



Temporary Airboat Concession Contracts Environmental Assessment Public Scoping Notice

October 2005

The National Park Service (NPS) proposes to issue temporary concession contracts to three airboat tour companies operating within the East Everglades Expansion Area of Everglades National Park. In accordance with the National Environmental Policy Act (NEPA), the NPS will prepare an Environmental Assessment (EA) to analyze the environmental effects of authorizing airboat tours in the Park over a three-year period. We seek the benefit of your comments on the scope of the upcoming analysis, your input on issues and alternatives that should be considered, as well as any additional information, concerns or comments about the proposal. The comment period is October 12 to November 10, 2005. Please use the attached form or visit the National Park Service Planning, Environment and Public Comment (PEPC) site to submit your comments at: <http://parkplanning.nps.gov>. Be sure to indicate if you wish to remain on the mailing list.

Scoping Open Houses: You're Invited!

October 26, 2005

John D. Campbell Agricultural Center

18710 SW 288 St.
Homestead, FL 33030
Time: 5:30 – 8:00 p.m.

Directions: Take the Turnpike, U.S. 1, or Krome Avenue to SW 288 Street (Biscayne Drive) and head west. Travel west on SW 288 St. to SW 187 Ave. (Redland Rd.) and turn left, heading south. Look for the Miami-Dade Cooperative Extension Service Office immediately on your right at 18710 SW. 288 St. Parking is free.

October 27, 2005

West Kendall Regional Library

10201 Hammocks Blvd.
Miami, FL 33196
Time: 5:30 – 8:00 p.m.

Directions: Take the Turnpike to Exit 20, SW 88 St. (Kendall Drive). Travel west on SW 88 St. to SW 147 Ave. Turn left, heading south on 147 Ave to SW 104 St. Turn right, heading west on 104 St to SW 151 Ave. Turn right (north) on 151 Ave into the Hammocks Shopping Center. Follow 151 Ave north, passing the Kendall Ice Arena to the Library. Parking is free.

We invite you to attend an open house to learn more about commercial airboat tours and the environmental assessment, to ask questions and share ideas, issues and concerns. A brief presentation about the project will be given at 6:00 p.m. each day. NPS staff and the airboat tour operators will be on hand to visit with you, answer questions and record your input.

Your participation is vital to our environmental assessment process. This scoping notice provides information on the planning process and how you can be involved. We encourage you to participate in this important project.

Sincerely, Dan B. Kimball
Superintendent, Everglades National Park

What is scoping? Scoping is the first step to involve the public in the environmental impact analysis process. This allows you to tell the NPS what issues and alternatives you would like to see considered in the EA - before it is actually prepared.

Is scoping my only opportunity to comment on the project? No, there will be an additional opportunity. Once the EA is developed, the document will be made available for public review and comment for a 45-day period.

Background

In 1989, Congress passed the Everglades National Park Protection and Expansion Act (P.L.101-229). The Act enlarged the Park to include 109,506 acres of the East Everglades, including a portion of Northeast Shark River Slough, a waterway that is critical for the hydrologic restoration and protection of Park resources. Once the Park acquired these private and state lands, airboat use in the East Everglades addition would be prohibited, except for private airboat owners and commercial operators who were using the area as of January 1, 1989. Section 103(d) of the Act authorized the NPS to enter into concession contracts with commercial airboat tour operators in the addition area as follows:

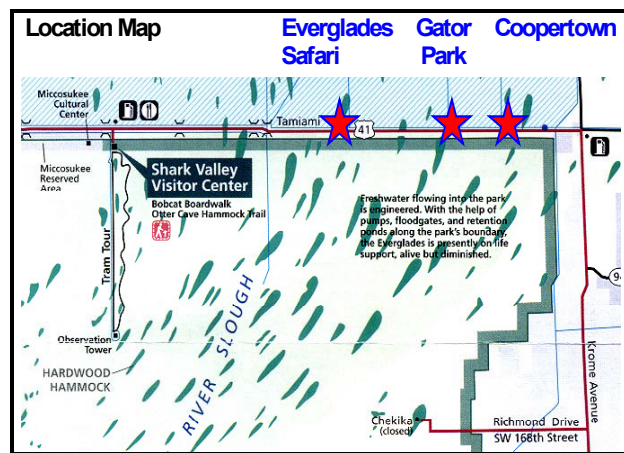
The Secretary [of the Interior] is authorized to negotiate and enter into concession contracts with the owners of commercial airboat and tour facilities in existence on or before January 1, 1989, located within the addition for the provision of such services at their current locations under such rules and conditions as he may deem necessary for the accommodation of visitors and protection of biological resources of the area. (P.L. 101-229)

The NPS has determined that Coopertown Airboat Tours, Gator Park Airboat Tours and Everglades Safari Park are eligible for concession contracts under the provisions of the expansion Act. All three companies are located on small tracts of private land within the Park along Tamiami Trail (U.S. 41), and conduct airboat tours on NPS owned lands. The operators estimate they collectively take more than 300,000 passengers into the Park annually and that business has grown over the past five years.

