



United States Department of the Interior
NATIONAL PARK SERVICE



Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034

In Reply Refer

L54

DEC 17 2018

Memorandum

To: Files

From: Superintendent, Everglades and Dry Tortugas National Park

Through: Park Interdisciplinary Team and Denver Service Center

Subject: Tamiami Trail Modifications: Next Steps Project **Phase 2** — Memorandum to File
National Environmental Policy Act Documentation

Project Information

Park Name: Everglades National Park

Project Title: Confirmation of Previous Analyses Documented in the *Tamiami Trail Modifications: Next Steps Final Environmental Impact Statement* Addressing Modifications to the Authorized Plan Recommended in the July 2018 Value Analysis Workshop

Project Location: Miami-Dade County, Florida

Project Leaders: Mark Pritchett (DSC) and Robert Johnson (ENP)

Introduction

Everglades National Park (ENP) has determined that a Memorandum to File (Memo to File) is necessary and adequate to document changes to Phase 2 of the Tamiami Trail Next Steps Project (TT:NS Project). Phase 1 of the project included 3.3 miles of total bridging and will be complete in early 2019. This analysis involves recommended modifications developed at the start of Phase 2 that were developed during an NPS-sponsored Value Analysis (VA) Workshop in July 2018. The purpose of the VA workshop was to reassess the project to determine the most environmentally responsible and cost effective Phase 2 plan to achieve the TT:NS purpose, need and objectives.

Project Description

The Confirmation of Previous Analyses (attached) to the TT:NS Project specifically addresses whether the modifications recommended by the Phase 2 Value Analysis (VA) Workshop held on July 10-11, 2018 are consistent with the impacts and benefits analyzed and documented in the Final Environmental Impact Statement (2010 FEIS) for the components of the project's authorized plan, Alternative 6e. The Phase 2 Recommended Plan from the July 2018 VA workshop was Alternative 2, which includes: 1) a total of 3.3-miles of existing bridges, 2) replacing 2.8-miles of proposed bridges with six 72-foot wide pre-cast concrete culverts, 3) reconstructing the remaining roadway, 4) adding swales for water quality treatment, and 5) replacing the remaining culverts in-kind. These changes meet the purpose and need of

the TT:NS Project. The National Park Service (NPS) completed the Final EIS in 2010 and signed the Record of Decision (ROD) for the Next Steps Project authorized plan on February 11, 2011.

Background

The 2009 Omnibus Appropriations Act (March 10, 2009) directed the NPS to evaluate bridging alternatives to the Tamiami Trail (US Highway 41) roadway (10.7-mile eastern section), beyond what was authorized by the 2008 Modified Water Deliveries to ENP Project: Limited Reevaluation Report (MWD/LRR), in order to “restore more natural water flow to Everglades National Park (ENP) and Florida Bay and for the purpose of restoring habitat within the Park and the ecological connectivity between the Park and the Water Conservation Areas.” The 2009 Omnibus Act also directed the U. S. Army Corps of Engineers (USACE) to immediately construct the 2008 LRR plan—a 1-mile bridge and the remaining road elevated to allow stages in the L-29 Canal to be raised to as much as 8.5 feet. Passage of the 2009 Omnibus Act was an acknowledgement that construction of the LRR modifications was only the first step, albeit an important one, to restoration of flows and ecological conditions in ENP.

A Final EIS (FEIS) was completed in 2010 by ENP for the Tamiami Trail Next Steps Project. The Record of Decision (ROD) was subsequently published in the Federal Register on April 26, 2011. The preferred plan identified in the FEIS and ROD was to add 5.5 miles of bridging to the 1-mile bridge then under construction and raise the balance of the 10.7-mile highway corridor (Alternative 6e in the FEIS).

On December 23, 2011, Congress passed the Consolidated Appropriations Act of 2012 (Public Law 112-74) which authorized construction of Alternative 6e of the Next Steps Project. In October 2012, NPS Director Jonathan Jarvis directed the staff of the Denver Service Center (DSC) and ENP to focus on the western 2.6 mile bridge as the first increment towards implementation of Alternative 6e. In early 2013 the NPS developed a conceptual design and initial cost estimate of \$180 million for Phase 1, to construct 2.6-miles of bridging and roadway improvements. In late 2013, Florida Governor Rick Scott pledged up to \$90 million of Florida Department of Transportation (FDOT) funding, and the NPS and Federal Highway Administration (FHWA) committed to matching that funding up to \$90M.

