

ADMINISTRATIVE ACTION
TYPE 2 CATEGORICAL EXCLUSION

Florida Department of Transportation

SR 45 (US 41) AT BONITA BEACH ROAD

District: FDOT District 1

County: Lee County

ETDM Number: 6291

Financial Management Number: 444321-1-22-01

Federal-Aid Project Number: D123-081-B

Project Manager: Patrick Bateman

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 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 40 CFR 1508.4, 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

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

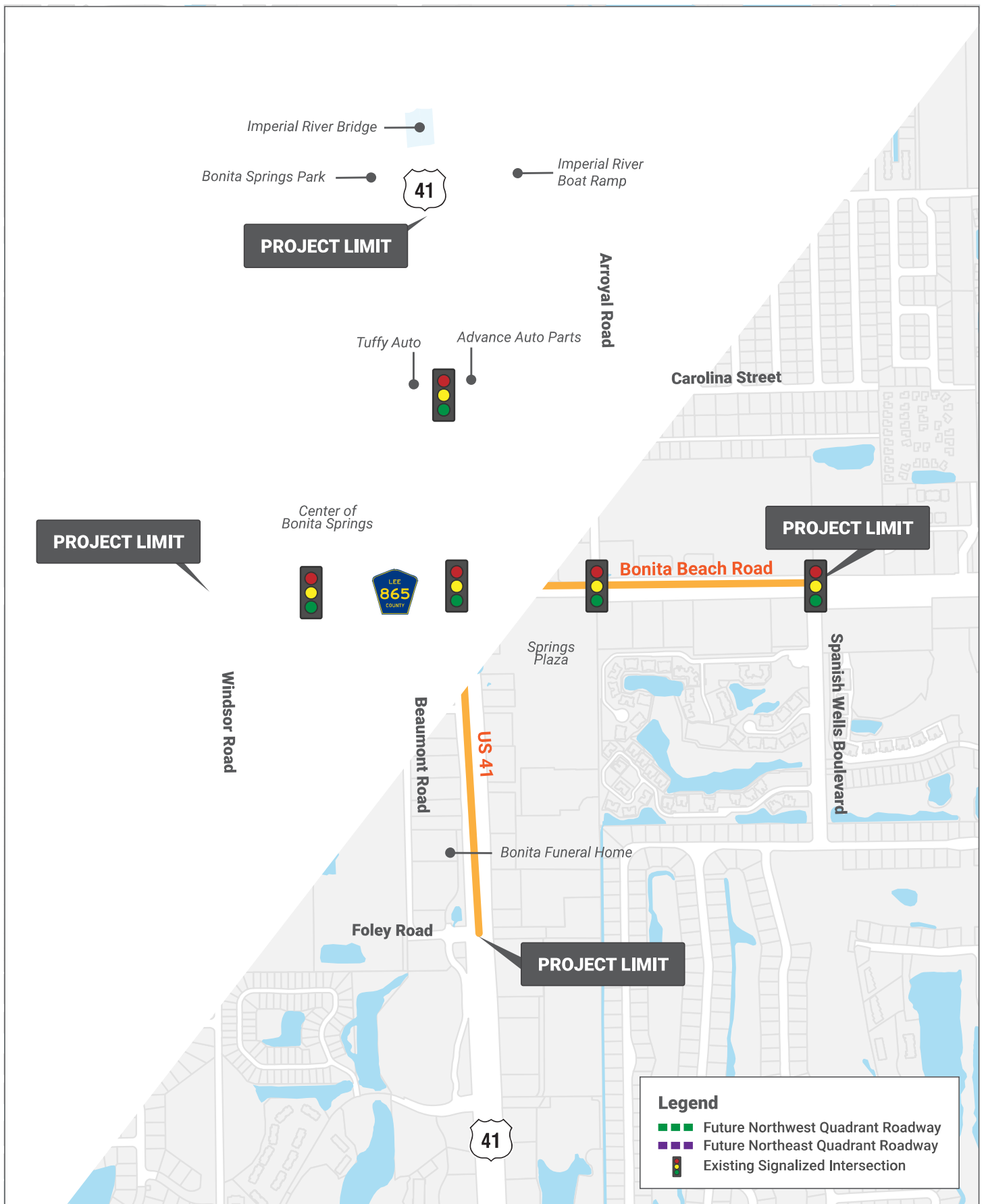
This project has been developed without regard to race, color or national origin, age, sex, religion, disability or family status (Title VI of the Civil Rights Act of 1964, as amended).

On 11/22/2019 the State of Florida determined that this project is consistent with the Florida Coastal Zone Management Program.

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US 41 at Bonita Beach Road PD&E Study

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Figure 1 | Study Area

1. Project Information

1.1 Project Description

This Project Development and Environment (PD&E) Study has been conducted to assess various intersection alternatives for State Road (SR) 45 (US 41) at Bonita Beach Road. This Type 2 Categorical Exclusion documents the process and potential impacts identified during the PD&E Study. SR 45 will be referred to as US 41 throughout the remainder of this report.

The US 41 at Bonita Beach Road Project Development and Environment (PD&E) Study evaluated capacity, safety, and multi-modal improvements at the US 41 and Bonita Beach Road intersection, in the City of Bonita Springs, Lee County, Florida. The study area limits extend along US 41 from Foley Road to just south of the Imperial River bridge, a distance of approximately 0.9 miles. Additionally, the study area extends along Bonita Beach Road from Windsor Road to Spanish Wells Boulevard, a distance of approximately 0.8 miles.

US 41 is a north-south principal arterial roadway running parallel to Interstate 75 (I-75) and facilitates movement of regional and local traffic (including truck traffic) along Florida's west coast. Bonita Beach Road is an east-west minor arterial roadway providing a connection to I-75 and is one of two east-west connections between the Lee County mainland and coastal communities and barrier island tourist destinations and beaches to the west. US 41 is a state roadway maintained by the Florida Department of Transportation (FDOT) District 1, while Bonita Beach Road is maintained by Lee County. Both US 41 and Bonita Beach Road are designated as emergency evacuation routes.

US 41 within the project limits is a six-lane divided roadway with two 12' and one 11.5' travel lanes, a 22' raised median, dedicated turn lanes, 5' wide on-street bicycle lanes and 5' wide sidewalks on both sides of the roadway. Bonita Beach Road is a four lane divided roadway with 12' travel lanes, a 22'-25' raised median, dedicated turn lanes, 5' wide sidewalks on both sides but no on-street bicycle facilities.

The US 41 at Bonita Beach Road intersection is currently a signalized intersection with two exclusive left turn lanes and an exclusive right turn lane on each approach. Aside from the main intersection, there is currently one other signalized intersection along US 41 at the Center of Bonita Springs entrance (Tuffy Auto/Advanced Auto Parts). There are three additional signalized intersections along Bonita Beach Road: at the Center of Bonita Springs, Arroyal Road, and Spanish Wells Boulevard.

The existing US 41 and Bonita Beach Road intersection has high-volume left turn movements, particularly eastbound to northbound and southbound to eastbound. To address these, the City of Bonita Springs initiated the "Network Enhancement Alignment Study - Quadrant Plan" in May 2017. As a result, a two-lane quadrant roadway connecting Bonita Beach Road at Windsor Road to US 41 at the Center of Bonita Springs is being designed and constructed by the City. This Northwest Quadrant Roadway is expected to be completed prior to the US 41 and Bonita Beach Road intersection improvements.

The proposed improvements will modify the signalized configuration of the US 41 and Bonita Beach Road intersection to be a partial displaced left turn (PDLT), with the northbound and southbound left turn movements to crossover and be located outside of the opposing traffic flow. This configuration will allow the northbound and southbound left turning movements to operate in the same signal phase or simultaneously as the northbound and southbound through movements. To accommodate the PDLT configuration and facilitate the relocation of northbound and southbound turning vehicles, two new signalized "crossover" intersections will be added along US 41 approximately 675' south and 460' north

of Bonita Beach Road. The southbound and eastbound left turn movements are proposed to have three lanes each, and the eastbound and westbound right turn movements are proposed to have two lanes each. The thru lanes along US 41 and Bonita Beach Road within the project limits are proposed to be 11' wide, as well as each of the turn lanes at modified intersections within the study area.

The preferred alternative is anticipated to impact 18 parcels and requires approximately 3.5 acres of right-of-way for the roadway impacts. Stormwater impacts associated with the preferred alternative is anticipated to impact an additional six parcels for approximately 4.9 acres, for a total anticipated right-of-way impact of 8.4 acres with two business relocations.

As noted above, a Northwest Quadrant Roadway is being constructed by the City of Bonita Springs. As part of the PD&E study's proposed improvements, the US 41 and the Center of Bonita Springs intersection is proposed to be changed from a standard signalized intersection to a "thru-cut" intersection. A thru-cut intersection restricts through movements from the minor street, typically due to operational and/or geometric conditions. In this case, the west leg is being widened from three lanes to five lanes (four eastbound approach lanes and one westbound receiving lane) and the east leg is being widened from two lanes to four lanes (two westbound approach lanes and two eastbound receiving lanes). This creates skew issues for any east/west through movements and creates operational constraints that are alleviated by the thru-cut intersection configuration. Tying into the new east leg is a Northeast Quadrant Roadway proposed between US 41 and Arroyal Road, northeast of the US 41 and Bonita Beach Road intersection. This will be a new three-lane roadway, to be constructed as part of this project, having two lanes eastbound and one lane westbound.

Along US 41 in the northbound direction, a 6' wide sidewalk is proposed from Foley Road to Springs Plaza and a 12' shared-use path is proposed from Springs Plaza to just north of the Imperial River Boat Ramp intersection. In the southbound direction, a 12' wide shared-use path is proposed from just north of the Imperial River Boat Ramp intersection to Bonita Funeral Home and a 6' wide sidewalk is proposed from Bonita Funeral Home to Foley Road. Along both sides of Bonita Beach Road, the sidewalks will be widened to 12' wide shared-use paths from the Center of Bonita Springs to Arroyal Road. Signalized marked crosswalks will be maintained on every leg of the PDLT, including the channelized right turn lanes. Signalized marked crosswalks will also be provided on every leg of each signalized intersection along US 41 and Bonita Beach Road within the study area.

Construction for the project is currently unfunded but is noted in the 2031-2035 time band in the Lee County MPO LRTP. The study area is shown on **Figure 1**.

1.2 Purpose and Need

The purpose of this project is to address the deficient operational capacity of the US 41 and Bonita Beach Road intersection to relieve existing congestion and accommodate projected transportation demand/capacity. The project's secondary goals are to 1) Enhance Safety; 2) Improve Modal Interrelationships; and 3) Enhance System Linkage through regional and local mobility. The need for these improvements is described in this section.

Transportation Demand/Capacity

The US 41 at Bonita Beach Road intersection experiences chronic congestion. As population and employment growth are expected to continue within this area of Lee County, the intersection's congestion is anticipated to increase. Based on 2019 traffic counts taken, the existing Annual Average Daily Traffic (AADT) ranges from 39,000 to 53,000 along US 41 and was 30,000 along Bonita Beach Road. New traffic counts were taken at the study intersections in 2022 to inform the

opening and design year Turning Movement Counts (TMCs). Based on future growth projections to a 2050 design year, the AADTs are forecast to range from 60,000 to 78,000 along US 41. The future 2050 AADT forecast along Bonita Beach Road is 39,000.

The US 41 at Bonita Beach Road intersection's existing (2019) mid-day traffic analysis shows that six of the 12 movements operate at Level of Service (LOS) of F, with one of those being overcapacity (volume-to-capacity >1.0). The intersection's existing (2019) PM traffic analysis shows that seven of the 12 movements operate at Level of Service (LOS) of F, with two of those being overcapacity. In the future 2050 condition, the no-build intersection operates at LOS F (target LOS is D) with an overall average vehicle delay less than 90 seconds. While there are a similar number of LOS F movements between the existing and future no-build, latent demand is expected to increase by nearly 30 percent. The future no-build intersection is serving approximately the same amount of traffic volume as the existing condition, but with the increased volumes there are more vehicles in the overall network not being served.

Safety

Crash records were obtained for both US 41 and Bonita Beach Road within the study area, as described below:

- US 41 from Foley Road (MP 0.540) to the Imperial River bridge (MP 1.482); and
- Bonita Beach Road from 400' west of Windsor Road to 450' east of Spanish Wells Boulevard.

Crash data was obtained for the most recent five-year period on record (2018 through 2022). The crash data was obtained from the University of Florida's Signal Four (S4) Analytics crash database for US 41 and Bonita Beach Road. The safety analysis was performed for the most recent five years of crash data (January 1, 2018 - December 31, 2022). Supplemental crash data from previous years (2014 to 2017) and January 1, 2023 to June 30, 2023 were also analyzed to verify crash trends and patterns.

Figure 2 displays a summary of crash frequency by year along with the respective severities from 2014 to 2022 for the entire study area. There was an increase in crashes between 2014 and 2017, but there has been a decrease in crashes between 2017 and 2019 before an approximate 30 percent drop in crashes due to the COVID-19 pandemic in 2020. The number of crashes have stayed relatively constant in 2021 and 2022. There were 163 crashes per year on average between 2014 to 2017. However, there were 146 crashes per year on average in the study area between 2018 to 2022, not including 2020 (a 10 percent decrease). The fatal crash in 2019 involved a vehicle striking a pedestrian on US 41 just south of Bonita Beach Road, and the fatal crash in 2021 involved an angle crash at the intersection of US 41 at Foley Road/Shanna Lane.

Crashes by Year and Severity

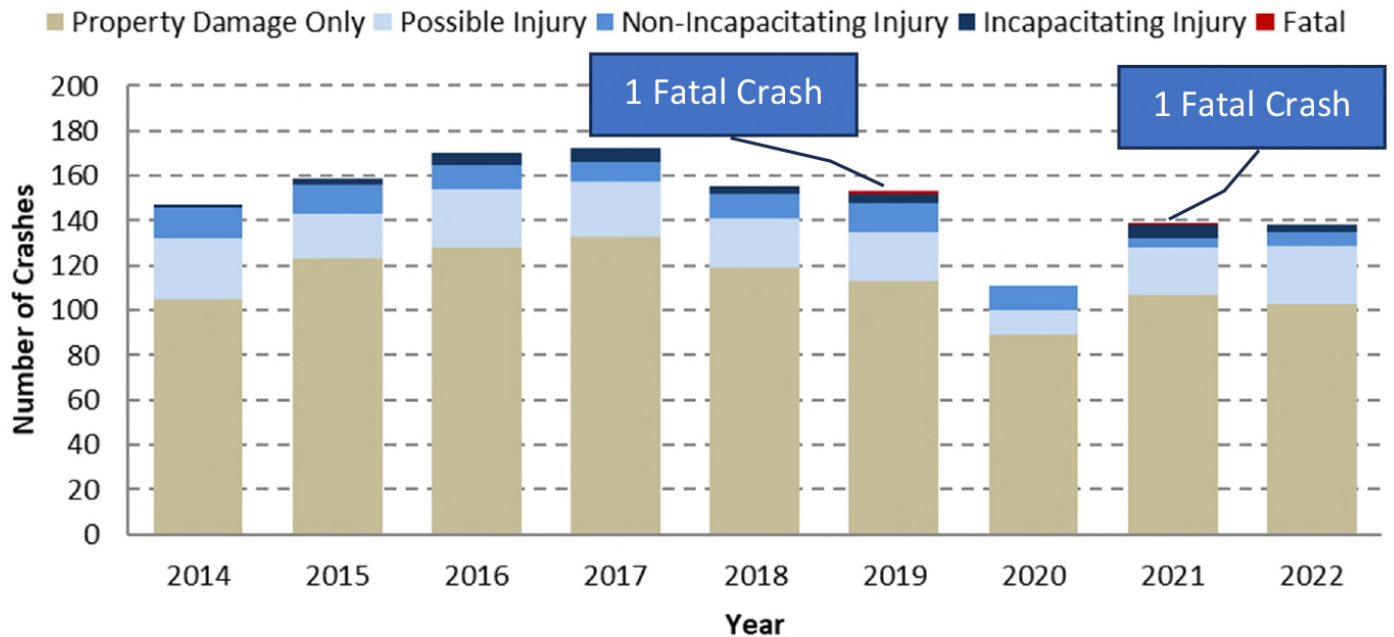


Figure 2: Crashes per Year (Entire Study Area)

Forty three percent of the total study area crashes were located within the US 41 and Bonita Beach Road's intersection influence area. **Figure 3** displays a summary of crash frequency by year along with the respective severities from 2018 to 2022 for the US 41 and Bonita Beach Road intersection. There was a total of 298 reported crashes during this period, 65 injury crashes (22 percent), and one fatal crash (in 2019). As displayed in **Figure 3**, there were an average of 60 crashes per year at the intersection.

Figure 4 displays the crashes at the intersection by type and severity for the five-year study period for the US 41 and Bonita Beach Road intersection. The highest crash type observed was rear end, comprising 59 percent of the total crashes. Sideswipe crashes (13 percent) and left turn (8 percent) were the second and third highest crash types. These trends are consistent with the overall study area. The fatal crash in 2019 occurred when a vehicle struck a pedestrian crossing US 41.

Crashes by Year and Severity

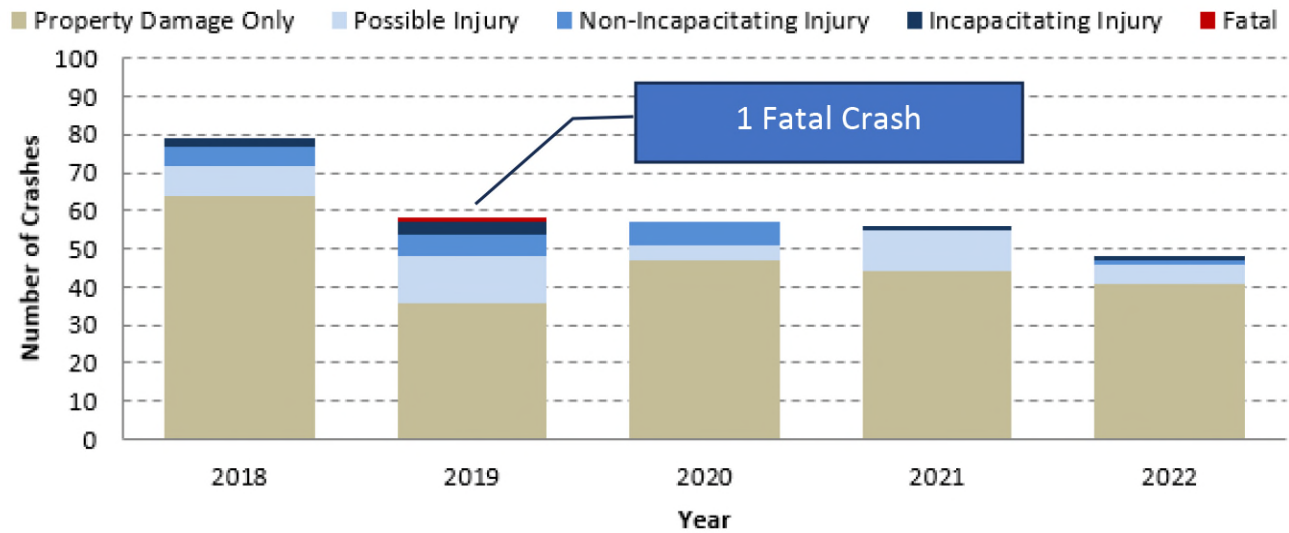


Figure 3: Crashes per Year (US 41 and Bonita Beach Road Intersection)

Crashes by Type and Severity

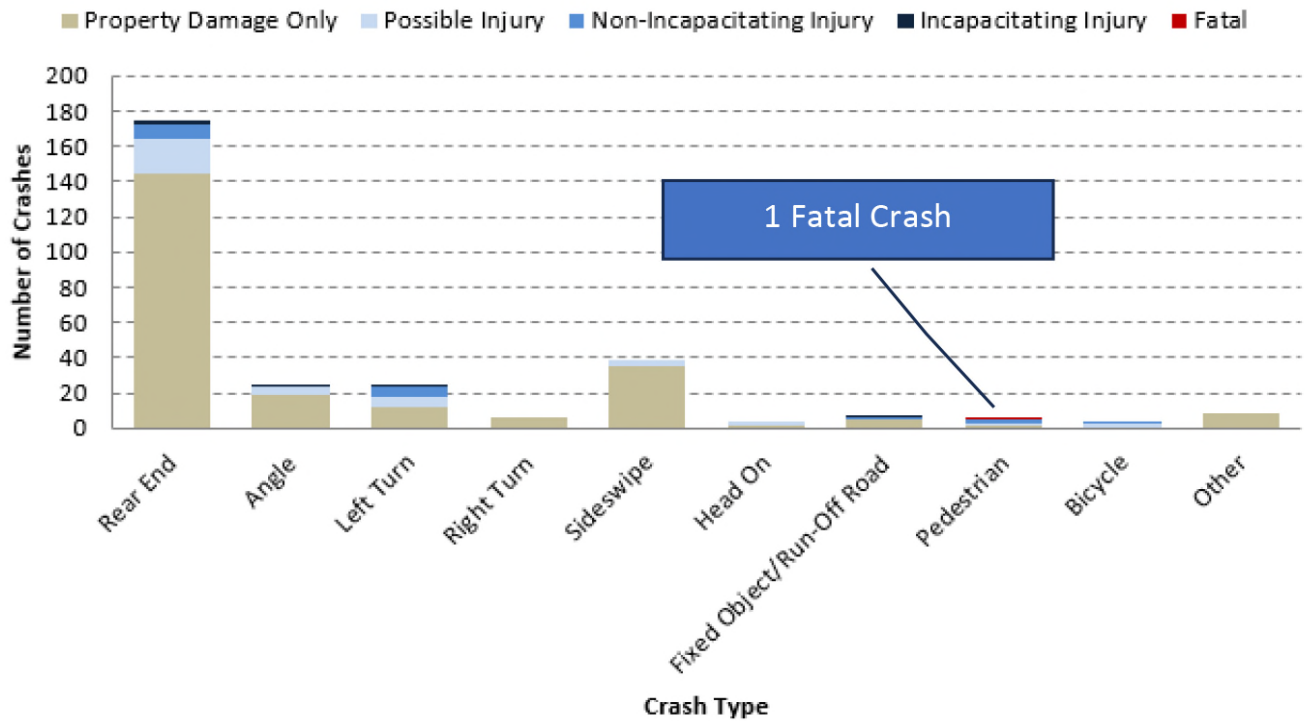


Figure 4: Crashes by Type and Severity (US 41 and Bonita Beach Road Intersection: 2018 to 2022)

A crash rate analysis was performed for the US 41 at Bonita Beach Road intersection for the years 2018 through 2022. The study intersection experienced higher than average Statewide crash rates in both 2018 and 2020 (safety ratios >1.25), and had crash rates nearing the Statewide averages in 2019, 2021, and 2022 (safety ratios ranging between 0.87 and 0.95). The study intersection experienced higher than average Districtwide crash rates in 2018 through 2020 (safety ratios ranging between 1.1 and 1.6), and had crash rates nearing the Districtwide averages in 2021 and 2022 (safety ratios of 0.99 and 0.93, respectively).

US 41 and Bonita Beach Road are designated emergency evacuation routes for both the Florida Division of Emergency Management and Lee County. Providing parallel service to I-75, US 41 plays an important role in facilitating north-south traffic during incidences and emergency evacuation periods (particularly within southwest Florida). Bonita Beach Road also serves a critical role during emergency evacuation periods as it connects US 41 and I-75 (facilities of the state evacuation route network) and provides one of two connections for residents and tourists between the barrier islands/tourist destinations to the west and mainland of Lee County.

Modal Interrelationships

While sidewalks are present on both sides of US 41 and Bonita Beach Road, the only bicycle facilities present in the study area are 5' wide marked bicycle lanes along both sides of US 41. One LeeTran bus route (Route 600) operates along US 41 and Bonita Beach Road. In addition to the one bus route, LeeTran has partnered with Uber to provide ULTRA On-Demand Transit service in the Bonita Springs area. With LeeTran's ULTRA On-Demand Transit service, a deluxe mini-bus is available seven days a week from 7:00 AM to 6:00 PM. ULTRA On-Demand Transit allows riders to request a ride as needed, with curb to curb service.

Due to the presence of these facilities/services and the surrounding urban environment, heavy pedestrian and bicycle traffic exists in the area (as observed during field reviews conducted for the project).

The Office of Greenways and Trails (OGT) and the Lee County Metropolitan Planning Organization (MPO) have identified trail opportunities in the vicinity of the US 41 and Bonita Beach Road study intersection. The Coastal Loop Trail is a spur loop from the Southwest Coastal Regional Trail, which is part of the larger FDOT Shared-Use Nonmotorized (SUN) Trail Program. This is a planned loop trail that begins at the Southwest Coastal Regional Trail in Bonita Springs, travels along Bonita Beach Road to the barrier islands, then travels through Fort Myers Beach and southern Fort Myers before connecting back to the Southwest Coastal Regional Trail east of US 41 in Fort Myers. Through discussions with Lee County MPO, no future funding has been dedicated for Coastal Loop Trail improvements in the vicinity of the US 41 and Bonita Beach Road intersection as per the date of this report.

System Linkage

US 41 serves as a critical arterial in facilitating the north-south movement of regional and local traffic (including truck traffic) as it runs parallel to I-75 along Florida's west coast. US 41 is designated as a regional freight mobility corridor (Tier 1 Regional Freight Corridor) in the Lee County 2045 Long Range Transportation Plan.

Similarly, Bonita Beach Road serves as a major east-west local roadway within Lee County, linking US 41 and I-75 and providing access (as one of two connections) between the mainland of Lee County and coastal communities/tourist destinations to the west (i.e., barrier islands and beaches). Further, both US 41 and Bonita Beach Road are designated as emergency evacuation routes for both the Florida Division of Emergency Management and Lee County.

The City of Bonita Springs performed the Network Enhancement Alignment Study, also known as the "Quadrant Plan", in May 2017. The purpose of the Quadrant Plan is to develop an expanded roadway network between Bonita Beach Road

with US 41 that improves the area's mobility, maintains a high-quality environment for the community, and minimizes impacts to the natural environment. The City is moving forward with design and construction for a northwest quadrant roadway.

1.3 Planning Consistency

The design phase was created under 444321-2, with \$2.801 million SU funds and \$0.7 million local funds for a total funding allocation of \$3.501 million. The project's design funding is programmed in the TIP/STIP for FY2026. A \$5.5 million earmark for the right-of-way phase is programmed for FY 2025 in the STIP. The LRTP will not need updating at this time unless project information changes.

Currently Adopted LRTP-CFP	COMMENTS			
Yes				
	Currently Approved	\$	FY	COMMENTS
PE (Final Design)				
TIP	Y	\$3,501,000	25/26	
STIP	Y	\$3,501,000	2026	
R/W				
TIP	N			
STIP	Y	\$5,500,173	2025	ROW for project is partially funded.
Construction				
TIP	N			Construction for project is currently unfunded.
STIP	N			Construction for project is currently unfunded.

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

Based on the U.S. Census Bureau 2018-2022 American Community Survey 5-Year Estimates, there are approximately 2,500 households with a population of 4,800 residents identified within the study area. Approximately 64 percent of households are single family dwelling units while approximately 36 percent are multifamily units. The median income is approximately \$71,500 in the study area (as compared to approximately \$73,100 for the Countywide median income). There are just under 6 percent of the households below poverty level within the study area as compared to 11 percent of households below the poverty level in Lee County. Minority population comprises approximately 9 percent of the total population in the study area. Countywide, the minority population comprises approximately 36.3 percent of the population.

The Bonita Springs City Hall is adjacent to the US Post Office on Bonita Beach Road in the study area's southeast quadrant. In the intersection's southwest quadrant is the St. Leo Catholic Church on Beaumont Road which is also where the Knights of Columbus meet. The Lee County Sheriff's Office South District office is located in the Bonita Springs shopping center. These community features are shown in **Figure 5**.



At the study area's northern terminus are two public recreational areas along the southern shore of the Imperial River. West of US 41 is the Bonita Springs River Park with hiking trails and picnic areas. East of US 41 is Lee County's Imperial River Boat Ramp.

No changes to the population or demographic characteristics are anticipated to result from the from the Preferred Alternative. Based on the PD&E Study's analysis, the Preferred Alternative will not cause disproportionately high or adverse effects on any minority or low-income population in accordance with the provisions of the President's Executive Order on Environmental Justice (Executive Order 12898).

Community cohesion is the degree to which residents have a sense of belonging to their community. Community cohesion may also include the degree in which neighbors interact and cooperate with one another or the level of attachment felt between residents and institutions in the community. This project proposes to modify an existing intersection and will not bisect any neighborhoods or other portions of the community. The project will also improve pedestrian access and vehicular mobility. In turn, the project will maintain or improve the quality of life of the residents in the area, improve emergency response times, and will not impact community cohesion.

Access to proximate businesses and residences may temporarily be affected or modified as a result of the project. Encroachment into surrounding parcels, if necessary, will be coordinated with the appropriate property owners. The proposed project improvements will be designed to minimize right-of-way acquisition.

In accordance with the Civil Rights Act of 1964, the Civil Rights Act of 1968, and Title VI of the Civil Rights Act, Executive Order 12898 (Environmental Justice), appropriate steps are required to identify and address disproportionately high and adverse effects of Federal programs, policies, and activities on minority and low-income populations. While there is limited potential for the adverse effects, proactive measures for affected communities will be taken related to alternative selection, impact analysis, and mitigation.

3.2 Economic

The project has the potential to support the added businesses proposed in the study area. There are several new developments within the study area, including Angler's Paradise (located in the northwestern section of the study area) which will contain up to 260 residential units, 30,000 square feet of retail and office and 160 hotel rooms.

In the long term, the proposed project is anticipated to enhance the economic conditions by addressing the deficient capacity of the intersection, better facilitating the movement of local and regional freight, and accommodating multimodal activity through bicycle and pedestrian facilities and reliable transit.

3.3 Land Use Changes

The US 41 and Bonita Beach Road intersection improvements are compatible with community development goals and the City and County comprehensive plans.

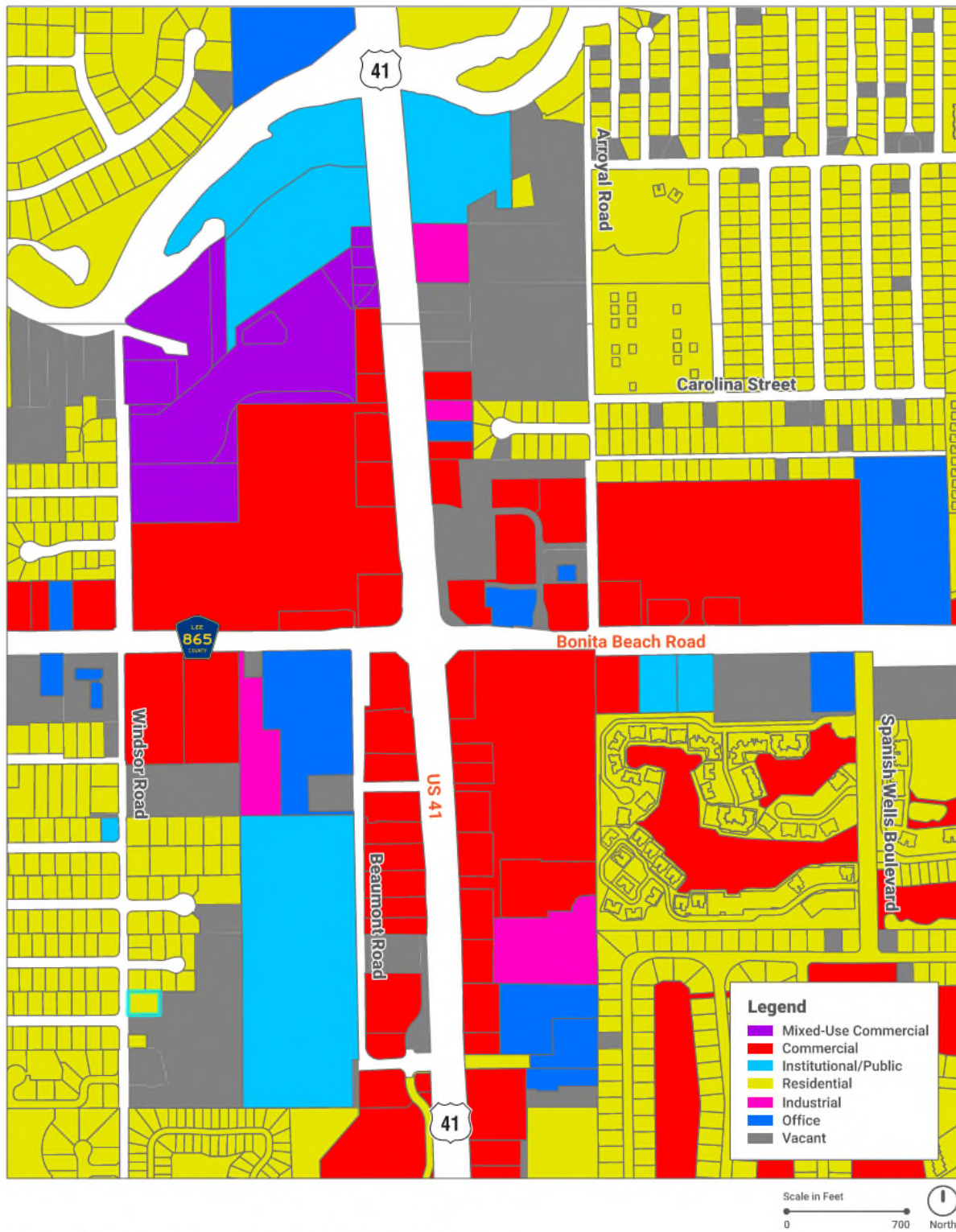
The existing and future land uses abutting the US 41 and Bonita Beach Road intersection are primarily commercial/retail/office with shopping centers in the northwest and southeast quadrants. The larger vacant parcels in the study area's northwest quadrant are being developed into a mixed-use development called Angler's Paradise which will

contain up to 260 residential units, 30,000 square feet of retail and office and 160 hotel rooms. Residential uses are located behind the commercial/retail/office uses.

