

Section 4(f) Resources

Florida Department of Transportation

SR 9/I-95 FROM S OF MIAMI GARDENS DRIVE TO BROWARD COUNTY LINE

District: FDOT District 6

County: Miami-Dade County

ETDM Number: 14419

Financial Management Number: 414964-1-22-01

Federal-Aid Project Number: D620-050-B

Project Manager: Auraliz Benitez

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 Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022 and executed by the Federal Highway Administration and FDOT. Submitted pursuant 49 U.S.C. § 303.

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Summary and Approval

Resource Name	Facility Type	Property Classification	Owner/Official with Jurisdiction	Recommended Outcome	OEM SME Action
Snake Creek Trail	Bike/Ped Recreational Trail	Multiple Use Facility	Miami-Dade County Parks, Recreation, and Open Spaces	Exception/Exemption	Determination Pending
Ives Estates Park	Public recreational area	Park/Rec Area	Miami-Dade County Parks, Recreation and Open Spaces	No Use	Determination Pending
Ives Estates Tennis Center	Public recreational area	Park/Rec Area	Miami-Dade County Parks, Recreation and Open Spaces	No Use	Determination Pending
Ives Estates Mini Park (Tot Lot)	Public recreational area	Park/Rec Area	Miami-Dade County Parks, Recreation and Open Spaces	No Use	Determination Pending
Milton Littman Park	Public recreational area	Park/Rec Area	City of North Miami Beach	<i>de minimis</i>	Concurrence Pending

Director of the Office of Environmental Management
Florida Department of Transportation

Snake Creek Trail

Facility Type: Bike/Ped Recreational Trail

Property Classification: Multiple Use Facility

Address and Coordinates:

Address:

Latitude: 25.94729 Longitude: -80.18519

Description of Property:

Snake Creek Trail is located along the southern edge of Snake Creek (C-9) Canal, extending from the Florida's Turnpike (Miami Gardens) to NW 19th Avenue (North Miami Beach). This approximate 15-acre greenway-park offers 6.5 miles of paved asphalt for walking, bicycling, and inline skating. Trailside amenities include small parks, picnic shelters, and fitness stations. The trail runs beneath SR 9/I-95 within the Florida Department of Transportation (FDOT) Limited Access (L/A) Right-of-Way (ROW). The Snake Creek Trail is owned, operated, and maintained by Miami-Dade County Parks, Recreation and Open Spaces (MDPROS) (Owner with Jurisdiction [OWJ]). Per coordination with the South Florida Water Management District (SFWMD), the Design Water Surface Elevation of the Snake Creek Canal at this location is 4.83 feet NGVD29 (3.28 feet NAVD88).

Owner/Official with Jurisdiction: Miami-Dade County Parks, Recreation, and Open Spaces

Recommended Outcome: Exception/Exemption

Exception/Exemption Type: Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f) and that meet all of the conditions in (23 CFR 774.13(d)(1-5)).

Exception/Exemption Justification:

This approximate 15-acre greenway offers 6.5 miles of paved asphalt for walking, bicycling, and inline skating. Trailside amenities include small parks, picnic shelters, and fitness equipment, none of which are located within the vicinity of the FDOT's L/A ROW for SR 9/I-95. The existing vertical clearance for the trail under SR 9/I-95 is substandard and presents a safety hazard for trail users. To accommodate the SR 9/I-95 improvements, the existing trail access under SR 9/I-95 will be temporarily closed for a period to be determined of less than the 60-72 month anticipated construction period for the project. Exact closure timeframe(s) will be coordinated with the MDPROS by the FDOT following project letting once the detailed construction schedule is available from the awarded contractor. The trail is expected to be closed just prior to commencement of construction of the SR 9/I-95 bridges over the Snake Creek Canal and is expected to re-open upon construction completion of the bridge work and final approval by the FDOT. The trail will be closed off with temporary fencing and signage. Signage will be placed at the trail entrances to the west and to the east of SR 9/I-95 to provide adequate warning to trail users (approximately at NE 2nd Avenue with Sierra Drive and at NE 10th Avenue with Miami Gardens Drive). There is no feasible safe detour that can be provided to trail users by the FDOT. Due to the presence of the canal, the railroad tracks, and the interstate, connecting one end of the trail to the other during construction would involve an impractical, unsafe, circuitous multi-mile route. As part of the SR 9/I-95 project, the FDOT will construct an improved trail replacement between the FDOT L/A ROW limits, a distance of approximately 358 linear feet, matching the existing trail width and providing a minimum of ten feet of vertical clearance over the paved trail to the low member

elevation of the new SR 9/I-95 bridges. The new trail segment will be located close to the proposed southern bridge abutment with some separation from the bank of the existing Snake Creek Canal. According to the National Oceanographic and Atmospheric Administration (NOAA) relative sea level trend in the project vicinity, an average sea level rise of 3.00 mm/year is expected. For a project service life of 50 years, the future Design Water Surface Elevation would be 3.77 feet NAVD88. The minimum elevation of the proposed trail will be 4.77 feet NAVD88. Specific design details will be coordinated with MDPROS during the final design phase of the project.

As no trail amenities will be adversely affected and no change of use to the trail is anticipated to occur as a result of the project (the trail will be retained as recreational use), the FDOT has determined that this project is not anticipated to adversely affect the activities, features or attributes qualifying the Snake Creek Trail for protection under Section 4(f). The proposed project design and resulting temporary closure of this segment of the Snake Creek Trail between the FDOT L/A ROW limits will be presented to the public as part of the Public Hearing for the PD&E Study to offer the public an opportunity to comment on the unavoidable temporary trail closure as a result of the proposed SR 9/I-95 design and construction activities. Section 23 CFR 774.13(d) provides the conditions under which temporary occupancies of land are so minimal as to not constitute a use within the meaning of Section 4(f).

