ADMINISTRATIVE ACTION
TYPE 2 CATEGORICAL EXCLUSION

Florida Department of Transportation

SR 70 FROM LONESOME ISLAND RD TO SOUTHERN LEG OF CR 721

District: FDOT District 1

County: Highlands County

ETDM Number: 14490

Financial Management Number: 449851-1-22-01

Federal-Aid Project Number: D123-016-B

Project Manager: Kathern Cothern

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.

This action has been determined to be a Categorical Exclusion, which meets the definition contained in 23 CFR 771.115(b), and based on past experience with similar actions and supported by this analysis, does not involve significant environmental impacts.

Signature below constitutes Location and Design Concept Acceptance:

Director Office of Environmental Management
Florida Department of Transportation

For additional information, contact:

Kathern Cothern
Project Manager IV
Florida Department of Transportation
Corridors Program Office D1
801 North Broadway Ave., MS 1-41
Bartow, Florida 33830
(863) 519-2331
Kathern.Cothern@dot.state.fl.us

Prime Consulting Firm:
Consor North America, Inc.

Consulting Project Manager:
Jeffrey S. Novotny, P.E., AICP, RSP1

This document was prepared in accordance with the FDOT PD&E Manual.

This project has been developed without regard to race, color or national origin, age, sex, religion, disability or family status (Title VI of the Civil Rights Act of 1964, as amended).

On 03/01/2023 the State of Florida determined that this project is consistent with the Florida Coastal Zone Management Program.

Table of Contents

1. Project Information 1

1.1 Project Description 1

1.2 Purpose and Need 5

1.3 Planning Consistency 8

2. Environmental Analysis Summary 9

3. Social and Economic 10

3.1 Social 10

3.2 Economic 11

3.3 Land Use Changes 11

3.4 Mobility 12

3.5 Aesthetic Effects 13

3.6 Relocation Potential 13

3.7 Farmland Resources 13

4. Cultural Resources 14

4.1 Section 106 of the National Historic Preservation Act 14

4.2 Section 4(f) of the USDOT Act of 1966, as amended 15

4.3 Section 6(f) of the Land and Water Conservation Fund Act of 1965 15

4.4 Recreational Areas and Protected Lands 15

5. Natural Resources 16

5.1 Protected Species and Habitat 16

5.2 Wetlands and Other Surface Waters 21

5.3 Essential Fish Habitat (EFH) 22

5.4 Floodplains 22

5.5 Sole Source Aquifer 22

5.6 Water Resources 23

5.7 Aquatic Preserves 24

5.8 Outstanding Florida Waters 24

5.9 Wild and Scenic Rivers 24

5.10 Coastal Barrier Resources 24
6. Physical Resources 25
6.1 Highway Traffic Noise 25
6.2 Air Quality 26
6.3 Contamination 26
6.4 Utilities and Railroads 28
6.5 Construction 28
7. Engineering Analysis Support 30
8. Permits 31
9. Public Involvement 32
10. Commitments Summary 34
11. Technical Materials 36
Attachments 37

1. Project Information

1.1 Project Description

This roadway project proposes the widening of a two-lane facility up to a four-lane, divided facility and/or the inclusion of operational improvements along 7.6 miles of State Road (S.R.) 70 from Lonesome Island Road to the southern leg of County Road (C.R.) 721 in Highlands County. Travel lane widths may be widened from 10 feet to 12 feet as part of the project. Multimodal facilities will also be considered along the project segment, where appropriate. A project location map is provided in **Figure 1-1**.

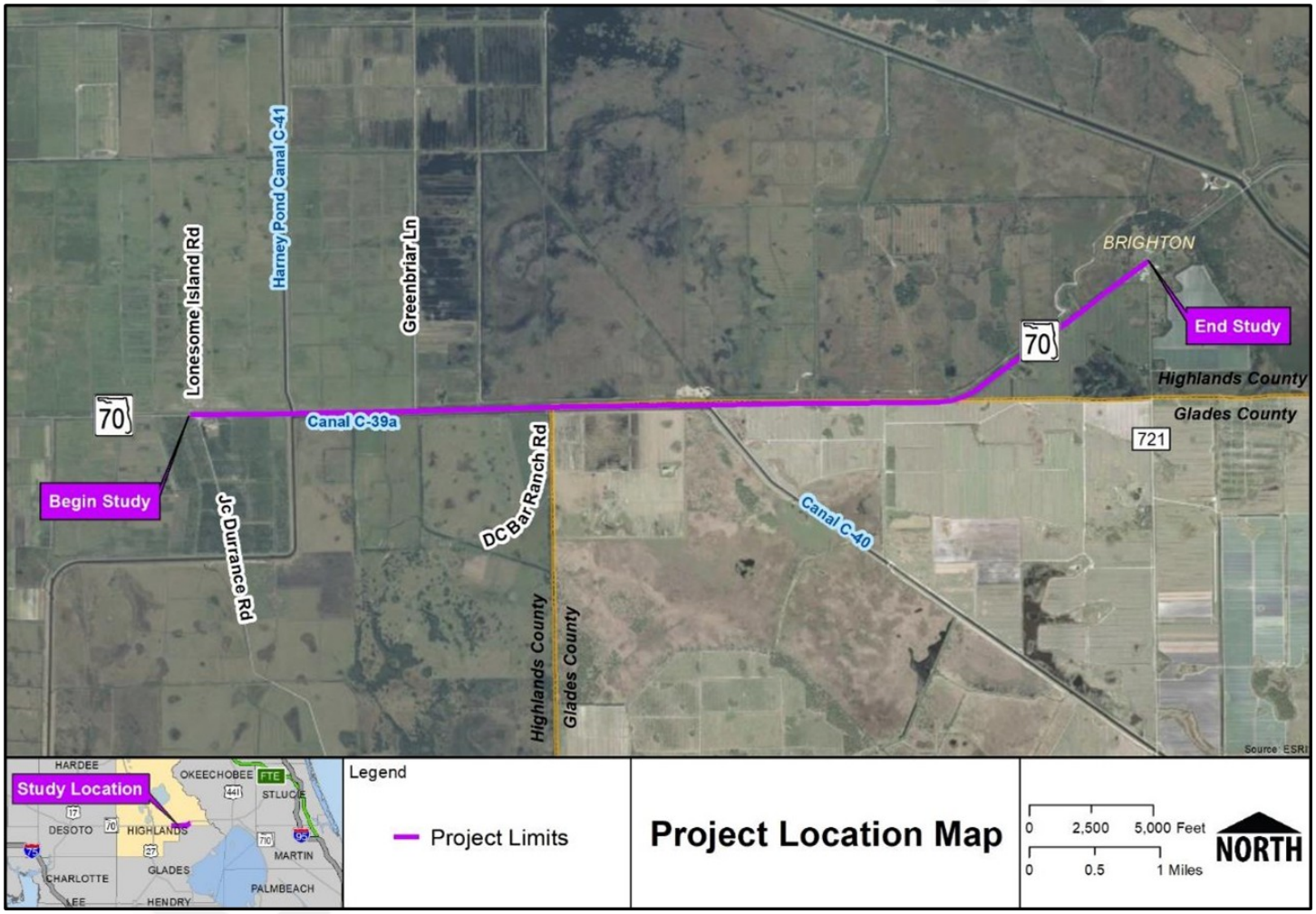


Figure 1-1: Project Location Map

Existing Conditions

S.R. 70 is part of Florida's Strategic Intermodal System (SIS) highway network and designated state hurricane evacuation route network. As part of the National Highway System, S.R. 70 is critical in the transportation network as it facilitates local and regional traffic and the movement of goods/freight. SR 70 is functionally classified as "Rural Principal Arterial - Other" within the project area, and the project segment of the roadway has an existing context classification of C2-Rural.

The existing typical section consists of a two-lane undivided facility with 10-foot travel lanes. There are 8-foot shoulders, four (4) feet of which are paved; however, there are no designated bicycle lanes or sidewalks present on either side of the existing roadway. The posted speed limit along the project corridor is 60 miles per hour (mph). The existing (ROW) width along S.R. 70 project segment varies from 50 feet to 70 feet. A deep canal runs intermittently along the southern border of the project limits. The existing roadway typical sections are shown as **Figure 1-2** and **Figure 1-3**.

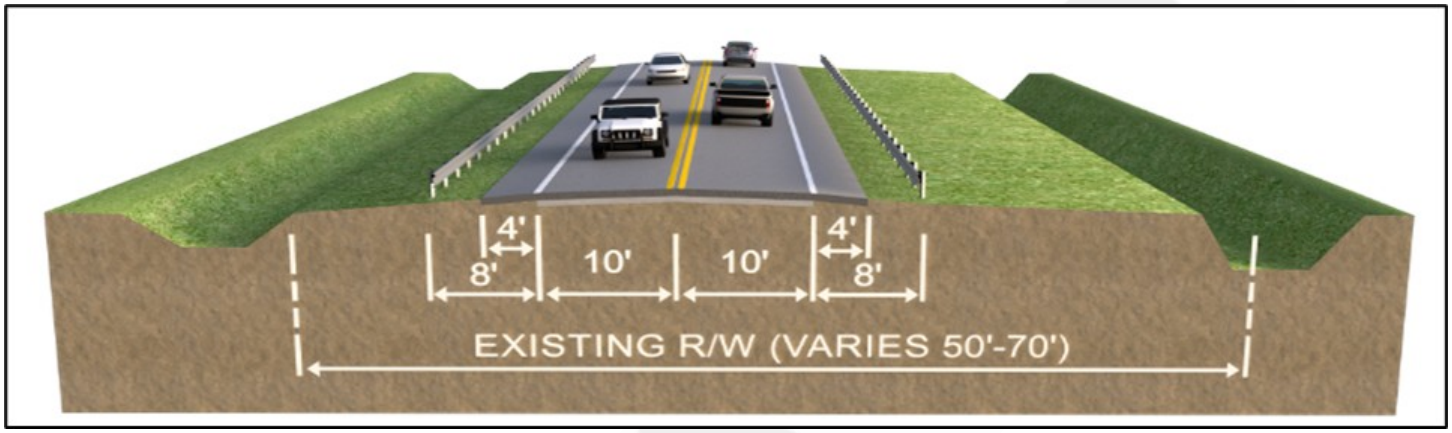


Figure 1-2: Existing S.R. 70 Typical Section from Lonesome Island Road (Begin Project) to Harney Pond Canal C -41 and From Indian Prairie Canal C-40 to C.R. 721 (End Project)

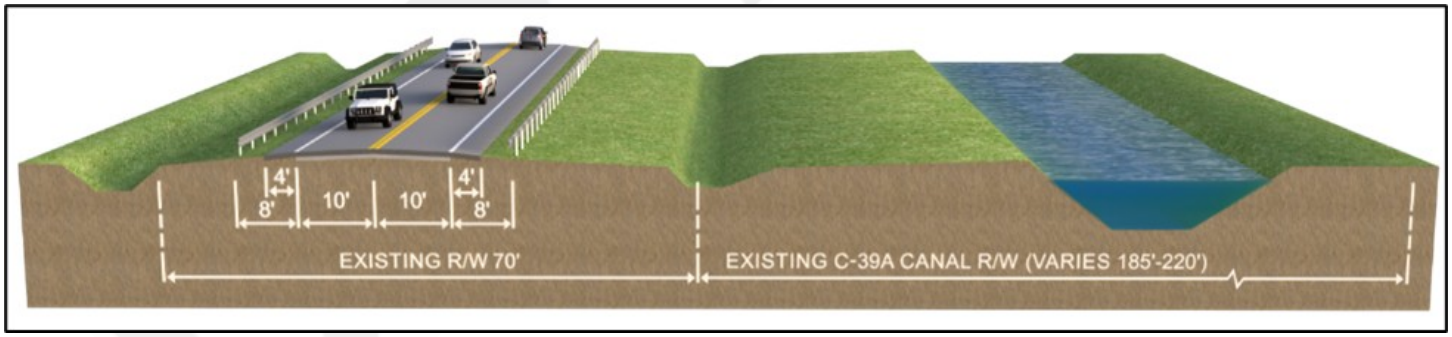


Figure 1-3: Existing S.R. 70 Typical Section from Harney Pond Canal C-41 to Indian Prairie Canal C-40

Preferred Alternative

The Preferred Alternative includes widening the existing two-lane undivided rural arterial to a four-lane divided arterial with a 40-foot grass median throughout the project limits. Full paved shoulders and drainage ditches are proposed on the outside and a 12-foot-wide shared use path is proposed along the south side of the road for bicycles and pedestrians. The proposed typical sections are shown on **Figure 1-4** and **Figure 1-5** from the western limits of the project, where the widening is to the south of the existing roadway, to the South Florida Water Management District (SFWMD) Harney Pond Canal (C-41) where the widening shifts to north of the existing roadway**.**

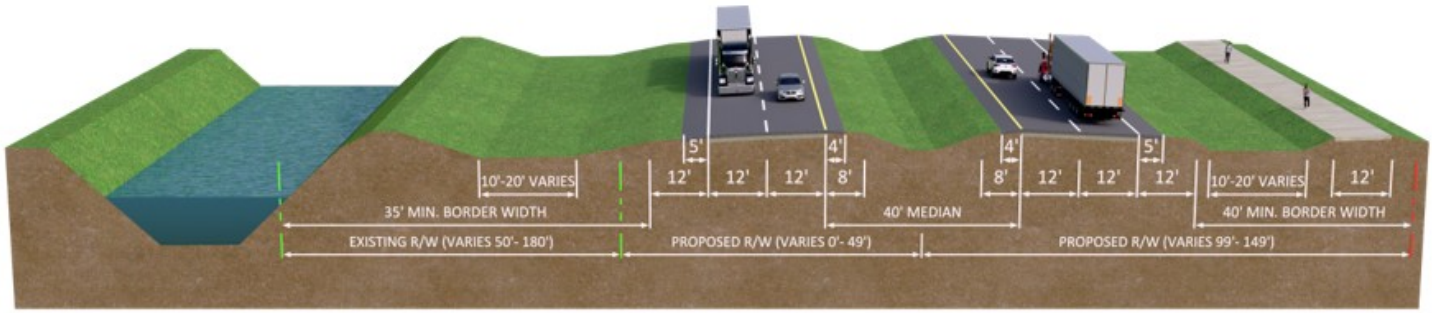


Figure 1-4: Preferred Alternative Roadway Typical Section: Lonesome Island Road (Begin Project) to West of Harney Pond Canal C-41

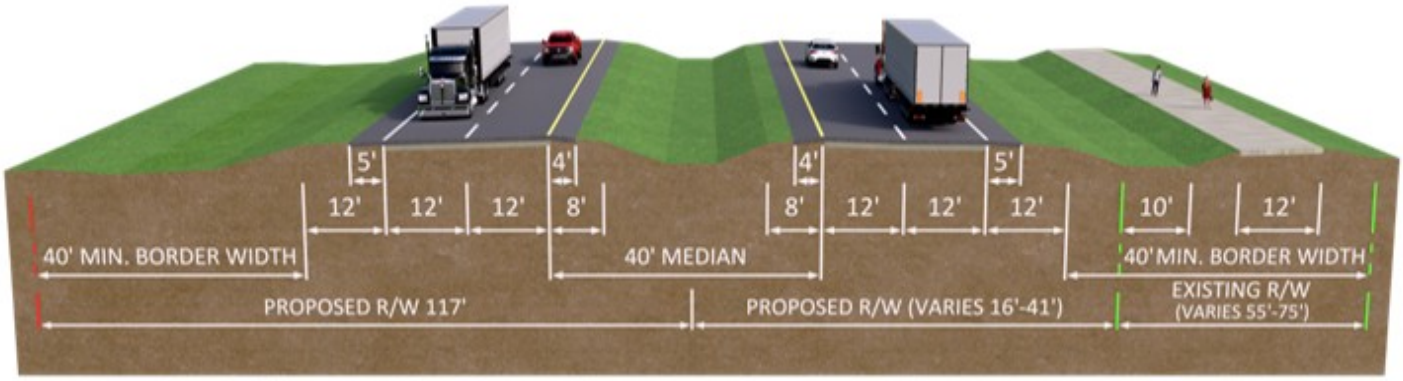


Figure 1-5: Preferred Alternative Roadway Typical Section: West of Harney Pond Canal C-41 and East of Indian Prairie Canal C-40

Moving east, the proposed alignment continues east with widening to the north side of existing S.R. 70 pavement as it traverses the Harney Pond Canal (C-41) and follows immediately north of and parallel to the C-39A canal as shown on **Figure 1-6**. The alignment remains to the north across the Indian Prairie Canal (C-40).

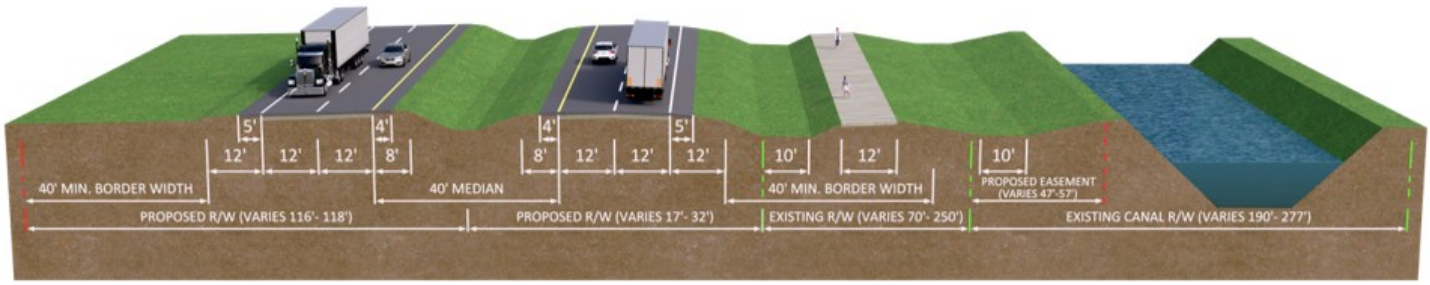


Figure 1-6: Preferred Alternative Roadway Typical Section: Harney Pond Canal C-41 to Indian Prairie Canal C-40

East of the Indian Prairie Canal continuing east towards C.R. 721, the alignment shifts back to the south side of existing S.R. 70 as shown previously in **Figure 1-4** to avoid impacts to an existing gas pipeline and overhead transmission line

which are situated north of S.R. 70.

Approaching the Southern leg of C.R. 721, the Preferred Alternative shifts both proposed eastbound and westbound lanes starting approximately 1,000 feet west of the existing S.R. 70 and C.R. 721 intersection avoiding the businesses along existing S.R. 70. Access to the businesses will be connected to S.R. 70 through access from C.R. 721. The proposed typical section is shown in **Figure 1-7** and the realignment is shown in **Figure 1-8**.

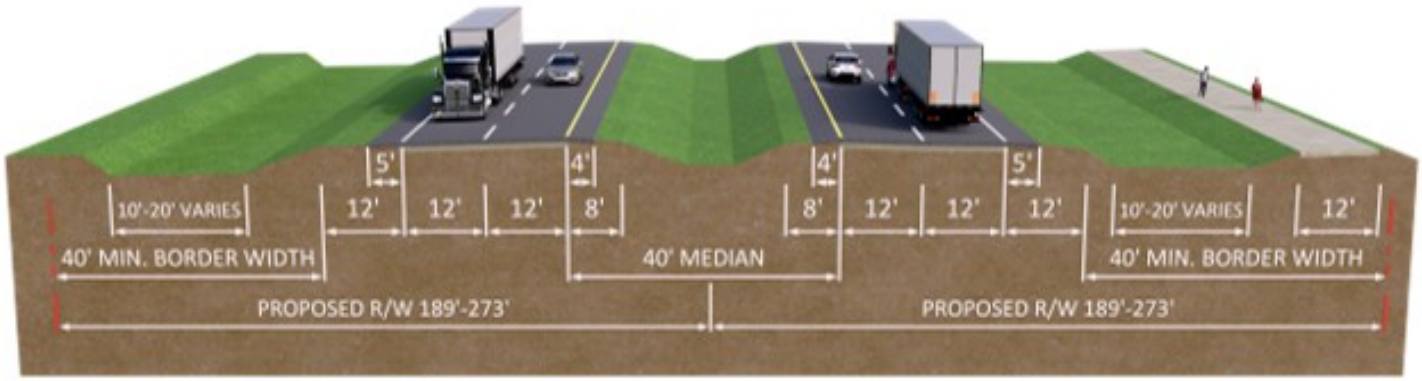


Figure 1-7: Preferred Alternative Roadway Typical Section: East of Indian Prairie Canal C-40 to C.R. 721 (End Project)

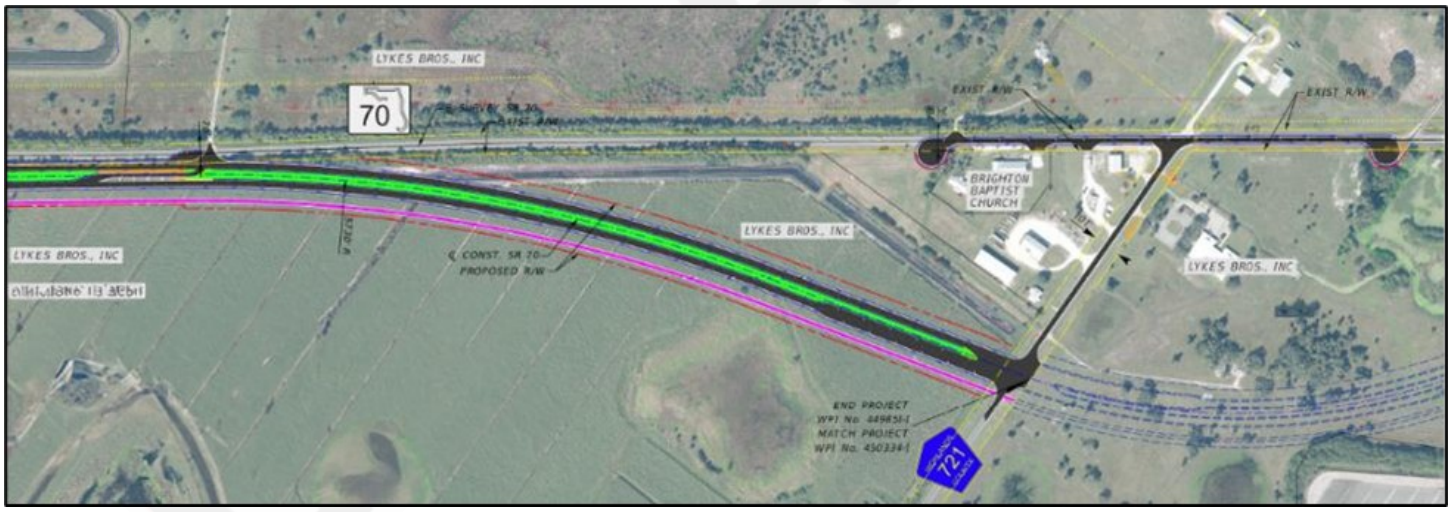


Figure 1-8: C. R. 721 Intersection Realignment

The S. R. 70 bridges over Harney Pond Canal (C-41) shown on **Figure 1-9** and over Indian Prairie Canal (C-40) shown on **Figure 1-10**, will be replaced. The bridges include a 12-foot wide shared use path on the south side. Horizontal widening alignments were adjusted to minimize ROW requirements, impacts and costs.

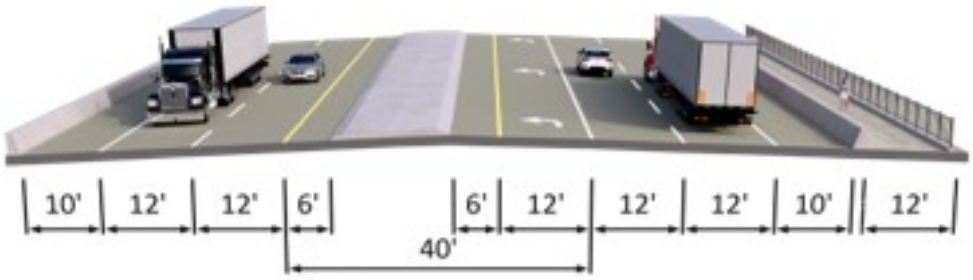


Figure 1-9: Preferred Alternative Bridge Typical Section - S.R. 70 over Harney Pond Canal C-41

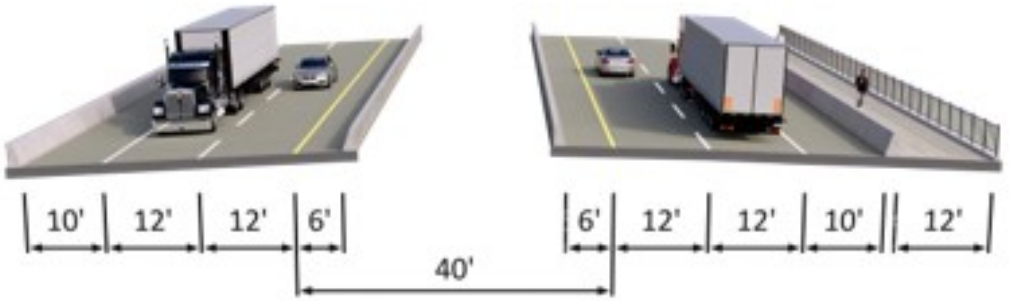


Figure 1-10: Preferred Alternative Bridge Typical Section - S. R. 70 over Indian Prairie Canal C-40

The Preferred Alternative includes construction of six new off-site stormwater management facilities (SMF) designated as SMF 1, 2A, 3A, 4, 5, 6 and linear sites LIN7L and LIN7R within the roadway ROW limits. Six new off-site floodplain compensation (FPC) sites, designated as FPC 1B, 2-3B, 4A, 5A, 6B and 7B are also proposed as part of the Preferred Alternative.

