

1 U.S. ARMY ENGINEER DIVISION, SOUTH ATLANTIC  
2 CORPS OF ENGINEERS  
3 JACKSONVILLE DISTRICT  
4 PUBLIC MEETING  
5 TAMiami TRAIL MODIFICATIONS PORTION OF  
6 MODIFIED WATER DELIVERIES TO  
7 EVERGLADES NATIONAL PARK

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19 DATE: 6/08/2000

20 TIME: 6:30 P.M. - 7:30 P.M.

21 PLACE: Miami-Dade County Extension Office

22 18710 SW 288th Street

23 Homestead, Florida

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1 Thereupon, the following proceedings were had:

2 DR. SMITH: Good evening, ladies and  
3 gentlemen. This meeting will now come to  
4 order.

5 I am Bo Smith, biologist with the planning  
6 division for the Jacksonville District, U.S.  
7 Army Corps of Engineers.

8 I would like to welcome you to this  
9 scoping meeting for the supplemental EIS, that  
10 is Environmental Impact Statement, for the  
11 Tamiami Trail modifications portions of the  
12 Modified Waters Delivery to Everglades National  
13 Park.

14 Thank you all for being here this  
15 evening.

16 The purpose of this meeting is to obtain  
17 public input on the Supplemental Environmental  
18 Impact Statement.

19 The authorized plan calls for some  
20 modification of Tamiami Trail. However, the  
21 existing culvert system was thought adequate to  
22 pass the maximum desired volume of water.

23 Additional analysis indicates that the  
24 existing culverts are not adequate to do so.

25 Therefore, other additional water

1 conveyance methods will be analyzed.

2 This meeting is sponsored by the U.S. Army  
3 Corps of Engineers.

4 First, I would like to introduce  
5 representatives from the U.S. Army Corps of  
6 Engineers who are present tonight. Sitting  
7 next to me, Mr. Martin Gonzalez of our planning  
8 division, Ms. Cheryl Ulrich of our project  
9 management division, and Mr. Jim Baker also of  
10 our planning division.

11 We also have several people in the  
12 audience with the Corps I would like to  
13 introduce. Mr. Jon Moulding with our planning  
14 division.

15 Jon, put your hand up.

16 Ms. Lois Obenchain with project  
17 management. I don't see Lois in the room.

18 Mary Arnot with our real estate division.

19 Mary is in the back of the room.

20 John Simion with our office of counsel,  
21 and Jennifer Merritt with information  
22 management.

23 I also don't think Jennifer is in the  
24 room.

25 We are here tonight to hear from you and

1 to gather your input. We have a court reporter  
2 to record the meeting. The transcript of this  
3 meeting, together with all of the written  
4 statements, will be made a part of the official  
5 record.

6 If you did not fill out an attendance card  
7 when you came in, please raise your hand and  
8 someone from my staff will give you one.

9 We would like a record of all of you  
10 attending tonight. Please also indicate on the  
11 card if you would like to speak.

12 If you would like to be put on the mailing  
13 list to receive information about any  
14 subsequent meetings, please check that box on  
15 the form.

16 This evening we will have three speakers  
17 addressing specific issues regarding the  
18 supplement to the 1992 final Environmental  
19 Impact Statement on Modified Water Deliveries  
20 to the Everglades National Park.

21 Our first presenter will be Ms. Cheryl  
22 Ulrich of our project management division.

23 She will give an overview of the Modified  
24 Water Deliveries project.

25 Cheryl.

1 MS. ULRICH: Good evening. Tonight we are  
2 going to be talking primarily about Tamiami  
3 Trail, but I wanted to give you the bigger  
4 picture view of the Modified Water Delivery  
5 project of which that is one piece of.

6 Our presentation tonight, I am going to  
7 discuss the three pieces of the Modified Water  
8 Delivery project; the 8.5 Square Mile Area, the  
9 conveyance and seepage control and, finally,  
10 Tamiami Trail.

11 Next, Martin Gonzalez will follow me and  
12 give you an idea what some of the preliminary  
13 alternatives -- I don't have the mike. Okay.  
14 Thank you.

15 I have a loud enough voice. I have two  
16 mikes, but that is okay. We want it to be  
17 recorded.

18 Martin Gonzalez will come up after me and  
19 share with you some of the descriptions of the  
20 preliminary alternatives that we are looking  
21 at.

22 I just want to reemphasize to you that  
23 these are very, very preliminary. We haven't  
24 done any detail design yet on these. We wanted  
25 to give you an idea of kind of the scope of

1        what we are looking at and hear from you if you  
2        have any better refinements or improvements for  
3        us.

4            And, then, finally, Jim Baker will follow  
5        up describing the overall NEPA process for  
6        those of you who have not had the pleasure of  
7        participating in this before.

8            The Modified Water Delivery project was  
9        authorized in 1989. The primary purpose of  
10       this project is to construct modifications to  
11       the CSF system to improve water deliveries into  
12       Everglades National Park and shall, to the  
13       extent practicable, take steps to restore the  
14       natural hydrological conditions within the  
15       park.

16           Real quickly, the whole purpose of this  
17       project is about movement of water. What we  
18       are trying to do is move some of the water in  
19       Water Conservation Area 3A through L-67A and C  
20       into Water Conservation Area 3B underneath  
21       Tamiami Trail into Northeast Shark River  
22       Slough.

23           There's two mitigation features to this  
24       project. One is the Tigertail Camp here, along  
25       Tamiami Trail. That portion of the project has

1       been completed and that family, basically their  
2       houses were at such a low elevation that when  
3       we increased the water levels, we were going to  
4       impact those homes. So we raised the elevation  
5       of those homes so that when we raise the water  
6       levels they won't be impacted.

