

Intended for  
**United States General Services Administration**

Document type  
**Pre-Final Environmental Assessment**

Date  
**July 2020**

# **PRE-FINAL ENVIRONMENTAL ASSESSMENT**

## **NEW FEDERAL COURTHOUSE IN FORT LAUDERDALE, FLORIDA**



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Project name **Pre-Final Environmental Assessment**  
Project no. **74198**  
Recipient **The U.S. General Services Administration**  
Document type **Report**  
Version **3**  
Date **July 2020**  
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# 1. INTRODUCTION

## 1.1 Project Background

Ramboll has prepared this National Environmental Policy Act (NEPA) Environmental Assessment (EA) on behalf of the General Services Administration (GSA) to identify and address potential onsite and offsite environmental impacts associated with the proposed site acquisition and construction of a new federal courthouse (Courthouse) in Fort Lauderdale, Florida.

The existing federal courthouse, constructed in 1979, does not meet the United States Courts Design Guide (USCDG) standards and lacks adequate security to meet the standards for Facility Security Level 4, as defined by the Interagency Security Committee. Given the deficiencies of the existing facility, the GSA plans to acquire a site for the construction of a 255,000 gross square foot (GSF) courthouse, to include fifty inside parking spaces. The new Courthouse will be located within the City of Fort Lauderdale (Figure 1) and accommodate the 10-year space requirements of the courts and court-related agencies.

The City of Fort Lauderdale is situated on Florida's southeastern coast in Broward County (County). With a population of approximately 182,600 people, Fort Lauderdale is the County seat of Broward County and accounts for approximately 9.4% of the County's total population of approximately 1,951,000.

On March 8, 2019, the GSA published a Request for Expressions of Interest (REOI) in the Miami Herald seeking sites for the development of the new Courthouse. Several sites were submitted to GSA for consideration. After completing a site screening process, the GSA decided to consider additional sites that may be more advantageous to the government. A second REOI was published in the Miami Herald by the GSA on January 3, 2020. As a result, three sites were shortlisted by GSA for further evaluation.

The GSA provided Ramboll an initial list of stakeholders comprising relevant federal, state, county, and local agencies and officials. Through a desktop investigation and coordination with relevant agencies, Ramboll further identified stakeholders and expanded the list to include interest groups, non-profits, and individuals. Stakeholders were engaged via a mailing conducted on January 23, 2020, which served to inform recipients of the proposed action, project background, No Action and Action Alternatives, and an upcoming public scoping meeting. A notice for the public meeting was also published in the Sun Sentinel and the Miami Herald on January 26, 2020 (Appendix A).

On February 18, 2020, a public scoping meeting was held at the Broward County Main Library. GSA presented information on the NEPA process and for each of the proposed alternatives in the Downtown Regional Activity Center.

Stakeholders were encouraged to provide feedback during and subsequent to the presentation. A transcript of the public meeting can be found in Appendix B. The GSA considered public feedback and, due to significant public opposition, decided to terminate further evaluation for the three shortlisted sites.

In response, the GSA broadened its search parameters to include a larger geographical area, published a third REOI on March 16, 2020, and met with City and County officials, as well as the Fort Lauderdale Downtown Development Authority. Four new sites were identified and stakeholders were engaged via a mailing on April 2, 2020, and encouraged to share feedback and concerns regarding the four new sites. After review of stakeholder feedback and a preliminary evaluation of each site, the GSA has decided to consider all four sites as the potential location of the new courthouse.

## 1.2 The NEPA Process

The NEPA process requires federal agencies to consider the potential consequences of their actions on both the natural and human environments as part of their planning and decision-making processes. In order to facilitate these considerations, a number of typical actions that have been determined to have little or no potential for adverse impacts are "categorically excluded" (CATEX)

from the detailed NEPA assessment process. Thus, the first step in evaluating whether an action would have an adverse effect on the environment is to assess whether it fits into a defined category for which a CATEX is applicable. If a CATEX is applied, the agency prepares a Record of Categorical Exclusion to document the decision and proceeds with the action.

For actions that are not subject to a CATEX, the agency prepares an EA to evaluate the potential for significant impacts. If the results of the EA indicate that no significant impacts would occur as a result of the action, then the determination is formalized in a Finding of No Significant Impact (FONSI). The agency makes the EA available for public review, incorporates public feedback, and publicizes the FONSI. The NEPA process is complete when the FONSI is executed.

If significant adverse environmental impacts are indicated or other intervening circumstances exist, an Environmental Impact Statement (EIS) may be prepared. An EIS is a more intensive study of the effects of the actions and includes more rigorous public involvement requirements. The agency formalizes its EIS decisions in a Record of Decision (ROD). The NEPA process is complete following a 30-day final comment period after publication of the ROD in the Federal Register.

The GSA is preparing this EA in accordance with Section 102 of the NEPA, Council on Environmental Quality regulations (40 C.F.R. §§ 1500-1508), and the GSA Public Buildings Service NEPA Desk Guide (October 1999). The GSA is consulting under Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470f) and intends to partially fulfill the Section 106 public notification and consultation requirements through the NEPA scoping process.

## **2. DESCRIPTION OF PROPOSED ACTION, PURPOSE, AND NEED**

### **2.1 Proposed Action**

The GSA's Proposed Action is to acquire a site for the construction of a 255,000 GSF courthouse, to include fifty inside parking spaces in the City of Fort Lauderdale, Florida. The new Courthouse will accommodate the 10-year space requirements of the courts and court-related agencies.

### **2.2 Purpose and Need of the Proposed Action**

The existing federal courthouse, constructed in 1979, does not meet the United States Courts Design Guide standards and lacks adequate security to meet the standards for Facility Security Level 4, as defined by the Interagency Security Committee. The existing building configuration does not allow for distinct separation between restricted, secured, and public areas. There are also significant infrastructure issues, including ongoing water intrusion that allows water to enter tenant spaces, and failing storm drains and flashing systems.

The new Courthouse will include twelve courtrooms and seventeen judges' chambers. Once built, the facility will provide workspace for several tenant agencies, including the U.S. Court of Appeals, the U.S. District Court for the Southern District of Florida, the U.S. Bankruptcy Court, the U.S. Marshals Service, the U.S. Attorney's Office and the U.S. Probation Office. The new Courthouse will meet the long-term needs of the courts and provide separate circulation for the public, judges, and prisoners, thereby improving security and the efficiency of court operations.

## 3. DESCRIPTION OF ALTERNATIVES

### 3.1 Alternatives Considered

The Council on Environmental Quality regulations (related to the preparation of NEPA documents) provides for an analysis of alternatives [Title 40 of the Code of Federal Regulations Part 1502.14 (40 CFR 1502.14)], including:

- An objective evaluation of all “reasonable” alternatives and discussion of reasons for eliminating alternatives that were not subjected to detailed study;
- Substantial treatment of each alternative selected for detailed study, so that reviewers may evaluate their comparative merits;
- Consideration of reasonable alternatives;
- The alternative of taking No Action;
- The identification of the GSA’s preferred alternative, if known; and
- Identification of appropriate mitigation measures.

GSA will work to mitigate adverse impacts that may result from the new Courthouse. Five alternatives (including no action) were identified for detailed evaluation.

### 3.2 Site Selection Criteria

Site selection criteria are developed for all GSA construction projects prior to the site selection process. The following paragraphs describe the criteria used for this project.

The delineated area for this project was defined as the City of Fort Lauderdale in Florida. Fort Lauderdale is situated on Florida’s southeastern coast in Broward County. In 1915, The City of Fort Lauderdale was designated as the county seat of Broward County. By Executive Order (E.O.) 12072, Federal agencies are required to give first consideration to centralized community business areas, when they meet the established size requirements. Unless compelling justification is demonstrated otherwise, as a matter of policy, GSA locates U.S. Courts and court-related agencies downtown, in close proximity to other City, County, State and Federal government facilities.

To align with the GSA’s primary criteria, the site must be located within the City of Fort Lauderdale and must be of sufficient size to provide approximately 255,000 GSF of office space and a set-back area that meets Interagency Security Committee (ISC) standards. These and other site criteria are listed below.

#### 3.2.1 Minimally Responsive Criteria

- Site must be located within the defined delineated area, which is Fort Lauderdale, Florida;
- Site must be of sufficient size and shape to provide approximately 255,000 GSF of office space (including fifty interior parking spaces) and the appropriate set-back distance of 50-feet;
- Owner(s) must possess a fee-simple, marketable title; and
- Site must be available within the required project time frame.

#### 3.2.2 Technical Criteria

- Site must be suitable for the construction of a facility that meets client needs, as outlined in the USCDG, and Prospectus (a printed statement that describes the space and is sent to prospective buyers, investors, or participants). These are:
  - Adequate for the court’s 10-year housing needs, expandable to 30-year housing needs
  - Capable of meeting U.S. Court’s mission
  - Provides space for fifty secure parking spaces
  - Provides a suitable environment for agency and employees
  - Provides convenience to the public
  - Provides adequate space for parking, maneuvering, and security of motor vehicles
- Compatible with local comprehensive plans (E.O. 12072; Federal Urban Land Use Act of 1949 [40 USC Sec. 531-535]; Public Buildings Amendments of 1988 [40 U.S.C. 3312])

- Compatible with the GSA Sustainable Location Index (SLI) criteria and E.O. 13693
- Sufficient land area to accommodate 50-foot perimeter security setbacks
- Proximity to local amenities (restaurants, retail, parking and other governmental facilities)
- Acceptable seismic, floodplain, soil, topographic and foundation conditions to allow construction
- Sites will be evaluated in accordance with NEPA to determine the impacts on the environment. Areas of consideration will include:
  - Parking and traffic (ingress and egress)
  - Commercial sector and businesses
  - Historic properties (E.O. 13006)
  - NHPA as amended, 54 U.S.C. 300101
  - Community infrastructure
  - Surrounding neighborhoods
  - Natural resources (i.e., plants and animals)
  - Geology, hydrology, topography, floodplains, wetlands
  - Local economy
  - Hazardous conditions or substances
  - Accessibility for the public, employees, and client personnel
  - Climate change
  - Environmental Justice
  - Court Security
  - Potable water, wastewater, and stormwater

### 3.2.3 Cost Criteria

- Total site cost must be within authorized funding limitation
- Nature and number of onsite improvements/tenants will be considered, such as:
  - Removal/Demolition/Reuse of existing structures
  - Removal of hazardous materials
  - Relocation of business and residential occupants
- Site preparation costs (on and off-site; *i.e.*, excavation, fill, pile foundations, floodplain mitigation, utility relocations, *etc.*)
- Site must represent overall best value to the federal government

### 3.3 Alternatives Evaluated in Detail

As a result of the screening process, five alternatives were identified for the project:

- Alternative 1 - No Action Alternative
- Alternative 2 – Construction of the new Courthouse at the Hudson Site
- Alternative 3 – Construction of the new Courthouse at the Tri Rail Broward Site
- Alternative 4 – Construction of the new Courthouse at the County Courthouse Site
- Alternative 5 – Construction of the new Courthouse at the Tri Rail Cypress Site

These five alternatives are outlined below. The locations of the sites are shown in Figure 2.

#### 3.3.1 Alternative 1 - No Action Alternative

The No Action Alternative is used as a baseline for comparison with the other four Action Alternatives (described below). Under the No Action Alternative, the U.S. District Court and related agencies continue to occupy the existing federal courthouse. Thus, this alternative would represent a continuation of the current conditions in the courthouse.

To provide a valid basis for comparison of the No Action Alternative with the other four Action Alternatives, it is necessary to extrapolate current conditions for the same planning period (30 years) for all five alternatives. Specifically, based on historical trends and existing demands, the area surrounding the existing federal courthouse will experience continuing urban development and growth over the next 30 years. Therefore, the impact evaluations in Chapter 4 will be based on extrapolations of existing conditions for the same planning period.

**3.3.2 Alternative 2 – Construction of the new Courthouse at the Hudson Site**

Alternative 2 is defined by the construction of the new Courthouse at the Hudson Site (Figure 3), which is comprised of the following seven tax parcels:

Parcel Number	Address	Owner
504215010250	1080 SE 3 <sup>rd</sup> Ave	Dunmore Properties LTD
504215010260	301 SE 10 <sup>th</sup> Ct	Dunmore Properties LTD
504215010211	311 SE 10 <sup>th</sup> Ct	Dunmore Properties LTD
504215010230	320 SE 10 <sup>th</sup> Ct	Dunmore Properties LTD
504215010200	321 SE 10 <sup>th</sup> Ct	Dunmore Properties LTD
504215010240	315 SE 11 <sup>th</sup> St	Dunmore Properties LTD
504210760020	1010 SE 4 <sup>th</sup> Ave	Dunmore Properties LTD

The Hudson Site encompasses an area of approximately 3.9 acres. On the western portion of the site, there are seven structures, which include one garage, one dwelling, and five office spaces. On the eastern portion of the site, there is a privately-owned grassy field and parking lot. Two public roadways intersect with the site; SE 10<sup>th</sup> Court is entirely encompassed by the site boundary while SE 4<sup>th</sup> Avenue is partially encompassed. Under Alternative 2, businesses would be relocated, all existing buildings on the site would be demolished, public roadways altered, and a new Courthouse constructed.

**3.3.3 Alternative 3 – Construction of the new Courthouse at the Tri Rail Broward Site**

Alternative 3 is defined by the construction of the new Courthouse at the Tri Rail Broward Site (Figure 4), which is comprised of the following three tax parcels:

Parcel Number	Address	Owner
504205000252	100 NW 21 Ter	FL Dept of Transportation
504205000254	100 NW 21 Ter	FL Dept of Transportation
504205000253	100 NW 21 Ter	FL Dept of Transportation

The Tri Rail Broward Site encompasses an area of approximately 2.9 acres. The site is located within the Broward Boulevard Park & Ride parking lot, which provides free parking for the commuting public. There are no buildings or structures within the site boundary. Under Alternative 3, current parking operations within in the site boundary would cease and be relocated if needed.

**3.3.4 Alternative 4 – Construction of the new Courthouse at the County Courthouse Site**

Alternative 4 is defined by the construction of the new Courthouse at the County Courthouse Site (Figure 5). The site boundary is located within a portion of the following tax parcel:

Parcel Number	Address	Owner
Portion of 504210850010	201 SE 6 <sup>th</sup> St	Broward County Board of Commissioners

The County Courthouse Site encompasses an area of approximately 2.8 acres. The majority of the site currently operates as a parking lot for Broward County Courthouse employees and visitors.

The eastern portion of the site intersects with a drainage area used for stormwater management purposes. There are no buildings or structures within the site boundary. Under Alternative 4, current parking operations would cease and be relocated if needed.

Artists, Barbara Niejna and Ned Smyth were commissioned by Broward County, Florida as part of their public art program. Installed in 1994, the artwork entitled, 'Accordant Zone' is located in a 5-acre park adjacent to the New River on the north side of the Broward Judicial Complex. The artwork is a greenspace piece encompassing sculpture, vegetation, walkways, walls and benches. Materials include concrete, keystone and landscape. The park encompasses many geometric and monumental sculptural elements nestled among the subtropical landscape: a sphere 16-feet in

diameter, a disk 26-feet in diameter by two feet thick, an inverted cone of 32-feet in height by 28-feet in diameter, five columns 8-feet in height, two seating walls and several benches which encourage viewing.

Under Alternative 4 the design, mobilization and construction must take into account artwork, "Accordant Zone". GSA will comply with the provisions of the Visual Artist Rights Act of 1990 and coordinate appropriately with the artists of the "Accordant Zone" to minimize any impacts to the art installation.

**3.3.5 Alternative 5 – Construction of the new Courthouse at the Tri Rail Cypress Creek Site**

Alternative 5 is defined by the construction of the new Courthouse at the Tri Rail Cypress Creek Site (Figure 6), which is comprised of the following four tax parcels:

Parcel Number	Address	Owner
494210000410	NW 57 CT	South FL Regional Transportation Authority
494210000472	NW 57 CT	South FL Regional Transportation Authority
494210000471	"Access Rd"	South FL Regional Transportation Authority
494210000480	"Access Rd"	South FL Regional Transportation Authority

The Tri Rail Cypress Creek Site encompasses an area of approximately 6.1 acres. The majority of the site is actively used as a free parking lot for public commuters. The northern portion of the site intersects with NW 59<sup>th</sup> Court. Towards the southern portion of the site, there is a ditch that facilitates drainage from light industrial areas located south of the Tri Rail Cypress Creek Site.

There is also a dry retention area in the southern portion of the site. There are no buildings or structures within the site boundary. Under Alternative 5, current parking operations would cease and be relocated if needed.

**3.4 Public and Institutional Comments**

The GSA engaged the public via a mailing on April 2, 2020, requesting feedback on the four sites presented in this EA as Action Alternatives. Copies of the agency response letters and emails received can be found in Appendices C and D. A summary of public feedback can be found below in Section 3.4.1.

**3.4.1 Alternative 1 – No Action Alternative**

The No Action Alternative received two positive comments from stakeholders; no disapproving comments from stakeholders were received. The below table summarizes the pros identified by stakeholders for the No Action Alternative.

Pros	Frequency of Reference	Cons	Frequency of Reference
By keeping the federal courthouse at its current location, no other neighborhoods would be disrupted	1		
Could rebuild at current location	1		

**3.4.2 Alternative 2 –The Hudson Site**

The Hudson Site received seven positive comments and five disapproving comments from stakeholders. The below table summarizes the pros and cons identified by stakeholders for Alternative 2, ordered by frequency of reference.

Pros	Frequency of Reference	Cons	Frequency of Reference
Within walking distance to the county courthouse	1	Area of high traffic congestion	3

Pros	Frequency of Reference	Cons	Frequency of Reference
Easy access to arterial roads from highways/major thoroughfares	1	Parking in this area is expensive and limited	2
Located in a mixed-use location; could easily accommodate anticipated traffic and safety needs	1		
Surrounding area is poised to grow as a major part of downtown Ft. Lauderdale (Downtown)	1		
Sufficient parking may be available from adjacent property owners wanting to convert properties into parking lots	1		
Adequate and safe parking available	1		
Courthouse would remain in the Downtown of the Broward County (County) seat	1		

**3.4.3 Alternative 3 – The Tri Rail Broward Site**

The Tri Rail Broward Site received nine positive comments and six disapproving comments from stakeholders. The below table summarizes the pros and cons identified by stakeholders for Alternative 3, ordered by frequency of reference.

Pros	Frequency of Reference	Cons	Frequency of Reference
Direct access to I-95 and Tri Rail services	3	Far from Downtown and court-related services	2
Will encourage redevelopment in this area	2	Will reduce the property values of the Downtown area	1
There is available land nearby to expand Courthouse services and parking	2	Far from federal jail; Potential transportation/security threat	1
Furthest away from shoreline; least likely to be impacted by a hurricane	2	Far from Downtown commuter transportation	1
		Perceived to be less safe than the Hudson Site	1

**3.4.4 Alternative 4 – The County Courthouse Site**

The County Courthouse Site received seven positive comments and twenty-five disapproving comments from stakeholders. The below table summarizes the pros and cons identified by stakeholders for Alternative 4, ordered by frequency of reference.

Pros	Frequency of Reference	Cons	Frequency of Reference
The new Courthouse would block the view of the county jail; More aesthetically pleasing	2	Located in an already congested area (e.g. traffic, building density)	8
Located near other court-related services and offices	2	Too much active construction in that area	3
Parking services are already available nearby	1	Expensive and limited parking options	3
Opportunities to easily increase parking in the area	1	The County courthouse already has enough lawyers, judges, criminals, police etc.	1

Pros	Frequency of Reference	Cons	Frequency of Reference
Would revert the land along Riverwalk back to public use	1	Lack of sufficient roadways providing direct access	1
		Drawbridges located along New River create traffic; could delay commuters	1
		Area is overburdened and experiences sewage challenges	1
		Proximity to jail may cause security concerns during construction	1
		No benefits to local merchants; No new commercial development will arise	1
		Far from I-95 and public transportation	1
		Site is only accessible via SE 1 <sup>st</sup> Ave; May cause construction difficulties/delays/costs	1
		Currently used as a parking lot; Displacement of 175 parking spaces	1
		Close proximity to County courthouse; Could create friction due to competition of resources	1
		Concern for pedestrian safety; this area is already a hazard to pedestrians due to traffic congestion	1

**3.4.5 Alternative 5 – The Tri Rail Cypress Creek Site**

The Tri Rail Cypress Creek Site received five positive comments and seven disapproving comments from stakeholders. The below table summarizes the pros and cons identified by stakeholders for Alternative 5, ordered by frequency of reference.

Pros	Frequency of Reference	Cons	Frequency of Reference
Access to I-95 and main arterials	2	Far from Downtown and court-related services	2
Area is not congested, even during peak commuting hours	1	Will reduce the property values of the Downtown area	1
There is ample parking nearby	1	Far from federal jail; Potential transportation/security threat	1
Commercial convenience: adjacent to hotels, shops, restaurants, etc.	1	Far from Downtown commuter transportation	1
		Perceived to be less safe than the Hudson Site	1
		Conflicts with area’s Master Plan	1

### **3.4.6 Summary of Public Comments**

The No Action alternative received two positive comment and no disapproving comments.

Of the four Action Alternatives, the Tri Rail Broward site received the most positive comments. The Hudson Site and the County Courthouse Site received the second highest number of positive comments. The Tri Rail Cypress Creek Site received the least number of positive comments.

Of the four Action Alternatives, the County Courthouse Site received the most disapproving comments. Notably, the County Courthouse Site received twenty-five disproving comments while the site receiving the second highest number of disapproving comments—the Tri Rail Cypress Creek Site—received seven. The Tri Rail Broward Site received the third highest number of disapproving comments while the Hudson Site received the least.

## 4. AFFECTED ENVIRONMENT, IMPACTS, AND MITIGATION MEASURES

This chapter describes the existing environmental conditions that may be affected by the alternatives, the potential environmental impacts that may occur, and, if necessary, the appropriate measures to mitigate potential adverse impacts. The purpose of this chapter is to determine whether the action is likely to have a significant effect on the quality of the environment. The alternatives evaluated are:

- Alternative 1 – No Action Alternative
- Alternative 2 – Construction at the Hudson Site
- Alternative 3 – Construction at the Tri Rail Broward Site
- Alternative 4 – Construction at the County Courthouse Site
- Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The extent of information provided for each environmental subject area is commensurate with the detail necessary for analysis related to the “importance of the impact” (40 CFR 1502.15).

Each section, addressing an environmental subject area, is organized into four main subheadings:

- Existing Conditions – Describes the current characteristics of each site as a basis for the impact analysis.
- Criteria of Evaluation – Defines the criteria used to determine the level of potential impacts.
- Impacts – Describes the potential consequences of each alternative with respect to the particular criteria in the following impact categories: No Impact, Minor Negative Impact, Moderate Negative Impact, Major Negative Impact, or Beneficial Impact.
  - No Impact – The effect would not result in a positive or negative impact to the resource.
  - Minor Negative Impact – The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource. A minor negative impact is lesser in importance, or is only suspected and not guaranteed. Minor negative impacts can be mitigated.
  - Moderate Negative Impact – The effect would be readily apparent and would influence the function or integrity of the resource. A moderate negative impact is of higher importance, but can be mitigated.
  - Major Negative Impact – The effect would be substantial and would result in severely adverse changes to the resource. A major negative impact would be difficult to mitigate.
  - Beneficial Impact – The effect would result in a positive impact to the resource.
- Mitigation – Identifies measures that may be undertaken to reduce impacts to an acceptable level, if necessary.

The environmental subject areas evaluated in this chapter were identified through a review of site resources and a public scoping process. These subject areas are: floodplain, wetlands and surface water, threatened and endangered species, planning and zoning, economic and employment activities, environmental justice, court security, cultural resources, parking, vehicular traffic, pedestrian and bicycle access, public transportation, and site contamination/hazardous waste.

Subject areas not covered in the EA are listed in Section 4.9, Section 4.10 covers Cumulative Impacts, and Section 4.11 provides a summary of impacts/benefits of the five alternatives.

### 4.1 Water Resources

Water resources include surface waters, wetlands, and floodplains. Surface waters includes lakes, rivers, streams, and their tributaries. Wetlands can be tidal or non-tidal and include marshes, swamps, bogs, and fens. Floodplains are any land area susceptible to being inundated by

floodwaters from any source. The nation's waters are protected under the statutes of the Clean Water Act (CWA) as well as other federal, state, and county statutes.

