TECHNICAL REPORT COVERSHEET

DRAFT WATER QUALITY IMPACT EVALUATION

Florida Department of Transportation

District One

S.R. 70 PD&E Study

Limits of Project: From C.R. 721 S to C.R. 599/128th Avenue

Highlands and Okeechobee Counties, Florida

Financial Management Number: 450334-1-22-01

ETDM Number: 14491

Date: October 2025

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.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION WATER QUALITY IMPACT EVALUATION CHECKLIST

650-050-37 ENVIRONMENTAL MANAGEMENT 08/22

PART 1: PROJECT INFO	DRMATION				
Project Name:	SR 70 PD&E Study				
County:	Highlands and Okeechobee				
FM Number:	450334-1-22-01				
Federal Aid Project No:	D123-018-B				
Brief Project Description:	This project involves evaluating alternatives to widen the existing two-lane undivided roadway to a four-lane divided roadway, with the addition of paved shoulders and turn lanes. The project will also consider multi-modal improvements, such as a shared use path, along the corridor. ON OF WQIE SCOPE				
PART 2: DETERMINATION	ON OF WQIE SCOPE				
Does project discharge to su	rface or ground water? 🖂 Yes 🔲 No				
Does project alter the drainage	ge system?				
Is the project located within a Name: <u>Highlands County and</u>	•				
If the answers to the question and 4, and then check Box A	ns above are no, complete the applicable sections of Part 3 in Part 5.				
PART 3: PROJECT BAS	SIN AND RECEIVING WATER CHARACTERISTICS				
Surface Water Receiving water names: <u>Lake</u>	e Okeechobee				
Water Management District:	South Florida Water Management District				
Environmental Look Around Attach meeting minutes/notes to the					
Water Control District Name(s) (list all that apply): <u>NA</u>				
Groundwater Sole Source Aquifer (SSA)? Name Biscayne Aquife If yes, complete Part 5, D and the PD&E Manual					
Other Aquifer? Name					
Springs vents?	☐ Yes ⊠ No				

Well head protection area? Name	☐ Yes	⊠ No		
Groundwater recharge? Name	Yes	⊠ No		
Notify District Drainage Engineratment may be needed of Impaired in accordance with	lue to a p	project being loc	expected or if atted within a V	a higher level of VBID verified as
Date of notification: Click here to	o enter a da	te.		
PART 4: WATER QUALITY	CRITERIA			
List all WBIDs and all parametric TMDL in Table 1. This information required.				
Note: If BMAP or RAP has be Attach notes or minutes from all co	een identifi ordination m	ed in <u>Table 1</u> , <u>Table 1</u> , eetings identified in	able 2 must also Table 2.	be completed.
EST recommendations confir	med with a	agencies?		☐ Yes ⊠ No
BMAP Stakeholders contacte	ed?			☐ Yes ⊠ No
TMDL program contacted?				☐ Yes ⊠ No
RAP Stakeholders contacted	?			☐ Yes ⊠ No
Regional water quality project	ts identifie	d in the ELA?		⊠ Yes □ No
If yes, describe: Brighton Valley Dispersed V ROW of SR 70 just west of			ement located on	the northern
Potential direct effects associ and/or operation identified? If yes, describe:	ated with p	oroject construct	ion	☐ Yes ⊠ No

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

NA

PART 5: WQIE DOCUMENTATION
 A. No involvement with water quality B. No water quality regulatory requirements apply. C. Water quality regulatory requirements apply to this project (provide Evaluator's information below). Water quality and stormwater issues will be mitigated through compliance with the design requirements of authorized regulatory agencies. D. EPA Ground/Drinking Water Branch review required. Yes ☐ No Concurrence received? If Yes, Date of EPA Concurrence: Click here to enter a date Attach the concurrence letter
EPA review of sole source aquifer involvement is pending as of August 26, 2025
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.
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Evaluator Name (print): David A Bennett PE
Title:Senior Drainage Engineer
Signature: Date:10/27/2025