7               Another critical mitigation feature that  
8       you probably heard a lot about is the 8.5  
9       Square Mile Area down in this area.

10              As far as you will hear me talking about  
11       conveyance and seepage control, when I talk  
12       about that, I'm talking about these features up  
13       here on L-67A and C and also what we call the  
14       356 pump station right in this area.

15              Okay. 8.5 Square Mile Area. If you have  
16       been reading the papers, you probably have been  
17       keeping up pretty well. We are in the middle  
18       of an Environmental Impact Statement and  
19       General Reevaluation Report for this mitigation  
20       feature.

21              We have outlined nine different  
22       alternatives and looked at them to a great  
23       level of detail.

24              This is before the South Florida Water  
25       Management District governing board right now,

1 and we are hoping next week they are going to  
2 take the vote and select a locally preferred  
3 alternative.

4 If that occurs, we will be preparing a  
5 final General Reevaluation Report and  
6 Supplemental Environmental Impact Statement.  
7 That will then be sent out to the public and  
8 the public will have a 30 day comment period.

9 We will sign a record of decision and we  
10 will be ready to go out and start doing the  
11 design and construction for that mitigation  
12 piece.

13 The second major effort within the  
14 Modified Water Delivery project is the  
15 conveyance and seepage control that I was  
16 talking to you earlier about on the map.

17 Where we are on this effort is we have  
18 done very extensive modelling using the two by  
19 two model and we have looked at different  
20 variations of those structures in the L-67A and  
21 C canal and also that seepage control.

22 Precisely where we are is we found a  
23 cheaper way to get the same kind of results for  
24 that conveyance. However, the seepage control  
25 is so dependant on what happens in the 8.5

1 Square Mile Area.

2 So what we are going to do right now is  
3 wait and see if that vote occurs next week and  
4 if it does occur, then we will know if the  
5 water is going to be sent up to the north or if  
6 it is going to be sent to the south.

7 Depending on which direction that water is  
8 being sent, that will impact the size of that  
9 seepage control.

10 So we are kind of in a holding pattern  
11 here to wait and see how 8.5 Square Mile Area  
12 is resolved.

13 Another thing that I want to give you a  
14 heads up on is if that solution is found on the  
15 8.5 Square Mile Area, what we are thinking  
16 about doing is wrapping this whole effort of  
17 the conveyance and seepage control features  
18 into a much larger operational Environmental  
19 Impact Statement for the whole Modified Water  
20 Deliveries and C-111 projects.

21 Basically, we have the pieces. We know  
22 what we want to construct to move the water.  
23 Now we have to work out the operational scheme  
24 and how we are going to operate the whole  
25 system to move the water.

1           That hasn't been decided yet. That is  
2           just the heads up. So stay tuned for more  
3           detail on that.

4           Finally, what we are here to talk about  
5           tonight is the Tamiami Trail. The whole reason  
6           we are here is because we need a modified  
7           Tamiami Trail in order to pass this design  
8           flows into Northeast Shark River Slough.

9           Tonight is the start of the whole  
10          process. This is what we call a scoping  
11          meeting in Corps language. It is basically  
12          like a kickoff meeting to inform the public of  
13          what we are looking at and to hear from you on  
14          any ideas that you might have, any issues that  
15          you might have in terms of things that will be  
16          impacting.

17          Tomorrow from 9:00 to 11:00 in the same  
18          room, we are going to be having an agency  
19          meeting. It is more on a technical level, but  
20          anyone is welcome to join us if you would like  
21          to.

22          Right now, our current schedule is to have  
23          a draft report out on the street in November.

24          When you sign in on these cards, it is  
25          really important to us because that is how we

1 get you on the mailing list so that you will be  
2 getting copies of the documents we are  
3 preparing.

4 Another piece of this project is being  
5 done by Everglades National Park and it has to  
6 do with the land acquisition in the expansion  
7 area which is the land just south of Tamiami  
8 Trail that we are looking at. This is supposed  
9 to be completed in the year 2000.

10 As far as up-to-the-date information, we  
11 do have a public web site in the Jacksonville  
12 District. When you get on there, you will see  
13 a whole bunch of buttons on the left-hand  
14 side. If you scroll down to the very bottom  
15 two buttons, the first one is this MWD C-111  
16 button. If you click on that, that will then  
17 take you to much more information in terms of  
18 the Tamiami Trail, the Cape Sable Seaside  
19 Sparrow, 8.5 Square Mile Area and the  
20 conveyance and seepage control.

21 Then there is also another button just for  
22 the sparrow alone if you are interested in  
23 keeping up-to-date on that effort.

24 Now, Martin Gonzalez will be coming up to  
25 talk to you about the project purpose and

1 explain to you some of the preliminary  
2 alternatives that we are looking at.

3 MR. GONZALEZ: Can everybody hear me?

4 My name is Martin Gonzalez. I'm the study  
5 manager for this effort. I have the overall  
6 responsibility for the study document.

7 I would like to talk a little bit about  
8 the project.

9 Basically, what we are doing is passing  
10 flows. As Cheryl explained, this is one of the  
11 components of Mod Waters. In the attempt to  
12 get the water into the park, we have to  
13 traverse the road.

14 When the 1992 GDM was done, it was thought  
15 at that time that there was sufficient capacity  
16 in the existing culvert and infrastructure to  
17 pass those flows. Subsequent modelling has  
18 determined that not to be the case.

19 So this is our purpose, passing the waters  
20 from Water Conservation Area 3B and the L-29  
21 canal into the Northeast Shark River Slough.

22 Problem, as I said a little earlier, for  
23 the existing drainage infrastructure is  
24 inadequate to pass the water in the required  
25 timing, quantity and distribution.

1           Also, the additional volume of start  
2 required may result in higher water stages  
3 along the L-29 canal and these will adversely  
4 impact the existing roadway.