Additional ROW will be required for the Preferred Alternative for roadway widening (183.2 acres) and for off-site SMF and FPC sites (148.5 acres). The total additional ROW is approximately 331.7 acres and involves 7 parcels. The SMF and FPC sites are situated on parcels that are also included in the parcel count for roadway widening. In addition, approximately 20.7 acres of easements are needed from SFWMD for roadway widening along canals C-41, C-40 and C-39A.

The proposed improvements for the S.R. 70 project address the purpose and need by enhancing traffic safety and maintaining crucial connectivity. The widening will also provide a median to improve traffic safety by separating traffic and allowing room for vehicle movement to reduce vehicle conflicts and the likelihood of accidents. Additionally, median openings at critical intersections will alleviate congestion and minimize delays from large vehicles traversing the corridor, offering a much better alternative to the no-build scenario. The widened roadway will further streamline traffic flow, reducing the potential for vehicle maneuvering conflicts and enhancing overall road safety and efficiency.

1.2 Purpose and Need

PURPOSE

The purpose of this project is to address traffic safety conditions on S.R. 70 from Lonesome Island Road to the southern leg of C.R. 721 within Highlands County. Other goals of the project are to maintain important east-west connectivity within the regional transportation network and accommodate freight activity within the area.

NEED

This project is needed to improve traffic safety conditions including emergency evacuation, and incident response times, maintain important east-west connectivity within the regional transportation network and accommodate freight activity within the area.

PRIMARY NEED:

SAFETY: Improve Traffic Safety Conditions, Emergency Evacuation, and Incident Response Times

Crash data was collected for the years 2018 to 2022 from the Signal Four Analytics database. A total of 84 crashes were reported along the S.R. 70 project corridor during the five-year period. Of the 84 crashes along the project corridor, 13 (15%) were guardrail crashes and 13 (15%) were sideswipe, opposite direction crashes. The average crash rate for this section of S.R. 70 is 1.073, 36% more than the statewide average of 0.789 and 19.4% higher than the Highlands County crash rate of 0.898 for similar facilities. Eight fatal crashes occurred in this segment of S.R. 70 during the five-year period. One of the fatal crashes was reported as a front-to-front crash that was caused by improper passing.

The project section of S.R. 70 presently features 10-foot travel lanes and 8-foot shoulders, with four feet paved. Guardrails along the roadway are also minimally set back from the travel lanes (less than seven feet). With a context classification of C2-Rural, the existing typical section does not meet FDOT Design Manual (FDM) standards. The substandard lane and shoulder widths and proximity of the guardrails to the travel lanes restrict the ability of drivers to avoid hazards within each directional travel lane without veering off the roadway causing direct impacts. According to "*Evaluation of the Safety Effectiveness of the Conversion of Two-Lane Roadways to Four-Lane Divided Roadways: Bayesian vs. Empirical Bayes*" referenced on the Federal Highway Administration (FHWA) Crash Modification Factors (CMF) Clearinghouse, widening a rural two-lane roadway to a four-lane divided roadway can help decrease fatal and injury crashes by 45 percent. In addition, due to the roadway's current configuration, there is limited space for an emergency service vehicle to pass to respond to a situation during periods of congestion or to accommodate a disabled vehicle to prevent it from obstructing traffic flow. According to the Highlands County Sheriff's Office, one of the two travel lanes (if not both) is often blocked during traffic incidents.

S.R. 70 is part of the emergency evacuation route network designated by the Florida Division of Emergency Management (FDEM) as well as the network established by Highlands County. This roadway is critical in facilitating traffic during emergency evacuation periods as it connects to other arterials and highways of the state evacuation route network such as U.S. 27 (on the west) and C.R. 721 (on the east) and serves as only one of two east-west facilities with S.R. 66/U.S. 98 being the other that traverses Highlands County. Under various FDEM evacuation scenarios for different storm events, FDEM noted that S.R. 70 has some of the longest lasting vehicle queues in the Central Florida region, contributing to prolonged clearance times. Clearance time, comprised of time required for mobilization of the evacuating population, travel time, and the delay time caused by traffic congestion, is one input used by County emergency managers to determine when to recommend an evacuation order and is a key factor pertaining to public safety during an evacuation event.

The project is anticipated to address deficiencies of the roadway which may reduce crashes (including fatalities) and lead to enhanced emergency evacuation capabilities and incident response times.

SECONDARY NEEDS:

AREA WIDE NETWORK/SYSTEM LINKAGE: Maintain Important East-West Connectivity within the Regional Transportation Network:
S.R. 70 is one of four corridors connecting Central and South Florida's west and east coasts as it spans from U.S. 41 in Manatee County (west coast) to U.S. 1 in St. Lucie County (east coast). It also connects to several major north-south transportation facilities of the state, including U.S. 41, I -75, U.S. 17, U.S. 27, U.S. 441, Florida's Turnpike, I-95, and U.S. 1. With the nearest available parallel east-west facilities being located over 10 miles to the north and south, S.R. 70 is integral to facilitating east-west travel within the regional transportation network of Florida's heartland.

The project is intended to complement other S.R. 70 corridor safety and traffic operational improvements identified in the 2029 - 2045 SIS Long Range Cost Feasible Plan from C.R. 675 in Manatee County to U.S. 98 in Okeechobee County. In turn, the improvements are anticipated to maintain the corridor's function as a designated SIS highway corridor and important east-west connection for freight and commuters across the Central Florida region and state.

TRANSPORTATION DEMAND
: Accommodate Freight Activity
As part of Florida's SIS highway network, S.R. 70 connects regionally important routes (such as I-75, U.S. 27, Florida's Turnpike, and I-95) as well as serves as a regional through route for long-haul truck volumes and provides access to agricultural/ranching operations, industrial/commercial areas, and other intensive freight activity centers within Central Florida. The 2022 Annual Average Daily Traffic (AADT) volume for the project corridor of is 5,600 vehicles per day, of which 32% is truck traffic. Truck volumes along S.R. 70 are expected to increase in the future as freight distribution and logistics activities continue to gain economic significance in Central Florida counties through the rapid growth occurring along the I-4 and I-75 corridors within the broader region. According to the HRTPO *2045 LRTP*, Highlands County is in the process of diversifying their economy, expanding the potential for freight distribution and logistics activity development. With the major metro markets of Orlando, Tampa, and Fort Myers being located nearly equidistant to Highlands County and more than 86 percent of Florida's population being located within a 150-mile (or two-hour) radius of Highlands County, the S.R. 70 improvements are intended to accommodate increased population and employment growth as well as support the vision of the county and larger region to grow as a trade hub.

According to the FDOT District 1, *Freight Mobility and Trade Study: Technical Memorandum 5 - Freight Improvements Prioritization*, improvements to S.R. 70 are the #1 long-term priority in Highlands County to facilitate the future growth of freight traffic in the region. Additionally, the HRTPO, its committees, and community stakeholders have identified S.R. 70 as the highest priority transportation facility in the region in need of improvements due to concerns pertaining to safety, freight mobility, and economic growth. The project improvements are aligned with the goals of these plans and SIS objectives of promoting interregional transportation linked to economic development.

PROJECT STATUS
The proposed improvements along S.R. 70 from East of Lonesome Island Road to NW 38th Terrace (near downtown Okeechobee) are identified in the Heartland Regional Transportation Planning Organization (HRTPO) 2045 *Long Range Transportation Plan* (LRTP) Cost Feasible Plan with Other Arterial (OA) Future Funding fiscal year (FY) 2031-2035 for safety improvements and/or a PD&E Study. The HRTPO Transportation Improvement Program (TIP) for Fiscal Years (FY) 2025/2026 - 2029/2030 was adopted on June 18, 2025, and has identified the project in the FY 2029/2030 Transportation Project Priorities list. Funding for the subsequent project phases, consisting of final design, ROW acquisition, and construction, are not yet programmed within the FDOT State Transportation Improvement Program (STIP) Five-Year

Work Program. However, the next project phase, final design, is listed in the work program as "candidate" status funding. As noted, funding for the project as well as the project limits differ across plans; the identified plans will need to be modified to reflect consistency.

1.3 Planning Consistency

The HRTPO adopted the 2045 LRTP on March 10, 2021. Although SIS designated roadways are typically prioritized through the Florida SIS Plan, the 2045 LRTP looks to advance improvements on S.R. 70 with available OA funding. This project is listed in the 2045 LRTP as improvements funded with OA funds as "Safety Improvements and/or PD&E" but currently not for future phases. This project is also listed in the FDOT SIS Cost Feasible Plan 2035- 2050, 2024 edition, as cost feasible.

The HRTPO TIP for FY 2025/2026 - 2029/2030 was adopted on June 18, 2025, and has identified the project in the FY 2029/2030 Transportation Project Priorities list. The PD&E Study for the project is identified in the FDOT Work Program in FY 2025. Funding for the subsequent project phases, consisting of final design, ROW acquisition, and construction, are not yet programmed within the FDOT Five-Year Work Program. However, the next project phase, final design, is listed in the work program as "candidate" status funding.

Currently Adopted LRTP-CFP	COMMENTS
No	This project is listed in the 2045 LRTP as improvements funded with OA funds as "Safety Improvements and/or PD&E" but subsequent project phases are not included. The HRTPO TIP for FYs 2025/2026 - 2029/2030 was adopted on June 18, 2025, and has identified the project in the FY 2029/2030 Transportation Project Priorities list. The STIP (adopted July 1, 2025) does not include funding for PE at this time.

	Currently Approved	$	FY	COMMENTS
PE (Final Design)				
TIP	N			
STIP	N			
R/W				
TIP	N			
STIP	N			
Construction				
TIP	N			
STIP	N			

2. Environmental Analysis Summary

Issues/Resources	Significant Impacts?* Yes	No	Enhance	NoInv
3. Social and Economic				
1. Social	☐	☒	☐	☐
2. Economic	☐	☒	☐	☐
3. Land Use Changes	☐	☒	☐	☐
4. Mobility	☐	☐	☒	☐
5. Aesthetic Effects	☐	☒	☐	☐
6. Relocation Potential	☐	☐	☐	☒
7. Farmland Resources	☐	☒	☐	☐
4. Cultural Resources				
1. Section 106 of the National Historic Preservation Act	☐	☒	☐	☐
2. Section 4(f) of the USDOT Act of 1966, as amended	☐	☐	☐	☒
3. Section 6(f) of the Land and Water Conservation Fund	☐	☐	☐	☒
4. Recreational Areas and Protected Lands	☐	☐	☐	☒
5. Natural Resources				
1. Protected Species and Habitat	☐	☒	☐	☐
2. Wetlands and Other Surface Waters	☐	☒	☐	☐
3. Essential Fish Habitat (EFH)	☐	☐	☐	☒
4. Floodplains	☐	☒	☐	☐
5. Sole Source Aquifer	☐	☒	☐	☐
6. Water Resources	☐	☒	☐	☐
7. Aquatic Preserves	☐	☐	☐	☒
8. Outstanding Florida Waters	☐	☐	☐	☒
9. Wild and Scenic Rivers	☐	☐	☐	☒
10. Coastal Barrier Resources	☐	☐	☐	☒
6. Physical Resources				
1. Highway Traffic Noise	☐	☒	☐	☐
2. Air Quality	☐	☒	☐	☐
3. Contamination	☐	☒	☐	☐
4. Utilities and Railroads	☐	☒	☐	☐
5. Construction	☐	☒	☐	☐

USCG Permit

☒ A USCG Permit IS NOT required.

☐ A USCG Permit IS required.

*** Impact Determination:** Yes = Significant; No = No Significant Impact; Enhance = Enhancement; NoInv = Issue absent, no involvement. Basis of decision is documented in the following sections.

3. Social and Economic

The project will not have significant social and economic impacts. Below is a summary of the evaluation performed.

3.1 Social

The proposed roadway widening will enhance safety conditions for all roadway users. As previously mentioned, S.R. 70 serves as part of the emergency evacuation route network designated by the FDEM and plays a critical role in facilitating traffic during emergency evacuation periods as it is one of the few roadways connecting the west and east Florida coasts. It also connects to other designated state evacuation routes aligned in a north-south direction, including U.S. 41, U.S. 301, I-75, U.S. 17, U.S. 27, U.S. 98, U.S. 441, the Florida's Turnpike, I-95, and U.S. 1. The project will improve emergency response times and access for the people living and working in the project region and for freight traffic. In addition, the Preferred Alternative provides pedestrian and bicycle facilities to enhance multi-modal opportunities. No public controversy has occurred on the project, and a summary of the public involvement activities is included in **Section 9** of this document.

The project is located within unincorporated southern Highlands County and adjacent to the county line with unincorporated Glades County. The project area primarily consists of agricultural operations, including sod and cattle farms as well as field crops. There is one church, the Brighton Baptist Church, west of the intersection of S.R. 70 and C.R. 721 South. No other community features (such as schools, community centers, healthcare facilities, etc.) are within the vicinity of the project.

The S.R. 70 Preferred Alternative utilizes existing FDOT ROW and requires 183.2 acres of additional ROW for the roadway widening and 148.5 acres for the SMF and FPC sites. The total additional ROW is approximately 331.7 acres and involves seven parcels. The SMF and FPC sites are situated on parcels that are also included in the count for the parcels for roadway widening. In addition, approximately 20.7 acres of easements are needed from the SFWMD for roadway widening along canals C-41, C-40 and C-39A. There are no business relocations or residential relocations required or proposed with the Preferred Alternative.

Community Analysis

The demographics of the project study area were obtained through a *Sociocultural Data Report* (SDR-August 2025) analysis. Because of the rural project area and surrounding area, the *SDR* evaluated demographics within one quarter-mile (1,320 feet) of the study area, using the intersecting feature which allows the compiled data to include the full census block groups that intersect with the quarter-mile buffer. **Table 3-1** summarizes the demographics of the study area based on the 2010 Census data. This was the most current Census data available as listed in the *SDR*. More recent Census data for year 2020 as well as the American Community Survey (ACS) 2019-2023 is available for Highlands and Glades Counties as a whole, **Table 3-1** provides the ACS 2019-2023 Census data for the county level for comparison. The study area has a lower minority population, lower Hispanic population, lower population below poverty, and lower Limited English Proficiency (LEP) population as compared to the counties as a whole. Additionally, there is a lower elderly population as compared to the Highlands County and Glades County average. No disproportional impacts to distinct communities will occur.

Demographic Item	Project Area	Highlands County	Glades County
Minority Population (Race and Ethnicity)	31.25%	35.79%	44.90%
Median Age (years)	45	54.2	45.8

Population Under Age 5	6.25%	4.12%	2.96%
Population Age 65 and Over	25.00%	35.93%	26.56%
Median Household Income	$35,687	$55,581	$38,905
Population Below Poverty Level	0.00%	15.39%	21.15%
Households with Public Assistance Income	0.00%	1.92%	4.41%
Population Ages 20-64 with a Disability	0.00%	16.50%	13.84%
Owner-Occupied Units	55.56%	62.42%	54.96%
Occupied Units with No Vehicle	0.00%	5.50%	2.04%
Source: SDR, US Census 2010 data for Project Area, ACS 2019-2023 for Highlands & Glades County			

Table 3-1: Demographic Comparison - Project Area vs. Highlands & Glades Counties

*"Other" includes Asian, American Indian, Native Hawaiian & Other Pacific Islander Alone, Some Other Race, and Two or More Races

Community Cohesion

The impacts to parcels resulting from the Preferred Alternative will not impact community cohesion, community characteristics, special community designations, community goals, or quality of life as surrounding agricultural activities and land uses will remain in locations surrounding the project area. In fact, the Preferred Alternative includes one segment of new S.R. 70 roadway alignment to avoid impacts to community features that would result if the roadway widening were to remain on the existing S.R. 70 alignment in these areas. This location includes businesses and a church near at the east end of the project limits (S.R. 70 and C.R. 721 South intersection). Therefore, ROW impacts will not prevent community features from continuing to service the community.

3.2 Economic

S.R. 70 is part of the SIS highway network, providing regional access to employment centers, agricultural lands, and residential areas across the state as well as facilitating the movement of significant truck traffic. The project segment of S.R. 70 currently supports a number of agricultural operations. The project corridor is located within Highlands County, which is part of the six-county South Central Rural Area of Opportunity (RAO), a program defined under State of Florida legislature to encourage and facilitate the location and expansion of economic development projects of significant scale in rural communities to spur job creation (particularly high skill and high wage jobs). According to the HRTPO 2045 *LRTP*, Highlands County is in the process of diversifying their economy to expand opportunities to attract sectors beyond the traditional industries such as agriculture, business services, and natural resources. Freight distribution and logistics activities continue to gain economic significance in Central Florida counties including the S.R. 70 corridor.

Access to adjacent land uses will be maintained throughout and after construction of the proposed capacity improvements. There will be no adverse impacts to businesses, or the tax base within the project area; The project is expected to have minimal economic impacts along the project corridor.

3.3 Land Use Changes

The existing and future land use maps for the portion of Highlands and Glades Counties that encompass the project area are attached. Florida Land Use Cover and Forms Classification System (FLUCCS) data, and aerial photographs were utilized to determine current land use within the corridor. For evaluating land use within the study area, a 500-ft buffer was created from the existing centerline of S.R. 70 and surrounding preferred SMF and FPC sites.

Approximately 90% of the project study area is varied agricultural uses as shown in **Table 3-2**. The primary land use impacted by the roadway corridor is agricultural.

FLUCCS Code	Description	Acres	Percentage
118	Rural Residential	0.0	0.0%
140	Commercial And Services	8.1	0.4%
211	Improved Pastures	1,258.2	60.1%
212	Unimproved Pastures	81.1	3.9%
213	Woodland Pastures	31.6	1.5%
215	Field Crops	56.5	2.7%
221	Citrus Groves	258.1	12.3%
224	Abandoned Groves	12.5	0.6%
242	Sod Farms	9.2	0.4%
261	Fallow Cropland	160.4	7.7%
320	Upland Shrub and Brushland	18.0	0.9%
512	Channelized Waterways, Canals	36.8	1.8%
617	Mixed Wetland Hardwoods	0.7	0.0%
641	Freshwater Marshes/Gramanoid Prarie - Marsh	89.3	4.3%
643	Wet Prairies	17.3	0.8%
644	Emergent Aquatic Vegetation	3.3	0.2%
747	Dikes And Levees	51.3	2.5%
TOTAL		2,092.4	100.0%

Table 3-2: Existing Land Use by FLUCCS Code

According to the Highlands County and Glades County Future Land Use Maps, the project area will continue to support agricultural along with conservation land uses. However, as previously mentioned, Highlands County is in the process of diversifying their economy to expand opportunities to attract sectors beyond the traditional industries such as agriculture, business services, and natural resources. Freight distribution and logistics activities continue to gain economic significance in Central Florida counties including the S.R. 70 corridor. Therefore, while moderate changes to adjacent land uses will occur with the conversion of frontage areas to the expanded roadway, overall land use changes are not anticipated based on future land use maps and the HRTPO LRTP. Based on the future land use map and proposed improvements, the proposed project will not induce secondary development or change existing land use patterns.

Prime farmland is discussed in **Section 3.7**. In addition to potential impacts to prime farmland, approximately 82.8 acres of current agriculture use, consisting of rangeland and citrus row crops, are proposed for impact.

3.4 Mobility

The project is part of the S.R. 70 corridor which is the main west-east highway facility across the state of Florida, linking the west coast to the east coast. S.R. 70 serves as a major freight route facilitating connections to north-south facilities including I-75, U.S. 27, Florida's Turnpike and I-95. S.R. 70 is part of the SIS network of Highway Corridors and Connectors. The project segment of S.R. 70 is designated as an evacuation route by the FDEM, and the Highlands County Division of Emergency Management.

The Preferred Alternative will enhance mobility with widening of the S.R. 70 corridor to four lanes by
1) enhancing operational capacity of the corridor, thereby improving emergency evacuation/response times as well as access for standard roadway maintenance;
2) improving safety conditions by dispersing traffic;

3) providing a continuous four-lane connection and up-to-standards SIS highway corridor across the state by complementing other sections of S.R. 70 to be widened up to four lanes; and
4) supporting initiatives of the South Central RAO.

Therefore, the Preferred Alternative is anticipated to enhance mobility within the project study area.

There is no impact to mobility for non-driving populations as there are no transit routes along the project corridor. Also, there are no existing sidewalks or shared use paths within the project area. Therefore, the Preferred Alternative will enhance mobility for non-driving populations by providing a shared-use path for pedestrians and bicyclists to use in lieu of the SR 70 roadway or shoulder.

3.5 Aesthetic Effects

The project area primarily consists of agricultural activities (pasturelands, sod farms and field crops). According to the attached Highlands County Future Land Use Maps, the area encompassing the project segment will continue to support agricultural activities and objectives of the Conservation Partnership Areas of the Everglades Headwaters National Wildlife Refuge and Conservation Area. The proposed improvements to S.R. 70 are intended to support the agricultural operations of the area and RAO initiatives. As such, the project is consistent with the future land use vision and aesthetic character of the corridor.

3.6 Relocation Potential

The proposed project, as presently conceived, will not displace any residences or businesses within the community. Should this change over the course of the project, a Right of Way and Relocation Assistance Program will be carried out in accordance with Section 421.55, Florida Statutes, Relocation of displaced persons, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

3.7 Farmland Resources

This project is subject to the provisions of the *Farmland Protection Policy Act of 1981* because the project is located in a non-urbanized area with designated farmlands. There are properties containing farmlands that are proposed to be impacted with the Preferred Alternative. Therefore, a *Farmland Impact Rating Form* was completed and coordination with Natural Resources Conservation Service (NRCS) was requested on 1/31/2025 and 3/4/2025 to complete form *NRCS-CPA-106*. A *Farmlands Memo* (March 2025) is in the project file which includes the coordination with NRCS. The project's total number of points indicated in Part VII is 117.7. Since the corridor received a total score of less than 160 points, no additional consideration for farmland or coordination with NRCS is required.

4. Cultural Resources

The project will not have significant impacts to cultural resources. Below is a summary of the evaluation performed.

4.1 Section 106 of the National Historic Preservation Act

A Cultural Resource Assessment Survey (CRAS), conducted in accordance with 36 CFR Part 800, was performed for the project, and the resources listed below were identified within the project Area of Potential Effect (APE). FDOT found that these resources do not meet the eligibility criteria for inclusion in the National Register of Historic Places (NRHP), and State Historic Preservation Officer (SHPO) concurred with this determination on 10/06/2025 Therefore, FDOT, in consultation with SHPO has determined that the proposed project will result in No Historic Properties Affected.

The *CRAS* was published for the project in August 2025, and includes the proposed roadway improvements along S.R. 70 and the preferred SMF and FPC sites. The archaeological APE is limited to the footprint of construction and the area contained within the proposed pond sites. The historic/architectural APE includes resources located within 500 ft from the edge of the proposed ROW where road widening and new road construction will occur, as well as resources located within 200 ft from the existing ROW on the opposite side of the road widening where no ROW acquisition is anticipated. In addition, the historic/architectural APE for the pond sites includes the footprint of construction and immediately adjacent parcels as contained within 100 ft. The fieldwork for the corridor was conducted from September to October 2024 and for the ponds in March 2025.

The archaeological survey consisted of pedestrian survey and systematic shovel testing within the archaeological APE. There were no archaeological sites that have been previously recorded within the current APE. A total of 250 shovel tests were excavated during the archaeological survey, with four shovel tests positive for cultural material.

As a result of the survey, evidence of one new archaeological site (8HG01682) and one archaeological occurrence (AO) was discovered. FDOT determined the archaeological site is not eligible for listing in the NRHP as found within the archaeological APE and AO's are not considered sites. No other archaeological sites, features, or occurrences were identified, and no further archaeological work is recommended.

The architectural history background research indicated three historic resources (8HG01125, 8HG01126, and 8GL00476) were previously recorded within the APE. These include segments of three linear resources - the Harney Pond Canal (C-41) (8HG01125), the Indian Prairie Canal (C-40) (8HG01126), and the C-39A Canal (8GL00476) - all of which have were found to have insufficient information to make a determination of NRHP eligibility by the SHPO. In addition, unrecorded segments of S.R. 70 (8HG01306), S.R. 70 Canal (North) (8HG01722), and S.R. 70 Canal (South) (8HG01723) were identified within the APE.

Historical/architectural field survey resulted in the identification of 17 historic resources within the APE. Of the 17 historic resources identified within the APE, FDOT determined that 15 are ineligible for listing in the NRHP. FDOT determined that two historic resources within the APE are eligible or appear eligible for listing in the NRHP under Criterion A in the areas of Community Planning and Development and Agriculture. These include segments of the Harney Pond Canal (C-41) (8HG01125) and the Indian Prairie Canal (C-40) (8HG01126/8GL00560). Based on the scope of work at each location, the Preferred Alternative will include the construction of a new bridge carrying a divided four-lane highway to the north of

the existing bridges (Bridge No's. 090920 and 090009). Although this will result in a new bridge footprint and alteration to the earthen bank along the linear resources, these alterations are in keeping with the existing conditions within the APE. Therefore, FDOT recommended that the proposed undertaking will have no adverse effect on the Harney Pond Canal (C-41) (8HG01125) or the Indian Prairie Canal (C-40) (8HG01126/8GL00560). No further architectural history work is recommended for the proposed corridor work.

The SHPO concurrence letter, dated October 6, 2025, is attached and the *CRAS* (September 2025) is part of the project file.

4.2 Section 4(f) of the USDOT Act of 1966, as amended

There are no properties in the project area that are protected pursuant to Section 4(f) of the USDOT Act of 1966.