1. duration must be temporary (i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land);
2. scope of the work must be minor (i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal);
3. there are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4. the land being used must be fully restored (i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project); and
5. there must be documented agreement of the OWJ over the Section 4(f) resource regarding the above conditions.

The FDOT has determined that, after analyzing all reasonable and feasible measures to avoid and minimize harm, or mitigate for adverse impacts and effects, all of the above conditions in Section 774.13(d) are anticipated to be met with this project; therefore, temporary occupancy (temporary closure and reconstruction of the trail segment) is considered so minimal as to not constitute a use within the meaning of Section 4(f). MDPROS concurred that the impacts to Snake Creek Trail as a result of the SR 9/I-95 PD&E Study, including the temporary occupancy of this land are so minimal as to not constitute a use within the meaning of Section 4(f) [23 CFR 774.13(d)], and understands that the FDOT may pursue an Exception to the requirements for Section 4(f) approval based upon this concurrence.

OEM SME Determination Date: Pending

Ives Estates Park

Facility Type: Public recreational area

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 20901 NE 16th Ave, Miami, FL, 33179, USA

Latitude: 25.97103 Longitude: -80.16808

Description of Property:

Ives Estates Park is located just west of SR 9/I-95 (west of the existing railroad right-of-way) and north of CR 854/Ives Dairy Road/NE 205th Street (20901 NE 16th Avenue, Miami, FL). This 94.46-acre district park supports a range of activities including baseball, cheerleading, football, and soccer. Park amenities include a baseball field, softball field, football field, soccer field, playground, recreation center, and multiple fitness zones. Ives Estates Park also supports the North Miami Beach Little Leagues. Access to the park is from NE 16th Avenue north of Ives Dairy Road/NE 205th Street (south side) and from County Line Road (north end), both west of SR 9/I-95.

Owner/Official with Jurisdiction: Miami-Dade County Parks, Recreation and Open Spaces

Relationship Between the Property and the Project

Although the park is adjacent to the west of the SR 9/I-95 project corridor, the park is located a sufficient distance from SR 9/I-95 and CR 854/Ives Dairy Road (project limits) and no direct or indirect impacts, or change in use, will occur to the park features, attributes, or activities qualifying the property for protection under Section 4(f).

Yes No

☐☒

Will the property be "used" within the meaning of Section 4(f)?

Recommended Outcome: No Use

OEM SME Determination Date: Pending

Ives Estates Tennis Center

Facility Type: Public recreational area

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 1475 Ives Dairy Road, Miami, FL

Latitude: 25.96526 Longitude: -80.17350

Description of Property:

Ives Estates Tennis Center is located west of SR 9/I-95 and north of CR 854/Ives Dairy Road (1475 Ives Dairy Road, Miami, FL). This approximate 5-acre single purpose park includes eight lighted tennis courts. Access to the park is from CR 854/Ives Dairy Road (south side outside of the SR 9/I-95 project construction limits) and from NE 14th Avenue west of the park.

Owner/Official with Jurisdiction: Miami-Dade County Parks, Recreation and Open Spaces

Relationship Between the Property and the Project

Although the Tennis Center is adjacent to the west of the SR 9/I-95 project corridor, the resource is located a sufficient distance from SR 9/I-95 and CR 854/Ives Dairy Road and no direct or indirect impacts, or change in use, will occur to the park features, attributes, or activities qualifying the property for protection under Section 4(f).

Yes No

☐☒

Will the property be "used" within the meaning of Section 4(f)?

Recommended Outcome: No Use

OEM SME Determination Date: Pending

Ives Estates Mini Park (Tot Lot)

Facility Type: Public recreational area

Property Classification: Park/Rec Area

Address and Coordinates:

Address:

Latitude: 25.95538 Longitude: -80.17681

Description of Property:

Ives Estates Mini Park (Tot Lot) is located west of SR 9/I-95 and just east of the intersection between NE 19th Street, NE 12th Avenue, and North Drive. This 0.25-acre mini park includes three benches and a playground. Access to the Mini Park is from NW 196th Street, NE 12th Avenue and North Drive (west of and outside the project limits of the SR 9/I-95 project corridor).

Owner/Official with Jurisdiction: Miami-Dade County Parks, Recreation and Open Spaces

Relationship Between the Property and the Project

Although the park is adjacent to the west of the SR 9/I-95 project corridor, the park is located a sufficient distance from SR 9/I-95 (project limits) and no direct or indirect impacts, or change in use, will occur to the park features, attributes, or activities qualifying the property for protection under Section 4(f).

Yes No

☐☒

Will the property be "used" within the meaning of Section 4(f)?

Recommended Outcome: No Use

OEM SME Determination Date: Pending

Milton Littman Park

Facility Type: Public recreational area

Property Classification: Park/Rec Area

Address and Coordinates:

Address: 600 NE Miami Gardens Dr, North Miami Beach, FL, 33162, USA

Latitude: 25.94082 Longitude: -80.18957

Description of Property:

Milton Littman Park is approximately 1.1 acres in size and is partially located within the transportation right-of-way for East Drive, adjacent to the east of the SR 9/I-95 corridor, just south of SR 860/Miami Gardens Drive, in the City of North Miami Beach (CNMB). Milton Littman Park is owned, operated, and maintained by the CNMB Parks and Recreation Department. The park is entirely enclosed by a fence/concrete wall and accessed via entry/exit gates; and includes two pavilions and water fountains, a playground, a double bay swing set, a walking path, an outdoor fitness equipment cluster, and an open landscaped green space. Vehicular access/parking is along East Drive, and pedestrian access is from East Drive and NE 6th Avenue (gates). The park is partially located within the CNMB transportation right-of-way for East Drive and within FDOT right-of-way for SR 860/Miami Gardens Drive. The park is used regularly by the local and regional community for recreation activities.