5           This is just a cross section of the  
6 existing Trail. Here is the canal, road.

7           We have come up so far with four  
8 preliminary alternatives.

9           The first one, most logical, being to  
10 rebuild the roadway along the existing  
11 alignment and install four new bridges, which  
12 will help accommodate the increased flows.

13           The second one was to build a new roadway  
14 to the north.

15           A third would be to build a new roadway to  
16 the south.

17           And the fourth is to leave the roadway as  
18 it is. In other words, not rebuild it.

19           Construct four new bridges and institute an  
20 increased maintenance program.

21           These are schematics that were done. We  
22 just recently awarded the consulting contract  
23 for this effort, and they have done a very good  
24 job with the schematics, but as I said, it's  
25 just been recent and we don't have a lot of

1 information right now.

2 Alternative one would rebuild the existing  
3 roadway with four new bridges. The schematic  
4 is pretty clear. Here is Tigertail Camp, 355A,  
5 355B. This is the new -- well, this is the  
6 existing roadway rebuilt.

7 Florida DOT requirements will increase the  
8 roadway by about a foot or two.

9 We do not have a good feel for how we are  
10 going to handle maintenance of traffic. The  
11 logical assumption is to build this roadway,  
12 rebuild it half at a time, close off one lane,  
13 half the roadway, use the other half and the  
14 shoulder, perhaps, as a two -- for traffic in  
15 both directions. That is probably the more  
16 logical approach to take.

17 Of course, the other alternative would be  
18 to close off the roadway during construction  
19 and provide alternative routes.

20 MS. LORION: Can I ask a question? How  
21 long will it take to rebuild the roadway?

22 MR. GONZALEZ: I don't know. It will only  
23 be Alligator Alley.

24 I need to continue the presentation. We  
25 can answer questions later.

1           Alternative two would be to build a new  
2 roadway to the south and install four new  
3 bridges.

4           I believe most of this land belongs to the  
5 park. It's on park lands, and in building it  
6 to the south and building a brand new roadway,  
7 we eliminate the problem for the maintenance of  
8 traffic. We just use the old highway.

9           Alternative three is to build a highway to  
10 the north. This is going to be slightly north  
11 of L-29 or we could incorporate L-29 design.  
12 It's unknown. We are not really sure.

13           This alternative to the north, the only  
14 difference, we still need some bridges, but we  
15 would also need a bridge to provide traffic,  
16 business traffic to the old Tamiami Trail.  
17 That is also like an alternative right now. We  
18 really don't have a good feel for how we are  
19 going to do this.

20           Alternative four is -- this is an  
21 alternative whereby we leave the roadway as it  
22 is. In other words, the difference between  
23 four and one is that we would not build the  
24 roadway up the one or two required by Florida  
25 DOT. We would build the bridges that we need

1 in order to get the water through, but we would  
2 also institute an increased road maintenance  
3 program to handle any adverse impacts to the  
4 roadway, road bed.

5 We have identified right now several areas  
6 of concern with our project. Of course,  
7 Tigertail Camp is located on L-29 and we need  
8 to make sure we don't adversely impact the  
9 residents there.

10 We have to deal with structures 355A and  
11 B.

12 We know that we will have effects to the  
13 businesses south of the roadway, existing  
14 roadway.

15 We have to also consider and it's not  
16 shown in the schematics, but part of the other  
17 components for conveyance and seepage features  
18 requires, as it stands now, three new weirs to  
19 be installed on L-29 and we have to deal with  
20 those.

21 Of course, there is the existing traffic  
22 construction detour alignments, possible  
23 impacts to wetlands when we build these.

24 We have the Everglades National Park lands  
25 which border the road.

1           We have to be concerned about hurricane  
2 evacuation. I am not quite sure. We have  
3 heard that this road is designated an  
4 evacuation route. I don't believe we have that  
5 officially stated to us, but that is what our  
6 understanding is.

7           We have to be concerned as in everything  
8 we do in South Florida with compatibility with  
9 the Restudy or what is now known as the  
10 Comprehensive Plan.

11           And that is the extent of my  
12 presentation.

13           I now turn this over to Jim Baker of  
14 environmental.

15           DR. SMITH: Mr. Baker is going to explain  
16 the National Environmental Policy Act  
17 procedure.

18           Jim.

19           MR. BAKER: Good evening. Can you hear me  
20 okay?

21           Before we open up the meeting to your  
22 comments tonight, I just wanted to make sure  
23 that everybody knows why we are here.

24           We sometimes neglect to realize that  
25 people don't necessarily know.

1           To put this into context, I would like to  
2 talk briefly about our decision-making process  
3 and your role in that process.

4           This slide talks about NEPA requirements.  
5 So what does the National Environmental Policy  
6 Act or NEPA require of the Corps of Engineers  
7 to do when we are considering building a  
8 project?

9           NEPA requires that we give full  
10 consideration to natural and cultural resources  
11 and requires that we fully disclose our  
12 decision-making process to you, the public.

13           In order to do that, we prepare and let  
14 you review an Environmental Impact Statement or  
15 commonly known as an EIS.

16           Slide two addresses the NEPA  
17 decision-making process. So what is the  
18 process?

19           Well, first we describe the purpose and  
20 need for doing something in the first place.  
21 Then we try to figure out the alternative ways  
22 to satisfy that need and Martin has talked  
23 about that to a degree.

24           Then we compare and contrast the merits of  
25 those alternatives, and finally we make a

1 decision on what alternative or combination of  
2 alternatives best satisfies the need that we  
3 are addressing in the first place.

4 Getting down to why we are here tonight.  
5 Slide three addresses the role of the public in  
6 the decision-making process. You will have a  
7 chance to tell us what you think about what we  
8 are trying to do at least three times in the  
9 process. The first is tonight. This is called  
10 a public scoping meeting.