The NPS submitted a preliminary engineering design to the FDOT in October 2014. The FDOT agreed to manage project construction, and a Memorandum of Agreement (MOA) between the FDOT, the NPS, and the FHWA was signed in early 2015. This decision allowed the NPS/DSC project team to partner formally with the FDOT and FHWA. The FDOT advertised a design/build project in June 2015 (which included the 2013 VA recommendations and additional design refinements). FDOT issued a Phase 1 construction contract to Condotte America for just over \$97 million in June 2016, followed by a notice to proceed in August 2016.

The TT:NS Phase 1 eastern bridge (0.88-miles of decking) was completed in April 2018, and the western bridge (1.43-miles of decking) was substantially completed in October 2018. The adjacent approaches and transitions (totaling 0.7-miles) have been raised from approximately 10.0 feet to 13.1 feet based on the National Geodetic Vertical Datum of 1929 (NGVD), to accommodate the future Comprehensive Everglades Restoration Plan (CERP) design high water (DHW) requirement of 9.7 feet NGVD in the adjacent L-29 Canal. Removal of the original (abandoned) Tamiami Trail roadway at the eastern bridge began in October 2018. All of the remaining Phase 1 work is expected to be complete by March 2019.

Description of Previous Compliance Documentation

- The USACE completed the Revised General Reevaluation Report/Second Supplemental Environmental Impact Statement (RGRR/SEIS): Tamiami Trail Modifications, Modified Water Deliveries to ENP Project in June 2005. This recommended plan included a 2-mile western bridge and 1-mile eastern bridge, and reconstruction/raising of the remaining Tamiami Trail roadway, to accommodate future CERP flow requirements. Congress rejected this plan in 2007 over its high cost, and the USACE were directed to develop a more limited option.
- The USACE completed the Modified Water Deliveries to Everglades National Park: Tamiami Trail Modifications: Limited Reevaluation Report and Environmental Assessment (LRR/EA) in 2008. The selected plan included the construction of the 1-mile eastern bridge and the partial raising of the remainder of the roadway to allow L-29 Canal water levels to increase from the current 7.5 feet to levels up to the MWD project design high water of 8.5 feet NGVD. The report also acknowledged that other bridging and roadway alternatives would provide greater benefits, but at costs beyond the expected capability of the MWD Project. The Limited Reevaluation Report and EA are available on the NPS Planning, Environment and Public Comment (PEPC) website at <https://parkplanning.nps.gov/projectHome.cfm?projectID=21971>
- The NPS completed the Tamiami Trail Modifications: Next Steps Project: FEIS in 2010, and the ROD was signed in 2011. The passage of the 2009 Omnibus Act, followed by the Consolidated Appropriations Act of 2012, was an acknowledgement that Congress wanted the USACE to provide more immediate, but limited benefits through MWD/LRR features, while a larger project was needed to meet the longer-term restoration objectives of ENP. The Tamiami Trail Next Steps Project (with its more expansive bridging and roadway reconstruction) would advance NPS efforts to restore the ecological conditions in Northeast Shark River Slough and establish the foundation for future CERP restoration efforts in the Everglades.
- Subsequent to the publication of the TT:NS FEIS and authorization of the selected plan, ENP completed a value analysis and Memo to File for a modification to the 2.6-mile Phase 1 bridge in May 2014. This First Modified Alternative replaced the 2.6-mile bridge with two bridges totaling 2.3 miles and a short transition road. This reduced the wetland impacts while improving access to the Everglades Safari Park site, a federally-owned property within ENP that operates as a major park concessioner providing airboat tours to park visitors.
- A second modification to the Phase 1 bridging plan was made in 2015 in response to a request from the Florida Department of Environmental Protection to add two constructed wetland treatment areas to enhance the quality of bridge runoff prior to discharge into ENP. The new wetland treatment areas, located adjacent to the Everglades Safari Park, reduced the amount of pollutants entering the marsh in comparison to the Original Plan, and still resulted in the project remaining self-mitigating. These changes, referred to as The Second Modified Alternative, were documented in a March 2015 Memo to File.
- The TT:NS FEIS/ROD and the Phase 1 Memos to File are available on the NPS PEPC website at <https://parkplanning.nps.gov/projectHome.cfm?projectID=26159>

