DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

FINDING OF NO SIGNIFICANT IMPACT

Modified Water Deliveries to Everglades National Park
Limited Reevaluation Report, Tamiami Trail Modifications

The U.S. Army Corps of Engineers (Corps), Jacksonville District, has completed a Limited Reevaluation of modifications for conveyance of water through Tamiami Trail as authorized in the Everglades National Park Expansion and Protection Act of 1989, in the 1992 Modified Water Deliveries (MWD) to Everglades National Park (ENP) General Design Memorandum (GDM) and Environmental Impact Statement (EIS), in the Revised General Reevaluation Report (RGRR) and Supplemental Environmental Impact Statement (SEIS) of 2005-6, and in the 2007 Water Resources Development Act (WRDA). This Limited Reevaluation was undertaken due to unexpected and unprecedented cost increases under the previously selected plan described in the November 2005 RGRR and January 2006 Record of Decision (ROD).

The Recommended Plan, equivalent to the Preferred Alternative in National Environmental Policy Act (NEPA) language, is to raise the operational water level constraint in the L-29 Canal from 7.5 feet to 8.5 feet, build a bridge approximately one mile long in the eastern segment of the roadway, and reinforce the un-bridged roadway to Florida Department of Transportation standards compatible with the increased stage constraint. The size and location of the bridge would be as described for the eastern bridge under Alternative 14 of the 2005 RGRR/Final Supplemental Environmental Impact Statement (FSEIS) (the Selected Plan indicated in the ROD). The environmental impacts of Alternative 14 were discussed in the referenced FSEIS and ROD, and are incorporated by reference here. The project location is shown in Figures 1-1 and 1-2 of the MWD Tamiami Trail Modifications Limited Reevaluation Report.

Based on the updated cost and benefit information analyzed in this Limited Reevaluation Report (LRR) and Environmental Assessment (EA), and on previous evaluations and public comments in the SEIS of 2005 for Tamiami Trail, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action will not cause significant adverse effects on the quality of the human or natural environment and does not require the preparation of a new EIS. Reasons for this conclusion are, in summary:

The EA for this LRR discusses the development and evaluation of 27 alternative plans including a no action alternative. Screening of alternatives was based on hydrologic efficiency (ability to increase conveyance to ENP), potential habitat benefits, cost and ability to be implemented quickly. Some of the considered alternatives are variations on alternatives developed previously, and others are new. Alternatives include combinations of incrementally increased water level constraints in the L-29 Canal, from the current 7.5 feet to 8 feet, 8.5 feet or 9.7 feet, structural options, including installing additional culverts, various bridge combinations and locations, and other options, including relocating the roadway and/or levees. New cost estimates were developed for all alternatives. Table 1 shows the complete list of alternatives evaluated.

Table 1: TAMIAMI TRAIL PLAN FORMULATION ALTERNATIVES

Alt.		L-29 Constraint (feet)
1	No roadway reinforcement (note 2)	
1.1	No Action	7.5
1.2	Add spreader swales (30-x 1000 ft bottom width)	7.5
1.3	Add culvert sets (note 3)	7.5
1.4a	Add 1-mile eastern bridge	7.5
1.4b	Add 1-mile western bridge	7.5
1.5	Reinforce western section of road to 12.70 ft (crown) and add 1-mile western bridge	7.5
2	Roadway improvements-crown 11.05 ft (note 4)	
2.1	Reinforce road (low points only)	8.0
2.2.1	Reinforce low points, add culvert sets with swales	8.0
2.2.2a	Reinforce low points, add 1-mile eastern bridge	8.0
2.2.2b	Reinforce low points, add 1-mile western bridge	8.0
2.2.3	Reinforce low points, add 2 mile + 1 mile bridges	8.0
3	Roadway improvements-Crown 11.55 ft (note 4)	
3.1	Reinforce road	8.5
3.2.1	Reinforce road, add culvert sets with swales	8.5
3.2.2a	Reinforce road, add 1-mile eastern bridge	8.5
3.2.2b	Reinforce road, add 1-mile western bridge	8.5
3.2.3	Reinforce road, add 2 mile + 1-mile bridges	8.5
4	Roadway improvements- Crown 12.75 ft (note 4)	
4.1	Reinforce road	9.7
4.2.1	Reinforce road, add culvert sets with swales	9.7
4.2.2a	Reinforce road, add 1-mile eastern bridge (RGRR)	9.7
4.2.2b	Reinforce road, add 1-mile western bridge (RGRR)	9.7
4.2.3	Reinforce road, add 2-mile + 1-mile bridges (RGRR)	9.7
4.2.4	10.7 mile bridge (RGRR)	9.7
5	Structural alternatives and/or road re-alignment (note 4)	9.7
5.1	Northern alignment of RGRR Alt 14 (on L-29 levee)	9.7
5.2	Northern alignment with 1-mile bridge	9.7
5.3	Northern alignment with 1-mile bridge and relocation of L-67 levee-Crown 13.0 ft	9.7
5.4	Current alignment with 1-mile bridge and relocation of L-67 levee-crown 13.0 ft.	9.7
5.5	Pump stations along L-29	9.7

Notes:

2. Existing road has 19 culvert sets consisting of 3 culverts per set, resulting in an average culvert set spacing of 3,000 feet.
3. Reduces culvert spacing to approximately 1,500 feet.
4. All road improvements require 3.05 feet between the road crest and the L-29 design elevation.