11 Second, after we draft the EIS and  
12 hopefully address all the issues that have  
13 arisen. In that case, for this project, we  
14 hope to have the draft out around November or  
15 December of this year.

16 The third time you will have a chance to  
17 tell us what you think about the job we are  
18 doing is when we prepare the final EIS.

19 The final EIS, the purpose of it is to  
20 take the comments that you all gave us on the  
21 draft and respond to those comments and  
22 finalize the overall document to fully address  
23 everything, hopefully, at that time.

24 No decisions will be made as to what  
25 alternative to go with or combination until we

1 have gone through all of that.

2 Now, back to tonight. We are here tonight  
3 to find out what you want us to address in the  
4 EIS. Of course, there are already a number of  
5 issues that we know we need to discuss. Martin  
6 hit on some of those tonight. Obviously, it's  
7 doubtful that we can think of everything. I am  
8 sure you all will have good suggestions for  
9 us.

10 So what we are doing here is asking you  
11 what you want us to discuss in the upcoming EIS  
12 and hope to be talking with you all regularly  
13 and for the next several months until we get  
14 through this process.

15 Thanks for your time.

16 Now I'll turn the floor over to Bo.

17 DR. SMITH: Thank you, Jim.

18 At this time we would like to take your  
19 statements and comments relating to the  
20 modification of Tamiami Trail.

21 This is your meeting and we invite your  
22 active participation. I would ask that you  
23 limit your remarks and presentations to this  
24 specific action at hand.

25 In the interest of an orderly procedure, I

1 will call first on any U.S. senators or  
2 representatives if present.

3 There appear to be none present.

4 Any members of the state legislature?

5 There appear to be none present.

6 Any elected officials of county government  
7 will now speak.

8 Next, I will call individuals who have  
9 indicated their desire to speak in the order  
10 that their request were received.

11 We ask that you limit your comments to  
12 five minutes.

13 I have a timer up here that I have never  
14 used before but I have been assured -- I did  
15 use it for about two minutes just before we  
16 started -- that if I push this button when you  
17 start, you will get four minutes of green.  
18 Green will show up on that light right up  
19 there.

20 When you have one minute left, it will  
21 turn yellow and at the end of that minute it  
22 will turn red and you will have this beeping  
23 sound. Hold on. So please don't go beyond  
24 five minutes.

25 MR. RICHARDSON: During the presentations

1       one gentleman indicated there would be an  
2       opportunity to ask questions.

3               Typically, your comment periods do not  
4       allow questions.  It's a one-sided  
5       presentation.

6               Do we have an opportunity to address some  
7       questions to you before we get into the comment  
8       session?

9               DR. SMITH:  No.  However, at the end of  
10       the presentation all the staff members will be  
11       present.

12               MR. RICHARDSON:  I would like the  
13       questions answered in public and not on an  
14       individual one-on-one basis.

15               DR. SMITH:  That is not the format for  
16       this evening.

17               MR. RICHARDSON:  You get to select the  
18       format?

19               DR. SMITH:  Yes, sir.

20               MR. RICHARDSON:  Very well.

21               DR. SMITH:  Let us begin.

22               MR. GONZALEZ:  First comment will be by  
23       Ricardo Munoz and he will be followed by Corena  
24       Tigertail-Lamm.

25               MR. MUNOZ:  Good evening, ladies and

1 gentlemen.

2 My only concern here was about the  
3 condemnation of land. I would like to be more  
4 specific. I am not near Tamiami Trail, so I  
5 think I will be very brief.

6 I just lost five acres at 64th and 207th  
7 Avenue to Environmental Protection.

8 Right now, I am in the same situation with  
9 10 acres down on 408th and near U.S. 1.

10 My concern, again, is for most of the  
11 people. It's easy to have a plan being  
12 condemned by the government and five years  
13 later or three years later they want to create  
14 a golf course or a residential neighborhood and  
15 we lost. The poor people lose the money that  
16 they invested that work very hard and all of a  
17 sudden they have a new condominium, new golf  
18 course or whatever.

19 That was my only concern, but, again, I'm  
20 not near Tamiami Trail, but I'm just down  
21 below.

22 Thank you very much for your time.

23 MR. GONZALEZ: Corena Tigertail-Lamm to be  
24 followed by Gene Duncan.

25 Can you all hear me okay?

1 MS. TIGERTAIL-LAMM: I have a concern on  
2 number three for making the road in the back of  
3 our camp. I have a concern about that because  
4 I don't want any highway in the back of my  
5 camp. That is the only concern I have.

6 DR. SMITH: Hold on a second. I'm having  
7 trouble hearing. Maybe it's just me. Are you  
8 okay?

9 Let's have the speakers come to this  
10 speaker and let me move.

11 Could you repeat your comments?

12 MS. TIGERTAIL-LAMM: Okay. I have a  
13 concern about alternative number three because  
14 I don't want any road behind my camps for  
15 traffic.

16 DR. SMITH: Thank you.

17 MS. TIGERTAIL-LAMM: That is it.

18 DR. SMITH: Will future speakers come to  
19 the podium.

20 MR. GONZALEZ: Mr. Gene Duncan to be  
21 followed by Mr. Rick Persson.

22 MR. DUNCAN: Good evening, Bo, again.

23 I was here last night and will be here  
24 again tomorrow.

25 Gene Duncan for the Miccosukee Tribe.

1           We have a couple of concerns.

2           The first thing I would like to mention is  
3           that none of your maps show the Osceola camp.  
4           I assure you it does exist. It's to the south  
5           side of the Tamiami Trail and it appears to be  
6           exactly where you plan to put one of the  
7           roads.

8           I would request that in the future you at  
9           least locate the camp so we can see what the  
10          impacts are going to be under the requirement  
11          of full disclosure.