Other land use types in the study area include office and industrial land uses. There are also several vacant properties within the study area. Institutional land use is also identified in the southwest quadrant of the US 41 and Bonita Beach Road intersection, along Bonita Beach Road, and adjacent to the Imperial River.

The future land uses are generally consistent with the existing land uses. The study area's future land use categories include commercial, residential, industrial, mixed-use/planned development, public, and recreational land uses.

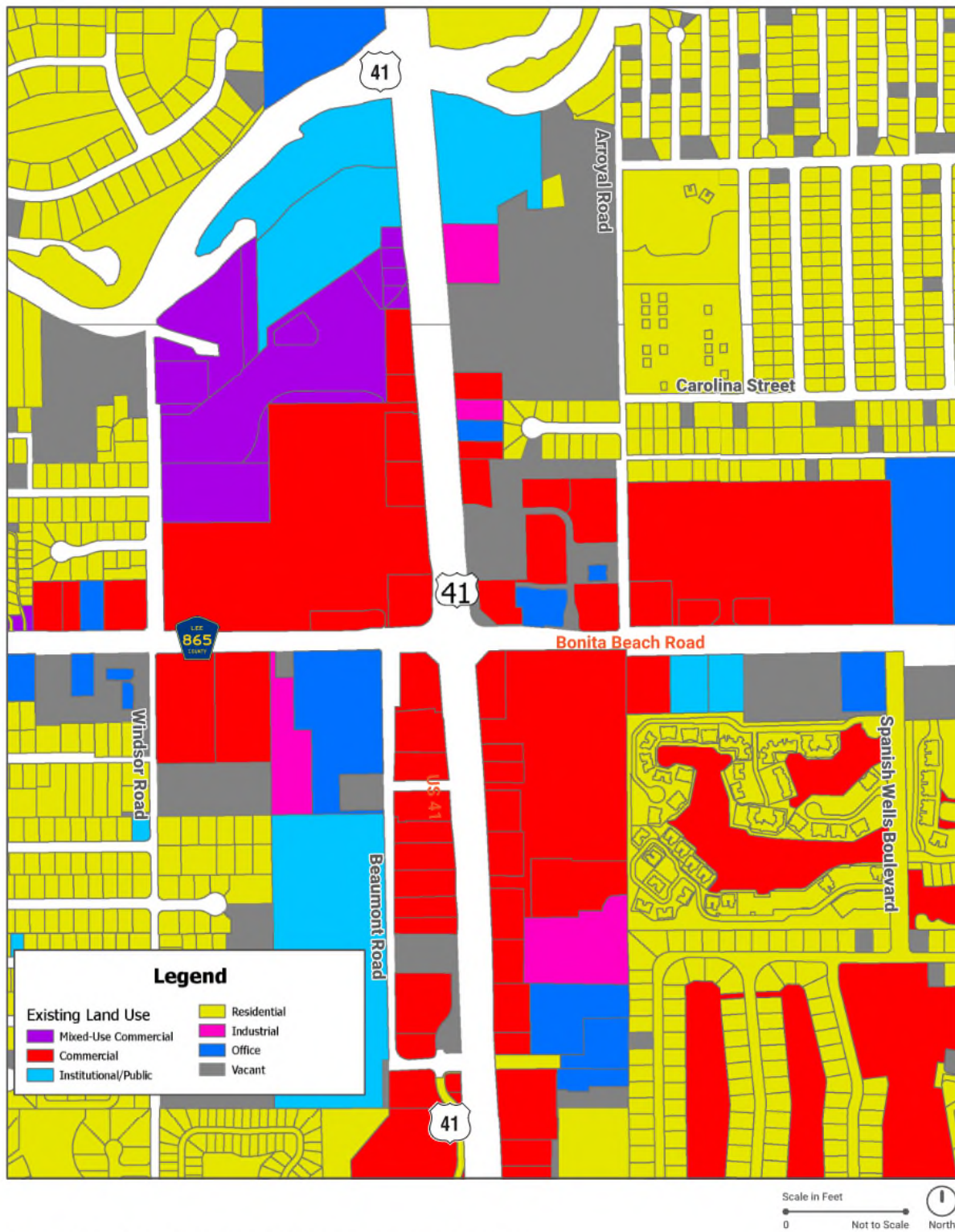
Figure 6 shows the existing land use while **Figure 7** shows the future land use.



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Figure 6 | Existing Land Use

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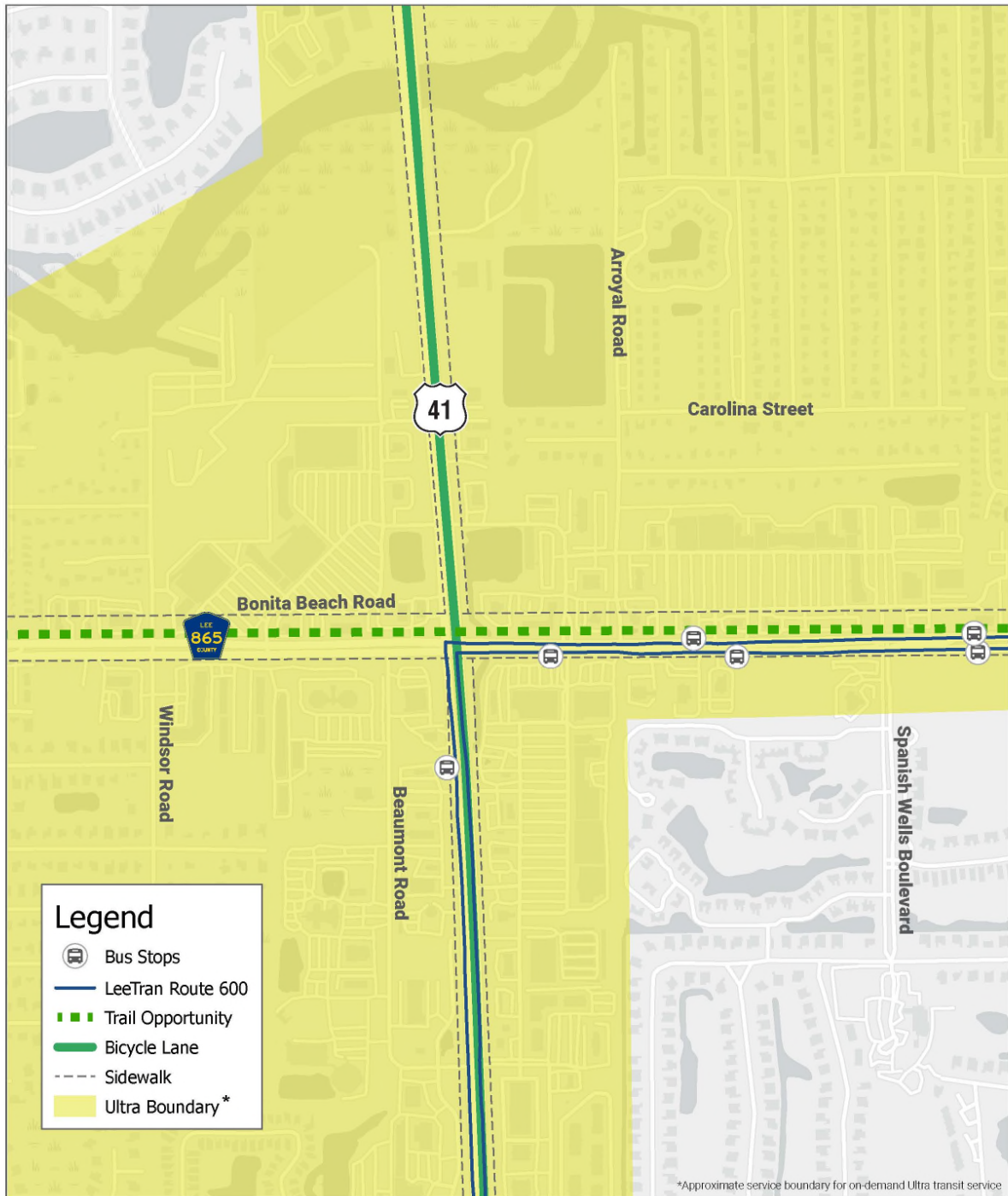
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Figure 7 | Future Land Use

3.4 Mobility

The US 41 and Bonita Beach Road intersection improvements have the potential to account for future travel demand, enhance transit access and improve the existing bicycle and pedestrian facilities. Based on the U.S. Census Bureau 2018-2022 American Community Survey 5-Year Estimates, approximately 20 percent of the population is over the age of 65 (from the populations identified within adjacent census block groups within the study area). Providing improved multi-modal facilities for non-motorized users will enhance the quality of life for those individuals living and working in or near the study area.

As shown in the Trail and Transit Facilities Map, **Figure 8**, Lee Tran operates Routes 600 Coconut Point/Immokalee Road with four total transit stops (two eastbound and one westbound on Bonita Beach Road and one southbound on US 41) within the study area. Lee Tran Transit Route 600 connects Immokalee Road and Plaza Del Lago Drive. The eastbound bus stops and westbound bus stop on Bonita Beach Road and bus stop along US 41 only have a sign and do not have a shelter or bench. The proposed improvement will impact the US 41 southbound bus stop and the relocation has been coordinated with LeeTran. This stop will be relocated approximately 500' south to be in front of Kentucky Fried Chicken (28200 S Tamiami Trail, Bonita Springs, FL 34134) and was located approximately 100 feet into the southbound turn lane for the Bonita Funeral Home, based on comments received from Lee Tran. Associated with this relocation, a US 41 northbound bus stop will be added across the street from the southbound bus stop. Connecting the two bus stops will be a proposed crosswalk with Pedestrian Hybrid Beacon (PHB). The Transit Land Development Code should be followed when making any improvements to bus stops on Bonita Beach Road.



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Figure 8 | Multi-Modal Facilities

Along Bonita Beach Road, three bus stops east of US 41 (two eastbound and one westbound) will remain in the same location.

Along US 41 in the northbound direction, a 6' wide sidewalk is proposed from Foley Road to Springs Plaza and a 12' wide shared-use path is proposed from Springs Plaza to just north of the Imperial River Boat Ramp intersection. In the southbound direction, a 12' wide shared-use path is proposed from just north of the Imperial River Boat Ramp to Bonita Funeral Home and a 6' wide sidewalk is proposed from Bonita Funeral Home to Foley Road.

3.5 Aesthetic Effects

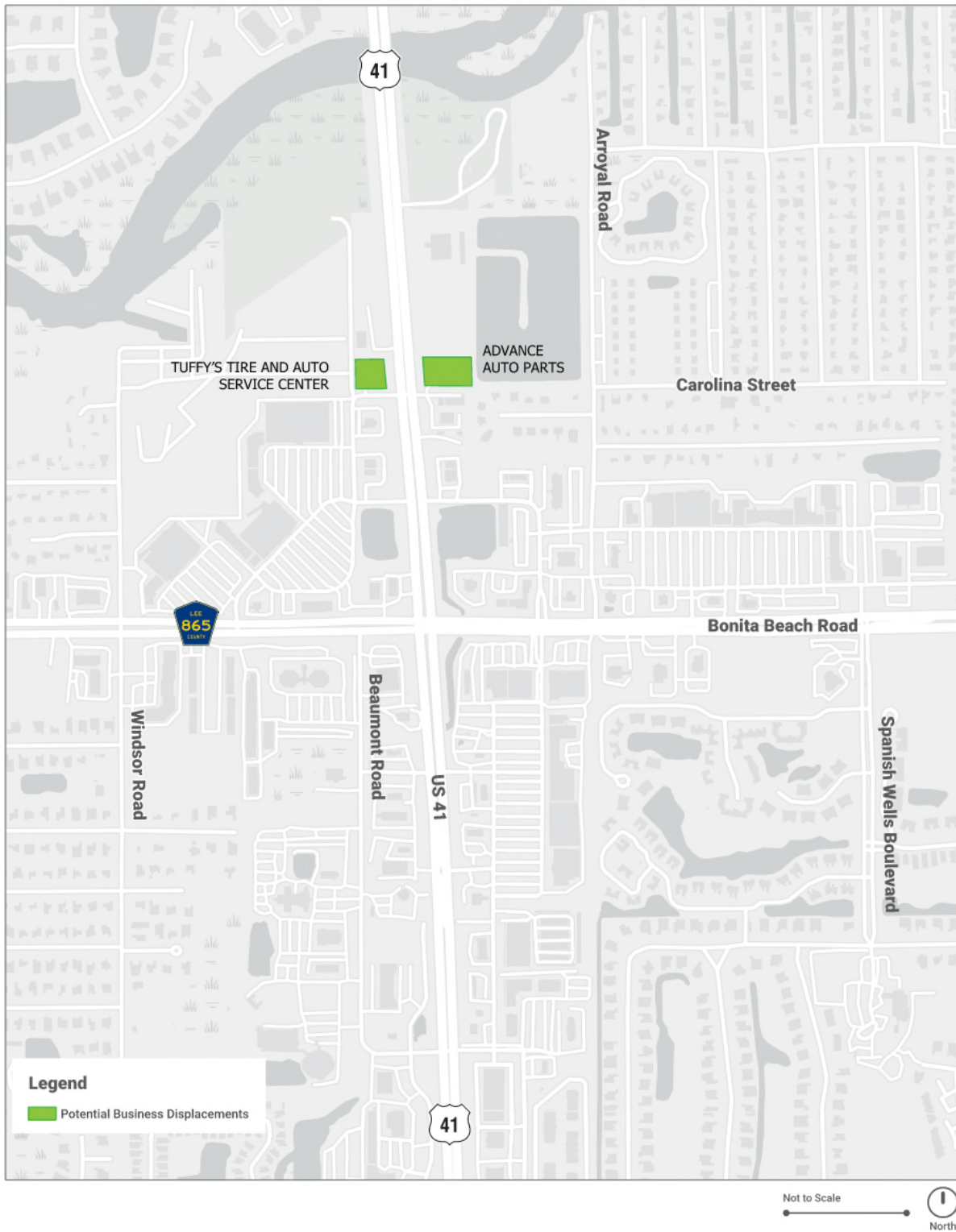
The improvements to the US 41 and Bonita Beach Road intersection will not impact any viewsheds, bisect any communities or otherwise have an impact on the aesthetic nature of the study area. Currently there is landscaping including royal palms and shrubbery beds within all four quadrants of the intersection, as well as trees within the existing medians along US 41. The project is anticipated to remove a portion of this landscaping to accommodate the preferred alternative. A landscaping plan will be developed in future phases that will define the aesthetic enhancements that may be installed at or near the intersection.

3.6 Relocation Potential

There are two business displacements resulting from the recommended alternative. This includes both the Tuffy's Tire and Auto Service Center, located at 27790 S US 41, Bonita Springs, FL 34134, in addition to the Advance Auto Parts, located at 27791 S US 41, Bonita Springs, FL 34134. Additional information about these business displacements can be found in the Conceptual Stage Relocation Plan located in the project file and is summarized in **Table 1**. **Figure 9** shows the locations of the proposed business displacements.

Table 1: Business Displacements

Parcel ID	Business Name	Site Address	Type	Acres	Year Built
33-47-25-B3-00260.0020	Casce Inc, (Tuffy Tire & Auto Service Center)	27790 S TAMIAMI TRL BONITA SPRINGS FL 34134	Automotive Repair	0.63	1997
33-47-25-B3-00260.002A	Advance Auto Parts	27791 S TAMIAMI TRL BONITA SPRINGS FL 34134	Automotive Part Sales	1.00	2007



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Figure 9 | Parcel Relocation Map

In order to minimize the unavoidable effects of Right of Way acquisition and displacement of people, 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).

Comparable replacement housing for sale or rent is not available in the area. In accordance with USC Title 42 Chapter 61 Section 4626, replacement housing of last resort will be used to assure that comparable decent, safe, and sanitary housing will be made available to a displaced person when such housing cannot otherwise be provided within the person's financial means.

3.7 Farmland Resources

Through coordination with the Natural Resources Conservation Service, it has been determined that the project area which is located in the urbanized area of Lee County does not meet the definition of farmland as defined in 7 CFR Part 658. Therefore, the provisions of the Farmland Protection Policy Act of 1981 do not apply to this project.

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 02/22/2024. Therefore, FDOT, in consultation with SHPO, has determined that the proposed project will result in No Historic Properties Affected.

The purpose of the CRAS (document in the project file) was to locate and identify any archaeological sites and historic resources within the project area of potential effect (APE) and to assess their significance in terms of eligibility for listing in the National Register of Historic Places (NRHP). As defined in 36 Code of Federal Regulations [CFR] Part 800.16(d), the APE is the "geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist." Based on the project type and location of the proposed work, the archaeological APE is limited to the footprint of construction. The historical/architectural APE included the footprint of construction as well as resources within immediately adjacent parcels where proposed road widening will occur and new roadways are expected to be constructed. The archaeological and historical field surveys were completed in September 2023.

This CRAS was initiated in consideration of Section 106 of the National Historic Preservation Act of 1966, as amended by Public Law 89-665; the Archaeological and Historic Preservation Act, as amended by Public Law 93-291; Executive Order 11593; and Chapter 267, Florida Statutes (FS). All work was carried out in conformity with the Florida Division of Historical Resources' (FDHR) standards contained in the Cultural Resource Management Standards and Operational Manual (FDHR 2003), as well as with the provisions contained in the Chapter 1A-46, Florida Administrative Code (FAC). Principal Investigators meet the Secretary of the Interior's Professional Qualification Standards (48 FR 44716) for archaeology, history, architecture, architectural history, or historic architecture. Archaeological background research and a review of the Florida Master Site File (FMSF) indicated that no archaeological sites are recorded within or adjacent to the APE but five sites are recorded within one mile. These consisted of various types of mounds, only one of which has been evaluated by the SHPO. A review of relevant site locational information for environmentally similar areas within Lee County and the surrounding region indicated that the APE was considered to have a low to moderate potential for archaeological sites although the ETDM report 6291 indicated a minimal impact to cultural resources. As a result of field investigation, including the excavation of 35 shovel tests, no archaeological sites were discovered. Historic background research, including a review of the FMSF and the NRHP databases, indicated that two historic resources (8LL01426 and 8LL02543) were previously recorded within the APE. The circa (ca.) 1920 Frame Vernacular style building, located at 27750 Arroyal Road, was evaluated as ineligible for listing in the NRHP by the SHPO in 2001. Following the development of an enlarged pond site, the building was demolished and documented as such within the FMSF. Similarly, the Angler's Paradise Clubhouse (8LL02543), a ca. 1958 Masonry Vernacular style building, located at 27711 Windsor Road, was not evaluated by the SHPO for NRHP eligibility. In 2022 the FMSF was notified that the building was no longer extant. A review of relevant historic United States Geological Survey (USGS) quadrangle maps, historic aerial photographs, and the Lee County property appraiser's website data revealed the potential for four new historic resources 45 years of age or older (constructed in 1978 or earlier) within the APE (Caldwell 2023). Historical/architectural field survey resulted in the

identification and evaluation of four historic resources (8LL02984, 8LL02985, 8LL02986, and 8LL02987) within the APE. These include three buildings (8LL02984, 8LL02985, and 8LL02986), constructed between ca. 1945 and 1975, and one linear resource (8LL02987). The buildings consist of two Commercial style buildings (8LL02984 and 8LL02985) and one Masonry Vernacular style building (8LL02986) that have been altered, lack sufficient architectural features, and are not significant embodiments of a type, period, or method of construction. The linear resource is an unnamed drainage ditch (8LL02987) that is a common example of a drainage canal found throughout Lee County and Florida and does not possess any unique engineering features. Background research did not reveal any historic associations with significant persons and/or events. Thus, these five historic resources do not appear eligible for listing in the NRHP, either individually or as a part of a historic district.

Based on the results of the background research and field investigations, no archaeological sites or historic resources that are listed, determined eligible, or that appear potentially eligible for listing in the NRHP were located within the APE. Therefore, it is the professional opinion of the project team that the proposed undertaking will result in no historic properties affected. The SHPO concurrence letter is attached.

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

The following evaluation was conducted pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, and 23 CFR Part 774.

Bonita Springs River Park, under the jurisdiction of the City of Bonita Springs and the Imperial Board Ramp, under the jurisdiction of Lee County, are the two Section 4(f) resources present in the study area. No impacts are anticipated to either facility. A Section 4(f) No Use Determination form is attached.

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) was prepared in July 2024 and the U.S. Fish and Wildlife Service (USFWS) concurred, via email response to the ETAT, that the proposed action is not likely to adversely affect any federally listed species or designated critical habitat on July 24, 2024. The Florida Fish and Wildlife Conservation Commission (FWC) concurred with the determination of effect and stated support for the project implementation measures and commitments for protected species on August 9, 2024. Concurrence documentation is attached.

Team ecologists used online resources and field surveys to determine whether protected species and habitat occur or have the potential to occur in the US 41 and Bonita Beach Road Study Area. The term protected species refers to those species that are protected by law regulation, or rule. Specifically, the term protected species refers to those species listed under the Endangered Species Act (ESA) of 1973, as amended; those species listed under Florida's Endangered and Threatened Species List, Chapter 68A-27, F.A.C.; or those species listed under the Preservation of Native Flora of Florida, Chapter 5B-40, F.A.C. Florida also affords protection to federally-listed species, thus all federally-listed species are also state listed, pursuant to Chapter 68A-27.003(b). The study area was also evaluated for the occurrence of Critical Habitat as defined by the ESA of 1973, as amended and 50 CFR Part 424.

A total of 35 protected species have the potential to occur in the US 41 and Bonita Beach Road Study Area, according to the information obtained during the preliminary data collection. These include the 12 bird, one (1) insect, six (6) mammal, four (4) reptile, and 12 plant species shown on **Table 2** and on **Figure 10**. **Table 2** also provides information on the Effect Determinations for the listed species. Ecologists determined a species' potential occurrence in the study area based on its habitat preferences and distributions, existing site conditions, historical data, and field survey results. The likelihood of occurrence was rated as no, low, moderate, high, or observed. Definitions for the likelihood of occurrence are provided below:

No - Species with a no likelihood of occurrence are those species that are known to occur in Lee County but have specialized habitat requirements that do not occur in the project area.

Low - Species with a low likelihood of occurrence are those species that are known to occur in Lee County, limited habitat occurs within the project site, but there are no known adjacent populations, limited dispersal abilities, and the species has not been observed or documented within the site.

Moderate - Species with a moderate likelihood of occurrence are those species that are known to occur in Lee County, for which suitable habitat occurs within the project site, but there are no positive indications to verify presence, and the species has not been observed in or documented within the site.

High - Species with a high likelihood of occurrence are those species that are known to occur in Lee County, are suspected in the project area based on the existence of suitable habitat within the project site, are known to occur

adjacent to the site, or have been previously documented in the project vicinity.

Observed - the species has been observed during this evaluation.

Table 2: Protected Species with Potential to Occur and Effect Determinations in the US 41 and Bonita Beach Road Study Area

Scientific Name	Common Name	USFWS	FWC	FDACS	Potential Occurrence	Effect Determination
Birds						
<i>Aphelocoma coerulescens</i>	Florida scrub-jay	T	T		No	No Effect
<i>Athene cunicularia floridana</i>	Florida burrowing owl		T		Low	NAEA
<i>Calidris canutus rufa</i>	Rufa Red Knot	T	T		No	No Effect
<i>Egretta caerulea</i>	Little blue heron		T		Observed	NAEA
<i>Egretta rufescens</i>	Reddish egret		T		Moderate	NAEA
<i>Egretta tricolor</i>	Tricolored heron		T		Observed	NAEA
<i>Grus canadensis</i>	Florida sandhill crane		T		Moderate	NAEA
<i>Haliaeetus leucocephalus</i>	Bald eagle	BGEPA/MBTA	M		Observed	N/A
<i>Mycteria americana</i>	Wood stork	T	T		High	MANLAA
<i>Laterallus jamaicensis jamaicensis</i>	Eastern black rail	T	T		No	No Effect
<i>Platalea ajaja</i>	Roseate spoonbill		T		Moderate	NAEA
<i>Sternula antillarum</i>	Least tern		T		No	NAEA
Insects						
<i>Danaus plexippus</i>	Monarch butterfly	C			Moderate	N/A
Mammals						
<i>Eumops floridanus</i>	Florida bonneted bat	E	E		Moderate	No Effect
<i>Perimyotis subflavus</i>	Tricolored bat	C			Moderate	N/A
<i>Puma concolor coryi</i>	Florida Panther	E	E		Low	No Effect
<i>Sciurus niger avicennia</i>	Big Cypress fox squirrel		T		Low	NAEA
<i>Trichechus manatus</i>	West Indian manatee	T	T		No	No Effect
<i>Ursus americanus floridanus</i>	Florida black bear		M		High	N/A
Reptiles						
<i>Crocodylus acutus</i>	American crocodile	T	T		No	No Effect
<i>Drymarchon couperi</i>	Eastern indigo snake	T	T		Moderate	MANLAA
<i>Gopherus polyphemus</i>	Gopher tortoise		T		Burrows Observed	NAEA

<i>Pituophis melanoleucus mugitus</i>	Florida pine snake		T		Moderate	NAEA
Plants						
<i>Andropogon arctatus</i>	Pinewoods bluestem			T	Low	NEA
<i>Calopogon multiflorus</i>	Many-flowered grass-pink			T	Low	NEA
<i>Chamaesyce cumulicola</i>	Sand-dune spurge			E	Low	NEA
<i>Deeringothamnus pulchellus</i>	Beautiful pawpaw	E			Low	No Effect
<i>Harrisia aboriginum</i>	Aboriginal prickly-apple	E			Low	No Effect
<i>Lechea cernua</i>	Nodding pinweed			T	Low	NEA
<i>Lechea divaricata</i>	Pine pinweed			E	Low	NEA
<i>Linum carteri</i> var. <i>smallii</i>	Small's flax			E	Low	NEA
<i>Nemastylis floridana</i>	Celestial lily			E	Low	NEA
<i>Nolina atopocarpa</i>	Florida beargrass			T	Low	NEA
<i>Pteroglossaspis ecristata</i>	Giant orchid			T	Low	NEA
<i>Stylisma abdita</i>	Scrub stylisma			E	Low	NEA
E = Endangered T = Threatened C = Candidate M = Managed T/S = Threatened due to Similarity of Appearance MANLAA = May Affect, Not Likely to Adversely Affect NAEA = No Adverse Effect Anticipated NEA = No Effect Anticipated BGEPA = Bald and Golden Eagle Protection Act MBTA = Migratory Bird Treaty Act FDACS = Florida Department of Agriculture and Consumer Services FWC = Florida Fish and Wildlife Conservation Commission USFWS = United States Fish and Wildlife Service						



US 41 at Bonita Beach Road PD&E Study

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Figure 10 | Protected Species and Habitat Map

Federally Listed Species and Designated Critical Habitat

American Crocodile

The American crocodile is federally listed as threatened. It is one of two species of crocodilians in the United States; the other is the American alligator. The crocodile is distinguished from the alligator by its head shape and color. The crocodile's snout is narrower than the alligator's, and its lower teeth are visible when its mouth is shut. The crocodile is a brownish color whereas the alligator is a blackish color. The crocodile typically inhabits brackish or saltwater habitats, such as ponds, creeks, and coves within mangrove swamps. They are occasionally found inland in freshwater habitats, typically due to South Florida's canal system. Its nesting habitat includes sandy shorelines, raised marl creek banks next to deep water, and even man-made structures such as canal berms. The USFWS identified critical habitat for the crocodile in extreme south Florida, outside the project area.

Suitable habitat for the crocodile was not observed within the study area. No crocodiles were observed during the field survey. The project will not impact suitable crocodile habitat and no in-water work is proposed. Therefore, the proposed project will have "**no effect**" on the American crocodile.

Eastern Black Rail

The eastern black rail is listed by the USFWS as threatened due to habitat loss, destruction, and modification; sea level rise and tidal flooding, and incompatible land management. They are wetland-dependent birds and are primarily associated with herbaceous, persistent emergent plant cover. They require dense overhead perennial herbaceous cover with underlying moist to saturated soils with or adjacent to very shallow water.

No eastern black rails were observed during the field reviews and no suitable habitat was observed. Based on the best available information, there is no evidence that the eastern black rail occurs within the project area. According Florida Natural Areas Inventory (FNAI), no individuals have been documented in the project area. As part of this project, wetland impacts will be mitigated to prevent loss of wetland functions and values. Based on this information, the proposed project is anticipated to have "**no effect**" on the eastern black rail.

Eastern Indigo Snake

The eastern indigo snake is a large, stout-bodied, shiny black snake with a red throat and chin. The eastern indigo snake is listed by the USFWS as threatened due to over-collecting for the pet trade as well as habitat loss and fragmentation. It is widely distributed throughout central and south Florida. They occur in a broad range of habitats, from scrub and sandhill to wet prairies and mangrove swamps. Indigo snakes are most closely associated with habitats occupied by gopher tortoises, whose burrows provide refugia from cold or desiccating conditions.

Suitable habitat is present for the indigo snake within the study area. No indigo snakes were observed during the field reviews. Suitable habitat for the gopher tortoise was also observed within the study area. A 100% gopher tortoise survey was not conducted during this PD&E Study but will be required before construction activities commence. Multiple gopher tortoise burrows were observed during meandering pedestrian surveys in the project area. To address any potential effects to the eastern indigo snake, all potentially occupied gopher tortoise burrows within the limits of construction will be excavated and the Standard Protection Measures for the Indigo Snake (USFWS 2013; **Appendix E**) will be implemented during construction activities. According to the *Eastern Indigo Snake Effect Determination Key* (**Appendix F**), the proposed project will result in the following sequential determination: A>B>C>D>E = "**may affect, but is not likely to adversely affect**" the eastern indigo snake.

Florida Bonneted Bat

The entire study area is within the USFWS Florida bonneted bat consultation area (CA). The Florida bonneted bat is classified as endangered due to habitat loss, degradation, and modification, as well as other man-made and natural factors including a small population size with few colonies, restricted range, slow reproductivity, and low fecundity. It has short glossy fur consisting of bicolored hairs and large broad ears that project over the eyes and are joined at the midline of the head. The Florida bonneted bat is a subtropical species that does not hibernate and is active year-round. Habitat consists of relatively open areas that provide sources of prey and drinking water, including open fresh water, permanent or seasonal freshwater wetlands, wetland and upland forests, wetland and upland shrub, and agricultural areas. In urban areas, suitable foraging habitat can be found at golf courses, parking lots, and parks. Potential roosting habitats include forests or areas with tall or mature trees or other areas with potential roost structures, including utility poles and artificial roosts. This includes habitat in which suitable structural features for breeding and sheltering are present. Roosting habitat contains one or more of the following structures: tree snags, and trees with cavities, hollows, deformities, decay, crevices, or loose bark. The study area contains stormwater ponds, forested upland and wetland habitat, and wetlands associated with the Imperial River. There is proposed Critical Habitat for this species; however, the proposed project is not within the Critical Habitat.