4.3 Section 6(f) of the Land and Water Conservation Fund Act of 1965

There are no properties in the project area that are protected pursuant to Section 6(f) of the Land and Water Conservation Fund of 1965.

4.4 Recreational Areas and Protected Lands

There are no other protected public lands in the project area

5. Natural Resources

The project will not have significant impacts to natural resources. Below is a summary of the evaluation performed:

5.1 Protected Species and Habitat

The following evaluation was conducted pursuant to Section 7 of the Endangered Species Act of 1973 as amended as well as other applicable federal and state laws protecting wildlife and habitat.

The *Natural Resources Evaluation* (NRE) Report (August 2025) and *NRE Addendum* (October 2025) were prepared under separate cover and included in the project file. The project study area and preferred SMF and FPC sites were evaluated for the presence of federal and state listed species, protected species, and their habitat.

Literature review, database searches, field assessments, and species-specific surveys of the study area were completed to identify the potential occurrence of protected species and/or presence of federally-designated critical habitat. The *NRE* and *NRE Addendum* documented current environmental conditions along the corridor and assessed the potential for impacts to habitat and protected species. The *NRE* identified current environmental permitting and regulatory agency requirements for the project. Finally, the *NRE* was sent for review and comments from regulatory agencies with jurisdiction over the project study area.

The Preferred Alternative is located within the U.S. Fish and Wildlife Service (USFWS) Consultation Area (CA) for the bluetailed mole skink *(Plestiodon egregius lividus)*, sand skink *(Plestiodon reynoldsi)*, Audubon's crested caracara *(Caracara plancus audubonii)*, Everglade snail kite *(Rostrhamus sociabilis)*, Florida grasshopper sparrow *(Ammodramus savannarum floridanus)*, Florida scrub-jay *(Aphelocoma coerulescens)*, Florida bonneted bat *(Eumops floridanus)* and Lake Wales Ridge plants.

No designated critical habitat is present within the project action area. Therefore, it was determined that the proposed project "will not result in destruction or adverse modification" to designated critical habitat.

Species-specific surveys were conducted for the Audubon's crested caracara and Florida bonneted bat. The Audubon's crested caracara survey was conducted in January 2023 through May 2023, and the Florida bonneted bat acoustic survey was completed in May 2024. The surveys documented five Audubon's crested caracara nests along the project limits. Three of these nests located along the project limits are within the Audubon's crested caracara nest primary protection zone and two of the nests are located within the secondary protection zone. Additionally, the bat acoustic survey documented Florida bonneted bats foraging within the project study area.

The project area was generally surveyed for presence of applicable federal and state protected species in February and May of 2024.

Table 5-1 and **Table 5-2** summarize the effect determinations that have been made for each federal and state listed species based upon their potential for occurrence, results of species-specific surveys, and the use of implementation measures and/or commitments to offset any potential impacts to each species.

Project Effect Determination	Federal Listed Species and Listing Status (E = Endangered, T = Threatened, P = Proposed for Listing)
"Not Applicable"	Tricolored bat *(Perimyotis subflavus)* - P
"No effect"	Pygmy fringe-tree *(Chionanthus pygmaeus)* - E
	Pigeon wings *(Clitoria fragrans)* - T
	Short-leaved rosemary *(Conradina brevifolia)* - E
	Avon Park harebells *(Crotalaria avonensis)* - E
	Garrett's mint *(Dicerandra christmanii)* - E
	Scrub mint *(Dicerandra frutescens)* - E
	Snakeroot *(Eryngium cuneifolium)* - E
	Highlands scrub hypericum *(Hypericum cumulicola)* - E
	Scrub blazingstar *(Liatris ohlingerae)* - E
	Papery whitlow-wort *(Paronychia chartacea)* - T
	Lewton's polygala *(Polygala lewtonii)* - E
	Wireweed *(Polygonella basiramia)* - E
	Sandlace *(Polygonella myriophylla)* - E
	Carter's mustard *(Warea carteri)* - E
	Florida ziziphus *(Ziziphus celata)* - E
	Florida perforate cladonia *(Cladonia perforata)* - E
	Blue-tailed mole skink *(Plestiodon egregius lividus)* - T
	Sand skink *(Plestiodon reynoldsi)* - T
	Florida grasshopper sparrow *(Ammodramus savannarum floridanus)* - E
	Florida scrub-jay *(Aphelocoma coerulescens)* - T
"May affect, not likely to adversely affect"	Florida bonneted bat *(Eumops floridanus)* - E
	Eastern black rail *(Laterallus jamaicensis jamaicensis)* - T
	Wood stork *(Mycteria americana)* - T
	Everglade snail kite *(Rostrhamus sociabilis plumbeus)* - E
"May affect, likely to adversely affect"	Audubon's crested caracara *(Caracara plancus audubonii)* - T
	Eastern indigo snake *(Drymarchon couperi)* - T
	Florida panther *(Puma concolor coryi)* - E

Table 5-1: Federal Endangered Species Effect Determinations

Project Effect Determination	State Listed Species and Listing Status (E = Endangered, T = Threatened)
"No adverse effect anticipated"	Florida goldenaster *(Chrysopsis floridana)* - E
	Piedmont jointgrass *(Coelorachis tuberculosa)* - T
	Cutthroatgrass *(Coleataenia abscissa)* - E
	Hammock rein orchid *(Habenaria distans)* - E
	Florida hartwrightia *(Hartwrightia floridana)* - T
	Edison's ascyrum *(Hypericum edisonianum)* - E
	Thick-leaved water-willow *(Justicia crassifolia)* - E
	Small's flax *(Linum carteri smallii)* - E
	Lowland loosestrife *(Lythrum flagellare)* - E
	Toothed maiden fern *(Meniscium serratum)* - E
	Narrowleaf naiad *(Najas filifolia)* - T
	Yellow fringeless orchid *(Platanthera integra)* - E
	Redmargin zephyrlily *(Zephyranthes simpsonii)* - T
	Gopher tortoise *(Gopherus polyphemus)* - T
	Florida pine snake *(Pituophis melanoleucus mugitus)* - T
	Florida sandhill crane *(Antigone canadensis pratensis)* - T
	Florida burrowing owl *(Athene cunicularia floridana)* - T
	Little blue heron *(Egretta caerulea)* - T
	Tricolored heron *(Egretta tricolor)* - T
	Southeastern American kestrel *(Falco sparverius paulus)* - T

	Roseate spoonbill *(Platalea ajaja)* - T

Table 5-2: State Listed Species Effect Determinations

Federal Listed Species

Eastern Indigo snake (T): USFWS has historical documentation eastern indigo snake occurrences within the project study area. Due to a historical documentation of the eastern indigo snake along S.R. 70 and suitable habitat being present, the project resulted in an effect determination of "may affect, likely to adversely affect" for the eastern indigo snake. FDOT Office of Environmental Management (OEM) initiated formal Section 7 Consultation with USFWS, and a *Biological Opinion* was issued on November 25, 2025, and is attached. The *Biological Opinion* concluded that the project is not likely to jeopardize the continued existence of the eastern indigo snake based on the FDOT commitment to implement eastern indigo snake standard protection measures during construction, and FDOT will provide 152.80 eastern indigo snake acre credits from Platt Branch Mitigation Bank (PBMB), which include land cover types that provide habitat for the eastern indigo snake. The FDOT will provide USFWS with a letter or email from the PBMB stating that the credit ledger for the bank has been revised to reflect the deduction of credits. The FDOT will not commence construction of the proposed project until a response email or letter from USFWS has been received stating that they have received the document. The following commitment was also added for the eastern indigo snake. Due to the project not currently being funded for construction, if eastern indigo snake credits are not available from PBMB, FDOT will contribute $78,000 to the Eastern Indigo Snake Conservation Fund or an agreed amount by USFWS if a portion of the credits are provided by PBMB.

Audubon's crested caracara (T): There is suitable nesting habitat for the Audubon's crested caracara and during the 2023 species-specific survey, five Audubon's crested caracara nests were documented along the project limits. The Preferred Alternative and pond sites are located within the Audubon's crested caracara nest primary protection zone of three nests. Therefore, the project effect determination resulted in a " may affect, likely to adversely affect" for the Audubon's crested caracara. Formal Section 7 consultation was completed with USFWS, and a *Biological Opinion* was issued based on the following commitments.

- FDOT will provide a financial contribution of $89,476.20 to the Crested Caracara Conservation Fund for the project's impacts to Audubon's crested caracara primary zones of three nests.
- A standard reconnaissance survey for Audubon's crested caracara nests will be completed prior to construction to identify any active nest location(s) to ensure accurate impact analysis.

Florida bonneted bat (E): There is suitable foraging habitat along the project corridor for the Florida bonneted bat, and it was documented during the project's acoustic survey completed in May 2024. Therefore, FDOT has made the following commitments for the Florida bonneted bat best management practices.

- In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #1: If potential roost trees or structures need to be removed, check cavities for bats 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 USFWS on how to proceed.
- In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #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.
- In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #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 and roost.

- In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #11: Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly lighting (i.e., downward facing, and lowest lumens possible). Avoid permanent night-time lighting to the greatest extent practicable.

With the commitments for the Florida bonneted bat, the project effect determination resulted in a " may affect, not likely to adversely affect" the Florida bonneted bat.

Wood stork (T): Suitable habitat is present for within the project area for the wood stork and individuals were observed during field reviews in February and May of 2024. A wood stork foraging analysis was conducted, included in Appendix J of the *NRE*, to determine the amount of biomass lost from wetlands and surface waters due to the Preferred Alternative. The anticipated loss of 80.98 acres of suitable wood stork foraging areas. There project results in no loss of short hydroperiod wetlands and 80.98 acres of long hydroperiod wetlands being impacted. The analysis resulted in a net loss of 141.93 kilograms of total biomass (fish and crayfish). To offset impacts to wood stork suitable foraging habitat, the following commitment has been made; FDOT will provide mitigation for impacts to wood stork Suitable Foraging Habitat within the Service Area of a Service-approved wetland mitigation bank or wood stork conservation bank. Therefore, utilizing the wood stork key for south Florida, the project was determined to "may affect, not likely to adversely affect" the wood stork.

Everglade snail kite (E): The project area contains suitable foraging habitat for the Everglade snail kite but no suitable nesting habitat was documented adjacent to the project limits. Everglade snail kites were observed foraging in canals north of the project area, but no nesting activity or nests were observed. With the mitigation of the project's proposed wetland impacts, an effect determination of " may affect, not likely to adversely affect" the Everglade snail kite was made for the project.

Eastern black rail (T): The project area contains no suitable nesting habitat for the eastern black rail and there are no documented occurrences in the surrounding area. However, FDOT commits to; if eastern black rails are observed in the project's action area prior to or during construction, consultation with USFWS will be reinitiated. With the commitment, an effect determination of " may affect, not likely to adversely affect" the eastern black rail was made for the project.

Florida panther (E): While the project action area is not in the USFWS Florida Panther Focus Area or the Florida Panther Dispersal Zone, the project is within a Thatcher Dispersal Pathway, a designated area that provides suitable habitat for the Florida panther and is one of the most likely dispersal routes based on models. There were no observations of the Florida panther during field reviews. A Florida panther (UCFP456) road mortality was documented in 2024 within the project action area. Based on the Florida Panther Effect Determination Key and mortality in the Thatcher Dispersal Pathway, an effect determination of " may affect, likely to adversely affect" the Florida panther was made for the project. To assist with movement of the Florida panther north of S.R. 70 and to complete formal Section 7 Consultation with issuance of the *Biological Opinion*, FDOT made the following commitments:

- FDOT will mitigate habitat impacts to the Florida panther by providing 951 Panther Habitat Units (PHUs) from the Platt Branch Conservation Mitigation Bank.
- FDOT will design and construct wildlife shelves at the bridge crossings over the SFWMD canals (Canal C-40 and C-41), per current wildlife crossing guidelines.
- FDOT will coordinate with SFWMD to evaluate each canal crossing to determine locations and lengths of herpetofauna funnel fencing to be installed without precluding SFWMD canal access and maintenance of canals.
- FDOT will install landscaping utilizing native vegetation within the FDOT right-of-way and limits of funnel fencing.

For the remaining federal listed species in **Table 5-1**, an effect determination of "no effect" was made for these species as result of no direct observations or no suitable habitat being located in the project area. No specific-species surveys were

done for these flora or faunas.

The monarch butterfly *(Danaus plexippus)* is proposed to be listed as threatened under the Endangered Species Act by the USFWS. Further impact assessment and consultation with USFWS for this species will be required once a listing decision has been made. As a result, FDOT has made the following commitment: If the monarch butterfly is listed by USFWS as Threatened or Endangered, FDOT commits to reinitiating consultation with USFWS to determine appropriate avoidance and minimization measures for protection of the newly listed species.

On September 13, 2022, the USFWS announced a proposal to list the tricolored bat *(Perimyotis subflavus)* as endangered under the Endangered Species Act. Due to the proposed listing of the tricolored bat and FDOT effect determination of "not applicable" the following commitment has been made. If the tricolored bat is listed by the USFWS as threatened or endangered prior to the completion of construction, FDOT commits to reinitiating consultation with USFWS to determine appropriate avoidance and minimization measures.

State Listed Species

For all the state listed species included in **Table 5-2**, there were no species-specific surveys done. During the February and May 2024 field work, any observations of state listed species were recorded. There is suitable habitat in wetlands and uplands for all state listed species in **Table 5-2**. As a result, an effect determination of "no adverse effect anticipated" was made for all the state listed species included in **Table 5-2**.

Other Protected Species

The project will not impact other protected species which include the bald eagle *(Haliaeetus leucocephalus)* and Florida black bear *(Ursus americanus floridanus)*. Since the bald eagle and Florida black bear are not listed, a project effect determination was not made. Bald eagles were observed flying over the project limits during field reviews. However, no bald eagle nests or 660-foot protective nest buffer are within the project area. No Florida black bears were observed during field reviews however there are multiple documentations of Florida black bear occurrences and two (2) road mortalities. Therefore, to avoid attracting Florida black bears to the roadway during construction, FDOT has made the following commitment. FDOT will require contractors to remove garbage daily from the construction site or use bear proof containers for securing of food and other debris from the project work area to prevent these items from becoming an attractant for the Florida black bear (Ursus americanus floridanus). Any interaction with nuisance bears will be reported to the Florida Fish and Wildlife Conservation Commission (FWC) Wildlife Alert hotline 888-404-FWCC (3922).

Agency Coordination

The NRE was sent to Florida Fish and Wildlife Conservation Commission (FWC), National Marine Fisheries Service (NMFS), Florida Department of Agriculture and Consumer Services (FDACS), FDACS/Florida Forest Service (FFS), Florida Department of Environmental Protection (FDEP), SFWMD, U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) on September 10, 2025, in order to obtain comments from each agency. FWC provided a response letter on October 10, 2025, stating FWC agrees with the determinations of effect and supports the project implementation measures and commitments discussed in the *NRE*. Review comments were also received from NMFS (9/10/25), FDEP (10/3/25), FDACS/FFS (9/25/25), SFWMD (10/2/25), and USACE (10/10/25) and included in the project file.

On September 5, 2025, FDOT OEM transmitted the *NRE* to USFWS and request initiation of Section 7 Formal Consultation for the project's effects on the Florida panther, eastern black rail, eastern indigo snake and Audubon's crested caracara. USFWS requested additional information to complete formal consultation. As a result, the *NRE Addendum* (October 2025) was prepared and included changing the project's effect determination on eastern black rail to

"may affect, not likely to adversely affect". The USFWS issued a *Biological Opinion* on November 25, 2025 for the project which is attached.

5.2 Wetlands and Other Surface Waters

The following evaluation was conducted pursuant to Presidential Executive Order 11990 of 1977 as amended, Protection of Wetlands and the USDOT Order 5660.1A, Preservation of the Nation's Wetlands.

A *NRE* (August 2025) and a *NRE Addendum* (October 2025) were prepared under separate cover and are located in the project file.

The Preferred Alternative and preferred pond sites will result in 13.51 acres of wetland impacts (10.21 acres permanent and 3.30 acres secondary wetland impacts) and 72.20 acres of permanent impacts to other surface waters (ditches and canals). Wetlands to be impacted by the proposed improvements include freshwater marshes and wet prairies. A description of land use, dominant vegetation, soil type and other descriptors regarding these communities is provided in the *NRE*.

The Uniform Mitigation Assessment Methodology (UMAM) analysis was performed on representative wetland impact areas and resulted in a functional loss of 7.06 units (6.73 functional units for direct impacts and 0.33 functional units for secondary impacts). In 2024, the Lake Istokpoga Mitigation Bank was approved to sell federal and state freshwater wetland mitigation bank credits. Wetland impacts which will result from the construction of this project will be mitigated pursuant to Section 373.4137, F.S., to satisfy all mitigation requirements of Part IV of Chapter 373, F.S., and 33 U.S.C. 1344. The project area is located within the South Kissimmee Drainage Regulatory Basin. If wetland impacts cannot be mitigated in basin, then a cumulative impact analysis will be completed and coordinated with permitting agencies for review and approval of the project's required wetland mitigation.

Wetlands and surface waters are located within the jurisdictional boundaries of SFWMD and USACE. Due to the project's proposed wetland impacts, the project is anticipated to require a SFWMD Environmental Resource Permit and USACE 404 Permit.

Pursuant to Executive Order 11990 Protection of Wetlands, all federally funded highway projects are to protect wetlands to the fullest extent possible. In accordance with this policy, wetland and other surface water impacts have been minimized to the extent practicable by designing concepts within existing uplands, developed right-of-way and adjacent developed lands to reduce the project's footprint within adjacent wetlands and other surface waters. There is no practicable alternative to construction in wetlands. As avoidance and minimization measures have been applied with the development of the Preferred Alternative, and mitigation will be provided for any unavoidable wetland impacts. Therefore, the proposed project will have no significant short-term or long-term adverse impacts to wetlands or other surface waters.

The *NRE* was provided on September 10, 2025 to state and federal agencies as noted in **Section 5.1** , and all agency responses are included in the project file. The agencies either concurred or had minor comments.

5.3 Essential Fish Habitat (EFH)

There is no Essential Fish Habitat (EFH) in the project area.

5.4 Floodplains

Floodplain impacts resulting from the project were evaluated pursuant to Executive Order 11988 of 1977, Floodplain Management.

A *Pond Siting Report* (PSR) (December 2025) and *Location Hydraulics Report* (LHR) (August 2025) were prepared under separate cover and are located in the project file.

The project is mostly located within the Federal Emergency Management Agency (FEMA) Zone A which are areas of the 100-year floodplain. There are no FEMA floodways within the project study area. A floodplain map is included in Appendix F of the *LHR* (August 2025). Floodplain impacts were identified to calculate the cup for cup required area needed for the project's floodplain compensation sites.

The proposed roadway and associated drainage improvements were evaluated and do not result in adverse floodplain stage increases. This is due to the addition of the preferred FPC sites (FPC 1B and FPC 2-3B, FPC 4A, FPC 5A, FPC 6B, and FPC 7B) and increasing sizes of existing cross drains (CD-1 through CD-7). The PSR and LHR included documentation on the floodplain calculations. The proposed addition of the FPC sites and modification to existing cross drains will improve overall watershed flow within the project corridor. Therefore, the risk assessment of the proposed improvements with applicable mitigation measures associated with the Preferred Alternative will have minimal encroachments on the floodplain and will not result in significant impacts.

The impacts to the 100 year floodplain resulting from construction of fill within the floodplain, the modification of existing drainage structures and bridges, impacts next to stormwater management facilities adjacent to wetlands and storage areas for this project will be mitigated by floodplain compensation where required. The proposed structures will perform hydraulically in a manner equal to or better than the existing structures, and backwater surface elevations are not expected to increase. These changes may cause minimal increases in flood heights and flood limits; however, will not result in any significant adverse impacts on the natural and beneficial floodplain values or any significant changes in flood risk or damage.

Therefore, it has been determined that the project's floodplain encroachment is not significant.

5.5 Sole Source Aquifer

Biscayne Aquifer

The proposed project is located in a recharge area for the Biscayne Aquifer, a designated sole source aquifer. Pursuant to the Safe Drinking Water Act, as amended, 40 C.F.R. 149, the proposed project requires a sole source aquifer impact review and concurrence to ensure there is no potential for contamination. The EPA Sole Source Aquifer Project Review Form was completed for the project. The FDOT has determined that through the implementation of stormwater treatment facilities and best management practices, the proposed project will not impact the sole source aquifer.

The project's Sole Source Aquifer Project Review Form Section B was emailed to EPA on May 15, 2025. The EPA provided concurrence with a Sole Source Aquifer Review/Concurrence letter on June 16, 2025. The EPA concurrence letter is attached. With proper implementation of BMPs for the roadway construction and/or dewatering operations, the EPA finds that the project should have no significant impact to the aquifer system. Therefore, the FDOT will utilize Best Management Practices for the roadway construction and/or dewatering operations.

5.6 Water Resources

A *PSR* (December 2025) and *LHR* (August 2025) were prepared to address the stormwater management needs resulting from the Preferred Alternative. In addition, a *Water Quality Impact Evaluation* (WQIE) (June 2025) was prepared under separate cover for the project file. The *PSR*, *LHR* and *WQIE* are located in the project file.

There are seven existing drainage basins within the project study area which ultimately outfalls to waterbody identification number (WBID) 3204, Harney Pond Canal, and WBID 3206, Indian Prairie Canal, which both are impaired for nutrients. There are no existing SMF sites for S.R. 70. Nutrient loading calculations were performed and show a net reduction for the recommended SMF sites. The preferred pond sites were selected based on hydraulic and environmental considerations as well as preliminary right-of-way costs.

Water quality treatment for linear pond alternatives will provide treatment for 50% of 1-foot over the contributing basin or 50% of 2.5 feet over the impervious area, whichever is greater. Water quality treatment for offsite and regional pond alternatives provides the greater of 1-foot over the contributing basin or 2.5 feet over the impervious area. An additional 50% of water quality treatment has been added since all basins discharge to impaired waterbodies (WBID 3204/3206). Therefore, dry retention is treating 0.8 feet over the basin or 1.88 feet over the impervious area and the wet detention is treating 1.5 feet over the basin or 3.75 feet over the impervious area.

The proposed discharge rate for the 25 year/72 hour storm is limited to the existing rate and the proposed discharge rate for the 10 year/72 hour storm is limited to 35.4 CSM (cubic feet per second per square mile) according to the C-41 Basin Requirement. Due to the CSM discharge rate controls, the CSM volume was subtracted from the Post 10 year/72 hour volume to obtain the required attenuation.

The preferred SMF are SMF 1, SMF 2A, SMF 3A, SMF 4, SMF 5, SMF 6, and LIN 7L & LIN 7R.

The *WQIE* checklist resulted in a determination that water quality regulatory requirements apply to this project. Therefore, water quality and stormwater issues will be mitigated through compliance with the design requirements of authorized regulatory agencies, and the project will require an Individual Environmental Resource Permit (ERP) to obtain the project's water quality certification.

During future project phases and prior to construction, a SFWMD ERP permit and a National Pollutant Discharge Elimination System (NPDES) FDEP Construction Generic Permit will be required to construct the project. Also, a Stormwater Runoff Control Concept (SRCC) will be developed during the design phase and the SRCC will include a conceptual layout for sediment and erosion control. Construction BMPs for erosion and sediment control are anticipated to include use of silt fence, turbidity fence and floating turbidity curtains. Additional BMPs may include the use of dewatering structures and containment devices that will minimize adverse effects to water quality during construction by controlling turbid water discharges outside construction limits.

5.7 Aquatic Preserves

There are no aquatic preserves in the project area.

5.8 Outstanding Florida Waters

There are no Outstanding Florida Waters (OFW) in the project area.

5.9 Wild and Scenic Rivers

There are no designated Wild and Scenic Rivers or other protected rivers in the project area.

5.10 Coastal Barrier Resources

It has been determined that this project is neither in the vicinity of, nor leads directly to a designated coastal barrier resource unit pursuant to the Coastal Barrier Resources Act of 1982 (CBRA) and the Coastal Barrier Improvement Act of 1990 (CBIA).

6. Physical Resources

The project will not have significant impacts to physical resources. Below is a summary of the evaluation performed for these resources.

6.1 Highway Traffic Noise

The following evaluation was conducted pursuant to 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, and Section 335.17, F.S., State highway construction; means of noise abatement.

The project is identified as a Type I project pursuant to 23 CFR Part 772 and 335.17, F.S. A *Noise Contour Technical Memorandum* (NCTM) (June 2025) was prepared and is located in the project file. There is one receptor along the project limits, Brighton First Baptist Church. The existing S. R. 70 roadway segment in this vicinity just west of C.R. 721 S is being modified into a cul-de-sac with the Preferred Alternative, resulting in reduced traffic volumes and corresponding decrease in noise levels . Since this single noise sensitive site will not be impacted by the proposed roadway, a Noise Study Report is not required. The *NCTM* documented the noise contours to support local agencies in land use planning along the corridor and the predicted noise level for Brighton First Baptist Church.

Under existing conditions (2022), exterior traffic noise levels are predicted to be 64.5 decibels on an A-weighted scale [dB(A)], and 66.2 dB(A) with the future no-build condition. In the design year (2052) with the Preferred Alternative, traffic noise level is are predicted to be 53.3 dB(A). Traffic noise levels are not predicted to approach, meet, or exceed the Noise Abatement Criteria (NAC) of 66 dB(A) for Activity Category C at the Brighton First Baptist Church.