12          The impacts to the Tigertail Camp have  
13          already been mentioned by Corena. If you  
14          select the alternative that puts the road on  
15          the north side of the canal, the Tigertail Camp  
16          will not have any privacy whatsoever with  
17          traffic passing by there.

18          Having to travel that road everyday coming  
19          back and forth to work, I can assure you there  
20          is a lot of traffic on that road. I have  
21          pulled over from time to time to pick up  
22          something on the edge of the road and the cars  
23          come whizzing by. It's very hard to even cross  
24          that road there is that much traffic.

25          So you are going to have a big problem

1 with traffic controls and detours, but I want  
2 you to be aware you have the Tigertail Camp and  
3 the Osceola Camp both of which are a concern to  
4 the Miccosukee Tribe.

5 I'm also concerned about the level of  
6 water that you say is going to be raised in the  
7 L-29 canal. I would like to know what level of  
8 water you anticipate under this new modelling  
9 scenario.

10 Also I would like to know what the volume  
11 of water that can pass through the culverts. I  
12 understand just a few months ago you raised the  
13 levels in the canal to check and see physically  
14 how much water could pass through the  
15 culverts. We haven't been provided any of that  
16 information. So we don't know how much water  
17 can pass through the culverts and we yet don't  
18 know how much water you are planning to pass  
19 through those culverts.

20 So it hasn't been demonstrated to us that  
21 we need any of this additional, and none of  
22 that was presented tonight. So we need to know  
23 those kinds of details.

24 I'll say that from our perspective, we  
25 would like to see Tamiami Trail on stilts. We

1 don't want to see the road acting as a  
2 hydrologic barrier from the Everglades to the  
3 north to the Everglades to the south.

4 One of the alternatives you need to look  
5 at is raising the road to constant passing  
6 under. I don't know if you have been in  
7 Louisiana, but I-10 is on stilts. It doesn't  
8 need to be that high, but that is really the  
9 way we would like to see, one Everglades. Not  
10 an Everglades to the north where you can shut  
11 the gates and cause flooding to the north so  
12 you can protect the park to the south. We want  
13 one Everglades with all of the structures  
14 removed so that water can flow naturally.  
15 Everybody suffers an equal amount or everybody  
16 benefits an equal amount.

17 So I would just ask you to please take  
18 into consideration the two Indian camps that  
19 are out there and the fact that that road is  
20 very heavily trafficked and it will cause major  
21 disruption if you back traffic up by closing  
22 down one lane.

23 So those are things you need to think  
24 about.

25 Thank you very much.

1           MR. GONZALEZ: Mr. Rick Persson to be  
2 followed by Paul Rauschenplat.

3           MR. PERSSON: Hi. My name is Rick  
4 Persson. I'm here to represent the  
5 recreational fishermen in Dade, Broward and  
6 Collier counties.

7           All the time I have been receiving  
8 information on the Restudy and the Modified  
9 Water Delivery plan I have not heard anyone say  
10 anything about the impact these proposals will  
11 have on recreational fishermen.

12           This canal, I don't know whether you plan  
13 on filling this canal in. You said at one time  
14 you were going to put some weirs in. Nothing  
15 has been said about the handling of that  
16 portion of the canal.

17           My understanding is that on the Restudy  
18 plan, that canal was supposed to be filled in.  
19 So one plan tells us one thing. Another plan  
20 tells us another.

21           We would like to get an overall picture of  
22 what is going to happen to all of it.

23           These canals are the only fresh water  
24 fishery available to us without having to  
25 travel a hundred miles to Lake Okeechobee.

1           And during the periods of low water if  
2           these canals are all filled in, these fish are  
3           going to go the same way the Cape Seaside  
4           Sparrow is going to go. They are going to be  
5           dead because there is going to be no water.

6           We go through periods of six to eight  
7           months drought. The Everglades dry up.  
8           Without these canals, those fish have nowhere  
9           to go.

10          Also, I'm not sure if you people are aware  
11          of the economic impact that fishermen have on  
12          the South Florida area. But if you contact  
13          John Fury, the game biologist in the area, he  
14          can tell you because he keeps records of the  
15          money spent by fishermen in the area. He can  
16          also tell you that this area is one of the best  
17          bass fishing areas in the state with a catch  
18          ratio of over three times that of what the rest  
19          of the state has during these low water  
20          periods.

21          It's also my belief that South Florida  
22          Water Management will lose a great deal of its  
23          flood control if any of these canals are filled  
24          in.

25          The state won't stop people from moving to

1 South Florida and builders will keep moving  
2 further to the west in Dade and Broward  
3 counties and further east from Fort Myers and  
4 Naples.

5 You have to provide water to these people  
6 and you also have to provide flood control as  
7 witnessed by Hurricane Irene.

8 Even with the canal system that we have in  
9 place, we had major flooding. First time -- I  
10 have been here since 1939. First time I have  
11 seen a flood since 1949.

12 So I do believe that compromises can be  
13 made to best serve all the interests in the  
14 community.

15 We, the fishermen, strongly believe in the  
16 environment and conservation and want to be  
17 considered in any plans in the future.

18 DR. SMITH: Thank you.

19 MR. GONZALEZ: Paul Rauschenplat  
20 followed --

21 MR. RAUSCHENPLAT: Rick pretty well  
22 covered what I had to say.

23 MR. GONZALEZ: You are Paul?

24 Brian Scherf followed by Timothy Lamm.

25 MR. SCHERF: Hello, I am Brian Scherf of

1 the Florida Biodiversity Project.

2 I think the alternatives that were  
3 presented here are grossly inadequate. In  
4 fact, I would even go beyond that and say it's  
5 pathetic.