#### **4.1.1 Floodplain**

The Federal Emergency Management Agency (FEMA) periodically produces official flood maps in support of the National Flood Insurance Program. Flooding potential is generally described in terms of flooding recurrence intervals, such as the 1% Annual Chance or 0.2% Annual Chance flood. The 1% Annual Chance floodplain (a.k.a. the 100-year floodplain) is the area projected to be inundated by a storm that has a 1% probability of occurring in any year. The 0.2% Annual Chance floodplain (a.k.a. the 500-year floodplain) is the area projected to be inundated by a storm with a 0.2% probability of occurring in any year. The 1% Annual Chance floodplain is the national standard on which floodplain management and the National Flood Insurance Program are based.

FEMA has identified floodplain boundaries and mapped areas within the City of Fort Lauderdale that are subject to inundation. According to the FEMA Flood Insurance Rate Map (FIRM) Community Panels 12011C0557H and 12011C0359H, effective August 18, 2014, all four Action Alternatives are within the 100-year floodplain (FEMA, 2020).

E.O. 11988 defines a critical action as "any activity for which even a slight chance of flooding would be too great." The federally-funded proposed courthouse is considered a critical action, meaning that it must be located outside of both the 1% and 0.2% Annual Chance floodplain, unless no practicable alternatives exist. Since all four Action Alternatives intersect with the 100-year floodplain, an eight-step process, per E.O. 11988, has been prepared as well as a Determination of No Practicable Alternative (Appendix E).

##### **4.1.1.1 Existing Conditions**

###### The Hudson Site

The Hudson Site intersects three different FEMA-designated zones: AE, AH, and X (Figure 7). Approximately 95% of the site is within the 100-year floodplain. Approximately 5% of the southwestern portion of the site is designated as an area of minimal flood hazard and is outside the floodplain.

###### The Tri Rail Broward Site

The entirety of the Tri Rail Broward Site is within the 100-year floodplain in FEMA-designated zones AE and AH (Figure 8).

###### The County Courthouse Site

The County Courthouse Site intersects three different FEMA-designated zones: AE, AH, and X-Shaded (Figure 9). Approximately 98.5% of the site is within the 100-year floodplain. Approximately 1.5% of the southeastern portion of the site is within the 500-year floodplain.

###### The Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site intersects three different FEMA-designated zones: AH, X-Shaded, and X (Figure 10). Approximately 35% of the site is within the 100-year floodplain. Another 35% of the site is within the 500-year floodplain. Approximately 30% of the northeastern portion of the site is designated as an area of minimal flood hazard and is outside the floodplain.

##### **4.1.1.2 Criteria of Evaluation**

Federal courthouses are considered critical structures and should not be built in either the 100-year floodplain or 500-year floodplain, unless there is no practicable alternative. Therefore, an alternative may have the potential for a negative impact on flood risk if it would place structures within a 1% and 0.2% Annual Chance flood hazard area and violate E.O. 11988 for floodplain management.

##### **4.1.1.3 Impacts and Significance of Effects**

###### Alternative 1 - No Action Alternative

The No Action alternative would have **no impact** on the potential for flooding and flooding-related damage in the Fort Lauderdale area.

Alternative 2 – Construction at the Hudson Site

Since approximately 95% of this site overlaps with the FEMA designated 1% Annual Chance floodplain, there is a **major negative impact**. The eight-step process from E.O. 11988 is required if it is determined that no practicable alternative exists and Alternative 2 is selected for the proposed courthouse.

Alternative 3 – Construction at the Tri Rail Broward Site

Since 100% of this site overlaps with the FEMA designated 1% Annual Chance floodplain, there is a **major negative impact**. The eight-step process from E.O. 11988 is required if it is determined that no practicable alternative exists and Alternative 3 is selected for the proposed courthouse.

Alternative 4 – Construction at the County Courthouse Site

Since 100% of this site overlaps with the FEMA designated 1% Annual Chance floodplain and 0.2% Annual Chance floodplain, there is a **major negative impact**. The eight-step process from E.O. 11988 is required if it is determined that no practicable alternative exists and Alternative 4 is selected for the proposed courthouse.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Since approximately 70% of this site overlaps with the FEMA designated 1% Annual Chance floodplain and 0.2% Annual Chance floodplain, there is a **major negative impact**. The eight-step process from E.O. 11988 is required if it is determined that no practicable alternative exists and Alternative 4 is selected for the proposed courthouse.

**4.1.1.4 Mitigation**

Alternative 1 – No Action Alternative

No impacts to the floodplain are associated with the No Action Alternative. Therefore, mitigation is not required.

Alternative 2 – Construction at the Hudson Site

Approximately 95% of Alternative 2 overlaps with the 1% Annual Chance floodplain; therefore, an eight-step process, per E.O. 11988, has been completed (Appendix E). The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Listed below are those measures that will be considered during the design and construction phases:

- Raise the surface elevation of the new building above the floodplain elevation based on the local and FEMA standards through filling and other appropriate measures.
- Use non-corrosive materials below the potential water surface elevation at the structure.
- Apply water resistant coatings to concrete and other materials below the potential water surface elevation at the structure.
- Incorporate green spaces and the use of natural materials on the site to improve and control water drainage.
- Grade the area around the building to direct flow away from and/or around the building.
- Use low permeable materials below the potential water surface elevation at the structure.
- Use flood protection barriers such as flood gates, flood doors, flood panels, etc., if appropriate.

Alternative 3 – Construction at the Tri Rail Broward Site

Since 100% of Alternative 3 overlaps with the 1% Annual Chance floodplain, an eight-step process, per E.O. 11988, has been completed (Appendix E). The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Listed below are those measures that will be considered during the design and construction phases:

- Raise the surface elevation of the new building above the floodplain elevation based on the local and FEMA standards through filling and other appropriate measures.
- Use non-corrosive materials below the potential water surface elevation at the structure.
- Apply water resistant coatings to concrete and other materials below the potential water surface elevation at the structure.
- Incorporate green spaces and the use of natural materials on the site to improve and control water drainage.
- Grade the area around the building to direct flow away from and/or around the building.
- Use low permeable materials below the potential water surface elevation at the structure.
- Use flood protection barriers such as flood gates, flood doors, flood panels, etc., if appropriate.

#### Alternative 4 – Construction at the County Courthouse Site

Since 100% of Alternative 4 overlaps with the 1% Annual Chance floodplain and 0.2% Annual Chance floodplain, an eight-step process, per E.O. 11988, has been completed (Appendix E). The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. The GSA will follow local floodplain guidelines during design activities. Listed below are those measures that will be considered during the design and construction phases:

- Raise the surface elevation of the new building above the floodplain elevation based on the local and FEMA standards through filling and other appropriate measures.
- Use non-corrosive materials below the potential water surface elevation at the structure.
- Apply water resistant coatings to concrete and other materials below the potential water surface elevation at the structure.
- Incorporate green spaces and the use of natural materials on the site to improve and control water drainage.
- Grade the area around the building to direct flow away from and/or around the building.
- Use low permeable materials below the potential water surface elevation at the structure.
- Use flood protection barriers such as flood gates, flood doors, flood panels, etc., if appropriate.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Since approximately 70% of this site overlaps with the FEMA designated 1% Annual Chance floodplain and 0.2% Annual Chance floodplain, an eight-step process, per E.O. 11988, has been completed (Appendix E). The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. The GSA will follow local floodplain guidelines during design activities. Listed below are those measures that will be considered during the design and construction phases:

- Raise the surface elevation of the new building above the floodplain elevation based on the local and FEMA standards through filling and other appropriate measures.
- Use non-corrosive materials below the potential water surface elevation at the structure.
- Apply water resistant coatings to concrete and other materials below the potential water surface elevation at the structure.
- Incorporate green spaces and the use of natural materials on the site to improve and control water drainage.
- Grade the area around the building to direct flow away from and/or around the building.
- Use low permeable materials below the potential water surface elevation at the structure.
- Use flood protection barriers such as flood gates, flood doors, flood panels, etc., if appropriate.

#### **4.1.2 Wetlands and Surface Water**

The U.S. Fish and Wildlife Service (USFWS), through its National Wetlands Inventory (NWI) project, has produced a series of topical maps to show wetlands, riparian, and deepwater habitats. The presence of NWI habitats at each proposed location was evaluated using data from the USFWS NWI Wetland Mapper (USFWS 2020). The Florida Department of Environmental Protection (DEP), through its Open Map Direct Gallery (Florida DEP 2020), has produced a series of maps that display various environmental features, including wetlands and surface water boundaries. Relevant Open Map Direct figures were reviewed to determine the presence of state wetlands and surface waters at each site.

It is important to note that wetland and waterway information obtained in the field supersedes online resources. The NWI Mapper and Open Map Direct are based on remotely sensed data and high-altitude aerial imagery, not site-specific observations and, therefore, have a significant margin of error. A site reconnaissance was performed on June 16 and 17, 2020 by Terracon Consultants, Inc. to confirm that site conditions reflect online resources. No wetlands or waterways were identified on any of the four Action Alternative sites during the site reconnaissance.

The Natural Resources Section Manager from Broward County's Environmental Engineering and Permitting Division (EEPD) was also contacted (Appendix C) regarding the presence of County-regulated wetlands and surface waters at each site. Additionally, the United States Environmental Protection Agency (EPA) provided information (Appendix C) in a response to a request for review and feedback.

##### **4.1.2.1 Existing Conditions**

###### The Hudson Site

While no county, state, or federally regulated wetlands or surface waters were identified on site, the Hudson Site is located adjacent to the Tarpon River. Under Alternative 2, no anticipated impacts to the Tarpon River are expected to occur as a result of proposed construction activities and no in-stream work is planned.

###### The Tri Rail Broward Site

No county, state, or federally regulated wetlands or surface waters were identified on the Tri Rail Broward Site.

###### The County Courthouse Site

While no county, state, or federally regulated wetlands or surface waters were identified on site, the County Courthouse Site is located adjacent to the New River. Under Alternative 3, no anticipated impacts to the New River are expected to occur as a result of proposed construction activities and no in-stream work is planned.

###### The Tri Rail Cypress Creek Site

No county, state, or federally regulated wetlands or surface waters were identified at the Tri Rail Cypress Creek Site.

##### **4.1.2.2 Criteria of Evaluation**

Criteria for evaluating impacts to surface water and wetland resources include water availability, water quality, and adherence to applicable regulations. Severity of potential impacts are measured by their likelihood to reduce water availability to existing users, endanger public health or safety by creating or worsening existing conditions and hazards, or violation of laws or regulations adopted to protect or manage water resources. An impact to surface water and wetland resources is considered significant if it:

- Adversely affects water quality or endangers public health by creating or worsening adverse health hazard conditions;
- Threatens or damages unique hydrologic characteristics; or,
- Violates established laws or regulations that have been adopted to protect or manage water resources of an area.

#### **4.1.2.3 Impacts and Significance of Effects**

##### Alternative 1 - No Action Alternative

The No Action Alternative would have **no impact** on wetlands or waterways.

##### Alternative 2 – Construction at the Hudson Site

No county, state, or federally regulated wetlands or surface waters were identified at the Hudson Site; however, the Tarpon River is located directly north of the site boundary. Under Alternative 2, no in-stream work is planned and no anticipated impacts to the Tarpon River are expected to occur as a result of proposed construction activities. As a result, **no impact** is expected to occur to wetlands and surface waters under Alternative 2.

##### Alternative 3 – Construction at the Tri Rail Broward Site

Since no county, state, or federally regulated wetlands or surface waters were identified at the Tri Rail Broward Site, **no impacts** are expected to occur under Alternative 3.

##### Alternative 4 – Construction at the County Courthouse Site

No county, state, or federally regulated wetlands or surface waters were identified at the County Courthouse Site; however, the New River is located directly north of the site boundary. Under Alternative 4, no in-stream work is planned and no anticipated impacts to the New River are expected to occur as a result of proposed construction activities. As a result, **no impact** is expected to occur to wetlands and surface waters under Alternative 4.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Since no county, state, or federally regulated wetlands or surface waters were identified at the Tri Rail Cypress Creek Site, **no impacts** are expected to occur under Alternative 5.

#### **4.1.2.4 Mitigation**

No impacts to wetland or surface waters were identified for any of the alternatives; therefore, no mitigation is needed.

During construction, GSA will adhere to Best Management Practices (BMPs) that would be specified in the Soil Erosion and Sediment Control Plan prepared during project design. If off-site waters of the United States (i.e. streams, ditches, and wetlands) are impacted, the Army Corps of Engineers should be contacted to determine if additional mitigation is required.

## **4.2 Biological Resources**

Biological resources refer to the living resources of an area, i.e. plant and animal communities, whether native or naturalized, and the habitats within which they exist.

*Vegetation* types include terrestrial plant communities and the individual species that comprise them. The affected environment for vegetation is considered to be those communities and species that may be impacted by Proposed Actions.

*Wildlife* generally includes mammal, fish, amphibian, bird, reptile and invertebrate species. Wildlife also includes bird species classified under the Federal Migratory Bird Act, as well as the Bald Eagle Protection Act. The effects of a project must account for impacts to migratory birds and bird “species of concern” as defined by EO 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds*. Special status wildlife species are protected under separate legislation.

*Special Status Species* are plant and animal species listed as endangered or threatened by either the Endangered Species Act (7 U.S.C. 136, 16 U.S.C. 1531 et seq.) or by state legislation.

Species under consideration for listing of special status by the USFWS are also considered when assessing a project’s impacts.

### **4.2.1 Species and Habitats of Special Concern**

The USFWS’s South Florida Ecological Services Office was initially engaged through the Information for Planning and Consultation (IPAC) online website regarding the potential presence

of federally listed threatened or endangered species, critical habitat, and migratory birds known to occur in the project area (USFWS 2020).

Additional correspondence with the USFWS's South Florida Ecological Services Office occurred via email (Appendix C). This USFWS inquiry yielded one species of concern – the Florida bonneted bat (FBB) (*Eumops floridanus*). This bat is a federally-listed (endangered) and state-listed (federally-designated endangered) species and is, therefore, protected under the U.S. Endangered Species Act and Florida's Endangered and Threatened Species Rule. The USFWS inquiry indicated that the Hudson Site, Tri Rail Broward Site, and County Courthouse Site are potentially within the habitat of FBB. This species was not identified as a concern at the Tri Rail Cypress Creek Site. The USFWS recommended the completion of a FBB survey by qualified biologist at each of the three identified sites.

On the week of July 6, 2020, Normandeau Associates, Inc. (Normandeau)—a consulting firm that specializes in bat-related issues—completed limited FBB roost surveys at the three identified sites. Normandeau reviewed possible roost locations within and immediately adjacent to the three sites. As necessary, a camera was used to review suspect roosts. If a suspected roost location was found but was inaccessible by camera inspection, emergence surveys were performed. In addition to the onsite roost searches, Normandeau set-up full spectrum acoustic sensors to monitor and record bat vocalizations from 30 minutes prior to sunset through 30 minutes following sunrise for the required 4-night minimum monitoring period. The results of the FBB survey for the Hudson Site, Tri Rail Broward Site, and County Courthouse Site can be found in Section 4.2.1.1.

The Florida Fish and Wildlife Conservation Commission (FWC) was also contacted about the presence of state listed threatened or endangered species under their purview (Appendix C). The FWC inquiry yielded two species of concern—gopher tortoise (*Gopherus polyphemus*) and Florida burrowing owl (*Athene cunicularia floridana*). Both gopher tortoises and Florida burrowing owls are state-listed as "threatened" and are, therefore, protected under Florida's Endangered and Threatened Species Rule. The FWC inquiry indicated that suitable habitat for gopher tortoises (e.g. old fields) and Florida burrowing owls (e.g. vacant lots, maintained lawn) is present at the Hudson Site and the Cypress Creek Site. Therefore, both gopher tortoises and Florida burrowing owls may be present at these locations. The FWC recommended the completion of a gopher tortoise survey and Florida burrowing owl survey by a qualified biologist at The Hudson Site and The Cypress Creek Site

On June 12, 2020, The NDN Companies (NDN)—a consulting firm that specializes in threatened and endangered species surveys—completed a gopher tortoise survey and a Florida burrowing owl survey at the three identified sites. The surveys consisted of a data collection effort to document the occurrence or potential occurrence of the species throughout the respective site as well as the quality of the habitat potentially utilized by the protected species. Belt transects were established for each site based on total area. The survey was conducted in accordance with species-specific survey protocols approved by the FWC Florida Wildlife Conservation Guide and Gopher Tortoise Permitting Guidelines. Dominant vegetation, soil type, and any land use changes were also recorded. The results of the gopher tortoise and Florida burrowing owl surveys for the Hudson Site and Tri Rail Cypress Creek Site can be found in Section 4.2.1.1.

During the surveys, NDN determined that foraging requirements for Wood Stork (*Mycteria americana*) are moderately present at both the Hudson Site and Tri Rail Cypress Creek Site; however, both sites lack adequate features to support nesting colonies. Wood Stork is a federally-listed (threatened) and state-listed (federally-designated threatened) species. Since habitat requirements for Wood Stork are not met at either the Hudson Site or Tri Rail Cypress Creek Site and since the Proposed Action would not affect the river or riparian area, impacts to Wood Stork are not expected.

In addition to the site-specific guidance, outlined below, the FWC noted that the bird species, least tern (*Sternula antillarum*), is present in Broward County and are state-listed as "threatened." While not currently a concern at any of the proposed locations, this species of bird has been

known to build nests in active construction sites during its breeding season (April - July) due to its preference for gravel.

**4.2.1.1 Existing Conditions**

The Hudson Site

USFWS’s IPAC tool was utilized (Appendix C) to identify federally-listed threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of the Hudson Site. A total of nineteen threatened or endangered species were identified and are summarized below:

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Florida Bonneted Bat	<i>Eumops floridanus</i>	M	E	Further coordination with USFWS required.	Yes
Florida Panther	<i>Puma concolor coryi</i>	M	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Mountain Lion	<i>Puma concolor</i>	M	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	M	T	Current site activities and conditions do not meet habitat requirements for this species.	No
West Indian Manatee	<i>Trichechus manatus</i>	M	T	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed activities are anticipated.	No
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Ivory-billed Woodpecker	<i>Campephilus principalis</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Wood Stork	<i>Mycteria americana</i>	B	T	Current site activities and conditions do not meet habitat requirements for this species.	No
American Alligator	<i>Alligator mississippiensis</i>	R	SAT - T	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed activities are anticipated.	No
American Crocodile	<i>Crocodylus acutus</i>	R	T	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed activities are anticipated.	No
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	R	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	R	E	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed	No

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
				activities are anticipated.	
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	R	E	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed activities are anticipated.	No
Loggerhead Sea Turtle	<i>Caretta caretta</i>	R	T	The Tarpon River is located outside of the site boundary. No impacts to the Tarpon River from proposed activities are anticipated.	No
Bartram's Hairstreak Butterfly	<i>Strymon acis bartrami</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Florida Leafwing Butterfly	<i>Anaea troglodyta floridaalis</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Miami Blue Butterfly	<i>Cyclargus thomasi bethunebakeri</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Beach Jacquemontia	<i>Jacquemontia reclinata</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Tiny Polygala	<i>Polygala smallii</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No

**Footnotes:**

1. Group codes are as follows: M=mammal, B=bird, R=reptile, I=insect, FP=flowering plant.
2. Status codes are as follows: E=endangered, SAT-T=similarity of appearance (threatened), T=threatened

Of the nineteen species identified by USFWS, eighteen were determined to be unaffected under Alternative 2 and removed from further analysis. One species, the FBB, was retained for further analysis. This bat is known to use both natural and artificial structures (e.g., nest boxes, Spanish-style barrel roof tiles) as roosting sites and has been documented foraging in man-made areas such as neighborhoods, as well as over natural areas (ponds, streams, and wetlands).

Normandeau’s FBB survey at the Hudson Site did not find any evidence that FBB use the site for roosting purposes (Appendix F). Furthermore, the survey did not detect any acoustic calls from FBB, suggesting that during the 4-night survey period, FBB were not using the site for foraging, commuting, or any other activities related to their ecology.

No listed species, including gopher tortoises and Florida burrowing owls, were observed during NDN’s survey efforts at the Hudson Site (Appendix G). The site is unsuitable to support listed species due to the habitats present and the level of development and human impacts.

Additionally, invasive green iguanas (*Iguana iguana*) were observed at the Hudson Site. The presence of green iguanas indicates the unlikely presence of burrowing species such as the gopher tortoise and the Florida burrowing owl, as green iguanas are known to overtake burrows and displace native species. Green iguanas are not protected in Florida except by anti-cruelty laws. The FWC encourages removal of green iguanas from private properties by landowners.

The Tri Rail Broward Site

USFWS's IPAC tool was utilized (Appendix C) to identify federally-listed threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of the Tri Rail Broward Site. A total of seventeen threatened or endangered species were identified and are summarized below:

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Florida Bonneted Bat	<i>Eumops floridanus</i>	M	E	Further coordination with USFWS required.	Yes
Florida Panther	<i>Puma concolor coryi</i>	M	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Mountain Lion	<i>Puma concolor</i>	M	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	M	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Ivory-billed Woodpecker	<i>Campephilus principalis</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Wood Stork	<i>Mycteria americana</i>	B	T	Current site activities and conditions do not meet habitat requirements for this species.	No
American Alligator	<i>Alligator mississippiensis</i>	R	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	R	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	R	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	R	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Loggerhead Sea Turtle	<i>Caretta caretta</i>	R	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Bartram's Hairstreak Butterfly	<i>Strymon acis bartrami</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Florida Leafwing Butterfly	<i>Anaea troglodyta floridae</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Miami Blue Butterfly	<i>Cyclargus thomasi bethunebakeri</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Beach Jacquemontia	<i>Jacquemontia reclinata</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Tiny Polygala	<i>Polygala smallii</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No

**Footnotes:**

1. Group codes are as follows: M=mammal, B=bird, R=reptile, I=insect, FP=flowering plant.
2. Status codes are as follows: E=endangered, SAT-T=similarity of appearance (threatened), T=threatened

Of the seventeen species identified by USFWS, sixteen were determined to be unaffected under Alternative 3 and removed from further analysis. One species, the FBB, was retained for further analysis.

Normandeau’s FBB survey at the Tri Rail Broward Site did not find any evidence that FBB use the site for roosting purposes (Appendix F). Furthermore, the survey did not detect any acoustic calls from FBB, suggesting that during the 4-night survey period, FBB were not using the site for foraging, commuting, or any other activities related to their ecology.

The FWC did not identify any state-listed species concerns at the Tri Rail Broward Site.

The County Courthouse Site

USFWS’s IPAC tool was utilized (Appendix C) to identify federally-listed threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of the County Courthouse Site. A total of eighteen threatened or endangered species were identified and are summarized below:

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Florida Bonneted Bat	<i>Eumops floridanus</i>	M	E	Further coordination with USFWS required.	Yes
Florida Panther	<i>Puma concolor coryi</i>	M	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Mountain Lion	<i>Puma concolor</i>	M	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	M	T	Current site activities and conditions do not meet habitat requirements for this species.	No
West Indian Manatee	<i>Trichechus manatus</i>	M	T	The New River is located outside of the site boundary. No impacts to the New River from proposed activities are anticipated.	No

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Ivory-billed Woodpecker	<i>Campephilus principalis</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Wood Stork	<i>Mycteria americana</i>	B	T	Current site activities and conditions do not meet habitat requirements for this species.	No
American Alligator	<i>Alligator mississippiensis</i>	R	SAT - T	The New River is located outside of the site boundary. No impacts to the New River from proposed activities are anticipated.	No
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	Re	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	R	E	The New River is located outside of the site boundary. No impacts to the New River from proposed activities are anticipated.	No
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	R	E	The New River is located outside of the site boundary. No impacts to the New River from proposed activities are anticipated.	No
Loggerhead Sea Turtle	<i>Caretta caretta</i>	R	T	The New River is located outside of the site boundary. No impacts to the New River from proposed activities are anticipated.	No
Bartram's Hairstreak Butterfly	<i>Strymon acis bartrami</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Florida Leafwing Butterfly	<i>Anaea troglodyta floralis</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Miami Blue Butterfly	<i>Cyclargus thomasi bethunebakeri</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Beach Jacquemontia	<i>Jacquemontia reclinata</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Tiny Polygala	<i>Polygala smallii</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No

**Footnotes:**

- Group codes are as follows: M=mammal, B=bird, R=reptile, I=insect, FP=flowering plant.
- Status codes are as follows: E=endangered, SAT-T=similarity of appearance (threatened), T=threatened

Of the eighteen species identified by USFWS, seventeen were determined to be unaffected under Alternative 4 and removed from further analysis. One species, the FBB, was retained for further analysis.

