

RECORD OF DECISION

PROPOSED NEW BRIDGE ACROSS THE MANATEE RIVER AT MILE 15.0, PARRISH, MANATEE COUNTY, FLORIDA P(7-14-7)

I. DESCRIPTION OF THE PROPOSED PROJECT

The applicant, Manatee County, proposes to add additional travel lanes across the Manatee River, a navigable water of the United States, located in eastern Manatee County, Florida. The purpose of the proposed action is to provide an alternative north/south transportation route between high-growth areas of Manatee County located east of Interstate 75 (I-75). The need is to accommodate existing and projected growth in the eastern portion of the county, improve the level of service (LOS) of the roadway network, improve emergency response times, and improve evacuation capacity across the Manatee River.

No federal funding is being used for the proposed bridge. As a structure over a navigable water of the United States requiring a United States Coast Guard (USCG) Bridge Permit and by the virtue of its regulatory authority (33 U.S.C. 525) over bridges across navigable waters of the United States, the USCG assumed the lead Federal agency role for the review of potential effects on the human environment, pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.). As a regulatory agency issuing a permit under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) became a cooperating agency.

The Federal Highway Administration (FHWA) was the lead agency for the project from 1999 until 2006, during which time a four-lane river crossing was evaluated. The USCG assumed responsibility for the project in 2010, and local funding constraints now necessitate only a two-lane crossing. The USCG issued the DEIS on 5 July 2013 (78 FR 40488) and the FEIS on 9 April 2014. The EPA published notice of availability in the *Federal Register* on April 18, 2014.

The County has proposed a new mid-level fixed-span bridge of approximately 2,318 feet in length and 49 feet in width. The maximum profile grade elevation is 41 feet. The bridge will provide 102 feet of horizontal clearance and 26 feet of vertical clearance. The bridge will include two 12-foot wide travel lanes, two 8-foot wide shoulders (one shared as a bicycle lane), and a 5-foot wide pedestrian walkway, for a total out-to-out width of 49 feet, and would connect the existing two-lane Upper Manatee River Road on the south to the two-lane Fort Hamer Road on the north. The length of the new bridge structure, bridge approaches, and new roadway required is approximately 1.2 miles. The construction limits of the proposed bridge extend approximately 1.4 miles.

The construction of the proposed bridge would require construction of a temporary trestle. This structure would be removed in its entirety once the permanent bridge is built.

Action by the USCG consists of issuance or denial of a bridge permit for the proposed bridge project. The USCG responsibility under NEPA is to assess the environmental impacts of construction, maintenance and operation of the proposed bridge.

II. DECISION

The Commander, Seventh Coast Guard District, has recommended, and the Commandant, U.S. Coast Guard, has decided to approve the location and plans for the Fort Hamer Road Bridge Project across the Manatee River near Parrish, Florida. This decision is considered to be in the best public interest for satisfying project objectives with the least impacts on navigation and on the environment. This is the environmentally preferable alternative.

III. ALTERNATIVES CONSIDERED

The Coast Guard, through early coordination with the applicant, determined the navigational requirements for the waterway that informed the alternatives analysis. Initially, a set of 5 preliminary build alternatives, along with the no-build alternative, transportation system management, multimodal improvements, and alternative bridge design and alignment concepts, were identified. Those preliminary alternatives were then screened against a set of criteria consistent with the project's purpose and need in a 3-step process. This resulted in one recommendation advancing to further analysis. One alternative was re-included to offer a rigorous comparison against the recommended alternative. Funding constraints that arose after alternative screening resulted in the recommended alternative being reduced from four lanes across the river to two lanes. The effects of this change on the alternative screening were analyzed and it was determined that they were immaterial to the results of the screening analysis. These preliminary alternatives were discussed at the public meeting hosted by the USCG on 17 August 2010.

The following alternatives were advanced for further study in the EIS:

- ***No-Build Alternative*** – The no-build alternative was analyzed for the design year (2035). This alternative includes no additional road capacity improvements other than the road safety improvements and scheduled maintenance already funded.
- ***Fort Hamer Alternative*** – This alternative consists of a new two-lane bridge crossing the Manatee River at mile 15.0, connecting the existing two-lane Upper Manatee River Road with the existing two-lane Fort Hamer Road. The construction limits of this alternative extend from just north of the main entrance of the Waterlefe subdivision to the north side of the Manatee River, approximately 1.4 miles. The length of the proposed bridge is approximately 2,318 feet. The study area for this alternative extends south to SR 64 and north to US 301 because of the increased traffic between these points that is expected to result from this alternative.