Conclusions

The Phase 2 Recommended Plan from the July 2018 VA workshop was Alternative 2 which fully meets the purpose and need of the TT:NS Project. The Phase 2 Recommended Plan includes: 1) a total of 3.3-miles of bridging, 2) six large pre-cast culverts in lieu of additional bridges, 3) reconstructing the remaining roadway, 4) adding swales for water quality treatment, and 5) replacing the remaining culverts in-kind. This Phase 2 Recommended Plan contains elements that are the same or very similar to elements described in the preferred and other alternatives that were analyzed in detail in the 2010 FEIS. This 2018 re-analysis confirms that the Phase 2 Recommended Plan would complete the Tamiami Trail Next Steps project, and is consistent with the benefit analyses and impact determinations included in the 2010 FEIS. The proposed changes have either the same or lower levels of adverse impacts on resources than those approved in the 2010 FEIS and ROD. The interdisciplinary team determined the following specific benefits and impacts associated with the Phase 2 Recommended Plan, compared to the Original Plan:

- a. Re-evaluation of the hydrologic benefits of Tamiami Trail bridging determined that the existing 3.3 miles of bridges (the combination of the MWD/LRR and TT:NS Phase 1) represents an optimal bridging plan, and would provide sufficient water conveyance capacity to pass future CERP restoration flows.
- b. The No-Action alternative in the Choosing by Advantages Analysis (which does not reconstruction/raise the remaining 6.5-miles of roadway) would constrain future L-29 Canal stage increases, limiting future restoration benefits in both the upstream Water Conservation Areas and ENP.
- c. The Choosing by Advantages analysis reiterated that the Original Plan from the 2010 Final EIS, with its 6.5-miles of total bridges, scored better on restoring sheetflow, and reducing wildlife mortalities, but only slightly better on marsh connectivity, and recreating marsh flow velocities.
- d. The Phase 2 Recommended Plan, with 3.3-miles of bridging and six large pre-cast culverts, scored higher than the Original Plan (with 6.5 miles of bridging) on reconnecting historic sloughs, and met the original project objectives for unconstrained flows, marsh connectivity, restoring sheetflow, and recreating marsh flow velocities, given the L-29 Levee removal limitations expected in the Central Everglades Project's recommended plan.
- e. The Phase 2 Recommended Plan would have 6.8 fewer acres of permanent wetland impacts compared to the 2010 Original Plan, and results in no temporary wetland impacts compared to 22.4 acres in the Original Plan, by constraining all construction activities within the new roadway and swale footprint.
- f. Seventeen threatened and endangered (T&E) species were evaluated in the Phase 2 analysis, with ten that were newly listed and/or not evaluated in the 2010 Final EIS. Only two of the species evaluated in the 2010 FEIS, the Wood stork (*Mycteria Americana*) and the Florida panther (*Puma concolor coryi*) had Likely to Adversely Affect determinations. Since the wetland impacts under the Phase 2 Recommended Plan were lower than the Original Plan, losses to T&E species habitat would be less, but this did not change the effect determinations.
- g. The cultural resource impacts to the Tamiami Trail roadway under the Phase 2 Recommended Plan would be less than the Original Plan, since 2.8-miles of additional bridging would not occur. There would still be no direct impacts to historic structures, but

adjacent entrance roads and parking areas would have minor impacts, since they would be reconstructed to match the raised roadway.

- h. Life Cycle Costing analyses determined that replacing 2.8-miles of additional bridging with six large pre-cast culverts, lowers the total project cost by \$118 million, while achieving 78% of the benefits (referred to as maximum importance value in the VA report).
- i. The Phase 2 Recommended Plan includes roadway improvements that will increase driver safety by widening and fully paving the shoulders. The paved shoulders create opportunities for improved traffic flow during emergencies, such as hurricane evaluations.
- j. The reconstructed roadway in the Phase 2 Recommended Plan will improve roadway stability throughout its 100-year lifespan, and can better withstand major high water events, and the impacts of climate change
- k. The Phase 2 Recommended Plan shortens the construction duration by 1.5 years compared to the Original Plan; this will reduce traffic disruption and deliver restoration benefits sooner. The Phase 2 Recommended Plan also ensures a higher quality of life for rural and tribal communities and provides reliable access to economically and culturally important sites.

