E Study that noted further investigation into the sites prior to construction. This commitment will be met during the design phase and all previously identified sites, as well as any newly documented High or Medium (moderate) potential sites, will be investigated.

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A Level II Contamination report (April 2021), found in the project file, was prepared for Financial Project ID: 431334-1-32-01 - SR 739 from Daniels Parkway to Winkler Avenue, and is provided in the project file. Of the original 11 sites identified in the PD&E Study, only one site was found to be within the limits of this study (FM No. 431344-2), Site #2 which is identified as 7-Eleven Food Store #32781 (Facility ID: 9801877). This site was given a medium rating.

This active 7-Eleven gas station currently maintains two underground storage tanks (USTs) totaling 25,000-gallons of petroleum product storage capacity. One discharge was reported in November 2006 that received a Site Rehabilitation Completion Order (SRCO) in October 2007. Groundwater depth was measured from 7 to 10 feet with a southeastern flow, towards the project corridor. This facility is an operational retail fuel station adjoining the mainline. Additionally, right-of-way acquisition is planned for the east side of the property.

Testing during the Level II Contamination Report indicated that contaminants have not been detected within areas of planned construction. However, it is recommended that the FDOT monitor dewatering efforts proximal to these sites to ensure contaminated groundwater is not pulled into the right-of-way and discharged as effluent. A review of the regulatory file for this site is also recommended just prior to construction to verify that the status has not changed. If construction support is ultimately required for the site to manage contaminated groundwater and discharge to the stormwater system, permitting should follow the National Pollutant Discharge Elimination System (NPDES) process. Costs for dewatering equipment, management, and testing can range up to \$100,000 per site.

Are there changes in impacts to Utilities and Railroads? N/A

Are there changes in impacts to Navigation? N/A

8. COMMITMENT STATUS

Are there prior commitments from the Environmental Document or previously approved re-evaluation(s)? Yes

Are there new environmental commitments? Yes

List new environmental commitments added since approval of the original Environmental Document or most recent Re-evaluation.

The FDOT commits to applying the required FBB BMP's during construction identified as applicable to the project following the completion of the acoustic and roost surveys.

An acoustic call survey and pedestrian roost survey was conducted in April - May 2023. It was determined that suitable Florida bonneted bat (FBB) roosting and foraging habitat occurs within the project area. The surveys concluded that no roosting was occurring within the project area. The acoustic survey resulted in the identification of 16 FBB calls. Based on the results of the full acoustic and roost surveys, a **"May Affect, Not Likely to Adversely Affect - C"** effect determination was made utilizing the Florida Bonneted Bat Consultation Key (USFWS 2019).

This effect determination was made using the following sequence from the key: **1a-2a-3b-6a-7b-10a-11b = MANLAA-C with required Best Management Practices (BMPs)**. Further consultation with the USFWS will be required. The BMPs required to reach a MANLAA determination are based on couplet 11b. The requirements for couplet 11b include BMPs number 1 and 4 and any 4 BMPs out of BMPs 5 through 13. As a result, the FDOT will implement the following BMPs (**Appendix H**) for the proposed project:

**RE-EVALUATION
FORM****BMP 1**

If potential roost trees or structures need to be removed, check cavities within 30 days prior to removal of trees, snags or structures. When possible, remove structure outside of breeding season (e.g., January 1 - April 15). If evidence of use by any bat species is observed, discontinue removal efforts in that area and coordinate with the Service on how to proceed.

BMP 4

For every 5 acres of impact, retain a minimum of 0.25 acre of native vegetation. If upland habitat is impacted, then upland habitat with native vegetation should be retained.

BMP5

Conserve open freshwater and wetland habitats to promote foraging opportunities and avoid impacting water quality. Created/restored habitat should be designed to replace the function of native habitat.

BMP 7

Avoid or limit widespread application of insecticides (e.g., mosquito control, agricultural pest control) in areas where Florida bonneted bats are known or expected to forage or roost.

BMP 9

Retain mature trees and snags that could provide roosting habitat. These may include live trees of various sizes and dead or dying trees with cavities, hollows, crevices, and loose bark.

BMP 11

Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly lighting (e.g., downward facing and lowest lumens possible).

[\[4 - 431334-2 Metro Pkwy at Daniels Pkwy_PCR_06 29 23\]](#)

9. STATUS OF PERMITS**Federal**

Segment	Name	Descriptor	Status	Date
431334-2-52-01	USACE Section 10 or Section 404 Permit		Applied For	

State

Segment	Name	Descriptor	Status	Date
431334-2-52-01	DEP or WMD Environmental Resource Permit (ERP)		Applied For	
431334-2-52-01	FWC Gopher Tortoise Relocation Permit		Needed	

Local

None anticipated.

Other

None anticipated.

10. CONCLUSION

- The project has been re-evaluated pursuant to 23 CFR § 771.129. The FDOT has determined that no changes to the project affect the original decision. Therefore, the Administrative Action remains valid and the project can advance.

11. DISTRICT REVIEW AND APPROVAL

**RE-EVALUATION
FORM****Name and title of FDOT Preparer:** Jeff James

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.