- ***Rye Road Alternative*** – The Rye Road Alternative consists of a new two-lane bridge crossing the Manatee River parallel to the existing Rye Road Bridge. To accommodate the two new lanes over the river, this alternative also includes the expansion of Rye Road from two to four lanes from SR 64 north to Golf Course Road, Golf Course Road from two to four lanes from Rye Road to Fort Hamer Road, and Fort Hamer Road from two to four lanes from Golf Course Road to US 301, a total of approximately 10.2 miles. The study area for this alternative encompasses the construction limits.

PREFERRED ALTERNATIVE

The Preferred Alternative is the Fort Hamer Alternative. The Preferred Alternative would provide the following clearances under the navigable span:

Horizontal clearance as measured between pile caps, normal to axis of channel	102 feet
Minimum vertical clearance above mean high water elevation 1.45 feet [NGVD29]	26 feet
Minimum vertical clearance above mean low water elevation -0.25 feet [NGVD29]	27.7 feet

IV. BASIS FOR DECISION

The analysis in the EIS supports the selection of the preferred alternative.

The No Action Alternative does not meet the project’s stated purpose and need. The Fort Hamer Alternative would have an overall smaller impact on land use/vegetative cover conversion, direct wetland fill, noise, contamination, relocations, and would improve emergency response times and vehicle miles traveled when compared to the Rye Road Alternative. The Fort Hamer Alternative would have an overall greater impact on secondary wetland impacts, essential fish habitat (EFH), floodplains and floodways, navigation, and local traffic volume when compared to the Rye Road Alternative. In other resource areas analyzed, the alternatives had similar impacts. The estimated construction and maintenance costs of the Fort Hamer Alternative are less than half the estimated construction and maintenance costs of the Rye Road Alternative. Both build alternatives meet all or most of the project’s purpose and need. The only defined need not met is the inability of the Rye Road Alternative to improve emergency response times. Both build alternatives meet all other defined needs of the Proposed Action; however, the Rye Road Alternative only minimally improves the Level of Service (LOS) of the local roadway network and only minimally accommodates planned growth in the area.

Traffic – The Coast Guard considered local transportation needs in its decision-making. The Fort Hamer Road alternative will improve some projected design year traffic on the local roadway network by redirecting some traffic from I-75 (but not enough to improve its LOS) and improve traffic on Rye Road and Golf Course Road from forecast levels. County-wide, it will reduce vehicle hours and miles traveled. The Fort Hamer Alternative will increase traffic and worsen the LOS on Upper Manatee River Road and Fort Hamer Road because these roads will

henceforth be routes for crossing the Manatee River. This alternative will improve emergency response times by cutting response time to cross the river by half or greater.

Wetlands – Wetlands will be unavoidably impacted by the project. A total of 3.06 acres of wetlands would be directly impacted by the construction of the preferred alternative; this includes 2.05 acres of dredge/fill impacts and 1.01 acres of shading impacts. An additional 1.28 acres of wetlands are considered to have secondary impacts based on Southwest Florida Water Management District (SWFWMD) criteria. Thus, the Fort Hamer Alternative would result in 4.34 acres of permanent wetland impacts. All of these impacts would require compensatory mitigation. Mixed wetland hardwoods, wetland scrub, saltmarsh, mangroves, and bottomland will all experience direct and secondary impacts from the preferred alternative.

Construction of the Rye Road Alternative would impact a total of 2.52 acres of wetlands. This includes 2.51 acres of direct impacts via dredge/fill and 0.01 acres of indirect impacts via shading. This alternative does not have any secondary wetland impacts.

When analyzing secondary impacts such as those from noise, edge effects, and reduced value of ecological functions to wetlands in a buffer around the area of impacts, the Fort Hamer Alternative results in between 4.34 and 13.81 acres impacted (depending on buffer size) and the Rye Road Alternative results in between 7.00 and 16.92 acres impacted (depending on buffer size).

Several of the wetlands in the study area for the preferred alternative are designated as EFH (Magnuson-Stevens Fishery Conservation and Management Act (MFCMA)). Implementation of the preferred alternative would impact 1.17 total acres of EFH. The Rye Road Alternative would not cause any EFH impacts.

