



United States Department of the Interior
NATIONAL PARK SERVICE



Everglades and Dry Tortugas National Parks
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In Reply Refer

April 9, 2020

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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 October 2019 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 (TTNS) Project. The purpose of the project is to construct bridges and reconstruct/raise the remaining Tamiami Trail roadway that remains unbridged. This critical project is a precursor to the Comprehensive Everglades Restoration Plan (CERP) and when completed, will improve water conveyance, marsh connectivity, and sheetflow between Water Conservation Area 3A/3B and the Northeast Shark River Slough (SRS) of ENP.

The National Park Service (NPS) completed the TTNS Final Environmental Impact Statement (FEIS) in 2010 and the Record of Decision (ROD) was published in the Federal Register on April 26, 2011. The selected plan 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).

In 2015, the NPS, the Florida Department of Transportation, and the Federal Highway Administration began collaborating on the TTNS implementation. Phase 1 of the project was completed in April 2019 and included 2.3 miles of western bridging in addition to the previously constructed 1-mile eastern bridge completed during the Modified Water Deliveries project.

Project Description - Phase 2

The NPS sponsored two inter-agency Value Analysis (VA) workshops in July 2018 and October 2019, to develop the most environmentally responsible and cost effective Phase 2 plan to achieve the TTNS purpose, need and objectives. The 2018 VA workshop recommend a modified Phase 2 plan, with no additional large bridges beyond the existing 3.3-miles of bridges, adding six 72-foot wide pre-cast concrete culverts, reconstructing/raising the roadway, and adding swales for water quality treatment.

The currently proposed action is a design change resulting from the October 2019 VA workshop. Additional modifications to the Phase 2 Plan were added including: replacing the six proposed 72-foot wide culverts with 60-foot wide slab bridges, enlarging the swale system treatment capacity by 50% to meet the Outstanding Florida Water (OFW) designation for ENP, adding four left turn lanes to improve traffic safety at the Coopertown and Gator Park commercial sites, the Airboat Association, and the Miccosukee Osceola Camp, and adding a new access lane, diagonal parking, retaining walls, and wider shoulders for improved safety at the Miccosukee Tigertail Camp.

The attached March 31, 2020 Confirmation of Previous Analyses (CPA) report describes these recommended changes and addresses whether they are consistent with the benefits and impacts analyzed and documented in the TTNS 2010 FEIS for the components of the project's authorized plan, Alternative 6e. The report concludes that the Phase 2 modified plan will meet the purpose and need of the TTNS project, and the benefits analysis and impact determinations for the Phase 2 project are consistent with the benefits analyses and impact determinations included in the 2010 FEIS.

Description of Previous Compliance Documentation

Modified Water Deliveries Project

- **2005.** The U.S. Army Corps of Engineers (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.
- **2008.** 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>

Tamiami Trail: Next Steps Project

- **2011.** The NPS completed the Tamiami Trail Modifications: Next Steps Project FEIS in 2010, and the ROD was signed in April 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.
- **2012:** After the publication of the TTNS FEIS and authorization of the selected plan, ENP completed a Memo to File and Supplemental Assessment for Radio Towers in June 2012 to address the compatibility of the two radio towers operating within the area immediately south of the Tamiami Trail. While ENP determined that the radio towers were incompatible with the long-term restoration plans for the area, the park also determined that acquisition of the facilities, while preferred, was not necessary to attain incremental restoration benefits to the park in a manner consistent with the implementation of planned restoration projects. ENP has since acquired these properties.
- **2014.** 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 western 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.
- **2015.** The Federal Highways Administration signed a ROD on Feb. 9, 2015 in which it concurred with and adopted the NPS TTNS FEIS, ROD and NPS Memoranda to File dated 6/26/12 and 5/8/14. The ROD also notes that per the Consolidated Appropriations Act of 2014: "That because the Tamiami Trail project provides significant environmental benefits for the Everglades National Park, the requirements of 49 U.S.C. 303 (formerly Sec. 4(f)) are deemed satisfied with respect to such project and no additional documentation shall be required under such section."
- **2015.** 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.
- **2017.** ENP completed a Memo to File in May 2017 authorizing the use of drones instead of airboats to carry out turbidity monitoring required for construction of the Phase 1 bridges.
- **2018.** ENP completed a Memo to File to document changes to Phase 2 of the TTNS project developed during an interagency Value Analysis (VA) Workshop in July 2018. The revised Phase 2

plan provided that instead of constructing the previously approved 2.8 miles of additional Phase 2 bridging, the NPS would 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 would be raised, the remaining culverts would be replaced in-kind, and swales would be added to enhance water quality. These changes, referred to as The Third Modified Alternative, were documented in a December 2018 Memo to File.