A full acoustic survey and roost survey were conducted in October 2023 to determine Florida bonneted bat activity within the study corridor. The survey methodology was submitted and approved by the USFWS prior to the commencement of the surveys (**Appendix D of the NRE**). A supplemental survey methodology was developed based on the need to adjust proposed detector locations due to ongoing construction activities and access. This amended survey methodology was submitted and approved by USFWS (**Appendix D of the NRE**). Qualified ecologists with the required acoustic survey course training and experience conducted the acoustic and roost surveys. The acoustic survey was conducted from October 4 through October 10, 2023.

Based on the results of the roost and acoustic surveys, no evidence of roosting or foraging by the Florida bonneted bat within the project corridor was detected. No Florida bonneted bat calls were detected as a result of the acoustic survey. A **"No Effect"** determination was made utilizing the Florida Bonneted Bat Consultation Key (USFWS 2019). This effect determination was made using the following sequence from the key: **1a-2a-3b-6b**. The survey report is included in **Appendix G** of the NRE.

Florida Panther

The Florida panther is listed by the USFWS as endangered due to habitat loss and degradation. The project area is not within the USFWS Florida panther CA; however, according to the IPaC tool and ECOS, the project site is within the panther's range. Panthers require large blocks of mostly forested communities with a mosaic of habitats to utilize as resting and denning sites, hunting grounds, and travel corridors. Numerous factors influence panther home range size, including habitat quality, prey density, and landscape configuration.

The proposed project is within the range of the Florida panther and approximately 3.5 miles from the primary habitat zone. Telemetry and roadkill data suggest they do not utilize the project corridor, with the nearest occurrences approximately three miles away near the I-75 corridor. The proposed project corridor lacks the habitats the panther requires to fulfill its life history requirements. No suitable habitat, individuals, or signs of habitat utilization were observed. Therefore, the proposed project will have **"no effect"** on the Florida panther.

Florida Scrub-Jay

The entire study area occurs within the USFWS Florida scrub-jay CA. The scrub-jay is classified as threatened due to habitat loss, degradation, and fragmentation. They are restricted to xeric scrub habitats with optimal habitat consisting of

fire-dominated, low-growing oak scrub found on well-drained sandy soils with patches of bare sandy soil.

The study area consists mostly of urban and built-up land uses. The natural areas present within the study area include wetland and upland habitats that do not contain the xeric scrub required by the Florida scrub-jay. According to FNAI and FWC's statewide occurrence data, there are no documented occurrences within the study area. No individuals or suitable scrub-jay habitat was observed within the project area. Due to the lack of suitable habitat, the proposed project will have "**no effect**" on the Florida scrub-jay.

Monarch Butterfly

The monarch butterfly is a candidate species proposed for federal listing. In many regions, monarchs breed year-round, including southern Florida. During the breeding season they lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.). Milkweed and flowering plants are needed for monarch habitat. No monarchs or milkweed was observed during the field reviews, however flowering plants and habitat suitable to support milkweed species was observed. Consultation with USFWS under Section 7 of the ESA is not required for candidate species, like the monarch. FDOT will continue consultation with the USFWS regarding the monarch butterfly listing status and potential impacts to this species during the design and permitting phase as needed.

Rufa Red Knot

The rufa red knot is listed as threatened due to the loss of breeding and nonbreeding habitat from sea level rise, coastal engineering/stabilization, coastal development, and arctic ecosystem change; reduced prey throughout the nonbreeding range; and increasing frequency and severity of asynchronies in the timing of annual migration relative to favorable food and weather conditions. Florida's central Gulf Coast is one of four wintering regions for the red knot. Coastal habitats used by this species include coastal marine and estuarine habitats with large areas of exposed intertidal sediments, including sparsely vegetated beaches, shoals, tidal or mud sand flats, or mangrove-dominated shorelines.

Habitats associated with the Imperial River may provide suitable habitat for wintering and migratory populations. However, these habitats are outside the project area and will not be impacted as a result of the Preferred Alternative. No individuals or suitable habitat was observed within the project area during the field reviews. As a result, the proposed project will have "**no effect**" on the rufa red knot.

Tricolored Bat

The tricolored bat is a candidate species proposed for federal listing. It is Florida's smallest bat and is distinguished by its unique tricolored fur and pink forearms that contrast their black wings. This wide-ranging species is found throughout the central and eastern United States and portions of Canada, Mexico, and Central America. Typically hibernating in caves and mines during the winter, tricolored bats in the southeastern U.S. have increased utilization of culverts as hibernacula, with shorter hibernation durations and increased winter activity. The tricolored bat is mostly associated with forested habitats and requires habitat suitable for roosting, foraging, and commuting between winter and summer habitats. Roosting singly or in small groups, the tricolored bat prefers to roost in caves, tree foliage, tree cavities, Spanish moss, and man-made structures such as buildings and culverts. They form summer colonies in forested habitats, utilizing cavities, bark, and foliage. They forage most commonly over watercourses and along forest edges.

Suitable roosting and foraging habitats are present within the project limits. Acoustic and roost surveys were conducted in October 2023 in accordance with the Florida bonneted bat survey guidelines. No tricolored bat calls were identified as a result of the acoustic survey. No evidence of bat roosts was observed. FDOT will continue consultation with the USFWS regarding the tricolored bat listing status and potential impacts to this species during the design and permitting phase as needed. If the listing status of the tricolored bat is elevated by USFWS to threatened or endangered and the proposed

project site is located within the consultation area during the design and permitting phase of the proposed project. During the design phase, FDOT will confirm the listing status of the tri-colored bat and, if necessary, reevaluate its effect determination and the need for further coordination.

West Indian Manatee

The West Indian manatee is a large, aquatic mammal distributed from the southern United States through the Caribbean Islands, Central America, and to northern South America. In the United States, the Florida manatee (a sub-species of the West Indian manatee) inhabits Florida's coastal waters, rivers, and springs, where they graze on seagrasses and other aquatic plants. The manatee is federally listed as threatened due to habitat loss, degradation, and fragmentation; watercraft collisions; loss of winter warm-water habitat; and poaching.

The study area is located approximately 0.5 miles outside of the USFWS CA for the manatee. The Imperial River, which is located outside of the study area adjacent to the northern limits, is designated critical habitat for the West Indian manatee. While manatee observations and mortality are documented in the Imperial River, no occurrences have been documented within the study area according to FWC manatee synoptic survey data. Critical habitat for the manatee will not be impacted by the proposed project. The project is not located in waters accessible to manatees and will not directly or indirectly affect manatees. Therefore, the proposed project will have **"no effect"** on the West Indian manatee.

Wood Stork

The wood stork is listed by the USFWS as threatened due to a reduction in food attributed to the loss of suitable foraging habitat (SFH). Wood storks are associated with freshwater and estuarine wetlands that are used for nesting, roosting, and foraging. Nesting typically occurs in medium to tall trees that occur in stands located in swamps or islands surrounded by open water. Because of their specialized feeding behavior, they forage most effectively on shallow water with highly concentrated prey. The USFWS defines SFH for the wood stork as shallow open-water areas that are relatively calm and have a permanent or seasonal water depth between two to fifteen inches. SFH includes freshwater marshes, swamps, lagoons, tidal creeks and pools, ponds, ditches, and flooded pastures.

According to the USFWS South Florida Ecological Service Office, the habitats within 18.6 miles of a wood stork breeding colony are considered to be wood stork Core Foraging Areas (CFAs). The proposed project site is within the core foraging area (CFA) of one wood stork colony: the Corkscrew colony. SFH is limited to the littoral edge of existing stormwater ponds and roadside ditches. The proposed project will impact approximately 0.49 acres of SFH. This acreage was calculated based on direct impacts to surface waters and herbaceous wetlands which provide SFH for wood storks. According to the *South Florida Programmatic Concurrence Key for the Wood Stork* (USFWS 2010) (**Appendix H of the NRE**), the proposed project will result in the following sequential determination: A>B = **"may affect, but is not likely to adversely affect"** the wood stork. Based on the current design, the project will impact less than five acres of wetlands, and therefore, a foraging prey base analysis is not required. SFH will be restored in the post-construction condition with the construction of two new ponds and expansion of the existing FDOT pond. This will result in no net loss of SFH and therefore, the project will have no adverse impact on the wood stork. The final impacts will be calculated during the design phase and any mitigation will adhere to the requirements of the U.S. Army Corps of Engineers (USACE) and USFWS Effect Determination Key.

Federally Protected Plants

According to the FNAI and USFWS, two (2) federally protected plants have the potential to occur within the study area in **Table 3**. These species are listed as endangered and include beautiful pawpaw and aboriginal prickly-apple. Beautiful pawpaw occurs in slash pine woods on sandy substrates in Charlotte, Lee, and Orange counties, while aboriginal prickly-apple inhabits coastal hammock strands that have become uncommon in many coastal areas of central and south Florida.

due to clearing for development. Limited habitat occurs within the project footprint. Due to the development within and adjacent to the study area, these species are unlikely to occur within the project area. Ecologists did not observe federally protected plants during field surveys. The FNAI database listed no Elemental Occurrences of protected plants within the study area. The proposed project will have "**no effect**" on federally listed plants.

Critical Habitat

No Critical Habitat designated for listed species occurs within the US 41 and Bonita Beach Road Study Area. The Imperial River, located north of the project area, is designated Critical Habitat for the West Indian manatee; however, this Critical Habitat area is located entirely outside of the study area and will not be impacted by project activities. Therefore, no destruction or adverse modification will occur.

State Listed Species

Big Cypress Fox Squirrel

The Big Cypress fox squirrel is listed by the FWC as threatened due to the loss, degradation, and fragmentation of their habitat and lack of regulatory protection. They are endemic to Florida and geographically restricted to southwest Florida. Optimal habitat requires trees for nesting, year-round food, and an open understory. Big Cypress fox squirrels build their nests almost exclusively in bald cypress trees, and occasionally in cabbage palm or slash pine.

The preferred pond alternatives will impact forested wetlands and pinelands. The forested wetlands within the proposed alternative are dominated by invasive exotic plant species with minimal cypress and are thus considered low-quality habitat for fox squirrels. Suitable habitat was observed within the proposed pond site located near the eastern terminus of the project. No fox squirrels were observed during the field reviews. Due to the limited suitable and low quality habitat within the project area, "**no adverse effect is anticipated**" for the Big Cypress fox squirrel.

Florida Burrowing Owl

The FWC listed the Florida burrowing owl as threatened due to loss of native habitat, dependence on altered habitat, and lack of regulatory protections. The burrowing owl is a non-migratory, year-round breeding resident of Florida, and maintains home ranges and territories while nesting. Burrowing owls inhabit upland areas that are sparsely vegetated. Natural habitats include dry prairie and sandhill, but they will make use of ruderal areas such as pastures, airports, parks, and road rights-of-way because much of their native habitat has been altered or converted to other uses.

Limited suitable habitat was observed within the study area. No burrowing owls were observed during general wildlife surveys or species-specific surveys. Burrowing owls usually dig their own burrows but are known to utilize gopher tortoise burrows and armadillo burrows as well. Gopher tortoise burrows and mammal burrows were observed within the site. Pre-construction surveys will be conducted to adhere to the components of the Imperiled Species Management Plan (ISMP) and permitting guidelines and the necessary FWC coordination and permitting will be required if burrows are found prior to construction; therefore, "**no adverse effect is anticipated**" for the burrowing owl resulting from the proposed project.

Florida Pine Snake

The Florida pine snake is listed by the FWC as threatened due to habitat loss, fragmentation, and degradation to upland habitats from development and fire suppression. They inhabit areas that feature well-drained sandy soils with a moderate to open canopy. Preferred habitats include sandhill and former sandhill, including old fields and pastures, sand pine scrub, and scrubby flatwoods. The pine snake often coexists with gopher tortoises and pocket gophers, spending the majority of its time underground.

No pine snakes were observed during the field surveys. Suitable habitat was observed within the site. Gopher tortoise burrows and mammal burrows were observed within the site. A 100% gopher tortoise survey will be conducted prior to construction and gopher tortoise burrows within the construction limits will be excavated. Current FWC guidelines for the relocation of the Florida pine snake state that any incidentally captured pine snake should be released on-site or allowed to escape unharmed if habitat will remain post-development. Based on existing conservation measures, **"no adverse effect is anticipated"** for the Florida pine snake resulting from the proposed project.

Florida Sandhill Crane

The FWC listed the Florida sandhill crane as threatened due to the loss and degradation of nesting and foraging habitat from development and hydrologic alteration to their potential nesting habitat. The Florida sandhill crane is a heavy-bodied gray bird, with a long neck and long legs. It is widely distributed throughout most of peninsular Florida. Sandhill cranes rely on shallow marshes for roosting and nesting and open upland and wetland habitats for foraging.

No sandhill cranes were observed during field surveys. Suitable foraging habitat was observed; however, no nesting habitat was observed within the study area. Due to lack of suitable nesting habitat within the project limits, **"no adverse effect is anticipated"** for the Florida sandhill crane resulting from the proposed project.

Gopher Tortoise

The gopher tortoise is listed as threatened by the FWC. They occur in the southeastern Coastal Plain from Louisiana to South Carolina; the largest portion of the population is located in Florida. Gopher tortoises require well-drained, sandy soils for burrowing and nest construction, with a generally open canopy and an abundance of herbaceous groundcover, particularly broadleaf grasses, wiregrass, legumes and fruits for foraging. Gopher tortoises can be found in most types of upland communities including disturbed areas and pastures.

There are upland areas within and adjacent to the project limits that provide suitable habitat for tortoises. No gopher tortoises were observed; however, 12 potentially occupied gopher tortoise burrows were observed during the field survey. A 100% gopher tortoise survey was not conducted, but a survey will be performed prior to construction. A relocation permit may be necessary from the FWC if tortoises are present within any permanent or temporary construction area. Mitigation contributions for the gopher tortoise will be calculated and provided to FWC during the gopher tortoise permitting process. Based on the information provided above, **"no adverse effect is anticipated"** for the gopher tortoise as a result of the proposed project.

Imperiled Wading Birds

Four wading birds have the potential to occur in the study area. These species are the little blue heron, reddish egret, roseate spoonbill, and tricolored heron. All are listed by the FWC as threatened due to the loss and degradation of habitat, particularly from hydrologic alterations to their essential foraging areas. Little blue herons, roseate spoonbills, and tricolored herons are widely distributed throughout peninsular Florida. Reddish egrets are found almost exclusively in coastal areas. Wading birds depend on healthy wetlands and vegetated areas suitable for resting and breeding which are near foraging areas. They forage in freshwater, brackish, and saltwater habitats. They tend to nest in multi-species colonies of a variety of woody vegetation types including cypress, willow, maple, black mangrove, and cabbage palm.

Little blue herons and tricolored herons were observed within the project area during field reviews. These observations include flyovers and foraging in stormwater ponds. No suitable nesting habitat for wading birds was observed within or adjacent to the site. Foraging habitat is limited and includes roadside ditches and the littoral edges of existing stormwater ponds. No nesting activity was observed within the project area, and there is no evidence that nesting occurs within the

project site. According to the FWC Wading Bird Rookery Data, the nearest rookery is approximately 4.7 miles northwest of the project site. Based on the information provided, **"no adverse effect is anticipated"** for wading birds resulting from the proposed project.

Least Tern

The least tern is listed as threatened by FWC and is the smallest tern in North America. They are distributed along the Atlantic Coast of the United States, mid-Atlantic states, and down from Mexico to northern Argentina. They inhabit areas along the coasts of Florida, including estuaries and bays. Nesting occurs in colonies from one to several hundred pairs and may often be collocated with other seabirds like black skimmers. Nesting can occur in freshly disturbed areas that have had the removal of beach material, dumping of dredge sand, or clearing and scraping existing sand. Least terns also can nest in areas of gravel. Least terns typically nest between the middle of April and the beginning of May.

According to the FWC's ShoreMapper for imperiled beach-nesting birds, the project is not within a recent breeding site, critical brood-rearing site, or a critical roosting site for least tern. Suitable nesting habitat for the least tern is not present within the study area. No individuals were observed during field reviews.

Therefore, as a result of the proposed project, **"no effect is anticipated"** for the least tern.

State Listed Plants

Through regulation by the FDACS Division of Plant Industry, Florida protects plant species native to the state that are endangered, threatened, or commercially exploited. The Florida Regulated Plant Index includes all plants listed as endangered, threatened, or commercially exploited as defined in Chapter 5B-40.0055, F.A.C. According to the FNAI and FDACS, 10 state protected plant species have the potential to occur in Lee County (**Table 3**). State threatened plant species include the pinewoods bluestem, many-flowered grass-pink, nodding pinweed, Florida beargrass, and giant orchid. Endangered plants with potential to occur in Lee County include sand-dune spurge, pine pinweed, Small's flax, celestial lily, and scrub stylisma. However, the FNAI database listed no Elemental Occurrences of protected plants within the study area. Habitat for these state-listed plant species is limited within the study area, and particularly within the project limits. Ecologists did not observe state listed plants during the field surveys. Additional surveys for listed plant species will be conducted during design and permitting. **"No effect is anticipated"** for state listed plant species resulting from the proposed project.

Other Protected Species or Habitats

Bald Eagle

The bald eagle was removed from the ESA in 2007 and Florida's Endangered and Threatened Species list in 2008; however, it remains protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. The bald eagle is a member of the Accipitridae family. Bald eagles tend to nest in the tops of very tall trees that provide unobstructed lines of sight to nearby habitats, particularly lakes and other open waters. Because eagles are piscivorous (fish-eating) raptors, nearly all eagles' nests occur within 1.8 miles of water.

Suitable habitat for the bald eagle was observed throughout the study area. Two bald eagles were observed during the field reviews. According to FWC's Eagle Nest locator and the Audubon Florida EagleWatch Nest website (EagleWatch), there are five (5) nests identified within and adjacent to the study area. Three (3) of these nests (LE050, LE050b, and LE097a) have been documented as destroyed by EagleWatch, and their absence was confirmed in the field. Nest LE050a was documented as "inactive" for the 2023 breeding season and could not be located during the October 2023 field reviews. Construction activities associated with the Angler's Paradise development are currently underway within the 660-

foot buffer of this nest's previously documented location. Nest LE097 was observed, and the two eagles observed in the field were perched in a pine near this nest. No other bald eagle nests were identified in the field. The proposed activities are outside of the 660-foot buffer of eagle nest LE097, and the project will therefore have no impact on bald eagles.

Florida Black Bear

The Florida black bear was removed from Florida's Endangered and Threatened Species list in 2012; however, it remains protected under Chapter 68A-4.009 F.A.C., the Florida Black Bear Conservation Plan. The project area is within the abundant range of the South Bear Management Unit (BMU). The black bear requires large amounts of space for its home range and a variety of forested habitats, including flatwoods, swamps, scrub oak ridges, bayheads, and hammocks. Self-sustaining populations of bears are generally found on large tracks of contiguous forests with understories of berry producing shrubs or trees.

According to the most recent FWC data, three recent bear calls have occurred within the study area. These calls occurred in June and July of 2018. The project area is highly developed and does not provide suitable habitat or connectivity to suitable habitat. The proposed project will have no impact on the Florida black bear. No further coordination with FWC will be required.

Strategic Habitat Conservation Areas

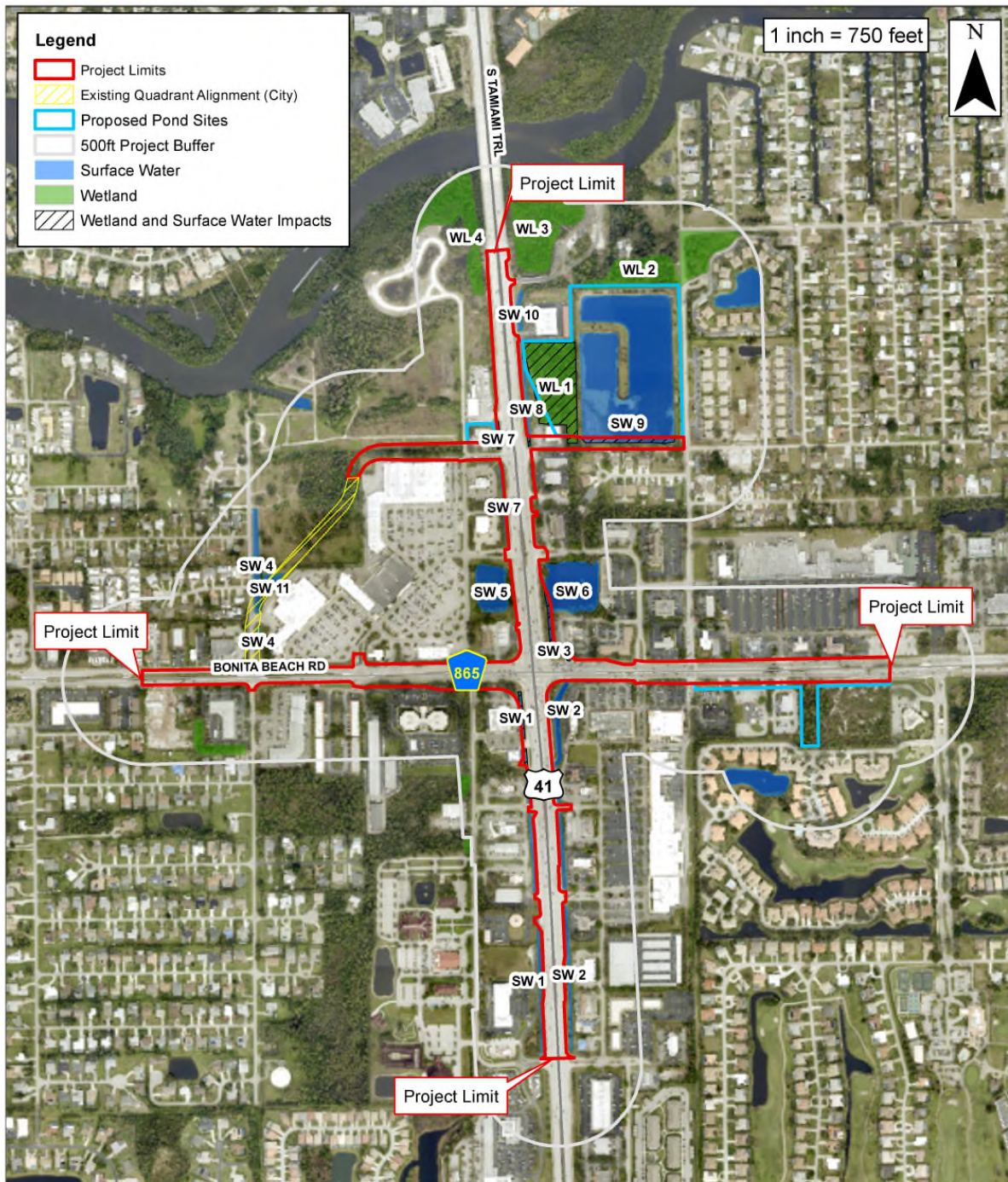
Strategic Habitat Conservation Areas (SHCA) are lands in need of protection to maintain natural communities and viable populations of many species that are indicators of the state's biological diversity. In 1994, FWC biologists completed a project entitled Closing the Gaps in Florida's Wildlife Habitat Conservation System, which assessed the security of rare and imperiled species on existing conservation lands in Florida. This research identified important habitat areas in Florida with no conservation protection. These SHCA serve as a foundation for conservation planning for species protection through habitat conservation. No SHCA occurs within the study area.

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.

Team ecologists performed a wetland evaluation of the study area. The wetland evaluation relied on literature reviews and field surveys to identify the location, extent, and functional value of wetlands in the study area; the potential direct, indirect, or cumulative effects of the project's actions to those wetlands; and available mitigation options to satisfy permit requirements from regulatory agencies.

Wetlands and other surface waters with potential to be affected by the proposed project were identified within the study area are shown in **Figure 11**. The following section includes a brief description of each wetland type and other surface water within the study area. **Table 3** provides details identifying each wetland and surface water including surface water ID, Florida Land Use, Cover, and Forms Classification System (FLUCFCS) and National Wetland Inventory (NWI) classification, and a brief description. FLUCFCS classifications are based on the results of the data analysis and field reviews of the study area. NWI classifications were not altered and are based on the listed classification of the nearest NWI wetland system as applicable.



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Figure 11 | Wetlands and Surface Waters

Table 3: Other Surface Waters in the US 41 and Bonita Beach Road Study Area

Surface Water ID	FLUCFCS Classification	NWI Classification	Description
WL 1	630	PFO4/1A	Wetland Forested Mixed
WL 2	617	PFO3/2C	Mixed Wetland Hardwoods
WL 3	612/625	PSS4A, PFO4A, PSS1/EM1R, E2SS3N	Mangrove Swamps/Hydric Pine Flatwoods
WL 4	612	E2SS3N, E2EM1P	Mangrove Swamps
SW 1	510	N/A	Streams and Waterways
SW 2	510	N/A	Streams and Waterways
SW 3	510	PUBHx	Streams and Waterways
SW 4	510	N/A	Streams and Waterways
SW 5	530	PUBHx	Reservoirs
SW 6	530	PUBHx	Reservoirs
SW 7	510	N/A	Streams and Waterways
SW 8	510	N/A	Streams and Waterways
SW 9	530	N/A	Reservoirs
SW 10	510	N/A	Streams and Waterways

Mangrove Swamps

FLUCFCS: 612

NWI: PSS4A, PFO4A, PSS1/EM1R, E2SS3N, E2EM1P

Wetlands: WL 3, WL 4

Mangrove swamps are communities of coastal hardwoods dominated by mangroves. These areas are found at the northern terminus of the project on both the east and west sides of US 41. Species observed in these communities include red mangrove (*Rhizophora mangle*), black mangrove (*Avicennia germinans*), white mangrove (*Laguncularia racemosa*), Brazilian pepper (*Schinus terebinthifolia*), cabbage palm (*Sabal palmetto*), and salt bush (*Baccharis halimifolia*). The proposed project will have no impacts to WL 3 and WL 4.

Mixed Wetland Hardwoods

FLUCFCS: 617

NWI: PFO3/2C

Wetlands: WL 2

Mixed wetland hardwood habitat is located in the northeastern quadrant of the US 41 and Bonita Beach Road intersection, north of the proposed pond site. This habitat consists of hardwood species with cabbage palm, slash pine (*Pinus elliotti*), Australian pine (*Casuarina equisetifolia*), and Brazilian pepper encroachment. The proposed project will have no impacts to WL 2.

Hydric Pine Flatwoods

FLUCFCS: 625

NWI: PSS4A, PFO4A

WL 3

Hydric Pine Flatwoods are located at the project's northern terminus, east of US 41. This habitat type is associated with the Imperial River and makes up a portion of WL 3. This canopy consists of slash pine and cabbage palm. Understory and groundcover species include Brazilian pepper, elderberry (*Sambucus nigra*), Carolina willow (*Salix caroliniana*), Peruvian primrose willow (*Ludwigia peruviana*), wax myrtle (*Morella cerifera*), rush Fuirena (*Fuirena scirpoidea*), and swamp fern. No impacts to WL 3 are anticipated as a result of the proposed project.

Wetland Forested Mixed

FLUCFCS: 630

NWI: PFO4/1A

Wetlands: WL 1

Wetland Forested Mixed wetlands contain communities in which neither hardwoods nor conifers achieve 66 percent canopy composition. WL 1 occurs east of US 41, and is adjacent to the western edge of the existing FDOT pond. Observed canopy vegetation includes slash pine, cabbage palm, melaleuca (*Melaleuca quinquenervia*), laurel oak (*Quercus laurifolia*), Australian pine, and earleaf acacia (*Acacia auriculiformis*). Understory and groundcover species include Brazilian pepper, Carolina willow, Peruvian primrose willow, and swamp fern (*Telmatoblechnum serrulatum*). Direct impacts to WL 1 are 3.21 acres.

Streams and Waterways

FLUCFCS: 510

NWI: PUBHx

Surface Waters: SW 1, SW 2, SW 3, SW 4, SW 7, SW 8, SW 10

Streams and waterways include rivers, creeks, canals, and other linear bodies of water. The surface waters within the study area consist of canals and roadside ditches. These ditches generally contain standing water during the rainy season and are shallow or dry during the dry season. Many of these systems support hydrophytic vegetation. Typical vegetation observed in these surface waters includes duck potato (*Sagittaria latifolia*), pickerelweed (*Pontederia cordata*), frog's bit (*Limnobium spongia*), and Carolina willow. Total impacts to these surface waters are approximately 0.42 acres. Mitigation is not required for impacts to these upland cut ditches pursuant to Subsection 10.2.2.2 of the Applicant's Handbook, Volume 1. SW 4 was identified as part of this study. However, SW 4 is located within the City's Northwest Quadrant Roadway proposed alignment and is not within the limits of the US 41 and Bonita Beach Road Preferred Alternative. No impacts to SW 4 will result from the Preferred Alternative. The northern extent of SW 8 is wetland cut. Direct impacts resulting in 0.02 acres of impacts to the wetland cut portion of this ditch were included in the functional loss detailed in **Table 6** below.

Reservoirs

FLUCFCS 530

NWI: PUBHx N/A

Surface Waters: SW 5, SW 6, SW 9, SW 11

Reservoirs are artificial impoundments of water used for irrigation, flood control, and municipal and rural water supplies. SW 5 and SW 6 are located on either side of US 41 north of the US 41 and Bonita Beach Road intersection. SW 9 is located within one of the proposed pond sites. These surface waters are permitted stormwater ponds. SW 11 was identified as part of this study. However, SW 11 is located within the City's Northwest Quadrant Roadway proposed alignment and is not within the limits of the US 41 and Bonita Beach Road Preferred Alternative. No impacts to SW 11 will result from the Preferred Alternative. SW 9 will be expanded by the proposed project and incur approximately 0.40 acres of impacts from the proposed roadway construction. Impacts to SW 6 are approximately 0.07 acres. No impacts to SW 5 and SW 11 are anticipated.

Wetland and Surface Water Impacts

Data collected during the literature review, previous permit history, and field survey were used to evaluate the potential adverse direct and secondary impacts of the project to wetlands and the potential cumulative impacts to those wetlands and surface waters in the project limits. **Table 4** details the proposed wetland and surface water impacts.

Table 4: Proposed Wetland and Other Surface Water Impacts

ID	FLUCFCS	Description	Type	Direct Impact (ac)
WL 1	630	Wetland Forested Mixed	Pond North	3.21
*SW 1	510	Streams and Waterways	ROW	0.14
*SW 3	510	Streams and Waterways	ROW	0.14
*SW 6	530	Reservoirs	ROW	0.07
*SW 7	510	Streams and Waterways	ROW	0.10
SW 8	510	Streams and Waterways	ROW	0.02
	510	Streams and Waterways (wetland cut ditch)	Pond North	0.02
*SW 9	530	Reservoirs	ROW	0.40
Total Proposed Impacts				4.10 acres
Total Impacts Included in UMAM				3.23 acres
* No mitigation required for upland cut ditches and reservoirs				

Wetland Impacts

The Preferred Alternative will result in 3.21 acres of direct impacts to wetlands and 0.89 acres of direct impacts to other surface waters, including permitted stormwater ponds and upland cut roadside ditches. Final direct impacts will be determined during design and permitting and will be assessed accordingly. No secondary impacts are anticipated as a result of the proposed project. Cumulative impacts can result from incremental but collectively significant impacts within the basin over time. In order to provide reasonable assurances that the project will not cause unacceptable cumulative impacts, mitigation will be provided from within the same drainage basin as the anticipated impacts or the project will utilize a regional mitigation plan pursuant to Section 373.4137, F.S.

The project was designed to avoid and minimize impacts to wetlands, other surface waters, and protected species habitat to the greatest extent practicable. This was accomplished by utilizing the existing right-of-way and stormwater ponds when practicable. Complete avoidance of impacts was not feasible and there are no practicable alternatives due to the nature of the intersection improvement project and the occurrence of wetland habitats immediately adjacent to the proposed project, including proposed pond sites. The proposed project will have no significant short-term or long-term adverse impacts to wetlands.

Wetland Assessment

Wetlands and other surface waters (OSWs) with potential to be affected by the proposed project were identified within the US 41 and Bonita Beach Road Study Area. The wetland assessment was conducted in accordance with the UMAM, as described in Chapter 62-345, F.A.C. The UMAM is the state-wide methodology for determining the functional value provided by wetlands and other surface waters and the amount of mitigation required to offset adverse impacts to those areas for regulatory permits. The 0.47 acres of impacted OSWs are considered upland cut components of the existing manmade drainage system; and therefore, these OSWs were not included in the wetland assessment as mitigation is not anticipated pursuant to Subsection 10.2.2.2 of the Applicant's Handbook, Volume 2. Under this subsection, wetland mitigation is not required for impacts to drainage ditches that were constructed in uplands and do not provide significant habitat for threatened and endangered species and were not constructed to divert natural stream flow. The results of the UMAM assessment are provided in **Table 5**. UMAM summary sheets can be found in Appendix I of the NRE. These values may be refined during the design and permitting phases of the project.