OEM approval required?Yes

 District approving authority or designee

Date

12. OEM CONCURRENCE

 Print Name

Date

Director of the Office of Environmental Management or Designee

13. Links to Supporting Documentation

- 1 - [19565012101-EA-D1-431334-2_-_PD&E_RW_Exhibit-2023-0519.pdf](#)
- 2 - [19565012101-EA-D1-SHPO_Transmittal_Letter-2023-0623.pdf](#)
- 3 - [19565012101-EA-D1-431334-1_PlanningConsistency-Updated_5-8-23-2023-0620.pdf](#)
- 4 - [19565012101-EA-D1-431334-2_Metro_Pkwy_at_Daniels_Pkwy_PCR_06_29_23-2023-0629.pdf](#)



Lee County Metropolitan Planning Organization

Long Range Transportation Plan

Adoption December 18, 2020



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2045 Transportation Plan



Table 5-9: Cost Feasible Projects: State/Other Arterial/ Federal SU Funded Road Projects (\$1,000)

Road Name	From	To	Improvement	Phase	2021-2025	2026-2030	2031-2035	2036-2045	Total Cost (YOE)	Total Cost (PDC)	Funding Sources
Countywide Signal System Updates, Final Phase			ITS	PE		\$1,500	\$0	\$0	\$1,500	\$1,200	SU, SA, DDR
Countywide Signal System Updates, Final Phase			ITS	CST		\$10,730	\$0	\$0	\$10,730	\$8,000	SU, SA, DDR
Metro Parkway	South of Daniels Parkway	Winkler Avenue	Widen 4L to 6L/CFI	ROW	\$18,070	\$0	\$0	\$0	\$18,070	\$18,070	DDR, DS,DIH
Metro Parkway	South of Colonial Blvd	Winkler Avenue	Widen 4L to 6L/CFI	CST		\$49,620	0	\$0	\$49,620	\$37,700	OA
Metro Parkway	South of Daniels Parkway	North of Daniels Parkway	CFI	CST		\$27,620	0	\$0	\$27,620	\$20,900	OA
Metro Parkway	North of Daniels Parkway	South of Colonial Blvd.	Widen 4L to 6L	CST		\$37,820	0	\$0	\$37,820	\$28,650	OA
Big Carlos Bridge Replacement Repayment			Reconstruct Bridge	CST	\$8,500	\$16,500	\$0	\$0	\$25,000	\$21,000	SU/SA
San Carlos Boulevard	Estero Blvd	Summerlin Road	Intersection Improvements	CST	\$5,990	\$0	\$0	\$0	\$5,990	\$5,990	SU/TALU
Old US 41	Collier County Line	Bonita Beach Road	Add Lanes & Reconstruct	PE		\$2,640	\$0	\$0	\$2,640	\$2,110	SU
Old US 41	Collier County Line	Bonita Beach Road	Add Lanes & Reconstruct	ROW		\$5,800	\$0	\$0	\$5,800	\$4,880	SU
Old US 41	Collier County Line	Bonita Beach Road	Add Lanes & Reconstruct	CST		\$0	\$22,170	\$0	\$22,170	\$14,300	SU
US 41 at Six Mile Cypress			Intersection Improvements	PE		\$4,690	\$0	\$0	\$4,690	\$3,553	OA
US 41 at Six Mile Cypress			Intersection Improvements	ROW		\$0	\$7,560	\$0	\$7,560	\$4,880	OA
US 41 at Six Mile Cypress			Intersection Improvements	CST		\$0	\$39,430	\$0	\$39,430	\$29,870	OA
SR78	W. of Santa Barbara	24th Avenue	Widen 4L to 6L	PD&E		\$0	\$3,090	\$0	\$3,090	\$2,190	OA
SR 78	W. of Santa Barbara	24th Avenue	Widen 4L to 6L	PE		\$0	\$9,270	\$0	\$9,270	\$6,000	OA
SR 78	W. of Santa Barbara	24th Avenue	Widen 4L to 6L	CST		\$0	\$0	\$81,080	\$81,080	\$43,710	OA
SR 78	I-75	SR 31	Widen 2L to 4L	PE		\$3,080	\$0	\$0	\$3,080	\$2,330	OA
SR 78	I-75	SR 31	Widen 2L to 4L	ROW		\$0	\$6,770	\$0	\$6,770	\$4,370	OA
SR 78	I-75	SR 31	Widen 2L to 4L	CST		\$0	\$25,860	\$0	\$25,860	\$16,700	OA
SR 78	Old US 41	Slater Road	Widen 4L to 6L	PD&E		\$0	\$1,920	\$0	\$1,920	\$1,360	OA
SR 78	Old US 41	Slater Road	Widen 4L to 6L	PE		\$0	\$0	\$8,360	\$8,360	\$4,080	OA
SR 78	Old US 41	Slater Road	Widen 4L to 6L	CST		\$0	\$0	\$50,400	\$50,400	\$27,200	OA