Table 1: Water Quality Criteria

BMAP, RA Plan or SSAC	Yes	Yes	Yes	Yes					
Pollutants of concern	Dissolved oxygen	Nutrients	Nutients	Phosphorou s					Other
TMDL (Y/N)	No	No	No	No					an. MS4 Area.
Verified Impaired (Y/N)	Yes	Yes	Yes	No					ocal Comp Pla
NNC limits**									SWIM Area. L
Special Designations*									er. Special Water
Classification (I,II,III,IIIL,IV,V)	3F	3F	3F	3F					ONRW, OFW, Aquatic Preserve. Wild and Scenic River. Special Water. SWIM Area. Local Comp Plan. MS4 Area. Other
WBID(s) Numbers	3206	3198	3202	3209					reserve. Wil
FDEP Group Number / Name	4	4	4	4					'. Aquatic F
Receiving Waterbody Name (list all that apply)	C-41-A Canal	C-41-A	Kissimme e River	Kissimme e River					ONRW. OFW

* ONKW, OFW, Aquatic Preserve, Wild and Scenic River, Special Water, SWIM Area, Loc ** Lakes, Spring vents, Streams, Estuaries Note: If BMAP or RAP has been identified in <u>Table 1, Table 2</u> must also be completed.

Table 2: REGULATORY Agencies/Stakeholders Contacted

(list all that apply)		Date Contacted	Follow-up Required (Y/N)	Comments
Canal C-41A, Kissimmee River	Army Corps of Engineers	12-12-24	No	No water quality concerns
Canal C-41A, Kissimmee River	South Florida Water Management District	02-26-25	ON	If disharging directly to the rivers, the team is required to meet the historic volumetric discharge formula. FDOT will not be required to provide the additional 50% treatment of the presumptive criteria and instead nutrient loading calculations demonstrating net improvement will be provided. WMD has no other concerns about pollutant loading calculations
Canal C-41A, Kissimmee River	FDOT	5/23/25	No	Discusions regarding a potential regional pond appraoch on parcels owned by Perry Smith Family
Canal C-41A, Kissimmee River	FDOT	5/6/25	No	Disussions involving proposed water quality pond alternatives.



USACE Pre-Application Meeting

SR 70 PD&E Study from CR 721 S to CR 599/128th Avenue Highlands and Okeechobee Counties FPID No. 450334-1-22-01 Thursday, December 12, 2024

LOCATION: TEAMS meeting

Attendees:

David Bennett – Scalar Consulting Group
Predrag Milosavljevic – Scalar Consulting Group
Kristin Caruso- Scalar Consulting Group
Martin Horwitz - KCA
Nicole Monies- FDOT D1
Brent Setchell- FDOT D1
Michael Vaughn- FDOT D1
Jonathan Turner- FDOT CO
Kathy Cothern – FDOT D1
Brooke Feagle – FDOT D1 Support
Melanie Calvo – FDOT D1 Support
Heather Mason- USACE
Lisa Lovvorn - USACE



1. Project overview

Lucille Brandenburg - USACE

- a. 8.6-mile widening (2 to 4 lanes) with new stormwater management ponds
- b. Includes bridge replacement of the Kissimmee River bridge
- c. ETDM # 14491
- d. Kissimmee River restoration project and changes in the Kissimmee River Canal

2. USACE restoration projects

a. The team asked if there were any ongoing projects that need to be considered when selecting stormwater pond sites, regional ponds, etc. The team is aware that the Kissimmee River project is now complete. USACE did not identify any new projects in the area.



3. Environmental

- a. Wetland impacts range from 34-41 acres
- b. Within service area of Istokpoga Mitigation Bank and it was discussed if the USACE permit had been issued. It was not confirmed; the project team will check online.
- 4. Navigability of Kissimmee River at the SR 70 location
 - a. USACE indicated this is navigable as per Section 10 of the Rivers and Harbors Act
 - b. It was discussed if a Section 408 permit for alteration to Civil Works project is needed. The group believed that it would likely be needed.
 - c. The team asked if USACE has a need for the removable span to remain and explained that it appears to be there due to the historic maintenance access needs for the channel. However now with the river restoration, it may no longer be required. The USACE representatives indicated that they would check with the appropriate staff to get an answer.

Project: FPID No. 450334-1-22-01

SR 70 PD&E Study from CR 721 South to CR 599/128th Avenue

Subject: Pre-Application Meeting w/SFWMD

Date and time: February 26, 2025, 10:30 AM

Meeting place: TEAMS Meeting Minutes by: Scalar Consulting Group Inc.

