

ADMINISTRATIVE ACTION
TYPE 2 CATEGORICAL EXCLUSION

Florida Department of Transportation

SR 934/NE 79 ST FROM W OF PELICAN HARBOR DR TO E OF ADVENTURE AVE

District: FDOT District 6

County: Miami-Dade County

ETDM Number: 14484

Financial Management Number: 449007-1-22-01

Federal-Aid Project Number: N/A

Project Manager: Paola Andrea Martinez

The Environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding (MOU) dated May 26, 2022 and executed by the Federal Highway Administration and FDOT.

This action has been determined to be a Categorical Exclusion, which meets the definition contained in 40 CFR 1508.4, and based on past experience with similar actions and supported by this analysis, does not involve significant environmental impacts.

Signature below constitutes Location and Design Concept Acceptance:

Director Office of Environmental Management
Florida Department of Transportation

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This document was prepared in accordance with the FDOT PD&E Manual.

This project has been developed without regard to race, color or national origin, age, sex, religion, disability or family status (Title VI of the Civil Rights Act of 1964, as amended).

On 12/28/2021 the State of Florida determined that this project is consistent with the Florida Coastal Zone Management Program.

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NE 79th Street (SR 934)

From West of Pelican Harbor Drive to East of Adventure Avenue

Miami-Dade County, Florida



1. Project Information

1.1 Project Description

This project involves the potential replacement of four prestressed concrete slab (Sonovoid) bridges arranged in two locations as parallel bridge pairs connecting three islands within the City of Miami and North Bay Village in Miami-Dade County. The project also involves improvements to the roadway approaches within the limits of the study. The bridges are part of State Road (SR) 934/NE 79th Street (John F. Kennedy Causeway), a roadway classified as "Urban Principal Arterial - Other", which connects mainland Miami to Miami Beach and North Bay Village. The project limits extend from west of Pelican Harbor Drive (MP 1.077) to east of Adventure Avenue (MP 1.947). The western bridge pair, comprised of Bridge Identification (ID) Numbers 870083 (westbound) and 870549 (eastbound), is located just west of North Bay Island/Harbor Island. The eastern bridge pair, comprised of Bridge ID Numbers 870084 (westbound) and 870550 (eastbound), is located between North Bay Island/Harbor Island and Treasure Island.

The preferred alternative for the bridge replacement is Alternative 2B. In Alternative 2B, the four existing bridges are to be removed and replaced with two newly constructed bridge structures. The bridge profile for Alternative 2B is raised approximately 3.6 feet, for a maximum elevation of 12.2 feet NAVD and minimum bridge low member elevation of 7.3 feet NAVD. The proposed bridge low member height provides a minimum vertical clearance of 6 feet above the projected Mean High Water (MHW) +1.3 feet NAVD for the bridge design year 2105. Due to the rise in elevation, driveway reconstruction and construction of gravity walls are necessary east and west of the bridge limits. The preferred bridge typical section (see Figure 1.1.2) upgrades the facility to FDOT standards, providing a raised median, six travel lanes (two 10-foot wide inside lanes and one 11-foot wide outside lane), 8-foot 4-inch bicycle lanes, and 6-foot barrier-separated sidewalks in each direction. The total bridge width is 110 feet 10 inches.

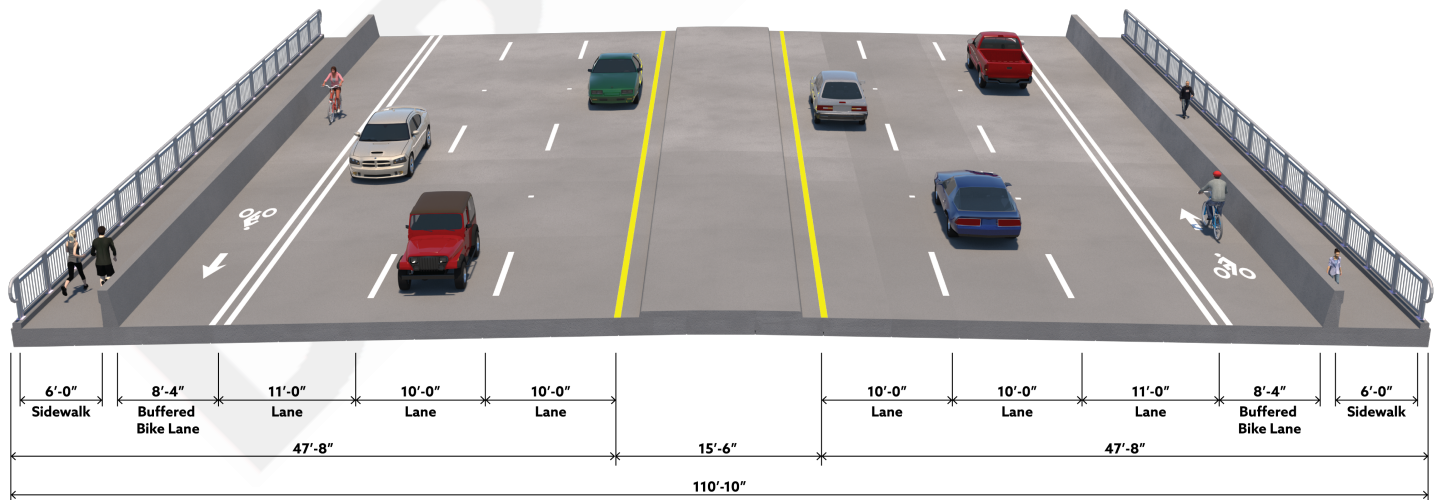


Figure 1.1.2: Preferred Alternative Typical Section

The preferred roadway typical section at the bridge approaches and Harbor Island/North Bay Island upgrades the facility to meet current FDOT design criteria, including providing a raised median, six travel lanes (two 10-foot inside lanes and one 11-foot outside lane), buffered bicycle lanes (7 feet), Type F curb & gutter, and sidewalks (6-foot wide) in each direction.

The proposed roadway segment at Treasure Island transitions from the preferred roadway typical section at the bridge approaches to the existing typical section at the east project limit (4-foot wide bicycle lanes, 5-foot wide sidewalks). The proposed roadway segment west of the west bridge pair, along Pelican Harbor Marina park, is constrained and the preferred roadway typical section provides bicycle lanes (4.25 feet wide), guardrail at the face of curb to shield the canal hazard (Biscayne Bay), and sidewalk (6-foot wide).

The proposed drainage system is divided into four systems that will comply with all water quality and quantity requirements required by the permitting agencies having jurisdiction along the corridor. The stormwater runoff within each proposed system will be collected via curb inlets along both sides of the road and will be treated before discharging into Biscayne Bay. Due to right of way limitations, the use of dry retention swales, drainage wells and pump stations is limited. With these considerations and based on the existing permits available adjacent to the study area, the use of exfiltration trenches along the median of the project is being proposed. This method is the most widely used stormwater management system in South Florida that meets the stormwater quality and quantity criteria applicable to roadway projects and is preferred due to cost and maintenance. The exfiltration trenches are proposed at locations avoiding as much as possible conflicts with the existing underground utilities along the corridor.

1.2 Purpose and Need

The purpose of this project is to evaluate bridge replacement alternatives to address the structural deficiencies of four existing bridges (arranged in two locations as parallel bridge pairs) along State Road 934/NE 79th Street (John F. Kennedy Causeway). An additional project goal is to maintain emergency evacuation capabilities.

The need for the project is based on the following criteria:

Bridge Deficiencies: Address Substandard Structural Elements

The existing bridges were constructed in the early 1970s and have been determined to be Structurally Deficient given the condition of each bridge's superstructure (beams), which is referred to as "Sonovoid" design. Due to the structure type, the number of structural deficiencies, and the low clearance from the water, the bridge superstructures cannot properly be repaired.

Based on FDOT Bridge Inspection Reports prepared in October 2020, each of the four bridges received a Sufficiency Rating of 48.7 (on a scale of 0-100). The Sufficiency Rating is essentially an overall rating of a bridge's fitness to remain in service. A Sufficiency Rating below 50.0 may qualify a bridge for replacement funds.

As part of the inspection process, several structural components were evaluated and assigned a rank or condition based on the NBI system. The ranks/conditions were based on a scale of zero through nine. A rank of zero generally means that the bridge is out of service, beyond corrective action, and in need of replacement; a rank of nine means the bridge is in excellent condition and no deficiencies have been identified. The ranks/conditions for the structural components examined in the reports are as follows:

Bridge ID Numbers 870083 (westbound) and 870549 (eastbound)

- Deck: 4 (Poor)

- Superstructure: 4 (Poor)
- Substructure: 6 (Satisfactory)

Bridge ID Numbers 870084 (westbound) and 870550 (eastbound)

- Deck: 4 (Poor)
- Superstructure: 4 (Poor)
- Substructure: 7 (Good)

Safety: Maintain Evacuation and Emergency Response Times

Serving as part of the emergency evacuation route network designated by the Florida Division of Emergency Management (FDEM) and Miami-Dade County, NE 79th Street (including the bridges) plays a critical role in facilitating traffic between the beaches and the mainland of Miami during emergency evacuation periods. The project area is located in Storm Surge Planning Zone B, which is at risk for storm surge for Category 2 and higher storms. There is a need for the bridges to continue meeting emergency evacuation requirements.

1.3 Planning Consistency

Currently Adopted L RTP-CFP	COMMENTS			
No				
	Currently Approved	\$	FY	COMMENTS
PE (Final Design)				
TIP	Y	\$3,250,000	2025	Project is in the current TIP, page 39 and 397
STIP	Y	\$3,250,000	2025	Project is in the current STIP, page 333 of the online report
R/W				
TIP				
STIP				
Construction				
TIP	Y	\$43,571,000	2028	Project is in the current TIP, page 39 and 397
STIP	Y	\$43,571,000	2028	Project is in the current STIP, page 333 of the online report

2. Environmental Analysis Summary

Issues/Resources	Significant Impacts?*			
	Yes	No	Enhance	NoInv
3. Social and Economic				
1. Social	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Land Use Changes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Mobility	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Aesthetic Effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Relocation Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Farmland Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Cultural Resources				
1. Section 106 of the National Historic Preservation Act	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Section 4(f) of the USDOT Act of 1966, as amended	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Section 6(f) of the Land and Water Conservation Fund	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Recreational Areas and Protected Lands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Natural Resources				
1. Protected Species and Habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Wetlands and Other Surface Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Essential Fish Habitat (EFH)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Sole Source Aquifer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Water Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Aquatic Preserves	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Outstanding Florida Waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Wild and Scenic Rivers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Coastal Barrier Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Physical Resources				
1. Highway Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Contamination	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Utilities and Railroads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

USCG Permit

- A USCG Permit IS NOT required.
- A USCG Permit IS required.

* **Impact Determination:** Yes = Significant; No = No Significant Impact; Enhance = Enhancement; NoInv = Issue absent, no involvement. Basis of decision is documented in the following sections.