Normandeau’s FBB survey at the County Courthouse Site did not find any evidence that FBB use the site for roosting purposes (Appendix F). Furthermore, the survey did not detect any acoustic calls from FBB, suggesting that during the 4-night survey period, FBB were not using the site for foraging, commuting, or any other activities related to their ecology.

The FWC did not identify any state-listed species concerns at the Tri Rail Broward Site.

The Tri Rail Cypress Creek Site

USFWS’s IPAC tool was utilized (Appendix C) to identify federally-listed threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of the Tri Rail Cypress Creek Site. A total of sixteen threatened or endangered species were identified and are summarized below:

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Florida Panther	<i>Puma concolor coryi</i>	M	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Mountain Lion	<i>Puma concolor (all subsp. except coryi)</i>	M	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	M	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Ivory-billed Woodpecker	<i>Campephilus principalis</i>	B	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Wood Stork	<i>Mycteria americana</i>	B	T	Current site activities and conditions do not meet habitat requirements for this species.	No
American Alligator	<i>Alligator mississippiensis</i>	R	SAT - T	Current site activities and conditions do not meet habitat requirements for this species.	No
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	R	T	Current site activities and conditions do not meet habitat requirements for this species.	No

Common Name	Scientific Name	Group <sup>1</sup>	Status <sup>2</sup>	Effects Determination	Further Analysis Required
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	R	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	R	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Loggerhead Sea Turtle	<i>Caretta caretta</i>	R	T	Current site activities and conditions do not meet habitat requirements for this species.	No
Bartram's Hairstreak Butterfly	<i>Strymon acis bartrami</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Florida Leafwing Butterfly	<i>Anaea troglodyta floridae</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Miami Blue Butterfly	<i>Cyclargus thomasi bethunebakeri</i>	I	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Beach Jacquemontia	<i>Jacquemontia a reclinata</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No
Tiny Polygala	<i>Polygala smallii</i>	FP	E	Current site activities and conditions do not meet habitat requirements for this species.	No

**Footnotes:**

1. Group codes are as follows: M=mammal, B=bird, R=reptile, I=insect, FP=flowering plant.
2. Status codes are as follows: E=endangered, SAT-T=similarity of appearance (threatened), T=threatened

Of the sixteen species identified by USFWS, all were determined to be unaffected under Alternative 2 and removed from further analysis.

No listed species, including gopher tortoises and Florida burrowing owls, were observed during NDN's survey efforts at the Tri Rail Cypress Creek Site. The site is unsuitable to support listed species due to the habitats present and the level of development and human impacts.

Additionally, invasive green iguanas (*Iguana iguana*) were observed at the Cypress Creek Site. The presence of green iguanas indicates the unlikely presence of burrowing species such as the gopher tortoise and the Florida burrowing owl, as green iguanas are known to overtake burrows and displace native species.

**4.2.1.2 Criteria of Evaluation**

The significance of potential impacts to species and habitats of special concern is based on four factors. The first factor considers the legal, commercial, ecological or scientific importance of the

resource. The second factor considers which proportion of the resource would be affected, relative to its abundance in the region. The third factor considers the sensitivity of the resource to The Proposed Action or alternatives. The final factor considers the duration of ecological ramifications. Impacts to threatened and endangered species are considered significant if:

- Species or habitats of concern are significantly affected over relatively large areas;
- Disturbances result in population or distribution reduction of special status species; or
- Laws, codes, or ordinances protecting special status species are violated.

#### **4.2.1.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action Alternative would have **no impact** on threatened or endangered species.

##### Alternative 2 – Construction at the Hudson Site

Normandeau's FBB survey at the Hudson Site did not find any evidence that FBB use the site for roosting, foraging, commuting, or any other activities related to their ecology. Additionally, no signs of gopher tortoise or Florida burrowing owl activity were observed at the Hudson Site; therefore, **no impacts** to threatened and endangered species are anticipated under Alternative 2.

##### Alternative 3 – Construction at the Tri Rail Broward Site

Normandeau's FBB survey at the Tri Rail Broward Site did not find any evidence that FBB use the site for roosting, foraging, commuting, or any other activities related to their ecology; therefore, **no impacts** to threatened and endangered species are anticipated under Alternative 3.

##### Alternative 4– Construction at the County Courthouse Site

Normandeau's FBB survey at the County Courthouse Site did not find any evidence that FBB use the site for roosting, foraging, commuting, or any other activities related to their ecology; therefore, **no impacts** to threatened and endangered species are anticipated under Alternative 4.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

No signs of gopher tortoise or Florida burrowing owl activity were observed at the Tri Rail Cypress Creek Site; therefore, **no impacts** to threatened and endangered species are anticipated under Alternative 5.

#### **4.2.1.4 Mitigation**

##### Alternative 1 – No Action Alternative

No impacts to threatened or endangered species are associated with the No Action Alternative. Therefore, no mitigation is needed.

##### Alternative 2 – Construction at the Hudson Site

No impacts to threatened or endangered species are associated with Alternative 2. Therefore, no mitigation is needed.

A negative FBB survey expires after 1 year. If Alternative 2 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity.

##### Alternative 3 – Construction at the Tri Rail Broward Site

No impacts to threatened or endangered species are associated with Alternative 3. Therefore, no mitigation is needed.

A negative FBB survey expires after 1 year. If Alternative 3 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity.

##### Alternative 4– Construction at the County Courthouse Site

No impacts to threatened or endangered species are associated with Alternative 4. Therefore, no mitigation is needed.

A negative FBB survey expires after 1 year. If Alternative 4 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

No impacts to threatened or endangered species are associated with Alternative 5. Therefore, no mitigation is needed.

**4.3 Land Use**

Land use analysis involves an assessment of the current characterization and zoning of the project area and how Proposed Actions or alternatives could change property usage and current zoning schemes.

**4.3.1 Planning and Zoning**

There are several entities responsible for planning initiatives within Fort Lauderdale, including the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, Go Riverwalk, and Broward Metropolitan Planning Organization (Appendix C).

The City of Fort Lauderdale created a *Comprehensive Plan* (City of Fort Lauderdale, 2008a) for the city to provide a blueprint for orderly and sustainable future land development. The plan provides the City with long-term direction through goals, objectives, and policies for future land use and serves as the basis for the City’s zoning and land development regulations. The City of Fort Lauderdale is amending the Comprehensive Plan in a two-phased approach. Phase I of the plan was completed and was adopted by the City Commission in February 2016. In Phase II, the City will update Volume I of the *Comprehensive Plan*, which contains the goals, objectives, and policies.

In addition to the city-wide *Comprehensive Plan*, multiple master plans and development initiatives have been established for various areas delineated within the City. The GSA, being a federal governmental agency and not subject to local zoning ordinances, is not obligated to rezone properties that conflict with any comprehensive land use plans that were approved by agencies having jurisdiction in the planning area.

**4.3.1.1 Existing Conditions**

The Hudson Site

The Hudson Site is located in the City of Fort Lauderdale’s South Regional Activity Center (SRAC) future land use district. The SRAC was established to permit and encourage the existing mix of professional office and residential uses within the area. The seven parcels comprising the Hudson Site are currently zoned as follows: two parcels are zoned as Planned Residential Office, four parcels are zoned as Limited Residential Office, and one parcel is zoned as Residential Multifamily Mid-Rise/Medium High Density. The table below summarizes current and future zoning designations for each parcel:

Parcel Number	Address	Current Zoning Districts	Future Land Use Designation
504215010250	1080 SE 3 <sup>rd</sup> Ave	ROC <sup>1</sup>	SRAC
504215010260	301 SE 10 <sup>th</sup> Ct	ROA <sup>2</sup>	SRAC
504215010211	311 SE 10 <sup>th</sup> Ct	ROA	SRAC
504215010230	320 SE 10 <sup>th</sup> Ct	ROC	SRAC
504215010200	321 SE 10 <sup>th</sup> Ct	ROA	SRAC
504215010240	315 SE 11 <sup>th</sup> St	ROA	SRAC
504210760020	1010 SE 4 <sup>th</sup> Ave	RMM-25 <sup>3</sup>	SRAC

**Footnotes**

1. ROC = Planned Residential Office (The City’s Unified Land Development Regulations, Section 47-5.1.B)
2. ROA = Limited Residential Office (The City’s Unified Land Development Regulations, Section 47-5.1.B)
3. RMM-25 = Residential Multifamily Mid-Rise/Medium High Density (The City’s Unified Land Development Regulations, Section 47-5.1.A)

In 2004, the Fort Lauderdale City Commission approved the *South Andrews Avenue Master Plan* (City of Fort Lauderdale, 2003b) for a portion of the SRAC, focusing primarily on the properties fronting both sides of South Andrews Avenue. In order to realize the plan’s vision, amendments to the local zoning ordinance became necessary. On January 4, 2011, the City Commission approved the *SRAC-South Andrews Illustrations of Design Standards* (City of Fort Lauderdale, 2011).

The fundamental planning principles identified in the *South Andrews Avenue Master Plan* and *SRAC-South Andrews Illustrations of Design Standards* are applicable to the entire SRAC and, therefore, include the Hudson Site.

The Tri Rail Broward Site

The Tri Rail Broward Site is located in the City of Fort Lauderdale’s Northwest Regional Activity Center (NWRAC) future land use district. The NWRAC was established to foster an active pedestrian friendly environment, while maintaining the established historic and eclectic atmosphere and cultural diversity of the area through long-term sustainable redevelopment and adaptive reuse. The three parcels comprising the Tri Rail Broward Site are currently zoned as Boulevard Business. The table below summarizes current and future zoning designations for each parcel:

Parcel Number	Address	Current Zoning Districts	Future Land Use Designation
504205000252	100 NW 21 Ter	B-1 <sup>1</sup>	NWRAC
504205000254	100 NW 21 Ter	B-1	NWRAC
504205000253	100 NW 21 Ter	B-1	NWRAC

**Footnotes**

1. B1 = Boulevard Business (The City’s Unified Land Development Regulations, Section 47-6.1.B)

In 2001, the City of Fort Lauderdale and the Fort Lauderdale Community Redevelopment Agency (CRA) approved the *Community Redevelopment Plan for the Northwest-Progresso-Flagler Heights (NPF) Area* (City of Fort Lauderdale and CRA, 2016); the plan was modified and restated in March 2016. In February 2008, the *NPF Heights CRA Implementation Plan* (CRA, 2008) was created as a catalyst for change in the area. The Tri Rail Broward site is situated in the delineated area outlined in these plans.

On January 21, 2015, the City of Fort Lauderdale City Commission adopted an ordinance creating the *NWRAC Master Plan* (ULDR Ordinance No. C-14-51), along with associated *Unified and Land Development Regulations* and the *NWRAC Illustrations of Design Standards* (City of Fort Lauderdale, 2015) that will set the standard and allow for certainty for future development within the *NWRAC Master Plan* area. The Tri Rail Broward site is situated in the delineated area outlined in these two documents.

The Tri Rail Broward Site is located within an officially designated Opportunity Zone. Per the GSA’s Site Acquisition Policy letter, Opportunity Zones are given consideration for federal projects.

The County Courthouse Site

The County Courthouse Site is located in the City of Fort Lauderdale’s Downtown Regional Activity Center (DRAC) future land use district. The County Courthouse Site comprises a portion of parcel #504210850010, which is currently zoned as City Center. The table below summarizes current and future zoning designations for this parcel:

Parcel Number	Address	Current Zoning Districts	Future Land Use Designation
Portion of 504210850010	201 SE 6 <sup>th</sup> St	RAC-CC <sup>1</sup>	DRAC

**Footnotes**

1. RAC-CC = City Center District (The City’s Unified Land Development Regulations, Section 47-13.1.1.A)

The City of Fort Lauderdale has developed three separate plans that encompass the County Courthouse Site. The Fort Lauderdale City Commission adopted the *Consolidated Downtown Master Plan* (City of Fort Lauderdale, 2003a) on November 18, 2003, which was later updated in 2007. This plan serves as a guide for development projects and sets forth the City’s vision for the future of Downtown Fort Lauderdale.

The City of Fort Lauderdale also initiated the *Downtown New River Master Plan* (City of Fort Lauderdale, 2008b) to develop a compelling vision for the areas north and south of the New River, and to outline design guidelines that will set the standard for future development and open space improvements within the Riverwalk District.

Most recently, the City of Fort Lauderdale initiated the *Riverwalk District Plan* (City of Fort Lauderdale, 2010) in an effort to improve and enhance the Riverwalk and the blocks north and south of the New River.

A Declaration of Restrictive Covenant (DRC) exists for the overall County Courthouse Complex. This DRC reserves an easement for a pedestrian bridge. Ramboll recommends legal review of the DRCs to evaluate whether it would have an impact on subject property acquisition and development.

The Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site is located in the City of Fort Lauderdale’s Industrial future Land Use Designation. The four parcels comprising the Tri Rail Cypress Creek Site are currently zoned as follows: three parcels are zoned as Industrial and one parcel is zoned as Commercial/Light Industrial Business. The table below summarizes current and future zoning designations for each parcel:

494210000410	NW 57 CT	I <sup>1</sup>	Industrial
494210000472	NW 57 CT	I	Industrial
494210000471	“Access Rd”	I	Industrial
494210000480	“Access Rd”	B-3 <sup>2</sup>	Industrial

**Footnotes**

1. I = General Industrial (The City’s Unified Land Development Regulations, Section 47-7.1)
2. B-3 = Commercial/Light Industrial Business (The City’s Unified Land Development Regulations, Section 47-6.1.D)

The City of Fort Lauderdale adopted the *Uptown Urban Village Master Plan* (City of Fort Lauderdale, 2005) in 2005. This plan includes a framework of steps to implement the Uptown vision, including the regulatory structure and process for development review and approval, identifies incentives for redevelopment, outlines the public investment program, and includes implementation techniques. The plan also identifies the need for future plans to address transit connectivity, land use changes, and long-term planning concepts. The Tri Rail Cypress Creek Station Site is considered a key element of the plan and will serve as a catalyst in creating a mixed-use, multi-modal, pedestrian environment.

In 2015, the Broward Metropolitan Planning Organization (BMPO) began preparing the *Cypress Creek Mobility Hub Master Plan* (BMPO, 2015) to identify privately funded development opportunities and infrastructure improvements in and around Tri Rail Cypress Creek Station.

**4.3.1.2 Criterion of Evaluation**

While GSA is not bound by local zoning codes, an alternative may have the potential for a significant impact if it would conflict with any comprehensive land use plans that were approved by agencies having jurisdiction in the planning area.

**4.3.1.3 Impacts and Significance of Effects**

Alternative 1 – No Action Alternative

The No Action alternative would have a **minor negative impact** on planning in the City of Fort Lauderdale. It would not conform to the following goals of the *Downtown Master Plan*:

- Goal 3: Encourage preservation of existing, non-designated structures and interiors of architectural or cultural significance.
  - Explore the potential for adaptive re-use of the existing federal courthouse building (Broward & 3rd) into some sort of public or institutional use.
- Goal 6 : Encourage and strengthen Special Use Districts.
  - Encourage initiatives to strengthen the Courts District south of the New River. A potential new Courthouse and Family Courthouse building can revitalize underutilized sites and benefit from the proximity of existing related uses.
- Goal 8: Create landmarks for the future.
  - Encourage a site for the proposed new Courthouse that is both convenient to the Courts District and creates the least disruption to public access in streets and public spaces.

#### Alternative 2 – Construction at the Hudson Site

As outlined in the City's *Comprehensive Plan*, the SRAC future land use designation permits community facilities, which include government administration and judicial system uses.

However, the site's current zoning districts do not permit such uses. The GSA can seek approval as a Public Purpose Use for this site. The City's Unified Land Development Regulations (ULDR), Section 47-18.26 Public Purpose Uses, states that public purpose facilities may be erected in any zoning district unless it is not permitted by the land use designation under the City's Comprehensive Plan. Since the site's future land use designation of SRAC permits community facilities, which include government administration and judicial system uses, a Public Purpose Use may be pursued.

A Public Purpose Use requires final approval by the City Commission. The City Commission may approve or approve with conditions the application for location of a public use or structure based on the following findings:

1. There is a need for the use or structure to be located where proposed.
2. The use meets a valid municipal purpose.
3. The location of the use or structure is not in conflict with the city comprehensive plan.
4. Off-site or on-site conditions exist which reduce any impact of permitting the public use or structure.
5. On-site improvements have been incorporated into the site plan which minimize any adverse impact as a result of permitting the public use or structure.
6. Alternative locations have been identified and reviewed or it has been determined that no feasible alternative locations are available.
7. The proposed site is found to be the most feasible for location of the public use or structure.
8. The public purposes to be met by the location of the use or structure outweigh the application of the zoning regulation and prohibiting the location of the public use or structure.

The *South Andrews Avenue Master Plan* aims to transform the area from a relatively under-utilized resource to a pedestrian-friendly urban corridor that offers a mix of uses to serve nearby neighborhoods and the hospital district. The plan acknowledges that impacts from proposed development initiatives may necessitate the provision for additional civic uses, such as government facilities and service offices, in the area. Regardless of whether the federal government seeks to rezone or not, Alternative 2 would have a **beneficial impact** to planning initiatives in the area.

#### Alternative 3 – Construction at the Tri Rail Broward Site

The Boulevard Business (B-1) zoning designation allows public purpose facilities including government administration uses. Additionally, Alternative 3 does not conflict with goals outlined in

the *NWRAC Master Plan, Community Redevelopment Plan for the NPF Area, or NPF CRA Implementation Plan* and, therefore, will have **no impact** to planning initiatives in the area.

#### Alternative 4 – Construction at the County Courthouse Site

Should GSA choose to pursue the subdivision of parcel #504210850010, it may follow the needs and requirements outlined in ULDR Section 47-24.5 Subdivision Regulations. Generally, a Plat Review is required; if the site is not platted it may be required to plat, which can be done prior to, or concurrently with the site plan review process through Development Review Committee (DRC). The plat would proceed through DRC review, Planning and Zoning Board review, and lastly City Commission review. ULDR Section 47-24.5 further delineates the necessary requirements of a subdivision layout and plat review.

The Regional Activity Center – Center City (RAC-CC) zoning designation permits the presence of courthouses. Additionally, Alternative 4 supports the following goals outlined in the *Downtown Master Plan* and the *Downtown New River Master Plan*:

- Goal 6: Encourage and strengthen Special Use Districts.
  - Encourage initiatives to strengthen the Courts District south of the New River. A potential new Courthouse and Family Courthouse building can revitalize underutilized sites and benefit from the proximity of existing related uses.
- Goal 8: Create landmarks for the future.
  - Encourage a site for the proposed new Courthouse which is both convenient to the Courts District and creates the least disruption to public access in streets and public spaces.

*The Riverwalk District Plan* envisions the County Courthouse Site as a Courthouse Market; an open space with a green-market that draws people to the south of the river.

The subdivision of parcel #504210850010 would alter established parcel boundaries in the City of Fort Lauderdale but would not create significant impacts. Additionally, while inconsistent with the *Riverwalk District Plan*, Alternative 4 would help achieve planning goals outlined in the *Downtown Master Plan* and the *Downtown New River Master Plan*, which may outweigh the need for a Courthouse Market at that exact location. It is conceivable that an alternative location could be identified for a green-market. Regardless of whether the federal government seeks to rezone or not, Alternative 4 would have a **beneficial impact** to planning initiatives in the area.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

As outlined in the City's *Comprehensive Plan*, the Industrial future land use designation permits community facilities such as a courthouse use. However, the site's current zoning district does not permit such uses. The GSA can seek approval as a Public Purpose Use for this site. The City's ULDR, Section 47-18.26 Public Purpose Uses, states that public purpose facilities may be erected in any zoning district unless it is not permitted by the land use designation under the City's *Comprehensive Plan*. Since the site's future land use designation of Industrial permits courthouse use, a Public Purpose Use may be pursued.

This location is within the delineated area for the *Uptown Urban Village Master Plan* and new zoning districts for use when redevelopment occurs. A courthouse is permitted in the zoning district proposed for the area. The *Uptown Urban Village Master Plan* specifically identifies the Tri Rail Cypress Creek Station as a key element of the plan that will serve as a catalyst in created a mixed-use, multi-modal, pedestrian environment. A federal courthouse at this location could certainly promote mixed-use of the area as well as increase use of public transportation services in the area. The *Uptown Urban Village Master Plan* also proposes the relocation of the Tri-Rail station to the north. The existing station could be re-purposed as a pedestrian bridge crossing and the parking lot could be marketed for a larger user. Lastly, The *Uptown Urban Village Master Plan* proposes to conserve the existing dry retention area south of the Cypress Creek Tri-Rail station parking lot and consider green stormwater features.

The *Cypress Creek Mobility Hub Master Plan* envisions the area in and around the Tri Rail Cypress Creek Station as a walkable and bikeable mixed-use area. While the plan does not specially

identify a federal courthouse as a means for achieving a mixed-use area, a conversation with representatives from the Broward County Metropolitan Planning Organization suggested that a federal courthouse would be a considered scenario.

Alternative 5 complements planning and development goals outlined in both the *Uptown Urban Village Master Plan* and *Cypress Creek Mobility Hub Master Plan* and, therefore, would have a **beneficial impact** to planning initiatives in the area.

#### **4.3.1.4 Mitigation**

It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.

#### **4.3.2 Potable Water, Wastewater, Stormwater**

The Fort Lauderdale Department of Sustainable Development was contacted (Appendix C) regarding the presence of potable water, wastewater, and stormwater utilities. In response, the department provided maps detailing present potable water, wastewater, and stormwater infrastructure for each site. Additionally, as-built drawings of utilities were requested from the City of Fort Lauderdale's Department of Public Works; however, as of the date of this report, a response had not been received.

##### **4.3.2.1 Existing Conditions**

###### The Hudson Site

*Potable Water* – A 6-inch polyvinyl chloride (PVC) water line is shown running east/west along SE 10<sup>th</sup> Court. Abandoned 2-inch and 6-inch water lines are also shown under SE 10<sup>th</sup> Court. Two water lines are shown running north/south along SE 4<sup>th</sup> Avenue –a 6-inch ductile iron pipe (DIP) water line and a 30-inch DIP water line. The 30-inch DIP water line runs under the Tarpon River. Two abandoned 2-inch water lines are also shown under SE 4<sup>th</sup> Avenue. A 4-inch fire service line is shown to connect to parcel #0215010250 from a water line that runs north/south under SE 3<sup>rd</sup> Avenue. The active water lines are depicted on the map as city-owned pressurized mains.

*Wastewater* – A city-owned 10-inch vitrified clay pipe (VCP) gravity main is shown running east/west along SE 10<sup>th</sup> Court. On SE 4<sup>th</sup> Avenue, a city-owned gravity main is shown running north/south and connecting to a city-owned pump station (P.S. A-16), reducer, and cleanout. A city-owned pressurized main is shown as flowing north/south along SE 4<sup>th</sup> Avenue and running underneath the Tarpon River. An abandoned 10-inch pipe is also located along SE 4<sup>th</sup> Avenue.

*Stormwater* – According to maps provided by the City of Fort Lauderdale's Department of Sustainable Development, no stormwater infrastructure is present on the Hudson Site.

###### The Tri Rail Broward Site

*Potable Water* – A city-owned pressurized water line of an unknown diameter is shown in the southwest corner of the Tri Rail Broward site connected to an abandoned 6-inch water line.

*Wastewater* – According to maps provided by the City of Fort Lauderdale's Department of Sustainable Development, no wastewater infrastructure is present within the Tri Rail Broward Site.

*Stormwater* – Five stormwater manholes are shown on the Tri Rail Broward Site. The documentation provided by the City of Fort Lauderdale's Department of Sustainable Development does not depict underground stormwater utilities on this site. As referenced above, as-built drawings have been requested from the City of Fort Lauderdale's Department of Public Works.

###### The County Courthouse Site

*Potable Water* – An active city-owned pressurized 20-inch water line is shown under the northwest portion of the site and runs under the New River.

*Wastewater* –A county-owned 10-inch PVC gravity main is shown under the northwest portion of the site.

*Stormwater* –A network of city-owned stormwater lines is shown beneath the County Courthouse Site. Two city-owned storm water lines are shown running north/south on the property; one is an 18-inch corrugated metal pipe (CMP) and one is a 24-inch metal pipe of unknown material. Another city-owned stormwater line is shown running east/west and varies in diameter from 12-inches to 15-inches. A 21-inch city-owned stormwater line is shown running diagonally in the northeast/southwest direction.