Floodplains and Floodways – The Fort Hamer Alternative would require roadway approaches, stormwater ponds, and access roads to be constructed in the floodplain. Approximately 21.7 acres are located within the bounds of the 100-year flood zone. The Fort Hamer alternative would not cause any increase in flood height of the Manatee River. The Rye Road Alternative would require bridge approaches, stormwater ponds, and widened roadways to be located in the floodplain. Approximately 13.9 acres are located within the bounds of the 100-year flood zone. This alternative would not cause any increase in flood height of the Manatee River.

Cultural and Historic Resources – Fort Hamer was an embarkation point for Seminole Indians deported to Indian Territory from 1849 to 1850 during the Second Seminole war. The USCG has engaged in consultation with the Tribal Historic Preservation Officer (THPO) of the Seminole Tribe of Florida (STOF) and with the Florida State Historic Preservation Officer (SHPO) to ensure that the site is adequately investigated and documented. There will be no adverse impacts to any historic archaeological sites or historic sites.

Based on the above factors, as well as comments received from the public, and public agencies and officials, the USCG maintains that the Fort Hamer Alternative is the preferred alternative and is the environmentally preferable alternative. This alternative fully meets the project's stated purpose and need and has the lowest estimated construction and maintenance costs.

V. MITIGATION

The strategies employed to avoid, minimize and mitigate the Preferred Alternative's environmental impacts, as disclosed in the environmental document, shall be adhered to during the implementation of the project. All practicable means of avoiding or minimizing environmental harm from the selected alternative were adopted. If during further project development, it is determined that there is substantial change in the impacts or scope of the proposed action, the environmental document will need to be reevaluated.

LOSS OF REGULATED WETLANDS AND AQUATIC HABITATS

Wetlands in the project vicinity would be directly and unavoidably impacted by the Proposed Project. Coordination between the USCG, USACE, National Marine Fisheries Service (NMFS), SWFWMD, and Manatee County throughout the NEPA process followed the avoidance, minimization and mitigation concept of wetland impact analysis. The permanent impacts on regulated wetlands and open waters will total approximately 4.34 acres.

Avoidance and Minimization – The proposed bridge alignment minimizes the number of piles within the navigable channel. Choosing an alternative alignment would result in a longer channel span, more piers in the water contributing to lessened navigational safety, and more costly structural elements and maintenance. Bridge supports have been located outside of seagrass areas, and no bridge abutments will be constructed in wetlands. The bridge would be constructed from a temporary work trestle so as to obviate the need for a temporary causeway through the wetlands. This trestle will be constructed in such a manner as to minimize its impacts to wetlands, and the impacts, which consist of 0.62 acre of temporary wetland impacts and *de minimis* fill impacts, should resolve naturally once the trestle is removed.

Mitigation – The combined direct and indirect impacts to regulated wetlands and aquatic habitats would be mitigated by purchasing credits in the Tampa Bay Mitigation Bank (TBMB). Although the Bank does not normally serve the project area, it does make available credits for linear projects outside its service area. The USACE, SWFWMD, TBMB, NMFS, U.S. Fish and Wildlife Service (USFWS), and Manatee County agreed on 4 March 2014 that purchasing credits to offset the unavoidable functional losses of wetlands would be the best course of action, ensuring the perpetual protection of created wetlands, and would conform to the USACE/EPA mitigation hierarchy at 33 CFR 332.3(b). Based on a Uniform Mitigation Assessment Method (UMAM) analysis required by Florida law of the permanently impacted wetlands, it was determined that 1.56 units of functional wetland loss would occur from dredging, filling, and shading. Manatee County will purchase 1.3 tidal marsh credits and 0.3 estuarine herbaceous credits from the Tampa Bay Mitigation Bank to offset these functional losses. Since the TBMB

is located in a different drainage basin, Manatee County conducted a cumulative impact analysis to provide the required reasonable assurance that proposed impacts will not have unacceptable cumulative impacts on similar type wetlands within the basin.

WILDLIFE/THREATENED AND ENDANGERED SPECIES / CRITICAL HABITAT

There are federally-listed threatened and endangered species and state-listed species of special concern in the project area. The USCG, as the lead federal agency, determined that the project may affect, but is not likely to adversely affect, the mangrove rivulus, smalltooth sawfish, eastern indigo snake, gopher tortoise and its commensal species, wood stork, and West Indian manatee. The project would have no effect on the Florida scrub jay, wading birds, Florida burrowing owl, crested caracara, southeastern American kestrel, Florida sandhill crane, brown pelican, and Sherman's fox squirrel. The NMFS and USFWS have concurred with these determinations.