3. Social and Economic

The project will not have significant social and economic impacts. Below is a summary of the evaluation performed.

3.1 Social

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations*, signed by the President on February 11, 1994, directs federal agencies to take appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law.

A Sociocultural Effects (SCE) Evaluation was prepared for this project and is located in the project file. Information was obtained from the U.S Census Bureau (2020 and 2021 Census in Florida, with selected fields from the 2021 American Community Survey) and includes data on low income, minority, and Limited English Proficiency (LEP) populations. The SCE study area was defined as a geographic area that extends 1/4 mile from the SR 934 right-of-way.

In Miami-Dade County, the percent population below the poverty level is 14.9 percent, slightly higher than the Florida average (13.1 percent). There are two Census Block Groups within the SCE study area that have higher than county average population of residents living below the poverty line in the last 12 months at 16.76 percent and 22.69 percent, respectively.

The population in the SCE study area is 60.5 percent Hispanic or Latino, which is less than Hispanic or Latino percent population of Miami-Dade County (69.1 percent). Other minority groups that were above the county levels include Asian, making up 3.1 percent of the SCE study area and 1.6 percent of the county, and Other, making up 14.6 percent of the SCE study area and 8.6 percent of the Miami-Dade County population. Minority populations in the overall SCE study area are not significantly different than the surrounding county. However, minority populations in five Census block groups in the SCE study area do differ considerably from county levels.

Census block groups in the SCE study area having populations that are denoted as LEP range from 4.69 percent to 44.94 percent. Six out of the seven total Census block groups that intersect the SCE study area have LEP populations exceeding five percent. Meeting notifications and handouts provided to the public for the Public Kickoff Meeting and Alternatives Public Meeting were translated and made available in English, Spanish, and Creole. Copies of the translated materials are provided in the Comments and Coordination Report.

There were no special cases identified on this project such as handicapped or disabled displacements that warrant special assistance. The project is not expected to contribute to social isolation of any special populations of elderly, handicapped, minority or transit-dependent groups. Access to community focal points will be improved under the Preferred Alternative because the roadway will be brought up to FDOT standards and sidewalks will be improved in the vicinity of Pelican Harbor Park. For the above reasons, no significant impacts to the social environment are anticipated.

3.2 Economic

The project bridges are essential to maintaining the movement of people and goods along the corridor as well as providing access to local businesses in the Cities of Miami, North Bay Village, and Miami Beach. The project is located within two

U.S. Census Designated Places (Miami and North Bay Village) and is in an area of high tourist activity connecting Miami to the beach communities including Miami Beach and Surfside.

There would be no relocations or displacements under the Preferred Alternative and the project would improve connectivity, mobility and safety; therefore, significant negative economic impacts are anticipated. Temporary impacts to local businesses could occur from noise/vibration and construction, but access will be maintained to all businesses. Because there are no relocations or displacements, no impacts to the tax base are anticipated.

Long-term traffic patterns under the Preferred Alternative would be the same as the current existing condition. There would be minor, short-term impacts during construction. No additional capacity or long-term changes to traffic patterns are anticipated. Sidewalks and bicycle lanes would be expanded to meet current FDOT standards under the Preferred Alternative.

3.3 Land Use Changes

The project area primarily consists of public/semi-public and residential uses with commercial properties scattered along the project corridor (Existing land use map is attached). Land use types include Roads and Highways (3.6 percent), Commercial and Services (20.8 percent), Residential: Medium Density- Fixed Single-Family Units (12.5 percent), Residential: High Density- Multiple Dwelling Units (14.9 percent), Marinas and Fish Camps (0.1 percent), and Embayments Opening Directly to Gulf or Atlantic Ocean (48.1 percent).

The project is compatible with the community's development goals and is consistent with the Miami-Dade Comprehensive Development Master Plan. According to the City of Miami and North Bay Village Future Land Use Maps, and Miami-Dade County's Adopted 2030 and 2040 Land Use Plan, the project corridor will continue to support the noted land uses.

The project is included in the current FDOT State Transportation Improvement Program and the FDOT 2022-2026 Five-Year Work Program. The project is not currently listed in the Miami-Dade Transportation Planning Organization 2045 Long Range Transportation Plan or 2022-2026 Transportation Improvement Program.

The Preferred Alternative would result in the conversion of land to transportation use in three locations to bring bicycle lanes and sidewalks up to FDOT standards. On the westernmost island in the project area, approximately 0.15 acres of permanent easement would be required from Pelican Harbor Park and an additional 0.15 acres would be needed for a Temporary Construction Easement. Two small slivers of additional right-of-way totaling 0.007 acre would be required at the intersection of SR 934 and Adventure Avenue, at the eastern project terminus.

The Preferred Alternative would replace the existing bridges with no change in capacity. For this reason, the project is not anticipated to contribute to any growth but would provide service similar to the existing condition. The project is not expected to increase or decrease employment opportunities in the local economy. Regional employment opportunities will not be created or diminished as a result of the project.

There are no agricultural lands present within the SCE Study Area, so it is anticipated that there will be no involvement with agricultural lands. For the above reasons, no significant impacts from land use changes are anticipated.

3.4 Mobility

Mobility features within the SCE Study Area include Pelican Harbor Marina, Pelican Harbor Boat Ramp, Harbor West Marina, and three Miami-Dade Transit routes [79, 112, and the North Bay Village Shuttle (NBAYVL)]. The project is located within a transportation disadvantaged service provider area [Miami-Dade Transit Transportation Disadvantaged Program]. The outside travel lanes of the existing western bridge pair include shared-use markings to accommodate bicycles and 5-foot raised sidewalks. The outside travel lanes of the existing eastern bridge pair include 5.5-foot dedicated bicycle lanes and sidewalks varying between 5 and 6 feet in width (separated by guardrail).

The Preferred Alternative improvements are intended to enhance overall mobility in the area by maintaining an important regional connection between the islands and mainland of northern Miami-Dade County and enhancing access for bicyclists and pedestrians through the provision of new and/or improved paved shoulders/marked bicycle lanes and sidewalks.

Travel patterns are expected to remain the same as the existing patterns under the Preferred Alternative, though short-term impacts during construction are anticipated. The Preferred Alternative would improve safety through bringing sidewalks and bicycle lanes up to FDOT standards. There would be no long-term impacts to access, capacity or traffic patterns. Short-term impacts are anticipated during construction but access throughout the project area will be maintained. There are no public parking facilities within the project corridor and no impacts to parking are anticipated. For the above reasons, mobility is expected to be enhanced.

3.5 Aesthetic Effects

A Noise Technical Memorandum was prepared for the project and assessed the potential for noise impacts. The Preferred Alternative would raise and widen the bridges and would widen portions of SR 934 to make them consistent with current FDOT standards. Short term noise/vibration impacts are anticipated during construction activities but will be limited in time and highly localized by construction activities. No detonation or blasting is anticipated during removal of existing bridge members. No significant impacts were identified during the analysis of noise/vibration. Furthermore, the project would not increase capacity on SR 934; therefore, no significant noise impacts are anticipated as a result of the Preferred Alternative.

The Preferred Alternative follows an existing roadway corridor with bridges and would not introduce any unnatural or unusual elements into the surrounding viewshed. The Preferred Alternative would replace the existing bridges with visually-similar structures, but with a profile that is approximately six feet higher than the existing bridges. The raised profile is not anticipated to significantly impact the viewshed because there are existing tall buildings and infrastructure in the SCE Study Area and the elevated roadway would not be among the highest elements in the viewshed. Elevated bridges are common on roadways crossing Biscayne Bay and the bridges under the Preferred Alternative would be consistent with the overall setting. The bridges are not anticipated to block any important viewsheds. The Preferred Alternative would not introduce any structures or improvements that are incompatible with local aesthetics or would appear unusual in the current setting. For the above reasons, no significant impacts to aesthetics are anticipated.

3.6 Relocation Potential

The proposed project, as presently conceived, will not displace any residences or businesses within the community. Should this change over the course of the project, a Right of Way and Relocation Assistance Program will be carried out in accordance with Florida Statute 421.55, Relocation of displaced persons, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

3.7 Farmland Resources

Lands within the project vicinity do not meet the definition of farmland as defined in 7 CFR § 658 and the provisions of the Farmland Protection Policy Act of 1981 do not apply because the entire project area is located in the urbanized area of City of Miami and North Bay Village with no designated farmlands adjacent to the project corridor.

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4. Cultural Resources

The project will not have significant impacts to cultural resources. Below is a summary of the evaluation performed.

4.1 Section 106 of the National Historic Preservation Act

A Cultural Resource Assessment Survey (CRAS), conducted in accordance with 36 CFR Part 800, was performed for the project, and the resources listed below were identified within the project Area of Potential Effect (APE). FDOT found that these resources do not meet the eligibility criteria for inclusion in the National Register of Historic Places (NRHP), and State Historic Preservation Officer (SHPO) concurred with this determination on 10/24/2023. Therefore, FDOT, in consultation with SHPO, has determined that the proposed project will result in No Historic Properties Affected.

The archaeological desktop analysis identified no previously recorded archaeological sites or locally designated archaeological sites, zones, or conservation areas within the project APE. The archaeological APE was previously within the waters of Biscayne Bay until the causeway and islands were built from fill dredged from the bay bottom during the mid-20th century. Therefore, no natural soil is present in the archaeological APE, and the urban landscape of the SR 934/NE 79th Street right-of-way has no potential to contain archaeological sites.

The historic resources survey resulted in the identification of 13 resources within the historic resources APE. All project improvements are located within the NE 79th Street Causeway resource group (8DA17109), which has previously been determined National Register-ineligible. Survey of the 12 parcels with historic buildings within the historic resources APE resulted in the documentation of 12 historic buildings (8DA21548-8DA21559), each of which are considered National Register-ineligible.

The 2012 Program Comment issued by the Advisory Council on Historic Preservation (ACHP), Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges (ACHP 2012) exempts four bridges within the project APE from individual consideration under Section 106: FDOT Bridge Nos. 870083 (c. 1971), 870084 (c. 1971), 870549 (c. 1973), and 870550 (c. 1971). Therefore, it is anticipated that no historic properties will be affected by the proposed project.

4.2 Section 4(f) of the USDOT Act of 1966, as amended

The following evaluation was conducted pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, and 23 CFR Part 774.

There are two recreational resources, Pelican Harbor Park and Marina and North Bay Village Dog Park, that are potentially protected by Section 4(f) of the U.S. Department of Transportation Act of 1966. Both parks are adjacent to the project.