- The TTNS FEIS/ROD and associated Memos to File are available on the NPS PEPC website at <https://parkplanning.nps.gov/documentsList.cfm?projectID=26159>

Conclusions

The 2020 Confirmation of Previous Analyses determined that the Phase 2 modified plan will meet the purpose and need of the TTNS project and result in improvements to the natural resource conditions within ENP that are generally consistent with the Original Plan (Alt. 6e in the 2010 Final EIS). Specific findings include:

- a. The 2020 re-analysis confirms that the Phase 2 modified plan would complete the requirements of the Tamiami Trail Next Steps project and is consistent with the benefit analyses and impact determinations included in the 2010 Final EIS.
- b. The 2018 re-evaluation of the hydrologic benefits of Tamiami Trail bridging determined that the existing 3.3 miles of bridging (the combination of the MWD/LRR and TTNS Phase 1) represents an optimal bridging plan, and would provide sufficient water conveyance capacity to pass future CERP restoration flows.
- c. Failing to reconstruction/raise the remaining 6.7-miles of the Tamiami Trail roadway would constrain L-29 Canal stage increases, limiting future restoration benefits in both the upstream Water Conservation Areas and ENP.
- d. The Choosing by Advantages analysis in the 2018 Confirmation of Previous Analyses reiterated that the Original Plan from the 2010 Final EIS, with 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.
- e. The Phase 2 modified plan (similar to the 2018 CPA Alt. 2), with 3.3-miles of existing large bridges and six 60-foot wide slab bridges, scores higher on reconnecting historic sloughs, and meets 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 2016 authorized plan.
- f. The Phase 2 modified plan would have a projected 4.63 additional acres of permanent wetland impacts compared to the 2010 Original Plan. There would be 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.
- g. This increase in permanent wetland impacts is the result of enlarging the stormwater treatment system (swales, and associated exfiltration trenches and control structures). This

swale system was enlarged (compared to the 2018 CPA conceptual design), to address the 50% greater treatment capacity requirement associated with the Outstanding Florida Water designation of Everglades National Park.

- h. Eighteen threatened and endangered (T&E) species were evaluated in this analysis, with eleven that were newly listed and/or not evaluated in the 2010 Final EIS. Only two of these previously evaluated species, the Wood stork (*Mycteria Americana*) and the Florida panther (*Puma concolor coryi*) had Likely to Adversely Affect determinations as in the October 18, 2010 Biological Opinion, and all effects remain consistent with and addressed in the Biological Opinion. Since the wetland impacts under the Phase 2 modified plan are only slightly larger than the Original Plan, losses to T&E species habitat would be minimal, and this did not change the effect determinations.
- i. The cultural resource impacts to the Tamiami Trail roadway under the Phase 2 modified 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 be reconstructed to match the raised roadway.
- j. Life Cycle Costing analysis in the 2018 Confirmation of Previous Analyses determined that replacing 2.8-miles of additional bridging with six larger culverts (or slab bridges), as well as the other recommended modifications, lowers the total project cost by more than \$118 million, while achieving 78% of the benefits (maximum importance value).
- k. The Phase 2 modified plan includes roadway improvements that will increase driver safety such as widening the roadway shoulders. The wider shoulders create opportunities for improved traffic flow during emergencies.
- l. The Phase 2 modified plan adds four left turn lanes at the Coopertown and Gator Park commercial sites, the Airboat Association, and the Miccosukee Osceola Camp. These dedicated left turn lanes further improve driver safety.
- m. The Phase 2 modified plan also adds a new access lane, barrier walls, and diagonal parking and wider shoulders at the Miccosukee Tigertail Camp, which creates safer roadway access and parking for the Camp's residents.
- n. The reconstructed roadway in the Phase 2 modified plan will improve roadway stability throughout its 100-year lifespan, can better withstand high water events, and the impacts of climate change. The Phase 2 project ensures a higher quality of life for rural and tribal communities, by providing long-term 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 Modified 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 March 25, 2020. (USFWS correspondence is attached)

The NPS reinitiated consultation with the Florida State Historic Preservation Office (SHPO) regarding effects of the Phase 2 Modified Plan on historic properties. In December 2019, ENP submitted *Addendum 2: Tamiami Trail Modifications Next Steps* to provide additional information on the evaluation of properties within the Area of Potential Effect (APE) and proposed to execute a new Memorandum of Agreement (MOA) to resolve adverse effects to Coopertown. On January 29, 2020, the SHPO concurred with ENP's findings and determinations: That the project will adversely affect the Old Tamiami Trail and Coopertown, and that Gator Park remains NRHP-ineligible. The SHPO also concurred that newly identified resources, including Osceola Camp and Tigertail Camp, will not be adversely affected by the project. Finally, the SHPO stated the draft MOA provided by ENP addresses the remaining mitigation measures relating to Coopertown and is sufficient. (SHPO letter is attached)

ENP notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects of the project. On January 28, 2020, the ACHP responded with a request for additional information to inform their decision on whether to participate in the consultation to resolve adverse effects. ENP submitted the requested information and the ACHP responded on March 31, 2020 that the documentation regarding adverse effects is sufficient and their participation in the consultation to resolve adverse effects is not needed. ENP and the SHPO executed the MOA on April 9, 2020. (ACHP letter and MOA are 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 slab bridges and large culverts under the road. 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 final design and construction phases.

