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AUDUBON SOCIETY \*\* EVERGLADES FOUNDATION \*\* EVERGLADES  
LAW CENTER EVERGLADES TRUST \*\* NATIONAL PARKS  
CONSERVATION ASSOCIATION \*\* NATIONAL RESOURCES DEFENSE  
COUNSEL \*\* SIERRA CLUB \*\* SIERRA CLUB FLORIDA \*\* SOUTH  
FLORIDA AUDUBON SOCIETY \*\* TROPICAL AUDUBON SOCIETY**

July 27, 2010

Superintendent Dan Kimball  
Everglades National Park  
950 North Krome Avenue, 3rd Floor,  
Homestead, FL, 33030

Draft Environmental Impact Statement Comments for the TT Next Steps Project

Dear Superintendent Kimball:

On behalf of the undersigned organizations, we write to provide comments on the Draft Environmental Impact Statement (DEIS) for the Everglades National Park (Park) Tamiami Trail Modifications: Next Steps (Next Steps) project. As advocates for Everglades restoration, we have strongly indicated our preference for the maximum bridging option and consequently, we are pleased that Alternative 6E was selected as the Preferred Action Alternative. We agree that of the various alternatives considered, Alternative 6E will provide the most significant environmental benefits for the Everglades ecosystem while most effectively meeting the goals identified in the 2009 Omnibus Appropriations Act.

Tamiami Trail has obstructed and diverted water flow from its historic and natural path from Water Conservation Area 3 into the Park and Florida Bay since it was constructed in 1928. Congress recognized the importance of immediate restorative action in 1989 with the authorization of the Modified Water Deliveries to Everglades National Park (MWD) project. After many years of delay, December 4, 2009 marked the groundbreaking ceremony for the MWD one-mile bridge on the eastern portion of Tamiami Trail. However, this first phase of bridging, by itself, is insufficient to fully restore water flow through the Everglades under Tamiami Trail.

Once again, through the 2009 Omnibus Appropriations Act, Congress has recognized the importance of immediate restorative action by directing Everglades National Park staff to immediately evaluate the feasibility of additional bridging beyond the one-mile bridge project with the specific goal of restoring more natural water flow to the Park and to Florida Bay. Alternative 6E, the preferred alternative, proposes an additional 5.5 miles of bridging and provides an unparalleled opportunity to realize substantial progress towards meaningful restoration throughout the Park and Florida Bay. We are encouraged by the expediency with which Park staff has produced the DEIS, and urge the Department of Interior to expedite the finalization of the plan and seek adequate funding to implement the second phase of bridging along Tamiami Trail.

### Alternative 6E: The Next Phase of Bridging

Selection of Alternative 6E is crucial to the success of the Next Steps project and the overall Tamiami Trail bridging initiative. Of the various alternatives, Alternative 6E is the only option that is capable of substantially fulfilling the directive set out in the 2009 Omnibus Appropriations Act to restore more natural water flow to the Park, to restore habitat within the Park, and to restore ecological connectivity between the Park and the Water Conservations Areas. These goals have languished, unmet since they were recognized as part of the mandate for the MWD Project, which in 1989 authorized the restoration of flow through the greater Everglades ecosystem.

This project should build upon the one-mile bridge project to achieve maximum environmental benefits. By selecting Alternative 6E, for example, the original MWD Project target water flow of 4,000 cfs could finally be realized, while also achieving the current objective of restoring a more natural sheet flow through Northeast Shark River Slough. Furthermore, the combined 6.5 miles of bridging would complement future CERP projects and other restoration initiatives, such as the pending River of Grass land acquisition by the state of Florida. Because the completion of both phases of bridging is necessary to revitalize the Park and to facilitate other restoration projects, it is paramount that there be seamless integration from the completion of phase one to the initiation of phase two. Such planning would require the Park to disregard its position that “[Next Steps] cannot start until after the completion of the one-mile bridge.<sup>1</sup>” For example, design planning for the 5.5 miles of additional bridging could move forward in concert with the completion of the one-mile bridge. Seamless integration does not call for phase one to be stalled for the sake of phase two; but rather requires careful deliberation on how to most effectively and efficiently meet the goals of the entire Tamiami Trail bridging initiative. Overall cost savings and the elimination of unnecessary work is a goal that all interested parties can and should support.

Additionally, we are pleased that the National Park Service (NPS) has worked with cooperating agencies in preparing the Next Steps DEIS; however, we would encourage the project to remain under NPS leadership. The project will have the most impact on the Park and Park resources and allowing NPS oversight will ensure the most efficient and effective use of its resources. Furthermore, the requirements under the National Environmental Policy Act (NEPA) for moving forward with Next Steps have already been satisfied in this DEIS. If another agency were given authority to oversee the project, it is possible that a new NEPA process would have to be completed, wasting time and resources. At the very least, we request that the Final EIS (FEIS) be the designated EIS for the Next Steps project regardless of which federal or state agency leads final project design planning and construction.