A network of stormwater lines is shown beneath the County Courthouse Site. The network consists of approximately eleven lines that vary from 10-inches to 20-inches in diameter and are constructed of various materials.

#### The Tri Rail Cypress Creek Site

*Potable Water* – According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, no potable water infrastructure is shown on the Tri Rail Cypress Creek Site.

*Wastewater* – According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, no wastewater infrastructure is shown on the Tri Rail Cypress Creek Site.

*Stormwater* – According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, no stormwater infrastructure is shown on the Tri Rail Cypress Creek Site.

#### **4.3.2.2 Criterion of Evaluation**

An alternative may have the potential for a significant impact on potable water, wastewater, or stormwater infrastructure if it would:

- a. Overwhelm existing systems by creating a net demand that would burden current infrastructure
- b. Necessitate a prolonged disruption of service in the area.

#### **4.3.2.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on potable water, stormwater, or wastewater infrastructure in the City of Fort Lauderdale.

##### Alternative 2 – Construction at the Hudson Site

According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, potable water infrastructure and wastewater infrastructure are located on the Hudson Site. Two lines are routed beneath the Tarpon River—a 30-inch water line and a city-owned pressurized sewer main. A pump station is also located onsite. Due to the positioning and significance of these resources, alteration or disturbance of existing potable water and wastewater infrastructure, resulting from construction of a Courthouse, could cause a prolonged disruption of service to the area. Therefore, Alternative 2 could result in a **major negative impact** to existing potable water and wastewater infrastructure.

##### Alternative 3 – Construction at the Tri Rail Broward Site

According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, potable water infrastructure and stormwater infrastructure are located on the Tri Rail Broward Site. Due to the limited scale and extent of this infrastructure, implementing Alternative 3 would have **no impact** of significance on these utilities. While alteration of existing infrastructure may occur during the construction phase, such actions would not overwhelm these systems or disrupt service. Furthermore, development projects in the City of Fort Lauderdale regularly necessitate the alteration of utilities; therefore, impacts associated with Alternative 3 are limited as such actions are commonplace and align with current development trends.

##### Alternative 4 – Construction at the County Courthouse Site

According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, potable water, wastewater, and stormwater infrastructure are located on the County Courthouse Site. One 20-inch water line is routed beneath the New River. Due to the positioning and significance of this resource, alteration or disturbance of existing potable water infrastructure, resulting from construction of a Courthouse, could cause a prolonged disruption of service to the area. Therefore, Alternative 4 could result in a **major negative impact** to existing potable water and wastewater infrastructure.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

According to maps provided by the City of Fort Lauderdale’s Department of Sustainable Development, potable water, stormwater, and wastewater infrastructure are not located on the Tri Rail Broward Site. Under Alternative 5, the Courthouse would need to be connected to existing off-site infrastructure. While alteration of existing infrastructure may occur during the construction phase, such actions would not overwhelm these systems or disrupt service. Furthermore, development projects in the City of Fort Lauderdale regularly necessitate the alteration of utilities; therefore, there is **no impact** associated with Alternative 5 as such actions are commonplace and align with current development trends.

**4.3.2.4 Mitigation**

Alternative 1 – No Action Alternative

No impacts to potable water, wastewater, or stormwater are associated with Alternative 1. Therefore, no mitigation is needed.

Alternative 2 – Construction at the Hudson Site

Under Alternative 2, impacts to potable water infrastructure and wastewater infrastructure could occur. The GSA should coordinate with the City of Fort Lauderdale to establish a mitigation plan for infrastructure alteration and relocation.

Alternative 3 – Construction at the Tri Rail Broward Site

No impacts to potable water, wastewater, or stormwater are associated with Alternative 3. Therefore, no mitigation is needed.

Alternative 4 – Construction at the County Courthouse Site

Under Alternative 4, impacts to potable water infrastructure and wastewater infrastructure could occur. The GSA should coordinate with the City of Fort Lauderdale to establish a mitigation plan for infrastructure alteration and relocation.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

No impacts to potable water, wastewater, or stormwater are associated with Alternative 5. Therefore, no mitigation is needed.

**4.4 Socioeconomic and Environmental Justice**

Assessment of socioeconomic impacts refers to how the Proposed Action might affect local populations, employment, housing, public services, economic activity, income, and social conditions. Environmental justice refers to the potential for the project to have disproportionate adverse effects on vulnerable populations and the fair treatment and meaningful involvement of all people.

**4.4.1 Economic and Employment Activities**

According to March 2020 data from the U.S. Bureau of Labor Statistics (U.S. Bureau of Labor Statistics, 2020) for the Fort Lauderdale-Pompano Beach-Deerfield Beach area, the civilian labor force comprises approximately 1,036,400 individuals. The largest sectors of nonfarm wage and salary employment are:

1. Trade, Transportation, and Utilities – 198,300 people
2. Professional and Business Services – 156,000 people
3. Education and Health Services – 110,200 people
4. Government – 107,700 people

## 5. Leisure and Hospitality – 89,500 people

In recent months, effects from the coronavirus Pandemic have resulted in increased unemployment. As of March 2020, the unemployment rate for the Fort Lauderdale-Pompano Beach-Deerfield Beach area reached 4.2%.

### 4.4.1.1 Existing Conditions

#### The Hudson Site

The Hudson Site contains five commercial office spaces. Four of the office spaces are actively utilized while one is vacant. Known tenants include a charter school, skin care company, and massage therapy practice. There are also retail stores and restaurants located within walking distance of the site.

#### The Tri Rail Broward Site

There are no businesses located within the Tri Rail Broward Site; however, there are retail stores and restaurants located within walking distance of the site.

#### The County Courthouse Site

There are no businesses located within the County Courthouse Site; however, there are retail stores and restaurants located within walking distance of the site.

#### The Tri Rail Cypress Creek Site

There are no businesses located within the Tri Rail Cypress Creek Site and limited retail stores and restaurants located within walking distance of the site.

### 4.4.1.2 Criteria of Evaluation

An alternative may have the potential for a significant impact on the local economy and unemployment conditions if it would:

- a. Displace businesses in the planning area with resulting job losses and reductions in economic activity.
- b. Directly or indirectly cause large economic or employment growth in the planning area.

### 4.4.1.3 Impacts and Significance of Effects

#### Alternative 1 – No Action

The No Action Alternative would have **no impact** on the economy and employment in Fort Lauderdale.

#### Alternative 2 – Construction at the Hudson Site

Under Alternative 2, five commercial office spaces and one residential dwelling, as well as the tenants currently occupying those spaces, would be displaced. It is expected that these businesses would relocate to other nearby facilities. These facilities and their employees would suffer a **short-term minor negative impact** from the disruption caused by relocation.

Nearby retail and restaurant demand may shift slightly from the relocation of existing businesses and employees and the introduction of Courthouse employees and visitors, but impacts would be negligible. The construction of a federal courthouse at the Hudson Site may promote redevelopment and revitalization of the area, spurring economic growth. Therefore, this alternative would have a **beneficial impact** on net economic and employment activities in the planning area.

#### Alternative 3 – Construction at the Tri Rail Broward Site

Under Alternative 3, nearby retail and restaurant demand may increase from the introduction of Courthouse employees and visitors, creating a positive economic impact in the immediate area. Furthermore, the construction of a federal courthouse at the Tri Rail Broward Site may promote redevelopment and revitalization of the area, spurring economic growth. Therefore, this alternative would have a **beneficial impact** on economic and employment activities in the planning area.

Alternative 4 – Construction at the County Courthouse Site

Under Alternative 4, nearby retail and restaurant demand may increase from the introduction of Courthouse employees and visitors, creating a positive economic impact in the immediate area. Furthermore, the construction of a federal courthouse at the County Courthouse Site may compliment development initiatives in the area and help spur economic growth. Therefore, this alternative would have a **beneficial impact** on economic and employment activities in the planning area.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site is located in a primarily industrial area, with limited access to retail and restaurant locations. Though limited, the nearby retail and restaurant demand may increase from the introduction of Courthouse employees and visitors, creating a positive economic impact in the immediate area. Furthermore, the construction of a federal courthouse at the Tri Rail Cypress Creek Site may promote redevelopment and revitalization of the area, spurring economic growth. Therefore, this alternative would have a **beneficial impact** on economic and employment activities in the planning area.

**4.4.1.4 Mitigation**

GSA procedures require that relocation assistance be provided to any businesses or residents displaced by the Proposed Action. Relocation benefits are governed by the Uniform Act of 1970. The GSA'S National Relocation Program Manager will be engaged to handle any relocation aspects resulting from the Proposed Action. Assistance may include providing relocation expenses, assisting with leases, and adjusting construction schedules. This would minimize the negative impact to the affected occupants of the Hudson Site.

**4.4.2 Environmental Justice**

E.O. 12898 (The White House, 1994) directs that "...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...". GSA is a member of the Interagency Working Group on Environmental Justice (EJ) and includes a level of EJ study as a part of its NEPA review and analysis. The process followed by GSA to identify potential disproportionate impacts associated with the Proposed Action and to ensure that compliance with this directive was initiated early during NEPA scoping includes:

- Identification of the potentially affected population in the study area;
- Characterization of the study area with respect to minorities and low-income populations;
- Determination of potentially significant adverse impacts of the Proposed Action and alternatives; and
- Evaluation of the potential for disproportionately high and adverse impacts on minority and low-income populations in the study area.

With more than 120 countries represented, the Greater Fort Lauderdale area is ranked number one in diversity and growth in the state of Florida. According to the U.S. Census Bureau, the most recent data shows that Fort Lauderdale has an estimated population of 182,600 people. The population is 47.7% White alone, 31.3% are Black or African American alone, 18.5% are Hispanic or Latino, 1.7% are Asian, 0.3% are American Indian and Alaska Native, and 0.1% are Native Hawaiian and Other Pacific Islander. In Broward County, more than sixty languages are spoken.

A primary EJ concern in Fort Lauderdale involves the accessibility of facilities to vulnerable populations. The EPA provided the following environmental justice data via the EJSCREEN tool—an environmental justice mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators. The results from the EJSCREEN tool can be view below.

Statistic	Hudson Site		Tri Rail Broward Site		County Courthouse Site		Tri Rail Cypress Creek Site		City of Fort Lauderdale	Broward County	State of Florida
	1,000 feet	0.25 mile	1,000 feet	0.25 mile	1,000 feet	0.25 mile	1,000 feet	0.25 mile			
Approximate Population	434	1,130	6	227	2,216	2,675	0	196	176,874	1,890,416	-----
% Minority	40	36	85	90	35	35	---	78	52	62	45
% Low Income	33	31	60	76	27	27	---	67	39	34	36
% Linguistically Isolated	4	4	13	4	3	3	---	34	6	9	7
% Less than High School Education	18	13	16	34	16	16	---	34	13	11	12
% Under 5 Years of Age	2	3	10	5	1	1	---	8	5	6	5
% Over 64 Years of Age	18	20	9	7	12	12	---	12	17	16	19

**Footnotes:**

Blue highlighting indicates a statistic that exceeds the corresponding city, county, and/or state statistic.

**4.4.2.1 Existing Conditions**

The Hudson Site

The EPA’s EJSCREEN tool identified two vulnerable populations in the vicinity of the Hudson Site. Within 1,000 feet of the site, 18% of the population has less than a high school education, which is above the city (13%), county (11%), and state (12%) statistics. Within 0.25 miles of the site, 20% of the population is over 64 years of age, which is above the city (17%), county (16%) and state (19%) statistics.

The Tri Rail Broward Site

The EPA’s EJSCREEN tool identified five vulnerable populations in the vicinity of the Tri Rail Broward Site. Within 1,000 feet of the site, 13% of the population is linguistically isolated, which is above the city (6%), county (9%), and state (7%) statistics. Additionally, within 1,00 feet of the site, 10% of the population is under 5 years of age, which is above the city (5%), county (6%), and state (5%) statistics.

Within 0.25 miles of the site, 90% of the population are minorities, which is above the city (52%), county (62%), and state (45%) statistics. Also, within 0.25 miles of the site, 76% of the population are low income, which is above the city (39%), county (34%), and state (36%) statistics. Additionally, within 0.25 miles of the site, 34% of the population has less than a high school education, which is above the city (13%), county (11%), and state (12%) statistics.

The County Courthouse Site

The EPA’s EJSCREEN tool identified one vulnerable population in the vicinity of the County Courthouse Site. Within 0.25 miles of the site, 16% of the population has less than a high school education, which is above the city (13%), county (11%), and state (12%) statistics.

The Tri Rail Cypress Creek Site

The EPA’s EJSCREEN tool identified five vulnerable populations within 0.25 miles of the Tri Rail Cypress Creek Site. Seventy-eight percent of the population are minorities, which is above the city (52%), county (62%), and state (45%) statistics. Sixty-seven percent of the population are low income, which is above the city (39%), county (34%), and state (36%) statistics. Thirty-four percent of the population is linguistically isolated, which is above the city (6%), county (9%), and state (7%) statistics. Thirty-four percent of the population has less than a high school education, which is above the city (13%), county (11%), and state (12%) statistics. Eight percent of the population is under 5 years of age, which is above the city (5%), county (6%), and state (5%) statistics.

**4.4.2.2 Criteria of Evaluation**

An alternative may have the potential for a significant impact on Environmental Justice if it would:

- a. Have a disproportionately high and adverse effect on minority populations.
- b. Have a disproportionately high and adverse effect on low-income populations.

**4.4.2.3 Impacts and Significance of Effects**

Alternative 1 – No Action Alternative

The No Action alternative would have no impact on vulnerable populations in the City of Fort Lauderdale.

Alternative 2 – Construction at the Hudson Site

Alternative 2 would provide vulnerable populations with more convenient access to Courthouse facilities. This alternative would also encourage redevelopment of the South Regional Activity Center, which would have an indirect, minor **beneficial impact** on vulnerable populations.

Alternative 3 – Construction at the Tri Rail Broward Site

Alternative 3 would provide vulnerable populations with more convenient access to Courthouse facilities. This alternative would also encourage redevelopment of the Uptown area, which would have an indirect, minor **beneficial impact** on vulnerable populations.

Alternative 4 – Construction at the County Courthouse Site

Alternative 4 would provide vulnerable populations with more convenient access to Courthouse facilities. This alternative would also encourage redevelopment of the Downtown Regional Activity Center, which would have an indirect, minor **beneficial impact** on vulnerable populations.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Alternative 5 would provide vulnerable populations with more convenient access to Courthouse facilities. This alternative would also encourage redevelopment of the South Regional Activity Center, which would have an indirect, minor **beneficial impact** on vulnerable populations.

**4.4.2.4 Mitigation**

No mitigation would be needed.

**4.5 Health and Safety**

**4.5.1 Court Security**

Court security is under the jurisdiction of the Federal Government. The U.S. Marshals Service is responsible for security inside of the building, while the U.S. Department of Homeland Security (DHS) is responsible for security outside. The existing courthouse does not allow for distinct separation between restricted, secured, and public areas. Security features for the design of the proposed facility would be provided in accordance with criteria of the USCDG and the U.S. Marshals Service to protect this facility against vehicular and other known threats.

A Security Assessment Report was prepared by Synergy Solutions, Inc. (Synergy) to evaluate potential security risks for the four Alternative Actions (Appendix H). The assessment includes communication with local emergency service departments and evaluates crime data, surrounding infrastructure, and residential demographics. Traffic flow, pedestrian activities, and ingress/egress were also considered.

The table below provides the overall rankings generated by Synergy based on information collected during the assessment. An overall rating of one (1) indicates the most favorable location and four (4) is the least favored.

Factors Ranked	Hudson Site	Tri Rail Broward Site	County Courthouse Site	Tri Rail Cypress Creek Site
City of Ft. Lauderdale Police Dept. – Crime Statistics	3	2	4	1

Factors Ranked	Hudson Site	Tri Rail Broward Site	County Courthouse Site	Tri Rail Cypress Creek Site
Broward Sheriff’s Office – Crime Statistics	-	-	-	-
Business/Organizational	4	1	3	2
Residential/Demographics	4	2	1	3
City of Ft. Lauderdale Fire Rescue – Response Team	2	1	3	4
Broward Sheriff Fire Rescue	2	1	3	4
City of Ft. Lauderdale Police Dept. – Response Time	3	1	2	4
Broward Sheriff’s Office – Response Time	4	2	3	1
Ingress/Egress – Traffic Analysis	3	2	1	4
U.S. Marshals Service	3	1	4	2
Site Ranking	4th	1st	2nd	3rd

**4.5.1.1 Existing Conditions**

The Hudson Site

Of the four Action Alternatives, the Hudson Site was ranked fourth, meaning it is the least secure of the Alternative Actions. The Hudson Site has the highest cumulative crime rate within a 1-mile radius. There are four Chemical Industrial/Manufacturing facilities of potential concern within 5-miles of the Hudson Site.

Within 10-miles of the Hudson Site, there are four firearm/ammunition retail sales establishments (including pawn shops), six homeless service organizations, ten drug or alcohol rehabilitation facilities, one pain management clinic, and three domestic violence service facilities.

The City of Fort Lauderdale Urban Design and Planning Manager, taking into consideration demographic data and professional knowledge of the area, indicated that the Hudson Site is the least favored site due to the site’s proximity to residential areas, limited transportation options and access.

From a city police response time perspective, the Hudson Site is more removed from law enforcement and/or court buildings and, therefore, response to these areas will be based solely on patrol units within the district. The Hudson Site is located 2.4-miles from the closest Broward Sheriff Fire Rescue Station. The estimated response time is 8 minutes. The Hudson Site’s proximity to the Tarpon River could delay emergency service’s response times as it requires bridge crossing and limits the number of direct routes to the site.

According to the U.S. Marshals Service (USMS), the Hudson Site is located near the local hospital, which provides the site with favorable emergency response from the site to the medical facility.

The Broward County Jail is also in the immediate area providing an additional layer of visual security protection.

The Tri Rail Broward Site

Of the four Action Alternatives, the Tri Rail Broward Site was ranked first, meaning it is the most secure of the Alternative Actions. There are 2 Chemical Industrial/Manufacturing facilities of potential concern within 4-miles of the Tri Rail Broward Site.

Within 10-miles of the Tri Rail Broward Site there are two firearms/ammunition retail stores and two homeless service organizations. There are no drug or alcohol rehabilitation facilities, pain management clinics or domestic violence service facilities.

The City of Fort Lauderdale Urban Design and Planning Manager, taking into consideration demographic data and professional knowledge of the area, indicated that the Tri Rail Broward Site’s proximity to the Broward County Sheriff’s Office Buildings and the Broward County Juvenile Center is a benefit of the site.

The City of Fort Lauderdale Fire Rescue detailed concerns regarding the Tri Rail Broward Site due to its proximity to I-95. The expressed concerns were regarding threats to the U.S. highway

system. DHS Transportation Security Administration (TSA) website states that threats to the U.S highway systems (including tunnels, bridges, long-haul buses, school buses, and commercial trucks) come from a wide variety of potential sources, including insiders, special interest organizations, extremist groups, and transnational terrorists.

The Tri Rail Broward Site is the closest (1.2-miles) Alternative Action to Broward Sheriff Fire Rescue Station. The estimated response time is 8 minutes. As the Tri Rail Broward Site is located near both the Broward Sheriff's Office and the City of Fort Lauderdale Police Department Headquarters, the presence of law enforcement is traditionally higher in this area.

According to the USMS, the Tri Rail Broward Site provides additional open space that offers separation from other buildings (*i.e.*, denies active shooter's additional cover) and has the possibility for future expansion, if needed. The location is insulated by other Broward County controlled structures providing protection and a barrier from outside threats. In addition, this site is near mass transit and I-95 ramps that provide easy means to enter and exit the area.

#### The County Courthouse Site

Of the four Action Alternatives, the County Courthouse Site was ranked second in the Security Assessment. The County Courthouse Site has the highest crime rate within a 0.5-mile radius and 0.25-mile radius. There is one Chemical Industrial/Manufacturing facility of potential concern within 5-miles of the County Courthouse Site.

Within 10-miles of the County Courthouse Site there are two gun/ammunition sales providers, five homeless service organizations, eight drug and alcohol abuse services, three pain clinics, and four domestic violence service facilities.

The City of Fort Lauderdale Urban Design and Planning Manager, taking into consideration demographic data and professional knowledge of the area, indicated that the County Courthouse Site is the preferred location due to the existing county judicial facilities, which are a benefit of this site.

The County Courthouse Site has a high presence of law enforcement personnel in the area due to its proximity to the court buildings in the immediate area. The County Courthouse Site is located 2.6-miles from the closest Broward Sheriff Fire Rescue Station. The estimated response time is 8 minutes. The County Courthouse Site's proximity to the New River could delay emergency services response times, as it requires crossing via drawbridge or tunnel, which can prevent delays due to traffic.

According to the USMS, the County Courthouse Site is the least favorable site due to congested roadways, drawbridge issues, and parking concerns. This area is consistently congested with traffic jams which could impede emergency exit and entrance to the site.

#### The Tri Rail Cypress Creek Site

Of the four Action Alternatives, the Tri Rail Cypress Creek Site was ranked third in the Security Assessment. The Tri Rail Cypress Creek Site has the lowest cumulative crime rate within a 0.25-mile radius, 0.5-mile radius, and 1-mile radius. There are four Chemical Industrial/Manufacturing facilities of potential concern within 5-miles of the Tri Rail Cypress Creek Site.

Within 10-miles of the Tri Rail Cypress Creek Site there are two firearms dealers/shops, one homeless service provider, four drug and alcohol treatment providers, one pain clinic, and one domestic violence service facility.

The City of Fort Lauderdale Urban Design and Planning Manager, taking into consideration demographic data and professional knowledge of the area, indicated that the Tri Rail Cypress Creek Site is the third preferred location; the interstate (I-95) provides a barrier bisecting the residential neighborhoods from the site.

The City of Fort Lauderdale Fire Rescue detailed concerns regarding the Tri Rail Cypress Creek Site due to its proximity to I-95. The expressed concerns were in regard to threats to the U.S. highway system. DHS TSA website states that threats to the U.S highway systems (including tunnels, bridges, long-haul buses, school buses, and commercial trucks) come from a wide variety of

potential sources, including insiders, special interest organizations, extremist groups, and transnational terrorists.

From a city police response time perspective, the Tri Rail Cypress Creek Site is more removed from and city law enforcement and/or court buildings and therefore response to these areas will be based solely on patrol units within the district. However, the Broward Sheriff Office maintains the highest number of law enforcement resources in the north end of the county; therefore, county law enforcement response to the Tri Rail Cypress Creek Site would be the fastest. Since there is no Broward Sheriff Fire Rescue Station in the vicinity of the Tri Rail Cypress Creek, firefighting and rescue services are not readily available for the site.

According to the USMS, the Tri Rail Cypress Creek site is open with a large lot, which could provide the possibility for expansion if needed in the future. In addition, a larger lot allows for multiple exit points in the event of an emergency evacuation. This location is also located near Tri Rail services, I-95, and other major roadways in the area providing additional means to enter and exit the site.

#### **4.5.1.2 Criterion of Evaluation**

An alternative may have the potential for a significant impact if it would directly or indirectly affect Court security.

#### **4.5.1.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

Under the No Action alternative, the existing security concerns regarding lack of distinct separation of restricted, secure, and public areas would remain unaddressed. Therefore, continued use of the existing facility would have a **major negative impact** on court security.

##### Alternative 2 – Construction at the Hudson Site

Of the four Action Alternatives, the Hudson Site was ranked fourth, meaning it is the least secure of the Alternative Actions. There are several security drawbacks associated with the Hudson Site, including a high cumulative crime rate, nearby chemical industrial/manufacturing facilities, geographical restrictions on emergency services response times, and proximity to security-risk establishments. However, construction of the Courthouse at the Hudson Site would allow for the design and implementation of better security. The new Courthouse would be constructed in accordance with the USCDG criteria and the security criteria of the USMS. Therefore, Alternative 2 would have a **beneficial impact** on security, when compared to the No Action Alternative.

##### Alternative 3 – Construction at the Tri Rail Broward Site

Of the four Action Alternatives, the Tri Rail Broward Site was ranked first, meaning it is the most secure of the Alternative Actions. There are several security drawbacks associated with the Tri Rail Broward Site, including the presence of nearby chemical industrial/manufacturing facilities and security-risk establishments as well as potential highway threats. However, construction of the Courthouse at the Tri Rail Broward Site would allow for the design and implementation of better security. The new Courthouse would be constructed in accordance with the USCDG criteria and the security criteria of the USMS. Therefore, Alternative 3 would have a **beneficial impact** on security, when compared to the No Action Alternative.