The traffic noise analysis produced noise contours for the Preferred Alternative. **Table 6-1** includes distances from the proposed improved roadway edge of travel to the predicted traffic noise impact area for each noise land use activity category in decibels dB(A).

Activity Category (NAC)	**Distance to Approach (within 1 dB(A)) of NAC for Activity Category (feet)***
A [56 dB(A)]	255 feet
B & C [66 dB(A)]	80 feet
E [71 dB(A)]	30 feet
Note	
*Distance is approximate and is referenced to the nearest through lane. Distance does not account for any reduction in noise levels that may be provided by berms, privacy walls or intervening structures. Distance does not account for any increase in noise levels that may be caused by a variation in the noise path, increase roadway elevation or increased elevation of the noise sensitive sites (i.e. second floor patio).	

Table 6-1: Noise Contours

Based on the existing land use within the limits of this project, construction of the proposed roadway improvements will not have any noise or vibration impact. If noise-sensitive land uses develop adjacent to the roadway prior to construction, additional impacts could result. It is anticipated that the application of the FDOT *Standard Specifications for Road and Bridge Construction* will minimize or eliminate most of the potential construction noise and vibration impacts. However, should unanticipated noise or vibration issues arise during the construction process, the Project Manager, in concert with the District Noise Specialist and the Contractor, will investigate additional methods of controlling these impacts.

6.2 Air Quality

This project is not expected to create adverse impacts on air quality because the project area is in attainment for all National Ambient Air Quality Standards (NAAQS) and because the project is expected to improve the Level of Service (LOS) and reduce delay and congestion on all facilities within the study area.
Construction activities may cause short-term air quality impacts in the form of dust from earthwork and unpaved roads. These impacts will be minimized by adherence to applicable state regulations and to applicable FDOT Standard Specifications for Road and Bridge Construction.

6.3 Contamination

A Level-I contamination evaluation was completed for the project and a *Contamination Screening Evaluation Report* (CSER) (August 2025) was prepared under separate cover and is included in the project file. It documents potential contamination concern along the project corridor. Based on the methodologies performed as part of this study, 39 potential contamination sites were identified as having the potential for hazardous material or petroleum impacts. Of these 39 sites, none (0) received an initial risk rating of "No", 7 sites received an initial risk rating of "Low", and 32 received an initial risk rating of "Medium". **Table 6-2** lists each potential contamination site and a map exhibit is attached.

Facility Site ID Number	Facility Name	Potential Contamination Type	Approximate Distance From Project (feet)	Risk Rating
22	Classic Turf	Hazardous Waste	1,000	Low
23	Woerner South Inc	Pesticides, Heavy metals	Within proposed concept	Low
28	Aaron Ranch Corp	Pesticides, Heavy metals	Within proposed concept	Low
29	Lykes Bros Inc	Pesticides, Hazardous materials	Within proposed concept	Low
30	Aaron Ranch Corp	Petroleum, Herbicides, Pesticides, Arsenic, and PCBs	200	Low
31	Lykes Bros Inc	Pesticides, Heavy metals	190	Low
39	Lykes Bros Inc	Pesticides, Heavy metals	Within proposed concept	Low
1	Agra Products LLC	Pesticides, Heavy metals	Within proposed concept	Medium
2	3 W Ranch LLC	Pesticides, Heavy metals	Within proposed concept	Medium
3	Jerry L Emmert	Pesticides, Heavy metals	Within proposed concept	Medium
4	South Wind Grove - Former Pump House	PCBs, Arsenic, Zinc, Pesticides	90	Medium
5	Jerry L Emmert	Pesticides, Heavy metals	Within proposed concept	Medium
6	Legends Ranch Fl LLC	Pesticides, Heavy metals	Within proposed concept	Medium
7	South Wind Grove - Former Pump House	PCBs, Arsenic, Zinc, Pesticides	20	Medium
8	3 W Ranch LLC	Pesticides, Heavy metals, Petroleum	Within proposed concept	Medium
9	3 W Ranch LLC	Pesticides, Heavy metals	Within proposed concept	Medium
10	Legends Ranch Fl LLC	Pesticides, Heavy metals, Petroleum	Within proposed concept	Medium

11	Florida Power + Light Co	Pesticides, Heavy metals	Within proposed concept	Medium
12	Suspected Cattle Dip Vat	Arsenic, DDT	230	Medium
13	Cattle Pen	Hazardous materials	200	Medium
14	Premier Citrus - Sunray Groves	Pesticides, Heavy metals	390	Medium
15	Above-Ground Storage Tank	Petroleum	100	Medium
16	Florida Power + Light Co	Pesticides, Heavy metals	Within proposed concept	Medium
17	Bridge #090920	Asbestos Containing Materials	40	Medium
18	Archbold Expeditions	Pesticides, Hazardous materials	190	Medium
19	Legends Ranch Fl LLC	Pesticides, Heavy metals	Within proposed concept	Medium
20	Cattle Pen	Pesticides, Heavy metals	260	Medium
21	Panamanian Ranches LLC	Pesticides, Heavy metals	190	Medium
24	Woerner South Inc	Pesticides, Heavy metals	50	Medium
25	Panamanian Ranches LLC	Pesticides, Heavy metals	Within proposed concept	Medium
26	Panamanian Ranches LLC	Pesticides, Heavy metals, Hazardous materials	Within proposed concept	Medium
27	American Tower L P	Pesticides, Heavy metals	350	Medium
32	Bridge #090009	Asbestos Containing Materials	100	Medium
33	Lykes Bros Inc	Pesticides, Hazardous materials	Within proposed concept	Medium
34	Lykes Bros Inc	Pesticides, Hazardous materials	Within proposed concept	Medium
35	Lykes Bros Inc	Pesticides, Hazardous materials, Heavy metals	Within proposed concept	Medium
36	Lykes Bros Inc	Pesticides, Heavy metals	Within proposed concept	Medium
37	Brighton Baptist Church	Hazardous materials	Within proposed concept	Medium
38	Lykes Bros Inc	Petroleum	60	Medium
PCB=Polychlorinated Biphenyls				

Table 6-2: Potential Contamination Sites

For sites rated "No" and "Low" for potential contamination, no further action is required at this time. These sites/facilities have potential to impact the study area but based on variables such as current site operations and distance to the project area, have been determined to have low risk to the corridor at this time. Variables that may change the risk rating include a facility's non-compliance with environmental regulations, new discharges to the soil or groundwater, and modifications to current permits. Should any of these variables change an additional assessment of the facilities will be conducted.

For the site with a risk rating of "Medium", which consists of an underground petroleum storage tank that is undergoing cleanup activities for historic groundwater contamination due to a gasoline leak, the Project Manager (PM) and District Contamination Impact Coordinator (DCIC) will coordinate to determine if Level-II testing and/or Level-III support will be warranted. This may include determining if the FDEP/FDOT Memorandum of Understanding (MOU) applies to any sites, conducting Level II activities or recommending Level III or remedial activities, notes on the plans, design modifications and/or special provisions prior to or during construction.

Existing bridge structures were not physically evaluated or tested for hazardous materials as part of this contamination screening evaluation. However, as shown in Table 6-2, hazardous materials including asbestos-containing materials and metal-based coatings could exist at Bridge 090920, the S.R. 70 bridge over the Harney Pond Canal and Bridge 090009, the S.R. 70 bridge over the Indian Prairie Canal, given the age of the original infrastructure. The current scope of work proposes the removal of Bridges 090920 and 090009. A pre-construction hazardous material survey will be performed at these locations during final design.

6.4 Utilities and Railroads

The project's *Utility Assessment Package* (December 2025) was prepared and is located in the project file. The Utility Agency/Owners (UAOs) were determined using a variety of sources. A Sunshine 811 Design Ticket was requested and a field review was conducted. Above ground utility features were noted and verified with the utility providers and operators during the coordination process for the project. Base maps were sent to utility providers with a request to provide information on existing and planned utilities within the project area. The final source of data collection was from As-built plans along or adjacent to the study area.

Utility easements for the Florida Power and Light (FPL) high voltage overhead transmission line and Florida Gas Transmission (FGT) buried gas transmission are in the project limits. The FPL easement runs along the north side of S.R. 70, and FPL has plans to replace their poles and lines within their easement. The FGT line runs north of S.R. 70. The roadway widening associated with the Preferred Alterative was aligned to avoid direct impacts to proposed FPL transmission pole locations through coordination with FPL. The roadway widening will not impact the FGT line. There are several preferred pond sites (SMF 1, 2A, and 3A) and one FPC site (FPC 2-3B) are situated north of the FGT easement and conveyance crossings will be needed to convey stormwater to these preferred sites. Project design efforts will seek to avoid or minimize impacts to existing utilities to the extent feasible within the roadway ROW.

Table 6-3 summarizes utility type, location and name of utility company/owner.

Utility Agency/Company	Utility Description	Location
Florida Gas Transmission Company, LLC	30" Gas Main	Located on the north side of the study corridor
Glades Electric Coop	3-phase feeder supplying 7.2 kilovolt (kV)	Runs along the south side of the study corridor. All structures located outside of the existing FDOT ROW
Lumen/Century Link (National & Local)	Fiberoptic and Underground Copper	Runs along the south side through the S.R. 70 Corridor
Florida Power & Light (Transmission & Distribution)	19kV, 69 kV & 230kV Transmission Line	Runs along the north side of the study corridor. Structures located outside of the existing FDOT ROW

Table 6-3: Existing Utilities

There are no railroads within the project limits.

6.5 Construction

Construction activities for the proposed project may cause minor short-term air quality, noise, water quality, traffic congestion, and visual impacts for nearby residents and the traveling public. The air quality effect will be temporary, localized, and will primarily be in the form of construction exhaust emissions and fugitive dust generated from equipment during project construction. Air pollution associated with the creation of airborne particles will be effectively controlled through the use of watering or the application of other controlled materials.

Construction of the roadway improvements, with heavy equipment movement and other construction activities, is not expected to have a significant noise or vibration effect. Should unanticipated noise or vibration issues arise during the construction process, the Project Engineer, in coordination with a noise specialist and the contractor, will investigate additional methods of controlling these impacts.

Federal regulations (40 CFR Part 122) prohibit point source discharges of stormwater to waters of the U.S. without a NPDES permit. Under the State of Florida's delegated authority to administer the NPDES program, construction sites that will result in greater than one (1) acre of disturbance must file for and obtain either coverage under an appropriate generic permit contained in Chapter 62-621, F.A.C. or an individual permit issued pursuant to Chapter 62-620, F.A.C. The FDEP issues these permits. A major component of the NPDES permit is the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP identifies potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the site and discusses good engineering practices (i.e., best management practices) that will be used to reduce the pollutants. The contractor will obtain the NPDES permit and prepare the SWPPP prior to construction. Additionally, the associated requirement to develop and implement a SRCC will be addressed during design.

Water quality impacts resulting from erosion and sedimentation will be controlled through the use of BMPs. All state water quality criteria will be met. Short-term construction related wetland impacts will be minimized through the use of BMPs such as the use of siltation barriers, dewatering structures, and containment devices to control turbid water discharges outside of construction limits.

Maintenance of traffic and sequence of construction will be planned and scheduled so as to minimize traffic delays throughout the project. Signage will be used as appropriate to provide pertinent information to the traveling public. The local news media will be notified in advance of road closings and other construction related activities to allow for the planning of alternate routes. Access to local properties, businesses and residences will be maintained to the extent practical through controlled construction scheduling and the implementation of the project's specific Traffic Control Plan(s). Aesthetic impacts will be temporary and could consist of the staging of construction equipment and materials.

Construction activities will be phased to maintain two lanes of traffic at all times, minimizing disruptions to motorists and adjacent properties. A portion of the roadway construction will occur on new alignment outside the existing travel lanes, such as in the east portion of the project at C.R. 721. This allows construction activities in these areas to proceed without affecting current traffic operations. In areas where the new roadway will be constructed along the existing S.R. 70 alignment, traffic will remain on the existing two-lane road while the contractor builds the two future eastbound lanes. This first phase also would consist of constructing the proposed stormwater facilities and cross drain extensions outside of the existing roadway. The second phase would shift the traffic to the newly constructed asphalt to enable the reconstruction of the existing travel lanes and completion of the cross drain widening. The third phase would involve completing the median construction, the final roadway friction course, and the final pavement markings.

7. Engineering Analysis Support

The engineering analysis supporting this environmental document is contained within the Draft Preliminary Engineering Report Displayed for Public Hearing (Jan 2026) .

8. Permits

The following environmental permits are anticipated for this project:

Federal Permit(s)	Status
USACE Section 10 or Section 404 Permit	To be acquired
USACE Section 408 Permit	To be acquired

State Permit(s)	Status
DEP or WMD Environmental Resource Permit (ERP)	To be acquired
DEP National Pollutant Discharge Elimination System Permit	To be acquired
FWC Gopher Tortoise Relocation Permit	To be acquired
WMD Right of Way Permit	To be acquired

9. Public Involvement

The following is a summary of public involvement activities conducted for this project:

Summary of Activities Other than the Public Hearing
A *Public Involvement Plan* (October 2023) was prepared under separate cover and is included in the project file. This plan details the public involvement approach for the project and documents public outreach methods including a project website, newsletters, a public meeting, and a public hearing. Agencies and elected and appointed officials were included in a mailing list as well as other project stakeholders. The *Comments and Coordination Report* (Date TBD), prepared under separate cover and included in the project file, fully documents the public and stakeholder involvement conducted for this project.

Public involvement activities include a June 2023 project kick-off newsletter sent to residents and stakeholders. The newsletter provided information on the need for the project and information about the PD&E study process. A project website, https://www.swflroads.com/project/449851-1, was created to provide the public with project specific information and give the public an opportunity to make comments and ask questions about the project.

An in-person Alternatives Workshop was held for the public on June 13, 2024, at the Town of Lake Placid Government Center in Lake Placid from 5:00 PM to 7:00 PM. The meeting followed an open house format and provided an opportunity for the public to review the proposed project layout and speak one-on-one with project team members. A virtual Alternatives Workshop was held on June 20, 2024 starting at 6:00 PM which included a meeting introduction, project video, and a question and answer period. Attendees typed-in questions, the virtual meeting moderator read the questions, and the project team provided answers while using concept plan maps for display purposes.

The in-person meeting was attended by 13 citizens and one (1) elected official from the Town of Lake Placid and the Lake Placid Police Chief who also provided security. All attendees were given the opportunity to provide written comments at the meeting or within the comment period following the meeting, ending July 5, 2024. The virtual meeting was attended by six (6) citizens including one (1) appointed official from Highlands County.

A total of 3 comments were submitted during the commenting period. The 2 comments from private citizens are in support of the project and widening S.R. 70 to four lanes. The third comment was provided by Archibold Station and provided information related to area's ecosystem, the western limits of the project where it meets the S.R. 70 segmetn to the west and their entrance location and u-turning for large vehicles, and conservation lands that exist in the area. FDOT provided responses to the comments that are included in the *Comments and Coordination Report.*

Following the Alternatives Public Workshop, the project was presented to the HRTPO staff and committees on October 2, 2024 to explain the study process and the alternatives for the multiple ongoing S.R. 70 corridor projects in Highlands and Okeechobee Counties. During the meetings, general comments in support of the project were received. Regular project updates have been provided to the HRTPO through the FDOT liaison. Presentations are also planned to occur following the public hearing.

Date of Public Hearing: 01/27/2026
Summary of Public Hearing
To be added following the public hearing.

10. Commitments Summary

1. The most recent version of the USFWS *Standard Protection Measures for the Eastern Indigo Snake* will be implemented during construction.
2. A standard reconnaissance survey for Audubon's crested caracara nests will be completed prior to construction to identify any active nest location(s) to ensure accurate impact analysis.
3. FDOT will provide a financial contribution of $89,476.20 to the Crested Caracara Conservation Fund for the project's impacts to Audubon's crested caracara primary zones of three nests.
4. FDOT will provide 152.80 eastern indigo snake acre credits from Platt Branch Mitigation Bank (PBMB), which include land cover types that provide habitat for the eastern indigo snake. The FDOT will provide USFWS with a letter or email from the PBMB stating that the credit ledger for the bank has been revised to reflect the deduction of credits. The FDOT will not commence construction of the proposed project until a response email or letter from USFWS has been received stating that they have received the document. Due to the project not currently being funded for construction, if eastern indigo snake credits are not available from PBMB, FDOT will contribute $78,000 to the Eastern Indigo Snake Conservation Fund or an agreed amount by USFWS if a portion of the credits are provided by PBMB.
5. FDOT will provide mitigation for impacts to wood stork Suitable Foraging Habitat within the Service Area of a Service-approved wetland mitigation bank or wood stork conservation bank.
6. FDOT will mitigate habitat impacts to the Florida panther by providing 951 PHUs from the Platt Branch Conservation Mitigation Bank.
7. FDOT will design and construct wildlife shelves at the bridge crossings over the SFWMD canals (Canal C-40 and C-41), per current wildlife crossing guidelines.
8. FDOT will coordinate with SFWMD to evaluate each canal crossing to determine locations and lengths of herpetofauna funnel fencing to be installed without precluding SFWMD canal access and maintenance of canals.
9. FDOT will install landscaping utilizing native vegetation within the FDOT right-of-way and limits of funnel fencing.
10. In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #1: If potential roost trees or structures need to be removed, check cavities for bats 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 USFWS on how to proceed.
11. In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #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.
12. In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #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 and roost.
13. In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practice #11: Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly lighting (i.e., downward facing, and lowest lumens possible). Avoid permanent night-time lighting to the greatest extent practicable.

14. If eastern black rails are observed in the project's action area prior to or during construction, consultation with USFWS will be reinitiated.
15. If the tricolored bat is listed by the USFWS as threatened or endangered prior to the completion of construction, FDOT commits to reinitiating consultation with USFWS to determine appropriate avoidance and minimization measures.
16. If the monarch butterfly is listed by USFWS as Threatened or Endangered prior to the completion of construction, FDOT commits to reinitiating consultation with USFWS to determine appropriate avoidance and minimization measures for protection of the newly listed species.
17. FDOT will require contractors to remove garbage daily from the construction site or use bear proof containers for securing of food and other debris from the project work area to prevent these items from becoming an attractant for the Florida black bear *(Ursus americanus floridanus)*. Any interaction with nuisance bears will be reported to the FWC Wildlife Alert hotline 888-404-FWCC (3922).

11. Technical Materials

The following technical materials have been prepared to support this Environmental Document and are included in the Project File.

Farmland Memo (March 2025)
Sociocultural Data Report (August 2025)
Cultural Resources Assessment Survey (August 2025)
Draft Pond Siting Report (2025) - Pre Public Hearing Version
Natural Resources Evaluation Addendum (October 2025)
Water Quality Impact Evaluation Checklist (June 2025)
Natural Resources Evaluation (August 2025)
Location Hydraulics Report (August 2025)
Contamination Screening Evaluation Report (August 2025)
Noise Contour Technical Memorandum (June 2025)
Utility Assessment Package (Dec 2025)
Project Traffic Analysis Report (January 2025)
Draft Preliminary Engineering Report Displayed for Public Hearing (Jan 2026)
Public Involvement Plan (October 2023)
Alternatives Workshop Scrapbook (July 2024)

Attachments

Planning Consistency
Planning Consistency Documentation (Nov 2025)

Social and Economic
Existing and Future Land Use Maps

Cultural Resources
SHPO Concurrence Letter (October 2025)

Natural Resources
Biological Opinion (November 2025)
Sole Source Aquifer EPA Concurrence Letter (June 2025)

Physical Resources
Potential Contamination Site Maps (August 2025)

Planning Consistency Appendix

Contents:

Planning Consistency Documentation (Nov 2025)

HRTPO
Heartland Regional
Transportation Planning Organization

2045
Long Range Transportation Plan

Adoped March 10, 2021
Amended March 12, 2025

Strategic Intermodal System

In the six county Heartland region, the Regional Roadway Network is made up of primarily US and SR routes designated as part of the Strategic Intermodal system (SIS). The State of Florida Department of Transportation (FDOT) programs SIS projects and available revenue for SIS funding. Because SIS projects represent virtually all of the needed transportation capacity projects identified as over capacity for 2045 in the Heartland, the Strategic Intermodal System Funding Strategy, Long Range Cost Feasible Plan 2029-2045, 2018 Edition was used to determine the cost feasible projects shown in the following section on below. Funded improvements have identified construction funding by 2045. Partially funded improvements do not have identified construction funding with the timeframe of the plan.

Strategic Intermodal System Facilities on the Regional Roadway Network

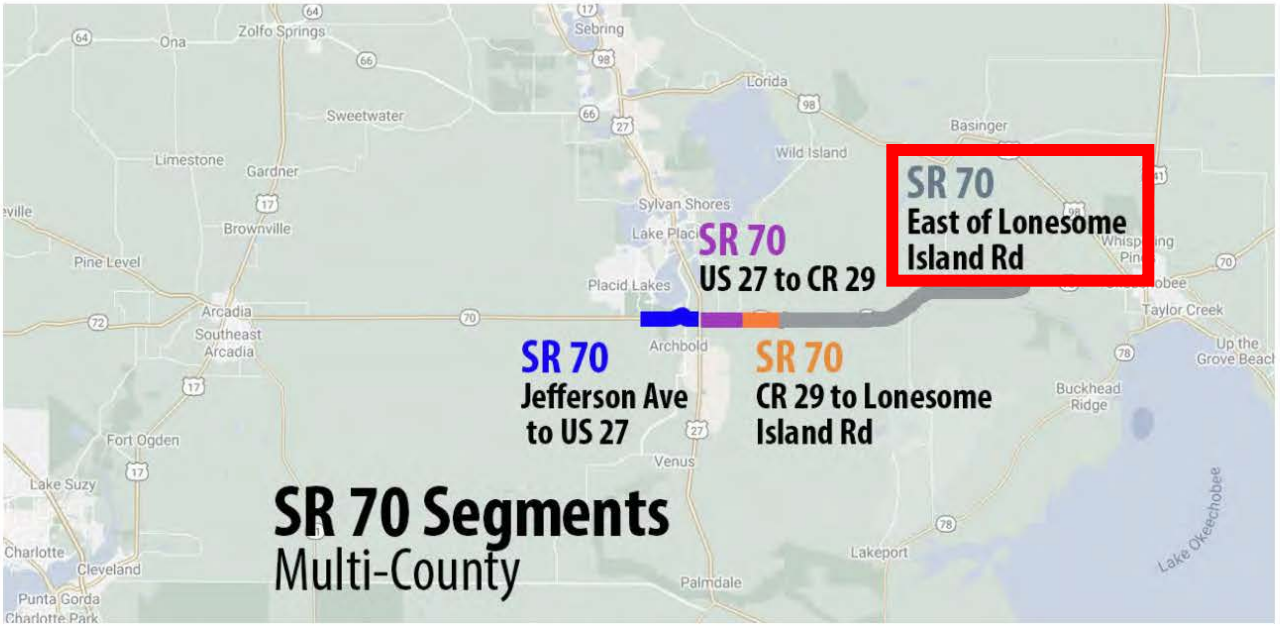
US 17 • US 27 • SR 29 • SR 31 • SR 64 • SR 70 • SR 80 SR 82 • SR 91 (Florida's Turnpike) • US 441 • SR 710

Funded SIS Improvements			
Facility	**From**	**To**	**Description**
SR 29	CR 80A (Cowboy Way)	CR 731 (Whidden Road)	Widen to 4 lanes
SR 70	Jefferson Ave	US 27	Widen to 4 lanes
SR 710	US 441	L-63 Canal	New Roadway (4 lanes)
SR 710	E. of L-63 Canal	Sherman Woods Ranches	Widen to 4 lanes
SR 710	Sherman Woods Ranches	Okeechobee / Martin County Line	Widen to 4 lanes
Partially Funded SIS Improvements Identified for PD&E and Design in the SIS Long Range Cost Feasible Plan 2029-2045			
Facility	**From**	**To**	**Description**
SR 70	Manatee County Line	West of Peace River (American Legion Rd)	Widen to 4 lanes
US 17	Palmetto St	SR 70/Hickory St	Highway Capacity
US 17	SR 70/Hickory St	SR 35/DeSoto Ave	Highway Capacity
SR 70	East of SR 31	Jefferson Avenue	Widen to 4 lanes
SR 64	US 17	SR 636	Widen to 4 lanes
SR 64	Old Town Creek Rd. / CR 671 / Parnell Rd.	Hardee / Highlands County Line	Widen to 4 lanes
US 27	Palm Beach / Hendry County Line	SR 80	Freight Capacity
SR 64	Hardee / Highlands County Line	US 27	Widen to 4 lanes
US 27	Glades / Highlands County Line	SR 70	Widen to 6 lanes
US 27	South of Skipper Rd.	US 98	Widen to 6 lanes
SR 70	NW 38th Terrace	US 98	Widen to 4 lanes
US 98 / US 441	18th Terrace	38th Ave.	Widen to 4 lanes
SR 91	North of SR 70 (MP 152)	North of SR 60 (MP 193)	Widen to 6 lanes

Although SIS designated roadways are typically prioritized through the Florida SIS Plan, the 2045 LRTP looks to advance improvements on SR 70 with available Other Arterials (OA) funding. The HRTPO, it's committees, and many community stakeholders have expressed that SR 70 is the highest priority in the region.