Pelican Harbor Park and Marina is a recreational resource owned and operated by Miami-Dade County. Pelican Harbor Park and Marina (1265 NE 79th Street Causeway, Miami, FL) is located on the north and south sides of the 79th Street Causeway, on an island in Biscayne Bay immediately west of North Bay Island. This approximately 10-acre park and marina includes amenities such as a public boat ramp and parking facilities for vehicles and trailers, picnic tables, docks and wet slips for boat storage, fueling station, sand volleyball court, restrooms, a pavilion, park office and dockmaster

building, public art installations, natural resources and a paved trail for pedestrian use. A Statement of Significance letter was received June 13, 2023.

The North Bay Village Dog Park (7903 East Drive, North Bay Village, FL) occupies a parcel of land immediately north of NE 79th Street and south of East Drive on the former site of a fire station. It is now a dog park that contains perimeter and interior fencing, trash cans and dog-waste stations, shade structures, benches, and drinking-water fountains. A Statement of Significance letter was received November 16, 2023.

To accommodate the bicycle and sidewalk improvements associated with the Preferred Alternative, approximately 0.15 acres of permanent easement would be required from Pelican Harbor Park. An additional 0.15 acres would be needed for a Temporary Construction Easement to allow the improvements and regrading during construction. The improvements would provide for a safer connection to Pelican Harbor Park as well as improve safety for motorists and bicyclists.

4.3 Section 6(f) of the Land and Water Conservation Fund Act of 1965

There are no properties in the project area that are protected pursuant to Section 6(f) of the Land and Water Conservation Fund of 1965.

4.4 Recreational Areas and Protected Lands

There are no other protected public lands in the project area.

5. Natural Resources

The project will not have significant impacts to natural resources. Below is a summary of the evaluation performed:

5.1 Protected Species and Habitat

The following evaluation was conducted pursuant to Section 7 of the Endangered Species Act of 1973 as amended as well as other applicable federal and state laws protecting wildlife and habitat.

The Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act provide additional protections to many bird species. In Florida, all bat species are protected by the Florida Fish and Wildlife Conservation Commission (FWC).

A Natural Resources Evaluation (NRE) has been prepared in accordance with the NRE Outline and Guidance document and is included in the project file.

A protected species and habitat evaluation was conducted pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, and Chapter 5B-40 and Chapter 68A-27, Florida Administrative Code (FAC).

Federal and state listed species with potential to occur in the project corridor were identified through research and coordination with US Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and the Florida Fish and Wildlife Conservation Commission (FWC). The project area includes portions of Biscayne Bay, which is considered an Aquatic Preserve, an Outstanding Florida Water, and designated Critical Habitat, as defined by 50 CFR 17.94, for the West Indian manatee. Field investigations of the project area were also conducted on multiple days and in different seasons to evaluate the potential presence of protected species and habitats. Preliminary field investigations occurred on September 16, 2022. Benthic surveys were conducted from September 16 to 19, 2022, and on June 13, 2023 to characterize the benthic habitats and presence of listed species within the marine environment. Limited roost surveys for Florida bonneted bat were conducted in the project corridor on March 14, 2023 with a follow-up inspection in January, 2024. Field reviews determined there is no potential roosting habitat for Florida bonneted bats. The probability of occurrence within the project area consisted of the following:

- Low: no suitable habitat present within the study areas and the species was not observed during field reconnaissance.
- Moderate: suitable habitat present within the study areas; however, the species was not observed during field reconnaissance.
- High: suitable habitat present within the study areas and/or the species was observed during field reconnaissance.

A total of 23 listed species, including two candidate species, were identified as having the potential to occur within the study area. Twenty-one (21) of the listed species have a moderate or high potential of occurrence. No federal or state listed flora species have the potential to occur in the study area. Each species and their effect determinations are discussed in more detail in the following subsections.

Common Name	Scientific Name	Federal Status	State Status	Occurrence Potential in Project Area	Effect Determination
<i>Fauna Species</i>					
American crocodile	<i>Crocodylus acutus</i>	FT	-	High	MANLAA

Boulder Star Coral	<i>Orbicella franksi</i>	FT	-	Medium	No Effect
Black skimmer	<i>Rynchops niger</i>	-	ST	High	No Adverse Effect Anticipated
Elkhorn Coral	<i>Acropora palmata</i>	FT	-	Medium	No Effect
Florida manatee	<i>Trichechus manatus latirostris</i>	FT	-	High	MANLAA
Giant Manta Ray	<i>Manta birostris</i>	FT	-	High	MANLAA
Green sea turtle	<i>Chelonia mydas</i>	FE	-	High	MANLAA
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	FE	-	Medium	MANLAA
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	FE	-	Medium	MANLAA
Least tern	<i>Sternula antillarum</i>	-	ST	High	No Adverse Effect Anticipated
Leatherback sea turtle	<i>Dermochelys coriacea</i>	FE	-	Medium	MANLAA
Little blue heron	<i>Egretta caerulea</i>	-	ST	Medium	No Adverse Effect Anticipated
Lobed Star Coral	<i>Orbicella annularis</i>	FT	-	Medium	No Effect
Loggerhead sea turtle	<i>Caretta caretta</i>	FT	-	High	MANLAA
Monarch butterfly	<i>Danaus plexippus</i>	FC	-	Medium	No Determination
Mountainous Star Coral	<i>Orbicella faveolate</i>	FT	-	Medium	No Effect
Pillar Coral	<i>Dendrogyra cylindrus</i>	FT	-	Medium	No Effect
Piping plover	<i>Charadrius melodus</i>	FT	-	Low	No Effect
Rough cactus coral	<i>Mycetophyllia ferox</i>	FT	-	Medium	No Effect
Small-toothed sawfish	<i>Pristis pectinate</i>	FE	-	High	MANLAA
Staghorn coral	<i>Acropora cervicornis</i>	FT	-	Medium	No Effect
Tricolored bat	<i>Perimyotis subflavus</i>	FC	-	-	No Determination
Tricolored heron	<i>Egretta tricolor</i>	-	ST	Medium	No Adverse Effect Anticipated

5.1.1: Federal and State Listed Species Potentially Occurring within the Study Area

Federally Protected Species in the Project Area

American crocodile (Threatened- Federal, USFWS)

The American crocodile is a large, grayish-green colored crocodylian with a narrow, tapered snout. They inhabit coastal areas throughout the Caribbean with a range that extends into south Florida. Habitat for this species includes brackish and saltwater areas and they are often found in mangrove swamps. They are occasionally also found in freshwater areas due to the extensive canal system in Florida. The project area is within the USFWS consultation area for American crocodile.

The project area contains potential foraging habitat for American crocodile in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting or basking habitat occurs in the project area because of the armoring and rip-rap along shorelines. Areas below the armoring/rip-rap are frequently inundated and not suitable for nesting or regular basking. Because there would be no permanent, direct impacts to the waters in the project area that form potential crocodile habitat, and because crocodiles are highly mobile and are likely to avoid temporary impacts during construction, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Boulder Star Coral (Threatened - Federal, NMFS)

The boulder star coral is an orange-brown, greenish-brown, or grayish-brown coral composed of massive clumps with uneven surfaces and pale or white extremities. They are native to the shallow waters of the Caribbean, Gulf of Mexico, Bahamas, Bermuda, and Florida.

The project area contains potential habitat for boulder star coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Elkhorn Coral (Threatened - Federal, NMFS)

The elkhorn coral is a golden brown or pale tan coral with white tips that grow in flattened, frond-like branches angled upward from a central trunk. They grow in dense colonies that can be six feet in height and 12 feet in diameter that provide a complex habitat for fish and reef-dwelling organisms. They can be found in shallow waters up to 15 feet in the Bahamas, Caribbean, and Florida, with the northern range limit in Florida being Broward County.

The project area contains potential habitat for elkhorn coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Florida manatee (Threatened- Federal, USFWS)

The Florida manatee (*Trichechus manatus latirostris*) is a subspecies of the West Indian manatee found in Florida. Manatees live in bays as well as brackish and freshwater rivers along the coasts of Florida. They prefer areas near shore with underwater vegetation like seagrass and eelgrass. Manatees cannot tolerate water temperatures below 68 degrees and seek warmer waters during the winter months.

The project area contains potential habitat for Florida manatees in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). The project area is within the USFWS consultation area for Florida manatees and Biscayne Bay, including the aquatic portions of the project area, which are designated Critical Habitat. The USACE Manatee Effect Determination Key April 2013 was used to evaluate potential impacts.

Permanent impacts to 0.0109 acres of seagrass and 0.27 acres of mangroves, and temporary impacts to 0.0148 acres of seagrass and 0.05 acres of mangroves will occur due to this project. Because the project would not involve any blasting, docks, boat slips, expanded water craft access or dredging, and the USFWS *Standard Manatee Conditions for In-Water Work* will be followed, a determination of **May Affect, Not Likely to Adversely Affect** is made for the Florida manatee. Due to the use of the key to reach a MANLAA determination, no further consultation is required.

Giant Manta Ray (Threatened-Federal, NMFS)

The giant manta ray is the largest ray in the world and wingspan up to 26 feet. They are filter feeders and are generally slow-moving, migratory animals. Commercial fishing is the main threat to this species. Giant manta rays are found throughout the world's temperate and tropical oceans and coastal zones as well as estuaries. The project area contains potential habitat for giant manta ray in Biscayne Bay, which include areas mapped by SFWMD as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). To avoid and minimize potential impacts during construction, FDOT will implement the *National Oceanic and Atmospheric Administration (NOAA) Protected Species Construction Conditions*

(2021). Giant manta ray are highly mobile and anticipated to relocate away from any construction, so only minor temporary indirect impacts are anticipated. No blasting would occur during the removal of the existing bridges, and no permanent direct impacts to aquatic habitats in Biscayne Bay that may be accessible to giant manta ray are anticipated. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Green sea turtle (Endangered- Federal)

The green sea turtle is the largest hard-shelled sea turtle with a typical adult measuring 3-4 feet long and 300-350 pounds. Their diet consists of mostly seagrasses and algae. This species is found throughout the world with a wide nesting range that includes Florida. Important feeding areas in Florida include the Indian River Lagoon, the Florida Keys, Florida Bay, the Dry Tortugas, Homosassa, Crystal River, Cedar Key, and St. Joseph Bay (NOAA 2022). They are often found feeding in shallow coastal waters near seagrass and macroalgal beds and come onto sandy beaches to lay their nests. The NMFS has jurisdiction over this species when swimming (in the water) and USFWS has jurisdiction over this species when nesting (on land).