Cost constraints led to elimination of all alternatives but those in Groups 2 (one half foot increase of maximum stage constraint in L-29 Canal) and 3 (one-foot increase in maximum stage constraint in the L-29 Canal). Of the alternatives carried forward for final evaluation, Alternative 3.2.2a (eastern bridge and raise water levels one foot) was most effective and efficient. Alternatives in Group 1 did not effectively increase conveyance or lead to added wetland connectivity; while those in Groups 4 and 5 appear to be too costly to meet the constraints of the Congressional direction.

The preferred alternative is an action of reduced scope compared to the previously selected plan, Alternative 14 in the 2005 RGRR/SEIS. The eastern bridge location is the same location recommended in that document; however, no western bridge segment or segments are recommended. No businesses are operating directly in the footprint of the proposed bridge or its approaches. Florida Power and Light owns lands that are currently vacant within the footprint. The Corps will seek to acquire real estate interests from them. Due to lower water level constraints (8.5 feet instead of 9.7 feet in the 2005-6 RGRR) indirect impacts are expected to be minimal. Real estate requirements for the recommended plan have been identified. Road modifications to parts of U.S. 41, Tamiami Trail, will be required and their costs are included in project cost estimates. Water levels (stages) in the L-29 Canal will be constrained to lower stages than those anticipated in the 2005 RGRR/SEIS, reducing the need for modifications to the roadbed. The recommended action is expected to be compatible with budgeted funds for the completion of the MWD to ENP project and allow for future improvements to further increase conveyance through U.S. 41.

Stakeholder and agency comments have been sought via a scoping letter, some stakeholder meetings, a state water quality pre-application meeting, and through public and agency coordination of the Draft LRR/EA during the period between April 9 and May 9, 2008. Comments received have been incorporated into the EA discussion of issues and concerns. The U.S. Environmental Protection Agency expressed support for the recommended plan, as did the Department of the Interior. Some stakeholder groups expressed preference for certain alternatives. The Miccosukee Tribe has reiterated comments on previous evaluations, stating that it does not favor a bridge or believe one is necessary urging the Corps to consider an option that increases culverts, provides getaway swales south of the road and maintains these structures open. Most state and federal agency comments have been supportive, and many expressed support for an alternative from the (3) group (raising the L-29 water level constraint one foot to force more water into the Park). Non-governmental conservation groups generally favor larger (higher water level, more bridges) alternatives, such as Alternative 4.2.4, which includes bridging the entire 10.7 mile length of Tamiami Trail in the project area.

A public workshop was held on April 22, 2008 in the Miami area to receive additional public and stakeholder comments. All comments received during this workshop or via mail or e-mail have been reproduced in the LRR/EA.

State Water Quality Certification (WQC) is being sought in an action parallel to the NEPA process. A cultural resources survey has been conducted. The Tamiami Trail and L-29 Canal are historic resources. A draft Memorandum of Agreement is in preparation among

the concerned agencies, including ENP, Florida Department of Transportation, Corps and the Miccosukee Tribe, to document the road and install a plaque explaining its historic significance. Evaluations are in compliance with the Fish and Wildlife Coordination Act (preliminary report received), Clean Air Act, Clean Water Act, Endangered Species Act and Coastal Zone Management Act at this stage of planning. Section 7 consultation has been re-initiated with the U.S. Fish and Wildlife Service (FWS) and is expected to be concluded within a few weeks. Under the Clean Water Act, a WQC will be required for construction of the preferred alternative. Pre-application meetings have been held with the Florida Department of Environmental Protection, and the certificate is expected to be issued prior to any construction work on this project. A Clean Water Act Section 404 (b)(1) Evaluation is appended to this LRR/EA, and based on the guidelines of 40 Code of Federal Regulations (CFR) Part 230, the proposed project is specified as complying with the requirements of these guidelines including appropriate and practical conditions to minimize pollution or adverse effects to the affected aquatic ecosystem.

Under the Fish and Wildlife Coordination Act, coordination with both the FWS and the Florida Fish and Wildlife Conservation Commission has begun. Both agencies have commented on this report and EA. FWS has indicated it can support the preferred alternative.

The signing of this FONSI does not constitute a final agency decision to proceed with construction of the Recommended Plan. A decision to proceed with construction of Tamiami Trail will be made following review of the LRR by the Chief of Engineers.

In view of the above and after consideration of public and agency comments received on the project, I have concluded that the proposed action for improving conveyance across Tamiami Trail from L-29 Canal into ENP will not result in a significant adverse effect on the human environment. This Finding incorporates by reference all discussions and conclusions contained in the EA enclosed herewith.

Paul L Grosskruger
Colonel, U.S. Army
District Engineer

20 Jun 08
Date