



**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

February 28, 2022

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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 Next Steps Project, Phase 2 Design Modifications —  
Memorandum to File National Environmental Policy Act Documentation

## **Project Information**

**Park Name:** Everglades National Park  
**Project Title:** Confirmation of Previous Analyses of the Tamiami Trail Next Steps Final EIS, Addressing Design Modifications to the Authorized Plan  
**Project Location:** Miami-Dade County, Florida  
**Project Leaders:** Mark Pritchett (DSC) and Robert Johnson (DOI)

## **Introduction**

Everglades National Park (ENP) has determined that a Memorandum to File (Memo to File) is necessary and adequate to document minor design 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 2014, 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 Design Refinements**

The currently proposed action results from minor design refinements and coordination with the Miccosukee Tribe of Indians of Florida. The water quality treatment swale design has been completed; the new design standardizes the swale dimensions along the length of the project, decreases the number of outflow control structures, and improves the stability of the southern slope. Florida Power and Light Co. has provided an updated design for inclusion of underground powerlines into the project footprint. The new lines will be placed under the water quality treatment swales behind the guardrail. Finally, the roadway footprint has been redesigned near the Osceola Camp in coordination with the Miccosukee Tribe to prevent encroachment into the Camp's informal parking area.

The attached February 25, 2022 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 NGVD 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.
- **2020.** 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 December 2019. The revised Phase 2 plan eliminated the previously approved 72-foot-wide pre-cast concrete culverts, and instead six 60-foot slab bridges would be built to enhance water flow at six culvert locations. The remaining un-bridged segments of roadway would be raised, 7 culverts would be replaced with 8-foot diameter culverts, stormwater swales would be enlarged to meet Florida Department of Environmental Protection regulations, left turn lanes would be added at businesses and at the Airboat Association, and a parking area was added at the Tigertail Camp. These changes, referred to as The Forth Modified Alternative, were documented in an April 9, 2020 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 February 25, 2022 Confirmation of Previous Analyses determined that the Phase 2 final design modifications 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 2022 re-analysis confirms that the Phase 2 final design modifications 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 FEIS.
- 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. While the existing bridging has been determined to be optimal, reconstructing/raising the remaining 6.7 miles of the Tamiami Trail roadway is imperative to allow increases in the L-29 canal stage and ensure future restoration benefits in both the upstream Water Conservation Areas and ENP.
- d. Redesign of CERP projects resulted in reevaluation of benefits and features of the TTNS project. Incorporating smaller bridges and changes to other hydrologic features in the

design maintained many (78%) of the benefits from the FEIS, including reconnecting historic sloughs, project objectives for unconstrained flows, marsh connectivity, restoring sheetflow, and recreating marsh flow velocities. The design changes lowered the total project cost by more than \$118 million.

- e. The Phase 2 final design plan would have a projected 7.63 additional acres of permanent wetland impacts compared to the 2010 Original Plan, including an increase of 3.0 acres over the 2020 CPA. The additional wetland impacts are a result of the inclusion of stormwater treatment swales which are required by FDEP. The stormwater treatment swales would substantially decrease the runoff of pollutants and nutrients from the roadway into Everglades National Park along the entire ten miles of the project footprint. The change in slope to the southern bank of the swales would provide better slope stability without the use of rip-rap. The additional wetland impacts would be fully mitigated within Everglades National Park either at the Hole-In-The-Donut mitigation bank or by proposed onsite mitigation. The impacts are also anticipated to be offset by the improvements to the quality and quantity of water entering the northern boundary of the park. The current assessment of wetland impacts is consistent with the Wetlands Statement of Findings prepared for the 2010 FEIS.
- f. 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 FEIS. 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. Since the wetland impacts under the Phase 2 final design 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.
- g. The cultural resource impacts to the Tamiami Trail roadway under the Phase 2 would be less than the Original Plan, since 2.8-miles of additional bridging would not occur. The proposed changes to the project will result in no new adverse effects to cultural resources. Adverse Effects for the project have been addressed in a Memorandum of Agreement to mitigate said adverse effects.
- h. Coordination with the Miccosukee Tribe has resulted in changes to the design at Osceola Camp, including removal of the left turn lane, the incorporation of a barrier wall to hold the roadway to the north, the addition of a second driveway, and raising the elevation of the camp's informal parking area. Ongoing coordination with the Tigertail Camp has resulted in no changes to the design analyzed in the 2020 CPA.
- i. 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 and improving the reliability of utility services to the Miccosukee Tribe and commercial and recreational sites along the Tamiami Trail.

## 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 February 25, 2022. (USFWS letter 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 November 2021, ENP submitted *Addendum 3: Tamiami Trail Modification Next Steps* to provide additional information on the evaluation of properties within the Area of Potential Effect (APE). On January 14, 2022, the SHPO concurred with ENP's findings and determinations: 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 the 2010 Memorandum of Agreement (Amended 2016 and 2020) between the NPS and SHPO (SHPO letter is attached).

NPS staff have met with Miccosukee Tribe staff and members of the Osceola Camp on several occasions to discuss Tamiami Trail Next Steps Phase 2 and changes in the roadway design at the Osceola Camp to meet the needs of camp members. As a result of these discussions, the left turn lane into the camp was removed, a barrier wall on the south side of the roadway was added to hold the roadway further north and protect the informal parking area, a second driveway was added to allow buses to enter and exit without entering the camp, and the informal parking area will be raised. ENP staff have also worked with camp members and tribal staff on a 'Cures' plan, to raise many of the buildings, water systems, and ground surface to be compliant with elevations prescribed by the U.S. Army Corps of Engineers. Camp members and Miccosukee Tribal staff agree with the roadway design changes and alterations to the camp recommended by the Cures plan. Communication will continue between the tribe and ENP throughout project construction.

The NPS has also discussed the Phase 2 Modified Plan with the Seminole Nation of Oklahoma and the Seminole Tribe of Florida's Tribal Historic Preservation Office (THPO). The Seminole Nation defers on this project to the Seminole Tribe of Florida. The Seminole Tribe requested a copy of the final 'Cures' plan for the Osceola Camp for their review but deferred to the Miccosukee Tribe for their assessment of project impacts to cultural resources. The Miccosukee Tribe has no objections to the Modified Plan. Consultation with the Tribes will continue during project construction.

The NPS 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 Plan. The Phase 2 Plan has strong support from these entities and is not controversial. (A Summary of Agency, Tribal, and Public Engagement is attached)

**Summary:** Phase 1 of the TTNS project included 2.3 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 left turn lanes to improve traffic safety at the Coopertown and Gator Park commercial sites, and the Airboat Association; 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. Refinements have been made in the design of the stormwater swales, utilities, and in the roadway design adjacent to the Osceola Camp.

This Phase 2 Modified Plan 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 consistent with those 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 Nation of Oklahoma, the Seminole Tribe of Florida, and Coopertown and Gator Park Concessionaires will continue during project construction.

After careful review of the 2010 FEIS, the February 25, 2022 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 Design Modifications to the Authorized Plan. Everglades National Park, February 25, 2022.*

Florida Department of State, State Historic Preservation Office, letter to Pedro M. Ramos re: Section 106 NHPA Consultation for Addendum 3 to Tamiami Trail Modifications: Next Steps, Everglades National Park (PEPC# 26159), January 14, 2022.

*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: Service Coordination on Minor Design Modifications for the Tamiami Trail Next Steps Project, February 25, 2022.

Tamiami Trail Next Steps Phase 2 Project - Summary of Agency, Tribal, and Public Engagement