### Environmental Benefits from Additional Bridging

Alternative 6E is a key component to removing the barrier that has denied the Park sustainable sheet flow for nearly one hundred years. The proposed 5.5 miles of additional bridging along Tamiami Trail presents a unique opportunity to restore a more natural

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<sup>1</sup> Everglades National Park, National Park Service, Draft Environmental Impact Statement, “Tamiami Trail Modifications: Next Steps” (2010), at 2-29 [hereinafter DEIS].

sheet flow to the greater Everglades ecosystem and to facilitate the return of the abundance of biological life that the Park was once famous for.

Everglades National Park is a unique subtropical wilderness that is home to rare and endangered species, which have struggled for survival in a declining habitat that has been drastically altered by human initiatives such as floodplain and water management projects and transportation corridors. The reintroduction of the natural timing and distribution of sheet flow from the Water Conservation Areas, through Everglades National Park's Shark River Slough and out into Florida Bay will provide the necessary relief for wildlife habitat. This project will restore critical wading bird habitat, nesting areas, and feeding grounds. In addition, the benefits from improving water flow to Florida Bay include reestablishing natural salinity patterns and estuarine habitat which are essential to restoring seagrass beds and fishery habitat.

### *Derivative Economic Benefits from Bridging*

While advocating for Everglades restoration is our primary objective, bridging the Tamiami Trail will have positive collateral economic benefits as well. The construction of 5.5 miles of additional bridging could create an estimated 7,200 jobs.<sup>2</sup> In addition to this immediate economic boost to south Florida's economy, the Park can also expect to gain at least four dollars in value for every tax dollar invested, including local economic growth in the areas that surround the Park.<sup>3</sup>

The Everglades fuel tourism, which is an important driver of the south Florida economy. Everglades National Park – an International Wetland of Importance, an International Biosphere Reserve and a World Heritage Site – is an iconic and world-renowned tourist destination, attracting over one million visitors from all over the globe each year. Enhancing the unique biological resources in the Park and Florida Bay will encourage future growth in the recreation, sport-fishing and tourism industries. Additionally, the Next Steps bridging project is an opportunity to build a restoration icon.

### *Park's Position on Pending Commercial Airboat Facility Concessions and Land Acquisition Issues Should be Addressed in Concert with Bridge Planning*

Since 1989, the Department of Interior (DOI) has had the authority to acquire five privately owned parcels of land located along the Tamiami Trail in the project area and the authority to enter into concession contracts with the owners of commercial airboat facilities in this area.<sup>4</sup> It is clear that in order for DOI to comply with congressional intent, the parcels on which these facilities sit should be acquired in fee. We therefore support the statement that “[f]ee simple is considered the appropriate real estate requirement for all properties except the Airboat Association of Florida.”<sup>5</sup> We urge that

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<sup>2</sup> U.S. Army Corps of Engineers; National Park Service, Everglades National Park, “Modified Water Deliveries to Everglades National Park Tamiami Trail Modification Limited Reevaluation Report and Environmental Assessment,” (LRR) at 5-28 (2008).

<sup>3</sup> Jared Hardner; Bruce McKenney, *U.S. National Park System: An Economic Asset at Risk*, prepared for National Parks Conservation Association(2006).

<sup>4</sup> Everglades National Park Protection and Expansion Act of 1989, 16 USC § 410 (1989).

<sup>5</sup> DEIS, Appendix G at 4.

such acquisition be completed as quickly as possible in accordance with the 1989 Act and to avoid unnecessary costs associated with less than fee acquisition.

The NPS has maintained the position that the General Management Plan (GMP) is the proper device through which all action impacting the aforementioned commercial airboat facilities will be determined and where negotiations will be made to accommodate visitors and the protection of biological resources. However, it is clear that the decisions made in the GMP will impact the Next Steps project and the commercial airboat operations, since the Next Steps DEIS proposes to provide access to those three commercial airboat properties. Specifically, with respect to commercial airboat property access, we request a careful review of the proposed down ramps, since the decision on concession facilities comes in the future through the GMP. We urge the Park Service to remain flexible in planning for the Next Steps project in order to accommodate decisions in the GMP. Coordination of these two undertakings will allow for the earliest possible ecological benefits, prevent possible delays in construction, and the most cost effective bridging plan.

*Plans to Degrade L-29 Levee to Realize Marsh to Marsh Connectivity.*

The future of successful Everglades restoration, must include the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement (DECOMP) project. This project ultimately intends to eliminate barriers to flow so that the future Everglades is as free flowing as possible. As such, DECOMP is a critical complement to the Next Steps project. It will build on the Next Steps project to further enable the flow of unimpeded water across the central and southern Everglades. We urge the National Park Service to encourage the U.S. Army Corps of Engineers and the State of Florida to move as quickly as possible in advancing DECOMP planning and implementation efforts. We also encourage interagency coordination in the planning efforts of these two and other important restoration projects to facilitate learning and in order to achieve comprehensive Everglades restoration.

Thank you for this opportunity to comment and express our unequivocal support for 5.5 miles of bridging in the Tamiami Trail Next Steps Project, which is essential to Everglades restoration and the health of Everglades National Park and Florida Bay. We look forward to additional dialogue on this important undertaking.

Sincerely,

*Signatures waived to expedite delivery*

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