6 Here we are supposed to be talking about  
7 Everglades restoration and it seems like we are  
8 involved in this process of, you know, the  
9 lowest common denominator theory of Everglades  
10 restoration where we see how low we can go.

11 We start off with something good like the  
12 Science Subgroup Report that talks about  
13 decompartmentalization and then we wind up with  
14 something where all we are talking about is  
15 where to place four damn bridges in here.

16 Where is the visionary plans that we have  
17 for Everglades restoration? Where is  
18 decompartmentalization? Where is restoring  
19 sheet flow.

20 To sensitive wildlife, almost nothing is  
21 worse than a road. The U.S. Humane Society  
22 estimates that almost one million animals are  
23 killed per day in the United States on roads  
24 and highways. They are the classic deathtrap.

25 There are over 6,000 literature citations

1 now that document the adverse effects of  
2 roads.

3 In the case of the Everglades, U.S. 41  
4 acts as a triple threat. It has an associated  
5 levee. It has an elevated roadbed, and it has  
6 a canal. All barriers to the ecosystem.

7 The road acts like a dam blocking sheet  
8 flow. It alters natural vegetation patterns.  
9 It acts as a corridor for the spread of exotics  
10 and pollution. It causes fragmentation and  
11 edge effects. It acts as a barrier to wildlife  
12 movements and acts as a mortality sink with  
13 massive roadkill.

14 For example, the highest historical source  
15 of mortality for the Florida panther is  
16 roadkill.

17 Culverts and bridges can alter flow  
18 patterns. It can block or restrict the passage  
19 of fish, amphibians and reptiles.

20 NEPA requires that agencies rigorously  
21 explore and objectively evaluate all reasonable  
22 alternatives.

23 Therefore, the Florida Biodiversity  
24 Project strongly urges an alternative be added  
25 that would evaluate raising the entire Tamiami

1 Trail and removing the L-29 levee through the  
2 Everglades.

3 The Tamiami Trail should also be raised  
4 through Big Cypress National Preserve and  
5 Fakahatchee Strand State Preserve.

6 The Restudy draft EIS vigorously  
7 recommended removing the L-29 levee and raising  
8 the Tamiami Trail.

9 Therefore, analyzing this alternative is  
10 entirely reasonable.

11 The road bed should be raised  
12 approximately seven to eight feet to allow  
13 passage of wildlife and the reduced shading  
14 effects.

15 In regards to Mod Waters, the existing  
16 road bed can't handle the restored that may be  
17 needed and with the road bed elevated there  
18 would be no need for the S-355's. Therefore,  
19 these structures would be ripped out.

20 As far as economic concerns, most  
21 opposition for raising the entire Tamiami  
22 Trail, most people would say that the cost  
23 would be excessive, but the construction cost  
24 could be largely offset with a substantial  
25 toll.

1           For example, the Florida turnpike costs  
2           \$6.50 to go from Fort Lauderdale for Fort  
3           Pierce for just 100 miles. A toll of \$5.00  
4           could be instituted with annual passes for  
5           residents.

6           For example, the recently constructed rest  
7           area, recreation area at I-75 cost a whopping  
8           40 million dollars, which is a scandal in  
9           itself.

10          New techniques of modular construction  
11          could reduce construction costs. One urban  
12          interchange, for example, can cost a hundred  
13          million dollars. We have built the overseas  
14          highway. We have built the Chesapeake Bay  
15          bridge in total. We have constructed I-12,  
16          Interstate 12 in Louisiana as a viaduct over  
17          the bayou swamps. Surely, we can raise the  
18          Tamiami Trail all the way.

19          Where is the vision?

20          Just to sum up the recommendations: One  
21          is include an alternative to raise the full  
22          length of the Tamiami Trail, to remove the L-29  
23          through the Everglades, Big Cypress and  
24          Fakahatchee.

25          Number two, fully analyze direct, indirect

1 and cumulative effects of each alternative.

2 Number three, there should be a full  
3 hydrological analysis of raising U.S. 41.

4 Number four, the Fish and Wildlife Service  
5 and the National Park Service should be  
6 designated and cooperating agencies in  
7 preparing this draft EIS.

8 There should be full consultation with  
9 relevant agencies as required by NEPA and the  
10 Endangered Species Act.

11 Number six, we should compile historical  
12 statistics for roadkills for I-75 and U.S. 41.

13 And number seven, a request that we  
14 release a scoping report to the public and the  
15 agencies on the different scoping alternatives  
16 and the information gathered.

17 Thank you very much.

18 DR. SMITH: Thank you.

19 MR. GONZALEZ: Mr. Timothy Lamm to be  
20 followed by Joette Lorion.

21 MR. LAMM: Hi. My name is Timothy Lamm.  
22 I work for the Miccosukee Tribe. I also  
23 married a Miccosukee Indian Tigertail Camp.

24 My concerns are basically that you don't  
25 really need that road to be there. You should

1       make it a bridge the whole way. The water was  
2       flowing way before the roads were there and the  
3       levees were there or the canals were there.

4               The impact you are doing, basically  
5       creating more of an impact adding more bridges,  
6       derailing the water to flow where you wish to  
7       put it, but not allowing nature to set its own  
8       course. The water flowed before we came. It  
9       will flow again.

10              Just directing and channeling the water  
11       into certain areas is not going to -- all you  
12       are creating is another impact for the next  
13       board to step up and address that issue.

14              I'm also concerned about the Tigertail  
15       Camp because I do live there and I married into  
16       it. So I don't want that Tiger Camp to be  
17       moved or washed away.

18              I am also probably concerned about many of  
19       the businesses along Tamiami Trail because I do  
20       live there and I'm sure they are just as  
21       concerned as the rest of us.