Table 5: Proposed Functional Loss

Wetland ID	Wetland Type	Impact Type	LLS	WE	CS	Impact Area (ac)	Functional Loss
WL 1	630	Forested	5	5	4	3.21	1,498
SW 8	510	Surface Water	3	3	3	0.02	0.006
Total						3.23	1,504
LLS = Location and Landscape Support WE = Water Environment CS = Community Structure							

Conceptual Mitigation

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 U.S.C. 1344. Compensatory mitigation for this project will be completed through the use of mitigation banks and any other mitigation options that satisfy state and federal requirements.

The study area is within the Estero Bay and West Collier regulatory basins. Freshwater forested credits are available from Corkscrew Regional Mitigation Bank and Little Pine Island Mitigation Bank to cover the anticipated mitigation credits needed for the proposed wetland impacts.

5.3 Essential Fish Habitat (EFH)

This project has been coordinated with NMFS and there is no involvement with, or adverse effect on Essential Fish Habitat; therefore, Essential Fish Habitat consultation and preparation of an Essential Fish Habitat Assessment are not required.

The National Marine Fisheries Service (NMFS) is the regulatory agency responsible for the nation's living marine resources and their habitats, including essential fish habitat (EFH). This authority is designated by the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended. The MSFCMA defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" (16 U.S.C. 1802(10)).

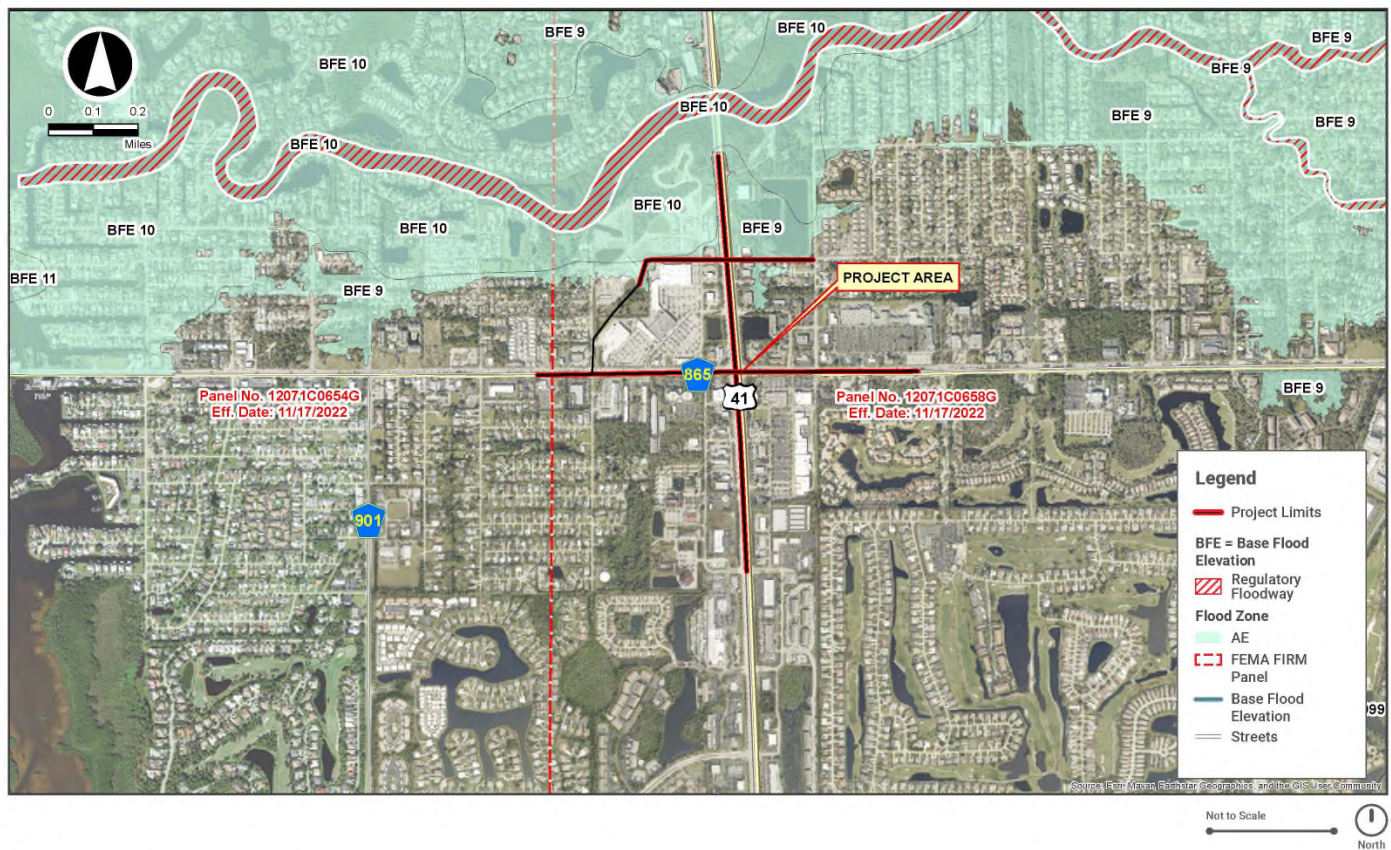
In accordance with the MSFCMA, the US 41 and Bonita Beach Road Study Area was evaluated for potential EFH. According to their ETDM Summary Report No. 6291, dated January 18, 2020, NMFS staff did not indicate that the project will impact EFH. It was noted that the Imperial River, which is located adjacent to the study area, drains to Little Hickory Bay and Fish Trap Bay. The mouth of the Imperial River, Little Hickory Bay, and Fish Trap Bay contain estuarine habitat used by federal managed species and their prey. Best management practices will be utilized during project activities to prevent impacts to proximate estuarine habitats.

5.4 Floodplains

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

The Federal Emergency Management Agency (FEMA) flood insurance rate map (FIRM) for Lee County (Map No. 12071C0658G) dated November 17, 2022 indicates that portions of the study area are within Zone AE floodplains (Flood El. 10.0 feet NAVD and El. 9.00 feet NAVD). The floodplain area within the study limits is tidally influenced and will not require compensation for impacts anticipated from the proposed study per coordination with South Florida Water Management District (SFWMD). The project will impact approximately 8.20 ac-ft of floodplain based on the proposed improvements to the US 41 and Bonita Beach Road intersection and for the proposed quadrant roadways. The Imperial River is considered a regulatory FEMA floodway; however, the proposed improvements considered for this study will not impact the roadway or bridge at the river. The project will result in an insignificant change in the capacity to carry floodwater. This change will cause minimal increases in flood heights and flood limits. The proposed structures should be hydraulically equivalent to or greater than the existing structures, and backwater surface elevations are not expected to increase. As a result, the project will not affect existing flood heights or floodplain limits. This project will not result in any new or increased adverse environmental impacts. There will be no significant change in the potential for interruption or termination of emergency service or emergency evacuation routes. Therefore, it has been determined that these encroachments are not significant. The FEMA floodplain map is shown in Figure 12.

The Location Hydraulics Report (LHR) is located in the project file.



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Figure 12 | FEMA Floodplains Map

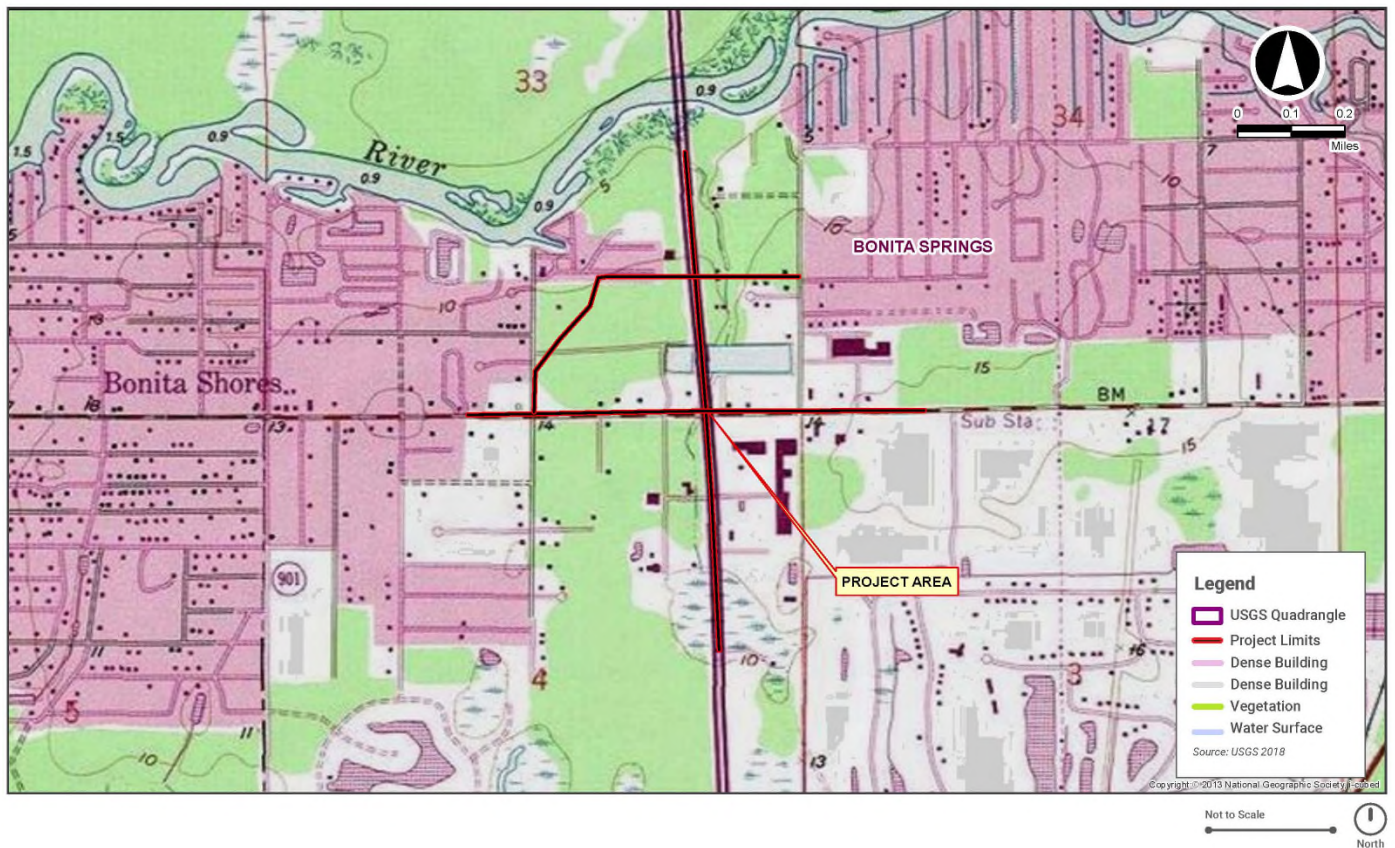
5.5 Sole Source Aquifer

There is no Sole Source Aquifer associated with this project.

5.6 Water Resources

Proposed ponds (wet detention and dry retention) and linear swale systems will provide water quality treatment and water quantity attenuation for the project, following guidelines by SFWMD. The proposed stormwater systems will provide a total of 16.84 ac-ft of treatment and attenuation volume, more than the 16.55 ac-ft of the required treatment and attenuation volume. The project is located in the Estero Bay Watershed and just south of the Imperial River, Waterbody ID (WBID) 3258EB - Imperial River (Marine Segment), an Outstanding Florida Water (OFW) and the project's ultimate outfall. Please refer to **Figure 13** for the USGS Quadrangle Map and **Figure 14** for the WBID Map. The Imperial River has a Total Maximum Daily Load (TMDL) for Dissolved Oxygen (DO) and Total Nitrogen (TN), meaning nutrient loading analysis will be required. Basins discharging to an OFW will provide an additional 50% water quality treatment volume. All analysis was performed using BMPTRAINS 2020 software, developed by the University of Central Florida Stormwater Management Academy. All of the recommended pond sites showed a reduction in Phosphorus and Nitrogen loadings

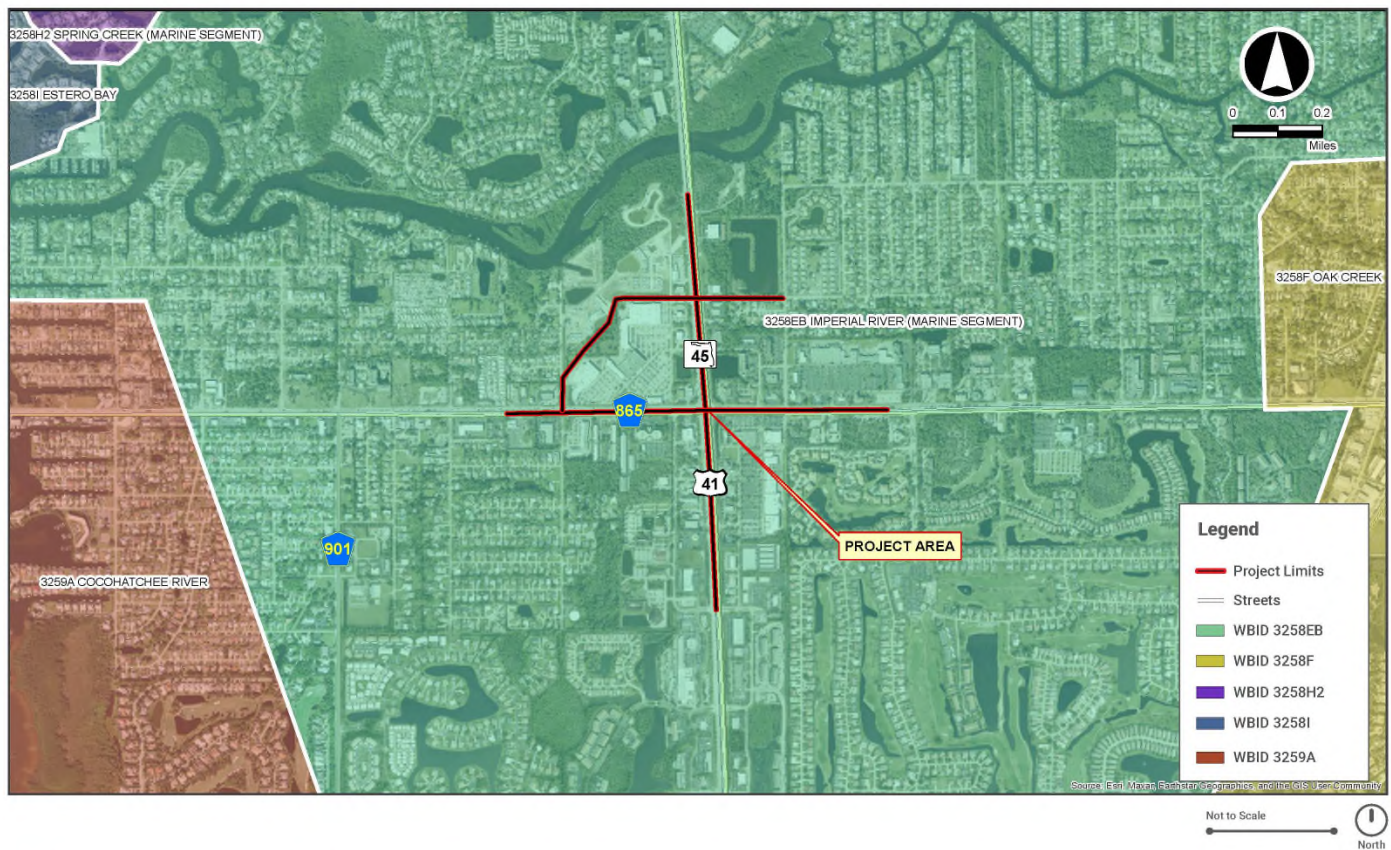
when compared with the pre-development conditions. The proposed project is expected to require an Environmental Resource Permit (ERP) from the SFWMD for the stormwater management plan, roadway improvements, and impacts to wetlands and other surface water. Is anticipated than an Individual ERP will be acquired. The Pond Siting Report (PSR) is located in the project file.



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Figure 13 | USGS Quadrangle Map



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Figure 14 | Drainage WBID Map

A Water Quality Impact Evaluation checklist was prepared for this study. The receiving water body is the Imperial River and impaired for Dissolved Oxygen and Total Nitrogen. In addition, it is an Outstanding Florida Water. The project is not within a known Sole Source Acquire (SSA). Water quality requirements are provided in the proposed stormwater facilities following guidelines set forth by SFWMD.

5.7 Aquatic Preserves

There are no aquatic preserves in the project area.

5.8 Outstanding Florida Waters

The Imperial River, a tributary of Estero Bay (a designated Aquatic Preserve) is located adjacent to the northern boundary of the study area. Estero Bay tributaries are designated OFWs. Special protection is given to OFWs under 62-302.700, F.A.C. The project, including the proposed stormwater management system, will be developed to meet the design and performance criteria established in the SFWMD Environmental Resource Permit Applicant's Handbook Volumes I and II for the treatment and attenuation of discharges to OFWs. Best management practices will also be utilized during project activities to prevent impacts (primarily siltation) to proximate estuarine habitats. Figure 15 shows the natural features in

the Study Area, including the Imperial River OFW.



Not to Scale

North

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Figure 15 | Natural Features Map

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).

DRAFT

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.

This assessment also adheres to current Federal Highway Administration (FHWA) traffic noise analysis guidelines in *FHWA-HEP-10-025*. The FHWA Traffic Noise Model (TNM) - version 2.5 was used to predict traffic noise levels for this project, following guidelines outlined in the FDOT *Traffic Noise Modeling and Analysis Practitioners Handbook*. The analysis evaluated noise levels for the existing condition and the 2050 No-Build and Build Alternatives.

Noise levels were predicted for 57 noise sensitive sites representing 42 residences (Noise Abatement Criteria (NAC) B), four special land use (SLU) NAC C receptors, and eleven SLU NAC E receptors. Due to the number of receptors, the analysis divided the study corridor into Noise Study Areas (NSA). The reporting of project noise levels was further simplified by using receptors representing similar adjacent noise sensitive sites. The grouping within a representative receptor is referred to as a Common Noise Environment (CNE). There may be several CNEs within one NSA. The attached maps show the locations of the representative noise sites and receptor groups.

Of the 57 analyzed noise sensitive sites, the noise level at one SLU site is predicted to approach or exceed the FDOT NAC for the design year 2050 Build Alternative. All other sites were predicted to not meet or exceed applicable NAC because of the project. Noise barriers were analyzed and considered to abate project-related impacts to the playground affiliated with the Noah's Ark Academy (WB2-SLU2-1).

Several noise barrier options were evaluated to determine which barrier configuration would yield the greatest noise reduction within special use cost-reasonableness guidelines. For a noise barrier to meet the FDOT acoustic feasibility requirement, the barrier must provide a minimum of 5.0 dB(A) reduction in traffic noise for at least two impacted receptors. The barrier must also attain the FDOT noise reduction design goal (NRDG) of 7.0 dB(A) for at least one benefited receptor. (Note: to be considered "benefited," the receptor must receive a minimum of 5.0 dB(A) in traffic noise reduction from the barrier.) Failure to achieve the NRDG results in the noise abatement measure being deemed 'not reasonable'. Additionally, the noise barrier must meet the FDOT cost-reasonableness criteria for impacted SLU sites. The standard procedure for determining the feasibility and reasonableness of a noise barrier for an SLU site is documented in *A Method to Determine Reasonableness and Feasibility of Noise Abatement at Special-Use Locations* (FDOT 2009). This special-use site analysis procedure starts with the established cost threshold for residential locations and converts it to a person-hours of use criteria that can be applied to non-residential sites using this equation from the above-referenced document. A noise barrier for an SLU site is considered cost-reasonable if the calculated "abatement cost factor" is below the \$995,935/person-hr/ft².

An eight-foot-tall and 286-foot-long barrier meets all FDOT requirements and is a potentially feasible and reasonable method to abate traffic-related noise for 100% of the impacted playground area. A ten-foot-tall and 265-foot-long barrier option also meets acoustic criteria and abates 100% of the impacted playground but is above FDOT cost-reasonableness

criteria. The PD&E special use barrier analysis results indicate that the 8-foot barrier option could potentially provide reasonable and feasible noise abatement for the impacted receptor WB2-SLU2-1.

Statement of Likelihood

The FDOT is committed to the construction of feasible and reasonable noise abatement measures. One potentially feasible and reasonable barrier has been identified for this project (see **Table 6** below for more detail on the noise barriers and their locations in the maps in **Appendix D** in the NSR), contingent upon the following conditions:

- Final recommendations on the construction of abatement measures are determined during the project's final design and through the public involvement process; and
- Detailed noise analyses during the final design process support the need, feasibility, and reasonableness of providing abatement; and
- Cost analysis indicates that the cost of the noise barrier(s) will not exceed the cost-reasonable criterion; and
- Community input supporting types, heights, and locations of the noise barrier(s) is provided to FDOT; and
- Safety and engineering aspects have been reviewed, and any conflicts or issues resolved.

The date that FDOT approves the Type 2 Categorical Exclusion will be the Date of Public Knowledge. During the design phase, a land use review will be performed to identify all noise sensitive sites that may have received a building permit between the time the PD&E noise study is finalized and prior to the project's Date of Public Knowledge. If the review identifies noise sensitive sites that have been permitted prior to the Date of Public Knowledge, then those sensitive sites will be evaluated for traffic noise impacts and abatement considerations.

Table 6: Potentially Feasible and Reasonable Noise Barrier Evaluation Summary

Noise Barrier Analysis Summary									
Evaluated Barrier Options					Percentage of Impacted Area Benefited	Does the barrier satisfy the Noise Reduction Design Goal (-7	Daily Person Usage Within Benefited Area	Possible for Person Hours of Daily Use Within Benefited Area to be met? ^{*3}	Recommended for further consideration in final design?
Option	Height ^{*2} (feet)	Length (feet)	Barrier Location	Total Cost ^{*1}					
WB1 Option 1	6	306	Back of sidewalk	\$55,080	58%	No 6.6 dB(A)	n/a	n/a	No
WB1 Option 2	8	286	Back of sidewalk	\$68,640	100%	Yes 9.0 dB(A)	111	Yes	Yes
WB1 Option 3	10	265	Back of sidewalk	\$79,500	100%	Yes 10.3 dB(A)	111	No	No

*1 = Based on FDOT Statewide average of \$30 per square foot.

*2 = 8-ft max on MSE/Bridge; 14-ft max on shoulder; 22-ft max at ROW or offset from shoulder.

*3 = FDOT Reasonable Cost Guideline for Special Use Sites is \$995,935/person-hr/ft².

Construction Noise and Vibration

Based on the existing land use within the limits of this project, the construction of the proposed roadway improvements will have temporary noise and vibration impacts. Vibration-sensitive sites on the project include residences and medical offices. Trucks, compaction equipment, earth-moving equipment, pumps, and generators are sources of construction

noise and vibration. During the proposed project's construction phase short-term noise and vibration may be generated by stationary and mobile construction equipment. The construction noise and vibration will be temporary at any location and controlled by adherence to the applicable *FDOT Standard Specifications for Road and Bridge Construction*.

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 Contamination Screening Evaluation Report (CSER) was completed in February 2024 for the mainline corridor. A separate report for drainage sites was issued in October 2023. The mainline and drainage reports were performed separately and therefore contain unique site numbers.

The mainline CSER report assigned FDOT risk ratings to 20 sites which may have some potential for hazardous material or petroleum impacts. All 20 contamination sites are summarized below (**Table 7**). Of the 20 identified contamination sites, four sites were assigned a risk rating of Medium, and consist of: 2 active gasoline stations, an active dry cleaning facility, and a dry cleaning site that has been redeveloped into a dentist office. One High rated site was identified as a former gasoline station (BP-Bonita-Oleum Corp; redeveloped into a bank) with unresolved soil and groundwater petroleum contamination within and adjoining the Bonita Beach Road right-of-way (ROW). Depending on final construction plans, Level II Impact to Construction Assessments may be required for the Medium and High risk sites identified within the study area. Contamination sites identified along the mainline corridor are illustrated on **Figure 16**.

Table 7: CSER Mainline Contamination Site Risk Ratings			
Site Number	Site Name	Site Address	Risk Potential
1	Devoe Pontiac Buick Infiniti Volvo Inc / Bonita Springs Mitsubishi / Bonita Springs Infiniti	28450 South Tamiami Trail Bonita Springs, FL 34134	Low
2	Springs Plaza Sewer System	28239 South US 41 Bonita Springs, FL 33923	Low
3	7-Eleven Store #34806	28175 South Tamiami Trail Bonita Springs, FL 33923	Medium
4	Bonita Springs Central Off / Cellular Tower	28160 Beaumont Road Bonita Springs, FL 33923	Low
5	Spring Fresh Dry Cleaners	8951 Bonita Beach Road Suite 21D Bonita Springs, FL 33923	Medium

6	Martinizing Dry Cleaning	3525 Bonita Beach Rd Bonita Springs, FL 34134	Medium
7	BP-Bonita-Oleum Corp	9021 Bonita Beach Road Bonita Springs, FL 33923	High
8	7-Eleven Store #40327 / Apex Station	27990 Tamiami Trail Bonita Springs, FL 34134	Medium
9	Publix Super Market #1449 Publix Super Market #365	3304 & 3306 Bonita Beach Road Bonita Springs, FL 34141 & 34134	Low
10	Former Sunshine Dry Cleaners	9048 Bonita Beach Road Bonita Springs, FL 33923	Low
11	Former Prestige Cleaners	3300 Bonita Beach Road #107 Bonita Springs, FL 34134	Low
12	Tuffy Tire & Auto Service Center	27790 South Tamiami Trail, Bonita Springs, FL 34134	Low
13	Bonita Boat Center	27760 South Tamiami Trail, Bonita Springs, FL 34134	Low
14	Advance Auto Parts	27791 South Tamiami Trail Bonita Springs, FL 34134	Low
15	NCH Healthcare Systems	24020 South Tamiami Trail Bonita Springs, FL 34134 3302 Bonita Beach Road Bonita Springs, FL 34134	Low
16	Discarded Buckets / Construction Site / Disaster Debris Management Site	27711 Windsor Road/Anglers Paradise Bonita Springs, FL 34134	Low
17	Super Suds Car Wash	28301 South Tamiami Trail Bonita Springs, FL 34134	Low
18	Jiffy Lube	28145 South Tamiami Trail Bonita Springs, FL 34134	Low
19	Tires Plus	9050 Bonita Beach Road Southeast Bonita Springs, FL 34135	Low
20	Lexpert Automotive Inc.	27861 Crown Lake Boulevard Bonita Springs, FL 34135	Low



US 41 at Bonita Beach Road PD&E Study

Figure 16 | Potential Contamination Sites from Level 1 CSER

FPID 444321-1-22-01

The Contamination Technical Memorandum (completed February 2024, under a separate cover, and included in the project file) assigned FDOT risk ratings to four drainage sites. The risk ratings for all four drainage sites are summarized below (Table 10). One drainage site (Pond West) was assigned a risk rating of Medium due to Tuffy Tire & Auto Service Center (Map ID 3) operating within its footprint with an AST and hydraulic lifts. One drainage site (Pond East Alternative 1) was assigned a High risk rating due to BP-Bonita-Oleum Corp, a former gasoline station (Map ID 1) within and adjoining its footprint. Unresolved soil and groundwater petroleum contamination exists within the footprint of Pond East Alternative. Depending on final construction plans, Level II Impact to Construction Assessments may be required for the ponds with a Medium or High risk rating. Ponds and associated contamination sites are illustrated on **Figure 17**.

Table 8: Contamination Technical Memorandum Drainage Site Risk Ratings			
Site Name	Location	Risk Potential	Map ID Number(s)
Pond West	27790 South Tamiami Trail	Medium	3 & 4
Pond North Expansion	27701, 27731, 27761, & 27791 South Tamiami Trail	Low	3 & 5
Pond East (Alternative 1)	9021, 9071, 9101, & 9161 Southeast Bonita Beach Road	High	1, 2, & 6
Pond East (Alternative 2)	9161 Southeast Bonita Beach Road	Low	1

Note that contamination sites are evaluated independently in relation to the mainline and ponds; therefore, a contamination site common to the CSER (mainline) and Contamination Tech Memo (ponds) may have a different risk rating.



US 41 at Bonita Beach Road PD&E Study
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Figure 17 | Pond Site Contamination Sites

6.4 Utilities and Railroads

This project does not include any existing railroads.

Existing Utilities

Nine Utility Agency/Owners (UAO) have been identified within the project area through our Sunshine 811 Design Ticket and utility coordination efforts. **Table 9** identifies the UAO's contacted and a general description of their facilities located on the project. Additional information regarding the existing utilities and anticipated impacts can be found in the Utility Assessment Package.

Table 9: Existing Utilities in the Study Area		
Utility Company	Facility	Description
City of Bonita Springs	Decorative Light/Irrigation	Decorative Street Lighting on both sides of Bonita Beach Rd Irrigation along the median <i>Note: Coordination for lighting and irrigation facilities with the City of Bonita Springs will occur through the Roadway Design Coordination, not through Utility Coordination.</i>
Bonita Springs Utilities, Inc.	Water/ Wastewater/ Sewer	Existing 12" water line along the north side of Bonita Beach Rd Existing 12" sewer force main crossing Bonita Beach Rd at Beaumont Rd, and Meadowlark Lane Existing 12" water Line going north along the east side of US 41 Two out-of-service mains on the south side of Bonita Beach Rd
CenturyLink/Lumen	FOC/Phone	BFO on the east and west sides of US 41 and the north side of Bonita Beach Rd BT on the east side of US 41 and the south side of Bonita Beach Rd Conduit System on the east side of US 41 and both sides of Bonita Beach Rd Handholes, manholes, and PEDs on both sides of US 41 and Bonita Beach Rd
Comcast	CATV	Existing COAX-BTV, FOC-BTV North and South of Bonita Beach Rd Existing OTV north of Bonita Beach Rd Existing aerial and underground facilities at Windsor Rd
Crown Castle Fiber	FOC	Existing 1.5" HDPE Conduits and handholes south of Bonita Beach Rd Existing 1.5" HDPE Conduits and handholes west of US 41
Florida Power and Light	Electric	Existing 23 kV OE on west side of US 41 Existing 23 kV BE on north and south side of Bonita Beach Rd Existing 23 kV OE on north side of Bonita Beach Rd

Lee County - Traffic	FOC	Existing BFOC on the north side of Bonita Beach Rd Existing BFOC on the west side of US 41 south of Bonita Beach Road and on the east side north of Bonita Beach Road Existing Traffic Signals at the intersections of Bonita Beach Rd and Arroyal Rd, Bonita Beach Rd and US 41, and Bonita Beach Rd and 620LF E of Windsor Rd <i>Note: Coordination for ITS and Traffic facilities with Lee County - Traffic will occur through the Traffic Design Coordination, not through Utility Coordination.</i>
Summit Broadband Inc.	FOC	Existing buried FOC on the north and south side of Bonita Beach Rd
TECO Peoples Gas	Gas	Existing 8" Gas Main on the east side of US 41 Existing 4" PE Gas Main North of Bonita Beach Rd Existing 2" PE Gas Main at Windsor Rd

In accordance FDOT's PD&E Manual, the utility providers listed in **Table 9** were contacted on March 31, 2020 with the proposed improvements and requested to identify any easements and the location of their existing/planned utilities within the project area.

Utility Mitigation

Mitigation measures would be taken during the project's design phase to minimize impacts to the existing utilities to the fullest extent possible. If impacts are unavoidable, design alternatives would be reviewed to allow for relocation of impacted facilities in a manner that minimizes cost to the UAO and disruption to their customers.

No utility companies have indicated that they have easements within the project limits at the time of the Utility Assessment Package. Accordingly, the utility relocations presented within the Utility Assessment Package would be at the expenses of the utility. Utility coordination should be performed during the design phase of the project to confirm there are no unknown utility easements or potential reimbursable relocations present on the project.

Potential utility impacts are listed in **Table 10**.

