

SECTION 9.0 PUBLIC INVOLVEMENT, REVIEW AND CONSULTATION

9.1 PUBLIC INVOLVEMENT

In compliance with policies of the Corps of Engineers and the National Environmental Policy Act, input on projects is solicited from the public and other government agencies. The public was invited to comment during the scoping process and during public meetings, and comments were solicited for the draft and final versions of this document. Copies of Public Meeting and Workshop transcripts, as well as comments and responses are included in Appendix M.

9.2 SCOPING

Scoping is the phase in NEPA process whereby the initial scope of issues to be analyzed in the EIS is determined. This phase occurs as early in the process as possible and is an open process intended to obtain the views of the public and other interested agencies regarding the scope of the study.

Potentially interested individuals, agencies, and organizations were invited to attend and participate in a scoping meeting held at the Miami-Dade County Extension Office, 18710 SW 288th Street, Homestead, Florida, on June 8, 2000, at 6:30 p.m. The format of the meeting was to receive comments and concerns from the public on the issues and alternatives to be addressed.

On June 9, 2000, at the same location, a technical workshop was held to provide an interactive forum to discuss technical aspects of the project.

The topics discussed during the scoping process are of major importance in determining the pertinent issues to be analyzed in depth in the GRR/SEIS. To complete the scoping process the Corps allowed the record to remain open until June 21, 2000, for receipt of written statements. During the Scoping Meeting, the following issues and concerns were expressed:

- **Impacts to the Tigertail Camp.** A representative of the Miccosukee Tribe expressed concerns about the possibility of flooding or the relocation of the Tigertail Camp. A resident of the Tigertail Camp expressed disapproval of Alternative No. 3, the construction of the roadway to the north, because the camp would experience a lack of privacy with the construction of Alternative No. 3.
- **Impacts on Structures 355A and 355B**
- **Impacts on Businesses along the Roadway.** There are existing businesses along the south side of the roadway that may be adversely impacted by the project. A necessary feature of Alternative 3, the construction of a new roadway to the north, is to provide access to the old roadway for commercial and residential traffic. A representative of the Miccosukee Tribe expressed concerns about the businesses along the

roadway. A Tamiami Trail businessman expressed concern that constructing a new roadway to either the north or south would adversely impact businesses along the existing roadway.

- **Impacts to Wetlands**
- **Construction Impacts to Traffic Flow.** A representative of the Miccosukee Tribe expressed concerns that the high volume of traffic on the roadway would result in major disruptions with the implementation of traffic controls and detours. He expressed particular concern about the effects of traffic congestion on the Tigertail and Osceola camps.
- **Impacts to Hurricane Evacuation**
Tamiami Trail, US 41, is not an official evacuation route for the lower east coast of Florida, but it is a parallel road that might be expected to carry evacuation traffic in the case of congestion.
- **Effects of the Project on Loss of Private Land.** A private citizen expressed concern over the condemnation of private land for the purpose of environmental protection. His concern was that the land actually might later be used for commercial purposes. A recreational fisherman expressed concern that the National Park would get additional property and that access to that property by the public would be denied.
- **Impacts on the Osceola Camp.** A representative of the Miccosukee Tribe expressed concern that the project would adversely affect the Osceola Camp. The site of the camp appears to correspond with the location of Alternative 4, the construction of the road to the south.
- **Impacts of Changes in Area Hydrology.** Concern was expressed by a representative of the Miccosukee Tribe about the levels of water in the L-29 Canal, specifically, what the water level would be under the new modeling scenario. There was also a question on the necessity of the need for additional culvert capacity to transmit that water to the south. There was concern expressed by an individual that the filling of canals, which he understood would take place, could adversely impact flood control programs in South Florida. A representative of the Florida Biodiversity Project expressed a desire for a full hydrological analysis of the raising of the roadway. A businessman stated that the existing culverts are obstructed on the southern side, and that removal of the obstructions may enable an adequate flow.
- **Impacts on Recreation.** A recreational fisherman expressed concern about the implementation of the project, as well as other Mod Waters projects, on recreational fishing in the canals of the area. One of his concerns was that canals would be filled in. Points taken included the canals being the only nearby freshwater fishery, the canals serving as a refuge for fishes during droughts, and the economic importance of freshwater fishing in the vicinity.