Agency, Tribal and Public Engagement: The interdisciplinary team considered and updated information on species which have had their status changed since the completion of the FEIS and ROD. The impacts to listed species and critical habitat from the Phase 2 Recommended Plan is not substantively different than those described in the FEIS. The NPS reinitiated consultation with the U.S. Fish and Wildlife Service (USFWS) which concurred with the NPS determinations of effect on December 4, 2018. This concurrence will be reviewed again during the detailed design and permitting phase of the project. (USFWS e-mail correspondence is attached)

The NPS reinitiated consultation with the Florida State Historic Preservation Office (SHPO) regarding effects on historic properties. On December 10, 2018, the SHPO concurred with the NPS determination that no new adverse effects will result from the Phase 2 Recommended Plan and the adverse effects will be satisfactorily mitigated through completion of the existing Memorandum of Agreement executed on February 27, 2018. (SHPO letter is attached)

The ENP Superintendent has met with Miccosukee Tribe of Indians of Florida Chairman and the Tribal Council on several occasions to discuss Tamiami Trail Next Steps Phase 2, and the NPS interest to pursue the completion of the project by reconstructing the remaining sections of the road to include additional water conveyance using large culverts under the road, as opposed to additional bridging. The Chairman and the Tribal Council have expressed their appreciation for this consultation/communication, and the Tribe and ENP Superintendent have expressed commitment to each other to continue communicating as the project goes through its planning, design and construction phases. ENP has also discussed the Phase 2 Recommended Plan with the Seminole Tribe of Florida's Tribal Historic Preservation Office (THPO). Consultation with the THPO will continue during the planning, design and construction phases.

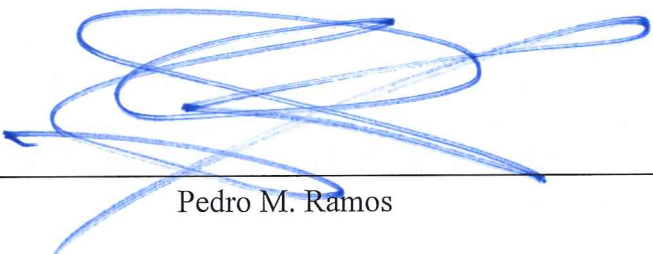
The NPS has conducted numerous briefings with other state and federal agencies, the Florida Congressional delegation and Non-Governmental Organizations on the Phase 2 Recommended Plan. The Phase 2 Plan has strong support from these entities and is not controversial.

Summary: Phase 1 of the TT:NS project included 3.3 miles of total bridging and will be complete in early 2019. Instead of constructing the previously approved 2.8 miles of additional Phase 2 bridging, the NPS will implement modest conveyance improvements (72-foot wide pre-cast concrete culverts) to enhance water flow at six existing culvert locations. The remaining un-bridged segments of roadway will be raised, the remaining culverts will be replaced in-kind, and swales will be added to enhance water quality.

This Phase 2 Recommended Plan from the 2018 VA workshop meets the purpose and need of the TT:NS project to provide unconstrained flow of water to ENP south of Tamiami Trail. There is no change in project scope, the description of impacts (context, duration and intensity) remains as described in the FEIS, and site conditions have not changed since preparation of the FEIS.

Consultations with the USFWS and the Florida SHPO have been updated with support and concurrence on the proposed changes and levels of impacts. Consultations with the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida will continue during the planning, design and construction phases.

After careful review of the 2010 FEIS, the Confirmation of Previous Analyses, and the results of consultations, the interdisciplinary team concurs that the 2010 FEIS adequately describes and analyzes the benefits and impacts for the Phase 2 Recommended Plan. Therefore, a Memorandum to File is appropriate to document the adequacy of the 2010 FEIS for the Phase 2 Recommended Plan and additional NEPA review is not required.

Superintendent:  **Date:** 12/17/2018
Pedro M. Ramos

Attachments:

Confirmation of Previous Analyses of the Tamiami Trail Next Steps Final EIS, Addressing Modifications to the Authorized Plan, Based on Recommendations from a 2018 Phase 2 Value Analysis Workshop. Everglades National Park and the NPS Denver Service Center, December 13, 2018.

Florida Department of State, State Historic Preservation Office, letter to Pedro M. Ramos re: Section 106 NHPA Consultation for Addendum to Tamiami Trail Modifications, December 10, 2018

U.S. Fish and Wildlife Service, electronic mail to Tylan Dean, Chief of Biological Resources, Everglades National Park, re: Section 7 ESA consultation for Tamiami Trail Next Steps Phase 2, December 4, 2018

Tamiami Trail Next Steps Phase II Roadway and Conveyance Improvements, Value Analysis Final Report. Everglades National Park, September 28, 2018



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Pedro M. Ramos
Superintendent
Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034

December 10, 2018

RE: DHR Project File No.: 2016-5474, Received by DHR: December 4, 2018
Project: *Section 106 NHPA Consultation for Addendum to Tamiami Trail Modifications: Next Steps, Everglades National Park*

Mr. Ramos:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

Everglades National Park (ENP) proposes to construct six 72 ft. wide pre-fabricated culverts at selected existing culvert locations along a section of the Old Tamiami Trail. The remaining un-bridged segments of the roadway in the project area will be raised and the culverts will be replaced in-kind. This project is a modification to the original undertaking, which proposed construction of three bridges within the project area. ENP notes that the project's Area of Potential Effect (APE) is unchanged for this modification and that the undertaking will affect no additional historic properties.