Present:

David Bennett – Scalar Consulting Group, Inc. Dara Jarvis – Scalar Consulting Group, Inc.

Carolyn McCreedy - SFWMD

Barbara Conmy - SFWMD

Jeffrey Slowman - SFWMD

Elizabeth Veguilla – SFWMD

Shari Tellman - SFWMD

Mark Vicciardo - SFWMD

Richard Walker - SFWMD

Nicole Monies - FDOT D1

Brent Setchell - FDOT D1

Ryan Molloy – FDOT D1

Michael Vaughn - FDOT D1

Jonathan Turner – FDOT CO

The meeting began with the Consultant presenting an overview of the project which is a PD&E study to widen SR 70 including a new bridge over the Kissimmee River, followed by a series of questions directed to the SFWMD. Below are the questions posed, along with the corresponding answers provided by SFWMD.

- 1) What specific water quality and quantity criteria will be applicable to this project?
 - a. SFWMD noted the application must demonstrate that there are no adverse impacts on the C-41A and Kissimmee River. If discharging directly to the rivers, we are required to meet the historic volumetric discharge formula.
 - b. After a brief discussion it was noted that FDOT will not be required to provide the additional 50% treatment of the presumptive criteria and instead nutrient loading calculations demonstrating net improvement will be provided.
 - c. Since the PDE will be completed before July 2026, the project will be grandfathered under the previous SFWMD criteria.
- 2) Does the SFWMD have any concerns with the potential pond sites?
 - a. Make sure to pull up existing permitting please note that Brighton Valley is a water storage project.
 - Also, south of SR 70 (between CR 721 South and New Pine Ridge Road), Coco Sod has above ground infrastructure.
 - c. Also note that the project is in the Lake Okeechobee Watershed Area.
 - d. Pond locations should demonstrate minimization and avoidance to wetland impacts since some proposed ponds overlap existing wetlands. Provide an assessment to show that the ponds, even though they are adjacent, will not cause any impact to wetlands. FDOT noted a Pond Siting Report will be completed which will include avoidance and minimization of wetland impacts and analyze multiple alternatives of which a preferred alternative will be

selected from an array of engineering and environmental considerations. Additionally, the proposed ponds must be designed to meet SFWMD's Lake-Wetland separation criteria (aka gradient) criteria Section 3.12, AH Vol II.

- 3) Apart from the general requirement for "net improvement," are there any other specific guidelines or expectations related to the BMAP that the project must adhere to?
 - a. Pollutant loading calculations will be required to demonstrate a net improvement. WMD has no other concerns about pollutant loading calculations.
- 4) Will the South Florida Water Management District (SFWMD) have any concerns regarding the proposed new outfalls to canals C-38 and C-41A?
 - a. WMD ROW office will address any new outfall(s) and will require a SFWMD ROW permit. Section 408 for USACE is anticipated, but also Section 404 and potentially Section 10.
- 5) Are there any potential concerns from the SFWMD regarding modifications to the swales and ditches along the SR 70 corridor?
 - a. SFWMD noted the project cannot cause adverse offsite impacts to any existing swales, ditches or other drainage features.
- 6) Are there any issues or considerations related to this project that could impact the ongoing or planned Kissimmee River Restoration efforts?
 - a. The SFWMD staff on the call wasn't aware of anything, but suggested other SFWMD staff be consulted .
- 7) Is the SFWMD aware of a FEMA Community Rating System (CRS) currently in effect for either county, which could limit alterations to the 100-year floodplain—such as a floodway where even a 0.01-ft change would necessitate a CLOMR?
 - a. No regulated floodways within the project corridor, so it should not trigger a no-rise condition.

The following action item was developed during this progress meeting:

Item	Description and Action	Responsible
Pond Site Review	Set-up meeting with FDOT -1 Drainage to review pond site alternatives.	Consultant (Scheduled,3/31)

Project: FPID No. 450334-1-22-01

SR 70 PD&E Study from CR 721 South to CR 599/128th Avenue

Subject: Second Pond Siting Coordination

Meeting

Date and time: May 6, 2025, 10:30 AM

Meeting place: TEAMS Meeting Minutes by: Scalar Consulting Group Inc.