Owner/Official with Jurisdiction: City of North Miami Beach

Recommended Outcome: *de minimis*

Yes No

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was there coordination with the Official(s) with Jurisdiction to identify an opportunity for a <i>de minimis</i> finding? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was the OWJ informed by the District of FDOT s intent to pursue a <i>de minimis</i> approval option? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was the OWJ informed in writing that their concurrence with a no adverse effect finding to the activities, features or attributes which qualify the property for protection may result in FDOT making a <i>de minimis</i> approval under Section 4(f)? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Did the OWJ concur that the proposed project, including any enhancement, mitigation and minimization of harm measures, will result in no adverse effects to the activities features or attributes of the property? |

Basis on Which the Determination was Made

Although minimization efforts have been applied to the greatest extent practicable, due to the need to enhance safety, the FDOT's project will implement transportation improvements along the western and northern edges of Milton Littman Park which will require the acquisition of right-of-way from the park. Required right-of-way within Milton Littman Park along Miami Gardens Drive is approximately 3,204 square feet; and along SR 9/I-95 is approximately 3,072 square feet. The proposed impacts are limited to the western and northern edges of the park. An additional 2,099 square feet within the existing limits of the park is within FDOT's existing right-of-way of SR 860/Miami Gardens Drive and will be used by the FDOT as part of this transportation project. The proposed impacts, including all measures to mitigate and minimize harm, will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f) [23 CFR 774.5(b)(2) and 23 CFR 774.17]. Measures to mitigate and minimize harm include the following: 1) The FDOT will enter into an agreement with the CNMB during the Design Phase of the project by which parklands lost shall be appropriately mitigated. The agreement will include consideration of enhancing existing pedestrian/bicycle connections or

consideration of a potential shared used path within the CNMB transportation right-of-way of East Drive (from the intersection of NE 1st Avenue and NE 175th Street to Milton Littman Park, within the limits of the PD&E Study) consistent with the CNMB adopted Parks and Recreation Master Plan dated 6/21/2016; or consideration of replacement with lands of equal or better value; or consideration of proportional monetary contribution by the FDOT for land acquisition as part of a larger park facility serving the CNMB. The mitigation type and/or amount will be negotiated with the CNMB by the FDOT Right of Way Administration Office during the Design Phase of the project. 2) During the Design Phase of the project, the FDOT will coordinate with the CNMB on considerations for aesthetic treatment(s) of the proposed SR 9/I-95 structural retaining wall within the limits of Milton Littman Park. 3) The FDOT will work with the CNMB to identify trees that need to be relocated or replaced from within Milton Littman Park. The tree replacement activities for these specific trees will be coordinated with the CNMB during the Design Phase in consideration with the City's approach to developing its tree canopy citywide. 4) During the Design Phase of the project, the FDOT will relocate/replace park fencing, paved pathway, landscaping, and associated conflicting irrigation components along the northern and western edges of Milton Littman Park and coordinate with the CNMB on the proposed locations of the relocated/replaced features within the limits of Milton Littman Park. 5) During construction, access to Milton Littman Park will be maintained at all times, to the extent practical for safety. 6) During the Design Phase of the project, the FDOT will coordinate with the CNMB on the need for a Temporary Construction Easement (TCE) within the limits of Milton Littman Park. The TCE will be minimized to the greatest extent practicable and will be cordoned off by temporary construction fencing, or similar, as needed for safe construction practices. The TCE is not anticipated to adversely affect the park activities, features, or attributes including fitness areas, play areas, pavilions, and paved parking (no reduction in the number of existing parking spaces is anticipated). During construction, access to these park amenities is expected to be maintained at all times, to the extent practical for safety. Post-construction, FDOT will fully restore any temporary impacts to the park within the limits of the TCE so that the property will be restored to the condition which existed prior to the project. A Section 4(f) *de minimis* use to a Section 4(f) property is one that, after taking into account any measures to minimize harm (such as avoidance, minimization, mitigation, or enhancement measures), results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park for protection under Section 4(f). FDOT has reviewed the proposed activities and determined that the project meets the conditions set forth at 23 CFR 774.3(b) and 23 CFR 774.17 and therefore qualifies for a Section 4(f) *de minimis* finding.

Public Involvement Activities:

The FDOT submitted an initial request to the CNMB on September 27, 2023 to review and concur with the proposed effects to Milton Littman Park as a result of the SR 9/I-95 PD&E Study, including all measures to mitigate and minimize harm as described therein, which will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f) [23 CFR 774.5(b)(2) and 23 CFR 774.17]; and also that the CNMB understands that the FDOT may pursue a Section 4(f) *de minimis* finding. On October 6, 2023, the PD&E Team received a call from Interim Director of the CNMB Community Development Department stating that the CNMB has reviewed the information provided by the FDOT and will be requesting additional information from the FDOT prior to making a final decision. A letter was received from the CNMB via email on October 27, 2023 from the Interim Director of the CNMB Community Development Department, which included five additional points which needed to be discussed and addressed. A follow up meeting was also held with the CNMB on December 21, 2023, to discuss the CNMB points and how each will be addressed by the FDOT. A second clarification meeting was held with the CNMB on January 30, 2025, to further discuss proposed impacts to Milton Littman Park and mitigation options. On February 24, 2025, the FDOT submitted an amended request to the CNMB which included a refinement of potential impacts (similar for all build alternatives) and mitigations to satisfy both the FDOT and CNMB per all coordination efforts. The request package was presented to the CNMB City Commission via Resolution and approved for signature on March 18, 2025. The City Manager signed the request package on March 24, 2025, which includes all measures to mitigate and minimize harm to the Park and also acknowledges that CNMB understands that the FDOT may pursue a Section 4(f) *de minimis* finding. In addition, the proposed project design and

mitigation actions for Milton Littman Park will be presented to the public as part of the Public Hearing for the PD&E Study, which is scheduled for May 22, 2025. This will offer the public an opportunity to comment on the proposed impacts and mitigation actions.

OEM SME Concurrence Date: Pending

DRAFT

Project-Level Attachments

None

DRAFT

Resource Attachments

Snake Creek Trail

Snake Creek Trail Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

41496412201-CE2-D6-Snake_Creek_Trail_Concurrence_MDPROS_signed_Oct18_2023-2023-1018_

Ives Estates Park

Ives Estates Park Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

Ives Estates Tennis Center

Ives Estates Tennis Center Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

Ives Estates Mini Park (Tot Lot)

Ives Estates Mini Park - Tot Lot Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

Milton Littman Park

Milton Littman Park Maps

2025 03 24 - Resolution - 1-95 N PDE - Section 4f CNMB Milton Littman Park - Final Signed

41496412201-CE2-D6-I-95_N_PDE_-_Section_4f_-_CNMB_Milton_Littman_Park_-_Request_for_Concurrence_Signed-2025-0324

Snake Creek Trail

Contents:

Snake Creek Trail Maps

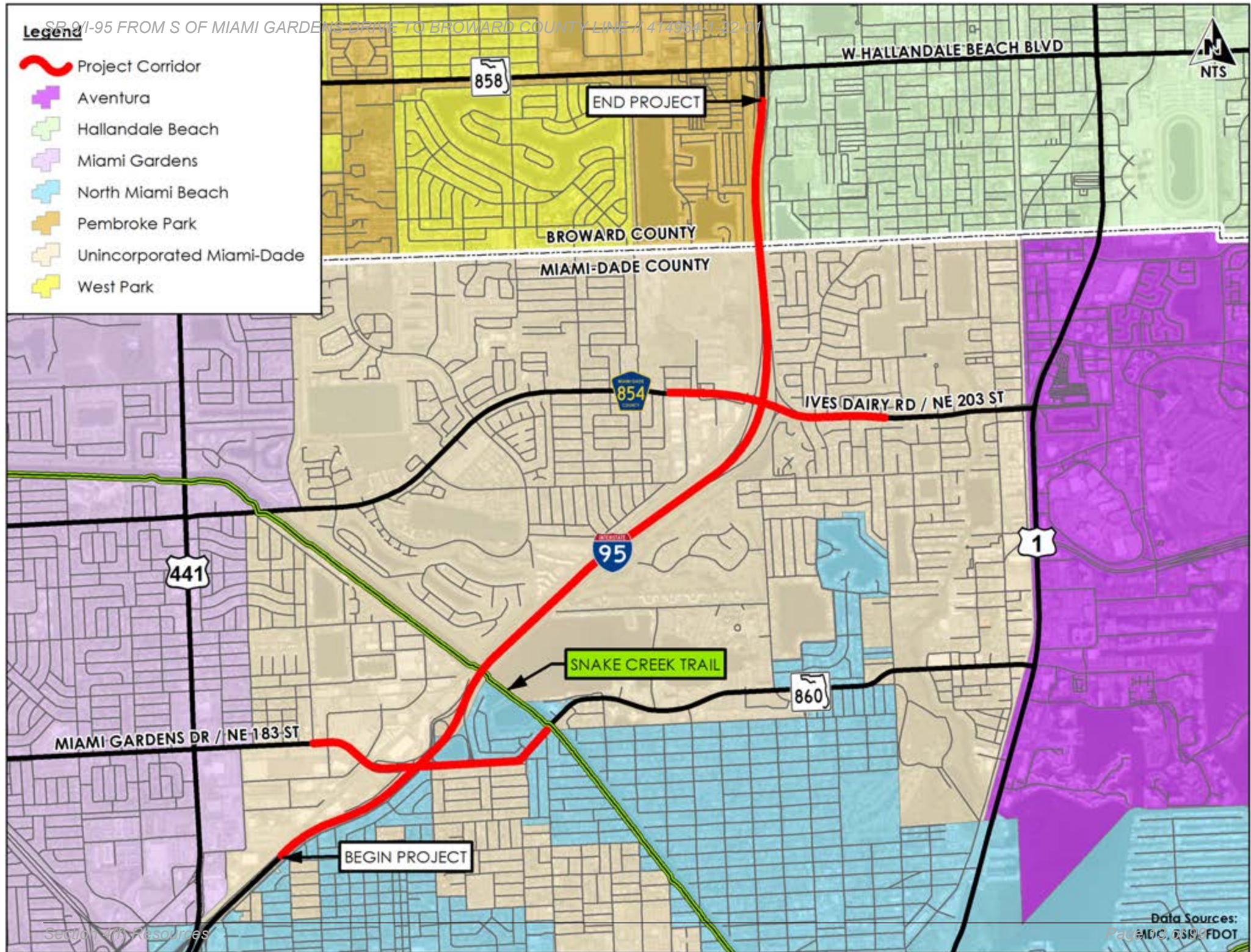
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41496412201-CE2-D6-Snake_Creek_Trail_Concurrence_MDPROS_signed_Oct18_2023-2023-1018_