With over 99 percent of the expansion lands now in federal ownership, commercial airboat tours are occurring on Park lands without the commercial service authorizations required by NPS law and regulations. The Park must begin to manage this recreational use in a manner consistent with NPS laws, policy and regulations.

The NPS has several authorization tools to choose from to manage commercial services in parks. When a service is offered inside a park that uses parklands and/or facilities, it is usually authorized by a concession contract. When on a regular basis a commercial activity begins and ends outside the park but uses the park during the activity, the typical instrument used is a commercial use authorization (CUA), also known as an incidental business permit.

The NPS has determined that use of a CUA would not be allowable in this case due to the specific language in the Act regarding concession contracts. Concession contracts must provide for payment to the government of a franchise fee, or other monetary consideration as determined by the Secretary, upon consideration of the probable value to the concessioner of the privileges granted by the particular contract involved.



Purpose of and Need for Action

NPS management and staff held an internal scoping workshop to develop the purpose, need and objectives for the proposal and to identify the preliminary alternatives and issues described below. The purpose of the proposed action is to authorize Coopertown Airboat Tours, Gator Park Airboat Tours, and Everglades Safari Park to continue to conduct airboat tours within the East Everglades addition of Everglades National Park for a three-year period.

The contracts are needed to allow these companies to conduct airboat tours, consistent with NPS laws, regulations and policies, until completion and implementation of the Park's General Management Plan (GMP) and Environmental Impact Statement (EIS), currently under development. The Record of Decision for the Final GMP/EIS will include a determination on whether or to what extent commercial airboat concessions will be authorized and implemented over the 15 to 20 year life of the GMP. The GMP/EIS is scheduled for completion in 2008; implementation is anticipated in 2008 and beyond. The NPS intends to defer acquiring the operators' land and buildings until completion of the GMP. The issuance of temporary airboat concession contracts is not intended to pre-determine the outcome of decisions to be reached in the GMP process.

Objectives for taking Action

Objectives are specific statements of purpose that describe what must be accomplished to a large degree for a project to be considered a success. The following objectives were developed to guide preparation of the temporary concession contracts environmental assessment.

Park Operations

- Manage commercial airboat operations in the addition area in accordance with NPS and other applicable laws, policies and regulations.
- Maintain good working relationships between the NPS and the airboat tour operators.
- Maintain a viable business opportunity for the airboat tour operators while the Park completes and implements its general management plan.
- Ensure adequate NPS staffing for concessions oversight, resources management, monitoring, interpretation and law enforcement.

Visitor Use and Experience

- Increase opportunities for public understanding and appreciation of the Park through personal and non-personal services offered by the airboat tour operators.
- Ensure that airboat tour operators provide safe, high quality visitor experiences and services that meet NPS standards.
- Ensure that tour operators provide services for the duration of the three-year contract period.
- Do not preclude future use options in the addition area that could be determined in the GMP.

Natural and Cultural Resources

- Manage airboat tour operations and facilities to ensure they are compatible with the restoration and maintenance of the natural abundance, diversity and ecological integrity of native plants and animals, as well as the behavior of native animals as part of their ecosystem.
- Ensure that airboat tour operations and facilities do not adversely affect threatened and endangered species or sensitive habitats.
- Ensure that airboat tour operations and facilities are compatible with the hydrologic restoration of Northeast Shark River Slough.
- Minimize impacts to wetlands and floodplains.
- Avoid adverse impacts on archeological, ethnographic or other cultural resources.



Decisions to be made

The environmental assessment will evaluate whether issuing temporary concession contracts for airboat tours in the East Everglades addition would cause any significant impact on environmental resources. It will make available to decision-makers and interested parties a discussion of alternatives that eliminate or minimize adverse impacts.

Preliminary Alternatives

The interdisciplinary planning team is developing alternative concepts for managing commercial airboat tours in the Park. Three preliminary alternatives have been outlined to determine if they meet the project purpose, need and objectives. The details of these and any other alternatives will be developed in future planning sessions. Your input is important in assisting the NPS in developing the full range of alternatives to be considered in the environmental assessment.