- **Impacts on Wildlife.** A representative of the Florida Biodiversity Project requested that historical records be compiled on roadkills along I-75 and U.S. 41. A recreational fisherman expressed concerns that the effects of the project would include a loss of fisheries habitat.
- **Impacts on the Homestead Agricultural Community.** An individual expressed concerns that the elevation of water in the Northeast Shark River Slough would raise ground water levels in the South Dade agricultural areas and adversely impact farming operations.
- **Environmental Impact Assessment.** A representative of the Florida Biodiversity Project requested: that USFWS and the NPS be designated as cooperating agencies in the preparation of the EIS; that the analysis of all alternatives include direct, indirect, and cumulative impacts; that there should be full coordination with relevant agencies as required by NEPA and the Endangered Species Act; and that a scoping document regarding the scoping alternatives be released to the public. A representative of the Miccosukee Tribe expressed concern that the Modified Waters project had been divided into three separate EISs, thereby possibly masking the combined impacts of the projects. The individual expressed an opinion that because there have been delays in implementing the Mod Waters projects and restorations of the central Everglades, tribal lands have not been protected. Therefore, the delays have constituted a denial of justice to the Miccosukee Tribe.

A copy of the Scoping Document with a transcript of public comments is appended (Appendix M).

9.3 PUBLIC AGENCY MEETINGS

The Jacksonville District hosted a workshop for agencies, organizations, and individuals interested in the Modified Water Delivery (MWD) Project on July 9, 2000. Attendees and relevant comments included:

- **Coopertown Airboats** stated its understanding of possible benefits gained by an elevated highway but expressed concern over how residents and businesses would access properties currently located along the Tamiami Trail.
- **Everglades National Park** expressed concern over wetland loss caused by Tamiami Trail and then called for practices that would provide for a rapid and efficient exchange of technical information among interested agencies.
- **Florida Department of Environmental Protection** stated concerns related to water quality issues in general, and storm water issues in particular, that might arise during implementation of the project.
- **Florida Department of Transportation.** FDOT asked to review the Draft EIS before it is officially promulgated and stated its desire to participate in all aspects of the EIS and technical design.

- **Miccosukee Tribe** representatives reiterated their desire that the portion of the Tamiami Trail located within the project limits be removed and replaced with an elevated highway. Representatives stated that the Tamiami Trail serves as an ecological barrier and expressed a desire for focused attention on a possible wildlife corridor. Concerns were expressed regarding delays and detour associated with implementation of the project. Representatives also expressed concerns as to how the MWD-recommended flows would be achieved before the required studies are completed.

Subsequent interagency meetings were held on October 2 and 3, and December 4 and 5, 2000. Minutes of the meetings are appended (Appendix M).

9.4 PUBLIC WORKSHOP

A public workshop for the proposed project was conducted on February 6, 2001. The purpose of the workshop was to discuss input to the performance measures used to select the alternatives. A copy of the workshop transcript is included in Appendix M.

9.5 PUBLIC SUPPORT

Numerous letters have been received by the Corps of Engineers expressing full support for the construction of a 10.7-mile causeway. This alternative was developed as one of the original 13 conceptual alternatives for Tamiami Trail and consists of a 10.7-mile causeway that would elevate the existing roadway above the Northeast Shark River Slough flow way. This alternative is not being considered for the Preliminary Recommended plan due to fiscal and other constraints.

The current level of funding available for Tamiami Trail Modification under Modified Water Deliveries is \$20.215 million as identified in the DOI Capital Asset Plan. Reference on current funding levels can be made to the June 2001 version of the Capital Asset Plan (OMB Circular A-11 Exhibit 300 (b), Modified Water Deliveries). Implementation of a 10.7-mile causeway is not possible due to the fiscal constraints of the project. This cost of a raised causeway is approximately 7 times greater than the funds available in the Capital Asset Plan.

A 10.7-mile causeway is not being recommended for implementation because of its extreme high cost and the uncertainties inherent in forthcoming CERP efforts. All information and details provided in this GRR, however, should be useful to the future CERP study of this roadway. A full causeway may have significant elements of the eventual ecological restoration to be achieved via the now authorized CERP project. This causeway realizes the upper range of environmental benefits and may or may not be the ultimate solution to be recommended by future CERP detailed studies. Inclusion of the information for the causeway is in response to very strong public interests (i.e. all environmental agencies and interests including DOI) that at this time strongly believe construction of a causeway to be the ultimate solution.

9.6 COMMENTS AND RESPONSES ON DRAFT AND FINAL DOCUMENTS

This document is available to agency personnel and the public for review and comment. Following the release of this document, the public will be invited to provide comments at

a public hearing. All comments will be reviewed and evaluated, and the Final GRR/SEIS will incorporate a response to each comment and, where appropriate, a revision of the text of the document.

9.7 PUBLIC MEETINGS

Two public meetings were held to receive public comments on the contents of this document on December 18, 2001 and January 15, 2002.

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