Table 10: Potential Utility Impacts		
Utility Company	Facility	Description
City of Bonita Springs	Decorative Light/Irrigation	2.1 miles of Lighting, Irrigation and Landscaping <i>Note: Coordination for lighting and irrigation facilities with the City of Bonita Springs will occur through the Roadway Design Coordination, not through Utility Coordination.</i>
Bonita Springs Utilities, Inc.	Water/ Wastewater/ Sewer	5535 LF of 12" Water Main 2160 LF of 12" Force Main Water Removals and Valves Adjustments
CenturyLink/Lumen	FOC/Phone	24529 LF of Buried Fiber Optic Cable 33519 LF of Buried Telephone 11497 LF of Duct Adjustments 7 Manhole Adjustments
Comcast	CATV	1760 LF of Buried Cable TV and Fiber Optic Cable 5440 LF of Overhead Cable TV
Crown Castle Fiber	FOC	15,786 LF of (1) 1.5" HDPE Conduit with Fiber Optic Cable Handhole adjustments

Florida Power and Light	Electric	6913 LF of 23 KV Overhead Electric 7930 LF of 23 KV Buried Electric 32 Distribution Poles
Lee County - Traffic	FOC	10490 LF of Buried Fiber Optic Cable 1860 LF of Traffic Signals <i>Note: Coordination for ITS and Traffic facilities with Lee County - Traffic will occur through the Traffic Design Coordination, not through Utility Coordination.</i>
Summit Broadband Inc.	FOC	27612 LF of 1.25" Duct with Fiber Optic Cable Handhole Adjustments
TECO Peoples Gas	Gas	6885 LF of 8" Coated Steel Gas Main 3253 LF of 4" PE Gas Main 1650 LF of 2" PE Gas Main

6.5 Construction

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.

Noise and vibration impacts may be generated by heavy equipment and construction activities. Adherence to local construction noise and/or construction vibration ordinances by the construction contractor will also be required where applicable.

Visual impacts associated with the storage of construction materials and establishment of temporary construction facilities will occur but are temporary and short term.

Water quality impacts resulting from erosion and sedimentation will be controlled in accordance with FDOT's Standard Specifications for Road and Bridge Construction and using BMPs. Erosion and sedimentation will be treated in accordance with the Florida Department of Environmental Protection (FDEP's) National Pollutant Discharge Elimination System Permit and FDOT's Stormwater Runoff Control Concept (SRCC).

Maintenance of traffic and sequence of construction will be planned and scheduled to minimize traffic delays during project construction. Signs will be used as appropriate to provide notice of road closures and other pertinent information to the traveling public. The local news media will be notified in advance of road closings and other construction-related activities which could inconvenience the community so that motorists, residents, and others can plan travel routes in advance. Access to all businesses and residences will be maintained to the extent practical through controlled construction scheduling.

7. Engineering Analysis Support

The engineering analysis supporting this environmental document is contained within the Project Traffic Analysis Report.

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8. Permits

The following environmental permits are anticipated for this project:

State Permit(s)

DEP or WMD Environmental Resource Permit (ERP)
DEP National Pollutant Discharge Elimination System Permit
FWC Gopher Tortoise Relocation Permit

Status

To be acquired
To be acquired
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

The Public Involvement Plan (PIP) can be found in the project file.

Project Advisory Group Meetings

At the beginning of the study, numerous stakeholders were identified that would have an interest in the SR 45 (US 41) at Bonita Beach Road (CR 865) PD&E study. FDOT created a Business Working Group (BWG) of businesses in the immediate US 41 and Bonita Beach Road area. The BWG's purpose was to meet virtually to obtain input about the transportation needs of the area, answer questions, and keep business owners informed regarding the study.

Letters were sent to eight business owners in May 2021. These were followed up with emails to each business owner on June 21, 2021, and one response was received. On June 29, 2021, a second email was sent to the business who had not responded. These emails included a Doodle poll to select a potential date for a virtual meeting. There were two responses showing interest in a virtual meeting. A different approach was taken. On July 21, 2021, FDOT District 1 and consultant team representatives traveled to Bonita Springs and conducted impromptu meetings with six of the eight businesses with a series of prepared questions we asked the person in-charge of the business at that time. The businesses were generally very cooperative, provided answers to our questions, and supported improving the intersection. Following these meetings, no further BWG activities have occurred.

Stakeholder Meeting notifications, materials, meeting summary, comments received, as well as the stakeholder mailing list which includes relevant government agencies, public interest groups, and others with an interest or knowledge of the project are located in Appendix G of the Comments and Coordination Report located in the project file.

Alternatives Public Workshop

Public Workshop Announcements

To announce the virtual (April 3, 2023) and in-person (April 4, 2023) Alternatives Public Meeting and solicit participation, the following notifications were sent to potential attendees or published on the following dates:

1. Invitation letters emailed to 84 elected and appointed officials - emailed 03/06/2023;
2. Newsletters mailed to 754 property owners and interested persons - 03/06/2023;
3. Display advertisement published in the News-Press - 03/24/2023;
4. Notification posted in the Florida Administrative Register (FAR) - 03/24/2023;
5. Notification posted to the project website and FDOT public notices webpage - 03/27/2023; and
6. Press release sent by FDOT District 1 - 03/27/2023.

A copy of the announcements is contained in the project's Comments and Coordination Report.

Alternatives Public Workshop

The Alternatives Public Workshop was performed in a hybrid format consisting of both a virtual component hosted online via GoToWebinar from 6:00 PM to 7:00 pm on Monday, April 3, 2023, as well as an in-person component located at the

Bonita Springs Recreation Center (26740 Pine Ave., Bonita Springs, FL 34135) from 5:00 PM to 7:00 PM on Tuesday, April 4, 2023. This process followed and was consistent with the most current FDOT guidelines for Hybrid Public Meetings.

The online component consisted of a live introduction by the FDOT Project Manager followed by a narrated presentation and a live question and answer period with the project team. The in-person meeting consisted of an open house format to provide an opportunity for the public to review the proposed project, speak one-on-one with project team members, and voice their comments or concerns. Project documents, including comment forms, were available for public review on the project website: <https://www.swflroads.com/project/444321-1> beginning on March 27, 2023. Additionally, there was a link on the project website that allowed citizens to submit comments without the use of the comment form. Phone and email were also available for providing input. A total of 12 guests attended the public workshop virtually using GoToWebinar and a total of 30 guests attended the public workshop in person. Of the 30 public citizens that attended the in-person workshop, eight were public officials or representatives.

A total of 18 comments (emailed comments, in-person, virtual, and website) were received during the comment period between April 3 and April 14, 2023. Of these, 11 in-person submissions, 5 virtual submissions, 2 emailed comments, and 1 website comment were received.

The following list provides a high-level overview of the concerns:

6 traffic concerns - expressed concern for congestion surrounding the intersection, and traffic displacement to surrounding areas.

5 signal location concerns - requests to clarify locations of new/moving traffic signals, suggesting proposed signal locations.

3 plaza access concerns - expressed concerns regarding the location of access to Springs Plaza and Center of Bonita Springs.

9 Partial DLT Alternative supporters - expressed support for the Partial Displaced Left Turn.

3 pedestrian and bicycle concerns - expressed concern for time crossing the intersection and availability of pedestrian and bicycle accommodations.

3 speed concerns - expressed concerns regarding the current and proposed speed limits.

10 specific concerns - these comments were lengthy and requested specific items that cannot be grouped into any of the previous categories, such as noise, stormwater runoff, impact to nature, flyover alternative, public transportation, using AI for changing signals, Angler's Paradise access and specific property concerns.

Generally the comments were in support of the project and alternatives to alleviate congestion and improve safety. Details of the specific public comments and responses to those are available in the Comments and Coordination Report.

Agency Presentations

FDOT updated local municipalities and agencies throughout the project. These municipalities and agencies were identified as having an interest in the US 41 at Bonita Beach Road (CR 865) PD&E study. Presentations were provided to the City of Bonita Springs, Lee County, and Lee County Metropolitan Planning Organization.

On January 29, 2020, FDOT and project staff met in-person in Bartow, FL with the City of Bonita Springs Assistant City Manager and City Council member to discuss project coordination.

On February 24, 2021, FDOT and project staff met virtually via Microsoft Teams with the City of Bonita Springs to discuss the project purpose and need, traffic analysis, and initial intersection alternatives.

On March 5, 2021, FDOT and project staff met virtually via GoToMeeting with Lee County to discuss the project purpose and need, traffic analysis, and initial intersection alternatives.

On April 12 and 13, 2021, FDOT met individually online with each council member of the Bonita Springs City Council. City staff were also present. FDOT presented project information and provided an update since the original study in 2014. Proposed alternatives were presented and a discussion including advantages and disadvantages followed. Council members provided individual feedback as noted in the meeting minutes included in Appendix H of the Comments and Coordination Report.

On August 30, 2021, FDOT and project staff met virtually via Microsoft Teams with the City of Bonita Springs to discuss project updates.

On January 24, 2022, FDOT and project staff met virtually with the City of Bonita Springs. FDOT provided information regarding traffic analysis methods and participants discussed the northwest and northeast quadrant roadway base conditions, and signal installation at Bonita Beach Road and Windsor Road. The City brought up access management concerns regarding property around City Hall and provided a site plan for the northwest development. FDOT shared the County's concerns and the need to build consensus on the project.

On January 5, 2023, FDOT and project staff met in-person at the City of Bonita Springs office with the City of Bonita Springs to discuss project updates.

On January 5, 2023, FDOT and project staff met in-person at the County office with the Lee County Department of Transportation to discuss project updates.

On January 5, 2023, FDOT and project staff met in-person at the Cape Coral Public Works Building with Lee County MPO to discuss project updates, proposed alternatives and evaluation data, and the upcoming Alternatives Public Information Meeting. Additional discussion items included traffic analysis, the proposed Coastal Loop Trail, shared use paths, and the City's proposed southern quadrant roadways.

On June 1, 2023, FDOT presented in-person at the Lee County MPO Technical Advisory Committee (TAC) meeting. The presentation to the Committee included updates on the study, an overview of the preferred intersection alternative, and a summary of the Alternatives Public Information Meeting. The committee discussed concerns regarding new traffic movements, project costs and funding, maintenance, existing conditions in several project areas, design criteria, right-of-way limitations, bicycle and pedestrian traffic, counts, and bike lanes, and examples of other local projects. The meeting minutes are included in Appendix H of the Comments and Coordination Report.

On June 1, 2023, FDOT presented in-person at the Lee County MPO Citizen Advisory Committee meeting. The presentation to the Committee included updates on the study, an overview of the preferred intersection alternative, and a summary of the Alternatives Public Information Meeting. The committee discussed future traffic volumes, walkovers, project costs, Americans with Disabilities Act (ADA) requirements, comments from the TAC, accommodation of added lanes and design, project costs, right-of-way acquisition, design estimates, safety, speed, and movement of traffic.

On June 16, 2023, FDOT and project staff presented in-person at the Lee County MPO Governing Board Meeting. The presentation to the Board included updates on the study, an overview of the preferred intersection alternative, and a summary of the Alternatives Public Information Meeting.

On June 27, 2023, FDOT and project staff presented in-person at the Lee County MPO Bicycle Pedestrian Coordinating Committee meeting. The presentation to the Committee included updates on the study and specifics regarding shared use paths in this project. FDOT answered questions about costs benefits, transition area ramps for bike lanes and pavement colors. Detailed questions and answers during this meeting as noted in the meeting minutes are included in Appendix H of the Comments and Coordination Report.

On July 14, 2023, FDOT and project staff met virtually with the City of Bonita Springs Assistant City Manager and Deputy Mayor, and Lee County MPO representative. This meeting was held jointly with Old 41 PD&E Study to update the City of Bonita Springs on these projects' status.

On August 3, 2023, FDOT and project staff met in-person with RK&K, the City of Bonita Springs' design consultant for the NW quadrant roadway connection Windsor Road at Bonita Beach Road to US 41 to discuss the design status of the roadway and proposed stormwater management.

On September 21, 2023, FDOT and project staff met virtually with LeeTran.

On December 8, 2023, FDOT and project staff met virtually with the City of Bonita Springs and their consultant RK&K to discuss the design of the Northwest Quadrant Roadway. The City provided additional input regarding the alternatives and potential business impacts to Angler's Paradise.

Information from these meetings is included in Appendix H of the Comments and Coordination Report.

Date of Public Hearing: 03/26/2024

Summary of Public Hearing

FDOT conducted a hybrid public hearing to provide interested persons with information on the preferred alternative selected by FDOT, and to allow the public the opportunity to comment. The hearing was held on Tuesday, March 26, 2024, at the Bonita Springs Recreation Center, and the formal hearing portion was live-streamed online through GoToWebinar. The in-person venue was chosen because of its proximity to the project limits, the availability of a larger space, the location of the previous public meeting, and its familiarity with the locals. Meeting materials were posted to the project webpage on March 19, 2024.

The Public Hearing was advertised in the following manner:

Email to Elected Officials - Distributed on February 28, 2024
Email to Appointed Officials - Distributed on February 28, 2024
Email to Interested Parties - Distributed on February 28, 2024
Email to ETAT Members - Distributed on February 28, 2024
Newsletter to Property Owners - Mailed on February 28, 2024
Florida Administrative Register - Published on March 15, 2024
FDOT Public Notice Website - Published on March 5, 2024

Press Release - Distributed on March 18, 2024

Legal Advertisements - Published in The News-Press on March 8, 2024, and March 19, 2024

As attendees entered the hearing, they were provided with a handout and the project team explained the comment process. At the in-person event, an open house was held from 5 - 6 p.m. Members of the study team were available to answer questions and discuss the project during this time. A separate table for noise, right-of-way, draft project documents, and transportation development process information was available to the public.

The following project-related information was on display:

• Project location map • Typical Sections of US 41 • Typical Sections of Bonita Beach Road • Preferred Alternative Map • Welcome and Thank you Boards	• Schedule and Funding • Evaluation Matrix • Comment Board • Title VI • Federal & State Requirements • Floodplain Map
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At 6 p.m. the formal portion of the hearing began for both the in-person and online attendees. A project presentation was played, and the public had the opportunity to provide verbal comments. Two attendees provided verbal testimony at the in-person event, one attendee provided verbal comment through the online event, and one attendee provided a comment that was read aloud by the moderator through the online event. A total of 16 comments were received during the comment period between March 26 and April 5, 2024. The 16 comments came in the form of three speakers during the Hearing, one comment via the virtual Hearing "chat" feature, eight emails (two before the Hearing and six after the Hearing), three written comment forms obtained at the Hearing, and one comment submitted via the project website.

The following list provides a high-level overview of the concerns:

4 traffic concerns - expressed concern for congestion surrounding the intersection in relation to new development, and traffic displacement to surrounding areas.

5 signal location and operation concerns - request to understand signal operations during a hurricane, installation of intersection safety cameras, concerns about the surrounding traffic signal's coordination with the US 41 and Bonita Beach Road intersection, concerns about signal timing to accommodate traffic higher volumes, and median modification to allow for an additional turning lane going US 41 northbound.

1 Gas station access concern - expressed concerns regarding the exit location on US 41 closest to the US 41 and Bonita Beach Road intersection.

1 Pedestrian and bicycle concern - expressed interest to understand how the future Bonita Estero Rail Trail (BERT) will connect to the area's pedestrian and bicycle infrastructure.

1 Speed concern - expressed concerns regarding the current speed limits in relation to safety.

1 Property acquisition concern - surrounding business concerned about the impact the roadway project will have on their property.

4 specific concerns - these comments requested specific items that cannot be grouped into any of the previous categories, such as compensation for negative impacts related to the proposed roadway project, noise, stormwater runoff, flooding, diminution of property values, and for/against the flyover alternative.

During the Open House portion of the Public Hearing, public conversations with the Study Team were generally supportive of the project and the Preferred Alternative to alleviate congestion and improve safety in the Study Area. However, the written/on-the-record spoken comments were related to concerns about increased congestion in the surrounding areas and how the Preferred Alternative signalized intersection would operate.

In response to the area-wide traffic concerns, the Study Team noted the extensive traffic analysis that was performed and how adjacent roadways/intersections are being improved as part of the Preferred Alternative to help alleviate congestion in the surrounding roadway network. In response to the signal location/operation concerns, the Study Team explained how the signal could operate under different circumstances (e.g. lost power due to a hurricane) and how the signal coordination will operate to facilitate the higher traffic volumes in the area.

Details of the specific public comments and responses, the public hearing notifications (including emails, advertisements, newsletter invite, and mailing list), the sign in sheets, all hearing materials, a public hearing transcript and comment sheets from the meeting (as well as those received 10 days following), can be found in the *Comments and Coordination Report*. The Public Hearing Transcript and Certification are attached.

10. Commitments Summary

1. The most recent version of the USFWS Standard Protection Measures for the Eastern Indigo Snake will be utilized during construction.
2. If the tri-colored bat is listed by the USFWS as Threatened or Endangered and the project may affect the species, FDOT commits to initiating consultation with the USFWS to determine the appropriate avoidance and minimization measures for protection of the newly listed species.
3. If the monarch butterfly is listed by the USFWS as Threatened or Endangered and the project may affect the species, FDOT commits to initiating consultation with the USFWS to determine the appropriate avoidance and minimization measures for protection of the newly listed species.
4. The FDOT is committed to the construction of feasible and reasonable noise abatement measures, specifically noise barrier WB1 (CNE WB2), as identified in the Noise Study Report, contingent upon the following conditions:
 - Final recommendations on the construction of abatement measures are determined during the project's final design and through the public involvement process;
 - Detailed noise analyses during the final design process support the need, feasibility, and reasonableness of providing abatement;
 - Cost analysis indicates that the cost of the noise barrier(s) will not exceed the cost-reasonable criterion;
 - Community input supporting types, heights, and locations of the noise barrier(s) is provided to FDOT;
 - Safety and engineering aspects have been reviewed, and any conflicts or issues resolved.

11. Technical Materials

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

Conceptual Stage Relocation Plan
Cultural Resources Assessment Survey (CRAS)
Location Hydraulics Report
Pond Siting Report (PSR)
Water Quality Impact Evaluation (WQIE)
Natural Resources Evaluation (NRE)
Noise Study Report (NSR)
CSER for Pond Sites
Contamination Screening Evaluation Report (CSER) - Roadway
Utilities Assessment Package
Project Traffic Analysis Report
Geotechnical Report
Traffic Analysis Methodology Technical Memorandum
Subarea Travel Demand Model Validation Memo
Preliminary Engineering Report
Public Involvement Plan
Comments and Coordination Report

Attachments

Planning Consistency

Project Plan Consistency Documentation

Social and Economic

Farmland Conversion Impact Rating Form (NRCS-CPA-106 or Form AD 1006)

NRCS Coordination Documentation

Cultural Resources

SHPO Concurrence Letter

Section 4(f) Report

Natural Resources

Species Concurrence Documentation

Physical Resources

Noise Map

Public Involvement

Public Hearing Transcript

Public Hearing Certification Documentation

Planning Consistency Appendix

Contents:

Project Plan Consistency Documentation

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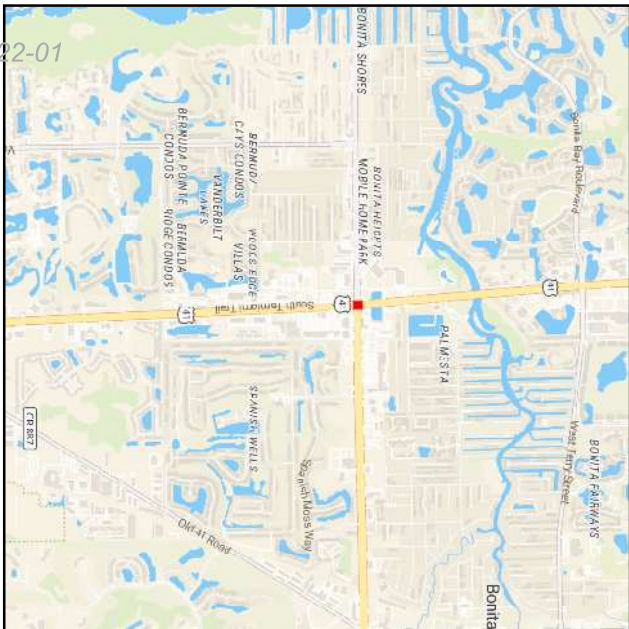
Project Identifier	Road Name	From	To	Improvement	Phase	2021-2025	2026-2030	2031-2035	2036-2045	Total Cost (YOE)	Total Cost (PDC)	Funding Sources
S10	Fowler Street	Metro/Fowler Cross over	Dr Martin Luther King Jr Blvd	Reconstruction	PD&E/PE/ROW/CST		\$5,500	\$28,700	\$0	\$34,200	\$22,670	OA
S11	Burnt Store Road	Van Buren Parkway	Charlotte County Line	Widen 2L to 4L	PE		\$8,090	\$0	\$0	\$8,090	\$6,130	SU
	Burnt Store Road	Van Buren Parkway	Charlotte County Line	Widen 2L to 4L	ROW		\$15,680	\$0	\$0	\$15,680	\$13,514	SU
	Burnt Store Road	Van Buren Parkway	Janis Road	Widen 2L to 4L	CST		\$0	\$12,535	\$0	\$12,535	\$7,950	SU, LF
	Burnt Store Road	Janis Road	Durden Parkway	Widen 2L to 4L	CST		\$0	\$14,700	\$0	\$14,700	\$9,300	SU, LF
	Burnt Store Road	Durden Parkway	Charlotte Co/Line	Widen 2L to 4L	CST		\$0	\$15,900	\$0	\$15,900	\$10,100	SU, LF
S12	SR 31	SR 80	SR 78	Widen 2L to 6L	ROW		\$0	\$23,780	\$0	\$23,780	\$16,400	OA
S13	SR 31	SR 80	SR 78	Widen 2L to 6L	CST		\$0	\$0	\$164,000	\$164,000	\$80,000	OA
S14	Cape Coral Evacuation Study			Access	Planning	\$300	\$0	\$0	\$0	\$300	\$300	SU, LF
	US 41/Bonita Beach Road	Intersection		Intersection	PE		\$3,190	\$0	\$0	\$3,190	2,400	OA
S15	US 41/Bonita Beach Road	Intersection		Intersection	ROW		\$5,940	\$0	\$0	\$5,940	4,500	OA, LF, SU
	US 41/Bonita Beach Road	Intersection		Intersection	CST		\$0	\$26,800	\$0	\$26,800	17,300	OA, LF, SU
	US 41/SR 78	Intersection		Intersection	PE		\$750	\$0	\$0	750	570	OA
	US 41/SR 78	Intersection		Intersection	CST		\$8,050	\$0	\$0	8050	6,100	OA
S16	ACES Technology Support				Capital		\$5,000	\$9,000	\$50,000	\$64,000	\$33,900	OA, SU
S17	Transit Operations Congestion Management				OPS							OA
S18	US 41 Caloosahatchee River Bridge	Fort Myers	North Fort Myers	Sidewalk one side	PE*/CST		\$13,600	\$0	\$0	\$13,600	\$10,800	SU, GFSU, OA, LF
S19	Major Intersections/Interchanges			Operational & Safety Improvements	P/R/CST		\$400	\$10,000	\$150,000	\$170,000	\$88,300	OA, SU
S20	Cape Coral Bridge Reconstruction			Bridge	CST		\$0	\$0	\$0	\$0	\$0	BRTZ, SU, GFBZ, GFSU, GFSU, OA, SA, LF (see LC2 for LF)
S21	I-75/Daniel's Rest Area (N/S)			Add 150 truck parking spaces	PD&E	\$1,500	\$0	\$0	\$0	\$1,500	\$1,500	CARB
						Total Cost:	\$38,290	\$257,485	\$503,840	\$1,025,815	\$644,707	
						Revenues:	\$38,290	\$258,020	\$538,910	\$1,060,320		

Project Phases - PD&E: Project Development and Environment; PE: Project Engineering and Design; ROW: Right-of-Way; CST: Construction
Funding Sources - SU: Federal Surface Transportation Program Urban Area funds >200,00; SA: Federal Surface Transportation Program any area; OA: State Other Arterial funding; DDR: State District Dedicated Revenue; LF: Local Funding; DH: State District In-house
Other - ACES: Automated, Connected, Electric & Shared Vehicle Technology



4443212 - SR 45 (US 41) AT BONITA BEACH ROAD

Non-SIS



From:

To:

Section:

Work Summary:

Lead Agency:

A - Highway

INTERSECTION IMPROVEMENT

MANAGED BY FDOT

Length: 1.0

LRTP #: Page 5-19, Table 5-10, Project B1

Phase	Fund Source	2024/25	2025/26	2026/27	2027/28	2028/29	Total
PE	SU	0	2,801,000	0	0	0	2,801,000
PE	LF	0	700,000	0	0	0	700,000
Total		0	3,501,000	0	0	0	3,501,000

Prior Cost <2025: 0

Future Cost >2030: 0

Total Project Cost: 3,501,000

Project Description: Improvements include eight lane US 41 with traffic signal or six lane US 41 with partial displaced left turn and shared use paths approved in ongoing PD&E study.



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Web Application

Federal Aid Management David Williams - Manager

STIP Project Detail and Summaries Online Report

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

Selection Criteria	
Current STIP Financial Project:444321 1 As Of:7/14/2024	Detail Related Items Shown

HIGHWAYS								
Item Number: 444321 1		Project Description: SR 45 (US 41) AT BONITA BEACH ROAD						
District: 01	County: LEE	Type of Work: PD&E/EMO STUDY				Project Length: 0.600MI		
		Fiscal Year						
Phase / Responsible Agency		<2024	2024	2025	2026	2027	>2027	All Years
P D & E / MANAGED BY FDOT								
Fund Code:	DDR-DISTRICT DEDICATED REVENUE	357						357
	DIH-STATE IN-HOUSE PRODUCT SUPPORT	28,686	16,827	173				45,686
	DS-STATE PRIMARY HIGHWAYS & PTO	29,597						29,597
	LF-LOCAL FUNDS	1,173,060						1,173,060
	SU-STP, URBAN AREAS > 200K		244,686					244,686
Phase: P D & E Totals		1,231,700	261,513	173				1,493,386
Item: 444321 1 Totals		1,231,700	261,513	173				1,493,386
Item Number: 444321 2		Project Description: SR 45 (US 41) AT BONITA BEACH ROAD						
District: 01	County: LEE	Type of Work: INTERSECTION IMPROVEMENT				Project Length: 0.000		
		Fiscal Year						
Phase / Responsible Agency		<2024	2024	2025	2026	2027	>2027	All Years
PRELIMINARY ENGINEERING / MANAGED BY FDOT								

SR 45 (US 41) AT BONITA BEACH ROAD // 444321-1-22-01

Fund Code:	LF-LOCAL FUNDS				700,000			700,000
	SU-STP, URBAN AREAS > 200K				2,801,000			2,801,000
Phase: PRELIMINARY ENGINEERING Totals					3,501,000			3,501,000
RIGHT OF WAY / MANAGED BY FDOT								
Fund Code:	EM25-GAA EARMARKS FY 2025			5,500,000				5,500,000
Item: 444321 2 Totals				5,500,000	3,501,000			9,001,000
Project Totals		1,231,700	261,513	5,500,173	3,501,000			10,494,386
Grand Total		1,231,700	261,513	5,500,173	3,501,000			10,494,386

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

For additional information please e-mail questions or comments to:
Federal Aid Management

David Williams: David.Williams@dot.state.fl.us Or call 850-414-4449

Or

Denise Strickland: Denise.Strickland@dot.state.fl.us Or call 850-414-4491

[Reload STIP Selection Page](#)

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Consistent, Predictable, Repeatable

Social and Economic Appendix

Contents:

Farmland Conversion Impact Rating Form (NRCS-CPA-106 or Form AD 1006)

NRCS Coordination Documentation

DRAFT

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request	4. Sheet 1 of _____	
1. Name of Project		5. Federal Agency Involved		
2. Type of Project		6. County and State		
PART II (To be completed by NRCS)		1. Date Request Received by NRCS	2. Person Completing Form	
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form).		YES ☐ NO ☐	4. Acres Irrigated Average Farm Size	
5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: _____ %		7. Amount of Farmland As Defined in FPPA Acres: _____ %	
8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System		10. Date Land Evaluation Returned by NRCS	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment _____			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
--	--	--	--	--

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points	Corridor A	Corridor B	Corridor C	Corridor D
1. Area in Nonurban Use	15				
2. Perimeter in Nonurban Use	10				
3. Percent Of Corridor Being Farmed	20				
4. Protection Provided By State And Local Government	20				
5. Size of Present Farm Unit Compared To Average	10				
6. Creation Of Nonfarmable Farmland	25				
7. Availability Of Farm Support Services	5				
8. On-Farm Investments	20				
9. Effects Of Conversion On Farm Support Services	25				
10. Compatibility With Existing Agricultural Use	10				
TOTAL CORRIDOR ASSESSMENT POINTS	160				

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Corridor Assessment (From Part VI above or a local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES ☐ NO ☐
-----------------------	---	-----------------------	--

5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
 90 to 20 percent - 14 to 1 point(s)
 Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
 90 to 20 percent - 9 to 1 point(s)
 Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
 90 to 20 percent - 19 to 1 point(s)
 Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
 Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points
 Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
 Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
 Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
 Some required services are available - 4 to 1 point(s)
 No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
 Moderate amount of on-farm investment - 19 to 1 point(s)
 No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
 Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
 No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
 Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
 Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

Jesse Blouin

From: Jada Barhorst <jbarhorst@inwoodinc.com>
Sent: Tuesday, January 2, 2024 9:21 AM
To: Amanda Ashby
Subject: FW: [External Email]Farmlands Determination - 444321: US 41 PD&E Study
Attachments: 444321_US 41 PD&E Study_Soil_Report.pdf

Jada Barhorst
SENIOR ECOLOGIST
FWC Authorized Gopher Tortoise Agent

INWOOD CONSULTING ENGINEERS
3000 Dovera Dr., Suite 200, Oviedo, FL 32765
P: 407-971-8850
inwoodinc.com

From: Riley Campana <rcampana@inwoodinc.com>
Sent: Tuesday, January 2, 2024 8:32 AM
To: Jada Barhorst <jbarhorst@inwoodinc.com>
Subject: FW: [External Email]Farmlands Determination - 444321: US 41 PD&E Study

Hi Jada,

The soil scientist got back to me last week regarding the US 41 farmland impacts. They concluded that no farmland will be affected and we are exempt from filing a NRCS CAP 106 form.

Riley Campana
Ecologist

INWOOD CONSULTING ENGINEERS
3000 Dovera Dr., Suite 200, Oviedo, FL 32765
P: 407-971-8850
inwoodinc.com

From: Giuliani, Isabelle - FPAC-NRCS, FL <isabelle.giuliani@usda.gov>
Sent: Wednesday, December 27, 2023 11:46 AM
To: Riley Campana <rcampana@inwoodinc.com>
Subject: RE: [External Email]Farmlands Determination - 444321: US 41 PD&E Study

Good afternoon Mr. Campana

The area in question (444321: US 41 PD&E) meets one or more of the above criteria for Non-Farmland. No farmland area will be affected or converted according to the Code of Federal Regulation 7CFR 658, Farmland Protection Policy Act, Section 658-2; and the 2010 Census Bureau Maps. You are exempt from filling the NRCS CAP 106 at this time.

Attached to the email soil report for the study indicating no farmland.

Thank you,

Isabelle Giuliani
State Soil Scientist

USDA-Natural Resources Conservation Service
Florida State Office
4500 NW 27th Ave. Suite A
Gainesville, FL 32606
Cell: 941-889-9345

From: Riley Campana <rcampana@inwoodinc.com>
Sent: Monday, November 20, 2023 2:06 PM
To: Giuliani, Isabelle - FPAC-NRCS, FL <isabelle.giuliani@usda.gov>
Cc: Jada Barhorst <jbarhorst@inwoodinc.com>
Subject: [External Email]Farmlands Determination - 444321: US 41 PD&E Study

You don't often get email from rcampana@inwoodinc.com. [Learn why this is important](#)

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Hello Ms. Giuliani,

We are conducting a PD&E Study for improvements to US 41 at its intersection with Bonita Beach Road (CR 865) in Lee County, Florida. This project requires a Farmlands Conversion Impact Determination. The project limits extend along US 41 from Foley Road to just south of the Imperial River bridge, and along Bonita Beach Road from Windsor Road to Spanish Wells Boulevard.

I have attached Form NRCS-CPA-106 and ROW impact shapefile which includes the preferred ponds.

Please let me know if you have any questions or need any additional information.

Sincerely,

Riley Scherer Campana
Ecologist

INWOOD CONSULTING ENGINEERS
3000 Dovera Dr., Suite 200, Oviedo, FL 32765
P: 407-971-8850
inwoodinc.com

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Cultural Resources Appendix

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SHPO Concurrence Letter

Section 4(f) Report

DRAFT



Florida Department of Transportation

RON DESANTIS
GOVERNOR

801 N. Broadway Avenue
Bartow, FL 33830

JARED W. PERDUE, P.E.
SECRETARY

January 29, 2024

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

Attn: Transportation Compliance Review Program

**RE: Cultural Resource Assessment Survey Update
Project Development and Environment (PD&E) Study
SR 45 (US 41) at Bonita Beach Road
Lee County, Florida
Financial Management Number: 444321-1-22-01
Federal Aid Project No.: TBD**

Dear Ms. Lotane:

Enclosed please find one copy of the report titled *Cultural Resource Assessment Survey Project Development and Environment (PD&E) Study SR 45 (US 41) at Bonita Beach Road Lee County, Florida*. The Florida Department of Transportation (FDOT), District One, is conducting a PD&E Study for SR 45 (US 41) at Bonita Beach Road, in the City of Bonita Springs, Florida. The study area limits extend along US 41 from Foley Road to just south of the Imperial River bridge a distance of approximately 0.9 miles. Additionally, the study area extends along Bonita Beach Road from Windsor Road to Spanish Wells Boulevard a distance of approximately 0.8 miles. The PD&E study provides information from which FDOT District One can evaluate capacity, safety, and multi-modal improvements at the SR 45 (US 41) and Bonita Beach Road intersection.