##### Alternative 4 – Construction at the County Courthouse Site

Of the four Action Alternatives, the County Courthouse Site was ranked second in the Security Assessment. There are several security drawbacks associated with the County Courthouse Site, including a high crime rate, nearby chemical industrial/manufacturing facilities, geographical restrictions on emergency services response times, traffic congestion, and proximity to security-risk establishments. However, construction of the Courthouse at the County Courthouse Site would allow for the design and implementation of better security. The new Courthouse would be constructed in accordance with the USCDG criteria and the security criteria of the USMS. Therefore, Alternative 4 would have a **beneficial impact** on security, when compared to the No Action Alternative.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Of the four Action Alternatives, the Tri Rail Cypress Creek Site was ranked third in the Security Assessment. There are several security drawbacks associated with the Tri Rail Cypress Creek Site, including nearby chemical industrial/manufacturing facilities, proximity to security-risk establishments, potential highway threats, and distance from city law enforcement services.

However, construction of the Courthouse at the Cypress Creek Site would allow for the design and implementation of better security. The new Courthouse would be constructed in accordance with the USCDG criteria and the security criteria of the USMS. Therefore, Alternative 5 would have a **beneficial impact** on security, when compared to the No Action Alternative.

#### **4.5.1.4 Mitigation**

No mitigation would be needed.

### **4.6 Cultural Resources**

Cultural resources include archaeological sites, historical structures and objects, and traditional cultural properties. Historic properties are cultural resources that are listed in or eligible for listing in the National Register of Historic Places (NRHP) because they are significant and retain integrity (per 36 CFR 60.4). Section 106 of the National Historic Preservation Act (54 U.S.C. § 30010 et seq.) requires that Federal agencies take into account the effects of their actions on historic properties; Section 101(b)(4) of the NEPA requires the Federal agency to coordinate and plan its actions to identify any unique historic or cultural characteristics of the geographic area (40 CFR 1508.27) of the proposed project and act accordingly.

Regulations for Protection of Historic Properties (36 CFR Part 800) describe the process for compliance with Section 106, including defining the Area of Potential Effect (APE), steps for identifying resources, evaluating effects, and consultation with interested parties, including the State Historic Preservation Office (SHPO) (Florida Division of Historical Resources [DHR]) as well as other concerned parties. The first step of the process is for the agency official to determine whether the action is an “undertaking” (36 CFR 800.3(a)). This action is an “undertaking” in that it is “a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval” (36 CFR 800.16(y)). Section 36 CFR 800.3(a)(1) states that, “If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties are present, the agency official has no further obligations under section 106, or this part.” By definition (36 CFR 800.16(i)), an “effect” is an “alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.” The proposed project meets this criterion and is subject to review and consultation with Florida DHR and other concerned parties (identified in accordance with 36 CFR 800.3(f)).

GSA will be consulting under Section 106 of the NHPA, 54 U.S.C. 300101 et seq. and intends to partially fulfill the Section 106 public notification and consultation requirements through the NEPA scoping process. Since the Proposed Action constitutes an undertaking, because it involves federal property and funding, a determination is necessary as to whether the undertaking may cause an adverse effect to historic properties. S&ME, Inc. (S&ME) completed a desktop Cultural Resource Assessment (CRA) in April 2020, as well as a detailed CRA in June 2020, for the four Action Alternatives (Appendix I).

#### **4.6.1.1 Existing Conditions**

##### The Hudson Site

The current property owner of the Hudson Site property provided information from a 2018 Phase I Cultural Resources Investigation that was conducted for due diligence purposes (GAI Consultants, Inc. 2018). This study identified twelve previously unrecorded aboveground historic resources, of which five are located on the subject property and seven are located adjacent to the property;

according to the supplied report, the twelve previously unrecorded resources were recommended ineligible for the NRHP.

The Hudson Site is located in the City-designated Archaeologically Significant Zone. Consultation with the FMSF revealed that there are no previously recorded archaeological sites within the Hudson Site. The eastern portion of the Hudson Site is currently a vacant, grassy lot, while the western portion is developed with residential buildings, many of which have been converted to commercial properties. The 2018 due diligence Phase I Cultural Resources survey excavated eight shovel tests in the eastern portion of the proposed Hudson Site project area, found no artifacts, and recommended no additional archaeological investigations for the site. It is possible that construction debris, building foundations, and perhaps other archaeological deposits, such as privies, could remain under the hardscaped surfaces.

There are seven previously-recorded, above-ground resources identified within the 250-foot search radius of the Hudson Site. One of these previously identified resources, the First Church of Christ Scientist (BD04673, 1005 South Federal Highway (US 1)) is eligible for listing in the NRHP; of the remaining six resources, one has not been evaluated for NRHP eligibility (BD02013 – 1100 SE 3rd Avenue), four have been determined ineligible for the NRHP (BD04099 – Tarpon River; BD04365 – 232 Rose Drive; BD04366 – 1111 SE 3rd Avenue; and BD05709 – FDOT Bridge, 3rd Avenue over the Tarpon River), and one is no longer extant (BD01998 – 300 ½ SE 9th Street). During a site visit, S&ME identified one structure on the adjacent blocks that is recommended as eligible for the NRHP, The Fort Lauderdale City Hall (BD06997).

There is one locally designated City of Fort Lauderdale Historic Landmark within 1,000 feet of the Hudson Site. The Williams House/Gilda's Club is located at 119 Rose Drive, approximately 650 feet southwest of the Hudson Site.

The Seminole Tribe of Florida's Tribal Historic Preservation Officer (THPO) has requested a survey and the presence of a Secretary of the Interior qualified archaeologist at initial ground disturbing activities, based on the site's location in areas it has identified as high probability for containing archaeological sites.

#### The Tri Rail Broward Site

The NRHP-eligible Seaboard Air Line (CSX) Railroad corridor (BD04649) is located approximately 200 feet east of the eastern boundary of the Tri Rail Broward Site. There is one locally designated City of Fort Lauderdale Historic Landmark located within 1000 feet of the Tri Rail Broward Site; the Seaboard Air Line Railway Station is located approximately 850 feet to the southeast of the proposed project area.

The City of Fort Lauderdale, Urban Design and Planning Division indicated that no locally designated historic landmarks are located within the proposed building site and the property is not located in the city designated Archaeologically Significant Zone. The Tri Rail Broward Site was the former location of municipal and commercial buildings. The late-twentieth century demolition of the buildings, and subsequent installation of hardscaped surfaces, underground utilities and stormwater conveyance, and excavation of a stormwater retention swale in the portion of the property that is not hardscaped likely displaced archaeological deposits associated with earlier occupations, if present.

The Seminole Tribe of Florida THPO does not request further archaeological investigations for this site, as it is considered a "heavily disturbed area with an extremely low potential for intact archaeological deposits".

#### The County Courthouse Site

There are eleven previously recorded aboveground resources identified within the 250-foot search radius of the County Courthouse Site. One of these previously identified resources, the SE 3rd Avenue/New River Bridge (BD04770) is eligible for listing in the NRHP; of the remaining ten resources, six have been determined ineligible for the NRHP (BD01314 – Maxwell Arcade; BD01319 – Palms Hotel; BD04309 – 510 South Andrews Avenue; BD04310 – 512-520 South Andrews Avenue; BD04374 – Andrews Avenue; and BD05902 – Broward County Courthouse

(1962)), and four are no longer extant (BD00167 – Marshall House; BD01231 – Broward County Courthouse (1928); BD01321 – 500 South Andrews Avenue; and BD01364 – First Church of Christ, Scientist, 100 South New River Drive). S&ME has determined that previously recorded structures BD04309 and BD04310 are no longer extant.

There are four locally-designated City of Fort Lauderdale Historic Landmarks within 1,250 feet of the County Courthouse Site. Smoaker Park is located south of the New River and east of SE 5th Avenue, approximately 700 feet east of the County Courthouse Site; the Southside Fire Station, Southside School, and Coca Cola Bottling Plant are located at the intersection of South Andrews Avenue and SE/SW 7th Street, approximately 1,250 feet south/southwest of the County Courthouse Site.

The County Courthouse Site is located in the City-designated Archaeologically Significant Zone. Consultation with the FMSF revealed that there are no previously recorded archaeological sites within the County Courthouse Site. The County Courthouse Site was the former location of residences and commercial properties. The installation and construction of buildings, hardscaped surfaces, and underground utilities in the mid- to late twentieth century likely displaced archaeological deposits associated with earlier occupations, if present. It is possible that construction debris, building foundations, and perhaps other archaeological deposits such as privies could remain under the hardscaped surfaces.

The Seminole Tribe of Florida THPO has requested a survey and the presence of a Secretary of the Interior qualified archaeologist at initial ground disturbing activities, based on the site’s location in areas they have identified as high probability for containing archaeological sites.

Figure 4.57 in the CRA shows an image of “Accordant Zone”— a sculptural park located partially within the boundaries of the County Courthouse Site. “Accordant Zone” was designed by artists Ned Smyth and Barbara Neijna and completed in 1994. The art installation borders the south bank of the New River and is a site-specific environmental sculpture, designed to connect the County courthouse buildings with the Riverwalk Park, as well as, create a water retention area for overflow rain drainage from the buildings. As the art installation was completed in 1994, it is protected by the Visual Arts Rights Act (VARA Section 106A Copyrights Act), which protects artists’ rights and public art.



The Tri Rail Cypress Creek Site

The NRHP-eligible Seaboard Air Line (CSX) Railroad corridor (BD04649) is located adjacent to the eastern boundary of the Tri Rail Cypress Creek Site. There are no locally designated City of Fort Lauderdale Historic Landmarks located within 0.5-mile of the Tri Rail Cypress Creek Site. The closest City of Fort Lauderdale Historic Landmarks to the project area are the Warfield Park and North Site School, which are located approximately 4.25 miles southeast of the Tri Rail Cypress Creek Site and the North Woodlawn Cemetery, located approximately 4.3 miles south of the Tri Rail Cypress Creek Site.

The City of Fort Lauderdale, Urban Design and Planning Division indicated that no locally designated historic landmarks are located within the proposed building site and the property is not located in the city designated Archaeologically Significant Zone. The Tri Rail Cypress Creek Site was the former location of municipal and commercial buildings. The late-twentieth century demolition of the buildings, and subsequent installation of hardscaped surfaces likely displaced archaeological deposits associated with earlier occupations, if present.

The Seminole Tribe of Florida THPO does not request further archaeological investigations for this site, as it is considered a “heavily disturbed areas with an extremely low potential for intact archaeological deposits”.

#### **4.6.1.2 Criteria of Evaluation**

An alternative may have the potential for a significant impact on cultural resources in the planning area if it would:

- a. Adversely affect properties eligible for or listed on the NRHP, including archeological, historical, architectural, and Native American or traditional heritage resources.
- b. Disturb or alter unknown archeological resources eligible for the NRHP.
- c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature of cultural importance.
- d. Disturb any human remains, including those interred outside of a formal cemetery.

#### **4.6.1.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on cultural resources.

##### Alternative 2 – Construction at the Hudson Site

S&ME conducted a visual assessment from the Williams House/Gilda’s Club to determine whether construction of a new Courthouse building at the Hudson Site would impact the viewshed of the landmark. Based on the residential built environment and extensive vegetation surrounding the Williams House/Gilda’s Club, it is unlikely that a new Courthouse building would be visible from the landmark. Additionally, S&ME believes that a proposed Courthouse building at the Hudson Site would not be visible from the closest locally designated historic landmark structures.

S&ME has identified one structure on the adjacent blocks that is recommended as eligible for the NRHP, The Fort Lauderdale City Hall (BD06997). However, the construction of a Courthouse on the proposed site would not adversely affect the elements of the building that make it significant.

Since the Hudson Site is in a floodplain setting, the possibility that archaeological deposits are deeply buried and were not detectable with standard survey techniques cannot be ruled out based on surface conditions. Since the Hudson Site is located within an urban area that has been subject to ground disturbance associated with past construction and demolition, it is S&ME’s opinion that the probability of intact archaeological deposits that would be significant is low.

S&ME recommends that construction at the Hudson Site would likely have **no impact** on cultural resources.

##### Alternative 3 – Construction at the Tri Rail Broward Site

S&ME conducted a visual assessment from the Seaboard Air Line Railway Station to determine if construction of a new Courthouse building at the Tri Rail Broward Site would impact the viewshed of the landmark. Based on the built environment between the project area and the Seaboard Air Line Railway Station, which includes the Broward Boulevard bridge over the railroad tracks and Interstate 95 and an entrance ramp to Interstate 95, it is unlikely that a new Courthouse building would be visible from the landmark

Additionally, construction of a Courthouse on the site would not detract from the historic associations of the Seaboard Air Line (CSX) Railroad or the characteristics that make it eligible for the National Register. Therefore, S&ME recommends that construction at the Tri Rail Broward Site would have no adverse effect on significant aboveground resources.

Given that the site is located within an area that has been subject to ground disturbance associated with past construction and demolition, it is S&ME’s opinion that the probability of intact archaeological deposits that would be significant is low. Considering past land use, and input from Seminole Tribe of Florida THPO, Florida Division of Historical Resources construction at the Tri Rail Broward Site is likely to have **no impact** to cultural resources.

Alternative 4 – Construction at the County Courthouse Site

There is one resource, the SE 3rd Avenue/New River Bridge (BD04770) adjacent to the proposed project area that is eligible for the National Register. However, construction of a Courthouse on the County Courthouse site would not damage the historic elements of the bridge that make it eligible for the NRHP, nor would it compromise its integrity of association with the development of Fort Lauderdale. Therefore, S&ME recommends that construction at the County Courthouse Site would have no adverse effect on significant aboveground resources.

Additionally, S&ME believes that a proposed Federal Courthouse building at the County Courthouse Site would not be visible from the closest locally designated historic landmark structures, due to the extensive built environment of the downtown Fort Lauderdale area.

Since the County Courthouse Site is in a floodplain setting, the possibility that archaeological deposits are deeply buried and were not detectable with standard survey techniques cannot be ruled out based on surface conditions. Since the County Courthouse Site is located within an urban area that has been subject to ground disturbance associated with past construction and demolition, it is S&ME's opinion that the probability of intact archaeological deposits that would be significant is low.

S&ME recommends that construction at the County Courthouse Site would likely have **no impact** on cultural resources. The CRA did not include an assessment of impacts to the "Accordant Zone" art installation resulting from the Proposed Action.

The "Accordant Zone" art installation is protected under the Visual Arts Rights Act of 1990. Both Ned Smyth and Barbara Neijna, the two artists of the art installation, responded for comment (Appendix D). According to Smyth, "these were not individual art pieces sited in a park, but rather we designed it as a total sculpture park, including three separate landscapes, native to Florida...The site line perspectives and destinations are crucial to the design and experience of the park." Therefore, relocation of the art installation would not be appropriate. Rather, Smyth and Neijna support the idea of integrating the "Accordant Zone" and Riverwalk into the new Courthouse design, stating "it might be possible to have the new building architecturally reflect, and its' landscape continue the existing "Accordant Zone"."

GSA will comply with the provisions of the Visual Artist Rights Act of 1990 and coordinate appropriately with the artists of the "Accordant Zone" to minimize any impacts to the art installation. Therefore, **no impacts** to the "Accordant Zone" art installation are anticipated.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The NRHP-eligible Seaboard Air Line (CSX) Railroad corridor (BD04649) is located adjacent to the eastern boundary of the Tri Rail Cypress Creek Site; however, construction of a courthouse on the site would not detract from the historic associations of the Seaboard Air Line (CSX) Railroad or the characteristics that make it eligible for the National Register. Therefore, S&ME recommends that construction at the Tri Rail Broward Site would have no adverse effect on significant aboveground resources.

There are no locally designated City of Fort Lauderdale Historic Landmarks located within 0.5-mile of the Tri Rail Cypress Creek Site. The closest City of Fort Lauderdale Historic Landmarks to the project area are the Warfield Park and North Site School, which are located approximately 4.25 miles southeast of the Tri Rail Cypress Creek Site and the North Woodlawn Cemetery, located approximately 4.3 miles south of the Tri Rail Cypress Creek Site. Based on the distance from the site, a new Courthouse building would not be visible from the landmark.

The Tri Rail Cypress Creek Site does not have any previously recorded archaeological sites within the site boundary. Previous development on the property likely displaced archaeological deposits associated with earlier occupations; therefore, construction at the Tri Rail Cypress Creek site is likely to have **no impact** to cultural resources.

**4.6.1.4 Mitigation**Alternative 1 – No Action Alternative

No impacts to cultural resources are associated with Alternative 1. Therefore, no mitigation is needed.

#### Alternative 2 – Construction at the Hudson Site

The GSA will develop a Programmatic Agreement for the project in consultation with consulting parties that outlines the identification, evaluation and treatment of significant archaeological resources discovered if Alternative 2 is selected.

#### Alternative 3 – Construction at the Tri Rail Broward Site

No impacts to cultural resources are associated with Alternative 3. Therefore, no mitigation is needed.

#### Alternative 4 – Construction at the County Courthouse Site

GSA will develop a Programmatic Agreement for the project in consultation with consulting parties that outlines the identification, evaluation and treatment of significant archaeological resources discovered if Alternative 4 is selected.

“Accordant Zone” is protected by the Visual Artists Rights Act of 1990 and would require consultation with the artists as well as a protection plan developed by a conservator for the artwork components. GSA will also need to have the construction contractor restore the greenspace as part of the project's landscaping plan. There will likely be additional costs to the project unique to Alternative 4 due to the adjacent artwork.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

No impacts to cultural resources are associated with Alternative 5. Therefore, no mitigation is needed.

### **4.7 Transportation and Parking**

The City of Fort Lauderdale can be accessed via bike, walking trails, car, rail, and air. An established network of local streets and arterials serve the sites of the Proposed Action and the existing federal courthouse. Public transportation options within city limits include trains, buses, bike share stations, trolleys, and water taxi.

#### **4.7.1 Parking**

Parking information was obtained from the Fort Lauderdale Downtown Development Authority and Fort Lauderdale Transportation and Mobility Department (Appendix C). Additionally, 6-inch resolution aerial imagery captured in January 2019—the most recently available data—was acquired from the Florida Department of Transportation and analyzed for available parking near the sites.

##### **4.7.1.1 Existing Conditions**

###### The Hudson Site

The Hudson Site is located in a predominantly residential area and public parking options are very limited. The closest public parking garage is located approximately 0.5 miles (8-minute walk) north of the site and would require the use of the pedestrian sidewalk along SE 3rd Avenue to traverse Tarpon River, which bounds the northern extent of the Hudson Site. Street parking is extremely limited in the area and along the roads that intersect this site; six public on-street parking spaces are available on SE 11th Street. No public on-street parking is available along SE 3rd Avenue, SE 10th Court, and SE 4th Avenue.

Parking lots in the immediate vicinity of the site are private and associated with businesses and offices. There are seven structures on site, each with an associated private parking lot or driveway. Approximately seventy parking spaces exist in total between all seven structures.

###### The Tri Rail Broward Site

The Tri Rail Broward Site currently operates as a free parking lot for the commuting public. Approximately 400 parking spaces are available in the main Tri Rail parking lot; 100 of these spaces are located within the site boundary. Additional parking is available in smaller satellite parking lots to the east and south.

The Tri Rail Broward Site is bound by access roads and major roadways and is, therefore, isolated from nearby parking infrastructure. This location is bound to the east by I-95. The Broward Regional Juvenile Center and the North Fork New River are located directly north of the Tri Rail Broward Site. Several offices and businesses are located to the west of the site; ample parking is available at these locations, but these parking spots are privately owned. Many businesses and restaurants are located along W Broward Boulevard to the south of the site; private parking is available at these locations. No street parking is available along W Broward Boulevard in the vicinity of the Tri Rail Broward Site. There are no public parking lots or garages within a 1-mile radius of this site.

The County Courthouse Site

The County Courthouse Site currently operates as parking for visitors and employees of the Broward County Courthouse and Jail. Approximately thirty metered spaces for public use and 100 spaces for employee use are located within the site boundaries.

The County Courthouse Site is surrounded by ample public parking options, including metered street parking spaces, parking garages, and pay lots. Metered street parking is available in the immediate vicinity along SE 6th Street, as well as other nearby roads such as SW 5th Street. There are two parking lots located south of the County Courthouse Site along SE 6th Street and a parking garage to the east along SE 3rd Avenue. The price for parking near the County Courthouse Site varies by facility but is at a premium compared to other areas of Fort Lauderdale.

The Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site currently operates as a free parking lot for the commuting public. This parking lot provides approximately 400 parking spaces, which are all located within the boundaries of the Cypress Creek Site.

Land use surrounding the Tri Rail Cypress Creek Site is a mix of industrial and commercial where public parking is limited. The eastern extent of the site is bound by Tri Rail tracks and therefore, restricts access to parking amenities east of the site. To the north are several privately-owned businesses with associated private parking areas. There is no street parking available along NW 59 Court, Powerline Road, or W Cypress Creek Road. There are no public parking garages or lots within a one-mile radius of the Tri Rail Cypress Creek Site.

**4.7.1.2 Criteria of Evaluation**

An alternative may have a potentially significant impact on parking if it would:

- a. Permanently remove a substantial number of parking spaces from the planning area.
- b. Substantially conflict with goals or policies for vehicle access and parking in the surrounding area.

**4.7.1.3 Impacts and Significance of Effects**

Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on parking.

Alternative 2 – Construction at the Hudson Site

Alternative 2 would have a **moderate negative impact** on parking. All private parking spaces associated with the seven current on-site structures would be removed, but this would have a minimal impact as these businesses and residents will be relocated. The new Courthouse will provide fifty secure parking spots; however, overflow parking for employees and visitors will be necessary. As public parking options in the vicinity of the Hudson Site are extremely limited, a significant net demand for parking would be generated in the immediate area, creating a **moderate negative impact** on parking.

Alternative 3 – Construction at the Tri Rail Broward Site

Alternative 3 would result in a **moderate negative impact** to parking resources. The Tri Rail Broward Site accounts for roughly 25% of the parking spaces available to the commuting public at the Broward Park & Ride. Decreasing the number of available sites, has the potential to deter patrons and decrease ridership as well as increase off-site public parking demand during peak

commuting hours and days. Additionally, while the new Courthouse will provide fifty secure parking spots, overflow parking for employees and visitors will be necessary. Since public parking options in the vicinity of the Tri Rail Broward Site are limited, a significant net demand for parking would be generated in the immediate area, creating a **moderate negative impact** on parking.

Alternative 4 – Construction at the County Courthouse Site

Construction at the County Courthouse Site would remove approximately 130 parking spaces currently present on the site. Most of these parking spaces are currently used by visitors and employees of the Broward County Courthouse and Jail. This action would slightly shift parking demand in the immediate area, but not increase the overall net demand in this area. Additionally, the new Courthouse will require overflow parking for some employees and visitors which will increase parking demands. Ample public parking is available within walking distance; therefore, Alternative 4 will have **minor negative impact** on parking in the area.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Alternative 5 would result in a **major negative impact** to parking resources. The Tri Rail Cypress Creek Site encompasses the entire Tri Rail Cypress Creek Station parking lot, which contains approximately 400 parking spaces. As a result, commuters who utilize the parking area would be displaced, potentially deterring patrons and decreasing ridership as well as causing a significant net increase in parking demand in the surrounding area.

Additionally, the new Courthouse will require overflow parking for some employees and visitors which will increase parking demands. Since public parking options are extremely limited in the vicinity of Cypress Creek Station, Alternative 5 would have **major negative impact** on parking resources.

**4.7.1.4 Mitigation**

It is suggested that the GSA recommend the City of Fort Lauderdale to develop additional surface parking to replace the spaces lost under these alternatives. This would mitigate the negative impact to the supply of parking spaces. If Alternative 4 is selected, the GSA should also recommend the Broward County Courthouse and Jail to develop parking options for their employees and visitors.

**4.7.2 Vehicular Traffic**

According to current tenants, the existing federal courthouse historically averages nineteen visitors a day, with the highest count measuring 181 visitors in a day in 2020. In addition to visitors, an estimated 300 employees commute to work via car.

Traffic information for the City of Fort Lauderdale was obtained from the four sources listed below. It is important to note that the Traffic Impact Analysis for the Tarpon River Site was not developed specifically for this EA. While still a valuable resource, it was developed in February of 2019 for a different project that was proposed for the Hudson Site (a residential/commercial building). Information relevant to the candidate courthouse sites was taken from this document.