SR 70 Improvements Funded With OA Funds				
Facility	**From**	**To**	**Description**	**Funded Phases**
SR 70	US 27	CR 29	Widen to 4 lanes	PE, ROW, CST
SR 70	CR 29	Lonesome Island Rd	Widen to 4 lanes	PE, ROW, CST
SR 70	East of Lonesome Island Rd	38th Terrace	Safety Improvements and/or PD&E	Safety/PD&E

Funded SIS Improvements



Florida Department of

TRANSPORTATION

Federal Aid Management Sabrina Aubery - Manager

STIP Project Detail and Summaries Online Report

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

Selection Criteria	
Approved STIP Financial Project:449851 _ As Of:7/1/2025	Detail Related Items Shown

HIGHWAYS

Item Number: 449851 1 **Project Description:** SR 70 FROM LONESOME ISLAND RD TO SOUTHERN LEG OF CR 721 *SIS*

District: 01 **County:** HIGHLANDS **Type of Work:** PD&E/EMO STUDY **Project Length:** 7.614MI

		Fiscal Year						
Phase / Responsible Agency		<2026	2026	2027	2028	2029	>2029	All Years
P D & E / MANAGED BY FDOT								
Fund Code:	ACNP-ADVANCE CONSTRUCTION NHPP	884,540						884,540
	ACSA-ADVANCE CONSTRUCTION (SA)	15,058	6,752					21,810
	DS-STATE PRIMARY HIGHWAYS & PTO	12,719						12,719
	NHPP-IM, BRDG REPL, NATNL HWY-MAP21	1,216,459						1,216,459
Phase: P D & E Totals		2,128,776	6,752					2,135,528
Item: 449851 1 Totals		2,128,776	6,752					2,135,528
Project Totals		2,128,776	6,752					2,135,528
Grand Total		2,128,776	6,752					2,135,528

DeSoto, Glades, Hardee, Hendry, Highlands and Okeechobee County

Type 2 Categorical Exclusion

SR 70 FROM LONESOME ISLAND RD TO SOUTHERN LEG OF CR 721 // 449851-1-22-01

Transportation Improvement Program

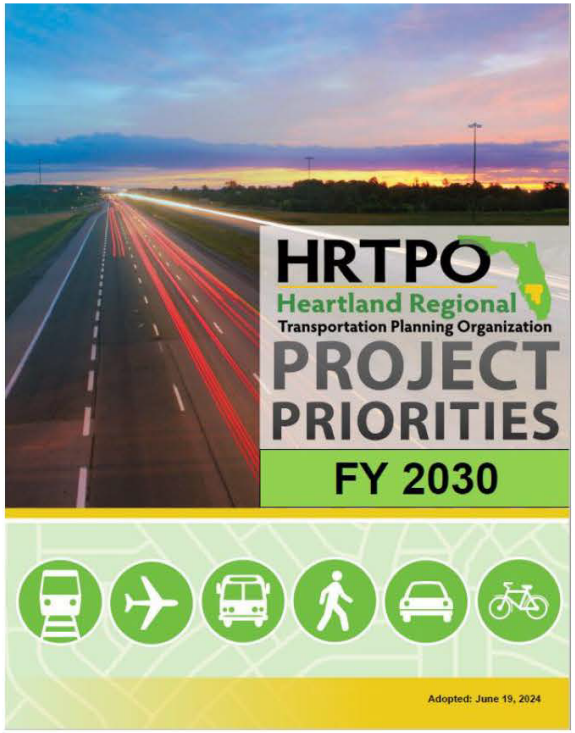
FISCAL YEARS 2025/26 - 2029/30

HRTPO
Heartland Regional
Transportation Planning Organization

Adopted: June 18, 2025

Amended September 10, 2025

FY 2029/2030 Transportation Project Priorities



Project Selection

Each year the HRTPO is responsible for developing a list of Priority Transportation Projects and submitting the list to the Florida Department of Transportation (FDOT) for consideration during development of the Five-Year Work Program for DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee Counties. Member governments of the HRTPO are requested to submit Transportation Project Applications and Priorities for Fiscal Year 2029/2030 to the HRTPO for transmittal to the Florida Department of Transportation (FDOT) for consideration of programming and funding by FDOT. The project applications are then scored based on criteria—found in Appendix A, developed by the Technical Advisory Committee and Citizens Advisory Committee, and adopted by the HRTPO Board—and ranked in order of priority. This process is conducted in accordance with federal requirements in the TPO planning process, and support FDOT's Safety Target of zero deaths.

Consistent with federal requirements in 23 CFR 450.332 (b),(c), and Title 23, Section 134 USC, and other applicable federal and state requirements, the projects selected for the HRTPO TIP were based on a "snapshot" of the FDOT District Five-Year Work Program for Fiscal Years 2025/26 – 2029/30 dated April 10, 2024. The TIP was developed in cooperation with the state, local governments, and other transportation partners in the region including the Florida Department of Transportation, the counties of DeSoto, Glades, Hardee, Hendry, Highlands and Okeechobee including municipalities.

Project Priority Statement

A list of priority projects is presented to the TPO Board for adoption and submitted to FDOT for use in developing the new fifth year of the Five- Year Work Program. All priority projects are consistent with the TPO's adopted Long Range Transportation Plan. Adopted June 18, 2024 by the HRTPO Board, the Project Priorities for Fiscal Years 2024/25 to 2029/30 were submitted to FDOT for consideration in the FDOT Tentative Work Program. As a policy of the HRTPO, total project cost will be used as additional criteria to prioritize projects that have the same ranking. Lower cost projects will be given higher priority and higher cost projects will be given lower priority.

Projects that bring more **CAPACITY**

Rank	Jurisdiction	Facility	Description	From	To	Project Development Status: Step 1 – Project Development & Environment (PD&E)	Step 2 – Preliminary Engineering (PE)	Step 3 – Right of Way (ROW) Acquisition	Step 4 – Construction (CST)
1	Highlands	US 98	2 to 4	US 27	Airport Road	✓			
			Project Segment 414511-4 US 27 to Bay Blossom Dr			✓			
2	DeSoto	Kings Highway	2 to 4	Charlotte C/L	Peace River St	✓	✓		
			Project Segment 440342-2 Charlotte C/L to SW Glenadine Ave			✓	✓	2026	2027
3	Okeechobee	SR 710 Extension	New Road	US 98	US 441				
4	Okeechobee	SR 710 Extension	New Road	SR 70	US 98				
5	DeSoto	SR 31 Extension	New Road	SR 70	US 17	✓			
	Hendry	SR 29	2 To 4 Lanes	Cowboy Way	Whidden Rd	✓	✓	2028	
	Okeechobee	SR 710	New Road	US 441	L-63 Canal	✓	✓	2026	2029
			2 To 4 Lanes	E Of L-63 Canal	Sherman Woods Ranches	✓		>2030	
			2 To 4 Lanes	Sherman Woods Ranches	Okeechobee/ Martin CL	✓	2029-2031		
				DeSoto CL	Peace River	Ongoing			
				W of SR 31	Highlands C/L	Ongoing			
	DeSoto, Highlands & Okeechobee	SR 70	2 to 4 Lanes	Highlands C/L	Jefferson Ave	Ongoing			
				Jefferson Ave	CR 29	Ongoing	2028	2031	2031
				CR 29	Lonesome Island Rd	✓	Ongoing		
				Lonesome Island Rd	CR 721	Ongoing			
				CR 721	128th Ave	Ongoing			
				128th Ave	US 98	Ongoing			

As SIS facilities, these improvements are not prioritized by the HRTPO

Social and Economic Appendix

Contents:

Existing and Future Land Use Maps

Lonesome Island Rd

2420
2610
2240
Linear-Pond-1---Left
Linear-Pond-1---Left
SMF 1
SMF 2A
3100
5120
2120
70
Canal C-39A

2210
FPC 1B
FPC 1A

JC Durrance

Harney Pond Canal C-41

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

Lonesome Island Rd

Greenbrier Ln

2610

SMF 1

SMF 2A

2210

2150

Linear-Pond-1--Left

Linear-Pond-1--Left

70

5120

3100

2120

SMF 2B

2110

Harney Pond Canal C-41

Canal C-39A

JC Du

FPC 1B

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

Greenbrier Ln

Indian Prairie Canal C-40

2120

FPC 2-3B

FPC 2-3A

SMF 3A

6170

2110

6410

6430

SMF 2A

2210

2150

70

3100

5120

SMF 2B

Canal C-39A

DC Bar Ranch Rd

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

DC Bar Ranch Rd

Regional Pond 1

2210
6440
6410
2110
2120

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

FPC 2-3B
FPC 2-3A
SMF 3A
SMF 3B
6430
Indian Prairie Canal C-40
70
Linear Pond 4 - Left
Linear Pond 4 - Right
3100
5120
2210
2150
Canal C-39A
6410
FPC 4A
FPC 4B
4280
Linear Pond 4 - Left
Linear Pond 4 - Right
SMF 4
SMF 5
2110
FPC 5A
FPC 5B
Regional Pond 2
DC Ranches

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

Linear Pond 4 - Left
Linear Pond 4 - Right
70
Linear Pond 4 - Left
Linear Pond 5 - Left
Linear Pond 4 - Right
Linear Pond 5 - Right
Linear Pond 5 - Left
Linear Pond 5 - Right
SMF 6
Linear Pond 6 - Left
Linear Pond 6 - Right
Linear Pond 7 - Left
Linear Pond 7 - Left
Linear Pond 7 - Left
Linear Pond 7 - Right
SMF 7
SMF 4
SMF 5
4280
6410
6430
2110
2120
3200
5120
3100
FPC 4A
FPC 4B
FPC 5A
FPC 5B
FPC 6A
FPC 6B
FPC 7A
FPC 7B
Regional Pond 2
Indian Prairie Canal C-40

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT

Canal C-41A
4270
6440
6170
1400
SMF 7
Linear Pond 7 - Right
70
Linear Pond 7 - Left
FPC 7B
2110
6430
Linear Pond 6 - Right
FPC 7A
2120
6410
FPC 6B
FPC 6A
Linear Pond 5 - Right
Linear Pond 5 - Right_SMF 6
SMF 5

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, State of Florida, Vantor

- SR 70 Project Length
- Proposed Pond Site
- 500 ft buffer

SFWMD LULC

- 1400,Commercial and Services
- 2110,Improved Pastures
- 2120,Unimproved Pastures
- 2150,Field Crops
- 2210,Citrus Groves
- 2240,Abandoned Groves
- 2420,Sod Farms
- 2610,Fallow Cropland
- 3100,Herbaceous (Dry Prairie)
- 3200,Upland Shrub and Brushland
- 4270,Live Oak
- 4280,Cabbage Palm
- 5120,Channelized Waterways, Canals
- 6170,Mixed Wetland Hardwoods
- 6410,Freshwater Marshes / Graminoid Prairie - Marsh
- 6430,Wet Prairie
- 6440,Emergent Aquatic Vegetation

Existing Land Use

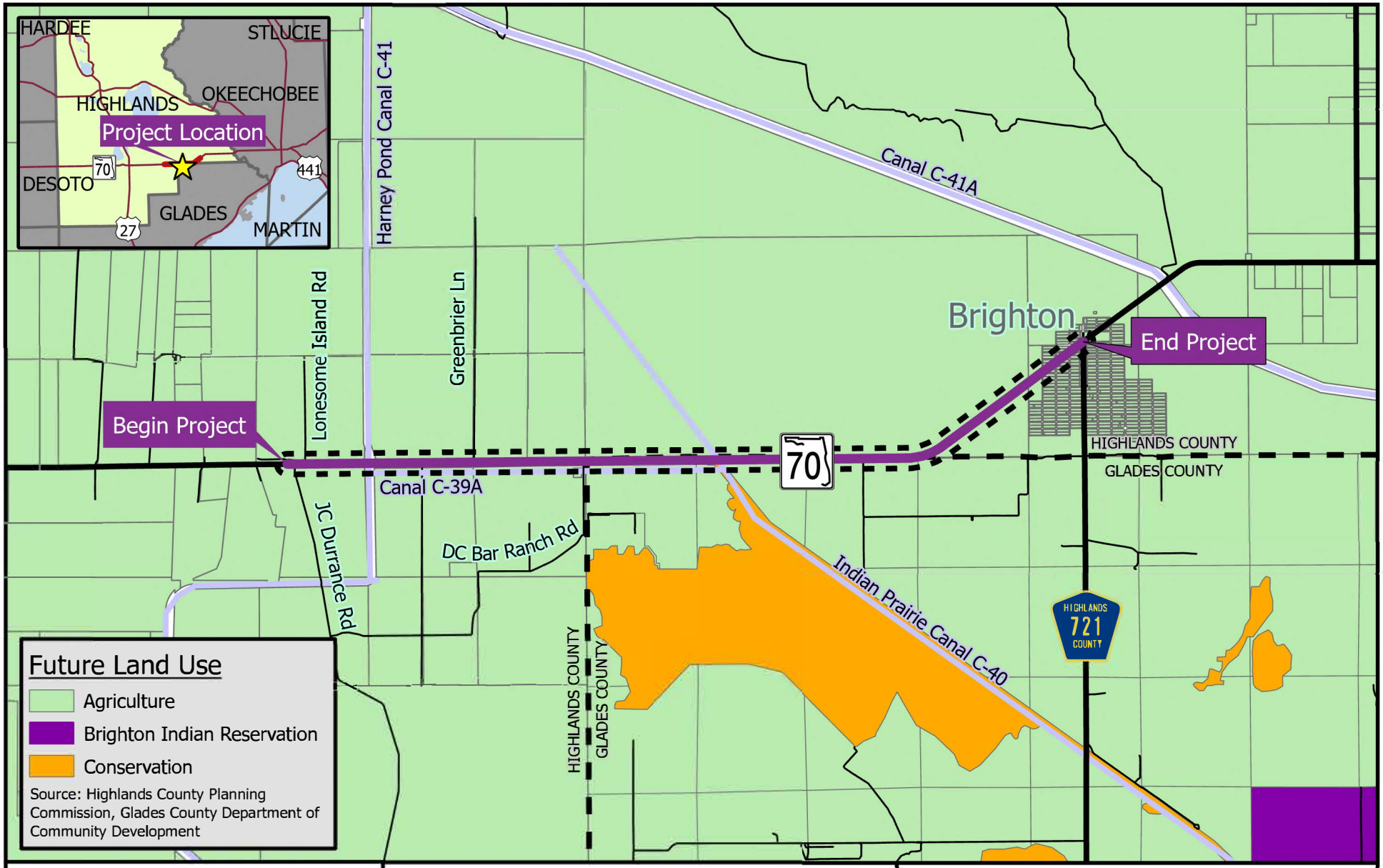
SR 70 from Lonesome Island Rd to the southern leg of CR 721
Project Development & Environment Study
FPID No: 449851-1-22-01

Highlands County, FL

N W E S

0 0.1 0.2
Miles

FDOT



FDOT

SR 70
PD&E Study

FPID: 449851-1 | Highlands County, Florida

Lonesome Island Rd to southern leg of CR 721

N

Future Land Use

0 0.5 1 2 3 Miles

Cultural Resources Appendix

Contents:

SHPO Concurrence Letter (October 2025)

Jeff Novotny

From: swept@fla-etat.org
Sent: Monday, October 6, 2025 9:47 AM
To: Jeff Novotny; Kathern.Cothern@dot.state.fl.us; brooke.feagle@atkinsrealis.com; melody.joyner@dot.state.fl.us; mhorwitz@kcaeng.com
Cc: compliancepermits@dos.myflorida.com; jeffrey.james@dot.state.fl.us; Lindsay.Gruesu@dot.state.fl.us; Emily.Barnett@dot.state.fl.us; mmarino@ardurra.com; matthew.betancourt@rsandh.com; Lindsay.Rothrock@dot.state.fl.us
Subject: Section 106 PA Stipulation VII Submission for project 449851-1-22-01 SHPO Concurs

Follow Up Flag: Follow up
Flag Status: Flagged

SHPO has reviewed and concurs with the following Section 106 PA Stipulation VII Submission submission:

FM Number:	449851-1-22-01
Additional Identifiers:	N/A
Project Name:	SR 70 FROM LONESOME ISLAND RD TO SOUTHERN LEG OF CR 721
Work Mix/Activity Type:	PD&E/EMO STUDY
District:	1
County:	Highlands County
Project Description:	This roadway project proposes the widening of a two-lane facility up to a four-lane, divided facility and/or the inclusion of operational improvements along 7.6 miles of SR 70 from Lonesome Island Road to the southern leg of CR 721 in Highlands County. Travel lane widths may be widened from 10 feet to 12 feet as part of the project. Multimodal facilities will also be considered along the project segment, where appropriate. SR 70 is part of Florida's SIS highway network and designated state hurricane evacuation route network. As part of the National Highway System, SR 70 is critical in the transportation network as it facilitates local and regional traffic and the movement of goods/freight. SR 70 is functionally classified as "Rural Principal Arterial - Other' within the project area, and the project segment of the roadway has an existing context classification of C2-Rural. The existing typical section consists of a two-lane undivided facility with 10-foot travel lanes. There are eight-foot shoulders, four feet of which are paved; however, there are no designated bicycle lanes or sidewalks present on either side. The posted speed limit along the project corridor is 60 miles per hour. The existing right-of-way (ROW) along SR 70 project segment is generally 50-70 feet. A deep canal

runs intermittently along the southern border of the project limits. Additional ROW is expected to accommodate the proposed improvements.

FAP Number: D123-016-B

The completed document can be found in the SWEPT project file at https://www.fla-etat.org/est/swept/Section106PAVII.do?projectDocumentId=25631.

Approval History:

Submittal Type	Action	Date/Time	Completed By	Role	Comment
District QA/QC	Sent to District CRC	09/23/2025 11:33:00	Brooke Feagle	Project Data Entry	
District QA/QC	Sent to SHPO Reviewer	09/29/2025 03:52:42	Emily Barnett for Jeffrey James	District Cultural Resource Coordinator	
SHPO Review	SHPO Concurs	10/06/2025 09:47:18	Alyssa McManus	SHPO Reviewer	-p. 5-23, paragraph 1: Need to write out what SFWMD stand for the first time it's used.

Natural Resources Appendix

Contents:

Biological Opinion (November 2025)
Sole Source Aquifer EPA Concurrence Letter (June 2025)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Florida Ecological Services Field Office

November 25, 2025

Katlin Kuhn-Hendricks
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399

Service Ecosphere Code:	2025-0121637
Date Received:	September 5, 2025
Consultation Initiation Date:	September 5, 2025
Project:	SR 70 from Lonesome Island Rd to County Rd (CR) 721 South
County:	Highlands

Dear Ms. Kuhn-Hendricks:

The U.S. Fish and Wildlife Service (Service, USFWS) received your August 8, 2025, request for initiation of formal consultation for the Florida Department of Transportation's (FDOT) proposed project to widen and improve the State Road (SR) 70 corridor from Lonesome Island Road to the southern leg of County Road (CR) 721 (Project) in Highlands County, FL. This document transmits the Service's biological opinion based on our review of the Project and its effects on the endangered Florida panther (*Puma concolor coryi* [panther]), the threatened eastern indigo snake (*Drymarchon corais couperi*), and the threatened Audubon's crested caracara (*Polyborus plancus audubonii*). It also provides the Service's concurrences for FDOT's determinations for the wood stork (*Mycteria americana*), Florida bonneted bat (*Eumops floridanus*), eastern black rail (*Laterallus jamaicensis ssp. jamaicensis*), and the Everglades snail kite *(Rostrhamus sociabilis plumbeus)*. This document is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended in 1998 (Act) (87 Stat. 884; 16 U.S.C. 1531 et seq.).

This biological opinion is based on information provided with your request for consultation and other sources of information. A complete record of this consultation is on file at the Service's Florida Ecological Services Office, Panama City, Florida.

7915 BAYMEADOWS WAY, #200
JACKSONVILLE, FL 32256
352-448-9151

1601 BALBOA AVENUE
PANAMA CITY, FL 32405
352-448-9151

1339 20TH STREET
VERO BEACH, FL 32960
352-448-9151

Table 1: Federally protected species evaluated for effects.

Scientific Name	Common Name	Status	Effect Determination
Birds			
Polyborus plancus audubonii	Audubon's crested caracara	T	MALAA
Mycteria americana	Wood stork	T	MANLAA
Laterallus jamaicensis ssp. jamaicensis	Eastern black rail	T	MANLAA
Rostrhamus sociabilis plumbeus	Everglades snail kite	E	MANLAA
Reptiles			
Drymarchon corais couperi	Eastern Indigo Snake	T	MALAA
Mammals			
Puma concolor coryi	Florida panther	E	MALAA
Eumops floridanus	Florida bonneted bat	E	MANLAA
E=Endangered; T=Threatened; PE=Proposed Endangered; CH=Critical Habitat MANLAA=May Affect, Not likely to Adversely Affect; MALAA = Likely to Adversely Affect			

Consultation history

This section lists key events and correspondence during the course of this consultation.

04/03/2024: Technical assistance request via email from FDOT to Service Biologist John Wrublik on whether species-specific surveys were required for the Everglade snail kite, Florida scrub-jay, or Florida grasshopper sparrow for this project.

04/04/2024: Email response from John Wrublik to FDOT that, based on the Species Survey Memorandum for the project provided, surveys for the grasshopper sparrow, Everglade snail kike, and Florida scrub-jay were not needed in association with the project.

09/05/2025: Request from FDOT to initiate formal consultation.

09/30/2025: Teams meetings between FDOT Project Delivery Manager Katlin Kuhn-Hendricks, contractors, and Service Biologist Amber Rhodes to request additional information and provide technical assistance.

11/05/2025: Formal consultation addendum with additional information and updated determinations received via email from FDOT.

BIOLOGICAL OPINION

This Biological Opinion provides the Service's opinion as to whether the proposed Project is likely to jeopardize the continued existence of endangered Florida panther, the threatened eastern indigo snake (EIS), and the threatened Audubon's crested caracara, or result in the destruction or adverse modification of designated critical habitats (50 CFR § 402.02).

ANALYTICAL FRAMEWORK FOR THE JEOPARDY AND ADVERSE MODIFICATION DETERMINATIONS

Jeopardy determination

Section 7(a)(2) of the Act requires that Federal agencies ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of listed species.

> "*Jeopardize the continued existence of*" means to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species (50 CFR § 402.02).

The jeopardy analysis in this Biological Opinion relies on four components: (1) the Status of the Species, which describes the range-wide condition of the species, the factors responsible for that condition, and its survival and recovery needs; (2) the Environmental Baseline, which analyzes the condition of the species in the Action Area, the factors responsible for that condition, and the relationship of the Action Area to the survival and recovery of the species; (3) the Effects of the Action, which determine the direct and indirect impacts of the proposed Federal action and the effects of any interrelated or interdependent activities on the species; and (4) the Cumulative Effects, which evaluate the effects of future, non-federal activities in the Action Area on the species.

In accordance with policy and regulation, the jeopardy determination is made by evaluating the effects of the proposed federally permitted action in the context of the current status of the species, taking into account any cumulative effects, to determine if implementation of the proposed action is likely to cause an appreciable reduction in the likelihood of both the survival and recovery of the species in the wild.

Adverse modification determination

Section 7(a)(2) of the Act requires that Federal agencies ensure that any action they authorize, fund, or carry out is not likely to result in the destruction or adverse modification of the critical habitat of listed species.

> "*Destruction or adverse modification*" means a direct or indirect alteration that appreciably diminishes the value of critical habitat for the conservation of a listed species. Such alterations may include, but are not limited to, those that alter the physical or biological features essential to the conservation of a species or that preclude or significantly delay development of such features (50 CFR §402.02).

The destruction or adverse modification definition focuses on how Federal actions affect the quantity and quality of the physical or biological features in the designated critical habitat for a listed species and, especially in the case of unoccupied habitat, on any impacts to the critical habitat itself. The Service will generally conclude that a Federal action is likely to "destroy or adversely modify" designated critical habitat if the action results in an alteration of the quantity or quality of the essential physical or biological features of designated critical habitat, or that precludes or significantly delays the capacity of that habitat to develop those features over time, and if the effect of the alteration is to appreciably diminish the value of critical habitat for the conservation of the species. The Service may also consider other kinds of impacts to designated critical habitat as appropriate. There is no designated critical habitat within the Action Area.

DESCRIPTION OF THE PROPOSED ACTION

This project proposes to widen an existing two-lane, undivided roadway to a four-lane, divided roadway with a 40 foot (ft) median, and the inclusion of operational improvements along 7.6 miles of SR 70 from Lonesome Island Road to the southern leg of CR 721 in Highlands County (*Figure 1*). There would be two 12 ft travel lanes in each direction, with outside shoulders that are approximately 10 ft wide (5 ft paved), and a 12 ft shared use path is proposed along the south side of the road. Multimodal facilities will also be considered along the project segment, where appropriate. Each alternative will be evaluated to determine safety enhancements, additional right-of-way (ROW) needs, and traffic performance. The existing ROW width along SR 70 is generally 50 to 70 ft and additional ROW is expected to accommodate the proposed improvements which require a minimum width of 60 ft.

SR 70 is part of Florida's Strategic Intermodal System (SIS) highway network and designated state hurricane evacuation route network. As part of the National Highway System, SR 70 is critical in the transportation network as it facilitates local and regional traffic and the movement of goods/freight. Facilities on the SIS are subject to special standards and criteria for design speed, level of service and other requirements. The existing SR 70 does not meet SIS facility criteria. SR 70 is functionally classified as "Rural Principal Arterial – Other' within the project Action Area, and the project segment of the roadway has an existing context classification of C2-Rural.