TRANSPORTATION IMPROVEMENT PROGRAM
FISCAL YEAR 2022/23 THROUGH FISCAL YEAR 2026/27

Adopted: June 17, 2022

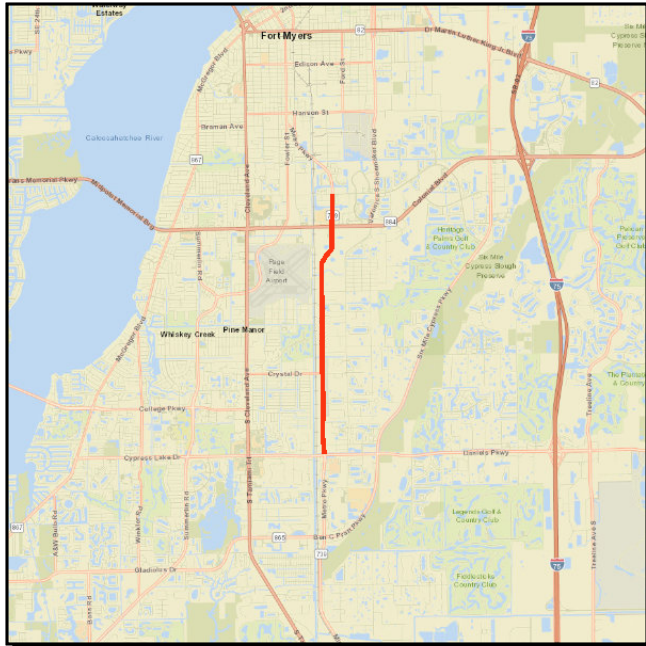
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"The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation."

SR 739 (METRO PKWY)

Project Number: 4313341

Non-SIS



From: DANIELS PARKWAY **Work Summary:** ADD LANES & RECONSTRUCT

To: WINKLER AVENUE

Lead Agency: FDOT **Length:** 4.425 MI

LRTP #: Page 5-17, Table 5-9

Phase	Fund Source	2022/23	2023/24	2024/25	2025/26	2026/27	Total
ROW	DS	1,431,288	1,000	0	0	0	1,432,288
ROW	DIH	312,000	390,000	0	0	0	702,000
ROW	DDR	11,032,360	0	0	0	0	11,032,360
ENV	DDR	130,000	0	0	0	0	130,000
Total		12,905,648	391,000	0	0	0	13,296,648

Prior Cost < 2022/23: 9,428,961

Future Cost > 2026/27: 0

Total Project Cost: 22,725,609

Project Description:



Florida Department of

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Web Application

Federal Aid Management Sean McAuliffe - Manager

STIP Project Detail and Summaries Online Report

**** Repayment Phases are not included in the Totals ****

Selection Criteria	
Current STIP Financial Project: 431334 _ As Of: 5/7/2023	Detail Related Items Shown

HIGHWAYS								
Item Number: 431334 1	Project Description: SR 739 (METRO PKWY) FROM DANIELS PKWY TO WINKLER AVE							
District: 01	County: LEE	Type of Work: ADD LANES & RECONSTRUCT				Project Length: 4.425MI		
		Fiscal Year						
Phase / Responsible Agency	<2023	2023	2024	2025	2026	>2026	All Years	
P D & E / MANAGED BY FDOT								
Fund Code: DIH-STATE IN-HOUSE PRODUCT SUPPORT	44	9,956					10,000	
PRELIMINARY ENGINEERING / MANAGED BY FDOT								
Fund Code: DDR-DISTRICT DEDICATED REVENUE	7,086,221	391,186					7,477,407	
DIH-STATE IN-HOUSE PRODUCT SUPPORT	191,011	5,000					196,011	
DS-STATE PRIMARY HIGHWAYS & PTO	1,676,913						1,676,913	
Phase: PRELIMINARY ENGINEERING Totals	8,954,145	396,186					9,350,331	
RIGHT OF WAY / MANAGED BY FDOT								
Fund Code: DDR-DISTRICT DEDICATED REVENUE		147,350	10,933,360				11,080,710	
DIH-STATE IN-HOUSE PRODUCT SUPPORT	212	10,000	370,000				380,212	

DS-STATE PRIMARY HIGHWAYS & PTO				1,000				1,000
Phase: RIGHT OF WAY Totals		212	157,350	11,304,360				11,461,922
ENVIRONMENTAL / MANAGED BY FDOT								
Fund Code:	DDR-DISTRICT DEDICATED REVENUE		130,000					130,000
Item: 431334 1 Totals		8,954,401	693,492	11,304,360				20,952,253
Project Totals		8,954,401	693,492	11,304,360				20,952,253
Grand Total		8,954,401	693,492	11,304,360				20,952,253

This site is maintained by the Office of Work Program and Budget, located at 605 Suwannee Street, MS 21, Tallahassee, Florida 32399.