The purpose of this project is to address the deficient operational capacity of the US 41 and Bonita Beach Road intersection to relieve existing congestion and accommodate projected future traffic demand. The proposed improvements will modify the signalized configuration of the US 41 and Bonita Beach Road intersection to be a partial displaced left turn (PDLT), with the northbound and southbound left turn movements to crossover and be located outside of the opposing traffic flow. To accommodate the partial displaced left turn configuration and facilitate the relocation of northbound and southbound turning vehicles, two new signalized "crossover" intersections will be added along US 41. The southbound and eastbound left turn movements are proposed to have three lanes each, and the eastbound and westbound right turn movements are proposed to have two lanes each. Other improvements include a six-foot (ft) sidewalk, a 12-ft shared-use path, and signalized marked crosswalks. In addition, the City of Bonita Springs is designing and building a two-lane quadrant roadway connecting Bonita Beach Road at Windsor Road to US 41 at the Center of Bonita Springs. This Northwest Quadrant Roadway is currently in design by the City and anticipated to be built ahead of the US 41 and Bonita Beach Road intersection improvements. The proposed improvements of the Northwest Quadrant Roadway as part of this PD&E Study includes the US 41 and the Center of Bonita Springs intersection to be changed from a standard signalized intersection to a "thru-cut" intersection. A thru-cut intersection restricts through movements from the minor

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street typically due to operational and/or geometric conditions. As such, the west leg is being widened from two lanes to five lanes (four eastbound approach lanes and one westbound receiving lane) and the east leg is being widened from two lanes to four lanes (two westbound approach lanes and two eastbound receiving lanes). This creates skew issues for any east/west through movements and creates operational constraints that are alleviated by the thru-cut intersection configuration. Tying into the new east leg is a Northeast Quadrant Roadway proposed between US 41 and Arroyal Road, northeast of the US 41 and Bonita Beach Road intersection. This will be a new three-lane roadway with two lanes eastbound and one lane westbound. This is a federally funded project.

Based on the project type and location of the proposed work, the archaeological APE is limited to the footprint of construction. The historical/architectural APE included the footprint of construction as well as resources within immediately adjacent parcels where proposed road widening will occur and new roadways are expected to be constructed.

This CRAS was conducted in accordance with the requirements set forth in the National Historic Preservation Act of 1966 (as amended), which are implemented by the procedures contained in 36 CFR, Part 800, as well as the provisions contained in the revised Chapter 267, *Florida Statutes*. The investigations were carried out in accordance with Part 2, Chapter 8 (Archaeological and Historical Resources) of the FDOT's PD&E Manual, FDOT's Cultural Resources Manual, and the standards contained in the Florida Division of Historical Resources (FDHR) Cultural Resource Management Standards and Operations Manual. In addition, this survey meets the specifications set forth in Chapter 1A-46, Florida Administrative Code.

Archaeological background research and a review of the Florida Master Site File (FMSF) indicated that no archaeological sites are recorded within or adjacent to the APE but five sites are recorded within one mile. These consisted of various types of mounds, only one of which has been evaluated by the State Historic Preservation Officer (SHPO). A review of relevant site locational information for environmentally similar areas within Lee County and the surrounding region indicated that the APE was considered to have a low to moderate potential for archaeological sites. As a result of field investigation, no archaeological sites were discovered.

Historic background research, including a review of the FMSF and the NRHP databases, indicated that two historic resources (8LL01426 and 8LL02543) were previously recorded within the APE. The circa (ca.) 1920 Frame Vernacular style building, located at 27750 Arroyal Road, was evaluated as ineligible for listing in the NRHP by the SHPO in 2001. Following the development of an enlarged pond site, the building was demolished and documented as such within the FMSF. Similarly, the Angler's Paradise Clubhouse (8LL02543), a ca. 1958 Masonry Vernacular style building, located at 27711 Windsor Road, was not evaluated by the SHPO for NRHP eligibility. In 2022 the FMSF was notified that the building was no longer extant. Historical/architectural field survey resulted in the identification and evaluation of four historic resources (8LL02984, 8LL02985, 8LL02986, and 8LL02987) within the APE. These include three buildings (8LL02984, 8LL02985, and 8LL02986), constructed between ca. 1945 and 1975, and one linear resource (8LL02987). The buildings consist of two Commercial style buildings (8LL02984 and 8LL02985) and one Masonry Vernacular style building (8LL02986) that have been altered, lack sufficient architectural features, and are not significant embodiments of a type, period, or method of construction. The linear resource is an unnamed drainage ditch (8LL02987) that is a common example of a drainage canal found throughout Lee County and Florida and does not possess any unique engineering features. Background research did not reveal any historic associations with significant persons and/or events. Thus, these four historic resources do not appear eligible for listing in the NRHP, either individually or as a part of a historic district.

Ms. Alissa Lotane, Director

FPID No: 444321-1-22-01

January 29, 2024

Page 3 of 3

Based on the results of this study, it is the opinion of the District that the proposed undertaking will result in *no historic properties affected*.

I respectfully request your concurrence with the findings of the enclosed report.

The CRAS is provided for your review and comment. If you have any questions, please do not hesitate to call me at (954) 336-3625 or email at matthew.marino@dot.state.fl.us.



Matt Marino, M.A., RPA

Cultural Resource Coordinator

Florida Department of Transportation, District One

Enclosures: One original copy of the CRAS Report (January 2024), Four (4) FMSF forms, One Completed Survey Log

CC: Jack Freeman, Kittelson
Maranda Kles, ACI

The Florida State Historic Preservation Officer (SHPO) finds the attached Cultural Resources Assessment Survey Report complete and sufficient and ☒ concurs/ ☐ does not concur with the recommendations and findings provided in this cover letter for SHPO/FDHR Project File Number 202400467. Or, the SHPO finds the attached document contains insufficient information.

SHPO Comments:



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

2.22.2024
Date

Section 4(f) Resources

Florida Department of Transportation

SR 45 (US 41) AT BONITA BEACH ROAD

District: FDOT District 1

County: Lee County

ETDM Number: 6291

Financial Management Number: 444321-1-22-01

Federal-Aid Project Number: D123-081-B

Project Manager: Patrick Bateman

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. Submitted pursuant 49 U.S.C. § 303.

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Imperial River Boat Ramp 3

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Resource Attachments 6

DRAFT

Summary and Approval

Resource Name	Facility Type	Property Classification	Owner/Official with Jurisdiction	Recommended Outcome	OEM SME Action
Bonita Springs River Park	City Park	Park/Rec Area	City of Bonita Springs	No Use	Determination 01-31-2025
Imperial River Boat Ramp	Boat Ramp w/Fishing Pier	Park/Rec Area	Lee County	No Use	Determination 01-31-2025

Bonita Springs River Park

Facility Type: City Park

Property Classification: Park/Rec Area

Address and Coordinates:

Address: Bonita Springs, FL 34134

Latitude: 26.3369 Longitude: -81.8077

Description of Property:

Bonita Springs River Park, located in Bonita Springs, Florida and operated/maintained by the City of Bonita Springs, offers various activities and amenities. Situated along the Imperial River, it includes green spaces, walking trails, picnic areas, and a fishing pier. Existing facilities also comprise a children's playground, restrooms, and parking spaces. The park supports recreational activities such as fishing, bird watching, and outdoor fitness. The park is increasingly utilized, drawing a diverse group of visitors. Its proximity to the Imperial River Boat Ramp strengthens its role as a key recreational area in the region, supporting community engagement and promoting outdoor activities.

Owner/Official with Jurisdiction: City of Bonita Springs

Relationship Between the Property and the Project

Bonita Springs River Park is located on the northern end of the project's study area. The park is typically accessed via River Park Entrance Road which ties into the signalized intersection of US 41 at the Center of Bonita Springs. The Angler's Paradise development will move the access to the resource to Imperial Crossing Drive with right in/right out access to US 41.

While the project's study area extends north along US 41 adjacent to Bonita Springs River Park, there are no proposed impacts to the Park. There will be no acquisition of land from this resource, no occupation of the resource on a temporary or permanent basis, and no proximity impacts to the resource. Access to the resource will not be disrupted during the project. Therefore, this project will have "no use" of this resource.

Yes No

☐☒

Will the property be "used" within the meaning of Section 4(f)?

Recommended Outcome: No Use

OEM SME Determination Date: 01-31-2025

Imperial River Boat Ramp

Facility Type: Boat Ramp w/Fishing Pier

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 27551 S Tamiami Trl, Bonita Springs, FL, 34134, USA

Latitude: 26.33766 Longitude: -81.80517

Description of Property:

The Imperial River Boat Ramp, operated and maintained by Lee County in Bonita Springs, Florida, provides access for boating and kayaking on the Imperial River. Key features include multiple boat launch lanes, parking for vehicles and trailers, and restrooms. The ramp accommodates various watercraft, supporting activities like boating, kayaking, and fishing. Its proximity to Bonita Springs River Park allows easy access to the park's trails, picnic areas, and green spaces, enhancing overall outdoor experiences.

Owner/Official with Jurisdiction: Lee County

Relationship Between the Property and the Project

The Imperial River Boat Ramp is located on the northern end of the project's study area. The Boat Ramp can be accessed via a right in/right out driveway along US 41.

While the project's study area extends north along US 41 adjacent to the Imperial River Boat Ramp, there are no proposed impacts to the property. There will be no acquisition of land from this resource, no occupation of the resource on a temporary or permanent basis, and no proximity impacts to the resource. Access to the resource will not be disrupted during the project. Therefore, this project will have "no use" of this resource.

Yes No

☐ ☒ Will the property be "used" within the meaning of Section 4(f)?

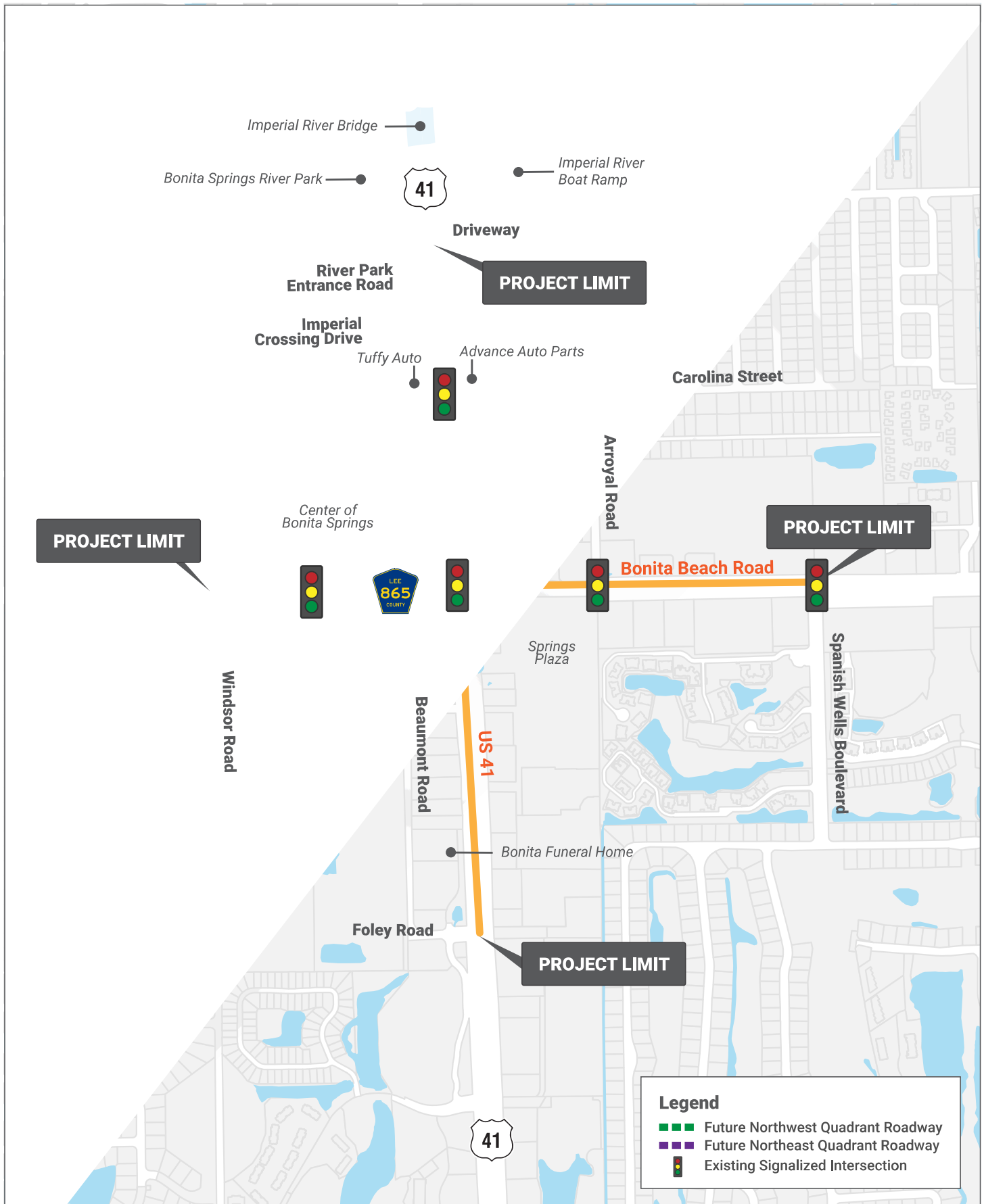
Recommended Outcome: No Use

OEM SME Determination Date: 01-31-2025

Project-Level Attachments

23707_US41 PD&E Study_PER_Study Area

DRAFT



US 41 at Bonita Beach Road PD&E Study

Resource Attachments

Bonita Springs River Park

US 41 Section 4(f) Location Maps_BSRP_Revised Figure 1_2025_01_08

Imperial River Boat Ramp

US 41 Section 4(f) Location Maps_IRBR_Revised Figure 2_2025_01_08

Bonita Springs River Park

Contents:

US 41 Section 4(f) Location Maps_BSRP_Revised Figure 1_2025_01_08

DRAFT

Figure 1 - Bonita Springs River Park



LEGEND

- | | | | |
|-----------------|---------------------|---------------------|-----------------|
| — PARCEL LINE | — PROPOSED ROW | — FRONT OF SIDEWALK | — CURB FACE |
| — PROPERTY LINE | — TRAFFIC SEPARATOR | — BACK OF SIDEWALK | — PARK BOUNDARY |

- MEDIUM/HIGH RISK
CONTAMINATION SITES

FOR ILLUSTRATIVE PURPOSES
ONLY AERIAL PHOTO
ACQUIRED 2023

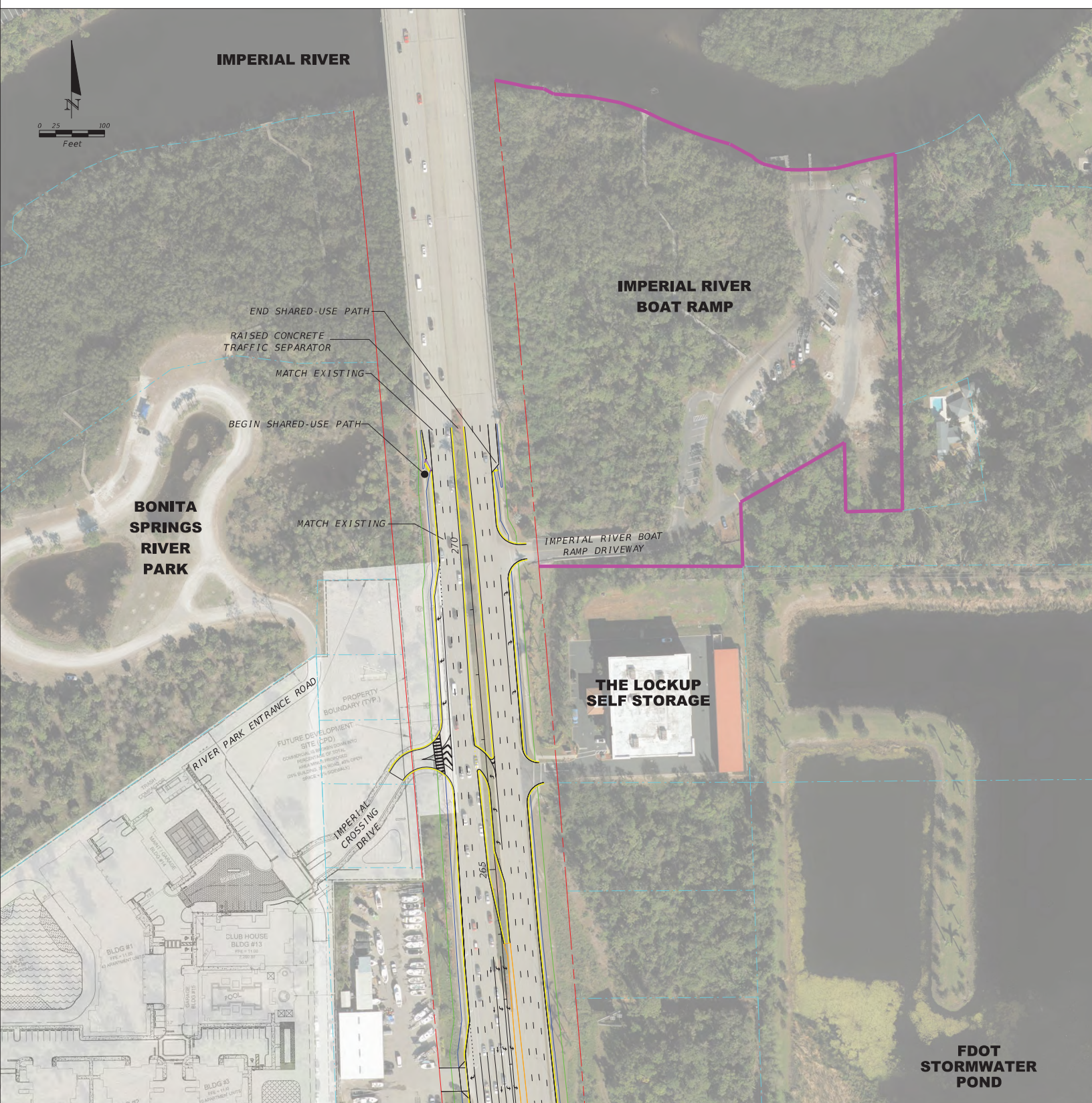
Imperial River Boat Ramp

Contents:

US 41 Section 4(f) Location Maps_IRBR_Revised Figure 2_2025_01_08

DRAFT

Figure 2 - Imperial River Boat Ramp



LEGEND

- | | | | | |
|-----------------|---------------------|---------------------|----------------------|--|
| — PARCEL LINE | — PROPOSED ROW | — FRONT OF SIDEWALK | — CURB FACE | ● MEDIUM/HIGH RISK CONTAMINATION SITES |
| — PROPERTY LINE | — TRAFFIC SEPARATOR | — BACK OF SIDEWALK | — BOAT RAMP BOUNDARY | |

FOR ILLUSTRATIVE PURPOSES
ONLY AERIAL PHOTO
ACQUIRED 2023

Natural Resources Appendix

Contents:

Species Concurrence Documentation

DRAFT



**Florida Fish
and Wildlife
Conservation
Commission**

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Preston Farrior
Tampa

Gary Lester
Oxford

Albert Maury
Coral Gables

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Jupiter

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St. Augustine

Office of the
Executive Director
Roger A. Young
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Assistant Executive Director

George Warthen
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800-955-8771 (T)
800-955-8770 (V)

MyFWC.com

August 9, 2024

Emily Barnett
Florida Department of Transportation District 1
801 North Broadway Avenue
Bartow, Florida 33830
Emily.Barnett@dot.state.fl.us

Re: US 41 at CR 865 Intersection Improvements, Natural Resource Evaluation, Lee County

Dear Ms. Barnett:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the above-referenced Natural Resources Evaluation (NRE) report in accordance with FWC's authorities under Chapter 379, Florida Statutes, and Chapter 68A-27, Florida Administrative Code.

The Florida Department of Transportation (FDOT) District 1 is conducting a Project Development and Environment (PD&E) Study to evaluate proposed improvements to US 41 at its intersection with County Road (CR) 865/Bonita Beach Road in Lee County. The study limits extend along US 41 from Foley Road to just south of Imperial River bridge, a distance of 0.9 miles. Additionally, the study area extends along CR 865/Bonita Beach Road from Windsor Road to Spanish Wells Boulevard, a distance of 0.8 miles. The purpose of this project is to address the deficient operational capacity to relieve congestion and accommodate projected future traffic demand. The proposed project will require additional right-of-way.

The NRE report was prepared as part of the PD&E study to document wetlands, surface waters, protected species, critical habitat, and essential fish habitat within the project's corridor; evaluate potential impacts associated with the proposed project; provide effect determinations for protected species; identify mitigation needs, and coordinate with federal and state regulatory and resource agencies. FWC staff agrees with the effect determinations and supports the project implementation measures and commitments for protected species. Further coordination could be required during future species-specific surveys and project permitting.

For specific technical questions regarding the content of this letter, please contact Kristee Booth at (850) 363-6298 or Kristee.Booth@MyFWC.com. All other inquiries may be directed to ConservationPlanningServices@MyFWC.com.

Sincerely,

Laura DiGruttolo
Land Use Planning Supervisor
Office of Conservation Planning Services

ld/kb
US41 at CR 865 Intersection Improvements NRE_59533_08092024

From: [Bateman, Patrick](#)
To: [Jack Freeman](#)
Subject: FW: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE
Date: Monday, August 12, 2024 2:19:37 PM

[External Sender]

From: admin@fla-etat.org <admin@fla-etat.org>
Sent: Friday, August 9, 2024 1:13 PM
To: DiGruttolo, Laura <Laura.digruttolo@myfwc.com>
Cc: Barnett, Emily <Emily.Barnett@dot.state.fl.us>; James, Jeffrey W <Jeffrey.James@dot.state.fl.us>; Barnett, Emily <Emily.Barnett@dot.state.fl.us>; Bateman, Patrick <Patrick.Bateman@dot.state.fl.us>; Gilmer, Nikki <Nikki.Gilmer@dot.state.fl.us>; ConservationPlanningServices@MyFWC.com
Subject: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE

EXTERNAL SENDER: Use caution with links and attachments.

A review was received for the following:

Event: 444321-1 US 41 at CR 865 (Bonita Beach Road) Intersection Improvement - NRE
Document: 444321-1 US 41 at CR 865 NRE
Submitted By: Laura DiGruttolo
Global: Yes
Attachment: <https://www.florida-transportation.com/est/servlet/blobViewer?blobID=42519>
Comments:

FWC staff have reviewed the NRE report and agrees with the effect determinations for state-listed wildlife species. FWC staff support the project implementation measures and commitments for protected species.

From: [Bateman, Patrick](#)
To: [Jack Freeman](#)
Subject: FW: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE
Date: Monday, August 12, 2024 2:17:51 PM

[External Sender]

From: admin@fla-etat.org <admin@fla-etat.org>
Sent: Wednesday, July 24, 2024 2:14 PM
To: David.Rydene@noaa.gov
Cc: Barnett, Emily <Emily.Barnett@dot.state.fl.us>; James, Jeffrey W <Jeffrey.James@dot.state.fl.us>; Barnett, Emily <Emily.Barnett@dot.state.fl.us>; Bateman, Patrick <Patrick.Bateman@dot.state.fl.us>; Gilmer, Nikki <Nikki.Gilmer@dot.state.fl.us>; dave.rydene@verizon.net
Subject: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE

EXTERNAL SENDER: Use caution with links and attachments.

A review was received for the following:

Event: 444321-1 US 41 at CR 865 (Bonita Beach Road) Intersection Improvement - NRE
Document: 444321-1 US 41 at CR 865 NRE
Submitted By: David Rydene
Global: Yes
Comments:

NOAA's National Marine Fisheries Service (NMFS) staff has reviewed the Natural Resources Evaluation (NRE) for the improvements to the intersection at US 41 and Bonita Beach Road (CR 865) (Financial Management No. 444321-1-22-01; ETDM 6291) in Lee County, Florida, as part of the project's Project Development and Environment (PD&E) Study. NMFS offers the following comments. In general, NMFS finds the NRE to be accurate and complete at this stage in project development. NMFS finds the conclusion of no direct impacts to Essential Fish Habitat to be correct, as well as no involvement with Endangered Species Act species or designated Critical Habitat under NMFS' purview. NMFS principal concern regarding stormwater runoff reaching the nearby Imperial River and downstream estuarine habitats has been satisfactorily addressed in the NRE, with commitments to upgrade the project's stormwater treatment systems.

Thank you for the opportunity to provide comments on this project's NRE.

DRAFT

From: [Bateman, Patrick](#)
To: [Jack Freeman](#)
Subject: FW: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE
Date: Monday, August 12, 2024 2:17:04 PM

[External Sender]

From: admin@fla-etat.org <admin@fla-etat.org>
Sent: Wednesday, July 24, 2024 8:02 AM
To: john_wrublik@fws.gov
Cc: Barnett, Emily <Emily.Barnett@dot.state.fl.us>; James, Jeffrey W <Jeffrey.James@dot.state.fl.us>; Barnett, Emily <Emily.Barnett@dot.state.fl.us>; Bateman, Patrick <Patrick.Bateman@dot.state.fl.us>; Gilmer, Nikki <Nikki.Gilmer@dot.state.fl.us>
Subject: Document Review Confirmation for 444321-1 US 41 at CR 865 NRE

EXTERNAL SENDER: Use caution with links and attachments.

A review was received for the following:

Event: 444321-1 US 41 at CR 865 (Bonita Beach Road) Intersection Improvement - NRE
Document: 444321-1 US 41 at CR 865 NRE
Submitted By: John Wrublik
Global: Yes
Comments:

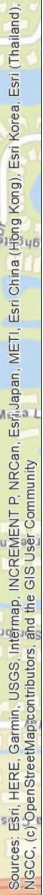
The U.S. Fish and Wildlife Service has reviewed the Natural Resource Evaluation for the US 41 at Bonita Beach Road Intersection Improvement project and it appears complete. We offer no further comments at this time.