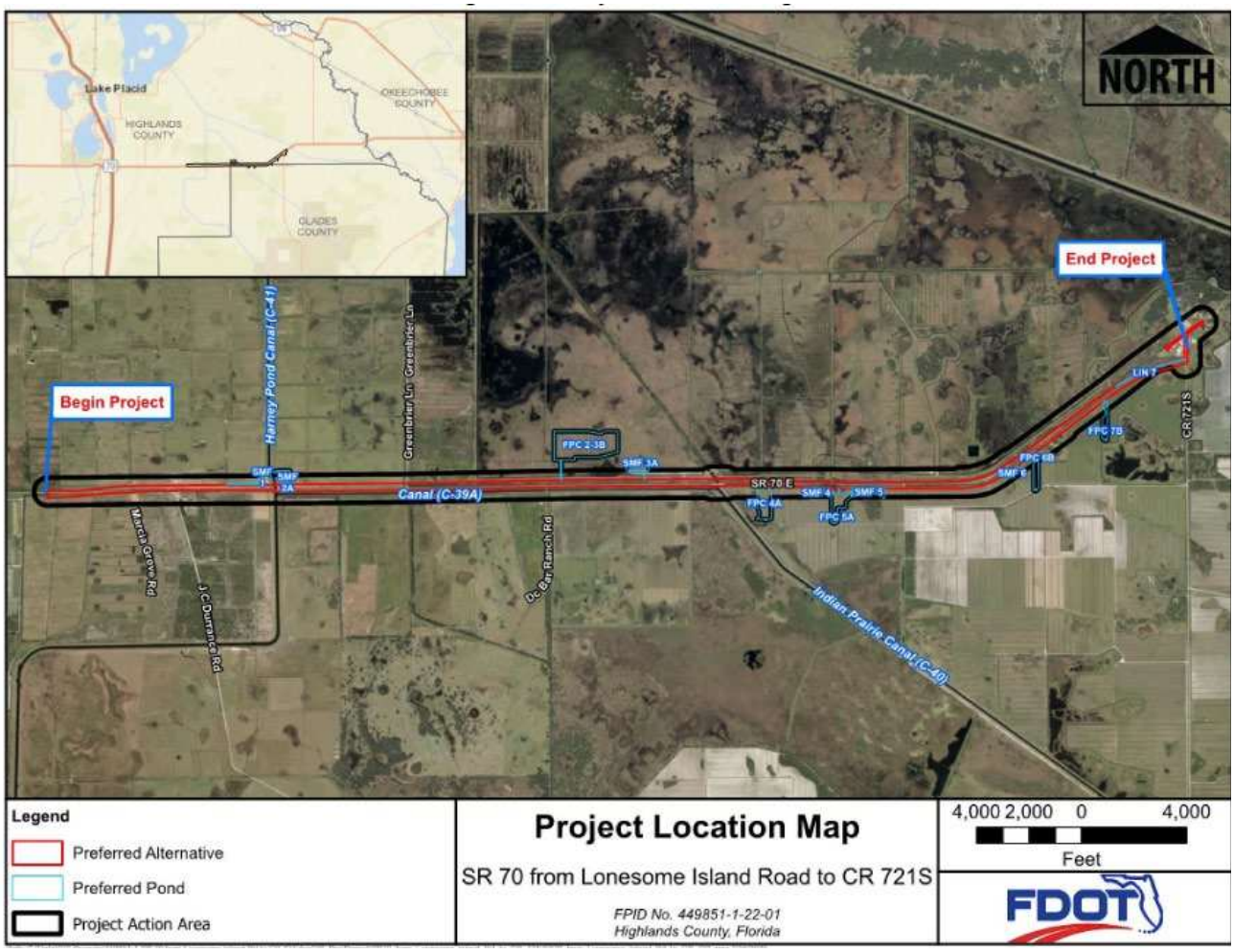


Figure 1: Project Location Map (FDOT 2025)

Conservation Measures

To minimize project impacts on wetlands, other surface waters, and protected species and their habitats to the greatest extent practicable, FDOT has agreed to implement the following conservation measures in association with the Project:

- If the monarch butterfly is listed by USFWS as Threatened or Endangered, FDOT commits to re-initiating consultation with USFWS to determine appropriate avoidance and minimization measures for protection of the newly listed species. FDOT is a partner to the Nationwide integrated Candidate Conservation Agreement with Assurances (CCAA) and Candidate Conservation Agreement (CCA) for Monarch Butterfly on Energy and Transportation Lands (Enhancement of Survival Permit, Permit No. TE74464D-0), has agreed to implement certain conservation measures, as well as minimization and avoidance measures. This project is anticipated to be mostly a "covered activity" under the CCAA.
- The most recent version of the USFWS *Standard Protection Measures for the Eastern Indigo Snake* will be implemented during construction.

- FDOT will provide a financial contribution to the Platt Branch Mitigation Bank (PBMB) for impacts to the eastern indigo snake within the Action Area.
- FDOT will provide a financial contribution to the Crested Caracara Conservation Fund for impacts to the primary zones (the area within 300 m of nests) for the nests adjacent to the project Action Area.
- The Action Area will be resurveyed prior to construction to confirm the locations of active Audubon's crested caracara nests. If the nest locations have moved or additional nests are found, consultation with the Service will be reinitiated.
- FDOT will provide mitigation for impacts to wood stork Suitable Foraging Habitat within the Service Area of a Service-approved wetland mitigation bank or wood stork conservation bank.
- FDOT will mitigate habitat impacts to the Florida panther by providing 951 Panther Habitat Units (PHU) from the Platt Branch Conservation Mitigation Bank.
- FDOT commits to design and constructing wildlife shelves at bridge crossings over the South Florida Water Management District (SFWMD) canals (Canal C-40 and C-41), per current wildlife crossing guidelines.
- FDOT will coordinate with SFWMD during the Design Phase to evaluate each canal crossing to determine locations and lengths of wildlife funnel fencing to be installed without precluding SFWMD canal access and maintenance of canals.
- FDOT will install landscaping utilizing native vegetation within the FDOT right-of-way and limits of funnel fencing.
- In accordance with the Florida Bonneted Bat Consultation Key, FDOT will implement Best Management Practices (BMPs):
    - BMP #1: If potential roost trees or structures need to be removed, check cavities for bats within 30 days prior to removal of trees, snags, or structures. When possible, remove structure outside of breeding season (January 1 – April 15). If evidence of use by any bat species is observed, discontinue removal efforts in that area and coordinate with the USFWS on how to proceed.
    - 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 and roost.
    - BMP #11: Avoid and minimize the use of artificial lighting, retain natural light conditions, and install wildlife friendly (i.e., downward facing, and lowest lumens possible). Avoid permanent night-time lighting to the greatest extent practicable.

Action Area

For purposes of consultation under ESA §7, the Action Area is defined as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action" (50 CFR §402.02).

The land use in the project area includes low-density residential, commercial, improved and unimproved pastures, field crops, abandoned groves, dry prairie, upland shrub and brushland, cabbage palm, and roads and highways.

Streams and waterways are mostly channelized and found throughout the project Action Area and are concentrated adjacent to the existing roadway and within adjacent agricultural lands. A total of 145 streams and waterways are present, comprising a total area of 123.41 acres (9.87%) of the project Action Area. These other surface waters consist of agricultural and roadside drainage ditches with bottoms containing turf grasses and muck. The streams and waterways within the project Action Area have a USFWS classifications of: PEM1E (Palustrine, Emergent, Persistent, Seasonally Flooded/Saturated), R2AB4Hx (Riverine, Lower Perennial, Aquatic Bed, Floating Vascular Permanently Flooded, Excavated), and R5UBFx (Riverine, Unknown Perennial, Unconsolidated Bottom, Semi-permanently Flooded, Excavated) (FDOT 2025).

Due to the differences in habitat use and life history, the Action Areas for this consultation will be broken out by species.

Florida Panther

The Action Area for the Florida Panther consists of the lands within 25 miles of the project area based on mean dispersal distances of 23.2 mi (Maehr et al. 2002), and 24.9 mi (Comiskey et al. 2002) reported for subadult male panthers (*Figure 2*). The 25-mi buffer distance encompasses the dispersal distance of both male and female panthers because male panther dispersal distances are known to exceed those reported for female panthers (Maehr et al. 2002; Comiskey et al. 2002). The size of the Action Area for this consultation is consistent with Action Areas defined in our recent biological opinions for the panther, and it encompasses the effects of the Project that extend beyond the Project footprint (*e.g.*, sound, dust, construction related traffic, etc.) and the wide-ranging movements of subadult panthers and the large home territories of adult panthers.

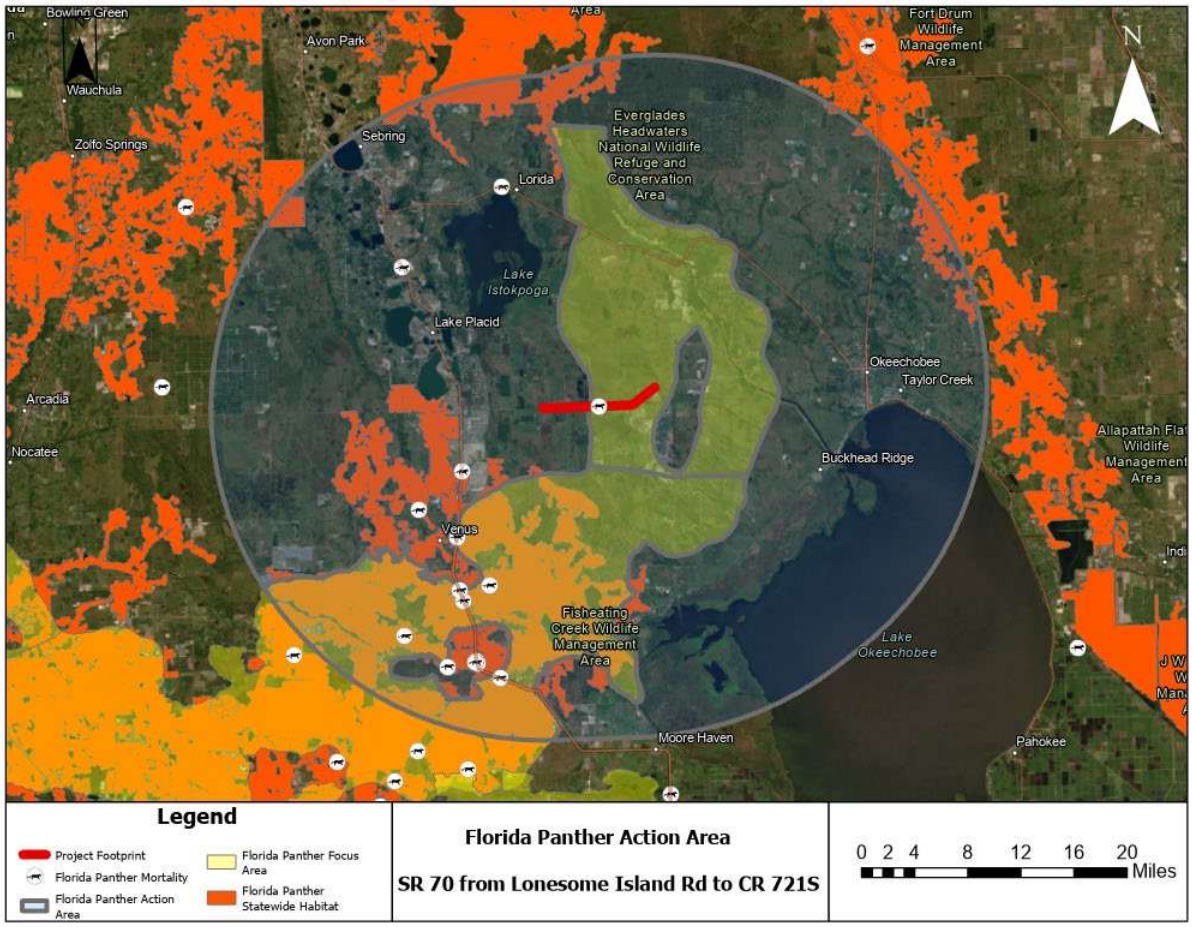


Figure 2: Florida panther Action Area

Audubon's Crested Caracara

The Action Area for the Audubon's crested caracara has been designated as a 1,500 meter buffer around the project area (*Figure 3*). This buffer was determined by the 1,500 m secondary zone for caracara nests. Due to the sensitivity of caracara nest location data, a 1,500 m buffer around project area is used to represent the caracara Action Area in *Figure 3*. The Action Area includes suitable nesting and foraging habitat for this species including: freshwater marshes, wet prairies, unimproved and improved pastures, and other agricultural lands.

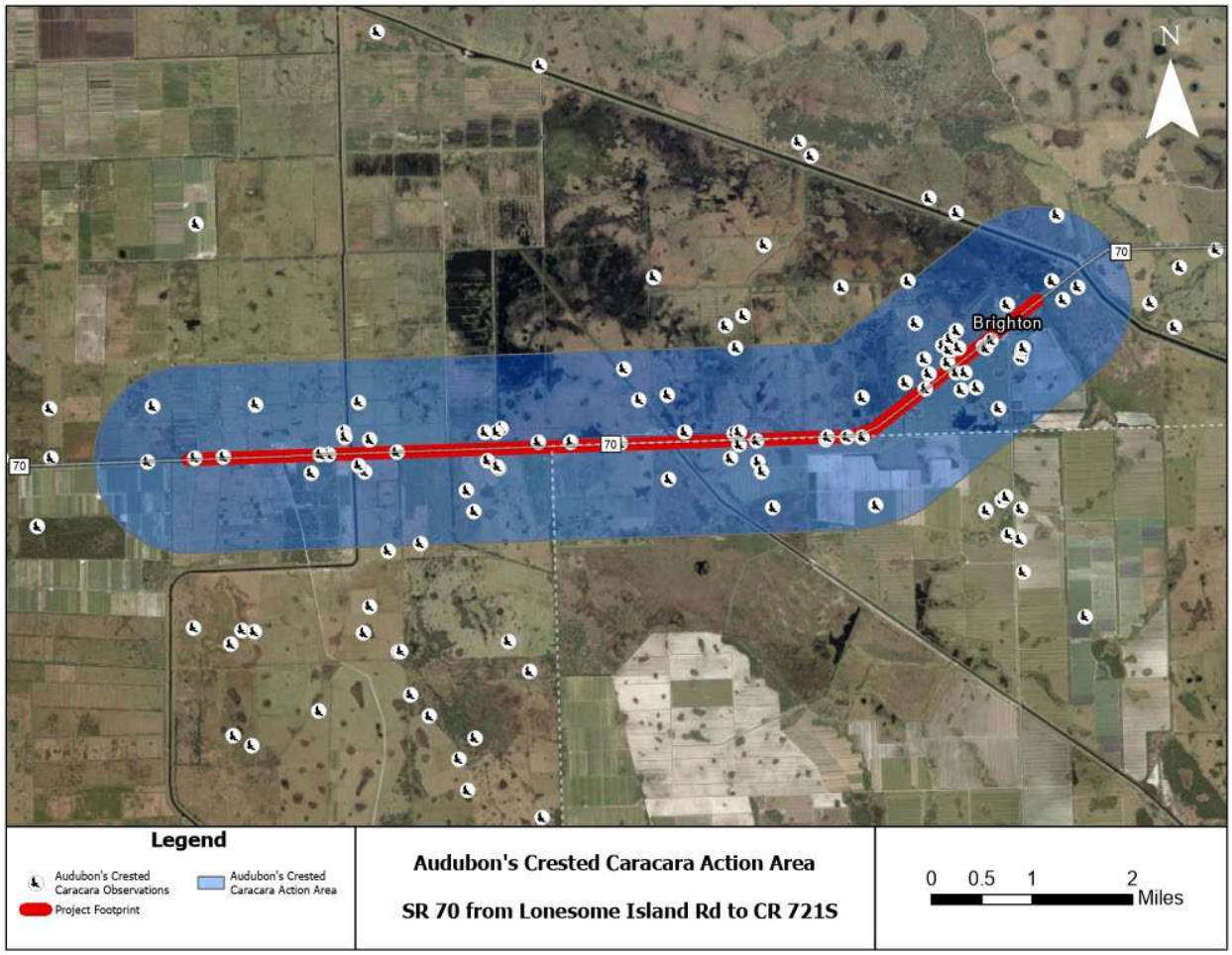


Figure 3: Audubon's crested caracara Action Area.

Eastern Indigo Snake

The Action Area for the EIS has been designated as a 1.2 mi buffer around the project area based on an average home range width of 1.2 mi (Bauder unpublished data). The EIS Action Area is presented in *Figure 4*.

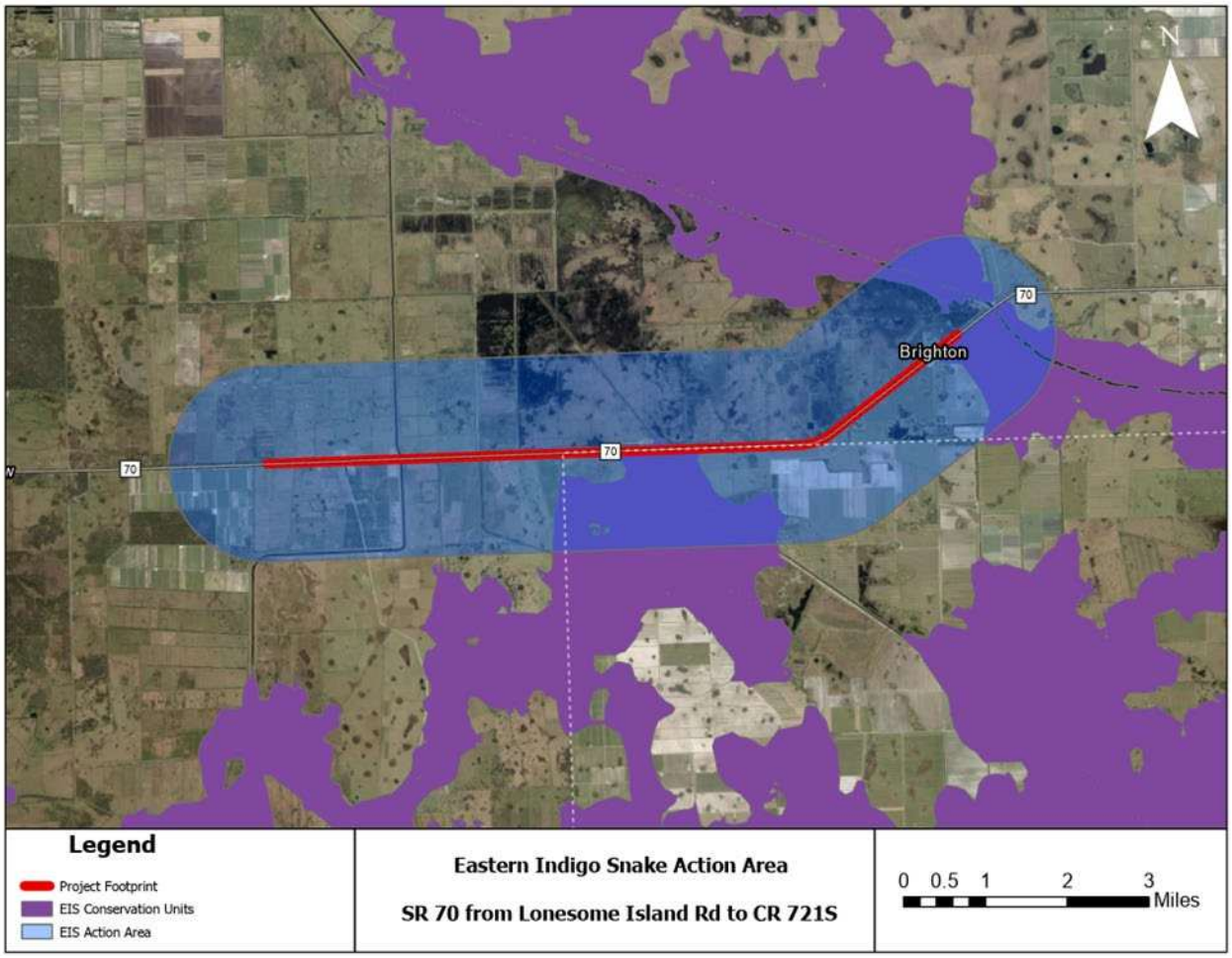


Figure 4: Eastern indigo snake Action Area

SPECIES NOT LIKELY TO BE ADVERSELY AFFECTED BY THE PROPOSED ACTION

The Service concurs with FDOT that the proposed Action is not likely to adversely affect the following Federally listed species: Florida bonneted bat, wood stork, eastern black rail, and Everglades snail kite.

Florida Bonneted Bat (FBB)

The Project occurs within the geographic range and the Service's consultation area for the endangered FBB. Individuals of the FBB or evidence of FBBs (e.g., guano etc.) were not observed on or near the Project site during a survey of potential roosting habitat conducted by the

FDOT's consultant in May 2024. However, the acoustic survey did positively identify one FBB call, therefore it can be assumed that FBB utilize the Action Area. The path followed through the 2019 Consultation Key for the Florida Bonneted Bat was 1a > 2a > 3b Conduct Full Acoustic/Roost Surveys> 6a > 7b > 10b > 12b > MANLAA-P**.** This supports a May Affect, not Likely to Adversely Affect (MANLAA) determination for this species with the included BMPs detailed above in the *Conservation Measures* section and no further consultation with the Service is required.

Wood Stork

The wood stork is an opportunistic feeder that utilizes various habitat types including estuarine and freshwater systems such as marshes, swamps, lagoons, ponds, tidal creeks, flooded pastures, and ditches. Water that is relatively calm, uncluttered by dense aquatic vegetation, and with a permanent or seasonal water depth between two and 15 inches is considered optimal foraging habitat for this species.

The Project site is located within the Core Foraging Area (CFA); *i.e.*, all lands within 18.6 mi of two active wood stork nesting colonies: Gator Farm and Lemkin Creek. Suitable foraging and nesting habitat for the wood stork is present within freshwater marshes, wet prairies, and streams and waterways within the project Action Area and this species was observed foraging during field reviews. The primary concern for this species is loss of suitable foraging habitat within the CFA of a wood stork colony. A wood stork foraging analysis was conducted to determine the amount of biomass lost from wetlands and other surface water impacts within the project Action Area. Based on the results of the wood stork foraging analysis, the proposed project will result in a direct loss of 80.98 acres of suitable wood stork foraging area. There is no loss of short hydroperiod wetlands, and all 80.98 acres will be lost from long hydroperiod wetlands. Analysis results concluded that the proposed project would result in the net loss of 141.93 kg total biomass (fish and crayfish). The path followed through the *Wood Stork Effect Determination Key for South Florida* was A> B > C > E > MANLAA. We acknowledge that collectively, foraging habitat loss throughout the species range could affect the survival and recovery of the wood stork. As such, we continue to monitor the range-wide loss of foraging habitat for the wood stork.

As a conservation measure, FDOT has proposed to compensate for the loss of 80.98 acres of potential wood stork foraging habitat due to the Project. Through use of the Service's wood stork foraging methodology, FDOT has determined that this constitutes the loss of 141.93 kg of wood stork forage biomass. To compensate for this loss, FDOT has proposed to purchase wetland credits from Lake Istokpoga Mitigation Bank or another approved regional mitigation bank.

Eastern Black Rail

Black rails require dense vegetative cover that allows movement underneath the canopy. This species can be found in a variety of salt, brackish, and freshwater marsh habitats that can be tidally or non-tidally influenced, and plant structure is considered to be more important than plant species composition in predicting habitat suitability. Soils are moist-to-saturated, occasionally dry, and interspersed with, or adjacent to, very shallow water of 1 to 6 centimeters.

The eastern black rail has not been documented within one mile of the project Action Area and was not observed during field reviews. The project area has habitat for this species but is suboptimal habitat for this species and black rails are unlikely to occur within the project area. Additionally, FDOT has commitment to reinitiating consultation with the Service if eastern black rails are observed in the project's Action Area prior to or during construction. Based on the limited suitable habitat, the Service concurs with FDOTs determination that the Project "may affect, not likely to adversely affect" for the eastern black rail.

Everglades Snail Kite

The Project occurs within the geographic range of the snail kite, and this species was observed in the Action Area during field reviews. However, the habitat is unsuitable for this species due to overgrown vegetation that would inhibit preferred nesting habitat for this species as well as the close proximity of nesting and perching substrate to the roadway. Canals present within the Action Area were determined to be unsuitable foraging habitat due to steep side slopes exceeding optimal water depth and the overgrown vegetation on the edge of the canal. Based on this habitat analysis, the Service concurs with FDOT's determination that the project "may affect, not likely to adversely affect" the Everglades snail kite.

STATUS OF THE SPECIES/CRITICAL HABITAT RANGEWIDE

Please see the status of the species for the Florida panther, Audubon's crested caracara, and eastern indigo snake (enclosure). Critical habitat has not been designated for any of these species and will not be affected by the Project.

ENVIRONMENTAL BASELINE

Environmental baseline refers to the condition of the listed species or its designated critical habitat in the Action Area, without the consequences to the listed species or designated critical habitat caused by the proposed Project. The environmental baseline includes the past and present impacts of all Federal, State, or private actions and other human activities in the Action Area, the anticipated impacts of all proposed Federal Projects in the Action Area that have already undergone formal or early section 7 consultation, and the impact of State or private actions which are contemporaneous with the consultation in process. The impacts to listed species or designated critical habitat from Federal agency activities or existing Federal agency facilities that are not within the agency's discretion to modify are part of the environmental baseline.

Status of the species within the Action Area

Florida Panther

It was determined through field reviews, desktop research, and historical data, that potential habitat for the species occurs throughout the Action Area and individuals have been observed within the Action Area. To evaluate Florida panther utilization of habitats within the Action

Area, panther telemetry and mortality GIS data was analyzed. The GIS telemetry and mortality data examined can provide rough estimates of home range boundaries, known or modeled panther travel corridors, and range of panthers in southwest Florida. Impacts and trends of roadways on the Florida panther can be closely analyzed by using telemetry and mortality data. Telemetry data, obtained from the Florida Fish and Wildlife Conservation Commission (FWC), includes recorded GPS data points of collared Florida panthers from February 1981 to January 2025. Mortality data, obtained from the FWC, includes panther mortalities from February 1972 to December 2025.