For additional information please e-mail questions or comments to:
 Federal Aid Management
 Sean McAuliffe: Sean.McAuliffe@dot.state.fl.us Or call 850-414-4564

[Reload STIP Selection Page](#)

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Florida Department of Transportation

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Florida Department of Transportation

RON DESANTIS
GOVERNOR

801 North Broadway Avenue
Bartow, FL 33830

JARED W. PERDUE, P.E.
SECRETARY

April 21, 2023

Ms. Alissa S. Lotane, Director
Florida Division of Historical Resources
Department of State, R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

Attn: Transportation Compliance Review Program

**RE: Cultural Resource Assessment Survey Addendum
Corridor Re-Evaluation State Road (SR) 739 (Metro Parkway)
From South of Daniels Parkway to Winkler Avenue
Lee County, Florida
FPID Nos.: 431341-2-52-01, 431341-3-52-01, & 431341-4-52-01**

Dear Ms. Lotane:

The Florida Department of Transportation (FDOT), District One is planning improvements to State Road [SR] 739 (Metro Parkway) from Daniels Parkway to Winkler Avenue in Lee County, a distance of approximately 4.3 miles. In 1994, a Project Development and Environment (PD&E) Study was conducted and approved by the Federal Highway Administration (FHWA) to provide improvements to the SR 739 corridor as well as Daniels Parkway and Colonial Boulevard intersections. The PD&E preferred concept at the Daniels Parkway intersection with Metro Parkway is a standard signalized intersection. However, the updated traffic analysis for this intersection conducted as part of the design phase determined that a traditional at-grade intersection would not operate at an acceptable level of service, so other improvements were considered. The PD&E preferred concept for the intersection of Colonial Parkway with Metro Parkway was a single point urban interchange (SPUI). With this concept, Colonial Parkway would be elevated over Metro Parkway with at-grade exit and entrance ramps on Colonial Parkway. However, following completion of the PD&E Study, the Lee County Commissioners placed a moratorium on the construction of grade separated intersections within the County on arterial roadways. This is a state-funded project.

The FDOT is proposing to revise the PD&E approved typical section to meet current context sensitive design and Florida Design Manual criteria. Additionally, intersection changes at Daniels Parkway and Colonial Boulevard were also considered as part of the design change. As a result of consideration of alternative intersection improvements, it was determined that an intersection with displaced left turns, or continuous flow intersection (CFI), is the best alternative for these intersections.

A Cultural Resource Assessment Survey (CRAS) was prepared by Archaeological Consultants, Inc. (ACI) in 1994 for the PD&E Study of SR 739 from SR 45/US 41 to SR 80/Bay Street (Fowler Street/ Hanson Street Metro Parkway/Six Mile Cypress Parkway) (ACI 1994a; Survey No. 3785). The CRAS resulted in the discovery of no prehistoric or historic archaeological

sites and no historic resources were discovered. The State Historic Preservation Office (SHPO) concurred with the results (Percy 1994).

In 2013 and 2020, a corridor re-evaluation was conducted; however, the reports were not submitted to the SHPO. As such, this current CRAS Addendum is being prepared by ACI to update the previous PD&E Study CRAS that was prepared in 1994 for the mainline corridor to address the CFI design changes. This Addendum will identify, record, and evaluate historic resources that were not included in the previous 1994 PD&E Study CRAS since they were not yet 50 years old at the time. The purpose of this survey was to locate and identify any cultural resources within the project Area of Potential Effects (APE) and to assess their significance in terms of eligibility for listing in the National Register of Historic Places (NRHP).

The archaeological APE is defined as the area contained within the footprint of construction. The historical/architectural APE consists of the existing right-of-way (ROW) and resources located within 200 feet (ft) of the roadway centerline. This APE remains in-keeping with the 1994 SR 739 (Metro Parkway) CRAS (ACI 1994a; Survey No. 3785). The archaeological field investigations were conducted in November 2013 and in June 2020 and the historical/architectural field survey was conducted in June 2020 and May 2022.

All work was conducted in accordance with Section 106 of the *National Historic Preservation Act* of 1966, as amended by Public Law 89-665; the *Archaeological and Historic Preservation Act*, as amended by Public Law 93-291; Executive Order 11593; and Chapter 267, *Florida Statutes (FS)*. All work was carried out in conformity with Part 2, Chapter 8 (“Archaeological and Historical Resources”) of the FDOT’s *Project Development and Environment (PD&E) Manual* (FDOT 2020), and the Florida Division of Historical Resources’ (FDHR) standards contained in the *Cultural Resource Management Standards and Operational Manual* (FDHR 2003), as well as with the provisions contained in the Chapter 1A-46, *Florida Administrative Code (FAC)*. Principal Investigators meet the *Secretary of the Interior’s Professional Qualification Standards* (48 FR 44716) for archaeology, history, architecture, architectural history, or historic architecture.

Archaeological background research indicated a low probability for the occurrence of historic and/or pre-Contact period archaeological sites. Only one archaeological site has been recorded within close proximity of the APE, Page Field (8LL01466), which today would be recorded as a historic resource group rather than an archaeological site. It has not been evaluated by the SHPO. There are no previously recorded pre-Contact period archaeological sites within the APE or within one mile. Thus, based on background research and field investigations, no archaeological sites which are listed, determined eligible, or appear potentially eligible for listing in the NRHP are located within the APE. As a result of the field survey, and the excavation of 51 shovel tests, no historic or pre-Contact period archaeological sites were located.