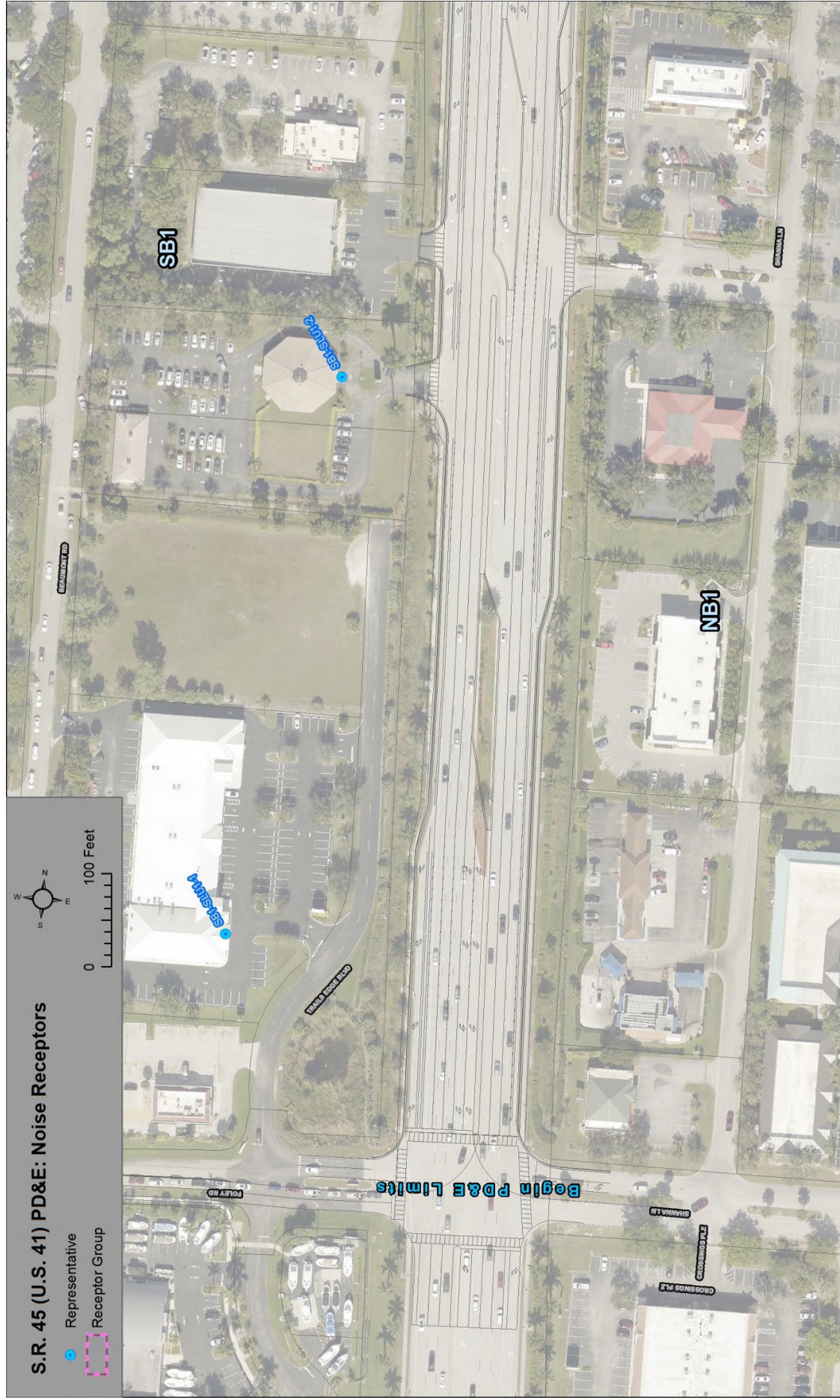
Physical Resources Appendix

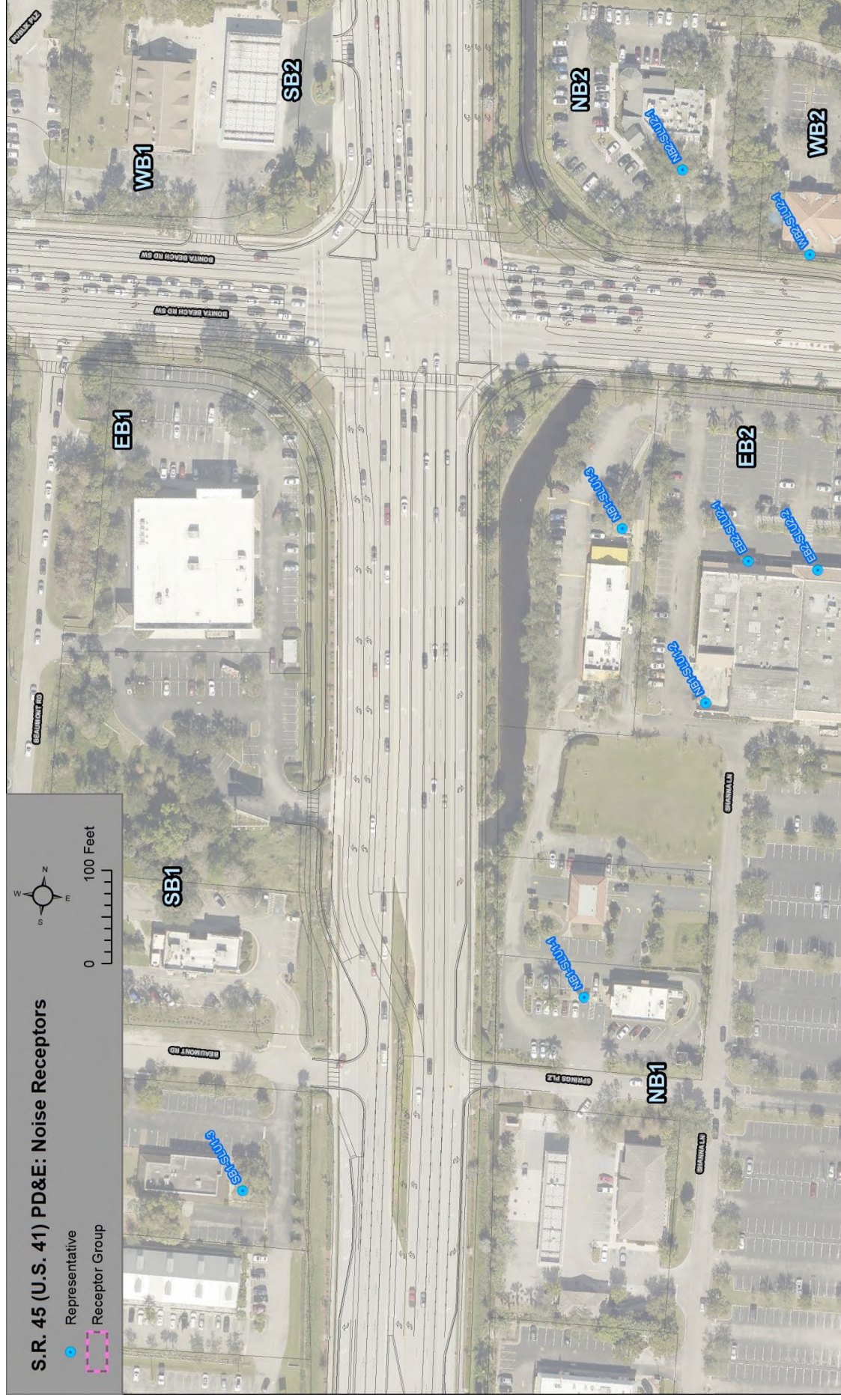
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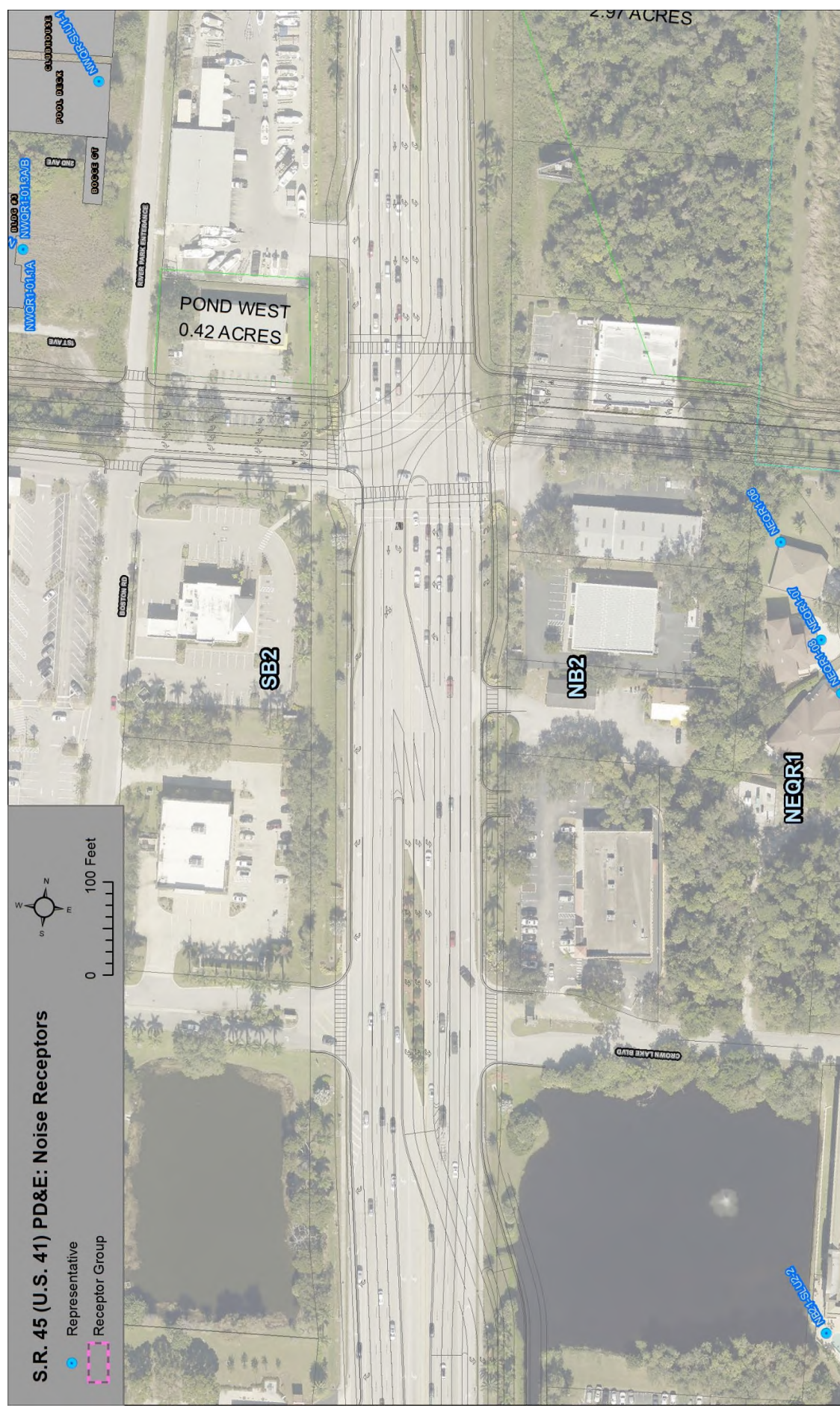
Noise Map

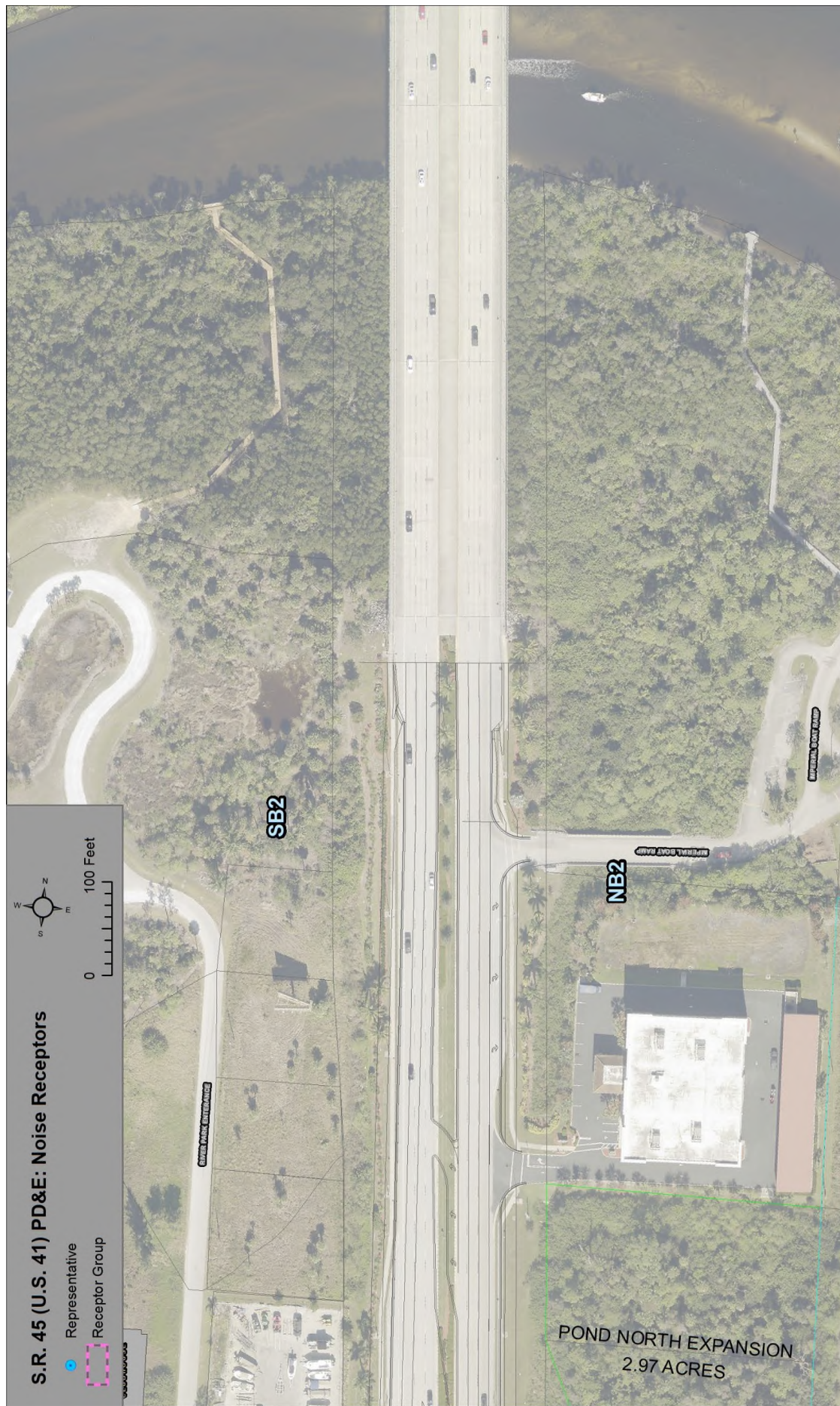
DRAFT

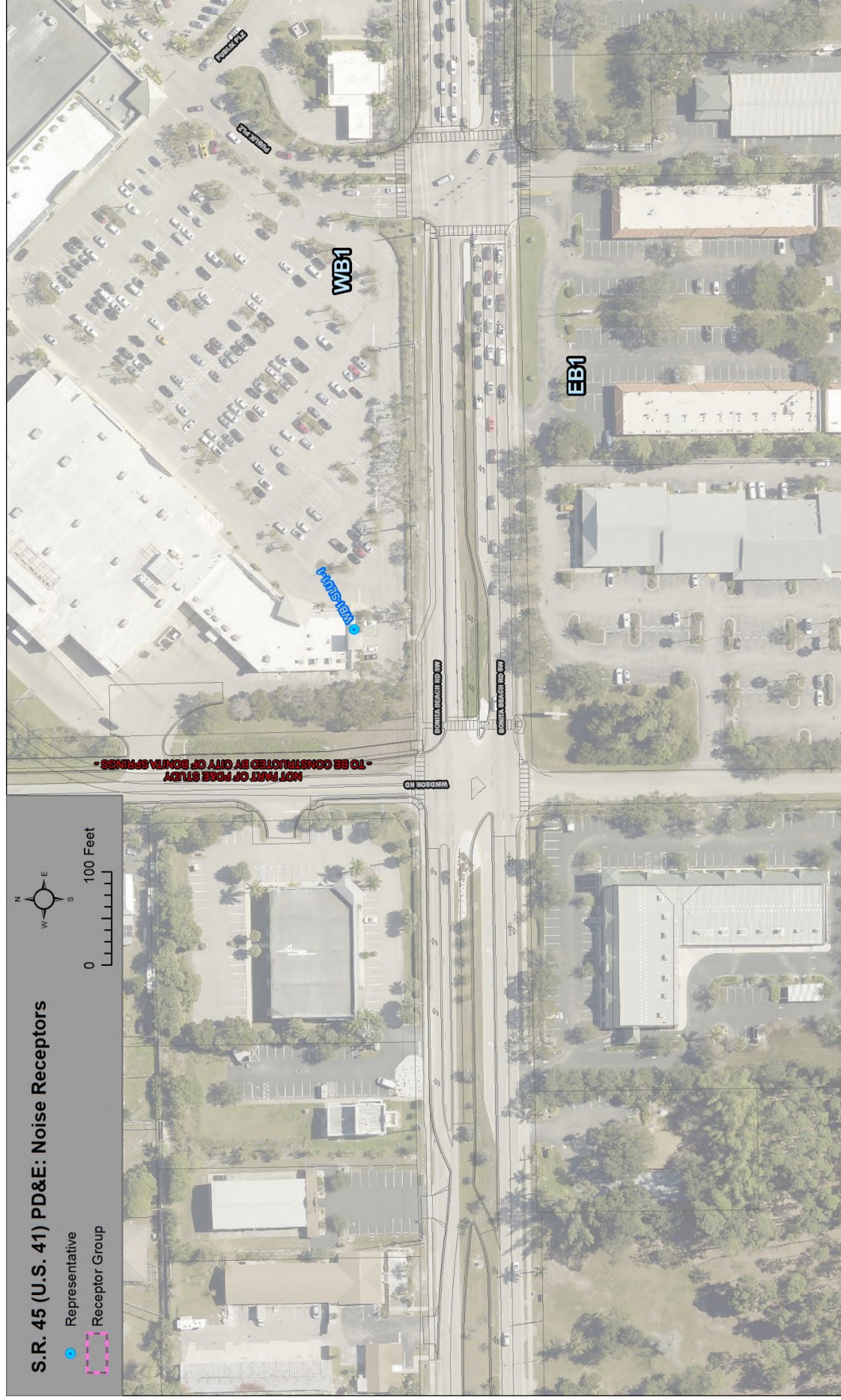


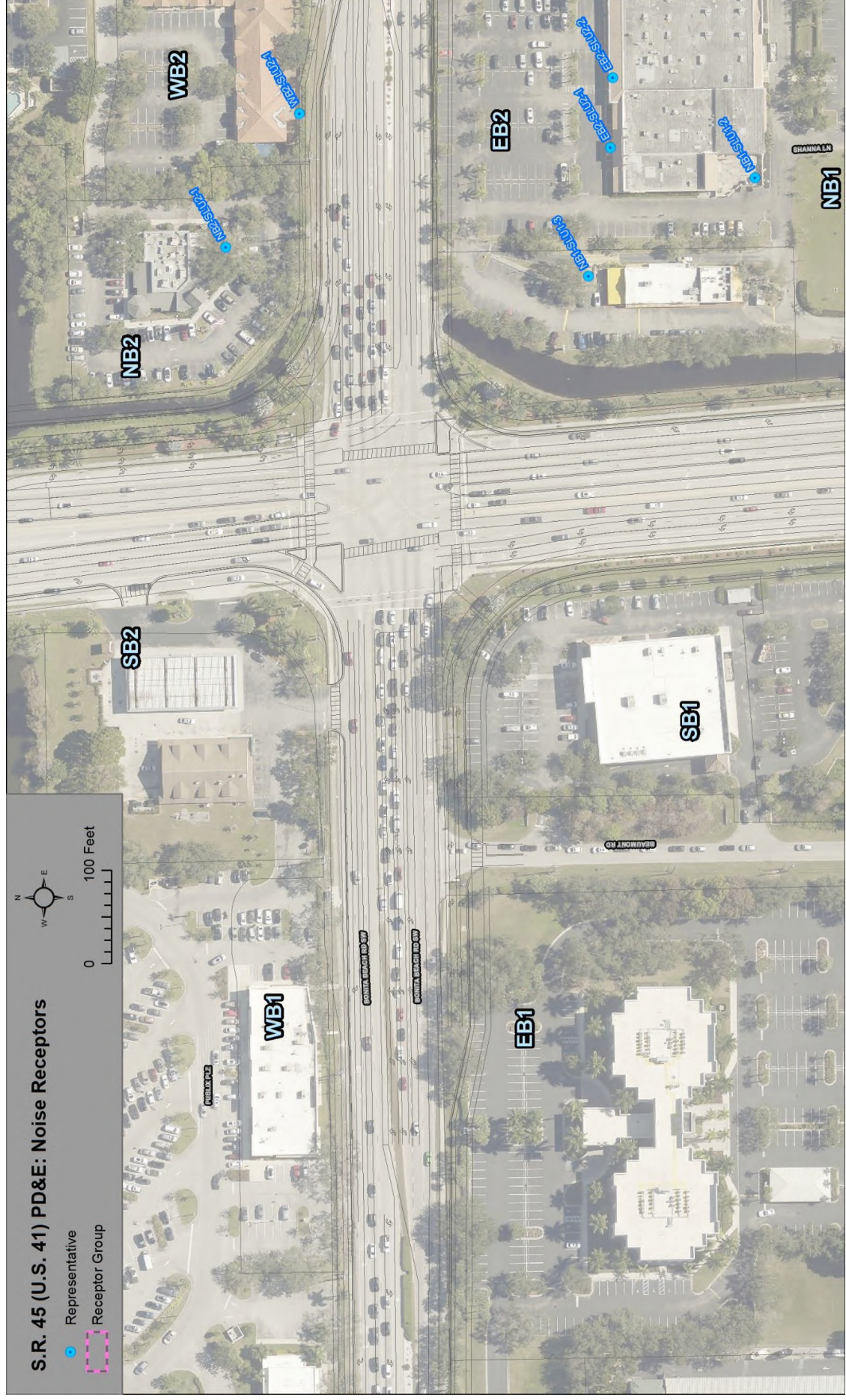




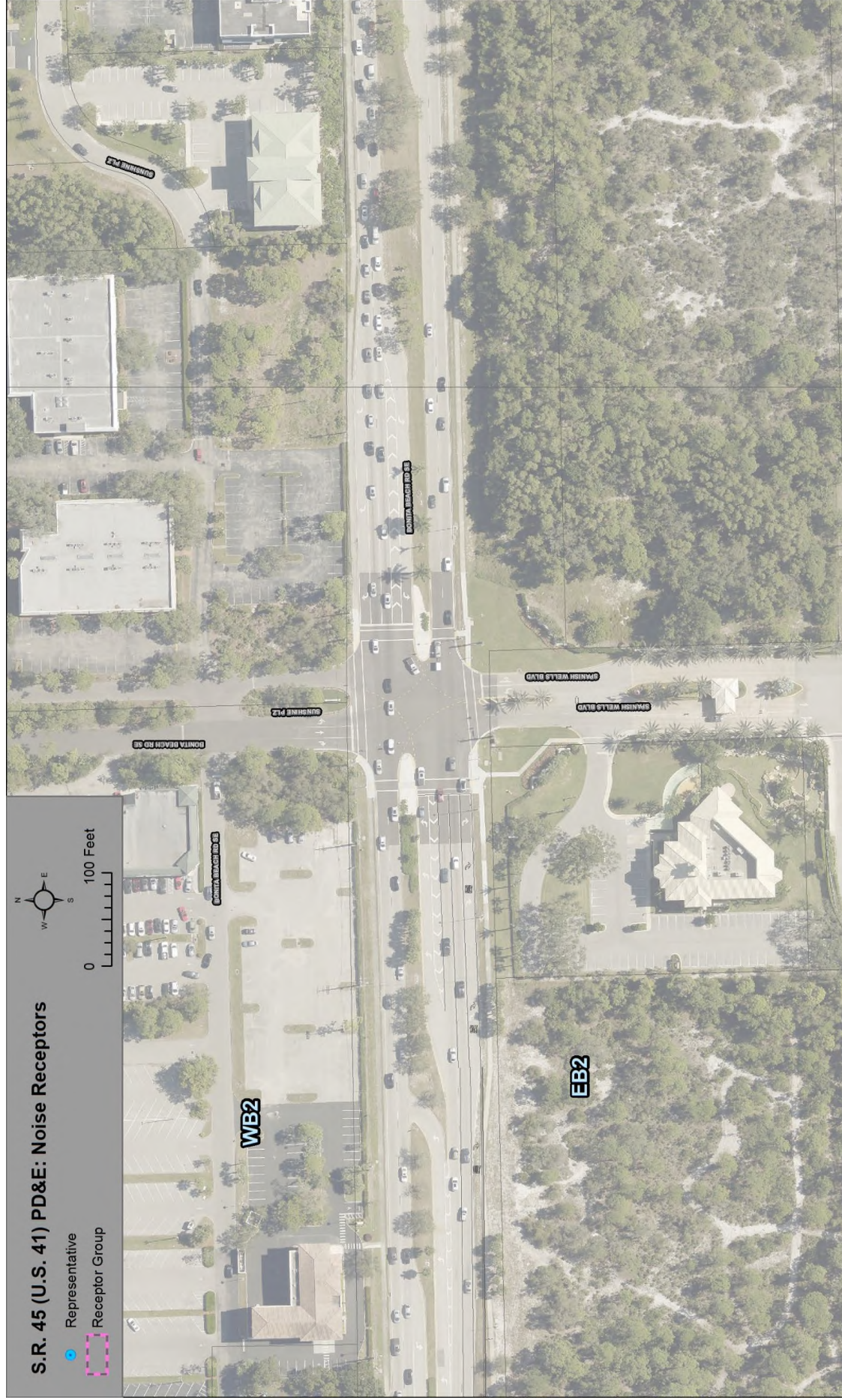




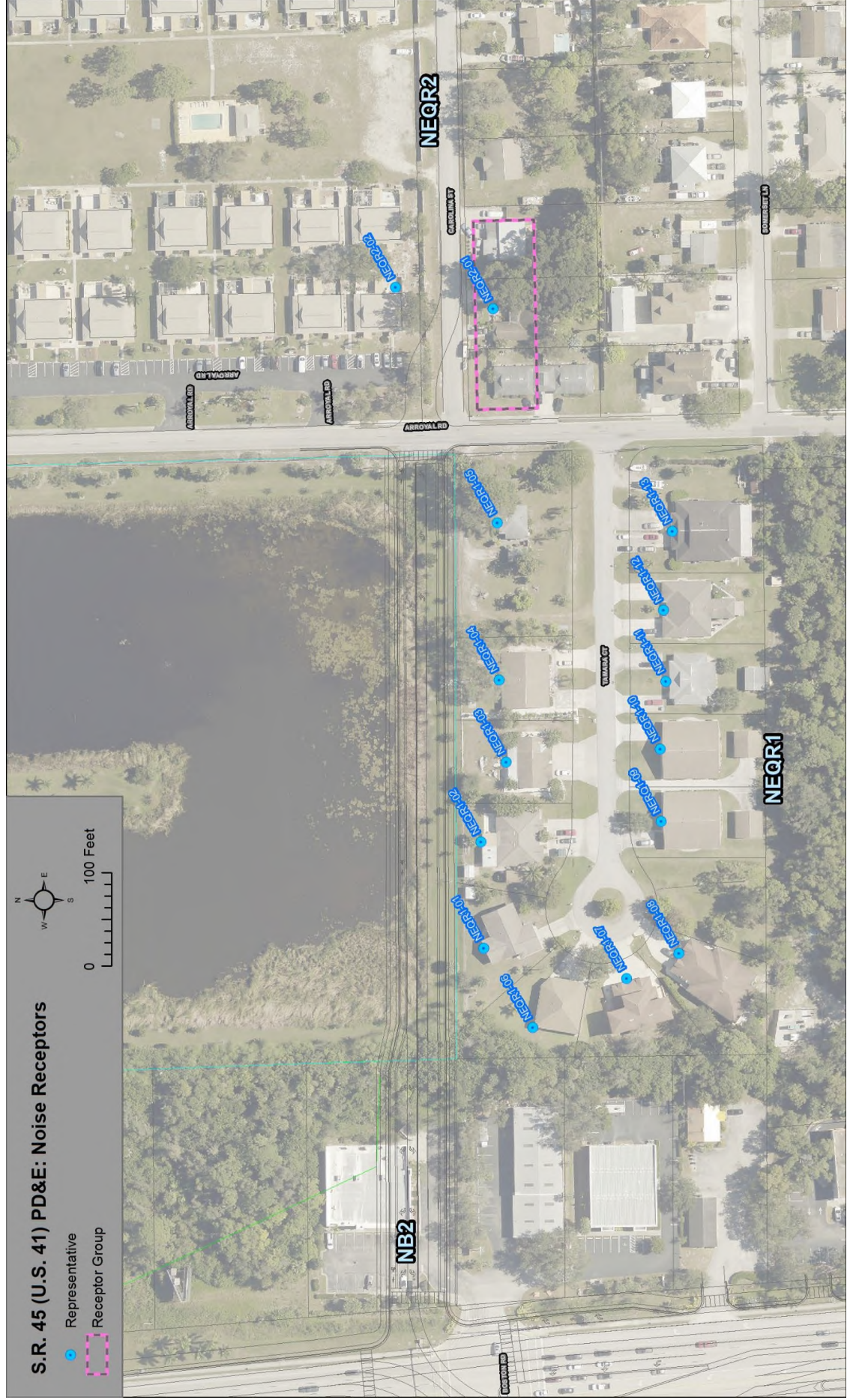












Public Involvement Appendix

Contents:

Public Hearing Transcript

Public Hearing Certification Documentation

DRAFT

407.423.9900
Fax 407.841.2779
Toll Free 855-MYDEPOS

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TOMORROW'S TECHNOLOGY TODAY



1 IN RE:

2 US 41 PUBLIC HEARING

3

4 DATE: MARCH 26, 2024

5 REPORTER: ANA MARTINEZ

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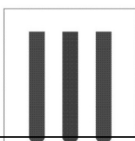
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APPEARANCES

Also Present: Patrick Bateman, In-person moderator;
Amanda Ashby, Online Moderator; Anna Pindara, Public
Involvement Coordinator; Wayne Dodds, Speaker; Sue
Taylor, Speaker; Fred Martens, Online Speaker; Ruth
Brode, Spectator; Trish Leonard, Spectator; Shelley
Anderson, Spectator; Clave Mamahi, Spectator; Megan
Green, Spectator; Julie Nitschke, Spectator; Pierre
Jacbert, Spectator; Dennis Bnahnatia, Spectator;
Derrick Botayy, Spectator; Deborah Salvatore, Spectator;
Emily Porter, Spectator; Ruth Condit, Spectator; Sarah
Gannon-Llull, Spectator; Rack Steinmeyer, Spectator;
Carol Price, Spectator; Phill Ashbadtte, Spectator; Doug
Grant, Spectator; Helene Gruber, Spectator; Stephen
Feseolla, Spectator; Claude Caperle, Spectator; Irina
Kempf-Cherubin, Spectator; Sisi Mamis, Spectator; Kevin
Helderfun, Spectator; Chriss Corrie, Spectator; Jamie
Bogacz, Spectator; Larry Sandler, Spectator; Kelly
Campbell, Spectator; Kelly Brown, Spectator; Robert
Elliot, Spectator; Pat Elliot, Spectator; Bob Gruber,
Spectator; Mink Gibson, Spectator; Brenda LaPerele,
Spectator; Keith Riddle, Spectator; Pam Bonfield,
Spectator; John Magnus, Spectator; Susie Saygge,
Spectator; Carolyn Forbs, Spectator; Matt Feewey,
Spectator; Joel Langney, Spectator; Megan Titcomb,
Spectator; Loretta Mendez, Spectator; Alyena Ilshe,
Spectator; Deborah Orton, Spectator; Mark Edwards,
Spectator; Jacob Cukise, Spectator; Carol Wood,
Spectator; Rita Jael, Spectator; Anna Tatak, Spectator;
Elizabeth Kelly, Spectator



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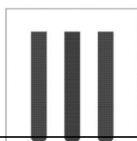
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PROCEEDINGS

5

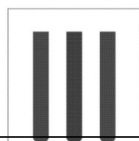


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JACKSONVILLE, FL 32256
TAMPA, FL 33602

STIPULATION

The PUBLIC HEARING was taken at BONITA SPRINGS
RECREATION CENTER, 26740 PINE AVE, BONITA SPRINGS,
FLORIDA, 34135, on TUESDAY the 26TH day of MARCH 2024 at
6:01 p.m.; said PUBLIC HEARING was taken pursuant to the
FLORIDA Rules of Civil Procedure.



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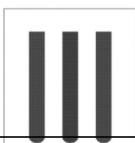
CORPORATE **ORLANDO, FL 32801**
JACKSONVILLE, FL 32256
TAMPA, FL 33602

PROCEEDINGS

MR. BATEMAN: Good evening. The Florida Department of Transportation welcomes you to the public hearing for the -- public hearing for the Project Development & Environment, PD&E, Study for U.S. 41 at Bonita Beach Road in Lee County. My name is Patrick Bateman. I'm the project manager for the study. Here with me tonight are FDOT representatives along with members of the consultant project team to answer your questions. We would like to thank any elected officials for your attendance and participation in this hearing. We encourage you to sign in with your name and the office you represent for the project record.

Tonight, we will show a project video, which will explain the project in detail. Following the video will be a 10-minute intermission. Finally, we will open a formal comment period where you'll have the opportunity to provide statements at the microphone or you may provide your comments directly to the court reporter or in writing. Thank you for attending either in person or online. With spoken statements, we'll start with in-person comments, then hear any comments from online attendees.

The purpose of tonight's hearing is to present



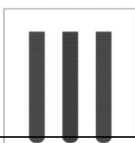
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1 the proposed improvements and share all analysis
2 conducted to date. It also serves as official forum
3 for the public to express their opinions regarding
4 the proposed improvements. We hold -- we hold a
5 public hearing so that we can hear your views and
6 comments. It's important to that you express your
7 views at this stage of the project when the
8 flexibility still exists to incorporate those views
9 into the study documents. Final decisions are made
10 using these documents. Now I will read the
11 following information for the record.

12 This is the public hearing for the U.S. 41 at
13 Bonita Beach Road Intersection Improvement Study in
14 Lee County, Florida, Financial Project ID number
15 444321-1. The project is described as a PD&E study
16 to improve traffic flow and safety at the subject
17 intersection. This public hearing is being conducted
18 by the Florida Department of Transportation with
19 Tallahassee as the approving authority. It is being
20 held at Bonita Beach Recreation Center, 26740 Pine
21 Avenue, Bonita Springs, Florida 34135, on March 26,
22 2024 at 6:00 p.m.

23 The hearing is being conducted in accordance
24 with all state and federal laws, as well as
25 Americans With Disability Act in 1990 and Title VI



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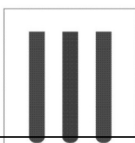
CORPORATE ORLANDO, FL 32801
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TAMPA, FL 33602

1 of Civil Rights Act of 1964 and related statutes. It
2 is also being conducted to meet all-applicable
3 executive orders. For a listing of these
4 regulations, please see the hearing display boards
5 here tonight, or on the project webpage. If anyone
6 here feels they have been discriminated against,
7 they may complete one of the forms located at the
8 sign-in table and mail the completed form to the
9 address listed on the display board. This
10 information is also available online. At this time,
11 we will play the project video.

12 (VIDEO RECORDING PLAYED)

13 VIDEO SPEAKER: Welcome to the Florida
14 Department of Transportations, or FDOT's public
15 hearing for the U.S. 41 at the intersection of
16 Bonita Beach Road Project Development and
17 Environment, or PD&E, Study. We appreciate your
18 attendance and participation. This public hearing
19 is being conducted to give the public the
20 opportunity to review and provide comments on the
21 proposed preferred alternative and associated
22 effects on the social, economic, cultural, natural,
23 and physical environments.

24 The purpose of this PD&E study is to evaluate
25 engineering and environmental data and document

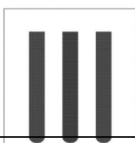


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1 information that will aid the city of Bonita
2 Springs, Lee County, Lee County Metropolitan
3 Planning Organization or MPO, FDOT District 1, and
4 the FDOT Office of Environmental Management or OEM,
5 in determining the type, preliminary design, and
6 location of the proposed improvements. U.S. 41
7 serves as a critical corridor in facilitating the
8 north-south movement of regional and local traffic,
9 including truck traffic, as it runs parallel to
10 Interstate 75 along Florida's West Coast. Similarly,
11 Bonita Beach Road serves as a major east-west
12 roadway within Lee County, linking U.S. 41, and
13 Interstate 75 and providing access as one of two
14 connections between the main road of Lee County and
15 coastal communities/historic destinations on the
16 Barrier Island and beaches to the west, both U.S. 41
17 and Bonita Beach Road are designated as emergency
18 evacuation routes.

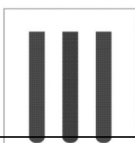
19 This study is to improve the U.S. 41 Bonita
20 Beach Road intersection and approaches. The study
21 began at the U.S. 41 and Foley Road intersection and
22 extends approximately one mile northward to the
23 Imperial River's bridge's south end. Along the
24 Bonita Beach Road, project limits extend from
25 Windsor Road to Spanish Wells Boulevard, a distance



1 of 0.8 miles. The department proposed to
2 reconstruct the U.S. 41 at Bonita Beach Road
3 intersection to be a partial displacement left turn
4 intersection with a new northeast quadrant roadway
5 and enhances Bonita Springs' proposed northwest
6 quadrant roadway.

7 The need for the proposed improvements of the
8 U.S. 41 and Bonita Beach Road intersection is
9 threefold. First to relieve existing congestion and
10 accommodate future traffic demands in the area.
11 Secondly, the improvements are to enhance overall
12 intersection safety. Finally, the improvements are
13 to enhance intersection, pedestrian, bicycle, and
14 transit accommodations. The existing midday and
15 p.m. peak hour level of service in the peak season
16 is F, or failure for both time periods. Levels of
17 service are like grades in school, where A is great,
18 and F is failing. On at least one approach, the
19 average queue length is over 300 feet. In the 2050
20 design year and no improvements, for the peak
21 season, nearly all approaches for level of service E
22 or F with average queue lengths doubling to over 700
23 feet if no improvements are made.