22              Thank you.

23              DR. SMITH: Thank you.

24              MR. GONZALEZ: Joette Lorion followed by  
25       Lena -- I can't make out the second name --

1 Tigertail.

2 MS. LORION: Good evening. I will leave  
3 all the technical stuff to Gene. He knows it  
4 much better than I do about this issue.

5 I did want to comment, though, on what  
6 Cheryl said. She said, I'm going to give you a  
7 bigger picture of Mod Waters that this is a  
8 part of, and I agree with that, and I also  
9 believe that the Modified Waters project has  
10 been improperly segmented into three SEIS's so  
11 that people do not see the full picture, and in  
12 fact, 40 CFR 1508.25, connected actions which  
13 are closely related should be examined in a  
14 single Environmental Impact Statement.

15 Part of the problem you are having is that  
16 people don't see -- they only see their impact  
17 of what they are doing on the 8.5 or this  
18 impact on Tamiami Trail and nobody is looking  
19 at the full impact.

20 It concerns me greatly that you say your  
21 final EIS will be done April 2001 and then you  
22 are going to do some kind of combined  
23 operational EIS that is what this should be,  
24 and how in the world are you ever going to meet  
25 the December 31st, 2003 deadline in the

1 biological opinion in the way you are going  
2 right now. I don't believe you can.

3 The Modified Water Deliveries project is  
4 critical to restoring the central Everglades,  
5 protecting the Tribe's land, to many endangered  
6 species.

7 I just, for the life of me, don't see how  
8 you are ever going to meet that already delayed  
9 deadline in the manner in which you are going  
10 unless you somehow combine all these actions.

11 The Water Management District next week  
12 may pick something that is unimplementable that  
13 adversely impacts whatever you are trying to do  
14 on Tamiami Trail and it's because nobody is  
15 getting the big picture.

16 Some people in this room think we are  
17 trying to do the Comprehensive Everglades  
18 Restoration project and the Modified Water  
19 Deliveries project.

20 That is not what Congress told you to do.  
21 Congress told you, restore Shark River Slough  
22 to the extent practicable. They didn't tell  
23 you to do complete restoration.

24 That is a huge Restudy, SER project that  
25 is going to be going on for 30 years. This is

1 a project that is supposed to already be  
2 finished.

3 I would just like to end by reading into  
4 the record again, and before I say that, you  
5 also have a unique responsibility to the  
6 Miccosukee Tribe and to the native Americans in  
7 this room to protect their resources. You have  
8 the Tigertails that could be adversely  
9 impacted. They have already been impacted  
10 once. The Osceolas.

11 It's very important to consult with them  
12 and with the Tribe and to make sure that you  
13 are not going to adversely impact them.

14 But getting back to Mod Waters, I would  
15 like to, again, read into the record a case,  
16 Nader versus FCC, 520 F2d 182, because Mod  
17 Waters has been going on for 10 years and it is  
18 destroying the Everglades not having it done.

19 So I would like to read something from  
20 this case. Nine years should be enough time  
21 for any agency to decide almost any issue.  
22 There comes a point when relegating issues to  
23 proceedings that go on without conclusion in  
24 any kind of reasonable time frame is tantamount  
25 to refusing to address the issues at all and

1 the result is a denial of justice. We must do  
2 so, again, in the strongest terms for we  
3 foresee the breakdown of the regulatory process  
4 if the public and the regulated carriers must  
5 wait as long as 10 years to have important  
6 issues decided.

7 I think that there has been a denial of  
8 justice to the Everglades by what is going on.  
9 There is certainly a denial of justice to the  
10 Miccosukee Tribe and the other native Americans  
11 in this room.

12 Thank you.

13 DR. SMITH: Thank you.

14 MR. GONZALEZ: Lena Tigertail to be  
15 followed by Mike Richardson who is the last  
16 card that I have.

17 MS. TIGERTAIL-LAMM: My grandmother has  
18 the same concerns as I do.

19 MR. GONZALEZ: Is she your grandmother?

20 MS. TIGERTAIL-LAMM: Yes. She is here.

21 MR. GONZALEZ: Last card I have is for  
22 Mr. Mike Richardson.

23 MR. RICHARDSON: Good evening.

24 As you stated, my name is Mike  
25 Richardson. I work for the First National Bank

1 of Homestead. Our main office is at 1550 North  
2 Krome Avenue in Homestead, the City of  
3 Homestead.

4 As you gathered from my earlier comments,  
5 I am a little distressed about your  
6 unwillingness to address questions on this  
7 issue in a public forum so that it is on the  
8 record and so that everybody has the same  
9 information to deal with.

10 I found your briefing about the  
11 alternatives basically quite superficial. I  
12 understand you are early in the planning  
13 process. You don't have a lot of the details  
14 yet, but there is a lot of missing information  
15 here that could have been presented as to what  
16 happens to the L-29 levee, what happens to the  
17 L-29 canal, what happens to the Tamiami Trail  
18 once you build these other alternative routes.  
19 There was just a lot of obvious questions and  
20 you are unwilling to answer them and I'm sorry  
21 for that.

22 A couple of issues that do jump out,  
23 however, if the issue is to move more water  
24 into the Northeast Shark River Slough and one  
25 of the proposals that do that is to put

1 additional bridges across the Tamiami Trail,  
2 your alternative to build the road to the north  
3 side of the L-29 doesn't seem to accomplish  
4 that.

5           You put in five bridges but all they are  
6 doing is link each along the levee. There is  
7 no additional water flow into Northeast Shark  
8 River Slough. My assumption is you are leaving  
9 the existing roadway in place. You inferred  
10 that when you talked about providing a bridge  
11 to the commercial operations that will remain  
12 on the south side of the canal.