Present:

Joe Lauk - PGA

David Bennett – Scalar Consulting Group, Inc.
Aniruddha Gotmare – Scalar Consulting Group, Inc.
Daphne Spanos – Scalar Consulting Group, Inc.
Brent Setchell – FDOT D1
Kathern Cothern – FDOT D1
Brooke Feagle - Atkins

This meeting served as a follow-up to the initial pond siting meeting held on April 8, 2025. The session began with Mr. Bennett providing a project overview and status update, focusing on the PD&E study for the proposed widening of SR 70 from CR 721 South to CR 599/128th Avenue. He then reviewed each basin individually, presenting the pond site alternatives as outlined in the project's Pond Siting Report (PSR), including revisions made following the April 8th meeting. The following is a summary of the discussion, organized by basin:

- Basin 1 The basin was initially proposed with a single pond alternative. At the April 8th meeting, it was recommended that additional pond alternatives be evaluated. In response, two additional pond sites—Pond 1B and Pond 1C—were identified and presented. During the discussion, concerns were raised about potential impacts to the existing canal system. It was noted that the roadway footprint also affects the canal system. A "cost to cure" approach will be applied to address the impacts associated with Pond 1A, which are not anticipated to result in adverse effects. No additional concerns were raised, and consensus was reached on the proposed pond sites for Basin 1.
- Basin 2 The basin was initially proposed with two pond alternatives. At the April 8th meeting, it was recommended to evaluate an additional pond alternative and consider a regional approach, given the proximity of the Brighton Water Quality Project (still under investigation). In response, a third option—Pond 2C—was identified and presented. Additionally, Pond 2A was relocated to avoid the FGT easement and expanded to utilize the full extent of the available open space. During subsequent discussions, it was suggested that Pond 2C be removed from consideration and that a linear pond option be explored along the northern side of SR 70. No further concerns were raised, and consensus was reached on moving forward with the revised pond configurations and the linear pond concept for Basin 2.

- Basin 3 The basin was initially proposed with two pond alternatives. At the April 8th meeting, a recommendation was made to evaluate an additional pond option. In response, a third alternative was introduced, along with the relocation of Pond 3A to avoid the FGT easement and Pond 3B to reduce wetland impacts. Concerns were raised about potential impacts to future canal maintenance access due to Ponds 3B and 3C. No further issues were identified, and consensus was reached to proceed with the revised pond configurations, with the caveat that potential impacts to canal maintenance access due to Ponds 3B and 3C being evaluated and addressed as needed.
- Basin 4 Comments from the April 8th meeting focused on relocating ponds closer to the right-of-way (ROW) to reduce ingress/egress easement costs and avoid wetland impacts. In response, Pond 4A was shifted closer to the ROW adjacent to the FGT easement. Pond 4B was moved to the southern end of the parcel to avoid wetlands and maximize usable space. Pond 4C was resized and relocated adjacent to the ROW. During subsequent discussions, it was suggested that Pond 4B be relocated to the northeast corner of the parcel and that the gap between Pond 4C and the parcel boundary be eliminated. No additional concerns were raised, and consensus was reached to proceed with the revised pond configurations for Basin 4.
- Basin 5 Comments from the April 8th meeting focused on relocating ponds closer to the right-of-way (ROW) to minimize ingress/egress easement costs and avoid wetland impacts. In response, Pond 5A was relocated adjacent to the FGT easement. Pond 5B was shifted adjacent to the ROW and reshaped to reasonably avoid wetlands in the northeast portion of the parcel. Pond 5C was also relocated adjacent to the ROW and modified to avoid the existing canal. During discussions, concerns were raised regarding potential impacts from Pond 5B on the existing canal system. It was noted that a "cost-to-cure" approach will be implemented to address these impacts, which are not expected to result in any adverse effects. Additionally, it was suggested that Pond 5C be shifted to the eastern parcel boundary to incorporate the existing canal. No further concerns were identified, and consensus was reached to proceed with the revised pond configurations for Basin 5.
- Basin 6 Comments from the April 8th meeting focused on relocating ponds closer to the right-of-way (ROW) and optimizing use of the existing parcels. In response, Pond 6A remained in its original location due to the presence of a protected species habitat within the parcel. Ponds 6B and 6C were relocated adjacent to the ROW to improve site efficiency. During discussions, it was suggested that Pond 6A still be considered for relocation closer to the ROW, with appropriate consideration given to the identified habitat during site evaluation. Additionally, it was recommended that Pond 6C be shifted westward, adjacent to the canal. A further suggestion was made to evaluate a linear pond option within the remnant space along the northern side of SR 70 in lieu of Pond 6B. No additional concerns were raised, and consensus was reached to proceed with the revised pond configurations for Basin 6.
- Basin 7 Comments from the April 8th meeting focused on relocating ponds closer to the right-of-way (ROW) and repositioning Pond 7B to the south side of SR 70, opposite Pond 7A. In response, Pond 7A was relocated adjacent to the ROW and positioned near the FGT easement. Ponds 7B and 7C were shifted westward to other parcels and placed adjacent to the ROW. During discussions, it was suggested that Pond 7B be adjusted eastward, aligning it with the existing