- Broward County’s Traffic Engineering Division (Appendix C)
- City of Fort Lauderdale’s Transportation Planning Program Manager (Appendix C)
- Fort Lauderdale Downtown Development Authority (Appendix C)
- Traffic Impact Analysis: Tarpon River Site (Appendix J)

**4.7.2.1 Existing Conditions**

The Hudson Site

The following roads intersect with The Hudson Site:

- SE 10th Court is a minor road with two lanes of dual directional traffic in the east/west directions. It has a posted speed limit of 30 miles per hour (MPH). When traveling westbound, SE 10th Court intersects with SE 3rd Avenue.

- SE 11th Street is a minor road with two lanes of dual directional traffic in the east/west directions. It has a posted speed limit of 30 MPH. When traveling westbound, SE 10th Street intersects with SE 3rd Avenue.
- SE 4th Avenue is a minor road with two lanes of dual directional traffic in the north/south directions. It has a posted speed limit of 30 MPH. When traveling in the southbound direction, SE 4th Avenue intersects with Davie Boulevard.
- SE 3rd Avenue is a four lane, undivided arterial with dual directional traffic in the north/south directions. It has an annual average daily traffic (AADT) rate of 16,600 vehicles. SE 3rd Avenue has a posted speed limit of 35 MPH. When traveling southbound, SE 3rd Avenue intersects with SE 10th Court and SE 11th Street.

SE 3rd Avenue and Davie Boulevard are the two main arterials in closest proximity to the Hudson Site. In the northbound direction, SE 3rd Avenue traverses the Tarpon River via a drawbridge. When the drawbridge is activated to allow for boat passage, it interrupts traffic flow and can create stand-still conditions. Due to the drawbridge's close proximity to this location, its activation could create egress limitations for commuters attempting to exit the Hudson Site via SE 10th Court and SE 11th Street in the northbound direction. Southbound SE 3rd Avenue is highly utilized by commuters to access I-95 via Davie Boulevard. As a result, queuing traffic conditions occur on SE 3rd Avenue in the southbound direction.

Davie Boulevard is a four lane, undivided arterial with dual directional traffic in the east/west directions. Its AADT rate is 16,700 vehicles and is heavily utilized due to its direct access to I-95. During weekday morning and evening peak commuting hours, Davie Boulevard is severely over capacity. Traveling during peak hours takes approximately four to five times longer than during off-peak hours. Traffic conditions are created by a railroad crossing and drawbridge located along the segment of Davie Boulevard that connects I-95 to SE 3rd Avenue.

While other routes are available to access the Hudson Site, access to/from I-95 will likely be facilitated by Davie Boulevard and SE 3rd Avenue. Alternatively, Route 1 which is located one block east of the site, may be utilized. Route 1 is a six-lane divided arterial with dual directional traffic in the north/south direction. Its AADT rate is 50,500 vehicles. In the southbound direction, Route 1 provides direct access to I-595, one of the few east/west highways in Broward County. In the northbound direction, Route 1 traverses the Tarpon River without the utilization of a drawbridge.

According to Broward County Traffic Engineering Division, outside of weekday morning and evening peak hours, there are no significant traffic problems near The Hudson Site.

#### The Tri Rail Broward Site

The following roads intersect with the Tri Rail Broward Site:

- NW 22nd Avenue is an access road with two lanes of dual directional traffic that loops around the site. The posted speed limit is 30 MPH. It provides access to W Broward Boulevard and SW 21st Terrace.
- I-95 is a major interstate highway with dual directional traffic in the north/south directions. There is an on-ramp and off-ramp that provide direct access between I-95 and the site.
- W Broward Boulevard is a four lane, divided arterial with dual directional traffic in the east/west directions. The posted speed limit is 40 MPH. W Broward Boulevard intersects with NW 22nd Avenue.

W Broward Boulevard is the main arterial that provides access to the Tri Rail Broward Site via NW 22nd Avenue. Due to the median that divides W Broward Boulevard, when traveling eastbound, vehicles must access SW 22nd Avenue to the south via a right turn and follow the loop road.

When traveling westbound, vehicles must access SW 22nd Avenue to the north via a right turn and follow the loop road. SW 22nd Avenue can be difficult to navigate as it only permits right turns for ingress and egress.

The Tri Rail Broward Site also provides direct access to/from I-95 via an on-ramp and off-ramp. Both I-95 and Broward Boulevard experience congestion during morning and evening peak-hours.

According to Broward County Traffic Engineering Division, the Tri Rail Broward Site is underutilized and poses no serious traffic issues; previously, this location was considered for a major league baseball stadium due to its advantageous infrastructure and capacity. Additionally, the Tri Rail Broward Site was identified in the *SR-9/I-95 at SR-842/Broward Boulevard Interchange (Broward Boulevard from West of SW 24th Avenue to East of NW/SW 18th Avenue) Project Development & Environment (PD&E) Study* (Appendix J) as an area potentially undergoing modifications to help improve transportation linkage, traffic operations, and modal interrelationships at the I-95 and Broward Boulevard Interchange.

#### The County Courthouse Site

The following roads intersect with the County Courthouse Site:

- S New River Drive E is a one lane, one-way access road with traffic traveling in the westward direction. When traveling westbound, S New River Drive E intersects with SE 1<sup>st</sup> Avenue.
- SE 1<sup>st</sup> Avenue is a minor road with two lanes of dual directional traffic in the north/south directions. SE 1<sup>st</sup> Avenue is connected to S Andrews Avenue via both SW 5th Street and SE 6<sup>th</sup> Street.
- SE 6<sup>th</sup> Avenue is a two lane, one-way road with traffic traveling in the westward direction. The posted speed limit is 25 MPH. When traveling westbound, SE 6<sup>th</sup> Avenue intersects with SE 1<sup>st</sup> Avenue and S Andrews Avenue.
- SE 3<sup>rd</sup> Avenue is a four lane, undivided arterial with dual directional traffic in the north/south directions. It has an AADT rate of 16,600 vehicles. SE 3<sup>rd</sup> Avenue has a posted speed limit of 35 MPH. When traveling southbound, SE 3<sup>rd</sup> Avenue intersects with SE 6<sup>th</sup> Avenue.

S Andrews Ave and SE 3<sup>rd</sup> Avenue are the two main arterials in close proximity to the County Courthouse Site. S Andrews Ave is a four lane, undivided arterial with dual directional traffic in the north/south directions; the posted speed limit is 35 MPH. The County Courthouse Site is removed from major highways. In order to access I-95, drivers must traverse rivers and railroad tracks, which can cause delays. Both S Andrews Ave and SE 3<sup>rd</sup> Avenue traverse the Tarpon River via a drawbridge in the northbound direction. When the drawbridges are activated to allow for boat passage, they interrupt traffic flow and can create stand-still conditions. Due to the drawbridge's close proximity to this location, its activation could create ingress and egress limitations for commuters attempting to access or exit the site.

According to Broward County Traffic Engineering Division, traffic near the County Courthouse Site is primarily a product of downtown congestion and nearby parking activities during peak commuting hours. There are several parking structures within three blocks of the site that create a back-up of cars onto main roadways as commuters wait in line to park.

#### The Tri Rail Cypress Creek Site

The following road intersects with the Tri Rail Cypress Creek Site:

- NW 59 Court is a minor road with two lanes of dual direction traffic in the east/west directions. When traveling westbound, NW 59 Court intersects with the northbound lane of Powerline Road. When traveling eastbound, NW 59 Court dead ends and redirects vehicles via a traffic circle in the westbound direction. The posted speed limit is 25 MPH.

Powerline Road is the main arterial closest to the Tri Rail Cypress Creek Site. Powerline Road is a six-lane divided major highway with dual directional traffic in the north/south directions; its posted speed limit is 45 MPH. Due to the median that divides Powerline Road, NW 59 Court is only accessible via a righthand turn when traveling in the northbound direction; access to NW 59 Court from the southbound lane of Powerline Road is prevented by the median.

Access to I-95 is achievable to/from Powerline Road via W Cypress Creek Road. W Cypress Creek Road is a divided major road with eight-lanes of dual directional traffic in the east/west directions. Traffic conditions are created by a railroad crossing along the segment of W Cypress Creek Road that connects I-95 to Powerline Road.

According to the City of Fort Lauderdale’s Transportation and Mobility Department, Cypress Creek Road experiences significant vehicle congestion during peak commuting hours, which could negatively impact traffic flow in the area. Additionally, this location is isolated and not easily accessible, which has been an issue for the current landowner, Tri Rail.

#### **4.7.2.2 Criteria of Evaluation**

An alternative may have a potentially significant impact on traffic patterns if it would:

- a. Require the alteration or redesign of existing roadways in the area.
- b. Create conditions that substantially conflict with or exacerbate existing traffic patterns in the area.

#### **4.7.2.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on roadways or traffic patterns in the vicinity of the site.

##### Alternative 2 – Construction at the Hudson Site

Alternative 2 would have a **moderate negative impact** on traffic patterns in the area. The entirety of SE 10<sup>th</sup> Court and the northern extent of SE 4<sup>th</sup> Avenue would be decommissioned and removed. Since these road segments only service the seven parcels that comprise the Hudson Site, access and connectivity to other parcels and roads would not be affected. Traffic pattern interruptions may result from proposed construction activities but would be temporary in nature.

Currently, there are five operational office buildings on site, which promote vehicular traffic to the area from commuting employees and visitors. These offices will likely be relocated nearby, meaning associated vehicular traffic will also remain. Additionally, the new Courthouse will increase vehicle traffic to the area from commuting employees and visitors. As a result, Alternative 2 would create a net increase in vehicular traffic to the area and have a moderate negative impact on traffic patterns.

##### Alternative 3 – Construction at the Tri Rail Broward Site

The Tri Rail Broward Site is underutilized and poses no serious traffic issues. The GSA may seek to make alterations to W Broward Boulevard to improve site ingress and egress. While these alterations may temporarily disrupt traffic patterns during construction, long term effects are not anticipated. Therefore, Alternative 3 would have a **temporary minor negative impact** to vehicular traffic and roadways.

##### Alternative 4 – Construction at the County Courthouse Site

The area surrounding the County Courthouse Site is prone to high traffic volume. Downtown congestion conditions are, in part, created by the back-up of cars onto main roadways as commuters wait in line to access parking structures and lots. Under Alternative 4, approximately 100 parking spaces designated for Broward County Courthouse visitors and employees would be removed, thereby creating additional demand for parking in the vicinity of the site. Additionally, the new Courthouse would not provide public parking; Courthouse visitors and guests, if commuting via car, will need to rely on existing public parking options. The displacement of 100 parking spots compounded by the parking needs of Courthouse visitors and guests will further create queuing parking lines. As a result, Alternative 4 is expected to have a **major negative impact** on traffic patterns.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site experiences significant vehicle congestion during peak commuting hours. The new Courthouse will increase vehicle traffic to the area from commuting employees and visitors. As a result, Alternative 5 would create a net increase in vehicular traffic to the area.

Additionally, the GSA may seek to make alterations to Powerline Road to improve site ingress and egress. While these alterations may temporarily disrupt traffic patterns during construction, long term effects are not anticipated. Alternative 5 would have a **moderate negative impact** to vehicular traffic and roadways.

#### **4.7.2.4 Mitigation**

Maintenance of traffic would occur through strategic timing of deliveries when possible (e.g., at night when traffic flow is lowest), avoiding disruption during high traffic periods, and avoiding lane closures. Should a lane closure occur, traffic cones and informative signage would be used to notify oncoming commuters of upcoming traffic flow changes. At no point would a full closure of a main arterial be necessary. A Maintenance of Traffic Plan would be developed that describes the specific elements needed to ensure that impacts to traffic would be minimal during Courthouse construction.

It is recommended that GSA consult with the Fort Lauderdale Downtown Development Authority, Broward County Highway Construction Engineering Division, the City of Fort Lauderdale's Transportation and Mobility Department, and Florida Department of Transportation as appropriate during the planning stages to best mitigate impacts to traffic.

### **4.7.3 Pedestrian and Bicycle Access**

#### **4.7.3.1 Existing Conditions**

##### The Hudson Site

Two public roadways intersect with the Hudson Site; SE 10th Court is entirely encompassed by the site boundary while SE 4th Avenue is partially encompassed. Neither roadway has a sidewalk to facilitate pedestrian traffic nor designated bike lanes for cyclists. SE 3<sup>rd</sup> Avenue bounds the site to the west; this roadway does not have designated bike lanes but has designated pedestrian sidewalks in both the northbound and southbound direction.

While the *South Andrews Avenue Master Plan* proposes the development of pedestrian and bicycle routes, the Hudson Site was not specifically identified or designated as a targeted area for this type of development.

##### The Tri Rail Broward Site

The Tri Rail Broward Site poses a challenging pedestrian environment. W Broward Boulevard and an I-95 interchange are the two main roadways providing access to the site. The -I-95 interchange is not a suitable pedestrian or bicycle route. W Broward Boulevard does offer designated pedestrian sidewalks in both the eastbound and westbound directions; however, W Broward Boulevard is a major eight-lane highway and provides no protective barrier between the sidewalk and traffic lanes, which could compromise pedestrian safety. W Broward Blvd does not have designated bike lanes.

While the Community Redevelopment Plan for NPF Area proposes the development of sidewalks and pedestrian amenities, the Tri Rail Broward Site was not specifically identified or designated as a targeted area for this type of development.

##### The County Courthouse Site

The County Courthouse Site is located in downtown Fort Lauderdale, a pedestrian and bicycle friendly environment. The County Courthouse Site is bound to the north by the Riverwalk Linear Park. This park provides connectivity to destination along the New River for pedestrians and cyclists.

While there are several master plans that promote increased access to pedestrian and cycling infrastructure in the Downtown Regional Activity Center, the County Courthouse Parking Lot was not specifically identified or designated as a targeted area for this type of development.

##### The Tri Rail Cypress Creek Site

The *Uptown Urban Village Master Plan* identifies the Tri Rail Cypress Creek Station as a key element in the development plan that will serve as a catalyst in creating a mixed-use, multi-

modal, pedestrian environment. Key elements of the plan that encompass the Tri Rail Cypress Creek Site Include:

- Connecting the greenway system—a network of bicycle and equestrian paths, nature trails and waterways—to the Tri Rail Cypress Creek Station.
- Enhancing the visibility of the Tri Rail Cypress Creek Station and adjacent area as a transit-oriented development with a mix of uses, including a dynamic public gathering space such as a plaza and pedestrian- and bicycle-friendly connections.
- Planning for more mixed-use, multi-modal development in and around the Tri Rail Cypress Creek Station.
- Developing the Secondary Streets and Bicycle/Pedestrian multi-use trails, particularly connecting to the Tri Rail Cypress Creek Station, which would entice mixed-use developments to the Uptown Urban Village.
- Relocating the Tri Rail Cypress Creek Station to the north. There is greater visibility, better access, and closer proximity to more uses and riders north of Cypress Creek Road. The existing station could be re-purposed as a pedestrian bridge crossing and the parking lot could be marketed for a larger user, manufacturer, or commercial recreation.

#### 4.7.3.2 Criteria of Evaluation

An alternative may have a potentially significant impact on pedestrian and bicycle access if it would:

- a) Permanently remove a substantial number of pedestrian/bicycle routes from the planning area.
- b) Substantially conflict with goals or policies for pedestrian/bicycle access in the surrounding area.

#### 4.7.3.3 Impacts and Significance of Effects

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on pedestrian or bicycle access in the vicinity of the site.

##### Alternative 2 – Construction at the Hudson Site

Alternative 2 is expected to have **no impact** on pedestrian or bicycle access at the Hudson Site. The two roads that intersect the site boundary—SE 10<sup>TH</sup> Court and SE 4<sup>th</sup> Avenue—do not have sidewalks or bike lanes. SE 3<sup>rd</sup> Avenue does have designated pedestrian sidewalks; however, it is outside the site boundary and will not be affected by the Proposed Action. Furthermore, Alternative 2 does not conflict with any goals or policies for pedestrian/bicycle access outlined in the *South Andrews Avenue Master Plan*.

##### Alternative 3 – Construction at the Tri Rail Broward Site

Alternative 3 is expected to have **no impact** on pedestrian or bicycle access at the Tri Rail Broward Site. The site is located in the middle of the Broward Boulevard Park & Ride parking lot and would not interfere with any existing pedestrian or bike routes.

Furthermore, Alternative 3 does not conflict with any goals or policies for pedestrian/bicycle access outlined in the *Community Redevelopment Plan for NPF Area*.

##### Alternative 4 – Construction at the County Courthouse Site

Alternative 4 is expected to have **no impact** on pedestrian or bicycle access at the County Courthouse Site. There are no existing pedestrian or bike routes at the site and the Riverwalk Linear Park is located outside the site boundary.

Furthermore, Alternative 4 does not conflict with any goals or policies for pedestrian/bicycle access outlined in the *Downtown New River Master Plan*, *Downtown Master Plan*, or *Riverwalk District Plan*.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Under Alternative 5, the Courthouse would be constructed at the Tri Rail Cypress Creek Site, necessitating the relocation of the Tri Rail Cypress Creek Station. This station is a key element in the *Uptown Village Master Plan*. Since relocating the station north of Cypress Creek Road is proposed in the *Uptown Urban Village Master Plan*, Alternative 5 would result in the rerouting of established pedestrian and bicycle routes to the relocated station. Therefore, Alternative 5 would have a **moderate negative impact** on pedestrian/bicycle access in the area.

#### **4.7.3.4 Mitigation**

##### Alternative 1 – No Action Alternative

No mitigation would be needed.

##### Alternative 2 – Construction at the Hudson Site

No mitigation would be needed.

##### Alternative 3 – Construction at the Tri Rail Broward Site

No mitigation would be needed.

##### Alternative 4 – Construction at the County Courthouse Site

No mitigation would be needed.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

It is recommended that GSA work with Tri Rail and the City of Fort Lauderdale to preserve existing pedestrian and bicycle routes.

#### **4.7.4 Public Transportation**

##### **4.7.4.1 Existing Conditions**

###### The Hudson Site

Public transportation options are available at the Hudson Site. Broward County Transit services the area via bus route 1 and the Breeze Bus. The Sun Trolley Downtown Link also services the area.

###### The Tri Rail Broward Site

As an active transportation hub, there are plentiful public transportation options available at the Tri Rail Broward Site. Broward County Transit services the area via bus routes, 9, 22, 81, and the Breeze Bus. Two 95 Express Bus stops can also be accessed via Miami-Dade Transit at the site.

Two Sun Trolley lines—the neighborhood link and NW Community Link—also make stops at the site. The Tri Rail Fort Lauderdale Station, which also provides Amtrak services, is also easily accessible from the Tri Rail Broward Site. The Tri Rail Connector Buses – FL-1, FL-2, and FL-3, can also be accessed at this location.

###### The County Courthouse Site

Public transportation options are available at the County Courthouse site. The Broward Central Terminal is located 0.7 miles (approximately a 15-minute walk) northwest of the site. The Broward Central Terminal services seventeen different Broward County Transit bus routes, making it a very well connected and accessible location. Broward County Transit also has several bus stops in the close proximity to the County Courthouse Site via routes 3, 30, 40, 1 and the breeze Bus. Tri Rail services the area via the FL-1 Commuter Connector as does Sun Trolley via the Downtown Link and Riverwalk Water Trolley.

###### The Tri Rail Cypress Creek Site

As an active transportation hub, there are plentiful public transportation options available at the Cypress Creek Site. Broward County Transit operates three bus routes in the vicinity of the site: routes 14, 60, 62. In addition to Tri Rail train services, there are three Tri Rail Commuter Connectors—CC-1, CC-2, CC-3—that make stops at this site.

##### **4.7.4.2 Criteria of Evaluation**

An alternative may have a potentially significant impact on public transportation access if it would:

- a. Permanently remove a substantial number of public transportation routes from the planning area.
- b. Substantially conflict with goals or policies for public transportation access in the surrounding area.

#### **4.7.4.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on public transportation access in the vicinity of the site.

##### Alternative 2 – Construction at the Hudson Site

Public transportation services are available near the Hudson Site; however, construction of the Courthouse at this location would not permanently remove these established routes. Additionally, the *South Andrews Avenue Master Plan* does not specifically identify or designate the Hudson Site as a targeted area for future public transportation development. Therefore, Alternative 2 would have **no impact** on public transportation access.

##### Alternative 3 – Construction at the Tri Rail Broward Site

The Tri Rail Broward Site is located at Broward Boulevard Park & Ride, a transportation hub. Under Alternative 3, a portion of the parking lot, which provides free parking to the commuting public, would be decommissioned. While this may temporarily disrupt public transportation traffic, it will not permanently remove established routes. Additionally, established planning goals in this area do not specifically identify or designate the Tri Rail Broward Site as a targeted area for future public transportation development. Therefore, Alternative 3 would have **no impact** on public transportation access.

##### Alternative 4 – Construction at the County Courthouse Site

Public transportation services are available near the County Courthouse Site; however, construction of the Courthouse at this location would not permanently remove these established routes. Additionally, there are no master plans which identify or designate the County Courthouse Site as a targeted area for future public transportation development. Therefore, Alternative 4 would have **no impact** on public transportation access.

##### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site encompasses the entire parking area currently designated as free parking for the commuting public at the Tri Rail Cypress Creek Station. Under Alternative 5, access to the western train platform would need to be negotiated or relocated. Additionally, Broward Transit bus route 1 and the three Tri Rail Commuter Connectors that have designated bus stops within the Cypress Creek Site would need to be rerouted. Broward Transit routes 60 and 62 would likely remain unaffected as they are accessed from Andrews Avenue.

Additionally, the *Uptown Urban Village Master Plan* aims to increase bus and shuttle services to the Tri Rail Cypress Creek Station. Since relocating the station north of Cypress Creek Road is proposed in the *Uptown Urban Village Master Plan*, Alternative 5 would result in the rerouting of established public transportation routes to the relocated station. Therefore, Alternative 5 would have a **moderate negative impact** on public transportation routes in the area.

#### **4.7.4.4 Mitigation**

##### Alternative 1 – No Action Alternative

No mitigation would be needed.

##### Alternative 2 – Construction at the Hudson Site

No mitigation would be needed.

##### Alternative 3 – Construction at the Tri Rail Broward Site

No mitigation would be needed.

##### Alternative 4 – Construction at the County Courthouse Site

No mitigation would be needed.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

It is recommended that GSA work with Tri Rail and Broward Transit to preserve access to existing public transportation services.

### **4.8 Site Contamination/Hazardous Waste**

A Phase I Environmental Site Assessment (ESA) (Appendix K) was performed for the four potential Action Alternative sites as part of GSA's due diligence requirements to provide an evaluation of the existence of recognized environmental conditions associated with the four sites as a result of past or present site activities and current site conditions. The Phase I ESA was conducted in accordance with sections of the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, designation E1527-13 (ASTM E1527-13).

#### **4.8.1 Existing Conditions**

##### The Hudson Site

No recognized environmental conditions were identified for the Hudson Site and no further investigation is recommended.

According to the Broward County Environmental Engineering and Permitting Division, there are recorded contaminated sites located within ¼-mile of this location. Therefore, any proposed dewatering activities would need to be pre-approved by the Environmental Engineering and Permitting Division in accordance with Chapter 27 of Broward County Code.

##### The Tri Rail Broward Site

No evidence of recognized environmental conditions was identified for the Tri Rail Broward Site, except for the following:

- The Tri Rail Broward Site was identified as a historic hazardous waste generator, operating as Johnnie & Mack Paint & Body. Orkin Exterminating Co. Inc. also operated on the subject property. According to the City of Fort Lauderdale's Property Records Office, the subject property was issued a permit in 1991 for the removal of four 6,000-gallon, one 2,000-gallon, and one 1,550-gallon underground storage tanks (USTs). As of the date of this report, no documentation indicating that assessment activities were conducted on the subject property has been provided.
- The Everglades Fertilizer Company Fire Site, located within ⅛-mile east of the Tri Rail Broward Site was identified on multiple databases by Environmental Data Resources. According to a March 6, 2007 Remedial Site Assessment Decision provided by the EPA, fertilizers and pesticides were buried in place on the site after a 1969 fire. The site was covered with 10 to 15 feet of compacted fill and an access ramp for Interstate 95 was built on top of the area. Concentrations of creosotic compounds, heavy metals, and pesticides were detected in soil and groundwater.
- According to City Directory listings, adjacent and nearby sites were historically used as fertilizer manufacturers and auto repair facilities.

Additional investigation was recommended for the Tri Rail Broward Site.

According to the Broward County Environmental Engineering and Permitting Division, there are recorded contaminated sites located within ¼-mile of this location. Therefore, any proposed dewatering activities would need to be pre-approved by the Environmental Engineering and Permitting Division in accordance with Chapter 27 of Broward County Code.