The project area contains potential aquatic habitat for green sea turtles in Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting habitat for sea turtles occurs in the project area because of the armoring and rip-rap along shorelines. Areas below the rip-rap are frequently inundated and not suitable for nesting. Sea turtles are highly mobile and able to relocate away from temporary construction impacts. Permanent impacts to 0.0109 acres of seagrass and temporary impacts to 0.0148 acres of seagrass will occur due to this project. No blasting is proposed as part of this project. There would be no significant long-term direct impacts to sea turtle habitat, and FDOT commits to implementing NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Hawksbill sea turtle (Endangered- Federal)

The hawksbill sea turtle is a smaller sea turtle that is named for its unique beak-like mouth. They have mottled "tortoise" colored shells with serrated edges. They are an omnivorous species with their preferred food source being sponges. They will also feed on marine algae, corals, and invertebrates. Hawksbill sea turtles are found in tropical and sub-tropical waters of all major oceans and are often found feeding in nearshore foraging grounds such as coral reefs. In the continental United States, nesting is rare and is restricted primarily to the southeast coast of Florida and the Florida Keys (NOAA 2022). The NMFS has jurisdiction over this species when swimming (in the water) and USFWS has jurisdiction over this species when nesting (on land).

The project area contains potential habitat for hawksbill sea turtles in Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting habitat for sea turtles occur in the project area because of the armoring and rip-rap along shorelines. Areas below the rip-rap are frequently inundated and not suitable for nesting. Sea turtles are highly mobile and able to relocate away from temporary construction impacts. No blasting is proposed as part of this project. Permanent impacts to 0.0109 acres of seagrass and temporary impacts to 0.0148 acres of seagrass will occur due to this project. No blasting is proposed as part of this project. There would be no long-term direct impacts to sea turtle habitat, and FDOT commits to implementing NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Kemp's ridley sea turtle (Endangered- Federal)

The Kemp's ridley sea turtle is the smallest sea turtle with shell that is grayish-green on top and pale yellow on bottom. They have a triangular head with a slightly hooked beak. They mainly feed on crabs in shallow coastal areas but will also scavenge on discarded bycatch. Kemp's ridley turtles are found mainly in the Gulf of Mexico but juveniles are often found in the Atlantic Ocean as far north as Nova Scotia. Adult females routinely return to the beach they hatched on for nesting

and nest in large groups. This is also the only species that routinely nests during the day (NOAA 2022). The NMFS has jurisdiction over this species when swimming (in the water) and USFWS has jurisdiction over this species when nesting (on land).

The project area contains potential habitat for Kemp's ridley sea turtles in Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting habitat for sea turtles occurs in the project area because of the armoring and rip-rap along shorelines. Areas below the rip-rap are frequently inundated and not suitable for nesting. No blasting is proposed as part of this project. Permanent impacts to 0.0109 acres of seagrass and temporary impacts to 0.0148 acres of seagrass will occur due to this project. No blasting is proposed as part of this project. There would be no long-term direct impacts to sea turtle habitat, and FDOT commits to implementing NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Leatherback sea turtle (Endangered- Federal)

The leatherback sea turtle is the largest turtle in the world and is the only species of sea turtle that lacks a hard shell. They are highly migratory and proficient divers. This species has the widest distribution and nest mainly on tropical or subtropical beaches, including on the Atlantic coast of Florida, which is one of the main nesting areas in the continental United States. Their diet consists of soft-bodied prey such as jellyfish (NOAA 2022). The NMFS has jurisdiction over this species when swimming (in the water) and USFWS has jurisdiction over this species when nesting (on land).

The project area contains potential habitat for leatherback sea turtles in Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting habitat for sea turtles occurs in the project area because of the armoring and rip-rap along shorelines. Areas below the rip-rap are frequently inundated and not suitable for nesting. Sea turtles are highly mobile and able to relocate away from temporary construction impacts. No blasting is proposed as part of this project. Permanent impacts to 0.0109 acres of seagrass and temporary impacts to 0.0148 acres of seagrass will occur due to this project. No blasting is proposed as part of this project. There would be no long term direct impacts to sea turtle habitat, and FDOT commits to implementing NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Lobed Star Coral (Threatened - Federal, NMFS)

The lobed star coral is a reef-building coral that grows into varying shapes and colors depending on differing light conditions. It is found in shallow waters of the western Atlantic Ocean and provides habitat for many reef-dwelling organisms.

The project area contains potential habitat for lobed star coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Loggerhead sea turtle (Endangered- Federal)

The loggerhead sea turtle is named for its large head. It is the most abundant of the sea turtle species that nests in the United States. They are found in coastal waters worldwide and those that nest in Florida often migrate from the Bahamas, Cuba, and Mexico. Loggerhead turtles have powerful jaws that allow them to feed on hard-shelled prey such as conch (NOAA 2022). The NMFS has jurisdiction over this species when swimming (in the water) and USFWS has jurisdiction over this species when nesting (on land).

The project area contains potential habitat for loggerhead sea turtles in Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). No potential nesting habitat for sea turtles occurs in the project area because of the armoring and rip-rap along shorelines. Areas below the rip-rap are frequently inundated and not suitable for nesting. Sea turtles are highly mobile and able to relocate away from temporary construction impacts. No blasting is proposed as part of this project. Permanent impacts to 0.0109 acres of seagrass and temporary impacts to 0.0148 acres of seagrass will occur due to this project. No blasting is proposed as part of this project. There would be no long term direct impacts to sea turtle habitat, and FDOT commits to implementing NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

Mountainous Star Coral (Threatened - Federal, NMFS)

The mountainous star coral is a usually pale brown coral with florescent green highlights. The colonies are solid and can grow very large with a smooth, undulating surface containing small lumps or bulges. It is a colonial stony coral that is native to the Caribbean Sea and Gulf of Mexico. It is found in shallow waters in Florida, the Bahamas, Venezuela, and Bermuda at depths up to 40 meters.

The project area contains potential habitat for mountainous star coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Pillar Coral (Threatened - Federal, NMFS)

The pillar coral is an encrusting, hard coral that usually has a beige or brown appearance. Its growth pattern resembles fingers that grow up from the seafloor with no secondary branching. This is one of only a few types of coral where the polyps can be seen during the day, giving it a furry appearance. Pillar coral is found at depths between 1 and 20 meters in the warmer parts of the western Atlantic Ocean and Caribbean Sea.

The project area contains potential habitat for pillar coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Piping plover (Threatened- Federal, USFWS)

The piping plover is a small shorebird that measures up to 7.25 inches in length at adulthood. They have a white belly, pale gray back, and bright orange-yellow legs. They are found along the Gulf Coast states into Mexico, along the Atlantic Coast from Florida to Newfoundland, and out west to northern Michigan and Wisconsin. In Florida, they inhabit sandy beaches, sand flats, and mudflats. Their diet consists of insects, small crustaceans, and marine worms (FWC 2023). The project area lacks potential foraging and roosting habitat for piping plover because there are no wide, exposed sandy or muddy areas typical of potential habitat. The shorelines in the project area are armored or protected with rip-rap and terrestrial areas are heavily urbanized. Because of a lack of potential habitat, a determination of **No Effect** is made for this species.

Rough Cactus Coral (Threatened- Federal, NMFS)

The rough cactus coral is a stony coral that is typically gray or brown but can also be reddish or green. It is a stony coral found in shallow waters of the Caribbean, southern parts of the Gulf of Mexico, Florida, and the Bahamas.

The project area contains potential habitat for rough cactus coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Staghorn Coral (Threatened- Federal, NMFS)

The staghorn coral is a branching coral that is golden tan or pale brown with white tips. It grows in antler-like branches from a central trunk that angle upward. They are found in shallow waters, up to 60 ft, in the Bahamas, Florida, and Caribbean. The corals grow in dense interlocking groups called thickets that provide important habitat for fish and other reef-dwelling organisms.

The project area contains potential habitat for staghorn coral in areas mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), associated with Biscayne Bay. The submerged portions of the project area include sandy substrate and areas of observed seagrass and/or macroalgal coverage. Aside from the existing bridge piles, the project area lacks significant structure to support corals. This coral species was not observed during benthic surveys and therefore a determination of **No Effect** is made for this species.

Smalltooth sawfish (Endangered- Federal, NMFS)

The smalltooth sawfish belongs to the group of fishes that include rays, skates and sharks. They have a shark-like body and a distinctive rostrum formed as a long, flattened snout edged with teeth. This saw-like protrusion has made them a target of trophy hunters and is a leading threat along with habitat destruction and commercial fishing. Juvenile smalltooth sawfish inhabit coastal areas like estuaries, river mouths, and bays throughout the year. Adults are more typically found in open water. The historical range extended from the U.S. to Brazil and in Florida they are most common from Charlotte Harbor south to the Florida Keys.

The project area contains potential habitat for small-toothed sawfish in Biscayne Bay, which include areas mapped by SFWMD as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). The *NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions* will be implemented to avoid and minimize impacts. Permanent impacts to 0.27 acres of mangroves and temporary impacts to 0.05 acres of mangroves will occur due to this project. Small-toothed sawfish are highly mobile and anticipated to relocate away from any construction, so only minor temporary indirect impacts are anticipated. No blasting would occur during the removal of the existing bridges, and no permanent direct impacts to habitat are anticipated. For these reasons, a determination of **May Affect, Not Likely to Adversely Affect** is made for this species.

State Protected Species in the Project Area

Black skimmer (Threatened- Florida, FWC)

The black skimmer is a seabird with a white face and belly, black back and wings, and a black-capped head. Its defining characteristic is its large red and black bill that is longer on the bottom than the top. Globally, black skimmers are found from the northeastern U.S. coasts down to Mexico and on the Gulf Coast of Florida. In Florida, they inhabit coastal areas such as beaches, estuaries, and sand bars. Their diet consists primarily of fish, which they hunt by skimming the surface of the water with their lower bill (FWC 2023).

According to the Wildlife Observations layer on the FWC GIS tool available at <https://myfwc.com/research/gis/maps-data/>, a black skimmer was observed in Pelican Harbor Park in 1976. That bird was observed on the roof of a building. Open water areas of Biscayne Bay, including portions of the project area mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410), are potential foraging habitat for black skimmer. The project would replace existing bridges and would not have long term direct impacts on foraging habitat. There are no isolated open sandy areas, beaches, or mud flats that contain limited vegetative cover typical of roosting or breeding habitat, and no buildings would be impacted, so no impacts to roosting or nesting habitat are anticipated. Black skimmers are highly mobile and anticipated to relocate a short distance if disturbed by construction from the proposed project, so construction impacts would be brief and minimal. For these reasons, a determination of **No Adverse Effect Anticipated** is made for this species.

Least tern (Threatened- Florida, FWC)

The least tern is the smallest tern in North America, reaching a length of approximately nine (9) inches in adulthood. It has a yellow beak, black capped head, long pointed wings, and a forked tail. Least terns are found in the United States along the Atlantic Coast and mid-Atlantic states and from Mexico to northern Argentina. In Florida, they inhabit coastal areas, such as bays and estuaries, and along rivers. Their diet consists mostly of fish but can also include small invertebrates (FWC 2023).