The historical/architectural background research, including a review of the Florida Master Site File (FMSF) database and the NRHP, indicated that two historic resources (8LL02444 & 8LL02445) were previously recorded within the APE. This includes a segment of Ten Mile Canal (8LL02444) and a segment of the CSX Railroad/Seminole Gulf Railway (8LL02445). The segment of Ten Mile Canal and a small segment of the railroad at Colonial Boulevard were determined ineligible for listing in the NRHP by the SHPO. The historical/architectural field survey resulted in the identification of three historic resources (8LL02444, 8LL02445, and 8LL02939) within the APE. These include a newly identified historic bridge, FDOT Bridge No. 120077 (8LL02939), and

Ms. Alissa Lotane, Director
State Road (SR) 739 (Metro Parkway) Corridor Re-Evaluation
Lee County
FPID Nos.: 431341-2-52-01, 431341-3-52-01, & 431341-4-52-01
April 21, 2023
Page 3 of 4

segments of two previously recorded linear resources, Ten Mile Canal (8LL02444) and CSX Railroad/Seminole Gulf Railway (8LL02445). The Colonial Boulevard/SR 884 over Ten Mile Canal bridge (FDOT Bridge No. 120077 / 8LL02939) is a circa (ca.) 1976 concrete slab bridge. The bridge is a common Post-1945 concrete slab bridge found throughout Florida and was altered during the late 1990s. The historic bridge does not appear eligible for listing in the NRHP, either individually or as a part of a historic district. The segment of Ten Mile Canal within the APE was updated in 2020 and was determined ineligible for listing in the NRHP by the SHPO; therefore, the linear resource was not updated.

The CSX Railroad/Seminole Gulf Railway intersects the APE in three separate locations. Within the APE, a segment of the linear resource was previously recorded at Colonial Boulevard/SR 884 in 2009 and two unrecorded segments are located at Crystal Drive and Daniels Parkway. While the railbed within the APE is a typical example found throughout Florida and has been altered over the years, it meets the requirements found in the Florida's Historic Railroad Resources Multiple Property Listing under property type F.3. The railroad possesses significance for its association with the development of Florida's railroads and continues to serve as a transportation function. Furthermore, the railroad was constructed during one of the significant periods of history as stated in Florida's Historic Railroad Resources Multiple Property Listing. Therefore, the CSX Railroad/Seminole Gulf Railway (8LL02445) appears eligible at the local level for listing in the NRHP under Criterion A in the area of Transportation. In addition, the railroad is a contributing resource to the existing Florida's Historic Railroad Resources Multiple Property Listing under property type F.3. Based on the proposed work at each location, the proposed project will not change the overall integrity and characteristics of the linear resource that make it eligible for listing in the NRHP due to the history and significance of the larger linear resource. As such, it is the opinion of ACI that the proposed project will have *no adverse effect* to the overall NRHP-eligible CSX Railroad/Seminole Gulf Railway (8LL02445) linear resource.

The CRAS Addendum is provided for your review and comment. If you have any questions, please do not hesitate to call me at (863) 519-2515 or email at lauren.peters@dot.state.fl.us.

Lauren Peters
Environmental Project Manager
Florida Department of Transportation, District One

Enclosures: One original copy of the CRAS Addendum (April 2023), Two FMSF forms, One Completed Survey Log

CC: David Dangel, Inwood, Inc.
Maranda Kles, ACI

The Florida State Historic Preservation Officer (SHPO) finds the attached Cultural Resource Assessment Survey Addendum complete and sufficient and _____ concurs/ _____ does not concur with the recommendations and findings provided in this cover letter for SHPO/FDHR Project File Number _____. Or the SHPO finds the attached document contains _____ insufficient information.

SHPO Comments:

Ms. Alissa S. Lotane, Director
State Historic Preservation Officer
Florida Division of Historical Resources

Date

Project Commitments Record

FM: 431334-2 **FAP#:**

Project Name: SR 739 (METRO PKWY) FROM S OF DANIELS PKWY TO N OF DANIELS PKWY

Environmental Document Type: EA/FONSI - Environmental Assessment **Environmental Document Approval Date:** 2/11/1999