##### The County Courthouse Site

No recognized environmental conditions were identified for the County Courthouse Site and no further investigation is recommended.

Ramboll did note, however, that a DRC exists for the overall County Courthouse Complex, for environmental contamination associated with the County Courthouse Building. Based on the records available for review, it does not appear that the contamination associated with the County Courthouse Building has impacted the site, or that the DRC encompasses the Site. However, Broward County could not confirm if the Site would be impacted by the deed restrictions/institutional controls/engineering controls required by the DRC.

#### The Tri Rail Cypress Creek Site

No evidence of recognized environmental conditions was identified for the Tri Rail Cypress Creek Site, except for the following:

- Soil and groundwater contamination, associated with the former waste disposal practices at the Hollingsworth Solderless Terminal Company, located adjacent to the south of the site, was identified on the Tri Rail Cypress Creek Site and does not appear to have been remediated

While not a recognized environmental condition, the South Florida Regional Transportation Authority is aware of the existing Federal Aviation Administration (FAA) regulations due to the property being in proximity to the Fort Lauderdale Executive (FXE) Airport. There are height restrictions imposed on any developments directly in the path of the runways, which includes the SFRTA-owned parcel. Any development within the path of the runway must adhere to the height restriction of 34:1, meaning for every 34 feet from the end of the runway, one foot of vertical development is permitted. The most western portions of the SFRTA-owned parcel are approximately 3,200 feet away from the runway. Based on confirmation from FXE and using the FAA regulation of 34:1 referenced earlier, development on the SFRTA site can be scaled from 94' on the west side of the site to 110' on the east side.

According to the Broward County Environmental Engineering and Permitting Division, there are recorded contaminated sites located within ¼-mile of this location. Therefore, any proposed dewatering activities would need to be pre-approved by the Environmental Engineering and Permitting Division in accordance with Chapter 27 of Broward County Code.

Additional investigation was recommended for the Tri Rail Cypress Creek Site.

#### **4.8.2 Criteria of Evaluation**

An alternative may have the potential for a significant impact if it would:

- a. Create a hazard to public health or the environment through the use, handling, transport, or disposal of hazardous materials or wastes.
- b. Create reasonably foreseeable conditions that would have the potential for improper release of hazardous materials into the environment.
- c. Locate facilities on a site included on a list of hazardous material or waste sites compiled in accordance with federal and state laws.
- d. Subject humans to materials with concentrations of hazardous materials in excess of health advisory limits.

#### **4.8.3 Impacts and Significance of Effects**

##### Alternative 1 – No Action Alternative

The No Action alternative would have **no impact** on site contamination or hazardous waste.

##### Alternative 2 – Construction at the Hudson Site

No recognized environmental conditions were identified for the Hudson Site and no further investigation is recommended. Therefore, Alternative 2 would have **no impact** on site contamination or hazardous waste.

Implementation of the Proposed Action would require removal of building components that likely contain asbestos containing materials (ACMs) and lead based paint (LBP), as well as hazardous materials, prior to demolition of the buildings. Appropriate surveys would be performed before

demolition, to ensure worker safety, as required under the Occupational Safety and Health Act [Title 29 of the Code of Federal Regulations Part 1926.1101 (29 CFR 1926.1101)]. ACMs and LBPs will be removed by licensed contractors in accordance with federal and state regulations, and disposed in a landfill permitted to receive these types of waste.

Because ACM and LBP abatement activities will be conducted in compliance with applicable federal and state laws, and wastes generated by these activities will be properly transported and disposed, impacts associated with the Proposed Action will be mitigated appropriately. Therefore, these alternatives would have no impact on public health and the environment from hazardous materials, wastes, or constituents.

#### Alternative 3 – Construction at the Tri Rail Broward Site

The Tri Rail Broward Site has a potential for soil or groundwater contamination due to past activities on the site and on the adjacent sites. Although contamination is not known to be present, GSA anticipates that further due diligence investigations will be required if this site is selected. Therefore, there is a **minor negative impact** from this alternative.

If soil and/or groundwater contamination is identified, assessment and remediation will be conducted in accordance with federal and state regulations. Because activities will be conducted in compliance with applicable federal and state laws, and wastes generated by these activities will be properly transported and disposed, impacts associated with the Proposed Action will be mitigated appropriately. Therefore, these alternatives would have no impact on public health and the environment from hazardous materials, wastes, or constituents.

#### Alternative 4 – Construction at the County Courthouse Site

No recognized environmental conditions were identified for the County Courthouse Site and no further investigation is recommended. Therefore, Alternative 4 would have **no impact** on site contamination or hazardous waste.

#### Alternative 5 – Construction at the Tri Rail Cypress Creek Site

The Tri Rail Cypress Creek Site has a potential for soil or groundwater contamination due to past activities on the site and on the adjacent sites. GSA anticipates that further due diligence investigations will be required if this site is selected. Therefore, there is a **minor negative impact** from this alternative.

If soil and/or groundwater contamination is identified, assessment and remediation will be conducted in accordance with federal and state regulations. Because activities will be conducted in compliance with applicable federal and state laws, and wastes generated by these activities will be properly transported and disposed, impacts associated with the Proposed Action will be mitigated appropriately. Therefore, these alternatives would have no impact on public health and the environment from hazardous materials, wastes, or constituents.

### **4.8.4 Mitigation**

#### Alternative 1 – No Action Alternative

No mitigation would be needed.

#### Alternative 2 – Construction at the Hudson Site

No mitigation would be needed.

#### Alternative 3 – Construction at the Tri Rail Broward Site

Investigation of the potential contamination has not been conducted on the Tri Rail Broward Site; therefore, contamination is suspected, but not known. A Phase II ESA is recommended.

Contamination identified at the selected site, if any, would be remediated based on federal and state regulations.

#### Alternative 4 – Construction at the County Courthouse Site

No mitigation would be needed. Ramboll recommends legal review of the DRC to evaluate whether it would have an impact on site acquisition and development.

Alternative 5 – Construction at the Tri Rail Cypress Creek Site

Investigation of the potential contamination has not been conducted on the Tri Rail Cypress Creek Site; therefore, contamination is suspected, but not known. A Phase II ESA is recommended. Per the EPA's direction, Ramboll recommends that assessment activities be coordinated with the EPA Superfund Remedial Project Manager and the Florida DEP's Waste Site Cleanup Section. Note that, due to the Site's location in a delineated area pursuant to Florida's Groundwater Delineation Program, installation of monitoring wells to assess groundwater quality may not be permitted. Contamination identified at the selected site would be remediated based on federal and state regulations.

**4.9 Existing Conditions that will not be Impacted**

As part of the analysis process for this EA, several areas of the potentially-affected environment were evaluated and found not to be impacted by any of the alternatives evaluated in this EA. Therefore, these issues were not addressed in this document. These issues are:

- Landforms and Topography
- Geology and Soils
- Ambient Noise Levels
- Weather-Related Hazards
- Seismic Conditions
- Radon
- Medical Facilities
- Educational Facilities
- Open Space/Recreation
- Electrical Power
- Natural Gas
- Solid Waste Management
- Telecommunications
- Groundwater
- Wild and Scenic Rivers
- Ambient Air Quality - Implementing this action would not significantly affect local or regional air quality. Fort Lauderdale is in attainment with the National Ambient Air Quality Standards and the EPA does not anticipate emissions from the project being significant enough to affect the attainment status. To minimize the potential short-term increase in fugitive dust and exhaust emissions during demolition and construction activities, the GSA will implement measures as needed to reduce diesel emissions, such as switching to cleaner fuels, retrofitting current equipment with emission reduction technologies, replacing older vehicles, and reducing idling through operator training and/or contracting policies.

**4.10 Cumulative Impacts**

Cumulative impacts are defined as "the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such actions" (40 CFR 1508.7).

The Fort Lauderdale Urban Design and Planning Division was consulted regarding planned, ongoing, and future development projects that may contribute to incremental impacts. The online Development Projects Viewer (City of Fort Lauderdale GIS, 2020) as well as static maps provided by the Fort Lauderdale Urban Design and Planning Division (Appendix C) were used to identify projects within 0.5 miles of the Four Action Alternatives. Cumulative impacts were analyzed and assigned one of the following three impact categories: no cumulative impact, positive cumulative impact, negative cumulative impact.

**4.10.1 Alternative 1 – No Action Alternative**

There would be **no cumulative impacts** from the No Action Alternative, since no new office space, new parking area, new public services, new utilities, or new transportation infrastructure would be used.

**4.10.2 Alternative 2 – Construction at the Hudson Site**

The table below summarizes fourteen development projects identified within 0.5 miles of the Hudson Site.

Project Name	Address	Distance from Alternative 4	Use Type	Status
FSMY Office	312 Rose Dr	0.1 miles	Commercial	In Review
Tarpon Lofts	400 SE 9 <sup>th</sup> Ct	0.06 miles	Residential	Approved
Tarpon Landings	1100 SE 3 <sup>rd</sup> Ave	0.06 miles	Mixed Use	In Review
iTown	208 SE 9 <sup>th</sup> St	0.14 miles	Residential	Approved
Healthy Housing Foundation Apartments	409 SE 8 <sup>th</sup> St	0.18 miles	Residential	In Review
Fiori Financial	311 SE 7 St	0.24 miles	Commercial	Approved
14 Units Townhouse	816 SE 1 <sup>st</sup> Ct	0.27 miles	Unknown	Approved
629 Residences	629 SE 5 <sup>th</sup> Ave	0.33 miles	Mixed Use	Approved
550 Justice Building	524 S Andrews Ave	0.40 miles	Commercial	Under Construction
14 Unit Townhouse	816 SE 12 Ct	0.43 miles	Residential	In Review
New River Central	100 SSW 6 St	0.44 miles	Mixed Use	Approved
Southside CityCentre [Riverparc Square]	501 S Andrews Ave	0.47 miles	Mixed Use	Approved
Self-Storage Facility	1401 SW 1 <sup>st</sup> Ave	0.48 miles	Unknown	Approved
Alexan - Tarpon River	501 S Federal Highway	0.48 miles	Residential	In Review

Five projects are still undergoing review, eight projects have received approval, and one site is currently under construction. Therefore, it is reasonable to believe that impacts associated with construction at the Hudson Site could be compounded by impacts resulting from these projects. The following resources have the potential to be affected from cumulative impacts:

- Economic and Employment Activities
  - Approved projects in the vicinity of the Hudson Site include commercial and residential development. As a result of construction of the proposed Courthouse, employment opportunities will be introduced to the area. Since Alternative 2 will have a beneficial impact on economic and employment activities, cumulative impacts will also be **beneficial**.
- Parking
  - Alternative 2 will have a moderate negative impact on parking resources in the area. The addition of commercial and residential development projects will also increase parking demand in the area. Therefore, the area will experience a **cumulative negative impact** on parking resources in the area.
- Vehicular Traffic
  - Alternative 2 will have a moderate negative impact on vehicular traffic in the area. The addition of commercial and residential development projects will also increase vehicular use and traffic in the area. Therefore, the area will experience a **cumulative negative impact** on vehicular traffic in the area.

While Alternative 2 will have a beneficial cumulative impact on economic and employment activities in the area, construction of the Courthouse at the Hudson Site will have cumulative negative impacts on both parking resources and vehicular traffic. Therefore, Alternative 2 will contribute to an overall **negative cumulative impact** to the area.

**4.10.3 Alternative 3 – Construction at the Tri Rail Broward Site**

The table below summarizes the seven development projects identified within 0.5 miles of the Tri Rail Broward Site.

Project Name	Address	Distance from Alternative 3	Use Type	Status
Riverbend	201 NW 22 Ave	0.15 miles	Commercial	In Review
Townhomes at River Gardens – West Parcel	2150 – 2184 NW 6 <sup>th</sup> St	0.44 miles	Residential	In Review
Townhomes at River Gardens – East Parcel	534 – 538 NW 22 <sup>nd</sup> St	0.44 miles	Residential	In Review
Sistrunk Quarters	2012 NW 6 <sup>th</sup> St	0.48 miles	Mixed Use	In Review
Broward Spin Carwash	2700 W Broward Blvd	0.47 miles	Commercial	In Review
SPSA Retail	101 SW 27 Ave	0.52 miles	Commercial	In Review
Broward Boulevard Project Development	I-95 and surrounding roadway infrastructure	0.0 miles	Transportation	Preliminary Planning

Six of the identified projects are currently undergoing review while one is still in the planning phase. There are no approved or ongoing projects occurring within 0.5 miles of the site. Therefore, there are **no cumulative impacts** associated with construction at the Tri Rail Broward Site, at this time. The GSA should continue to monitor the review status if these projects throughout the NEPA process.

**4.10.4 Alternative 4 – Construction at the County Courthouse Site**

The table below summarizes the thirty-one development projects identified within 0.5 miles of the County Courthouse Site.

Project Name	Address	Distance from Alternative 4	Primary Use Type	Status
550 Building Parking Garage	500 S Andrews Ave	0.09 miles	Parking	Under Construction
Broward County Courthouse Phase II	201 SE 6 <sup>th</sup> St	0.13 miles	Public Plaza	Approved
100 Las Olas	100 E Las Olas Blvd	0.13 miles	Mixed Use	Under Construction
550 Justice Building	524 S Andrews Ave	0.14 miles	Commercial	Under Construction
Southside CityCentre [Riverparc Square]	501 S Andrews Ave	0.15 miles	Mixed Use	Approved
1 <sup>st</sup> Avenue Residences	477 SW 1 <sup>st</sup> Ave	0.15 miles	Mixed Use	Approved
488 Residences	444 SW 1 <sup>st</sup> Ave	0.16 miles	Mixed Use	Approved
Riverwalk Residences at Las Olas	333 N New River Dr E	0.16 miles	Mixed Use	Approved
New River Yacht Club III	416 SW 1st Ave	0.16 miles	Mixed Use	Under Construction
Main Las Olas – South	201 E Las Olas Blvd	0.16 miles	Commercial	Under Construction

<b>Project Name</b>	<b>Address</b>	<b>Distance from Alternative 4</b>	<b>Primary Use Type</b>	<b>Status</b>
The Residences of Las Olas [Alluvion Las Olas]	200 E Las Olas Blvd	0.17 miles	Mixed Use	Under Construction
New River Yacht Club West	401 SW 1st Ave	0.18 miles	Mixed Use	Approved
4 West Las Olas	305 S Andrews Ave	0.2 miles	Mixed Use	Under Construction
Main Las Olas -North	212 SE 2nd Ave	0.21 miles	Mixed Use	Under Construction
201 East Las Olas	201 E Las Olas Blvd	0.22 miles	Commercial	In Review
New River Central	100 SSW 6 St	0.22 miles	Mixed Use	Approved
Marina Lofts	400 SW 3rd Ave	0.23 miles	Mixed Use	Approved
X Las Olas	330 SW 1ST Ave	0.24 miles	Mixed Use	Under Construction
Riverfront	300 SW 1 Ave	0.27 miles	Mixed Use	In Review
629 Residences	629 SE 5th Ave	0.29 miles	Mixed Use	Approved
212 Southeast 2nd	220 SE 2 St	0.3 miles	Mixed Use	In Review
River Lofts on Fifth	307 SW 5th St	0.31 miles	Mixed Use	In Review
Fiori Financial	311 SE 7th St	0.31 miles	Commercial	Approved
Alexan - Tarpon River	501 S Federal Highway	0.33 miles	Residential	In Review
Next Las Olas	419 SE 2 St	0.36 miles	Mixed Use	Under Construction
Sailboat Bend	425 SW 4th Ave	0.39 miles	Residential	Under Construction
iTown	208 SE 9th St	0.41 miles	Residential	Approved
RD Las Olas	201 S Federal Highway	0.43 miles	Residential	Approved
Las Olas Walk South	601 SE 2nd Ct	0.43 miles	Residential	Under Construction
Las Olas Walk North	601 SE 2nd Ct	0.43 miles	Residential	Under Construction
Capital One Café	801 E Las Olas Blvd	0.5 miles	Commercial	In Review

Six projects are still undergoing review, twelve projects have received approval, and thirteen sites are currently under construction. Therefore, it is reasonable to believe that impacts associated with construction at the County Courthouse Site could be compounded by impacts resulting from the twelve approved projects and thirteen ongoing projects. The following resources have the potential to be affected from cumulative impacts:

- Economic and Employment Activities
  - Approved projects in the vicinity of the County Courthouse Site include commercial, mixed use, and residential development. As a result of construction of the proposed Courthouse, employment opportunities will be introduced to the area. Since Alternative 4 will have a beneficial impact on economic and employment activities, cumulative impacts will also be **beneficial**.
- Parking
  - Alternative 4 will have a minor negative impact on parking resources in the area. The addition of commercial, mixed use, and residential development projects will also increase parking demand in the area. Therefore, the area will experience a **cumulative negative impact** on parking resources in the area.
- Vehicular Traffic
  - Alternative 4 will have a major negative impact on vehicular traffic in the area. The addition of commercial, mixed use, and residential development projects will also increase vehicular use and traffic in the area. Therefore, the area will experience a **cumulative negative impact** on vehicular traffic in the area.

While Alternative 4 will have a beneficial cumulative impact on economic and employment activities in the area, construction of the Courthouse at the County Courthouse Site will have cumulative negative impacts on both parking resources and vehicular traffic. Therefore, Alternative 2 will contribute to an overall **negative cumulative impact** to the area.

**4.10.5 Alternative 5 – Construction at the Tri Rail Cypress Creek Site**

The table below summarizes the three development projects identified within 0.5 miles of the Tri Rail Cypress Creek Site.

Project Name	Address	Distance from Alternative 5	Use Type	Status
Powerline Center Warehouse	5900 NW 9 Ave	0.26 miles	Industrial	In Review
Twin Peaks and Fairfield Inna and Suites	6210 N Andrews Ave	0.31 miles	Hotel	In Review
Wawa and Chick-Fil-A	6001 NW 9 Ave	0.37 miles	Commercial	In Review

All three identified projects are currently undergoing review. There are no approved or ongoing projects occurring within 0.5 miles of the site. Therefore, there are **no cumulative impacts** associated with construction at the Tri Rail Cypress Creek Site, at this time. The GSA should continue to monitor the review status if these projects throughout the NEPA process.

**4.11 Summary of Impacts and Mitigation Measures**

The below table provides a summary of benefits and impacts to each resource category resulting from the Alternatives evaluated in this EA.

Area of Impact	Alternative 1 No Action	Alternative 2 Hudson Site	Alternative 3 Tri Rail Broward	Alternative 4 County Courthouse Site	Alternative 5 Tri Rail Cypress Creek
<b>Achieve Purpose and Need</b>	Moderate Negative Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact
<b>Floodplain</b>	No Impact	Major Negative Impact	Major Negative Impact	Major Negative Impact	Major Negative Impact
<b>Wetlands and Surface Waters</b>	No Impact	No Impact	No Impact	No Impact	No Impact

<b>Area of Impact</b>	<b>Alternative 1</b> No Action	<b>Alternative 2</b> Hudson Site	<b>Alternative 3</b> Tri Rail Broward	<b>Alternative 4</b> County Courthouse Site	<b>Alternative 5</b> Tri Rail Cypress Creek
<b>Listed Species</b>	No Impact	No Impact	No Impact	No Impact	No Impact
<b>Planning and Zoning</b>	Minor Negative Impact	Beneficial Impact	No Impact	Beneficial Impact	Beneficial Impact
<b>Potable Water, Wastewater, Stormwater</b>	No Impact	Major Negative Impact	No Impact	Major Negative Impact	No Impact
<b>Economics/Employment</b>	No Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact
<b>Environmental Justice</b>	No Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact	Beneficial Impact
<b>Court Security</b>	Major Negative Impact	No Impact	No Impact	No Impact	No Impact
<b>Cultural Resources</b>	No Impact	No Impact	No Impact	No Impact	No Impact
<b>Parking</b>	No Impact	Moderate Negative Impact	Moderate Negative Impact	Minor Negative Impact	Major Negative Impact
<b>Vehicular Traffic</b>	No Impact	Moderate Negative Impact	Minor Negative Impact	Major Negative Impact	Moderate Negative Impact
<b>Pedestrian/Bicycle</b>	No Impact	No Impact	No Impact	No Impact	Moderate Negative Impact
<b>Public Transportation</b>	No Impact	No Impact	No Impact	No Impact	Moderate Negative Impact
<b>Contamination/Haz Waste</b>	No Impact	No Impact	Minor Negative Impact	No Impact	Minor Negative Impact
<b>Cumulative Effects</b>	No Impact	Negative Cumulative Impact	No Impact	Negative Cumulative Impact	No Impact

**4.11.1 Alternative 1 – No Action Alternative**

Sixteen resource categories were analyzed for impacts resulting from the No Action Alternative. This alternative would result in a minor negative impact to planning and zoning, a moderate negative impact on the project’s purpose and need, a major negative impact on court security, and a major negative impact on cultural resources. It was determined that the No Action Alternative would have no impact on twelve of the resource categories.

Mitigation measures associated with the No Action Alternative include:

- Floodplain – No mitigation needed.
- Wetlands and waterways– No mitigation needed.
- Species and Habitats of Special Concern – No mitigation needed.

- Planning and zoning – No mitigation needed. It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.
- Potable Water, Wastewater, Stormwater – No mitigation needed.
- Economic and employment activities - No mitigation needed.
- Environmental justice - No mitigation needed.
- Court security - No mitigation needed.
- Cultural resources - No mitigation needed.
- Parking - No mitigation needed.
- Vehicular traffic - No mitigation needed.
- Pedestrian and bicycle access - No mitigation needed.
- Public transportation - No mitigation needed.
- Site contamination/hazardous waste - No mitigation needed.

#### **4.11.2 Alternative 2 – Construction at the Hudson Site**

Sixteen resource categories were analyzed for impacts resulting from Alternative 2. This alternative will have a beneficial impact on the purpose and need, planning and zoning, employment and economic activities, and environmental justice. Alternative 2 will have a moderate negative impact on vehicular traffic and parking resources. This alternative will have a major negative impact on the floodplain, potable water, and wastewater. Additionally, negative cumulative impacts are associated with Alternative 2. It was determined that Alternative 2 would have no impact on seven of the resource categories.

Mitigation measures associated with Alternative 2 include:

- Floodplain - An eight-step process, per E.O. 11988, has been completed. The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Those measures identified in Section 4.1.1.4 will be considered during the design and construction phases.
- Wetlands and waterways - During construction, GSA will adhere to Best Management Practices (BMPs) that would be specified in the Soil Erosion and Sediment Control Plan prepared during project design. If off-site waters of the United States (i.e. streams, ditches, and wetlands) are impacted, the Army Corps of Engineers should be contacted to determine if additional mitigation is required.
- Species and Habitats of Special Concern – No mitigation needed. A negative FBB survey expires after 1 year. If Alternative 4 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity..
- Planning and zoning – No mitigation needed. It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.
- Potable Water, Wastewater, Stormwater – The GSA should coordinate with the City of Fort Lauderdale to establish a mitigation plan for infrastructure alteration and relocation.
- Economic and employment activities - GSA procedures require that relocation assistance be provided to any businesses or residents displaced by the Proposed Action. Relocation benefits are governed by the Uniform Act of 1970. The GSA'S National Relocation Program Manager will be engaged to handle any relocation aspects resulting from the Proposed Action. Assistance may include providing relocation expenses, assisting with leases, and adjusting construction schedules. This would minimize the negative impact to the affected occupants of the Hudson Site.
- Environmental justice - No mitigation needed.

- Court security - No mitigation needed.
- Cultural resources - The GSA will develop a Programmatic Agreement for the project in consultation with consulting parties that outlines the identification, evaluation and treatment of significant archaeological resources discovered.
- Parking - It is recommended that GSA work with the City of Fort Lauderdale to develop additional surface parking to replace the spaces lost. This would mitigate the negative impact to the supply of parking spaces.
- Vehicular traffic - Maintenance of traffic would occur through strategic timing of deliveries when possible (e.g., at night when traffic flow is lowest), avoiding disruption during high traffic periods, and avoiding lane closures. Should a lane closure occur, traffic cones and informative signage would be used to notify oncoming commuters of upcoming traffic flow changes. At no point would a full closure of a main arterial be necessary. A Maintenance of Traffic Plan would be developed that describes the specific elements needed to ensure that impacts to traffic would be minimal during Courthouse construction. It is recommended that GSA consult with the Fort Lauderdale Downtown Development Authority, Broward County Highway Construction Engineering Division, and the City of Fort Lauderdale's Transportation and Mobility Department during the planning stages to best mitigate impacts to traffic.
- Pedestrian and bicycle access - No mitigation needed.
- Public transportation - No mitigation needed.
- Site contamination/hazardous waste - No mitigation needed.