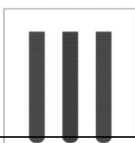
24 Crash data from 2018 through 2022 shows the
25 average number of fatal and serious injury crashes



1 in the steady area would be 13 crashes per year with
2 two fatal crashes. The fatal and serious injury
3 crashes are shown by the dark blue in these graphs.
4 Rear-end is the predominant crash type accounting
5 for 51 percent of the total crashes. The
6 intersection has several nearby transit stops and
7 pedestrian, and bicycle traffic is frequently
8 present. The proposed Coastal Loop Trail is in the
9 early planning stages along Bonita Beach Road and if
10 built will travel through the U.S. 41 intersection.

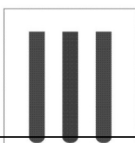
11 The next project phase, design, is in the
12 process of being programmed in the FDOT's five-year
13 work program. The Lee County Metropolitan Planning
14 Organization has adopted the 2045 Long Range
15 Transportation plan or LRTP. The proposed U.S. 41
16 and Bonita Beach Road intersection improvement is
17 shown in the 2045 LRTP Cost Feasible Plan for
18 project engineering and design plus right-of-way
19 acquisition in fiscal year 2026 through 2030, and
20 construction in fiscal year 2031 to 2035. Within
21 the project limits, U.S. 41 is an existing six lane
22 roadway with a raised median in a combination of 11
23 foot and 12 foot lanes.

24 The roadway includes a five-foot bicycle lane,
25 curb and gutter and five foot sidewalks on both



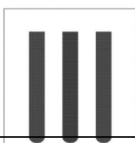
1 sides. The existing right of way width varies
2 between 200 and 220 feet. The posted speed limit on
3 U.S. 41 is 50 miles per hour. Bonita Beach Road is
4 an existing four-lane roadway with a raised median
5 and 12-foot lane. Bonita Beach Road does not
6 include any concrete bicycle facilities but does
7 have curb and gutter and a five foot sidewalk along
8 both sides. The existing right-of-way width varies
9 between 112 and 125 feet in the vicinity of U.S. 41.
10 The posted speed limit on Bonita Beach Road at the
11 intersection is 45 miles per hour. The existing
12 signaled intersection has two left turn lanes and a
13 separate right turn lane on all approaches.

14 Throughout this PD&E study process, FDOT has
15 looked at many different concepts, including a grade
16 separated or interchange alternative, the partial
17 displaced left turn and the eight lane alternative.
18 After environmental and engineering analysis and
19 public and agency comments, many of these
20 alternatives were eliminated. At the Alternative
21 Public Workshop, held on April 4, 2023, we asked for
22 your input on proposed improvements. We heard
23 concerns about traffic, property access, pedestrian
24 and bicycle use and speed. Many attendees expressed
25 support for the partial displaced left turn



1 alternative. Based on your comments, and additional
2 environmental and engineering analysis, the
3 partially displaced left turn alternative was
4 selected as the preferred alternative for the U.S.
5 41 and Bonita Beach Road intersection. The
6 preferred alternative for the U.S. 41 and Bonita
7 Beach Road intersection is a partial displaced left
8 turn to the north east quadrant roadway and
9 enhancing the northwest quadrant roadway. This is
10 similar to the new Lee county intersection at
11 Daniels Parkway and state road 82. This
12 intersection design is used when there are high
13 volumes of left turn traffic, making the U.S. 41
14 Bonita Beach Road intersection a good candidate for
15 this type of improvement. The primary feature of a
16 partial displacement left turn intersection is
17 moving left turn traffic on an approach to the other
18 side of the opposing traffic flow, known as a
19 crossover route.

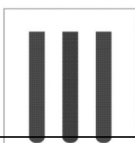
20 The northbound and southbound left turns are
21 shifted to a curb before the intersection. This is
22 called crossover traffic. The crossover traffic
23 stops at Bonita Beach Road to await a green line.
24 The U.S. 41 left turn through traffic in both
25 directions receive green simultaneously. There is



1 no separate U.S. 41 left turn signal phase.

2 Let's look at the signal operation. The
3 initial signal phase shown in green is the Bonita
4 Beach Road left turn. And the signals allow this
5 traffic to partially clear the crossover
6 intersections. The second signal phase is for the
7 Bonita Beach Road through traffic. As this is
8 happening, the crossover intersections, left and
9 right turn are green. The crossover intersections
10 for the south approach is a two phase signalized
11 intersection approximately 650 feet south of Bonita
12 Beach Road. The northern crossover signalized
13 intersection is approximately 400 feet north of
14 Bonita Beach Road. Both crossover left turn traffic
15 would have the green light when the Bonita Beach
16 Road east and west through traffic have the green
17 light to maximize signal efficiency. After crossing
18 over, the traffic would stop at Bonita Beach Road,
19 awaiting a green light.

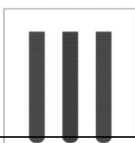
20 The third and final phase is for U.S. 41's
21 through and left-turn traffic in both directions to
22 operate simultaneously. The U.S. 41 crossover
23 intersection through traffic is also green during
24 this phase. The proposed intersection improvement
25 includes the northeast quadrant roadway to provide a



1 network enhancement and a secondary alternative to
2 avoid the study intersection. These were identified
3 by the City of Bonita Springs in their network
4 enhancement alignment study. As shown, the
5 northeast quadrant roadway connects U.S. 41 to a
6 Arroyal Road. This roadway's proposed construction
7 is included as part of the U.S. 41 and Bonita Beach
8 Road Improvement Project.

9 The city of Bonita Springs will be conducting a
10 northwest quadrant roadway's design and construction
11 associated with the new Angler's Paradise
12 development. This roadway begins at the Windsor Road
13 and Bonita Springs Road intersection and proceeds
14 northeast behind the center of Bonita Springs to
15 intersect with U.S. 41 at the existing signal for
16 the center of Bonita Springs. The city is currently
17 designing the roadway and plans to construct it in a
18 few years. In addition to providing access to
19 Angler's Paradise. This new quadrant roadway will
20 provide an alternative to the U.S. 41 and Bonita
21 Beach Road intersection's eastbound left turn and
22 southbound right turn. This roadway will be
23 considered as part of the PD&E study's existing, or
24 no build roadway network.

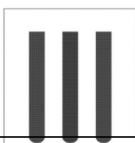
25 The previously noted no build level of service



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1 F in 2050 includes the addition of the northwest
2 quadrant roadway. The addition of the northwest
3 quadrant roadway improvement will not solve the
4 projected traffic congestion. As part of the U.S.
5 41 at Bonita Beach Road project, the western
6 approach of the northwest quadrant roadway at U.S.
7 41 will be enhanced to accommodate projected 2050
8 traffic volumes. This includes providing three left
9 turn lanes to northbound U.S. 41. Proposed
10 improvements to U.S. 41 between Foley Road to the
11 south crossover intersection include 12-foot share
12 use paths on both sides, narrowing the roads to 11
13 foot travel lanes with a 45 miles per hour posted
14 speed limit and signalization at Foley Road. The
15 11-foot lanes and 12-foot shared use paths on both
16 sides will continue northward through Bonita Beach
17 Road intersection and terminate just south of the
18 Imperial River bridge. U.S. 41 north of the
19 crossover intersection widens the four-lanes
20 northbound and has a short four lane section through
21 the signalized intersection with the northwest and
22 northeast quadrant roadways. The four lanes
23 transition back to three-lanes south of the Imperial
24 River bridge. U.S. 41 crossover intersections
25 includes a six-lane divided roadway with separated

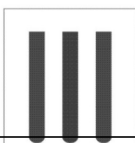


1 left turn traffic between opposing through and right
2 turn traffic.

3 Bonita Beach road will be widened to six lanes
4 through the U.S. 41 intersection. The widening will
5 begin at the signal serving the center of Bonita
6 Springs and extend to Spanish Wells Boulevard. The
7 posted speed limit would remain at 45 miles per
8 hour. Throughout this study, a no build alternative
9 is also considered. The no build alternative assumes
10 that no improvements are made to U.S. 41 at Bonita
11 Beach Road intersection, through the year 2050,
12 except for routine maintenance. There are advantages
13 and disadvantages to the no build alternative.

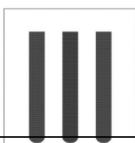
14 Advantages to the no alternative include: No
15 right of way acquisition or business impact or
16 displacements; no design, right of way, or construction
17 costs; no inconvenience to the travel in public and
18 property owners during construction; no impacts to
19 utilities and drainage structures; and no impact to the
20 natural, social, cultural, or physical environment.

21 Disadvantages include: It is not consistent
22 with local government plans, the Lee County MPO, LRTP,
23 or the transportation improvement plan or TIP. It does
24 not address the project's purpose and need in that it
25 does not improve levels of service or address traffic



1 congestion. Safety is not improved. Therefore the
2 number of crashes is expected to increase. It does not
3 improve multimodal mobility, and it does not provide the
4 system linkage necessary to improve north south, or east
5 west travel. The no build alternative remains a valid
6 option and will continue to be evaluated until the
7 completion of this study. FDOT evaluated environmental
8 and socioeconomic factors relating to proposed
9 intersection and roadway improvements in accordance with
10 the National Environmental Policy Act of 1969 as amended
11 and other federal requirements. The evaluation
12 considered the effect of proposed improvements of the
13 U.S. 41 and Bonita Beach Road intersection on protected
14 species and habitat, wetlands and floodplains, water
15 quality, storm water management and permitting, air
16 quality, right of way requirements and relocations,
17 contamination, archeological and historical resources,
18 recreational sites, noise, land use, construction
19 effects, farmland and anesthetics.

20 Protected species and habitats are allowed
21 special protection under the Endangered Species Act of
22 1973 as amended and Florida Statute. FDOT assessed
23 species within the project limits and through ongoing
24 coordination with U.S. Fish and Wildlife Service, has
25 determined that the proposed project "may affect, but is



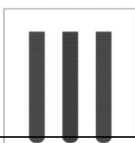
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1 not likely to adversely affect" the existence of certain
2 federally listed threatened or endangered species. The
3 remaining federally listed species evaluated during the
4 study were given a determination of no effect due to
5 lack of suitable habitat or potential to occur within
6 the project area. The animal species determined that
7 the project "may affect, but not likely to adversely
8 affect" include the wood stork and eastern indigo snake.

9 Coordination with U.S. Fish and Wildlife
10 Service regarding the final status of these species is
11 ongoing. The natural resource evaluation report will be
12 submitted to U.S. Fish and Wildlife Services and the
13 Florida Fish and Wildlife Conservation Commission for
14 review. If the preferred alternative is approved by the
15 Office of Environment, FDOT District 1 will continue to
16 work closely with the environmental agencies in future
17 phases, such as design and construction, to meet all
18 environmental permitting requirements. FDOT evaluated
19 wetlands within the project limits in accordance with
20 Executive Order 11990, Protection of Wetlands. The
21 proposed improvements will affect approximately 3.21
22 acres of wetlands and 0.49 acres of surface waters,
23 including permanent stormwater ponds, and upland cut
24 roadside ditches.

25 Although unavoidable wetland impacts will

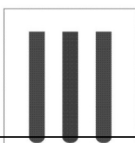


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1 occur as a result of the roadway intersection
2 improvements, and storm water management system, the
3 impacted wetlands are located within or adjacent to the
4 existing roadway right-of-way and were previously
5 disturbed by adjacent development, maintenance
6 activities, and the invasion of new and exotic species.
7 The department will mitigate wetland impacts resulting
8 from this project's construction to meet requirements
9 for the statute and the United States Code. This
10 project is located within the Imperial River Basin,
11 which is part of the Estero Bay watershed. The Imperial
12 River is an outstanding Florida water, and it is
13 imperative for dissolved oxygen and total nitrogen. As
14 such, 50 percent additional treatment is required to
15 achieve water quality standards. The project will have
16 two proposed storm water management facilities. The
17 expansion of the existing FDOT pond and a linear swale
18 totaling 4.08 acres of right of way. A water quality
19 impact evaluation was performed. The proposed storm
20 water management facilities will be designed in
21 accordance with the current requirements of the South
22 Florida Water Management District.

23 The project has been evaluated for potential
24 floodplain involvement in accordance with Executive
25 Order 11988, Floodplain Management. There is no



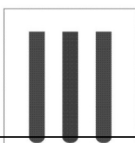
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1 significant change to the flood risk as the floods zone
2 are associated with the tidal Imperial River. Moreover,
3 there is no significant change in flood risk, nor is
4 there significant change in the potential for
5 interruption or termination of emergency services or
6 emergency evacuation routes due to flooding.

7 Results of the environmental contamination
8 screening for the mainline showed that one site was
9 ranked high, and four sites were ranked medium for
10 potential contamination. Results of the contamination
11 screenings for pond sites include one high ranked site,
12 and one medium. For the sites that are ranked low for
13 contamination, no further action is required at this
14 time. For the sites for the risk ranking of high or
15 medium, the FDOT project manager and the district
16 contamination impact coordinator will coordinate on
17 further actions from the design phase that must be taken
18 to address contamination issues. Before construction,
19 specially trained crews will address contamination in
20 these areas as required. Locations of the high and
21 medium risk sites are shown in the concept plans on
22 display tonight.

23 The study team evaluated effects of traffic
24 noise associated with the proposed improvements,
25 consistent with requirements outlined in Title 23, Code

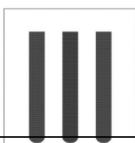


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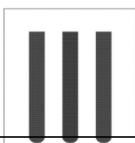
1 of Federal Regulations, Part 772, Procedures for
2 Abatement of Highway Traffic Noise and construction
3 noise. Noise sensitive signs along the project corridor
4 may hear traffic noise levels that approach or exceed
5 noise abatement criteria established by the Federal
6 Highway Administration. The team has considered noise
7 abatement measures, including traffic system management,
8 alignment modifications, property acquisition, land use
9 controls, and noise barriers at one location. Noise
10 barriers were found to be a cost feasible and reasonable
11 abatement measure for the impacted noise sensitive sites
12 at one location along Bonita Beach Road. The one
13 location where noise barrier systems are potentially
14 cost feasible and reasonable is the Noah's Ark Academy
15 playground. Further considerations of potential noise
16 barriers for this location will be considered during the
17 design phase of the project. If you would like more
18 information regarding traffic noise, please speak with
19 one of our noise specialists here tonight.

20 The project team examined the project area for
21 publicly owned properties that may be affected under
22 Section 4F of the Department of Transportation Act of
23 1966. The Imperial River Boat Ramp and the Bonita
24 Springs River Park are Section 4F resources. The
25 recommended alternative will not impact these existing



1 Section 4F resources. A Cultural resource assessment
2 survey was conducted in accordance with the National
3 Historic Preservation Act of 1966 and Florida statutes.
4 Archeologists and historians identified no archeological
5 sites and four historic resources in the project area.
6 None of these resources are individually eligible for
7 listing in the National Register of Historic Places. The
8 state historic preservation officer determined that no
9 significant historic properties identified would be
10 adversely affected, by the proposed improvements. This
11 project is not expected to change future land use
12 patterns in the study area, nor result in adverse impact
13 in natural, social, cultural, and physical environments.

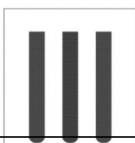
14 One of the unavoidable consequences on a
15 project such as this is the necessary relocation of
16 families or businesses. On this project, we anticipate
17 the relocation of two businesses: Tuffy Tire and Service
18 Center and Advance Auto Parts. All right of way
19 acquisition will be conducted in accordance with Florida
20 Statute Section 339.09 and the Uniform Relocation
21 Systems and Real Property Acquisitions Policies Act of
22 1970, commonly known as the Uniform Act. If you are
23 required to make any type of move as a result of the
24 Department of Transportation project, you can expect to
25 be treated in a fair and helpful manner, and in



1 compliance with the Uniform Relocation Assistance Act.
2 If a move is required, you will be contacted by an
3 appraiser who will inspect your property. We encourage
4 you to be present during the inspection and provide
5 information about the value of the property.

6 You may also be eligible for relocation
7 advisory services and payment benefits. If you are
8 being moved and you are unsatisfied with the
9 department's determination of your eligibility for
10 payment or the amount of that payment, you may appeal
11 that determination. You will promptly be furnished
12 necessary forms and notified that the procedures can be
13 followed, in making that appeal. A special word of
14 caution. If you move before you receive notification of
15 the relocation benefits that you may be entitled to,
16 your benefits may be jeopardized. The relocation
17 specialists who are supervising this program are here
18 tonight. They will be happy to answer your questions
19 and also furnish you with copies of relocation
20 assistance brochures.

21 In accordance with Rule 1497 and the Florida
22 Administrative Code, the proposed improvements will
23 include a median to control the movements, or access, of
24 turning traffic. These changes are presented in
25 compliance in Section 335.199 Florida Statutes

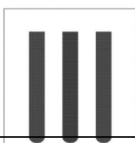


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1 Transportation project modifying access to adjacent
2 property. An evaluation matrix showing the detailed
3 comparison and preferred alternative and the no-build
4 alternative, is provided in the project handout and is
5 also on display here this evening. The matrix shows
6 potential effects to the social, cultural, natural, and
7 physical environments and identifies preliminary costs.
8 The estimated cost for the US 41 at the Bonita Beach
9 Road intersection, preliminary estimate of total project
10 cost is \$61,810,000. As previously mentioned, FDOT's
11 current five year work program will be updated to
12 include funding for the next phase, final design.
13 However, there is no funding for right of way or
14 construction.

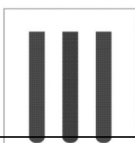
15 The department anticipates completion of the
16 PD&E study by the fall of 2024. The study schedule is
17 on display this evening. We encourage you to review
18 project information tonight and provide us your
19 feedback. All comments should be submitted or post
20 marked by April 5, 2024 to become part of the formal
21 hearing record. You can also share your thoughts with
22 the court reporter or complete a speaker card and speak
23 tonight. All hearing materials presented tonight are
24 available to the public on the project webpage and will
25 remain posted for your review. The technical documents



1 will be available for public viewing until April 5, 2024
2 at the City of Bonita Springs City Hall, 9101 Bonita
3 Beach Road Southeast, Bonita Springs, Florida, 34135;
4 Bonita Springs Public Library, 10560 Reynolds Street,
5 Bonita Springs, Florida, 34135; and at FDOT's Southwest
6 Area Office, 10041 Daniel Parkway, Fort Myers, Florida
7 33933. They will also be available on the
8 project webpage at:

9 <https://www.swflroadcom/project/444321-1>.

10 The environmental review, consultation, and
11 other actions required by applicable Federal
12 environmental laws for this project are being or have
13 been carried out by FDOT pursuant to 23 United States
14 Section 327 and a Memorandum of Understanding dated May
15 26, 2022 and executed by FHWA and FDOT. This PD&E study
16 is being conducted and completed according to the
17 requirements of the National Environmental Policy Act
18 and other related federal and state laws, rules, and
19 regulations, which will qualify future phases of this
20 project for federal funding, and this hearing was
21 advertised consistent with those requirements. Please
22 see the statute display for all other applicable
23 requirements. This hearing is also conducted in
24 accordance with the American with Disabilities Act of
25 1990 and with Title VI Civil Rights Act of 1964 and



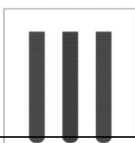
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1 related statutes. Anyone who feels he or she has been
2 discriminated against with regard to race, color,
3 national origin, age, sex, religion, disability, or
4 family status may complete one of the forms located at
5 the sign in table and mail the completed form to the
6 address listed on the poster board. And finally an FDOT
7 Safety Moment. Everyone has something to get home to,
8 FDOT thanks you for making safety a continued priority.
9 Thank you for your interest and participation in the
10 U.S. 41 at Bonita Beach Road intersection project
11 development and environmental study public hearing, and
12 for taking the time to join us this evening. Welcome to
13 the Florida --

14 (VIDEO RECORDING STOPPED)

15 MR. BATEMAN: In a moment, we will have a 10-
16 minute intermission. So you can review the
17 displays, talk to members of the project team, and
18 ask any questions that you may have before we begin
19 the testimony portion of the hearing. If you would
20 like to make a verbal comment here tonight fill out
21 a speaker card and please give it to anyone with a
22 name tag during the intermission. If you do not
23 wish to speak at the microphone, you may provide
24 your comments in writing or directly to the court
25 reporter at the comment table. Please keep in mind



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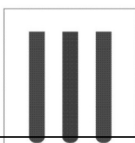
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1 that the comment period for this hearing will remain
2 open for 14 days. Anyone wishing to submit written
3 statements or other exhibits in place of or in
4 addition to verbal statements made do so. You have
5 until April 5, 2024 to postmark or submit comments
6 to become a part of the official hearing transcript.
7 Please see your handout, the display boards or the
8 project webpage for contact and mailing information.
9 We welcome your spoken and written comments that
10 will help us make this important decision and all
11 comments are weighted equally. The time is now
12 6:32. We will resume at 6:42.

13 (OFF THE RECORD)

14 MR. BATEMAN: All right. For the formal
15 testimony portion, we will not be responding to
16 questions, or comments at this time. Our focus
17 tonight is recording your verbal comments. However,
18 we will post a summary of the comments received on
19 the project webpage approximately 30 days following
20 the close of the comment period. If you'd like to
21 have additional discussion regarding the project,
22 you may contact me, the FDOT project manager at the
23 information listed on your handout and on the
24 webpage.

25 In person speakers, please direct all comments

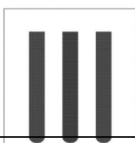


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1 clearly into the microphone and towards the court
2 reporter at all times. This will ensure that your
3 comments are captured accurately for the project
4 record. Please limit your comment to three minutes.
5 A timer will appear on-screen once your time begins.
6 Once again, we're not responding to questions or
7 comments during this testimony. We'll now call on
8 those who have registered to speak in person. First
9 up is Wayne and following Wayne will be Sue Taylor.
10 So if you could please come forward and state your
11 name and address and you represent an organization,
12 municipality or other public body.

13 MR. DODDS: Good afternoon. My name is Wayne
14 Dodds. D-O-D-D-S. And my address is 27470 Palmeta.
15 I'm representing myself. There are a -- As a fifth
16 generation Floridian, that grew up in Ft.
17 Lauderdale, I've watched just out of control
18 constructions. Seeing it happen here is quite
19 disheartening. There's a couple of significant
20 things I'm greatly concerned about. The
21 intersection at Arroyal and Bonita Beach Road is
22 essentially unaddressed. And just the traffic
23 that's there already is enormous when Northeast
24 Quadrant goes through, I'm curious how they
25 determine those traffic patterns and the amount of

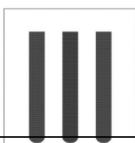


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1 traffic in there. And my other question is, so we
2 route all the southbound traffic to go west,
3 correct, on Bonita Beach Road. So through this
4 residential community to this light, we're going to
5 add another traffic light, correct? And that's
6 supposed to alleviate traffic -- because that's a
7 very small road and I don't see much intersection
8 expansion there, other than the addition of having a
9 light and putting this road to the backside of the
10 shopping plaza and into essentially a community. I
11 appreciate the course of action that everybody is
12 making, and it seems like it's desperately needed.
13 Traffic is absolutely horrendous on a good day, and
14 I have a number of concerns about how we are routing
15 essentially, six lanes of traffic down into two as
16 soon as we get on the other side of Spanish Wells
17 Boulevard.

18 And I also address that, as being the former
19 director of security in Spanish Wells for a number
20 of years. You know, there are a number of old
21 residents that live in there. And that was already
22 a bit of a tough intersection that we're now going
23 to flow more traffic in neck down into two lanes and
24 I'm -- my fault -- unaware of the future expansion
25 of the Bonita Beach Road from Windsor to at least



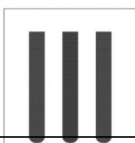
1 441 where it opens back up to three lanes. Has that
2 been anticipated as part of this study as well, do
3 you know?

4 MR. BATEMAN: We're -- we're not responding to
5 comments tonight so --

6 MR. DODDS: Okay. So I apologize. So that --
7 those are the number of concerns that are --

8 MR. BATEMAN: We'll -- we'll respond after the
9 meeting.

10 MR. DODDS: -- unaddressed, essentially, like,
11 this is a great project, but I don't see how it
12 interacts to the larger -- you know, there's a
13 significant congestion when we come from this light,
14 almost all the way to Terry through, you know, into
15 the new light for Bonita Bay. So I -- this is a
16 commendable project, but we need significantly more
17 issues directly addressed. You know, and this is
18 going to be a significant amount of traffic. We
19 already have hundreds of cars that cut through the
20 back sides of our community to try to get around
21 this massive traffic problem. And I just see making
22 it worse while we're trying to alleviate a problem.
23 So I thank you very much for your time. And I
24 appreciate you at least moving in the right
25 direction, but I definitely think that there need to



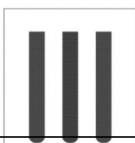
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1 be significantly more thought into the study about
2 these sides roads, particularly Foley, Arroyal, the
3 new light are going to affect surrounding community
4 while marginally decreasing traffic for -- what's
5 the given period of time? 2050 I believe I saw. So
6 thank you very much for your time. And I appreciate
7 everybody that showed up. And as a lifelong
8 Floridian, we need to make a difference. All of us
9 do. My daughter is seven years old and I'm leaving
10 her a congested nightmare of asphalt and concrete.
11 And that's not acceptable. Thank you very much for
12 your time. I'm grateful.

13 MR. BATEMAN: Thank you for your comments. Next
14 up, Sue Taylor.

15 MS. TAYLOR: Okay. I'm representing the area
16 41 and Bonita Beach Road. What I see is -- I'd like
17 to see Beaumont the one way going south and --
18 because then they can get out on 41 at Foley, and
19 there's so much you can do first without spending
20 all this money, and also we can open up the divider
21 on Bonita Beach Road for -- for more access for the
22 cars to turn left going north on 41. And then we
23 can also open up access by Iguana Mia, make it
24 another lane going east on Bonita Beach Road and
25 then time the lights for peak traffic time area. You



1 know, certain months, it can be timed better. We can
2 slow down Bonita Beach Road. Also, we need radio
3 announcements because people are making left turns
4 on red lights and under that intersection because
5 it's so long of waiting, they get tired of waiting
6 and they just go. And then people are also stopping
7 under the lot -- the lights and blocking traffic.
8 And then we also have to be conscious of the BERT
9 Rail trail that's coming in, and that hopefully we
10 get and somehow that can connect some of that all
11 for nice bike system. Thank you.

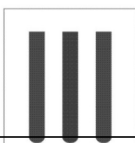
12 MR. BATEMAN: Thank you for your comments.

13 MS. PINDARA: Can you state your name and
14 address for the record?

15 MS. TAYLOR: Sue Taylor, 3490 Cartwright Court,
16 Bonita.

17 MR. BATEMAN: Is there anyone else attending in
18 person who has not spoken -- who has not spoken but
19 would like to speak? All right. We'll move to our
20 speakers joining us online.

21 MS. ASHBY: All right. Thank you, Patrick. So
22 our first speaker this evening is going to be Fred
23 Martens. Fred, I'm going to unmute you on my end.
24 If you want to just make sure you're unmuted on your
25 end by selecting your little microphone icon, please

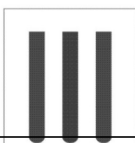


1 just make sure you state your name and address.

2 Okay. You are unmuted.

3 MR. MARTENS: My name is Fred Martens. I
4 reside at 8514 Tamara Court, Bonita Springs, where I've
5 lived for the last 11 years. My questions and concerns
6 regarding this project have to do with the roadway being
7 proposed up across from Arroyal Road through to U.S. 41.
8 I'm questioning the environmental, the noise and
9 diminution and value impacts to the six properties that
10 are located on the north side of Tamara Court. The
11 roadway proposed would go less than 15 feet from my back
12 window. Of the noise, impacts the flood are of great
13 concern to us. As are the diminution and property
14 values, we do not see that this proposed roadway, which
15 will also constitute a taking with respect to Tuffie's
16 and Advanced Auto Parts would provide any meaningful
17 reduction in traffic volumes because northbound U.S. 41
18 can be served by Crown -- I believe it's Crown Point
19 Court running through Arroyal Road over to northbound
20 41.

21 So essentially this serves traffic wanting to
22 go from Arroyal to cut across the south end of the pond,
23 to the proposed traffic light, and move traffic
24 southbound on US. 41. Also adds another traffic light
25 which impedes north and southbound traffic on 41, which



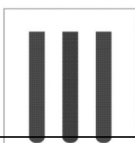
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1 is during the season, pretty horrendous as anyone who
2 lives around here knows. So I think our main concern it
3 is -- to the bottom line of bank for the buck in what
4 we're getting to the tax dollars spent in traffic
5 alleviation and safety improvements by putting this
6 roadway in. We just -- we don't see what the
7 improvements will be relative to the destruction in the
8 value of these properties, because no one's really going
9 to want to live in a property 15 feet from a three-lane
10 roadway on the north end of our property. In addition to
11 the fact that the FEMA has redrawn the flood maps post-
12 Ian, and you'll note that we are now on a 500-year flood
13 plan, as opposed to an 100-year flood plan that has been
14 redrawn. So our question is laying down of 33 feet of a
15 roadway, what width and concrete, what that would do a
16 flood plain here. So those are a portion of our
17 concerns and I thank you for your time this evening.

18 MS. ASHBY: All right. Thank you so much,
19 Fred. We also have another comment online. I'm
20 going to read this one out loud. This is from Kyle
21 Suhr. What is the plan when there is a hurricane or
22 raging storm and there is no power to operate the
23 traffic lights, the Arroyal and Bonita Beach Road
24 intersection is a huge problem. Thank you.

25 Is there anyone else online that would wish to



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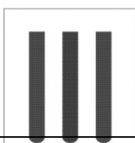
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1 speak? If so, please enter your name and address
2 into the chat box and we can call upon you. But at
3 this time, I do not have anyone else Patrick.

4 MR. BATEMAN: Anyone else here in person who
5 hasn't spoken and would like to speak? Amanda,
6 anybody else on online?

7 MS. ASHBY: No one else online.

8 MR. BATEMAN: All right. Move on to the
9 closing now. Once again, written statements and
10 exhibits in place of or in addition to verbal
11 statements will be accepted and recorded as part of
12 this hearing if postmarked or sent by 14 days after
13 this hearing on April 5, 2024. After the comment
14 period closes, the project team will compile all
15 comments, and together with engineering and
16 environmental work that has been done, make a final
17 recommendation that will be submitted to the FDOT
18 Office of Environmental Management for approval. If
19 approved, we will publish the results of the study
20 in The News Press and post the approval on the
21 project webpage. All hearing materials, such as
22 project video, environmental and engineering
23 documents, and informational graphics have been
24 available to the public online since March 4, 2024.
25 These materials are also available for viewing at



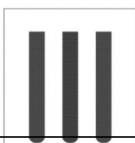
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1 the venue here tonight. Additionally, project
2 engineering and environmental documents are
3 available for review at the Bonita Springs Rec
4 Center, 26740 Pine Avenue, Bonita Springs, Florida
5 34135, at the Bonita Springs Public Library, 10560
6 Reynolds Street, Bonita Springs, Florida 34135, and
7 Florida Department of Transportation, Southwest Area
8 Office, 10041 Daniels Parkway, Fort Myers, Florida,
9 33913, as well as the project webpage.

10 The verbatim transcript of this hearing's
11 proceedings together with all written statements or
12 exhibits received and all studies, displays, and
13 informational material presented with this hearing,
14 will be made part of the project decision making
15 process and will be available for public review upon
16 request at the FDOT District One Headquarters in
17 Bartow, Florida. Thank you for attending this public
18 hearing and for providing your input into this
19 project. It is now 6:58. I hereby officially close
20 the public hearing for US 41 at Bonita Beach Road
21 Intersection in Lee County, Florida. Thank you
22 again. Have a good evening.

23 (PUBLIC HEARING CONCLUDED AT 6:58 P.M.)
24
25



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STATE OF FLORIDA

COUNTY OF ORANGE

I, ANA MARTINEZ, Court Reporter and Notary Public
for the State of Florida at Large, do hereby certify
that I was authorized to and did report the foregoing
proceeding, and that said transcript is a true record of
the said proceeding.

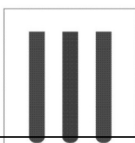
I FURTHER CERTIFY that I am not of counsel for,
related to, or employed by any of the parties or
attorneys involved herein, nor am I financially
interested in said action.

Submitted on: April 12, 2024.



ANA MARTINEZ

Court Reporter, Notary Public



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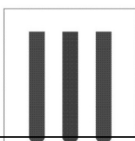
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