It is the opinion of this office that the project APE, project documentation, and cultural resources inventory effort are adequate for the proposed project modifications. Furthermore, we concur with ENP that although the undertaking will adversely affect historic properties, no new adverse effects will result from these project modifications and the adverse effects will be satisfactorily mitigated through completion of the existing Memorandum of Agreement executed on February 27, 2018.

If you have any questions, please contact me by email at Jason.Aldridge@dos.myflorida.com, or by telephone at 850-245-6344.

Sincerely,

Jason Aldridge
Deputy State Historic Preservation Officer
for Compliance and Review

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Culhane, Brien <brien_culhane@nps.gov>

Fwd: Tamiami Trail Next Steps phase 2 review

1 message

Culhane, Brien <brien_culhane@nps.gov>
To: Brien Culhane <brien_culhane@nps.gov>

Fri, Dec 14, 2018 at 4:23 PM

----- Forwarded message -----

From: **Meyer, Miles** <miles_meyer@fws.gov>
Date: Tue, Dec 4, 2018 at 3:04 PM
Subject: Tamiami Trail Next Steps phase 2 review
To: Tylan Dean <tylan_dean@nps.gov>
Cc: Progulske, Bob <donald_progulske@fws.gov>, Kevin Palmer <Kevin_Palmer@fws.gov>

Tylan,

Thank you for providing the draft evaluation of the conceptual design for phase 2 of the Tamiami Trail Next Steps project and request for the Service's review and confirmation of species affects determinations made during previous consultations. The Service and National Park Service (NPS) have been consulting on the Tamiami Trail Modification suite of projects since 2009 and the Service has provided a Final Biological Opinion (2010; Service Federal Activity Code 41420-2009-FA-0648 and Service Consultation Code 41420-2010-F-0370), an amended Biological Opinion (2014) and has exchanged correspondence several times regarding smaller project design modifications, the latest being in January 2017. This project has benefitted from an intermittent review process due to its frequent but modest design changes, funding sources and permit requirements on its way to completion. There can be no doubt, however, that it is one of the most critical projects in the overall restoration of the Everglades and when L-29 stages are no longer constrained it will provide immense benefit to the natural system.

To date, phase 1 of the project has constructed 3.6 miles of bridges, removed the adjacent stretches of old roadway and raised several low spots from 10.0-10.5 feet to 13.1 feet (National Geodetic Vertical Datum, NGVD), to accommodate the future Comprehensive Everglades Restoration Plan (CERP) design high water requirement of 9.7 feet in the adjacent L-29 Canal. All of the remaining Phase 1 work is expected to be complete by February 2019. Phase 2 of the project will focus primarily on replacing the underlayment and raising the rest of the roughly 6.5-mile stretch of roadway to 13.1-ft NGVD in order to handle 9.7 feet in the L-29 canal. Since the original plan contained some small bridges in this span the wetland impacts are slightly different and there are also requirements for additional road-side swales to collect runoff.

The NPS has reevaluated the wetland impacts along the trail as a result of preliminary design of Phase 2 of the project and have found them to be very similar to the original analysis. There will be roughly 24 acres of permanent impacts to wetlands. This level of impact is consistent with the Service's previous biological opinions, amendments and modifications and therefore reiterates its concurrence with the NPS species affects determinations of may affect not likely to adversely affect, the wood stork, Florida panther, Cape Sable seaside sparrow, Everglade snail kite, Eastern black rail, Florida bonneted bat, West Indian manatee, Everglades bully and Eastern indigo snake. The Service also concurs with the NPS determination of 'No effect' for several species listed in their draft evaluation as well as the Florida bristle fern. This concurrence is based on preliminary information provided by the NPS and will be reviewed again once final plans are provided.

The Service appreciates the continued commitment of the National Park Service in completing the critical Tamiami Trail Next Steps Project and looks forward to seeing the final phase completed.

Sincerely,

Miles Meyer
Supervisory Biologist, Everglades South Team
U.S. Fish and Wildlife Service
South Florida Ecological Services Office
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Visit our web site at www.fws.gov/verobeach/

"A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise." - Aldo Leopold

"Together, we will connect lands and waters to sustain fish, wildlife and plants by being visionary leaders, bold innovators, and trusted partners, working with and for people." - Region 4 Vision

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