DRAFT

Legend

- Project Corridor
- Aventura
- Hallandale Beach
- Miami Gardens
- North Miami Beach
- Pembroke Park
- Unincorporated Miami-Dade
- West Park



Legend

 Snake Creek Trail

SR 94-95 FROM S OF MIAMI GARDENS DRIVE TO DOWNS COUNTY LINE // 414964-12-01



0 50 100 200 Feet

Section 4(f) Resources

Data Sources:
MDOT, FDOT



Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

December 14, 2021

***Every Great Community has
a Great Park System.***

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

2013 Governor's Sustained
Excellence Award



Subject: Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail
Statement of Significance
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9A/I-95 Project Development and Environment (PD&E) Study from South of Miami Gardens Drive to the Broward County Line in in Miami-Dade County, FL

Dear Mr. James,

As the Official with Jurisdiction, please accept this letter as formal Statement of Significance for Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail. These recreational resources are located within Unincorporated Miami-Dade County and are significant resources within the meaning of Section 4(f) (49 U.S.C. § 303) of the U.S. Department of Transportation Act regulations. Significance denotes that in comparing the availability and function of the recreation area, park or wildlife and waterfowl refuge area with the recreational, park and refuge objectives of that community, the land in question plays an important role in meeting those objectives.

Ives Estates Park is located just west of I-95 and north of Ives Dairy Road/NE 205th Street (20901 NE 16th Avenue, Miami, FL). This 94.46-acre park supports a range of activities including baseball, cheerleading, football, and soccer. Park amenities include a baseball field, softball field, football field, soccer field, playground, recreation center, fitness equipment, and parking. Ives Estates Park also supports the North Miami Beach Little Leagues.



Ives Estates Tennis Center is located west of I-95 and north of Ives Dairy Road/NE 205th Street (1475 Ives Dairy Road, Miami, FL). This 5-acre single purpose park includes eight lighted tennis courts and parking.

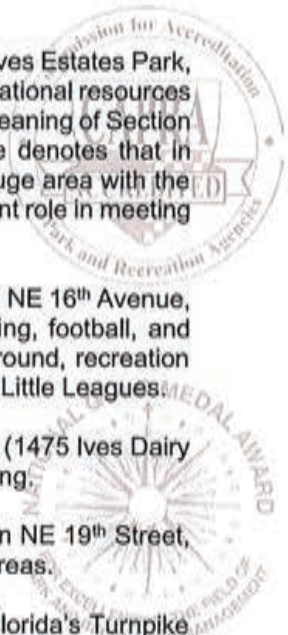
Ives Estates Mini Park (Tot Lot) is located west of I-95 and just east of the intersection between NE 19th Street, NE 12th Avenue, and North Drive. This 0.25-acre mini park includes a playground and seating areas.

Snake Creek Trail is located along the southern edge of Snake Creek Canal, extending from Florida's Turnpike (City of Miami Gardens) to NW 19th Avenue (City of North Miami Beach). This 15-acre greenway park offers 6.5 miles of paved asphalt for walking, bicycling, and inline skating. Trailside amenities include small parks, picnic shelters, and fitness equipment.

Should you have any questions or require additional information, please contact my office at (305)755-7903 or by email maria.nardi@miamidade.gov.

Sincerely,


 Maria I. Nardi
Director





Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. PERDUE, P.E.
SECRETARY

September 27, 2023

Ms. Maria I. Nardi
Director
Miami-Dade Parks, Recreation and Open Spaces Department
275 NW 2nd Street
Miami, FL 33128

Subject: Snake Creek Trail Section 4(f) Finding
Letter of Concurrence or No Objection
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9/I-95 Project Development and
Environment (PD&E) Study from South of Miami Gardens Drive to North of
the Broward County Line in Miami-Dade County, FL

Dear Ms. Nardi:

The Florida Department of Transportation, District Six (FDOT), is currently preparing a Project Development and Environment (PD&E) Study along SR 9/I-95 from south of SR 860/Miami Gardens Drive/NW 183rd Street (Miami Gardens Drive) to north of the Broward County Line in Miami-Dade County, Florida. A component of this proposed project will require the replacement of the I-95 bridges over the Snake Creek (C-9) Canal and the subsequent temporary closure and reconstruction of the section of Snake Creek Trail beneath I-95 within FDOT Limited Access (L/A) Right-of-Way (ROW). The Snake Creek Trail is owned, operated, and maintained by Miami-Dade County Parks, Recreation and Open Spaces (MDPROS). As MDPROS is the Official with Jurisdiction (OWJ) over Snake Creek Trail, please review this letter as a summary of the results of our coordination efforts with your office staff (Mr. Ryan Benton) for this PD&E Study.

The PD&E Study is being conducted to assess I-95 corridor improvements from south of Miami Gardens Drive to just north of the Broward County Line that will add highway and interchange capacity, improve local roadway intersections, provide relief from traffic congestion, and enhance traffic safety. I-95, within the Study limits, has one to two express lanes in each direction and the general-purpose lanes vary in each direction between three to four lanes. Outside shoulders are 12 feet wide with 10 feet paved. Inside shoulders widths along the Express Lanes vary from seven and a half feet to 12 feet wide.

The proposed typical section of I-95 will be wider to accommodate additional traffic lanes and shoulder widths.