Telemetry data did not show panther occurrences in the Action Area, however, a road mortality for a Florida panther (UCFP456) due to vehicular trauma was documented in along the SR 70 corridor that will be widened as part of the proposed project.

Audubon's crested caracara

It was determined through field reviews, desktop research, and historical data, that foraging and nesting habitat for this species occurs throughout the project landscape and individuals have been observed within the project area. A survey in 2023 observed several Audubon's crested caracara and identified five nests. Of those nests within the Action Area, 3 will have Primary Zone Impacts (impacts within 300 m of a nest) and all 5 will have Secondary Zone Impacts (impacts within 1,500 m of a nest). The Action Area includes 14.91 acres of primary zone and 302.04 acres of secondary zone around the nests, for a total of 316.95 acres of occupied Audubon's crested caracara nesting habitat. Areas of impacts zones that overlap are only counted once for the total area of impacts calculated.

Due to Audubon's crested caracara's ability to reuse previous nest sites or sites in close proximity to a previous nest site, and the vast availability of suitable nesting/foraging habitat surrounding the project Action Area, FDOT committed that the Action Area will be resurveyed prior to construction to confirm the locations of active Audubon's crested caracara nests to ensure accurate impact estimates.

Eastern Indigo Snake

Currently, there is not a population estimate for the number of individual EIS in the wild as they are difficult to consistently locate in the field, but the number of extant populations on the species level was 53 as of the 2019 EIS Species Status Assessment (USFWS 2019). The 2019 Species Status Assessment shows that Highlands County, FL has a known historic and current population of EIS with multiple records less than 1 miles of each other. There have been 321 historic observations of EIS in Highland County, including 240 observations within the last 20 years and 2 observations within the Action Area in 2007 (Unpublished data).

It was determined, through field reviews, desktop research, and historical data, that the Action Area contains 2,797 acres of suitable habitat for the eastern indigo snake. This species was not observed during FDOT's field reviews, but historical data, including road mortality data has documented occurrences of this species within the Action Area.

Road mortality data from the last 20 years documented 2 EIS within the 1.2 mile buffer around the road designated as the Action Area for this species. This indicates EIS are present within the Action Area but is not representative of the number of EIS that occur within the Action Area.

Climate Change

Our analysis under the Act includes consideration of observed or likely environmental effects related to ongoing and projected changes in climate. As defined by the Intergovernmental Panel on Climate Change (IPCC), "climate" refers to average weather, typically measured in terms of the mean and variability of temperature, precipitation, or other relevant properties over time; thus, "climate change" refers to a change in such a measure which persists for an extended period, typically decades or longer, due to natural conditions (*e.g.,* solar cycles) or human-caused changes in the composition of the atmosphere or in land use (IPCC 2023). Because observed and projected changes in climate at regional and local levels vary from the global average conditions, rather than using global scale projections, we use "downscaled" projections when they are available. In our analysis, we use our expert judgment to weigh the best scientific and commercial data available in our consideration of relevant aspects of climate change and related effects. Based on the observed trends in the climate record gathered from thousands of temperature and precipitation recording stations around the world and changes observed in physical and biological systems, the scientific community is certain that the earth's climate is changing and a warming trend in the climate is occurring (USGS 2019).

Florida is vulnerable to pulse events and sea level rise, as well as to changes in rainfall and temperatures due to changes in environmental trends associated with climate change. NOAA (2017) model simulations using the more recent Coupled Model Intercomparison Project Phase 5 predicts changes in precipitation seasonally for South Florida with increases in dry season rainfall up to 20 percent and decreases in wet season rainfall up to 30 percent. The change in timing of rainfall will likely stress ecosystems and cause changes in vegetation types. Increased rainfall associated with climate change could reduce the ability to effectively use prescribed burning to manage habitat in optimal conditions for panthers and their prey. Increased rainfall could also reduce the amount of area suitable for panther denning by increasing the area covered with standing water or the duration of inundation of seasonally wet areas. A decrease in precipitation or prolonged drought could affect food availability for panthers and ultimately affect their productivity and survivorship.

Sea level rise, due to climate change**,** will impact the coastal populations of EIS due to inundation of habitat and increased saline environments. Florida has undergone drastic changes in size and shape over long geologic periods due to sea level changes that influenced the distribution and genetic diversity of the eastern indigo snake (Kyrsko *et al*. 2016). While some eastern indigo snakes have been observed in saline habitats (mangrove swamplands), the species' salinity tolerance is unknown (Metcalf 2017). Habitat loss and degradation of today's landscape reduces connectivity and creates movement barriers. For example, Metcalf (2017) suggests for the coastal population at Rookery Bay Reserve, a heavily trafficked road (SR 951) may block their escape inland from rising sea levels.

Impacts of shifting temperatures and rainfall due to climate change are variable but may cause indirect effects, such as dependence on gopher tortoise burrows for winter shelter sites and shifts in prey base. However, since the EIS has a diverse diet, dietary needs for the snake will likely be

met. Shifting temperature and rainfall can negatively affect the ability to conduct prescribed fire (Melvin 2015) which is an important management tool for maintaining good quality habitat. To minimize risk of habitat loss from sea level rise and variable effects from changing weather, maintaining connectivity among habitat patches so that snakes can move in response to changing climate conditions will be essential for long-term viability. (USFWS 2019)

Climate change is predicted to have impacts to the caracara's summer and winter ranges by 2080, expanding by 24% across the range. The Florida population would primarily expand north and west into the southern half of Georgia, with limited expansion into coastal South Carolina, Alabama, Mississippi, and Louisiana. Climate change is also predicted to increase extreme weather events (e.g. hurricanes), however, continued population growth after several severe hurricanes in the last ten years (e.g., Hurricane Irma – 2017, Hurricane Michael – 2018, Hurricane Sally – 2020, Hurricane Ian – 2022), indicates the general ability of this species to withstand extreme weather events. It is also possible that some disturbance from hurricanes could create or maintain more open habitat the species prefers (USFWS 2025).

It is difficult to estimate, with any degree of precision, the species that will be affected by climate change or exactly how they will be affected. The Service will use Strategic Habitat Conservation planning—an adaptive science-driven process that begins with explicit trust resource population objectives—as the framework for adjusting our management strategies in response to climate change (USFWS 2006).

EFFECTS OF THE ACTION

Effects of the Action are all consequences to listed species or critical habitat that are caused by the proposed Action, including the consequences of other activities that are caused by the proposed Action but that are not part of the Action. A consequence is caused by the proposed Action if it would not occur but for the proposed Action, and it is reasonably certain to occur. Effects of the Action may occur later in time and may include consequences occurring outside the immediate area involved in the Action (50 CFR 402.02).

Florida Panther

Land clearing and construction activities

While the project Action Area is not in the USFWS Florida Panther Focus Area or the Florida Panther Dispersal Zone, the project is within a Thatcher Dispersal Pathway, a designated area that contains suitable habitat for the Florida panther and is one of the most likely dispersal routes based on modeling. Land clearing and construction activities associated with the Project will result in the permanent loss of 264.7 acres of dispersal zone lands.

According to the most current home range estimates of the panther (Lotz et al. 2005), the 264.7 acres of habitat lost represents 0.91 percent of a female panther's average home range or territory (29,059 acres) and 0.42 percent of a male panther's average home range or territory (62,542 acres). We do not expect direct mortality of panthers to result from the habitat lost due to the

Project. The habitat value lost due to the Project will be offset, to some extent, by the habitat compensation conservation measure proposed by the Applicant.

Habitat loss due to the Project has the potential to increase intraspecific aggression among panthers in the Project area. Panther mortalities resulting from attacks of conspecifics (*i.e.,* other panthers) are known to occur in the panther population (*e.g.*, males may kill other rival males when defending a territory). A reduction in territory size due to habitat lost due to the Project may cause a panther to attempt to expand its territory in search of a requisite resource (*e.g.,* prey, mates, etc.) and increase the potential for interactions with conspecifics. Such interactions usually result in a fight that often ends in the death of one of the participants. A total of 13 panther deaths have occurred within 25 miles of the project corridor since 1983. Of those, one was a reported case of panther mortality due to intraspecific aggression, 10 due to vehicular trauma, and 2 from unknown causes. The most recent intraspecific aggression within the Action Area was documented in 2021.

The Project will result in the loss of 267.7 acres of panther and may increase the potential for intraspecific aggression in the Action Area to a minor extent. We acknowledge that we currently do not have a method to estimate the future number of panther mortalities in the Action Area resulting from intraspecific aggression due to habitat loss. However, we do not expect this minor increase in the potential for intraspecific aggression due to habitat lost from the Project to translate into a measurable increase in panther deaths in the Action Area.

The operation of heavy equipment (*e.g.,* bulldozers, graders, skip loaders, etc.) and other motor vehicles in the construction footprint have the potential to injure or kill panthers (*i.e.,* panthers could be crushed due to collisions with construction vehicles). However, panthers are intelligent and highly vagile and would most likely vacate the area for the duration of construction activities. Moreover, construction vehicles are likely to move at relatively slow speeds, and operate when panthers are less active (*i.e.,* daytime). Therefore, we expect that panthers will be able to avoid construction vehicles during construction of the Project and find that injuries and mortalities of panthers resulting from construction vehicles are unlikely to occur.

The increase in noise and human activities due to construction activities will increase disturbance to panthers in the Project vicinity during construction of the Project. Consequently, the Service notes that these activities may cause resident or dispersing panthers to avoid the Project site during construction. Moreover, resident panthers may adjust their territories due to the disturbance. The effect of the disturbance to the panther due to construction activities is expected to be temporary and will not result in permanent changes in the use of land by panthers adjacent to the Project footprint.

Motor vehicle traffic following completion of the Project

Motor vehicles using the SR 70 provide a threat to panthers in the Action Area. Injuries and mortalities of panthers due to collisions with motor vehicles can result when panthers attempt to cross roads that contain vehicles travelling at high speeds. This risk may be increased when panthers attempt to cross a roadway at night because they can be easily blinded and disoriented by motor vehicle lights and may misjudge the speed and location of moving vehicles. As

indicated above, panther injuries and mortalities due to motor vehicle strikes have been documented in the Action Area. A total of 10 panther mortalities due to vehicular trauma have been documented within the Action Area since 1983, with one of those occurring within the project footprint in 2024.

The proposed Project will increase the width of paved roadway, containing cars and trucks moving at high speeds, that panthers must traverse when crossing the roadway. This will increase the potential for panther mortality due to vehicular trauma in the following ways: 1) the increased amount of time it takes for a panther to cross the wider road; 2) the increased capacity of the roadway for vehicles, due to the addition of more lanes; 3) the projected future increase in human population growth and development, and associated increase in motor vehicles using the roadway. The Service does not have reliable data, or any known reliable method, to quantify an increased risk to panthers from road mortality that may occur as a function of the increased width of the paved roadway resulting from the Project. However, it is logical to infer that the potential for panther mortality may increase with the width and increased capacity of paved roadway containing high speed motor vehicle traffic. We expect that the increase in the potential for motor vehicle collisions in the Project footprint due to the Project will be small because panther deaths due to motor vehicle collisions are uncommon in the Project footprint (One panther death resulting from a motor vehicle strike was recorded within the Project footprint), panther use of lands near the Project footprint—and therefore crossings of the paved roadway in the Project footprint—is not likely to increase because all existing panther territories adjacent to the Project footprint are thought to be occupied and we do not expect the overall number of adult panthers in the area to increase due to the territorial behavior of panthers. We do not expect the effects of road widening in the Project footprint to cause mortality on other segments of road in the Action Area because those segments will not be altered. Finally, two wildlife shelves will be added under the existing bridge crossings which would provide an avenue for panthers to cross under the road.

Operation of the widened roadway (*i.e.,* motor vehicle use) is expected to result in disturbance to panthers (*i.e.,* affect their movements) in the Project area. Panthers are already exposed to significant disturbance in the Project corridor from motor vehicles using the existing two-lane roadway (*e.g.,* the presence and noise of motor vehicles, vehicle lights, etc.). However, the addition of two new paved lanes, sidewalk, and a center grassy median will expand the extent of disturbance from motor vehicle use. The expected increase in the number of vehicles, bikes, and pedestrians using the road corridor resulting from future development in the region will also increase the magnitude of the disturbance. Disturbance resulting from motor vehicle use of the Project corridor could affect the movements of panthers. Consequently, panthers may be less likely to cross the roadway, or they may choose to avoid the SR 70 Project corridor altogether. Based on our knowledge of the panther's behavior, we believe that panthers will acclimate to the increased level of disturbance resulting from the Project. Consequently, the increase in disturbance resulting from roadway operation due to the Project will not significantly change panther use patterns in the Project area.

Based on the panther home range size and previous documented vehicular mortality events, the Service expects no more than 1 female and 1 male panther to be adversely affected by this project due to habitat loss and vehicular trauma.

Audubon's Crested Caracara

Land clearing and construction

Land clearing and construction activities associated with the proposed project will result in the permanent loss of 316.95 acres that may provide habitat for the caracara and its prey. This acreage includes the loss of approximately 14.91 acres of primary zone and 302.04 acres of secondary zone for five documented nest sites. Impacts include freshwater marshes, wet prairies, unimproved and improved pastures, and other agricultural lands within the primary and secondary zone habitats. Despite the loss of caracara habitat in the project footprint, available habitat adjacent to the project site includes agricultural lands, pasture and some native uplands and wetlands that caracaras may use for nesting, feeding and dispersal. The land within the construction footprint will be converted to paved roadway, stormwater ponds, and disturbed road right-of-way but still may be used by caracara. To offset adverse effects, FDOT has committed to making a contribution to the Crested Caracara Conservation Fund.

Road Mortality

The widening of the roadway will increase the potential for injuries and mortalities of the caracaras due to collisions with motor vehicles. The threat due to motor vehicle collisions is exacerbated due to caracara's habits of feeding on road-killed animals found on or adjacent to roadways. Motor vehicle traffic is expected to increase following the completion of the widening in the project area. Therefore, it is possible that over the life of the project, caracaras may be injured or killed by collisions with motor vehicles. Although project improvements are expected to increase the potential for vehicle strikes to some extent, the number of caracara injuries and mortalities due to vehicle strikes is expected to be small over the life of the project and not significantly affect the survival and recovery of the species.

Eastern Indigo Snake

Land clearing and construction

The most current home range estimates for a male and female EIS is 244.75 acres with an estimated home range width of 1.2 mi (Bauder unpublished data). Land clearing and construction activities associated with the proposed project will result in the permanent loss and/or fragmentation of 2,797 acres of suitable habitat identified by GIS analysis within the Action Area. Habitat loss, fragmentation, and degradation are a major reason for EIS population decline. The impacts from the habitat loss and fragmentation as a result of this project is expected to harm up to 3 EIS. The habitat value lost due to the Project will be offset, to some extent, by the habitat compensation conservation measure proposed by the Applicant.

Road Mortality

The widening of the roadway will increase the potential for injuries and mortalities of EIS due to vehicular trauma. Motor vehicle traffic is expected to increase following the completion of the widening in the project area. Therefore, it is possible that over the life of the project, EIS may be

injured or killed by motor vehicles. Although project improvements are expected to increase the potential for vehicle strikes to some extent, the number of EIS injuries and mortalities due to vehicle strikes is expected to be small over the life of the project and not significantly affect the survival and recovery of the species.

Based on the 2,797 acres of suitable habitat identified in the project area, it is estimated that 23 EIS occur within the Action Area. Based on the probability of this species crossing the road estimated at 0.23 in Bauder et al 2018 and a 50% road mortality rate, it is expected up to 3 EIS may be harmed or killed as a result of vehicular trauma.

CUMULATIVE EFFECTS

The Service defines "cumulative effects" considered in this Biological Opinion as the effects of future State, Tribal, local, or private actions (*i.e.,* non-Federal actions usually not subject to consultation by the Service pursuant to Section 7 of the Act) reasonably certain to occur in the Action Area. The effects of these non-Federal actions are analyzed with the effects of the proposed Project when conducting the jeopardy analysis. Our definition of cumulative effects does not include future Federal actions unrelated to the proposed action because these actions require separate consultation pursuant to section 7 of the Act. 7 of the ESA).

Recent non-federal actions are those development projects that have occurred in the action area during the last three years (2023-2025) and have resulted in the loss of panther, caracara, and/or EIS habitat. The Service considers these recent actions as representative of future non-federal actions that are likely to occur in the Action Area.

Review of future land use maps, Development of Regional Impacts (DRIs), and Planned Unit Developments (PUDs) in Highlands and Glades Counties within approximately five miles of the Preferred Alternative resulted in no DRIs or PUDs with planned development. Additionally, a permit search was completed for the same area and for state issues permits to identify permits issued with no federal nexus. There are several Florida Department of Environmental Protection (FDEP) permits issued for utility related improvements however those improvements and required permits include a federal nexus with the Federal Energy Regulatory Commission (FERC) and U.S. Army Corps of Engineers (USACE) permits. All the state permits issued in the area authorized agricultural improvements do not result in the loss of habitat for federally listed species analyzed in this BO, including Audubon's crested caracara, eastern indigo snake or Florida panther. Based on review of existing permits and future land use maps that include only agricultural and conservation lands, adverse cumulative effects are not expected to occur within the Action Area.

CONCLUSION

After reviewing the current status of the Florida panther, the Audubon's crested caracara, and the eastern indigo snake, the environmental baseline for the Action Area, the effects of the proposed action, and the cumulative effects, it is the Service's biological opinion that the Project, as proposed, is not likely to jeopardize the continued existence of the Florida panther, the

Audubon's crested caracara, or the eastern indigo snake. We have reached this conclusion because:

1. The project will result in 264.7 acres of panther habitat lost. The amount of habitat lost represents 0.91 percent of a female panther's average home range or territory (29,059 acres) and 0.42 percent of a male panther's average home range or territory (62,542 acres). Therefore, we do not expect that this minor loss of habitat resulting from the Project to significantly affect the range-wide population of panthers. However, we acknowledge that collectively, habitat loss could threaten the survival and recovery of the panther, and we will continue to monitor the effects of habitat loss on the panther throughout its range. FDOT has committed to purchasing 951 Panther Habitat Units (PHUs) from the Platt Branch Conservation Mitigation Bank prior to construction to mitigate the permanent loss of 264.7 acres of dispersal zone lands.

2. This project is estimated to result in the take of one female and one male panther. A loss of this magnitude is not expected to cause jeopardy because the range-wide panther population is predicted to be ~414 panthers in 2016 and 2017 (Onorato et al. 2024; the most current estimate available), and the current panther population is expected to be able to withstand this level of take. The construction of panther compatible wildlife shelves under the 2 existing bridges will further reduce harm by providing a safe avenue to cross the road. This benefit is somewhat reduced without adequate wildlife fencing to funnel panthers into the wildlife crossings.

3. The proposed project will result in the permanent loss of 316.95 acres that may provide habitat for the caracara and its prey. This acreage includes the loss of approximately 14.91 acres of primary zone and 302.04 acres of secondary zone for five documented nest sites. FDOT has committed to contributing $89,476.20 to the Crested Caracara Conservation Fund to offset impacts to this species. Although the project will result in primary and secondary zone impacts, no impacts to the nests themselves are expected. FDOT committed to resurvey prior to construction to identify any active nest location(s) to ensure accurate impact analysis.

4. The proposed project will result in the permanent loss and/or fragmentation of 2,797 acres of suitable EIS habitat within the Action Area. Due to the road widening, increased vehicular traffic, and habitat loss and fragmentation, the Service estimates 6 EIS will be harmed or killed as a result of this project. Although specific population numbers are unknown, the overall number of EIS taken as a result of this project is a small percentage of the population range-wide and is not expected to cause jeopardy. FDOT has committed to provide 152.80 eastern indigo snake (EIS) acre credits from PBMB which include land cover types that provide habitat for the EIS to offset impacts to this species. Due to the project not currently being funded for construction, if EIS credits are not available from PBMB, FDOT will contribute $78,000 to the EIS Conservation Fund or an agreed amount by USFWS if a portion of the credits are provided by PBMB.

INCIDENTAL TAKE STATEMENT

Section 9 of the Act and Federal regulation pursuant to section 4(d) of the Act prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as intentional or negligent actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to, and not intended as part of the agency Action, is not considered to be prohibited taking under the Act provided such taking is in compliance with the terms and conditions of this incidental take statement.

The terms and conditions described below are nondiscretionary and must be undertaken by FDOT, so they become binding conditions of any grant or permit issued to FDOT, as appropriate, for the exemption in section 7(o)(2) to apply. FDOT has a continuing duty to regulate the activity covered by this incidental take statement. If FDOT 1) fails to assume and implement the terms and conditions or 2) fails to require a permittee, contractor, or grantee to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse. In order to monitor the impact of incidental take, FDOT must report the progress of the Action and its impact on the species to the Service as specified in the Incidental Take Statement [50 CFR § 402.14(i)(3)].

AMOUNT OR EXTENT OF TAKE

The Service has reviewed the biological information for the Florida panther, the Audubon's crested caracara, and the EIS, information presented by the FDOT and the Applicant, and other available information relevant to this action. The Service anticipates that the project will result in take of Florida panther, Audubon's crested caracara, and EIS in the form of harm and harassment (as defined in 50 CFR §17.3) from the direct loss of habitat in the Project footprint and road mortality.

Table 2: Anticipated Incidental Take

Species	Common Name	Amount or Extent	Life Stage	Form of Take
Puma concolor coryi	Florida Panther	264.7 acres (1 male & 1 female)	Adults	Kill/Harm
Drymarchon corais couperi	Eastern Indigo Snake	6 individuals	Adults	Kill/Harm
Polyborus plancus audubonii	Audubon's crested caracara	14.91 acres primary nesting habitat (surrogate)	Adults, Eggs	Harm

Florida Panther

The Service has chosen to use habitat loss as a surrogate for monitoring the number of individual panthers expected to be taken incidentally from habitat loss due to the Project. It is not practicable to monitor take of panthers directly due to habitat loss for the following reasons: (1) the panther is wide-ranging, and it is difficult to monitor panthers in their territories; especially those not fitted with telemetry collars; and (2) it is difficult to document the adverse effects of habitat loss from the Project on survival and reproduction of individual panthers. Conversely, the Service notes that habitat loss is easily measured and monitored. The amount of incidental take from the Project due to habitat loss is 264.7 acres of suitable panther habitat in the Project footprint which amounts to territory for 1 male and 1 female panther. FDOT has committed to mitigating this habitat loss through the purchase of 951 PHUs from the Platt Branch Conservation Mitigation Bank. If this amount of incidental take is exceeded, immediate reinitiation of consultation is required, to the extent discretionary Federal agency involvement or control over the action has been retained or is authorized by law.

Audubon's Crested Caracara

The level of incidental take is difficult to quantify because documenting the adverse effects of loss of foraging habitat and disturbance on survival and reproduction (*e.g.,* nest abandonment or failure) of caracaras from the project is problematic. Moreover, the possibility also exists that caracaras in the Action Area may still breed successfully by either choosing a new nest location further away from the construction activities, or by adapting to the disturbance and proceeding with their usual nesting activities. The Service has chosen to use habitat loss as a surrogate for monitoring the number of individual caracaras expected to be taken incidentally from habitat loss due to the Project. As such, the Service estimates the amount of incidental take resulting from the project as the loss of: 316.95 acres of occupied nesting habitat (14.91 acres of Primary Zone Impacts and 302.04 acres of Secondary Zone impacts) within the Action Area. If this amount of incidental take is exceeded, immediate reinitiation of consultation is required, to the extent discretionary Federal agency involvement or control over the action has been retained or is authorized by law.

Eastern Indigo Snake

The proposed project will result in the permanent loss and/or fragmentation of 2,797 acres of suitable EIS habitat within the Action Area. Based on the EIS' home range and previous documented road mortality events with the Action Area the Service estimates the take of 6 individuals as a result of this project. This is a small percentage of the overall population. If this amount of incidental take is exceeded, immediate reinitiation of consultation is required, to the extent discretionary Federal agency involvement or control over the action has been retained or is authorized by law.

EFFECT OF TAKE

In the accompanying Biological Opinion, the Service determined this level of anticipated take is not likely to result in jeopardy to the Florida panther, eastern indigo snake, or Audubon's crested caracara. Critical habitat has not been designated for the panther, the eastern indigo snake, or the Audubon crested caracara and will not be affected.

REASONABLE AND PRUDENT MEASURES

When providing an incidental take statement, the Service is required to provide: 1) reasonable and prudent measures it considers necessary or appropriate to minimize the take; 2) terms and conditions that must be complied with to implement the reasonable and prudent measures; and 3) procedures to be followed if any federally listed species are injured or killed. The Service finds the Applicant has already designed the Project to minimize take resulting from the action. Therefore, additional reasonable and prudent measures and their implementing terms and conditions are not necessary to reduce take of the panther resulting from the action and will not be provided.

MONITORING AND REPORTING REQUIREMENTS

Pursuant to 50 Code of Federal Regulations 402.14(i)(3), the FDOT must provide adequate monitoring and reporting to determine if the amount or extent of take is approached or exceeded. Following land clearing associated with the Project, the FDOT must provide a report notifying the Service as to the acreage of each habitat or land cover type cleared by the Project within the Project footprint.