According to the Wildlife Observations layer on the FWC GIS tool available at <https://myfwc.com/research/gis/maps-data/>, a least tern was observed in Pelican Harbor Park in 1976. That bird was observed on the roof of a building. Potential foraging habitat for least tern occurs throughout Biscayne Bay, including portions of the project area mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). The project would replace existing bridges and would not have long term direct impacts on foraging habitat. There are no isolated open sandy areas, beaches, or mud flats that contain limited vegetative cover typical of roosting or breeding habitat, and no buildings would be impacted, so no impacts to roosting or nesting habitat are anticipated. Least terns are highly mobile and anticipated to relocate a short distance if disturbed by construction from the proposed project, so construction impacts would be brief and minimal. For these reasons, a determination of **No Adverse Effect Anticipated** is made for this species.

Little Blue Heron (Threatened- Florida, FWC)

The little blue heron is a small wading bird species that can reach a length up to 29 inches, with a wingspan of 41 inches. It has a grayish-blue body and a dark red head during breeding season, and a purplish head and neck during non-breeding season. Little blue heron occurs along the entire eastern and Gulf coasts of the U.S. as well as throughout the Mississippi River Valley, southern California, and into central and South America. They inhabit a variety of aquatic environments including fresh, salt, and brackish water systems like swamps, estuaries, ponds, lakes, and rivers. Their nests are typically built in trees and shrubs on islands, emergent vegetation, or in dense thickets near water.

Potential foraging habitat for little blue heron occurs throughout Biscayne Bay, including portions of the project area mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). The project would replace existing bridges and would not have long term direct impacts on foraging habitat. The project would permanently impact approximately **0**.27 acres of mangroves and temporarily impact 0.05 acres of mangroves during construction, so minor impacts to little blue heron nesting habitat is anticipated. Little blue herons are highly mobile and anticipated to relocate a short distance if disturbed by construction from the proposed project, so construction impacts would be brief and minimal. For these reasons, a determination of **No Adverse Effect Anticipated** is made for little blue heron.

Tricolored Heron (Threatened- Florida, FWC)

The tricolored heron is a midsized wading bird that can reach a length between 24-26 inches with a wingspan of approximately 36 inches. It has a dark slate-blue colored head and upper body, a purple chest, and white underparts.

Tricolored herons can be found from Massachusetts, down through the Gulf of Mexico and Caribbean, to northern Brazil. Habitat for tricolored heron includes fresh and saltwater marshes, estuaries, mangrove swamps, lagoons, and river deltas.

Potential foraging habitat for tricolored heron occurs throughout Biscayne Bay, including portions of the project area mapped as Embayments Opening Directly to Gulf or Ocean (FLUCCS - 5410). The project would replace existing bridges and would have no long term direct impacts on foraging habitat. Tricolored herons typically nest in trees or shrubs on salt marsh islands or standing water, which is not found within the project area. Therefore, no impacts to roosting or nesting habitat are anticipated. Tricolored herons are highly mobile and anticipated to relocate a short distance if disturbed by construction from the proposed project, so construction impacts would be brief and minimal. For these reasons, a determination of **No Adverse Effect Anticipated** is made for the tricolored heron.

Upland portions of the project area are predominantly developed and urbanized and few terrestrial habitats are available. No adverse impacts are anticipated to any listed species or Critical Habitat from the Preferred Alternative.

The NRE was submitted to NMFS for review and to initiate coordination for the project. NMFS letter dated TBD, states their agreement with the effect determinations and support for the implementation measures and commitments.

5.2 Wetlands and Other Surface Waters

The following evaluation was conducted pursuant to Presidential Executive Order 11990 of 1977 as amended, Protection of Wetlands and the USDOT Order 5660.1A, Preservation of the Nation's Wetlands.

Wetlands and Other Surface Waters (OSW) were initially evaluated using aerial imagery, Natural Resources Conservation Service (NRCS) soils data, FLUCCS mapping, and USFWS National Wetlands Inventory (NWI) mapping. Wetlands and OSWs were inspected and their locations in the project corridor were field verified. Preliminary field investigations occurred on September 16, 2022. Benthic surveys were conducted from September 16 to 19, 2022, and on June 13, 2023 to characterize the benthic and marine habitats. Additional wetland assessments, including mapping buttonwoods and mangrove areas, were conducted on August 16, 2023 and January 11, 2024.

The marine portions of the project area are considered an OSW and are part of Biscayne Bay. Biscayne Bay is classified as an Outstanding Florida Water and is a designated Aquatic Preserve within the project area. Upland portions of the causeway in Pelican Harbor Park contain buttonwood (*Conocarpus erectus*), black mangrove (*Avicennia germinans*), red mangrove (*Rhizophora mangle*), and white mangrove (*Laguncularia racemose*) species with sporadic coverage by invasive and nuisance species (e.g. Tropical almond, Brazilian pepper, etc.). A portion of the temporary construction easement is located below the mean high water line, to facilitate access during construction. Mangroves, seagrass, and buttonwoods were observed at or below the mean high water line within this easement area. The shorelines in the project corridor are either armored or covered in rip-rap. Shoal grass (*Halodule wrightii*) was observed growing along the shallower portions of the permanently inundated shoreline, ranging from sparse to moderate density coverage.

Some mangroves and buttonwoods growing on the island that are part of Pelican Harbor Park and within the project footprint would be directly impacted during construction. Mangroves and buttonwoods in the temporary construction easement in Pelican Harbor Park will be revegetated and the area converted to new right-of-way would not be revegetated. Jurisdictional wetlands were not identified within or adjacent to the project area, as these mangroves are not hydrologically connected to other wetlands and lack suitable soil conditions. The temporary construction easement would result in 0.05 acre of impacts to those buttonwoods and mangroves and 0.05 acre of impacts to Biscayne Bay. Long-term

impacts under the Preferred Alternative include an additional 0.3 acre of shading of Biscayne Bay, and 0.27 acre of impacts to buttonwoods and mangroves.

In order to minimize impacts, the area of expanded bridge and right-of-way under the Preferred Alternative was the minimum required to meet current FDOT standards. To further minimize potential impacts, FDOT will follow the FDOT Standard Specifications for Road and Bridge Construction including the development of a stormwater management plan and will utilize erosion control Best Management Practices (BMPs) to reduce offsite migration of project-related materials and sediment. BMPs will include turbidity barriers, silt fence or other viable perimeter erosion control, inlet protection systems, sediment barriers, temporary stabilization measures (i.e. seeding or sod), etc. Mangroves adjacent will be tied back and out of the way of construction when possible to avoid unnecessary impacts. For the above reasons, no significant impacts to wetlands or OSWs are anticipated.

5.3 Essential Fish Habitat (EFH)

Based on coordination with the National Marine Fisheries Service to comply with Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), FDOT commits to reinstate consultation and provide information necessary to complete consultation on the Essential Fish Habitat prior to advancing the project to construction. The letter from National Marine Fisheries Service is intended to provide reasonable assurance, per 23 CFR § 771.133, that requirements of the MSFCMA are able to and will be met prior to construction. The status of this commitment will be updated in any subsequent project re-evaluations.

GIS and database research as well as multiple field surveys were conducted to determine the presence, location, and status of NMFS-regulated resources. In-water surveys were conducted by environmental scientists (September 2022 and June 2023) via viewing buckets, snorkel, and SCUBA diving.

Multiple types of Essential Fish Habitat (EFH) were identified in the project area, including corals, hardbottom, macroalgae, mangroves, seagrass, and unconsolidated bottom. Biscayne Bay and seagrass are Habitat Areas of Particular Concern (HAPCs) and also occur in the project area.

The replacement bridges would expand the area of bay overhung by the bridges by 0.3 acre, which would expand the area of shading. In general, direct long-term impacts may occur to EFH types that are found within the footprint of the Preferred Alternative as existing bridge footings are replaced and shading is increased. Shorter-term indirect impacts could occur to down-current EFH from increased siltation or temporary shading from a construction barge.

Mangrove species are present on the westernmost island in the project area, along the causeway that is part of Pelican Harbor Park, including areas that would be impacted under the Preferred Alternative. Mangroves and buttonwoods within the area of new right-of-way would be removed under the Preferred Alternative to accommodate bringing the sidewalks up to current ADA Standards, resulting in 0.27 acre of permanent impacts. The area of new right-of-way was minimized as much as practicable through the alternatives development process while still meeting FDOT standards. Up to 0.05 acres of mangroves and buttonwoods would be temporarily impacted in the construction easement in Pelican Harbor Park.

As mapped by field surveys, under the Preferred Alternative the replacement bridges would result in the additional shading of approximately 0.0109 acre of seagrass beds (discontinuous and continuous). The temporary construction easement would result in a total of 0.0148 acre of impacts to seagrass beds (discontinuous and continuous).

Additional in-water surveys are anticipated before construction to identify the current locations of seagrasses, corals, and other resources relative to the project and area of impacts. This information will guide permitting and mitigation and will also inform the development of a Barge Plan to avoid and minimize impacts from spudding and shading. FDOT's *Standard Best Management Practices for Road and Bridge Construction* will be implemented to reduce indirect impacts such as down-current turbidity, scour or siltation. FDOT will also implement the *NOAA Protected Species Construction Conditions* (2021). For the above reasons, no significant impacts to EFH are anticipated.

5.4 Floodplains

Floodplain impacts resulting from the project were evaluated pursuant to Executive Order 11988 of 1977, Floodplain Management.

A Conceptual Drainage Report and a Location Hydraulic Report were created for this project and are in the project file.

The project is within Federal Emergency Management Agency (FEMA) flood zone AE where Base Flood is determined as EL 10 ft. NGVD (10.00-1.54 = 8.46 ft. NAVD) at the west end of the project and 9.0 ft. NGVD (9.00- 1.54 = 7.46 ft. NAVD) at east end of the project. The proposed roadway area is below the FEMA floodplain elevation (7.46 NAVD) except the proposed two bridge structures. The proposed structures will perform hydraulically in a manner equal to or greater than the existing structures, and backwater surface elevations are not expected to increase. As a result, there will be no significant adverse impacts on natural and beneficial floodplain values. There will be no significant change in flood risk, and there will not be a significant change in the potential for interruption or termination of emergency service or emergency evacuation routes. Therefore, it has been determined that the floodplain encroachment for this project is not significant and mitigation for the floodplain encroachment is not required.

5.5 Sole Source Aquifer

There is no Sole Source Aquifer associated with this project.

5.6 Water Resources

A Water Quality Impact Evaluation (WQIE) was completed for the project to comply with the Clean Water Act and is available in the project file. Additionally, coordination occurred with the US Environmental Protection Agency regarding Sole Source Aquifers. It was determined that the project is outside any designated Sole Source Aquifer areas. The project occurs in the MS4 of the City of Miami as well as the MS4 of Miami-Dade County and Co-permittees. The project discharges into Biscayne Bay (Water Body ID 3226H5), an OFW, and requires 50% greater treatment of stormwater. Additionally, a site-specific pre- vs. post-development nutrient analysis will be required. Biscayne Bay is verified impaired for Chlorophyll-a and bacteria.