Commitment Title:	Coordination with Fort Myers and Lee County		
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Commitment Made To:	Fort Myers & Lee County	Environmental Commitment:	No
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	The FDOT is committed to continuing coordination with Lee County and the City of Fort Myers throughout the final design and construction phases of the project.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 12:38:39 PM - There is no change in the status of this commitment. Coordination with Lee County and the City of Fort Myers will continue as appropriate throughout the project's design and construction phases.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Stormwater Management		
Commitment Made To:	South Florida Water Management District	Environmental Commitment:	No
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	The proposed stormwater treatment design will include at a minimum, the water quality requirements for water quality impacts as required by the South Florida Water Management District (SFWMD) in Rule 40E-4. The stormwater treatment system for the project will be developed in accordance with Chapter 25 F.A.C. The FDOT will continue to coordinate with the permitting agencies on the design of the drainage system.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 12:41:37 PM - There is no change in the status of this commitment. Stormwater management will be addressed through the project's design and the environmental permitting process.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Utilities		
Commitment Made To:	Lee County & Utility Owners	Environmental Commitment:	No
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	All utility relocations will be in conformance with the FDOT Utility Accommodation Guide. Relocation of local utilities will be coordinated with the appropriate utilities and local municipalities. As outlined in Section 9.13.3 of the approved Preliminary Engineering Report, the FDOT will coordinate with Lee County during the final design to discuss the possible inclusion of a 300-millimeter (12-inch) water main into the FDOT design plans.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 12:43:43 PM - There is no change in the status of this commitment. Coordination with Lee County and other potentially affected utilities will continue as appropriate throughout the project's design and construction phases.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	North Colonial Linear Bike Trail		
Commitment Made To:	City of Fort Myers	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	The FDOT will continue to coordinate with the City of Fort Myers with regard to considering the proposed extension of the North Colonial Linear Park bicycle path in future roadway plans.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 12:55:25 PM - As the North Colonial Linear Bike Trail occurs outside of the limits of this study, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Gopher Tortoise		
Commitment Made To:	FFWCC	Environmental Commitment:	Yes
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	Prior to construction, another survey for the gopher tortoise and the beautiful pawpaw will be conducted by the FDOT within the proposed limits of construction. Appropriate mitigative action will be taken at this time, if required.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:11:13 PM - There is no change in the status of this commitment. Surveys will be conducted for listed and protected species prior to the submittal of environmental resource permit applications and again prior to the commencement of project construction.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Best Management Practices		
Commitment Made To:	FDOT	Environmental Commitment:	No
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Construction	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	Best Management Practices will be used to minimize construction impacts on air, noise, and water quality. The contractor shall dispose of all oil, chemicals, fuels, etc., in an acceptable manner according to local, state, and federal regulations and shall not dump these contaminants on the ground or in sinkholes, canals, ponds, or lakes. To minimize short-term impacts, the contractor will adhere to provisions outlined in the FDOT's Standard Specifications for Road and Bridge Construction.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:14:33 PM - There is no change to the status of this commitment. The construction contractor's requirement for adherence to these provisions will be included in the construction contract documents including, but not limited to, all applicable environmental permits and the Department's Standard Specifications.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Briarcliff Subdivision Landscaping		
Commitment Made To:	Briarcliff Subdivision	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	Through the Briarcliff Subdivision area, a landscaped berm will be constructed on the east side of the roadway to provide a visual buffer between the roadway and the Briarcliff Subdivision.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:27:56 PM - As the Briarcliff Subdivision occurs within Segment 1 (between Alico Road and Six Mile Cypress Parkway), which is outside of the current study limits, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Briarcliff Subdivision Coordination		
Commitment Made To:	Briarcliff Subdivision	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	During the design phase, a neighborhood meeting will be held to review the design of the landscaped berm with the residents adjacent to the berm.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:28:14 PM - As the Briarcliff Subdivision occurs within Segment 1, which is outside of the current study limits, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Shared Use Path		
Commitment Made To:	FDOT	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	An 8-ft (2.4 meter) multi-use path will be constructed in Segment 1 (i.e. from the vicinity of Alico Road to Six Mile Cypress Parkway).		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:28:47 PM - The current limits being studied fall within Segment 2. Therefore, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Mitigation		
Commitment Made To:	SFWMD	Environmental Commitment:	Yes
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	<p>Mitigation for impacts within Six Mile Cypress Slough Preserve has been coordinated with the Lee County Board of County Commissioners in a letter dated November 4, 1996, granting concurrence with the plan. The County and Department have agreed upon two potential options for dealing with the wetland impacts to the slough, these being restoration activities within the Slough (Option #1), or the purchase of credits in the Slough Mitigation Bank (Option #2). The details of these options are listed in the Commitments and Recommendations section of the approved EA.
</select>
Option 1 is described in more detail as follows: Large areas of the Slough, including the project corridor, have been heavily invaded by exotic and nuisance species. Melaleuca, in particular, poses the greatest threat to the ecological integrity of the preserve. This is due to its ability to completely replace a diverse native plant community with a monospecific melaleuca stand. Restoration activities include the eradication of exotic and nuisance species such as melaleuca, Brazilian pepper, cattail and the tropical soda apple as well as hydroperiod improvements. Specifically, the hydrologic enhancements that are already in place have not been entirely successful in providing a more natural hydroperiod. Representative hydroperiod improvements offered for consideration include restoring the hydrology of the Slough by either increasing the elevation of the existing weirs at the Ten Mile Canal, or by constructing new weirs at the Florida Power and Light easement area, extension of the berm adjacent to the Briarcliff Subdivision, and/or provisions for pumping alternate sources of water supply into the Slough.

Option 2 is described in more detail as follows: An alternative to performing restoration and enhancement activities would be the purchase of credits in the Six Mile Slough Preserve Mitigation Bank, once it is established. Lee County has selected Lee County Mitigation Bank, Inc. to provide this bank. The plan will be to provide mitigation funds through the purchase of credits, in the Slough Mitigation Bank. The mitigation bank would then use these funds for the required land acquisition and restoration activities.