DISPOSITION OF DEAD OR INJURED SPECIMENS

Upon locating a dead, injured, or sick threatened or endangered species, initial notification must be made to the nearest Service Law Enforcement Office: 20501 Independence Blvd., Groveland, Florida 34736; phone number 352-429-1037, as well as the Florida Fish and Wildlife Conservation Commission's Wildlife Alert phone number; 888-404-3922. Secondary notification should be made to the biologist identified below at the Florida Ecological Service Office, phone number 772-268-7169. Care should be taken in handling sick or injured specimens to ensure effective treatment and in the handling of dead specimens to preserve biological material in the best possible state for later analysis as to the cause of death. In conjunction with the care of sick or injured specimens, or the preservation of biological materials from a dead animal, the finder has the responsibility to carry out instructions provided by Law Enforcement to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act directs Federal agencies to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to benefit the survival and recovery of the Federally listed species adversely affected by the Project, help

implement the species' recovery plans, or to acquire information related to the species. The Service is not proposing any additional conservation recommendations at this time.

REINITIATION NOTICE

This concludes formal consultation on the Project. As provided in 50 CFR § 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded (see below); (2) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; (3) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. The amount of incidental take authorized by this consultation may be exceeded should impacts from the proposed Project increase beyond the loss of 264.7 acres of panther habitat in the Project footprint, 316.95 acres of occupied Audubon's crested caracara nesting habitat (14.91 acres of Primary Zone Impacts and 302.04 acres of Secondary Zone impacts), or more than 6 eastern indigo snakes.

Thank you for your cooperation and effort in protecting federally listed species and fish and wildlife resources. If you have any questions regarding this Project, please contact Amber Rhodes at amber_rhodes@fws.gov or at (772) 268-7169.

Sincerely yours,

MARK CANTRELL

Digitally signed by MARK CANTRELL
Date: 2025.11.25 07:50:41 -06'00'

For José J. Rivera
Division Manager, Environmental Review
Florida Ecological Services Office

Enclosures
Audubon's Crested Caracara [Florida DPS] 5-year Review 2025
Florida Panther (*Puma concolor coryi*) 5-Year Review 2009
Eastern Indigo Snake (*Drymarchon couperi*) 5-Year Status Review 2024

LITERATURE CITED

Bauder, J. M., Breininger, D. R., Bolt, M. R., Legare, M. L., Jenkins, C. L., Rothermel, B. B., & McGarigal, K. (2016). The Influence of Sex and Season on Conspecific Spatial Overlap in a Large, Actively-Foraging Colubrid Snake. *Plos One*, 1-19.

Bauder, J. M., Breininger, D. R., Bolt, M. R., Legare, M. L., Jenkins, C. L., Rothermel, B. B., & McGarigal, K. (2018). Multi-level, multi-scale habitat selection by a wide-ranging, federally threatened snake. *Landscape Ecology*.

Comiskey, E., Bass Jr., O., Gross, L., McBride, R., & Salinas, R. (2002). Panthers and forests in south Florida: an ecological perspective. *Conservation Ecolgoy 6*, 18.

FDOT. (2025). *Natural Resources Evaluation FDOT District 1 State Road (SR) 70 Limits of Project: from Lonesome Island Road to County Road (CR) 721 South.*

IPCC. 2023. AR 6 Synthesis Report: Climate Change 2023. IPCC.

Krysko, K., Nunez, L., Lippi, C., Smith, D., & Granatosky, M. (2016). Pliocene-Pleistocene lineage diversifications in the eastern indigo snake (Drymarchon couperi) in the southeastern United States. *Molecular Phylogenetics and Evolution 98*, 111-122.

Lotz, M., D. L., Cunningham, M., & Ferree., B. (2005). *Florida Panther Annual Report 2004-05.* Tallahassee, Florida: Florida Fish and Widlife Commission.

Maehr, D., Land, E., Shindle, D., Bass, O., & Hector, T. (2002). Florida panther dispersal and conservation. *Biological Conservation 106*, 187-197.

Melvin, M. (2015). *National Prescribed Fire Use Survey Report. Technical Report 02-15.* Coalition of Prescribed Fire Councils, Inc.

Metcalf, M. (2017). Spatial Ecology of the threatened eastern indigo snake (Drymarchon couperi) in a subtropical coastal landscape in the southern extent of its range. *Master's Thesis: Florida Gulf Coast University*.

NOAA. (2017). *Global and Regional Sea Level Rise Scenarios for the United States. NOAA Technical Report NOS CO-OPS 083.* Silver Spring, Maryland: National Oceanic and Atmospheric Administration.

USFWS. (2006). *Strategic Habitat Conservation. Final Report of the National Ecological Assessment Team to the U.S. Fish and Wildlife Service and U.S Geologic Survey.*

USFWS. (2019). *Species Status Assessment (SSA) Report for the Eastern Indigo Snake (Drymarchon couperi).*

USFWS. (2025). *Audubon's Crested Caracara [Florida DPS] (Caracara plancus audubonii) 5-Year Review: Summary and Evaluation.* Vero Beach, FL.

USGS. (2019). *FAQ: How do we know the climate is changing?* Retrieved from USGS.GOV: https://www.usgs.gov/faqs/how-do-we-know-climate-changing-1?qtnews_science_products=0#qt-news_science_products

REGION 4
ATLANTA, GA 30303

June 16, 2025

Mr. Martin Horwitz
Sr. Environmental Scientist/Project Manager
Kisinger Campo & Associates
111 N. Magnolia Ave., Ste 1050
Orlando, FL 32801

Subject: Sole Source Aquifer Review/Concurrence SR 70 PD&E Study from Lonesome Island Road to the Southern Leg of CR 721 in Highlands County, Florida.

Dear Mr. Horwitz:

The U.S. Environmental Protection Agency, Region 4 received the Florida Department of Transportation's (FDOT) request on May 15, 2024 to review the above referenced project pursuant to Section 1424(e) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h-3. The objective of the EPA's review is to determine if the project lies within the boundaries, including recharge and streamflow source zones, of an EPA designated Sole Source Aquifer (SSA), and to determine if the project poses potential adverse health or environmental impacts. A SSA is the sole or principal water source for a designated area.

The proposed SR 70 PD&E Study from Lonesome Island Road to the Southern Leg of CR 721 Project undertaken by Kisinger Campo & Associates on behalf of FDOT in the county will involve evaluation of roadway widening from an existing two-lane undivided roadway to a four-lane divided roadway. The project has been determined to lie inside the designated boundaries of the Biscayne Sole Source Aquifer and based on the information provided, may cause a significant impact to the aquifer system when the Project's roadways are constructed and/or construction dewatering is undertaken. However, with proper implementation of best management practices (BMPs), these potential impacts can be adequately reduced or properly mitigated. To that effect, when constructing road, the FDOT must adhere to the list of BMPs provided as items 1 and 2 below. The dewatering operation BMPs are listed in item 3 below:

1. FDOT Design Manual Chapter 320 Stormwater Pollution Prevention Plan (SWPPP)
2. FDOT Standard Specification for Road and Bridge Construction,
a. Section 6 – Control of Materials
b. Section 104 – Prevention, Control, And Abatement of Erosion and Water Pollution

c. Section 455 – Structures Foundations3. U.S. Bureau of Reclamation Engineering Geology Field Manual – Chapter 20 Water Control.
https://www.usbr.gov/tsc/techreferences/mands/geologyfieldmanual-vol2/Chapter20.pdf

Furthermore, all debris from any demolition of the existing structures must be properly contained and removed from the site prior to construction of the new structure. If applicable, all county flood plain management plans and public notification processes must be followed. During construction, it is the EPA's understanding and expectation that those responsible for the project will strictly adhere to all Federal, State, and local government permits, ordinances, planning designs, construction codes, operation, maintenance, and engineering requirements, and any contaminant mitigation recommendations outlined by federal and state agency reviews. All best management practices for erosion and sedimentation control must also be followed and State and local environmental offices must be contacted to address proper drainage and storm water designs. Additionally, the project manager should contact State and local environmental officials to obtain a copy of any local Wellhead Protection Plans. The following website provides information regarding the Florida Department of Environmental Protection's Source Water Assessment and Protection Program.
http://www.dep.state.fl.us/swapp/Default.html.

The EPA finds that, if the conditions outlined above are adhered to, this Project should have no significant impact to the aquifer system. Please note that this "no significant impact" finding has been determined based on compliance with the requirements outlined above and, on the information provided. Further, this finding only relates to Section 1424(e) of the SDWA, 42 U.S.C. § 300h-3. If there are any significant changes to the project, the EPA Region 4 office should be notified for further review. Other regulatory groups within the EPA responsible for administering other programs may, at their own discretion and under separate cover, provide additional comments.

Thank you for your concern with the environmental impacts of this project. If you have any questions, please contact Ms. Jayeeta Chakraborty at 404-562-8845 or Chakraborty.Jayeeta@epa.gov or Mr. Larry Cole at 404-562-9474 or Cole.Larry@epa.gov.

Sincerely,

KHURRAM RAFI

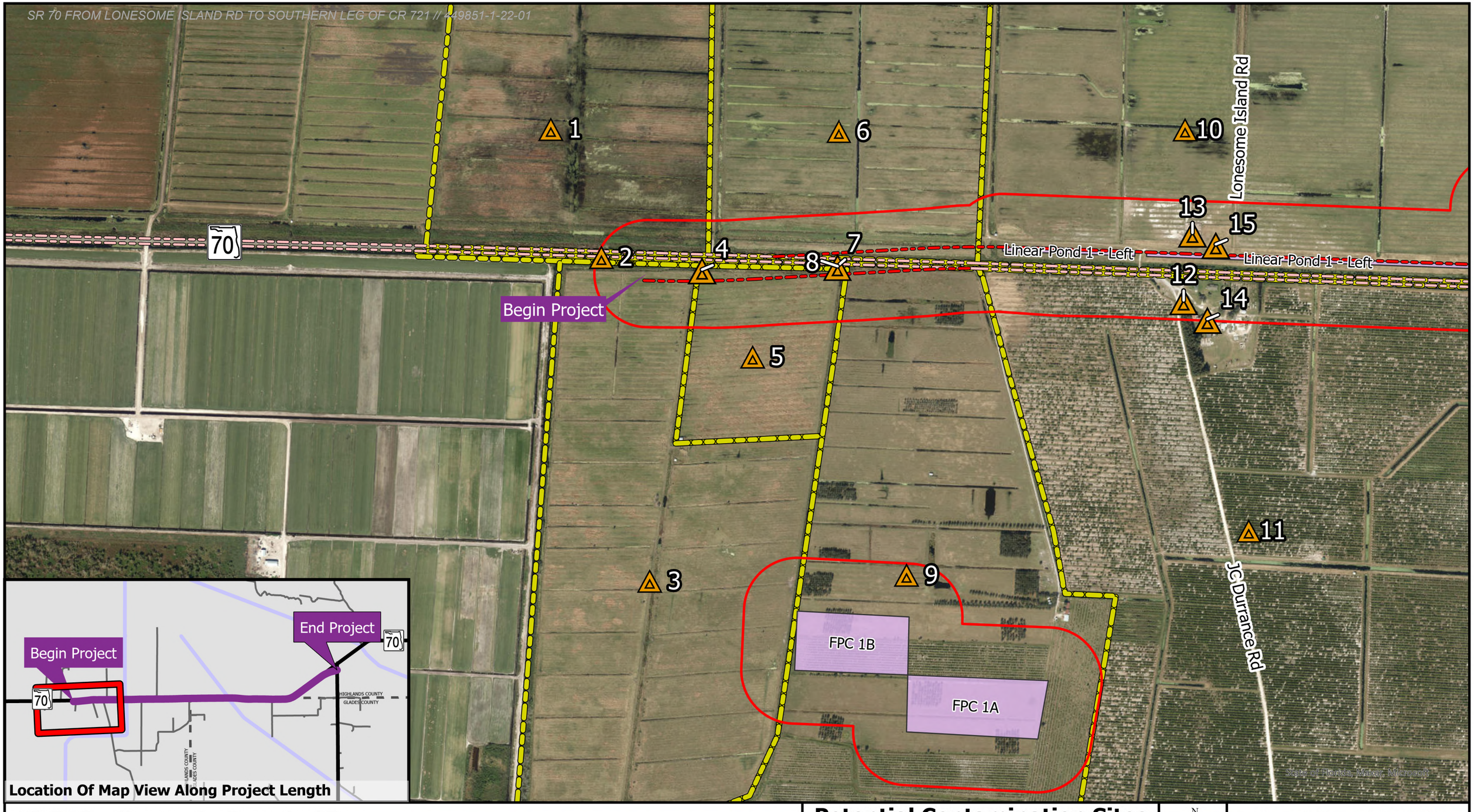
Digitally signed by KHURRAM RAFI
Date: 2025.06.16 09:25:17 -04'00'

Khurram Rafi, Manager
Groundwater and GIS Section
Safe Drinking Water Branch
Water Division
U.S. EPA, Region 4

Physical Resources Appendix

Contents:

Potential Contamination Site Maps (August 2025)



Location Of Map View Along Project Length

SR 70 Realignment - Page 1 of 7

ROW - Existing
ROW - Proposed*
Proposed Pond Site
Potential Contamination Parcel

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

Potential Contamination Site
500 ft Buffer
Medium Risk
Low Risk

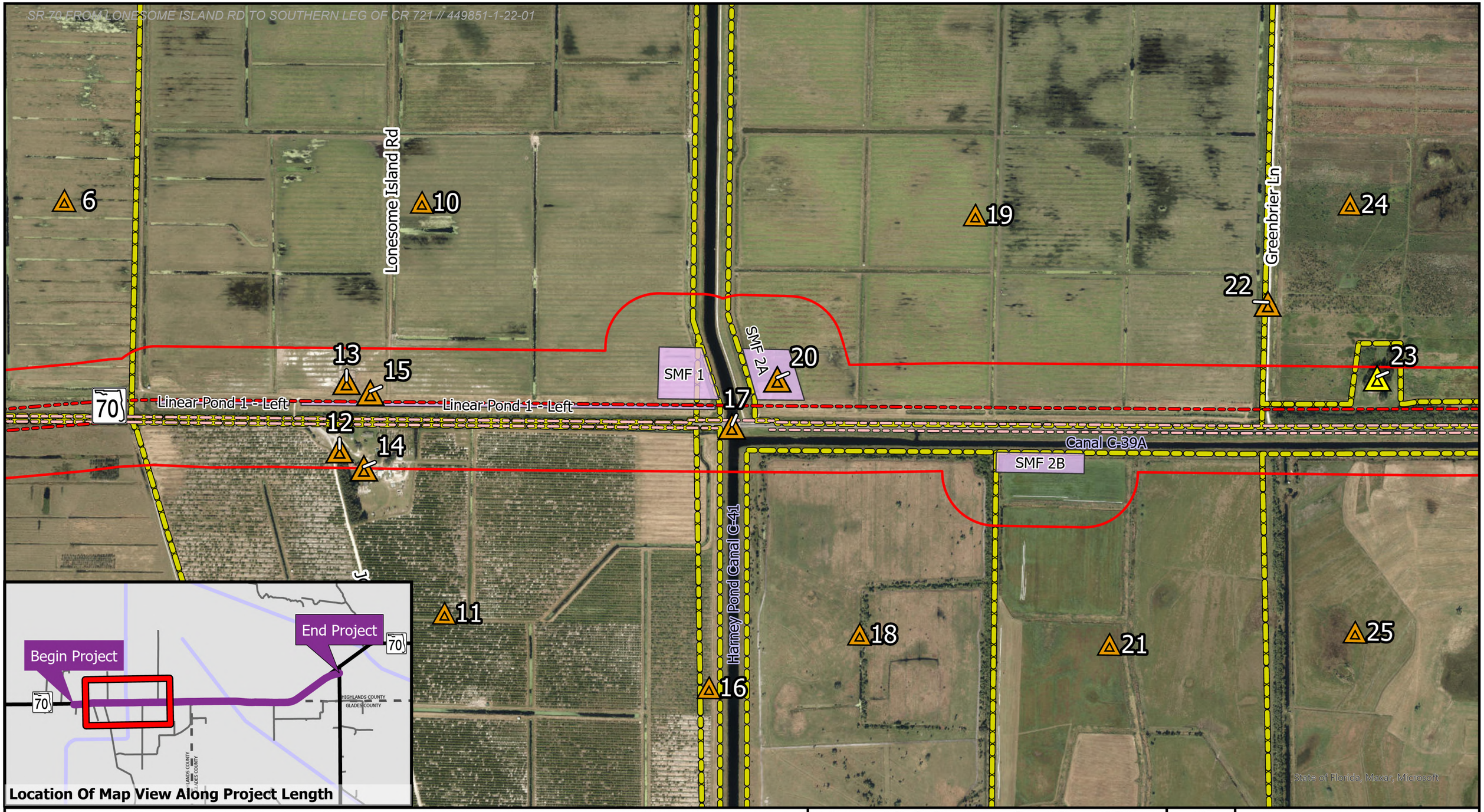
Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

0 500 1,000 1,500
Feet

FDOT



SR 70 Realignment - Page 2 of 7

- ROW - Existing
- ROW - Proposed*
- Proposed Pond Site
- Potential Contamination Parcel

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

Potential Contamination Site 500 ft Buffer

- Medium Risk
- Low Risk

Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

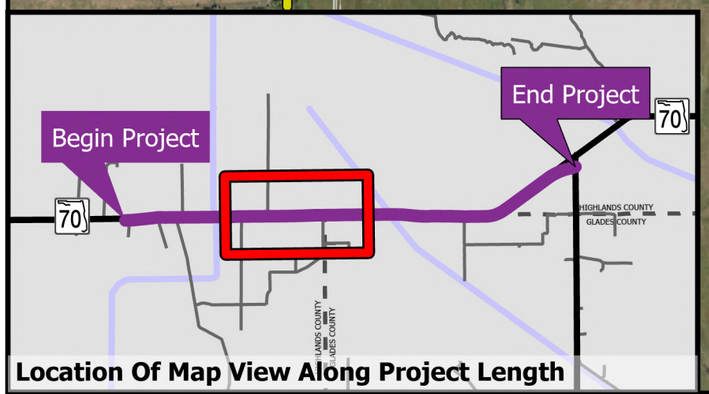
0 500 1,000 1,500
Feet

FDOT

19
24
33
22
23
27
25
30
28
28

Greenbrier Ln
DC Bar Ranch Rd
Canal C-39A
HIGHLANDS COUNTY
GLADES COUNTY
70

FPC 2-3A
FPC 2-3B
SMF 3A
SMF 2B



Location Of Map View Along Project Length

SR 70 Realignment - Page 3 of 7

ROW - Existing
ROW - Proposed*
Proposed Pond Site
Potential Contamination Parcel

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

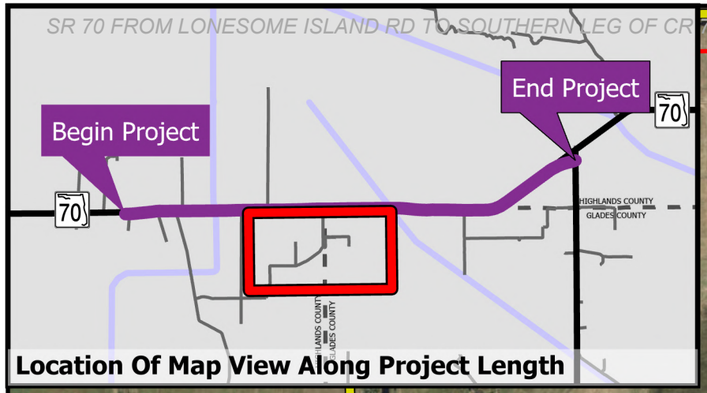
Potential Contamination Site
500 ft Buffer
Medium Risk
Low Risk

Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

0 500 1,000 1,500
Feet



Location Of Map View Along Project Length

21
25
27
30
31
28
26
29
DC Bar Ranch Rd
Regional Pond 1
HIGHLANDS COUNTY
GLADES COUNTY

State of Florida, Maxar, Microsoft

SR 70 Realignment - Page 4 of 7

- Proposed Pond Site
- Potential Contamination Parcel
- **Potential Contamination Site**
- 500 ft Buffer
- Medium Risk
- Low Risk

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

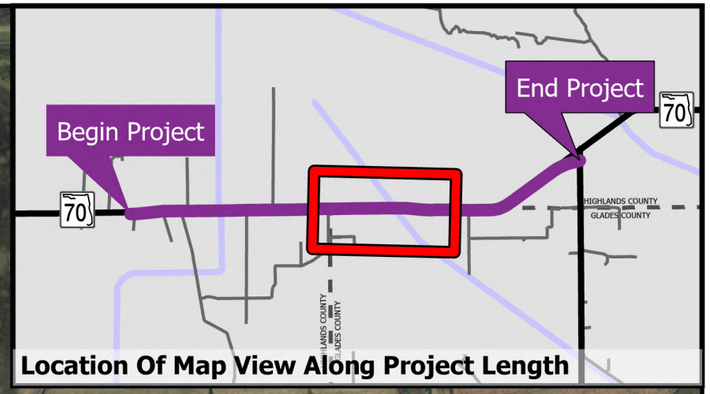
Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

0 500 1,000 1,500
Feet

FDOT



FPC 2-3A
FPC 2-3B
SMF 3A
SMF 3B
33
32
Linear Pond 4 - Left
Linear Pond 4 - Right
HIGHLANDS COUNTY
GLADES COUNTY
70
Canal C-39A
27
DC Bar Ranch Rd
30
25
28
31
Indian Prairie Canal C-40
FPC 4A
FPC 4B
SMF 4
FPC 5A
SMF 5
FPC 5B
34
Regional Pond 2
State of Florida, Maxar, Microsoft

SR 70 Realignment - Page 5 of 7

- ROW - Existing
- ROW - Proposed*
- Proposed Pond Site
- Potential Contamination Parcel
- **Potential Contamination Site**
- 500 ft Buffer
- Medium Risk
- Low Risk

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

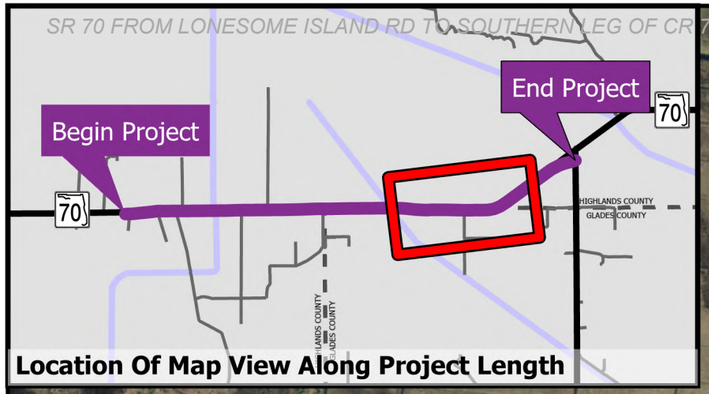
Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

0 500 1,000 1,500
Feet

FDOT



33
35
34
31
70
HIGHLANDS COUNTY
GLADES COUNTY
Linear Pond 4 - Left
Linear Pond 4 - Right
Linear Pond 5 - Left
Linear Pond 5 - Right
Linear Pond 6 - Left
Linear Pond 6 - Right
Linear Pond 7 - Left
Linear Pond 7 - Right
SMF 4
SMF 5
SMF 6
FPC 4A
FPC 4B
FPC 5A
FPC 5B
FPC 6A
FPC 6B
FPC 7A
Regional Pond 2
Indian Prairie Canal C-40
State of Florida, Maxar, Microsoft

SR 70 Realignment - Page 6 of 7

ROW - Existing
ROW - Proposed*
Proposed Pond Site
Potential Contamination Parcel

Potential Contamination Site
500 ft Buffer
Medium Risk
Low Risk

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

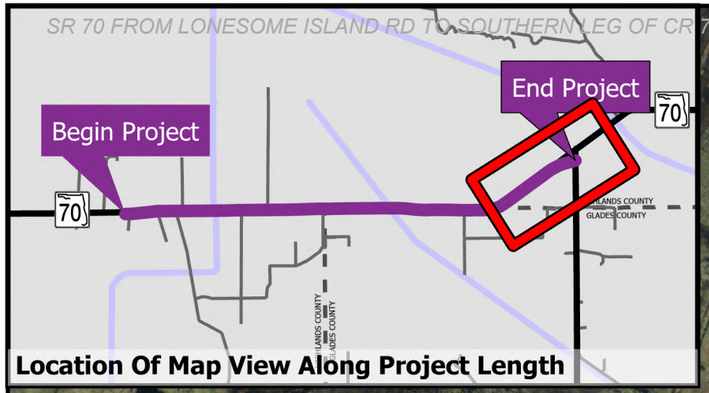
Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

N W E S

0 500 1,000 1,500
Feet

FDOT



33
36
Proposed Turnout
37
38
39
35
34
70
Linear Pond 6 - Left
Linear Pond 6 - Right
SMF 6
FPC 6B
FPC 6A
FPC 7A
FPC 7B
Linear Pond 7 - Left
Linear Pond 7 - Left
SMF 7
Linear Pond 7 - Left
Linear Pond 7 - Right
End Project
HIGHLANDS COUNTY
GLADES COUNTY
HIGHLANDS 721 COUNTY
State of Florida, Maxar, Microsoft

SR 70 Realignment - Page 7 of 7

ROW - Existing
ROW - Proposed*
Proposed Pond Site
Potential Contamination Parcel

Potential Contamination Site 500 ft Buffer
Medium Risk
Low Risk

*When the proposed ROW is spatially coincident with the existing ROW, only the existing ROW is displayed.

Potential Contamination Sites With Preferred Pond Sites

SR 70 from Lonesome Island Rd to the Southern Leg of CR721
Project Development & Environment Study
FPID No: 449851-1-22-01
Highlands County, FL

0 500 1,000 1,500
Feet