Under the existing condition, no stormwater treatment is provided. Exfiltration trenches are proposed along the median of the roadway for treatment prior to discharge into Biscayne Bay. Water quality treatment is being proposed for the additional impervious area. An additional 50% volume treatment is provided due to discharging into an Outstanding Florida Water.

During the Design phase, an Environmental Resource Permit (ERP) permit will be required. Water quality impacts resulting from erosion and sedimentation during construction activities will be controlled in accordance with FDEP's NPDES Permit including the preparation of a SWPPP; the latest edition of the FDOT Standard Specification for Road and Bridge Construction; and through the use of BMPs including temporary erosion features (e.g. turbidity barriers) during construction.

5.7 Aquatic Preserves

Biscayne Bay is a designated Aquatic Preserve within the project area. Under the Preferred Alternative, existing bridge footings would be replaced, and the new bridges would contribute to additional shading. A portion of the temporary construction easement is located below the mean high water line to facilitate access during construction. Mangroves, seagrass, and buttonwoods were observed at or below the mean high water line within this easement area. Mangroves and buttonwoods in the temporary construction easement in Pelican Harbor Park will be revegetated. The shorelines in the project corridor are either armored or covered in riprap.

The Preferred Alternative is anticipated to result in 0.3 acres of additional shading to the Biscayne Bay Aquatic Preserve. The Preferred Alternative would also result in 0.05 acres of temporary impacts to the Biscayne Bay Aquatic Preserve from the temporary construction easement. Impacts were minimized as much as possible while meeting current FDOT Standards and the area of expanded bridge and right-of-way was the minimum required. To further minimize potential impacts, FDOT will follow the FDOT Standard Specifications for Road and Bridge Construction including the development of a stormwater management plan and will utilize erosion control BMPs to reduce offsite migration of project-related materials and sediment. BMPs will include turbidity barriers, silt fence or other viable perimeter erosion control, inlet protection systems, sediment barriers, temporary stabilization measures (i.e. seeding or sod), etc. For the above reasons, no significant impacts to the aquatic preserves are anticipated.

5.8 Outstanding Florida Waters

Biscayne Bay is classified as an Outstanding Florida Water within the project area. Because the Preferred Alternative will provide 50 percent greater treatment of stormwater, no significant impacts to Outstanding Florida Waters are anticipated.

5.9 Wild and Scenic Rivers

There are no designated Wild and Scenic Rivers or other protected rivers in the project area.

5.10 Coastal Barrier Resources

There are no Coastal Barrier Resources in the project area.

6. Physical Resources

The project will not have significant impacts to physical resources. Below is a summary of the evaluation performed for these resources.

6.1 Highway Traffic Noise

This project is a Type III project according to the provisions of 23 CFR 772 and Section 335.17, F.S., therefore noise analysis or consideration of abatement measures is not required.

A Noise Technical Memorandum was prepared for the project and is included in the project file. The preferred alternative would raise and widen the bridges and would widen portions of SR 934 to make them consistent with current FDOT standards. Short term noise/vibration impacts are anticipated during construction activities but will be limited in time and highly localized by construction activities. No detonation or blasting is anticipated during removal of existing bridge members. No significant impacts were identified during the analysis of noise/vibration. Furthermore, the project would not increase capacity on SR 934, therefore no significant noise impacts are anticipated as a result of the preferred alternative.

6.2 Air Quality

This project is not expected to create adverse impacts on air quality because the project area is in attainment for all National Ambient Air Quality Standards (NAAQS) and because the project is expected to not change the Level of Service (LOS) and not change delay and congestion on all facilities within the study area.

Construction activities may cause short-term air quality impacts in the form of dust from earthwork and unpaved roads. These impacts will be minimized by adherence to applicable state regulations and to applicable FDOT Standard Specifications for Road and Bridge Construction.

Because the project area is in attainment for all NAAQS standards and capacity would be unchanged, no significant impacts to air quality are anticipated.

6.3 Contamination

A Level I Contamination Screening Evaluation Report (CSER) was prepared to evaluate the potential for contamination within or adjacent to the study area. The CSER is in the project file.

Field reconnaissance was conducted on May 23, 2023 to assess conditions within the study area.

A total of seven sites of potential contamination risk were identified near the study area. The contamination risk rating system incorporates four levels of risk: No, Low, Medium, and High. The project study area contains four High Risk, one Medium Risk, and two Low Risk sites. The sites, locations, and risk ratings are shown in Table 6.3.1.

Site No.	Facility Name	Address	Concerns	Risk Rating
1	Exxon/Shell - North Bay Village	1345 NE 79th St Causeway	Petroleum Products	High
2	North Bay Village City - City Hall	7903 East Dr	Petroleum Products	Low

3	Clear Channel Comm WIOD-AM	1415 NE 79th St	Petroleum Products	High
4	Speedway #6893	1508 79th St Causeway	Petroleum Products	High
5	Former Gas Station/Restaurant	1555 79th Street	Database notes it as former gas station/restaurant	High
6	Treasure Isle Care Center	1335 N Treasure Dr	Petroleum Products	Low
7	Pelican Harbor Marina	1275 NE 79th Street	Petroleum Products	Medium

Table 6.3.1: Study Area Contamination Sites

Some right-of-way would be acquired from Pelican Harbor Park, which is rated as a Medium Risk site, and ROW would be acquired adjacent to Speedway #6893, which is rated High Risk. No other ROW would be acquired under the Preferred Alternative. Level II Contamination Assessment investigations are recommended where new ROW would be acquired or where proposed dewatering or subsurface work would occur at or adjacent to any sites rated High or Medium Risk (e.g., pole foundations, drainage features, soil excavation, etc.).

Testing for Asbestos Containing Materials and Metal Based Coatings of the existing bridges is recommended, as appropriate. If dewatering is necessary during construction, a SFWMD Dewatering Permit will be required. The contractor will be held responsible for ensuring compliance with any necessary dewatering permit(s). A dewatering plan will be necessary to avoid potential contamination plume exacerbation. All permits will be obtained in accordance with Federal, state, and local laws and regulations, and in coordination with the District Contamination Impact Coordinator.

Identifying the potential contamination sites early will allow for further avoidance and minimization measures during final design, when Level II assessments are conducted, and during construction. Such measures could include design modifications, developing modified special provisions, technical special provisions, or remediation.

6.4 Utilities and Railroads

A Utilities Assessment Package has been prepared and is in the project file. All Utility Agency/Owners (UAOs) as listed on the design ticket obtained via Sunshine 811 were contacted and have provided either marked-up plans, as-built/record information, or "no facilities" responses. UAOs with facilities present in the project area include AT&T Distribution, Breezeline, North Bay Village, FPL Distribution, Miami-Dade County WASD, TECO, and Verizon. The UAOs and potential conflicts to date are listed in Table 6.4.1.

UAO Company	Disposition
AT&T Distribution	Relocation / Manhole Covers Adjustment
Breezeline	Relocation / Hand-Holes Replacement
City of North Bay Village	Relocation to be verified / Valve Boxes Adjustment
FPL Distribution	Manhole Covers Adjustment
MDC WASD	Valve Boxes and Manhole Covers Adjustment
TECO	Valve Boxes Adjustment
Verizon	Relocation / Hand-holes Replacement

Table 6.4.1: Potential Utility Conflicts

The preferred alternative may require relocation of utilities currently located within the right of way or mounted on the replacement bridges. Most of the UAOs have the capability to adjust their facilities without causing major inconvenience to their customers. Mitigation measures will include minimizing service disruptions, allowing service disruptions only during

periods of minimum usage, and installing an alternative or new service before disconnecting the existing service. The extent of utility impacts and cost of utility relocations will be determined as part of the Design phase for this project.

There are no railroads within the study limits.

6.5 Construction

Noise and vibration impacts may be generated by heavy equipment and construction activities such as pile driving and vibratory compaction of embankments. Adherence to local construction noise and/or construction vibration ordinances by the construction contractor will also be required where applicable.

Visual impacts associated with the storage of construction materials and establishment of temporary construction facilities will occur but are temporary and short term.

Water quality impacts resulting from erosion and sedimentation will be controlled in accordance with *FDOT's Standard Specifications for Road and Bridge Construction* and using BMPs. Erosion and sedimentation will be treated in accordance with the FDEP's NPDES permit and the SWPPP.

A maintenance of traffic report has been prepared and is appended to the Preliminary Engineering Report, located in the project file. Maintenance of traffic and sequence of construction will be planned and scheduled to minimize traffic delays during project construction. Signs will be used as appropriate to provide notice of road closures and other pertinent information to the traveling public. The local news media will be notified in advance of road closings and other construction-related activities which could inconvenience the community so that pedestrians, motorists, residents, and businesspersons can plan travel routes in advance. Access to all businesses and residences will be maintained to the extent practical through controlled construction scheduling.

For all the reasons outlined above, it was determined that the project will have no substantial impacts from construction.

7. Engineering Analysis Support

The engineering analysis supporting this environmental document is contained within the Draft PER Displayed for Public Hearing.

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8. Permits

The following environmental permits are anticipated for this project:

Federal Permit(s)

USACE Section 10 or Section 404 Permit

Status

To be acquired

State Permit(s)

DEP or WMD Environmental Resource Permit (ERP)
DEP National Pollutant Discharge Elimination System Permit

Status

To be acquired
To be acquired

Local Permit(s)

Miami Dade County Class I

Status

To be acquired

9. Public Involvement

The following is a summary of public involvement activities conducted for this project:

Summary of Activities Other than the Public Hearing

Agency coordination was conducted throughout the PD&E Study. Several coordination meetings between FDOT, North Bay Village, and Miami-Dade County were conducted to discuss the proposed improvements and project status. Presentations were also given to local officials and agencies to share the project status, specific location, and design concepts, and to receive feedback.

The project was screened through FDOT's Efficient Transportation Decision Making (ETDM) process as ETDM number 14484. Advance notification was sent on November 12, 2021, and the Environmental Technical Advisory Team review concluded on December 27, 2021. Comments were received from the following federal and state agencies: Florida Department of Agriculture and Consumer Services, Florida Department of Economic Opportunity, Florida Department of Environmental Protection, Florida Department of State, Florida Fish and Wildlife Conservation Commission, National Marine Fisheries Service, National Park Service, SFWMD, U.S. Army Corps of Engineers (USACE), U.S. Coast Guard (USCG), U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service. Various departments within Miami-Dade County also commented. The project team followed up on comments, as needed. A programming screen summary report was published on February 11, 2022, and republished on August 26, 2022.

An interagency meeting was conducted on September 21, 2003. In addition to FDOT, attendees included staff from the SFWMD, USACE and NMFS. The purpose of the meeting was to discuss the project and any concerns with the environmental permitting and/or reviewing agencies. Meeting minutes are on file and included in the *Natural Resources Evaluation Report*.