The USCG has committed to minimization and avoidance measures for each species that may be affected by the proposed project. These measures include:

- requiring all construction vessels to operate at no wake/idle speeds within ½ mile up and downstream of the construction site;
- requiring the contractor to implement the USFWS *Standard Manatee Conditions for In-Water Work*;
- implementing the *Smalltooth Sawfish Construction Conditions* provided by NMFS;
- driving bridge pilings only during daylight hours;
- having observers in place to watch for manatees and dolphins during all pile driving activities and stop the driving until the observed animal leaves the project area on its own;
- install floating turbidity barriers around each piling during installation, which will both prevent turbidity and lessen the noise from pile driving;
- use standard protection measures for the eastern indigo snake;
- coordinate with Florida Fish and Wildlife Conservation Commission (FWC) for the protection of state listed species of concern, including the gopher tortoise and Florida sandhill crane.

INVASIVE SPECIES

All existing populations of the invasive Brazilian pepper and cogon grass within the construction footprint will be removed during the clearing and grubbing phase of the project and replaced with infrastructure or landscaping. All landscaping will be maintained by the County.

CONTAMINATION

One site has been identified within the construction limits of the Fort Hamer Alternative as having the potential for hazardous materials or petroleum contamination; it is a former golf cart/mower maintenance and storage area. Further assessment of this site, including soil and, potentially, groundwater sampling, would be required. The results of this assessment would be used by Manatee County, in coordination with the Florida Department of Environmental Protection (FDEP), to determine the extent, if any, the site would be remediated prior to construction of the alternative. With this commitment, it is unlikely that implementation of the Fort Hamer Alternative would result in the spread of contamination from this site.

TRAFFIC IMPACTS

Most of the roadways in the project area are anticipated to operate at LOS C or better by 2015, with the exception of Upper Manatee River Road and I-75, which are deficient under both alternatives. By 2035 (the design year), many of the project area roadways are projected to operate at an unacceptable LOS. Much of the roadway involved in the preferred alternative is projected to operate at LOS F in the design year. Under the no action alternative in the design year, these roadways are projected to operate at LOS B to F. The preferred alternative is projected to improve traffic on I-75 in 2015 and 2035, but not enough to affect its LOS.

The preferred alternative would improve vehicle miles and hours traveled county-wide as compared with the no action alternative.

Annie Lucy Williams Elementary School is located on Fort Hamer Road, and the increase in traffic on this road with the building of the proposed bridge could increase congestion in the vicinity of the school during times of student drop-off and pick-up. The increased traffic volume on Fort Hamer Road could make it more difficult for pedestrians and bicyclists to cross Fort Hamer Road to access the school, and for vehicles to make turns into and out of the school. There are projects currently under design or construction to help minimize these impacts. These projects include continuous sidewalks, roadway widening, shoulder improvements, and left/right turn lanes. Standard safety measures, such as reduced traffic speeds in the school zone, and crossing guards, may serve to reduce the negative effects produced by an increase in traffic.

CULTURAL AND HISTORIC RESOURCES

Based on consultation with the Seminole Tribe of Florida throughout the process, Manatee County has agreed to fund and place a plaque memorializing the Seminole deportation from Fort Hamer during the Second Seminole War as requested by the STOF.

OTHER

The proposed project will not impact a Wild and Scenic River, American Heritage River, coastal barrier resource, prime and unique farmland, or Land and Water Conservation Fund sponsored park. Construction and operation of the proposed project will have no significant adverse indirect or cumulative effects in combination with other projects in the area.

Minimization, avoidance, and/or elimination of adverse impacts was a primary consideration throughout the project planning. All efforts have been made to minimize impacts on the environment and on navigation.

VI. CONCLUSION

Having reviewed all pertinent factors, including navigation and the human environment, the USCG concludes that the proposed new bridge across the Manatee River would meet the reasonable needs of navigation with no unmitigated, significant adverse impacts on the quality of the human environment.

Date: 24 JUN 2014



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Chief, Office of Bridge Programs
By direction of the Commandant