These actions will require improvements in the vicinity of Snake Creek Trail (**Attachment A**) to include the complete replacement of the I-95 bridges over the Snake Creek Canal due to structural and vertical deficiencies; geometric safety improvements; and the need for wider bridges to meet the proposed new typical (cross) section width for I-95.

From our coordination with MDPROS, the FDOT understands that the trail bisects the I-95 FDOT L/A ROW beneath the I-95 bridges over the Snake Creek Canal and the land this segment of trail is located on is owned by the South Florida Water Management District (SFWMD) as part of its Snake Creek Canal ROW. Construction of this segment of the trail was authorized by the SFWMD under ROW Occupancy Permit #09-0311-5. In addition, recent trail improvements have been authorized through the FDOT's Local Agency Project (LAP) Program in 2014.

To accommodate the I-95 improvements, the existing trail access under I-95 will be temporarily closed for a period to be determined of less than the 60-72 month anticipated construction period for the project. Exact closure timeframe(s) will be coordinated with the MDPROS by the FDOT following project letting once the detailed construction schedule is available from the awarded contractor. The trail is expected to be closed just prior to commencement of construction of the I-95 bridges over the Snake Creek Canal and is expected to re-open upon construction completion of the bridge work and final approval by the FDOT (**Attachment B**). Construction is currently estimated to commence in 2028 or shortly thereafter.

The trail will be closed off with temporary fencing and signage. Signage will be placed at the trail entrances to the west and to the east of I-95 to provide adequate warning to trail users (approximately at NE 2nd Avenue with Sierra Drive and at NE 10th Avenue with Miami Gardens Drive). There is no feasible safe detour that can be provided to trail users by the FDOT. Due to the presence of the canal, the railroad tracks, and the Interstate, connecting one end of the trail to the other during construction would involve an impractical, unsafe, circuitous multi-mile route.

As part of the I-95 project, the FDOT will construct an improved trail replacement between the FDOT L/A ROW limits, a distance of approximately 358 linear feet, matching the existing trail width and providing a minimum of ten feet of vertical clearance over the paved trail to the low member elevation of the new I-95 bridges. The new trail segment will be located close to the proposed southern bridge abutment with some separation from the bank of the existing Snake Creek Canal. Per coordination with the SFWMD, the Design Water Surface Elevation at this location is 4.83 feet NGVD29 (3.28 feet NAVD88). According to the National Oceanographic and Atmospheric Administration (NOAA) relative sea level trend in the project vicinity, an average sea level rise of 3.00 mm/year is expected. For a project service life of 50 years, the future Design Water Surface Elevation would be 3.77 feet NAVD88. The minimum elevation of the proposed trail will

be 4.77 feet NAVD88. Specific design details will be coordinated with MDPROS during the final design phase of the project.

Section 4(f) of the *Department of Transportation Act of 1966*, now codified at 23 U.S.C. § 138 and 49 U.S.C. § 303 governs the use of land from publicly owned parks, recreation areas, and wildlife and waterfowl refuges for Federal highway projects. A publicly owned park, recreational area or wildlife or waterfowl refuge must be a significant resource for Section 4(f) to apply. Per your letter to the FDOT dated December 14, 2021 (**Attachment C**), all of Snake Creek Trail is a significant resource, located along the southern edge of Snake Creek Canal, extending from Florida's Turnpike (City of Miami Gardens) to NW 19th Avenue (City of North Miami Beach). This 15-acre greenway offers 6.5 miles of paved asphalt for walking, bicycling, and inline skating. Trailside amenities include small parks, picnic shelters, and fitness equipment, none of which are located within the vicinity of the FDOT's L/A ROW for I-95.

As no trail amenities will be adversely affected and no change of use to the trail is anticipated to occur as a result of the project (the trail will be retained as recreational use), the FDOT has determined that this project is not anticipated to adversely affect the activities, features or attributes qualifying the Snake Creek Trail for protection under Section 4(f).

The proposed project design and resulting temporary closure of this segment of the Snake Creek Trail between the FDOT L/A ROW limits (**Attachment B**) will be presented to the public as part of the Public Hearing for the PD&E Study, which is currently being scheduled for the 1st or 2nd quarter of 2024. This will offer the public an opportunity to comment on the unavoidable temporary trail closure as a result of the proposed I-95 design and construction activities.

There are Exceptions and Exemptions to the requirement for a Section 4(f) approval. Section 23 CFR § 774.13(d) provides the conditions under which "temporary occupancies of land...are so minimal as to not constitute a use within the meaning of Section 4(f)".

1. duration must be temporary (i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land);
2. scope of the work must be minor (i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal);
3. there are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4. the land being used must be fully restored (i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project); and
5. there must be documented agreement of the OWJ over the Section 4(f) resource regarding the above conditions.

The FDOT has determined that all of the above conditions in Section 774.13(d) are anticipated to be met with this project (as discussed herein); therefore, temporary

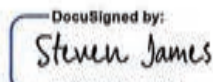
occupancy (temporary closure and reconstruction of the trail segment) does not constitute a use under Section 4(f) for the Snake Creek Trail.

The FDOT respectfully requests concurrence of the details of this letter from MDPROS, as the OWJ. Based on this concurrence, the FDOT will pursue an Exception to the requirements for Section 4(f) approval per Section 23 CFR § 774.13(d).

Please sign below signifying concurrence or no objection to the proposed FDOT improvements to both I-95 and the Snake Creek Trail within the FDOT L/A ROW. Upon completion, please return a signed copy of this letter to the FDOT Planning and Environmental Management Office (PLEMO) to my attention.