Alternative A - No Action. This alternative represents the baseline or benchmark from which to compare the impacts of the action alternatives. In this case, “No Action” means that the airboat tour companies would continue to operate in the Park without concession contracts required by NPS regulations. NPS would defer purchasing the operators’ land and buildings until completion of the Park GMP. NPS would not exercise oversight over services offered on the operators’ property such as food service, gift shop sales, wildlife shows or camping. NPS oversight of tours and services within the Park would be minimal and consist primarily of enforcing Park regulations. Airboat tour routes and destinations would not be restricted within the expansion area. Operators would not pay a franchise fee to the NPS. Although this alternative would violate NPS regulations and would not meet project objectives, it will be retained for full evaluation to satisfy the requirements of NEPA.

Alternative B- Type III Concession Contracts, Defer Land Acquisition-Preferred Alternative.

The NPS would issue Type III concession contracts for a term of three years. Due to Expansion Act language that limits concession contracts to operators who were operating in the addition as of January 1, 1989, sole source contracts would be issued. NPS would defer purchasing the operators' land and buildings until completion of the Park GMP and would only exercise oversight over tours and services conducted on Park lands. NPS would not exercise oversight over services offered on the operators' property such as food service, gift shop sales, wildlife shows or camping. Oversight would include monitoring the quality and cost of services, employee conduct, training, scheduling, environmental impacts, and enforcing Park regulations. Airboat tours would be limited to designated routes and destinations within the expansion area. Operators would pay a franchise fee to the NPS.

Alternative C - Type II Concession Contracts and Land Acquisition.

The NPS would acquire the land and buildings of all 3 airboat tour operators prior to completion of the GMP and issue Type II concession contracts for a term of three years. Contracts would be sole source as in Alternative B. NPS would assign land and facilities for concessioner use and exercise oversight over all services offered by the operators. Airboat tours would be limited to designated routes and destinations within the expansion area. Operators would pay a franchise fee to the NPS.

Preliminary Resource Considerations

Initial project scoping identified the following resources and concerns for consideration in the environmental assessment.

- Air Quality
- Soils
- Water Resources/Hydrology/Water Quality
- Wetlands/Floodplains
- Vegetation
- Fish, Wildlife and Species of Concern
- Natural Soundscape
- Cultural Resources, Native American concerns
- Visitor Use and Experience
- Public Health and Safety
- Park Neighbors
- Socioeconomics
- Park Operations and Maintenance

If public or agency concerns arise, additional resources may be evaluated.



Airboat trails and an often-visited tree island in the East Everglades Expansion Area

Your Participation is Vital to the Planning Process

Anyone interested in this project will have opportunities to stay informed and participate in the EA process. Project milestones include:

Milestone	Public/Agency Involvement	Timeline
Public scoping	Brochure, Public workshops, 30-day comment period	Closes November 10, 2005
Alternatives development and Impact analysis	Agency and Tribal Consultations	October 2005 – February 2006
EA preparation		February – July 2006
Public review of EA	Public meetings, 45-day comment period	May – July 2006
Analysis of public comment		July – August 2006
Decision document	Review NPS decision	August 2006

Please send your comments by November 10, 2005

The NPS will use the comments received to begin preparing the draft EA. Specifically, we are seeking your thoughts on:

- Issues, opportunities, concerns or potential environmental impacts you would like to see addressed
- Management strategies or Alternatives you think should be considered
- Any additional information, concerns or comments you may have on the proposal

To submit comments on the scope of the EA:

Comments will be accepted at the scoping open houses. The schedule is on page 1. If you are not able to attend, there are other ways you can submit comments during the scoping process.

- ❑ You can fold and return the enclosed comment form with your comments or mail a letter to:

Brien Culhane
Everglades National Park
Planning and Compliance Office
Attn: Airboat Contracts Scoping Comments
40001 State Road 9336
Homestead, FL 33034

- ❑ You can submit your comments through the Internet at: <http://parkplanning.nps.gov>
Simply select "Everglades National Park" from the drop down box and then follow the link for the

Airboat Concession Contracts Environmental Assessment

- ❑ You can hand-deliver comments to:

Everglades National Park Headquarters
Planning and Compliance Office
40001 State Road 9336
Homestead, FL 33034

Comments will not be accepted by fax, email or any other way than those specified above.

For more information or questions, contact Brien Culhane, Chief, Planning and Compliance Branch at 305-242-7717 or brien_culhane@nps.gov

Please be aware that names and addresses of respondents may be released if requested under the Freedom of Information Act. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your written comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

EXPERIENCE YOUR AMERICA

Detailed information about the airboat tour companies and their services can be found on their web sites:

- **Coopertown Airboat Tours:**
<http://www.coopertownairboats.com/>



- **Gator Park Airboat Tours:**
http://www.gatorpark.com/full_site/



- **Everglades Safari Park:**
<http://www.evsaferipark.com/>





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