13           There is an obvious gap there. I don't  
14 see how you are getting more water south.

15           As the central core issue that I'm here to  
16 talk to, Joette mentioned the fact that we  
17 recognize this is a part of the overall  
18 Modified Waters program and consistently the  
19 Homestead agricultural community has asked you  
20 again and again and again and again and again  
21 to make sure that when you increase the water  
22 flows in the Shark River Slough that it will  
23 not impact the water levels and the water  
24 tables in the South Dade agricultural areas and  
25 put our farming community out of business.

1           Cheryl, you heard me talk numerous times.  
2           We are not just concerned about above ground  
3           water flooding. It's a matter of lifting the  
4           water tables into the rip zones of the plants  
5           that will kill off our industry and I would  
6           like some assurances as you deal with this  
7           particular element of Mod Waters that you are  
8           continuing to look at the downstream impacts  
9           and ensure that you will not destroy our  
10          agricultural economy.

11          Thank you very much.

12          DR. SMITH: Thank you.

13          Would anybody like to speak that did not  
14          fill out a card?

15          MR. FARACE: I would like to say  
16          something.

17          DR. SMITH: Would you give your name and  
18          address, sir?

19          MR. FARACE: I'm Richard Farace at  
20          Everglades Safari.

21          I'm concerned about building a road to the  
22          north or to the south of us would wipe out all  
23          the businesses on the Trail, but getting back  
24          to making something simpler, and I don't know  
25          if you did a study on those 19 culverts that

1 are in, existing right now, that they are all  
2 pretty well blocked up, and going south of  
3 those culverts, basically they are blocked up.

4 So maybe the first thing we could do is to  
5 clean out all those culverts and to get the  
6 water to flow further south and maybe that  
7 might be enough to where we don't have to do  
8 anything else. So I think that might be a  
9 simpler program just to do that and see if it  
10 works, and that is basically it, you know,  
11 because in that area and I know some of the  
12 culverts are plugged up and the water can't  
13 flow through there.

14 So the studies that you have done so far,  
15 maybe that is the problem. Just needs to be  
16 cleaned up and get the canals to be  
17 straightened out.

18 That is basically it.

19 DR. SMITH: Anyone else?

20 MR. RAUSCHENPLAT: I would like to pick up  
21 my time that I left earlier.

22 DR. SMITH: Would you state your name  
23 again, sir?

24 MR. RAUSCHENPLAT: My name is Paul  
25 Rauschenplat.

1           I am a bass fisherman. I'm a resident of  
2 Dade County since 1953.

3           I don't like what is going on in Dade  
4 County right now with the water. I'm about to  
5 be an ex-president, but the gentleman that just  
6 spoke right now about clearing out the culverts  
7 and the area south of the culverts, if they  
8 were cleaned out just half as well as they  
9 cleaned out the lily pads on L-29A, they took  
10 out all the vegetation. It killed everything  
11 in that canal practically with weed killers and  
12 so forth. You know, it's nothing. They can  
13 get water to move, but you can't get water to  
14 move uphill and south of the Trail, it's  
15 uphill, but I guess that is not spending enough  
16 money. That is not bringing in enough big  
17 bulldozers and big earth moving equipment to do  
18 the job.

19           Just go in there and do the grading work  
20 and the clearing work and you probably have all  
21 the water you need down in Shark River Slough.

22           I don't know. I just don't like what is  
23 going on with this. It just seems like a lot  
24 of taxpayer's money that is being spent to  
25 protect the National Park Service's desires for

1 a pristine area. They have their land. They  
2 have grown and added more to it and now they  
3 want to get everything around it and  
4 surrounding it and make it to their liking. I  
5 don't think that is quite right.

6 It's property that belongs to the people  
7 and the people have a right to get access to  
8 it.

9 I can foresee what you are going to do and  
10 you are going to raise the Tamiami Trail, make  
11 it like I-10 or I-12 in Louisiana. You are  
12 probably going to make an overhead tunnel  
13 surrounded by gates or fencing.

14 All you can do is drive across. You are  
15 not going to have any recreation area. You are  
16 not going to have any access to the canal by  
17 fishermen such as myself, such as many other  
18 fishermen that aren't here today that do spend  
19 a lot of money.

20 I just bought a new boat. A bunch of  
21 taxes went into that boat. I put a lot of  
22 gasoline in the boat. I pay a lot of gasoline  
23 taxes. I pay registration fees for the boat,  
24 for the truck that pulls the boat, and I think  
25 I would like to get a little something more for

1 my money than a tunnel up in the air to move  
2 traffic.

3 And that is about all. I am just getting  
4 a little disgusted with what is going on in  
5 there.

6 Thank you.

7 DR. SMITH: Thank you, sir.

8 Anyone else who would like to make a  
9 comment?

10 The record will remain open through June  
11 21st, 2000 for those who desire to submit a  
12 written statement to be included with the  
13 record of this public meeting.

14 The written statement should be mailed to  
15 the District Engineer, U.S. Army Corps of  
16 Engineers, Post Office Box 4970, Jacksonville  
17 Florida, 32232-0019.

18 If you didn't get that address, I'll be  
19 happy to -- just come up and ask me  
20 afterwards.

21 Handouts and fact sheets are available on  
22 the table in the back.

23 This concludes our meeting.

24 Thank you very much.

25 As I said earlier, a number of our staff

1 are here. We will be happy to answer  
2 questions. Stay as long as you wish. Thank  
3 you.

4 (Thereupon, the hearing was concluded at  
5 7:30 p.m.)

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CERTIFICATE

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STATE OF FLORIDA

COUNTY OF DADE

I, MARY G. STEPHENSON, Notary Public,  
do hereby certify that I was authorized to and  
did stenographically report the foregoing  
proceedings and that the transcript is a true  
and correct transcription of my stenotype notes  
of the proceedings.

Dated this 26th day of June, 2000.

\_\_\_\_\_

MARY G. STEPHENSON