Thank you for your continued support and coordination efforts and we look forward to working with MDPROS during the design and construction phases of the project. Please do not hesitate to call or email me at 305-470-5221 or Steven.James@dot.state.fl.us.

Sincerely,

DocuSigned by:

 44A2F58851B5476...

Steven Craig James, RLA 1451
 District Environmental Manager
 Planning and Environmental Management Office

CONCURRENCE:

The Miami-Dade County Parks, Recreation, and Open Spaces Department concurs that the impacts to Snake Creek Trail as a result of the SR 9/I-95 PD&E Study from south of Miami Gardens Drive to north of the Broward County Line as described in this document, including the temporary occupancies of this land are so minimal as to not constitute a use within the meaning of Section 4(f) [23 CFR § 774.13(d)], and understands that the FDOT may pursue an Exception to the requirements for Section 4(f) approval based upon this concurrence.

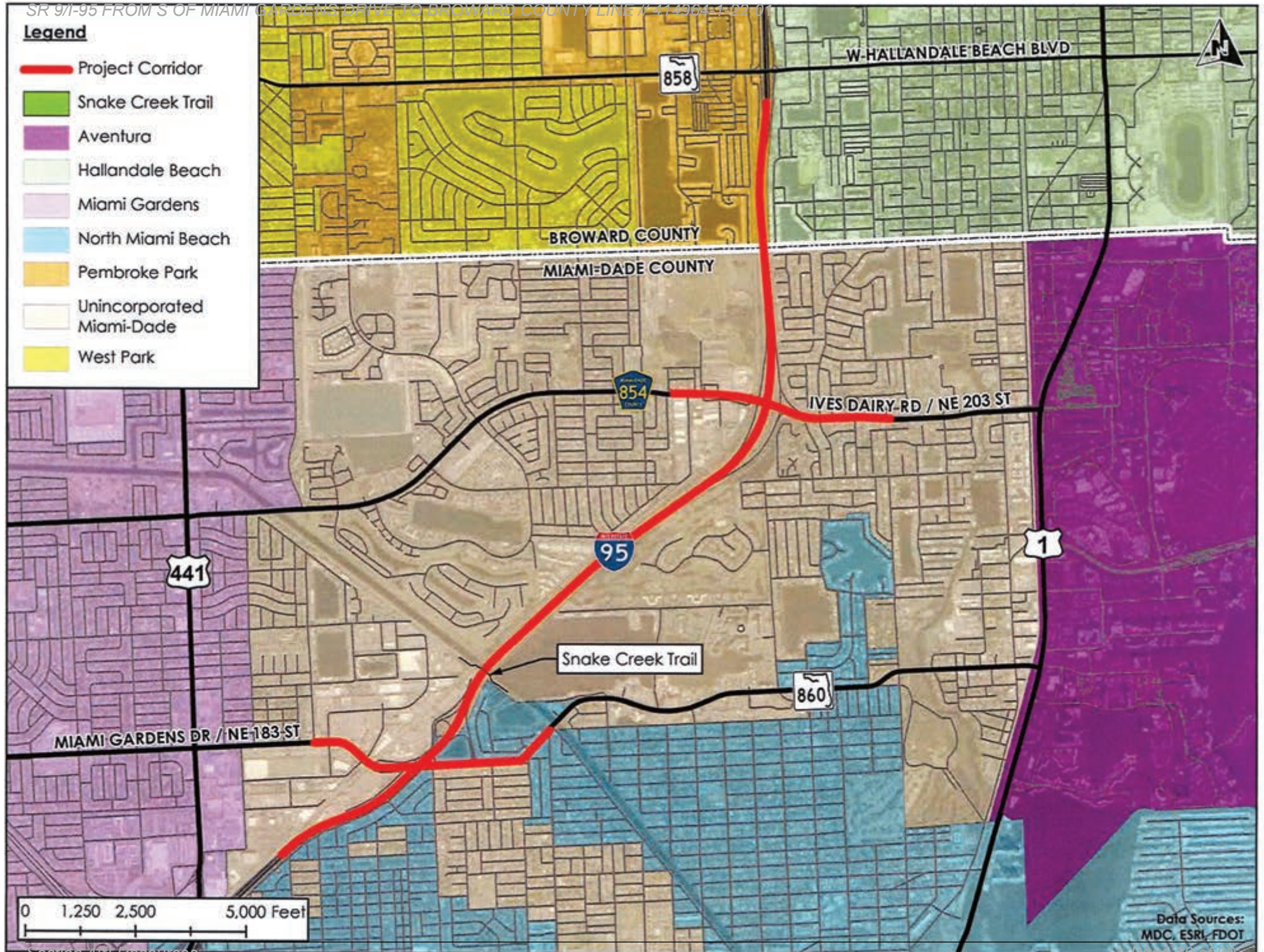


Maria I. Nardi, Director
 Miami-Dade County Parks, Recreation and
 Open Spaces Department

10.18.23
 Date

Legend

- Project Corridor
- Snake Creek Trail
- Aventura
- Hallandale Beach
- Miami Gardens
- North Miami Beach
- Pembroke Park
- Unincorporated Miami-Dade
- West Park



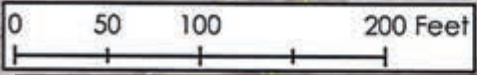
Legend

- FDOT LARW Line
- Snake Creek Trail

Snake Creek Canal (C-9)