parcel boundary. No additional concerns were raised, and consensus was reached to proceed with the revised pond configurations for Basin 7.

• Basin 8 - Comments from the April 8th meeting focused on relocating Pond 8A to the western portion of the parcel and Pond 8B to the South Florida Water Management District (SFWMD) parcel adjacent to the Kissimmee River. As a result, Pond 8A was moved to the western parcel boundary, and Pond 8B was shifted west to the SFWMD parcel adjacent to the river. During discussions, it was recommended that further evaluation of Pond 8B considering its proximity to the river boundary, potential impacts on maintenance access, and the need for ingress/egress provisions. Additionally, the possibility of shifting the pond to the eastern portion of the parcel should be explored. No further concerns were raised, and consensus was reached to proceed with the revised pond configurations for Basin 8.

Listed below is a summary of the suggested enhancements for the pond alternatives:

Basin	Enhancements
1	None
2	Eliminate Pond 2C
	 Evaluate linear option on northern side of SR 70.
3	 Evaluate Impacts on canal maintenance access due to Ponds 3B and 3C
4	Pond 4B be relocated to the northeast corner of the parcel
	Gap between Pond 4C and the parcel boundary be eliminated
5	Pond 5C be shifted to the eastern parcel boundary to incorporate the
	existing canal
6	Pond 6A be relocated closer to the ROW
	 Pond 6C be shifted westward, adjacent to the canal
	Evaluate a linear pond option within the remnant space along the northern
	side of SR 70 in lieu of Pond 6B
7	Pond 7B be adjusted eastward, aligning it with the existing parcel boundary
8	Further evaluation of Pond 8B considering its proximity to the river
	boundary, potential impacts on maintenance access, and the need for
	ingress/egress provisions.
	Evaluate the relocation of Pond 8B to the eastern portion of the parcel



Time: 9:30 am to 10:30 am

LOCATION:

Virtual Meeting (Microsoft Teams) and D1-HQ, HR Training Rm 119

Attendees:

Andrew DeNering – FDOT
Aniruddha Gotmare – SCALAR Project Manager
David Bennett – SCALAR Drainage Engineer
Michael J. Tomkiewicz – Attorney with The Law Firm Gray Robinson, P.A
Gregory Bowne – FDOT
Gregory Bohde - FDOT
Melody Joyner – FDOT Corridors Program Development Manager
Nick Clavelo – SCALAR Roadway Engineer
Joe Lauk – FDOT
Brent Setchell – FDOT
Taylor Klisiewicz - The Law Firm Gray Robinson, P.A
Dale Smith – Smith Family

I. Meeting notes:

a. Purpose: The Law Firm Gray Robinson, P.A. represents the Perry Smith Family LTD which is affected by the proposed SR 70 widening project. Mr. Tomkiewicz (Michael) would like to discuss the Department's proposed alternatives, and any possible ROW takes on their clients' property. They have concerns related to pond placement and the alignment of the alternative "best fit".

b. Discussion and resolutions:

i. The meeting addressed several key points regarding the progress and planning of the SR 70 project near the Smith Family property. Michael inquired about funding timelines for upcoming project phases. Rudy and Joe confirmed that no funding currently exists for Design, Construction, or Right-of-Way (R/W). Rudy noted that the



project schedule will be updated due to coordination with the State Historic Preservation Office (SHPO) over mitigating impacts on historical bridges, with LDCA (PD&E approval) scheduled for June 2026. Additionally, updates were made to both alternatives to enhance safety, reduce property relocations and reduce utility conflicts. Questions were raised about pond locations, with David Bennett stating that the locations reflect the old March locations and do not yet reflect the suggestions from FDOT from April's meeting but are still open to revision.