At the beginning of the project a Project Advisory Group (PAG) was formed with assistance from local governments within the project area. The PAG is composed of local citizens having an active role in the community, such as representatives from impacted/interested cities, county, regional agencies, committees, and neighborhood associations or other groups within the project area.

Two PAT meetings were conducted:

- Meeting #1 - October 25, 2022, Virtual. The purpose of the meeting was to introduce Project Advisory Team (PAT) members to the project and the team, highlight the project purpose and considerations, discuss the needs for the project, and begin dialogue with PAT members.
- Meeting #2 - April 20, 2023. The purpose of the meeting was to discuss proposed improvements including the preferred alternative, project schedule, and next steps after the Alternatives Public Meeting.

The project team will continue to engage the PAT during the Design phase.

Three public meetings were conducted for this project. Meetings included a Public Kickoff Meeting in a hybrid format and Alternatives Public Information Meetings (one virtual meetings and one in-person meeting on a different day). Public notification of the meetings was accomplished via the media, hand-delivered factsheets to businesses and residences located directly along the corridor, press releases, public notices in local newspapers, and public announcements. Direct mailing invitations were sent to property owners and tenants within 300 feet of the project centerline, local and elected officials, and those who requested to be placed on the mailing list.

The Public Kickoff Meeting was held on November 29, 2022. The Alternatives Public Information Virtual Meeting was held on October 2, 2023, and the In-Person Meeting was held on October 5, 2023. Meeting notifications, materials, and comments are provided in the *Comments and Coordination Report*, located in the project file.

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10. Commitments Summary

1. If the listing status of the tricolored bat is elevated by USFWS to Threatened or Endangered and the Preferred Alternative is located within the consultation area during the design and permitting phase of the proposed project, FDOT commits to re-initiating consultation with the USFWS to determine the appropriate survey methodology and to address USFWS regulations regarding the protection of the tricolored bat.
2. If the listing status of the monarch butterfly is elevated by USFWS to Threatened or Endangered and the Preferred Alternative is located within the consultation area, FDOT commits to re-initiating consultation with the USFWS during the design and permitting phase to determine the appropriate survey methodology and to address USFWS regulations regarding the protection of the monarch butterfly.
3. The project will follow the *USFWS Standard Protection Measures for the Eastern Indigo Snake*.
4. Implement the USFWS Standard Manatee Conditions for In-Water Work.
5. Implement the NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions.
6. Based on coordination with the National Marine Fisheries Service to comply with Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), FDOT commits to reinitiate consultation and provide information necessary to complete consultation on EFH prior to advancing the project to construction. FDOT's commitment is intended to provide reasonable assurance, per 23 CFR 771.133, that requirements of the MSFCMA are able to and will be met prior to construction and this approach is affirmed by the National Marine Fisheries Service. The status of this commitment will be updated in any subsequent project re-evaluations.
7. Prior to construction, in-water surveys will be conducted to map EFH, including seagrasses and corals, in the project area.
8. Unavoidable impacts to seagrass will be mitigated in accordance with NMFS requirements.
9. A Barge Plan will be developed that incorporates the results of in-water surveys to avoid and minimize impacts to EFH, including seagrasses and coral. The Barge Plan will also avoid and minimize potential impacts along all barge transit and docking routes used.
10. Implement the NOAA Protected Species Construction Conditions (2021).
11. Mangroves and buttonwoods within the temporary construction easement in Pelican Harbor Park will be revegetated.

11. Technical Materials

The following technical materials have been prepared to support this Environmental Document and are included in the Project File.

Sociocultural Effects Evaluation Report
Draft PER Displayed for Public Hearing
Public Involvement Plan

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Attachments

Planning Consistency

Project Plan Consistency Documentation - Transportation Improvement Program

Project Plan Consistency Documentation - State Transportation Improvement Program

Social and Economic

Land Use Map

Cultural Resources

SHPO Concurrence Letter

Natural Resources

Species and Habitat Map

Wetlands Map

In-Water Resource Map

Floodplains Map

DRAFT

Planning Consistency Appendix

Contents:

Project Plan Consistency Documentation - Transportation Improvement Program

Project Plan Consistency Documentation - State Transportation Improvement Program

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**MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION
TRANSPORTATION IMPROVEMENT PROGRAM
FEDERALLY-FUNDED PROJECTS**

HIGHWAYS

TPO Project No	Facility/Project Name	County	Type of Work							Federal Funding Components					5-Yr Page Ref	
			Roadway ID	Length (miles)	Begin Point	End Point	Lanes			SU	CARU	180	0			
							Exist	Improv	Add'l							
Agency Project No	From / Location To / Location	Old Item														
			PROJECT DEVELOPMENT AND ENVIRONMENTAL							SU	0	0	180	0		
			PROJECT DEVELOPMENT AND ENVIRONMENTAL							CARU	0	0	1,800	0		
DT4489961	NW 32ND AVE OVER LITTLE RIVER CANAL (C-7) BRIDGE #874336	MIAMI-DADE	BRIDGE REPLACEMENT									Proposed Funding (\$000s)				PL1-395
4489961			12	0.0	0.8	0.8	4	0	0	Activity /Phase	Funding Source	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	
			PRELIMINARY ENGINEERING							ACBR	335	0	0	0		
			CONSTRUCTION							ACBR	0	0	0	3,062		
DT4490001	SW 152ND ST OVER CANAL 100-A BRIDGE #874423	MIAMI-DADE	BRIDGE REPLACEMENT									Proposed Funding (\$000s)				PL1-396
4490001			12	0.0	1.4	1.5	2	0	0	Activity /Phase	Funding Source	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	
			PRELIMINARY ENGINEERING							ACBR	121	0	0	0		
			CONSTRUCTION							ACBR	0	0	0	1,069		
DT4490072	SR 934 / NE 79 ST	MIAMI-DADE	BRIDGE REPLACEMENT									Proposed Funding (\$000s)				PL1-397
4490072	W OF PELICAN HARBOR DR E OF ADVENTURE AVE		6	0.9	1.1	1.9	6	6	0	Activity /Phase	Funding Source	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	
			PRELIMINARY ENGINEERING							ACBR	0	3,250	0	0		
DT4491331	SR A1A / HARDING AVE	MIAMI-DADE	TRAFFIC OPS IMPROVEMENT									Proposed Funding (\$000s)				PL1-397
4491331	AT 89TH ST		12	0.1	0.8	1.0	3	3	0	Activity /Phase	Funding Source	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	
			RIGHT OF WAY							TALU	0	126	22	0		

TRANSPORTATION IMPROVEMENT PROGRAM
PRIMARY STATE HIGHWAYS AND INTERMODAL



HIGHWAYS

TPO Project No: **DT4490072** Project Description: **SR 934 / NE 79 ST W OF PELICAN HARBOR DR E OF ADVENTURE AVE**

LRTP Ref: 06-10
County: MIAMI-DADE
Roadway ID: 87080000
Lanes Exist: 6
Lanes Improved: 6
Lanes Added:
Project Length: 0.870
District: 6

Type of Work: **BRIDGE REPLACEMENT** SIS or Non-SIS: **No**

Extra Description:

		Proposed Funding (in \$000s)							
PHASE :	Funding Source	<2024	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	>2028	All Years
	ACBR	0	0	3,250	0	0	0	0	3,250
PRELIMINARY ENGINEERING	Total	0	0	3,250	0	0	0	0	3,250
	ACBR	0	0	0	0	0	43,571	0	43,571
CONSTRUCTION	Total	0	0	0	0	0	43,571	0	43,571

RESPONSIBLE AGENCY: **FDOT**

Item Segment **TOTAL ALL Years ALL Phases:** **\$46,821**
Item Number: **449007** Item **TOTAL ALL Years ALL Phases ALL Segments:** **\$48,726**

TPO Project No: **DT4491331** Project Description: **SR A1A / HARDING AVE AT 89TH ST**

LRTP Ref: 06-09
County: MIAMI-DADE
Roadway ID: 87060001
Lanes Exist: 3
Lanes Improved: 3
Lanes Added:
Project Length: 0.132
District: 6

Type of Work: **TRAFFIC OPS IMPROVEMENT** SIS or Non-SIS: **No**

Extra Description:

		Proposed Funding (in \$000s)							
PHASE :	Funding Source	<2024	2023 - 2024	2024 - 2025	2025 - 2026	2026 - 2027	2027 - 2028	>2028	All Years
	DDR	114	0	0	0	0	0	0	114
	DIH	15	0	0	0	0	0	0	15
PRELIMINARY ENGINEERING	Total	129	0	0	0	0	0	0	129
	TALU	0	0	126	22	0	0	0	148
RIGHT OF WAY	Total	0	0	126	22	0	0	0	148
	TALU	0	0	0	0	358	0	0	358
CONSTRUCTION	Total	0	0	0	0	358	0	0	358

RESPONSIBLE AGENCY: **FDOT**

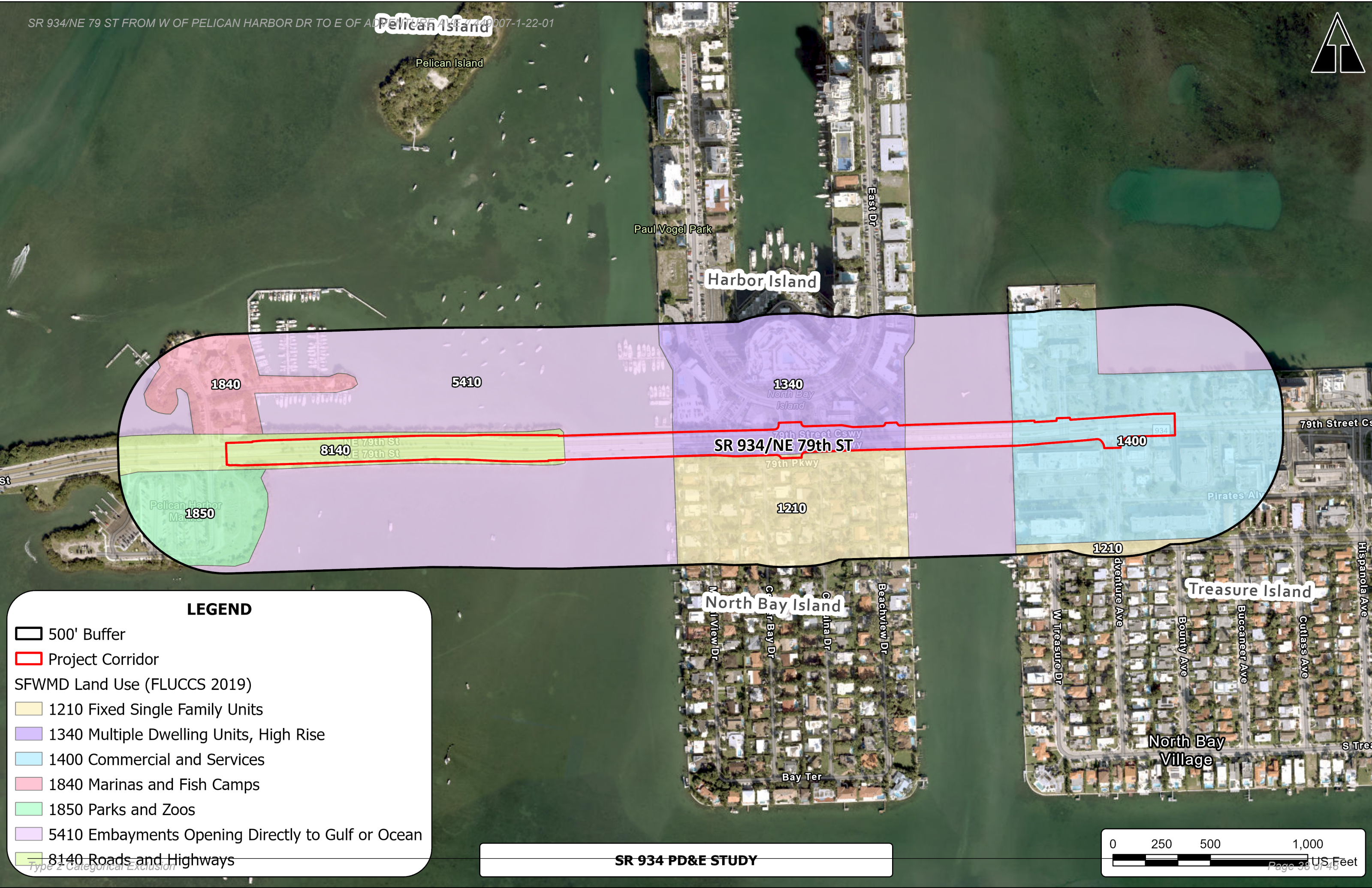
Item Segment **TOTAL ALL Years ALL Phases:** **\$635**
Item Number: **449133** Item **TOTAL ALL Years ALL Phases ALL Segments:** **\$635**