A mitigation plan for implementing either Option #1 or #2 will be developed by the Department in coordination with appropriate Federal, State, and local regulatory agencies during the final design phase of this project. Details of the mitigation coordination for impacts within the Six Mile Slough are discussed in detail in the Section 4(f), the Environmental Assessment, and in the Wetland Evaluation Report.
</p>		
Comments/Notes: (Most Recent Comment Shown)	<p>6/29/2023 1:26:26 PM - There is no change in the status of this commitment. The current project segment will not impact the Six Mile Cypress Slough. Unavoidable wetland impacts resulting from this project will be mitigated as determined during environmental permitting coordination with the South Florida Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers and other agencies (if applicable). Mitigation is currently expected to occur through the purchase of credits as applicable from a private mitigation bank with the appropriate service area.</p>		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Wetlands		
Commitment Made To:	SFWMD and FDEP	Environmental Commitment:	Yes
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	Wetland impacts, which will result from the construction of this project, will be mitigated pursuant to S. 373.4137 F.S. to satisfy all mitigation requirements of Part IV, Chapter 373 F.S. and 33 U.S.C.S. 1344. Under S. 373.4137 F.S., mitigation of FDOT wetland impacts will be implemented by the appropriate Water Management District where the impacts occur. Each Water Management District will develop a regional mitigation plan on an annual basis to be approved by the Florida State Legislature, which addresses the estimated mitigation for specific FDOT project impacts through a corresponding mitigation project within the overall approved regional mitigation plan. FDOT will provide funding to the Water Management District for implementation of such mitigation projects.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:30:28 PM - There is no change in the status of this commitment. Per the EA/FONSI, a total of 0.04 acre of impacted wetlands was identified in the EA/FONSI for Segment 2B, which includes the limits of this study. Wetlands will be delineated and impact avoidance and minimization measures will be further evaluated during the project design phase. Unavoidable wetland impacts resulting from this project will be mitigated as determined during environmental permitting coordination with the South Florida Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers and other agencies (if applicable). Mitigation is currently expected to occur through the purchase of credits as applicable from a private mitigation bank with the appropriate service area.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Standard Protection Measures		
Commitment Made To:	FFWCC and USFWS	Environmental Commitment:	Yes
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Construction	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	To satisfy Florida Game and Fresh Water Fish Commission (FGFWFC) concerns about the Eastern Indigo snake, the US Fish and Wildlife Service (USFWS) approved Standard Protection Measures will be implemented. This plan will be developed during the final design and coordinated with the appropriate agencies.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:33:32 PM - There is no change in the status of this commitment. The USFWS's Standard Protection Measures for the Eastern Indigo Snake will be included in the construction contract documents for the Contractor's required adherence.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Contamination		
Commitment Made To:	FDOT	Environmental Commitment:	Yes
Status:	Commitment In Progress	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	The 11 sites rated as High or Moderate risk for potential contamination will be investigated further prior to construction. Investigative work may include visual inspections, monitoring of ongoing cleanups, and possibly subsurface investigations. At known contamination sites, estimated areas of contamination will be marked on design drawings. Prior to construction, any necessary cleanup plans will be developed. Actual cleanup will take place during construction if feasible. Special provisions for handling unexpected contamination discovered during construction will be included in the construction plans package.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 1:46:57 PM - There has been no change in the status of this commitment. The Level II Contamination Report (April 2021) prepared for this segment identified one Medium ranked site. Previously identified sites, as well as any newly-documented High or Medium potential contamination sites, will be investigated during the Design phase for this segment.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Estero Bay Aquatic and State Buffer Preserve		
Commitment Made To:	Estero Bay Aquatic and State Buffer Preserve	Environmental Commitment:	Yes
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	
Transmittal Date:	2/11/1999		
Commitment Description:	Prior to initiation of permitting activities during the design phase of this project, the Department will reinitiate coordination with the management of the Estero Bay Aquatic and State Buffer Preserves with regards to Aquatic Preserves and Outstanding Florida Waters issues. A contact person is Heather Stafford at (941) 463-3240.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 3:08:46 PM - This commitment does not apply to the limits of this study. Aquatic Preserves and Outstanding Florida Waters are not designated within or adjacent to the project segment being advanced.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Storm Sewer System		
Commitment Made To:	FDOT	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	An analysis will be conducted during the design phase to investigate inlets size, spacing, gutter gradients, and the existing storm sewer system capacity on Fowler Street, between Market Street and Canal Street.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 2:04:44 PM - This segment is outside of the current study limits. Therefore, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Culverts		
Commitment Made To:	FDOT	Environmental Commitment:	No
Status:	Commitment No Longer Valid	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Design	Commitment Approval Date:	2/11/1999
Transmittal Date:	2/11/1999		
Commitment Description:	The culvert on both sides of Fowler Street at the canal will be extended to fix the alignment jog south of Canal Street.		
Comments/Notes: <i>(Most Recent Comment Shown)</i>	6/29/2023 2:06:52 PM - This segment is outside of the current study limits. Therefore, this commitment does not apply.		