#### **4.11.3 Alternative 3 – Construction at the Tri Rail Broward Site**

Sixteen resource categories were analyzed for impacts resulting from Alternative 3. This alternative will have a beneficial impact on the purpose and need, employment and economic activities, and environmental justice. Alternative 3 will have a temporary minor negative impact on vehicular traffic, a minor negative impact on hazardous waste exposure, and a moderate negative impact on parking resources. This alternative will have a major negative impact on the floodplain. It was determined that Alternative 3 would have no impact on nine of the resource categories.

Mitigation measures associated with Alternative 3 include:

- Floodplain - An eight-step process, per E.O. 11988, has been completed. The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Those measures identified in Section 4.1.1.4 will be considered during the design and construction phases.
- Wetlands and waterways - During construction, GSA will adhere to Best Management Practices (BMPs) that would be specified in the Soil Erosion and Sediment Control Plan prepared during project design. If off-site waters of the United States (i.e. streams, ditches, and wetlands) are impacted, the Army Corps of Engineers should be contacted to determine if additional mitigation is required.
- Species and Habitats of Special Concern – No mitigation needed. A negative FBB survey expires after 1 year. If Alternative 4 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity.
- Planning and zoning – No mitigation needed. It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.
- Potable Water, Wastewater, Stormwater – No mitigation needed.
- Economic and employment activities - No mitigation needed.
- Environmental justice - No mitigation needed.
- Court security - No mitigation needed.
- Cultural resources - No mitigation needed.

- Parking - It is recommended that GSA work with the City of Fort Lauderdale to develop additional surface parking to replace the spaces lost. This would mitigate the negative impact to the supply of parking spaces.
- Vehicular traffic - Maintenance of traffic would occur through strategic timing of deliveries when possible (e.g., at night when traffic flow is lowest), avoiding disruption during high traffic periods, and avoiding lane closures. Should a lane closure occur, traffic cones and informative signage would be used to notify oncoming commuters of upcoming traffic flow changes. At no point would a full closure of a main arterial be necessary. A Maintenance of Traffic Plan would be developed that describes the specific elements needed to ensure that impacts to traffic would be minimal during Courthouse construction. It is recommended that GSA consult with the Fort Lauderdale Downtown Development Authority, Broward County Highway Construction Engineering Division, the City of Fort Lauderdale's Transportation and Mobility Department, and Florida Department of Transportation as appropriate during the planning stages to best mitigate impacts to traffic.
- Pedestrian and bicycle access - No mitigation needed.
- Public transportation - No mitigation needed.
- Site contamination/hazardous waste - Investigation of the potential contamination has not been conducted on the Tri Rail Broward Site; therefore, contamination is suspected, but not known. A Phase II ESA is recommended. Contamination identified at the selected site, if any, would be remediated based on federal and state regulations.

#### **4.11.4 Alternative 4 – Construction at the County Courthouse Site**

Sixteen resource categories were analyzed for impacts resulting from Alternative 4. This alternative will have a beneficial impact on the purpose and need, planning and zoning, employment and economic activities, and environmental justice. Alternative 4 will have a minor negative impact on parking resources. This alternative will have a major negative impact on the floodplain, vehicular traffic, potable water, and wastewater. Additionally, negative cumulative impacts are associated with Alternative 4. It was determined that Alternative 2 would have no impact on seven of the resource categories.

Mitigation measures associated with Alternative 4 include:

- Floodplain - An eight-step process, per E.O. 11988, has been completed. The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Those measures identified in Section 4.1.1.4 will be considered during the design and construction phases.
- Wetlands and waterways - During construction, GSA will adhere to Best Management Practices (BMPs) that would be specified in the Soil Erosion and Sediment Control Plan prepared during project design. If off-site waters of the United States (i.e. streams, ditches, and wetlands) are impacted, the Army Corps of Engineers should be contacted to determine if additional mitigation is required.
- Species and Habitats of Special Concern – No mitigation needed. A negative FBB survey expires after 1 year. If Alternative 4 is selected and 1 year passes before tree removal and construction activities begin, the GSA will perform a second FBB survey at this site, to confirm the absence of any habitat and FBB activity.
- Planning and zoning – No mitigation needed. It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.
- Potable Water, Wastewater, Stormwater – The GSA should coordinate with the City of Fort Lauderdale to establish a mitigation plan for infrastructure alteration and relocation.
- Economic and employment activities - No mitigation needed.
- Environmental justice - No mitigation needed.
- Court security - No mitigation needed.

- Cultural resources - The GSA will develop a Programmatic Agreement for the project in consultation with consulting parties that outlines the identification, evaluation and treatment of significant archaeological resources discovered. "Accordant Zone" is protected by the Visual Artists Rights Act of 1990 and would require consultation with the artists as well as a protection plan developed by a conservator for the artwork components. GSA will also need to have the construction contractor restore the greenspace as part of the project's landscaping plan. There will likely be additional costs to the project unique to Alternative 4 due to the adjacent artwork.
- Parking - It is recommended that GSA work with the City of Fort Lauderdale to develop additional surface parking to replace the spaces lost. This would mitigate the negative impact to the supply of parking spaces.
- Vehicular traffic - Maintenance of traffic would occur through strategic timing of deliveries when possible (e.g., at night when traffic flow is lowest), avoiding disruption during high traffic periods, and avoiding lane closures. Should a lane closure occur, traffic cones and informative signage would be used to notify oncoming commuters of upcoming traffic flow changes. At no point would a full closure of a main arterial be necessary. A Maintenance of Traffic Plan would be developed that describes the specific elements needed to ensure that impacts to traffic would be minimal during Courthouse construction. It is recommended that GSA consult with the Fort Lauderdale Downtown Development Authority, Broward County Highway Construction Engineering Division, and the City of Fort Lauderdale's Transportation and Mobility Department as appropriate during the planning stages to best mitigate impacts to traffic.
- Pedestrian and bicycle access - No mitigation needed.
- Public transportation - No mitigation needed.
- Site contamination/hazardous waste - No mitigation needed. Ramboll recommends legal review of the DRC to evaluate whether it would have an impact on site acquisition and development.

#### **4.11.5 Alternative 5 – Construction at the Tri Rail Cypress Creek Site**

Sixteen resource categories were analyzed for impacts resulting from Alternative 5. This alternative will have a beneficial impact on the purpose and need, planning and zoning, employment and economic activities, and environmental justice. Alternative 5 will have a minor negative impact on hazardous waste exposure and a moderate negative impact on vehicular traffic, public transportation, and pedestrian and bike access. This alternative will have a major negative impact on the floodplain and parking resources. It was determined that Alternative 5 would have no impact on six of the resource categories.

Mitigation measures associated with Alternative 5 include:

- Floodplain - An eight-step process, per E.O. 11988, has been completed. The new Courthouse will be compliant with current local, state and federal standards and guidelines. The GSA will follow local floodplain guidelines during design activities. Those measures identified in Section 4.1.1.4 will be considered during the design and construction phases.
- Wetlands and waterways - During construction, GSA will adhere to Best Management Practices (BMPs) that would be specified in the Soil Erosion and Sediment Control Plan prepared during project design. If off-site waters of the United States (i.e. streams, ditches, and wetlands) are impacted, the Army Corps of Engineers should be contacted to determine if additional mitigation is required.
- Species and Habitats of Special Concern – No mitigation needed.
- Planning and zoning – No mitigation needed. It is recommended that GSA work closely with relevant agencies, which may include the City of Fort Lauderdale Department of Sustainable Development, the Fort Lauderdale Downtown Development Authority, the Fort Lauderdale Community Redevelopment Agency, and Broward Metropolitan Planning Organization, when designing and developing the selected site.
- Potable Water, Wastewater, Stormwater – No mitigation needed.

- Economic and employment activities - No mitigation needed.
- Environmental justice - No mitigation needed.
- Court security - No mitigation needed.
- Cultural resources - No mitigation needed.
- Parking - It is recommended that GSA work with the City of Fort Lauderdale to develop additional surface parking to replace the spaces lost. This would mitigate the negative impact to the supply of parking spaces.
- Vehicular traffic - Maintenance of traffic would occur through strategic timing of deliveries when possible (e.g., at night when traffic flow is lowest), avoiding disruption during high traffic periods, and avoiding lane closures. Should a lane closure occur, traffic cones and informative signage would be used to notify oncoming commuters of upcoming traffic flow changes. At no point would a full closure of a main arterial be necessary. A Maintenance of Traffic Plan would be developed that describes the specific elements needed to ensure that impacts to traffic would be minimal during Courthouse construction. It is recommended that GSA consult with the Fort Lauderdale Downtown Development Authority, Broward County Highway Construction Engineering Division, the City of Fort Lauderdale's Transportation and Mobility Department, and Florida Department of Transportation as appropriate during the planning stages to best mitigate impacts to traffic.
- Pedestrian and bicycle access - It is recommended that GSA work with Tri Rail and the City of Fort Lauderdale to preserve existing pedestrian and bicycle routes.
- Public transportation - It is recommended that GSA work with Tri Rail and Broward Transit to preserve access to existing public transportation services.
- Site contamination/hazardous waste - Investigation of the potential contamination has not been conducted on the Tri Rail Cypress Creek Site; therefore, contamination is suspected, but not known. A Phase II ESA is recommended. Per the EPA's direction, Ramboll recommends that assessment activities be coordinated with the EPA Superfund Remedial Project Manager and the Florida DEP's Waste Site Cleanup Section. Note that, due to the Site's location in a delineated area pursuant to Florida's Groundwater Delineation Program, installation of monitoring wells to assess groundwater quality may not be permitted. Contamination identified at the selected site would be remediated based on federal and state regulations.

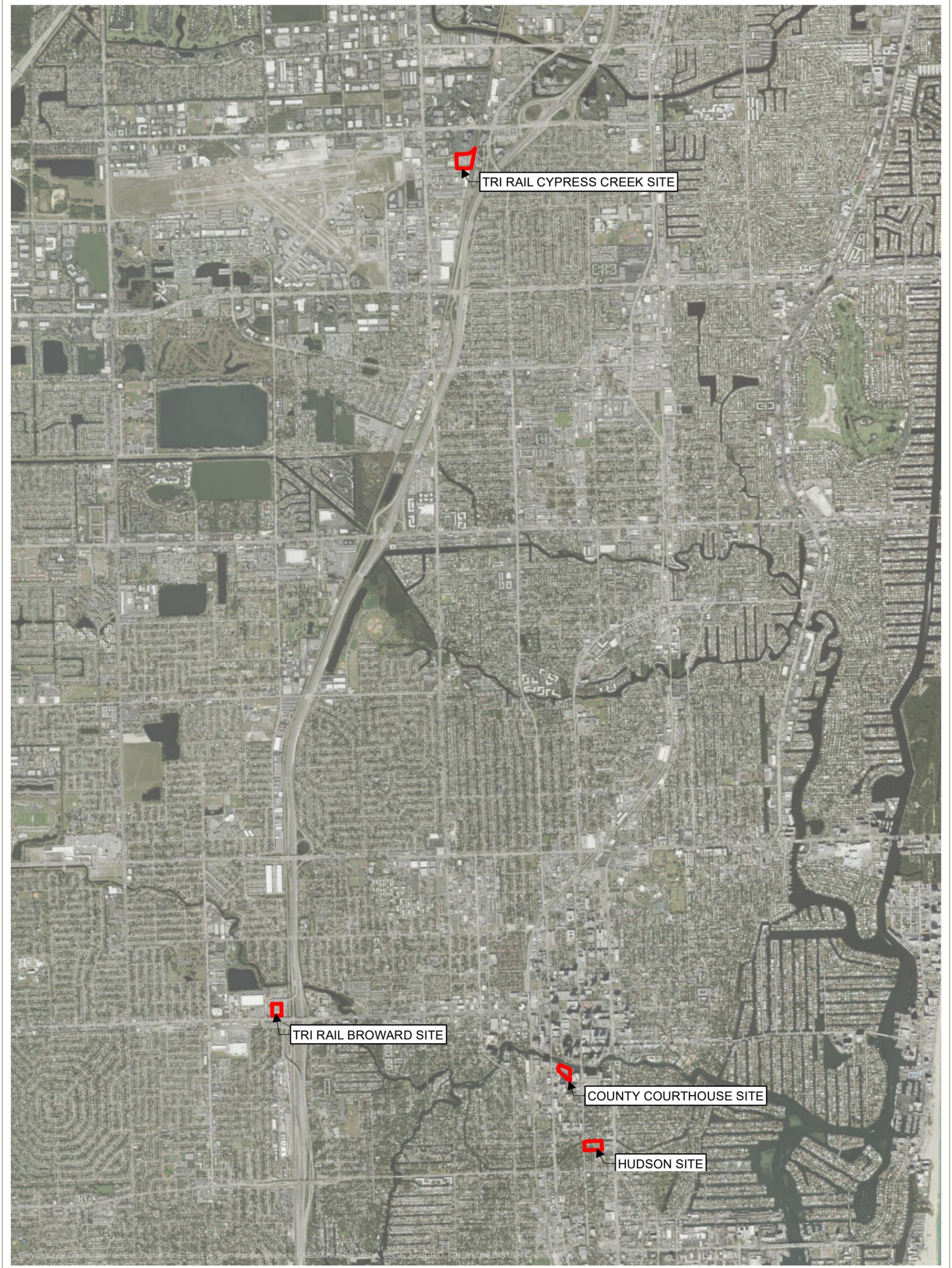
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## 6. FIGURES

[FIGURES CONTINUED ON NEXT PAGE]





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**LEGEND**  
 **SITE BOUNDARY**

**POTENTIAL SITE LOCATIONS  
NEW FEDERAL COURTHOUSE SITE  
SELECTION**

**FIGURE 02**

0 1,500 3,000  
Feet

**GENERAL SERVICES ADMINISTRATION  
FORT LAUDERDALE, FLORIDA**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY





 SITE BOUNDARY

**FIGURE 3**  
**THE HUDSON SITE**  
**NEW FEDERAL COURTHOUSE SITE SELECTION**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY

0 50 100  
Feet

GENERAL SERVICES ADMINISTRATION  
FORT LAUDERDALE, FL





 SITE BOUNDARY

**FIGURE 4**  
**THE TRI RAIL BROWARD SITE**  
**NEW FEDERAL COURTHOUSE SITE SELECTION**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY

0 50 100  
Feet

**GENERAL SERVICES ADMINISTRATION**  
FORT LAUDERDALE, FL





 SITE BOUNDARY

**FIGURE 5**  
**THE COUNTY COURTHOUSE SITE**  
**NEW FEDERAL COURTHOUSE SITE SELECTION**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY

0 50 100  
Feet

GENERAL SERVICES ADMINISTRATION  
FORT LAUDERDALE, FL





 SITE BOUNDARY

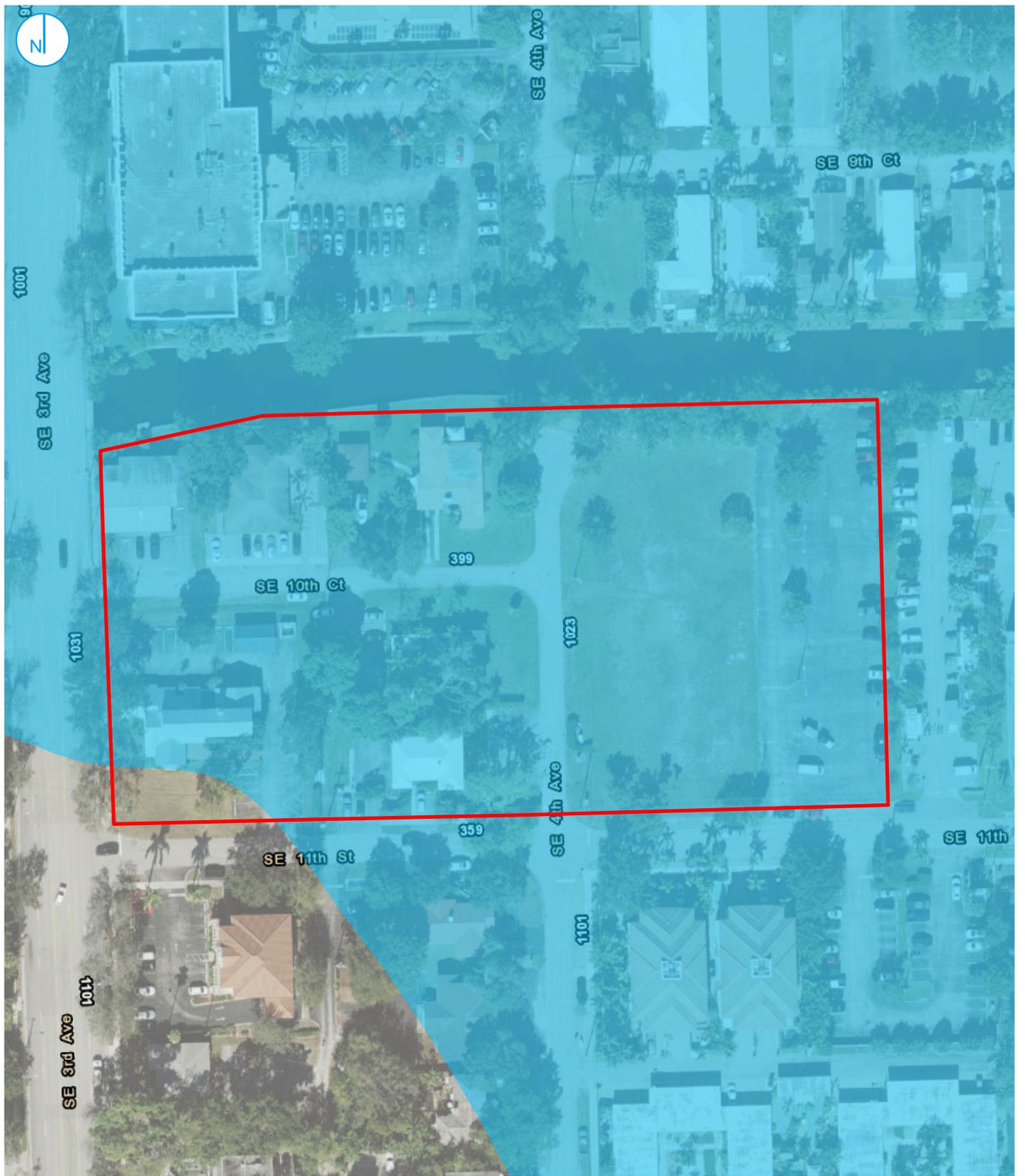
**FIGURE 6**  
**THE TRI RAIL CYPRESS CREEK SITE**  
**NEW FEDERAL COURTHOUSE SITE SELECTION**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY

0 50 100  
Feet

GENERAL SERVICES ADMINISTRATION  
FORT LAUDERDALE, FL

**RAMBOLL**



**LEGEND**

- SITE BOUNDARY
- AREAS WITH 1% ANNUAL CHANCE OF FLOODING (100-YEAR FLOODPLAIN)
- AREAS WITH 0.2% ANNUAL CHANCE OF FLOODING (500-YEAR FLOODPLAIN)

**FIGURE 7**  
**THE HUDSON SITE**  
**FEMA FLOOD HAZARD MAP**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY





**LEGEND**

- SITE BOUNDARY
- AREAS WITH 1% ANNUAL CHANCE OF FLOODING (100-YEAR FLOODPLAIN)
- AREAS WITH 0.2% ANNUAL CHANCE OF FLOODING (500-YEAR FLOODPLAIN)

**FIGURE 8**  
**FEMA FLOOD HAZARD MAP**  
**THE TRI RAIL BROWARD SITE**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY





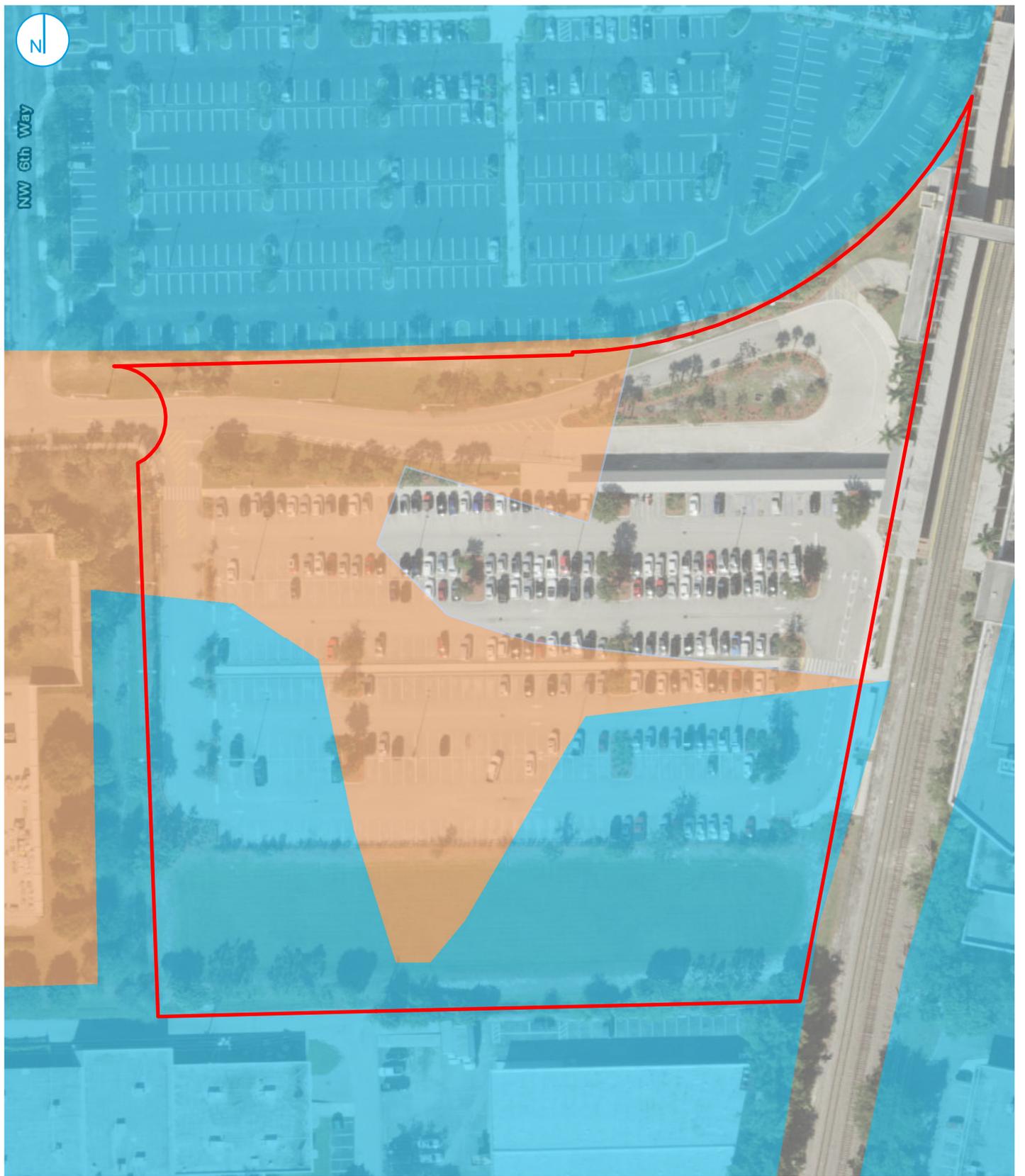
**LEGEND**

- SITE BOUNDARY
- AREAS WITH 1% ANNUAL CHANCE OF FLOODING (100-YEAR FLOODPLAIN)
- AREAS WITH 0.2% ANNUAL CHANCE OF FLOODING (500-YEAR FLOODPLAIN)



**FIGURE 9**  
**FEMA FLOOD HAZARD MAP**  
**THE COUNTY COURTHOUSE SITE**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY



**LEGEND**

-  SITE BOUNDARY
-  AREAS WITH 1% ANNUAL CHANCE OF FLOODING (100-YEAR FLOODPLAIN)
-  AREAS WITH 0.2% ANNUAL CHANCE OF FLOODING (500-YEAR FLOODPLAIN)

**FIGURE 10**  
**FEMA FLOOD HAZARD MAP**  
**THE TRI RAIL CYPRESS CREEK SITE**

O'BRIEN & GERE ENGINEERS, INC.  
A RAMBOLL COMPANY