The NPS will work with the Miccosukee Osceola Camp members to mitigate for the loss of parking in the FDOT right of way. Additionally, the elevation of many of the buildings and ground surface also needs to be increased to prevent the area from flooding as a result of water level increases from the Central Everglades Project (CEPP). The US Army Corps of Engineers (USACE) has prescribed elevations for the ground surface, non-residential buildings, and residential buildings. The NPS will work with the Miccosukee Tribe and the USACE to ensure the Camp meets the elevation requirements and the loss of parking is mitigated. ENP will complete appropriate NEPA, NHPA and ESA compliance for the site improvements and parking relocation prior to implementation. To provide the time needed to prepare this new site design, the roadway in front of the Osceola Camp (from MP 14.032 to MP 14.448) will be a no work zone for the TTNS Phase 2 project. Once the site design is finished and the visitor parking and bus stop requirements are achieved, the TTNS Phase 2 project will complete the roadway work and harmonize to this new site elevation.

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 final design and construction phases.

ENP is continuing to coordinate with the Coopertown and Gator Park Airboat Concessionaires regarding potential effects of the TTNS Phase 2 project and CEPP on their facilities. ENP is working with the business owners on a 'Cures' project, which is intended to raise the elevation of the buildings and parking lots to prepare for increased water level increases from the CEPP. ENP will work with Concessionaires through the Cures project to mitigate the parking area lost as a result of TTNS Phase 2. Replacement parking would be placed on previous existing filled areas and would have no additional wetland impact. ENP will complete appropriate NEPA, NHPA and ESA compliance for the Cures project prior to implementation.

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. (A list of Native American Consultation and Additional Consulting Party Correspondence is attached)

Summary: Phase 1 of the TTNS project included 3.3 miles of total bridging and was completed in April 2019. Instead of constructing the previously approved 2.8 miles of additional Phase 2 bridging, the NPS will build 60-foot wide slab bridges to enhance water flow at six existing culvert locations; enlarge the swale system treatment capacity by 50% to meet the Outstanding Florida Water (OFW) designation for ENP; add four left turn lanes to improve traffic safety at the Coopertown and Gator Park commercial sites, the Airboat Association, and the Miccosukee Osceola Camp; and add a new access lane, diagonal parking, retaining walls, and wider shoulders for improved safety at the Miccosukee Tigertail Camp. The remaining un-bridged segments of roadway will be raised, and seven additional culverts will be replaced with larger diameter culverts.

This Phase 2 Modified Plan from the October 2019 VA workshop meets the purpose and need of the TTNS project to provide unconstrained flow of water to ENP south of Tamiami Trail. There is no change in project scope or location, the benefits and impacts are essentially the same as described in the FEIS, and site conditions have not changed substantially 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. A Memorandum of Agreement to mitigate adverse effects of the project on historic properties was executed by the SHPO and ENP on April 9, 2020. Consultation and coordination with the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Florida and Coopertown and Gator Park Concessionaires will continue during the final design and construction phases.

After careful review of the 2010 FEIS, the March 31, 2020 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 Modified Plan. Therefore, a Memorandum to File is appropriate to document the adequacy of the 2010 FEIS for the Phase 2 Modified Plan and additional NEPA analysis is not required.

Superintendent: _____ **Date:** _____
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 2019 Phase 2 Value Analysis Workshop. Everglades National Park and the NPS Denver Service Center, March 31, 2020.

Florida Department of State, State Historic Preservation Office, letter to Pedro M. Ramos re: Section 106 NHPA Consultation for Addendum to Tamiami Trail Modifications, January 29, 2020.

Memorandum of Agreement Between the National Park Service and the Florida State Historic Preservation Officer Regarding the Tamiami Trail Next Steps Project, Everglades National Park, Dade County, Florida. Florida Department of State, State Historic Preservation Office, and Everglades National Park, April 9, 2020.

U.S. Fish and Wildlife Service, letter to Pedro Ramos, Superintendent, Everglades National Park, re: Section 7 ESA Concurrence for Phase 2 of the Tamiami Trail Next Steps Project, March 25, 2020.

Tamiami Trail Next Steps Phase 2, Value Analysis Final Report. Everglades National Park, HDR, Kirk Value Planners, December 17, 2019

Native American Consultation and Additional Consulting Party Correspondence, Tamiami Trail Modifications: Next Steps (EIS ROD signed 2/11/2011), Everglades National Park,