- ii. Dale Smith provided extensive input regarding property impacts and local traffic concerns. He emphasized that the area around Ponds 6B and 6C have well developed irrigation systems and prefers alignment Alternative 2 due to its lesser impact on the Smith Family's properties. He also highlighted growing traffic volumes at the SR 70 and Rucks Dairy Road intersection, recommending it be considered a priority due to regional development. Dale further noted that Rucks Dairy Road and Moss Grade are critical crossings for farm operations and that basins 5 and 6 are located on their land. Rudy noted that the "Best fit" alignment was preferred due to it avoiding a larger number of residences, less utility impacts and increased safety, etc. The design team will review and consider Dale Smith's preference for Alternative 2 due to the lower impact on Smith Family property.
- iii. Dale Smith suggested using a compensating pond near Fulmar Terrace and Pond 5C for a pond alternative. He also suggested an existing permitted reservoir located at the southern end of his property could potentially be retrofit for a FDOT stormwater pond, which he offered to coordinate. Brent commented that the current pond 6C location is not preferred and that using the reservoir would require multi-agency coordination. The FDOT will consider various alternatives to avoid impacts on the irrigated fields near 6B and 6C pond locations.
- iv. FDOT and Scaler will update the pond 6C alternative to be south of the house and east of the canal as depicted in the graphic below to avoid the irrigated fields and be closer to the pond outfall.
- v. Additional technical and logistical considerations were discussed. David Bennett reported the size of basin 6 as 5.83 acre-feet. Michael cautioned that R/W acquisition costs would be significantly higher than projected due to land development and existing irrigation infrastructure. He emphasized the need for FDOT to



coordinate directly with him regarding Smith Family properties. Pond options include maximizing basin 5C while potentially eliminating basin 6 and exploring options for routing water to the Smith Family reservoir. Michael also encouraged sharing updated pond plans with the Smith family for review and proposed modifying Alternative 1 to reduce property impact. Finally, he raised safety concerns about New Pine Ridge Road, suggesting a signalized intersection. FDOT indicated there is currently no warrant for a signal.



Figure 1 Snip of the parcels south of Kissimmee River Estates showing the direction of additional traffic from the south.





Figure 2 Snip showing the reservoir and direction of travel for existing surface water.

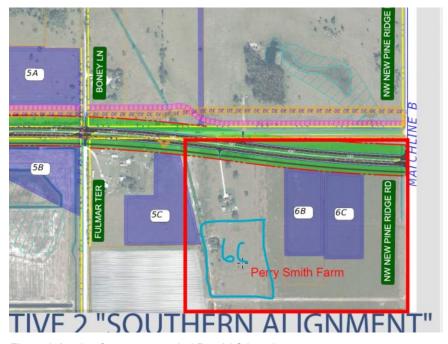


Figure 3 A snip of a recommended Pond 6C location.

Action items

1. **Update project schedule** to reflect coordination with SHPO regarding historical bridge mitigation (Rudy).



- 2. **Conduct case study and mitigation study** for historical bridge impacts (Rudy/Team).
- 3. **Evaluate potential revisions to Alternative 1** to reduce property and utility impacts and explore the possibility of tapering the curve to minimize footprint (Design Team).
- 4. **Review and consider Dale Smith's preference** for Alternative 2 due to lower impact on Smith Family property (Design Team).
- 5. Re-evaluate pond siting (Design Team):
 - a. Explore expanding Pond 5C.
 - b. Consider routing water through the canal along Fulmar Terrace to the Smith Family reservoir.
 - c. Consider expanding the reservoir for basins 6B or 6C.
- 6. **Send updated pond location plans** to the Smith Family for concurrence as revisions are made (Project Team).