Social and Economic Appendix










Contents:

Land Use Map

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LEGEND

-  500' Buffer
-  Project Corridor
- SFWMD Land Use (FLUCCS 2019)
-  1210 Fixed Single Family Units
-  1340 Multiple Dwelling Units, High Rise
-  1400 Commercial and Services
-  1840 Marinas and Fish Camps
-  1850 Parks and Zoos
-  5410 Embayments Opening Directly to Gulf or Ocean
-  8140 Roads and Highways

Cultural Resources Appendix

Contents:

SHPO Concurrence Letter

DRAFT



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. PERDUE, P.E.
SECRETARY

September 27, 2023

Alissa S. Lotane
Director, Division of Historical Resources, and
State Historic Preservation Officer
R.A. Gray Building
500 S. Bronough Street
Tallahassee FL 32399-0250

Attn: Alyssa McManus, Transportation Compliance Review Program

Re: State Road (SR) 934 / NE 79 St PD&E Study Cultural Resource Assessment
Survey (FPID No. 449007-1-22-01)

Dear Ms. Lotane,

The Florida Department of Transportation (FDOT) District Six is preparing a Project Development and Environment (PD&E) Study to evaluate the rehabilitation or replacement of four bridges (two bridge pairs) located along NE 79th Street between Pelican Harbor Drive and Adventure Avenue in the incorporated municipalities of the City of Miami and North Bay Village within Miami-Dade County. The NE 79th Street corridor is also designated as State Road (SR) 934, NE 79th Street Causeway, and John F. Kennedy Causeway within the project limits in Miami-Dade County. NE 79th Street is an east-west regional thoroughfare that has a western terminus at Florida's Turnpike (SR 821) and an eastern terminus at SR A1A. The project corridor carries traffic from the City of Miami to the barrier islands of North Bay Village and Miami Beach.

In 2023, the Florida Department of Transportation (FDOT), District 6 engaged Janus Research, in coordination with HDR, Inc., to conduct a Cultural Resource Assessment Survey (CRAS) for the SR 934/NE 79th Street PD&E Study, in Miami-Dade

Alissa S. Lotane
September 27, 2023
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County, Florida (Financial Management [FM] No. 449007-1-22-01). The project is in Sections 8 and 9 of Township 53 South, Range 42 East on the Miami (1988) United States Geological Survey (USGS) quadrangle map. The purpose of this CRAS was to locate and evaluate archaeological and historic resources within the Area of Potential Effect (APE) and to assess their eligibility for inclusion in the National Register of Historic Places (National Register) according to the criteria set forth in 36 CFR Section 60.4.

This project involves the potential rehabilitation or replacement of four prestressed concrete slab (Sonovoid) bridges (two bridge pairs) connecting three islands within the Cities of Miami and North Bay Village in Miami-Dade County. The bridges are part of SR 934/NE 79th Street (John F. Kennedy Causeway), a roadway classified as "Urban Principal Arterial - Other", which connects mainland Miami to Miami Beach and North Bay Village. The specific limits of the project extend from milepost (MP) 1.077 (west of Pelican Harbor Drive) to MP 1.947 (east of Adventure Avenue). The western bridge pair, comprised of Bridge Identification (ID) Numbers 870083 (westbound) and 870549 (eastbound), is located just west of North Bay Island/Harbor Island. The eastern bridge pair, comprised of Bridge ID Numbers 870084 (westbound) and 870550 (eastbound), is located between North Bay Island/Harbor Island and Treasure Island. The project is approximately 0.8 miles in length.

This assessment complies with Section 106 of the National Historic Preservation Act (NHPA) of 1966 (Public Law 89-665, as amended), as implemented by 36 CFR 800 -- Protection of Historic Properties (incorporating amendments effective August 5, 2004); Stipulation VII of the *Programmatic Agreement among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation (ACHP), the Florida Division of Historical Resources (FDHR), the State Historic Preservation Officer (SHPO), and the FDOT Regarding Implementation of the Federal-Aid Highway Program in Florida* (Section 106 Programmatic Agreement, effective March 2016, amended June 7, 2017); Section 102 of the National Environmental Policy Act (NEPA) of 1969, as amended (42 USC 4321 et seq.), as implemented by the regulations of the Council on Environmental Quality (CEQ) (40 CFR Parts 1500–1508); Section 4(f) of the *Department of Transportation Act of 1966*, as amended (49 USC 303 and 23 USC 138); the revised Chapters 267 and 373, Florida Statutes (F.S.); and the standards embodied in the FDHR's *Cultural Resource Management Standards and Operational Manual* (February 2003), and Chapter 1A-46 (*Archaeological and Historical Report Standards and Guidelines*), *Florida Administrative Code*. In addition, this report was prepared in conformity with standards set forth in Part 2, Chapter 8 (Archaeological and Historical Resources) of the *FDOT PD&E Manual* (effective July 1, 2023). All work also conforms to professional guidelines set forth in the *Secretary of Interior's Standards and Guidelines*

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for *Archaeology and Historic Preservation* (48 FR 44716, as amended and annotated). Historic linear resource evaluation was conducted in accordance with the FDOT Historic Linear Resource Guide. Principal Investigators meet the Secretary of the Interior's Professional Qualification Standards (48 FR 44716) for archaeology, history, architecture, architectural history, or historic architecture. Historic linear resource evaluation was conducted in accordance with the *FDOT Historic Linear Resource Guide*.


The archaeological desktop analysis identified no archaeological sites and no locally designated archaeological conservation areas or zones within the archaeological APE. The desktop analysis confirmed that the archaeological APE is entirely located within land created from dredge spoil during the mid-20th century and therefore lacks potential to contain in-situ archaeological sites.

The historic resources survey resulted in the identification of 13 resources within the historic resources APE. All project improvements are located within the NE 79th Street Causeway resource group (8DA17109), which has previously been determined National Register–ineligible. Survey of the 12 parcels with historic buildings within the historic resources APE resulted in the documentation of 12 historic buildings (8DA21548-8DA21559), each of which are considered National Register–ineligible.

Therefore, it is anticipated that no historic properties will be affected by the proposed project.

We kindly request that this cover letter is reviewed, and concurrence is provided by your office. This information is provided in accordance with the provisions contained in 36 CFR, Part 800, as well as the provisions contained in the revised F.S. Chapter 267. If you have any questions regarding the subject project, please contact me at Victoria.Vogt@dot.state.fl.us or (305) 470-5420.

Sincerely,

DocuSigned by:

D3427C9EEE844D5...

Victoria Vogt, M.S.
District Cultural Resources Coordinator

Alissa S. Lotane
September 27, 2023
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The Florida State Historic Preservation Officer finds the attached Cultural Resource Assessment Survey Report complete and sufficient and concurs / does not concur with the recommendations and findings provided in this cover letter for SHPO/FDHR

Project File Number 2021-6848B. Or, the SHPO finds the attached document contains _____ insufficient information.

In accordance with the Programmatic Agreement among the FHWA, ACHP, FDHR, SHPO, and FDOT Regarding Implementation of the Federal-Aid Highway Program in Florida, if providing concurrence with a finding of No Historic Properties Affected for a project as a whole, or to No Adverse Effect on a specific historic property, SHPO shall presume that FHWA will proceed with a *de minimis* Section 4(f) finding at its discretion for the use of land from the historic property.

SHPO Comments:

Kelly Chase
for

10.24.2023

Alissa S. Lotane, Director, and
State Historic Preservation Officer
Florida Division of Historical Resources

[DATE]

Natural Resources Appendix

Contents:

Species and Habitat Map

Wetlands Map

In-Water Resource Map







Floodplains Map

DRAFT

* Project lies within Consultation Areas for American crocodile, Florida bonneted bat, Florida manatee, and piping plover and manatee Critical Habitat



LEGEND

-  Project Corridor
-  Temporary Easement
-  Study Area (500' Buffer)
-  Seagrass Coverage (FWC 2021)
- Existing Vegetation
 -  Buttonwood dripline
 -  Mangrove dripline





Pelican Island

Harbor Island

SR 934/NE 79th ST

North Bay Island

Treasure Island

LEGEND

Study Area (500' Buffer)

Project Corridor

NWI Wetlands (2020)

ESTUARINE AND MARINE DEEPWATER

Type 2 Categorical Exclusion

SR 934 PD&E STUDY

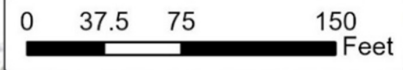
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US Feet

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



Western Bridge



Eastern Bridge



LEGEND

-  Observed Coral
-  Continuous Seagrass Coverage
-  Discontinuous Seagrass Coverage
-  Temporary Construction Easement
-  Benthic Survey Area (100' Buffer)
-  Mangrove and Buttonwood Dripline



LEGEND

- Project Corridor
- Study Area (500' Buffer)
- FEMA Flood Hazard Zones
- AE
- OPEN WATER

Type 2 Categorical Exclusion

SR 934 PD&E STUDY