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title: Noise Barrier

Commitment Made To: FDOT **Environmental Commitment:** Yes

Status: Commitment In Progress **Affects Any Other Environmental Commitment:** No

Implementation Discipline: Construction **Commitment Approval Date:** 2/11/1999

Transmittal Date: 2/11/1999

Commitment Description: The FDOT is committed to the construction of feasible noise abatement measures at the noise-impacted locations identified contingent upon the following:
 a. A detailed noise analysis during the final design process supports the need for abatement;
 b. Reasonable cost analyses indicate that the economic cost of the barrier(s) will not exceed the guidelines;
 c. Community input regarding desires, types, heights, and locations of barriers has been solicited by the District Office;
 d. Preferences regarding compatibility with adjacent land uses, particularly as addressed by officials having jurisdiction over such land uses has been noted;
 e. Safety and engineering aspects as related to the roadway user and the adjacent property owner have been reviewed.

Comments/Notes: 6/29/2023 2:12:37 PM - The EA/FONSI identified noise-impacted locations as occurring within Segment 1. Therefore, a noise barrier is not expected for the current segment proposed for advancement.
(Most Recent Comment Shown)

The results of the traffic noise analysis indicate that the following three medical facilities evaluated for exterior traffic noise would be impacted with the CFI: WellMed Medical Facility – Outdoor Seating Area, Florida Skin Center Dermatology Medical Facility – Outdoor Seating Area, and Associates in Medicine and Surgery Medical Facility – Outdoor Seating Area. Abatement measures were evaluated for these facilities. Based on the results of the evaluation, there appear to be no feasible and reasonable measures to mitigate the predicted impacts.

Projects Linked to the Commitment

There are no other projects linked to this commitment.

Project Commitments Record

Commitment Title:	Florida Bonneted Bat		
Commitment Made To:	USFWS - John Wrublik	Environmental Commitment:	Yes
Status:	Commitment Added	Affects Any Other Environmental Commitment:	No
Implementation Discipline:	Construction	Commitment Approval Date:	
Transmittal Date:	6/29/2023		
Commitment Description:	<p>According to the USFWS guidance for the Florida bonneted bat (FBB), it was determined that suitable roosting and foraging habitat may be present within the project area. Acoustic and limited roost surveys were conducted in accordance with the USFWS FBB guidance and it was concluded that no roosting was occurring within the project area. The acoustic survey resulted in the identification of 16 FBB calls. Based on the results of the full acoustic and roost surveys, a “May Affect, Not Likely to Adversely Affect – C” effect determination was made utilizing the Florida Bonneted Bat Consultation Key (USFWS 2019).
</select>
In accordance with the FBB Key, the following Best Management Practices will be implemented during construction:

BMP 1
If potential roost trees or structures need to be removed, check cavities within 30 days prior to removal of trees, snags or structures. When possible, remove structure outside of breeding season (e.g., January 1 – April 15). If evidence of use by any bat species is observed, discontinue removal efforts in that area and coordinate with the Service on how to proceed.

BMP 4
For every 5 acres of impact, retain a minimum of 0.25 acre of native vegetation. If upland habitat is impacted, then upland habitat with native vegetation should be retained.

BMP5
Conserve open freshwater and wetland habitats to promote foraging opportunities and avoid impacting water quality. Created/restored habitat should be designed to replace the function of native habitat.
BMP 7
Avoid or limit widespread application of insecticides (e.g., mosquito control, agricultural pest control) in areas where Florida bonneted bats are known or expected to forage or roost.

BMP 9
Retain mature trees and snags that could provide roosting habitat. These may include live trees of various sizes and dead or dying trees with cavities, hollows, crevices, and loose bark.

BMP 11
Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly lighting (e.g., downward facing and lowest lumens possible).</p>		

Comments/Notes:
(Most Recent Comment Shown)

Projects Linked to the Commitment

There are no other projects linked to this commitment.



DANIELS PKWY.

SEMINOLE GULF RAILWAY

SEMINOLE GULF RAILWAY

SR 739 (METRO PARKWAY)

SR 739 (METRO PARKWAY)

GULF COAST MEDICAL CENTER

DANIELS PKWY.









COMMERCE PARK DR.

E. PINE PKWY.

APPROXIMATE PD&E - 33,925 SQ FT = 0.789 ACRES
 DESIGN - 144,382 SQ FT = 3.315 ACRES

DIFFERENCE BETWEEN DESIGN & PD&E
 (PD&E 0.789 ACRES - DESIGN 3.315 ACRES) = 2.526 ACRES

LEGEND

	PARCEL LINES		CHANGES IN R/W: CURRENTLY PROPOSED R/W
	EXISTING R/W		R/W ACQUIRED AFTER PD&E
	APPROVED PD&E R/W		APPROVED PD&E R/W THAT IS NO LONGER NEEDED
	PROPOSED DESIGN PHASE II R/W		PARCEL NUMBERS

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
	LEE	

**PD&E VS PHASE II DESIGN
RIGHT-OF-WAY EXHIBIT**

SHEET NO.