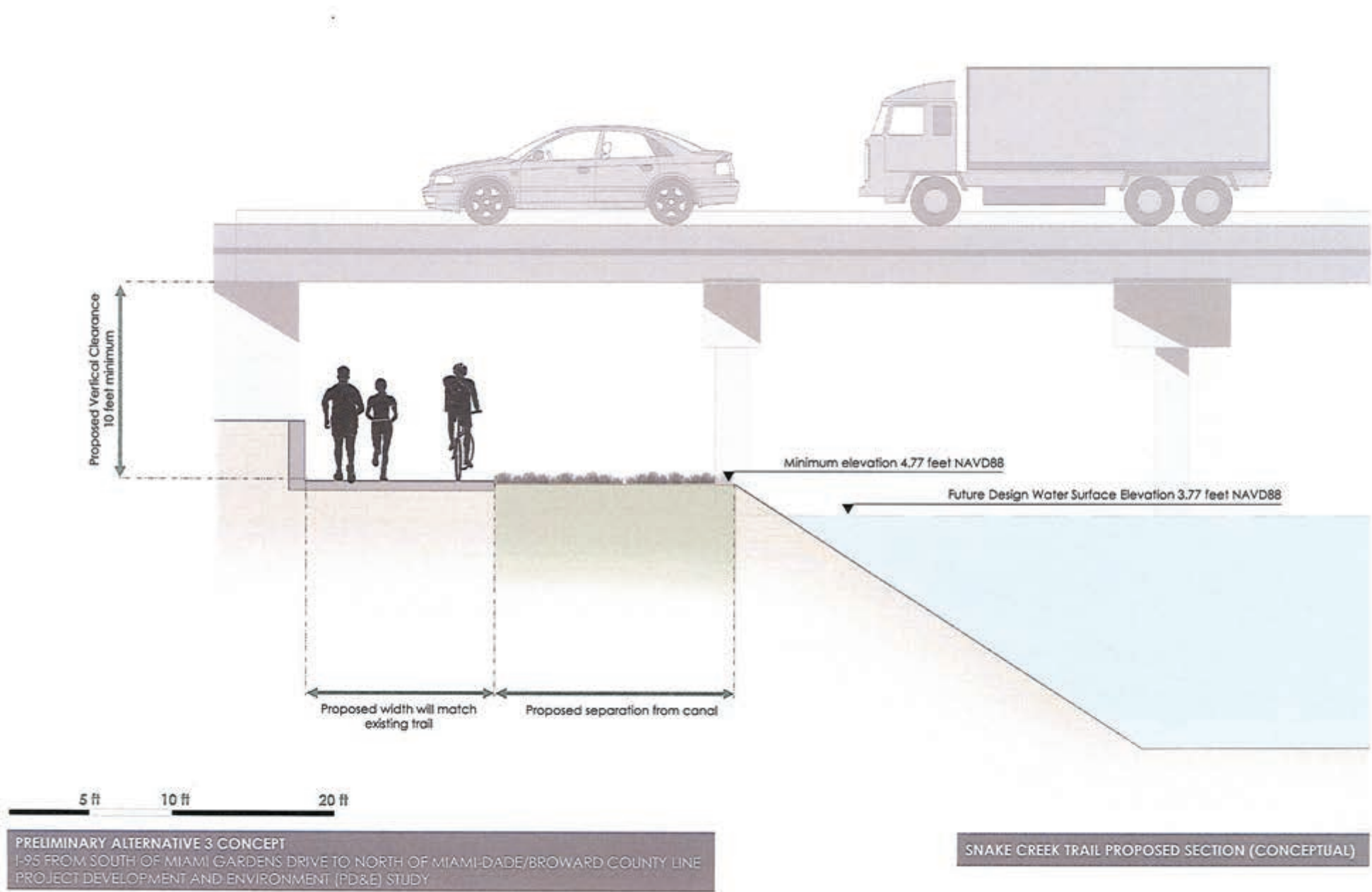
95

Snake Creek Trail



Data Sources:
MDC, ESRI, FDOT







Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

*Every Great Community has
a Great Park System.*

December 14, 2021

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

2013 Governor's Sustained
Excellence Award



Subject: Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail
Statement of Significance
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9A/I-95 Project Development and Environment (PD&E) Study from South of Miami Gardens Drive to the Broward County Line in Miami-Dade County, FL

Dear Mr. James,

As the Official with Jurisdiction, please accept this letter as formal Statement of Significance for Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail. These recreational resources are located within Unincorporated Miami-Dade County and are significant resources within the meaning of Section 4(f) (49 U.S.C. § 303) of the U.S. Department of Transportation Act regulations. Significance denotes that in comparing the availability and function of the recreation area, park or wildlife and waterfowl refuge area with the recreational, park and refuge objectives of that community, the land in question plays an important role in meeting those objectives.

Ives Estates Park is located just west of I-95 and north of Ives Dairy Road/NE 205th Street (20901 NE 16th Avenue, Miami, FL). This 94.46-acre park supports a range of activities including baseball, cheerleading, football, and soccer. Park amenities include a baseball field, softball field, football field, soccer field, playground, recreation center, fitness equipment, and parking. Ives Estates Park also supports the North Miami Beach Little Leagues.

Ives Estates Tennis Center is located west of I-95 and north of Ives Dairy Road/NE 205th Street (1475 Ives Dairy Road, Miami, FL). This 5-acre single purpose park includes eight lighted tennis courts and parking.

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Should you have any questions or require additional information, please contact my office at (305)755-7903 or by email maria.nardi@miamidade.gov.

Sincerely,

Maria I. Nardi
Director

Ives Estates Park

Contents:

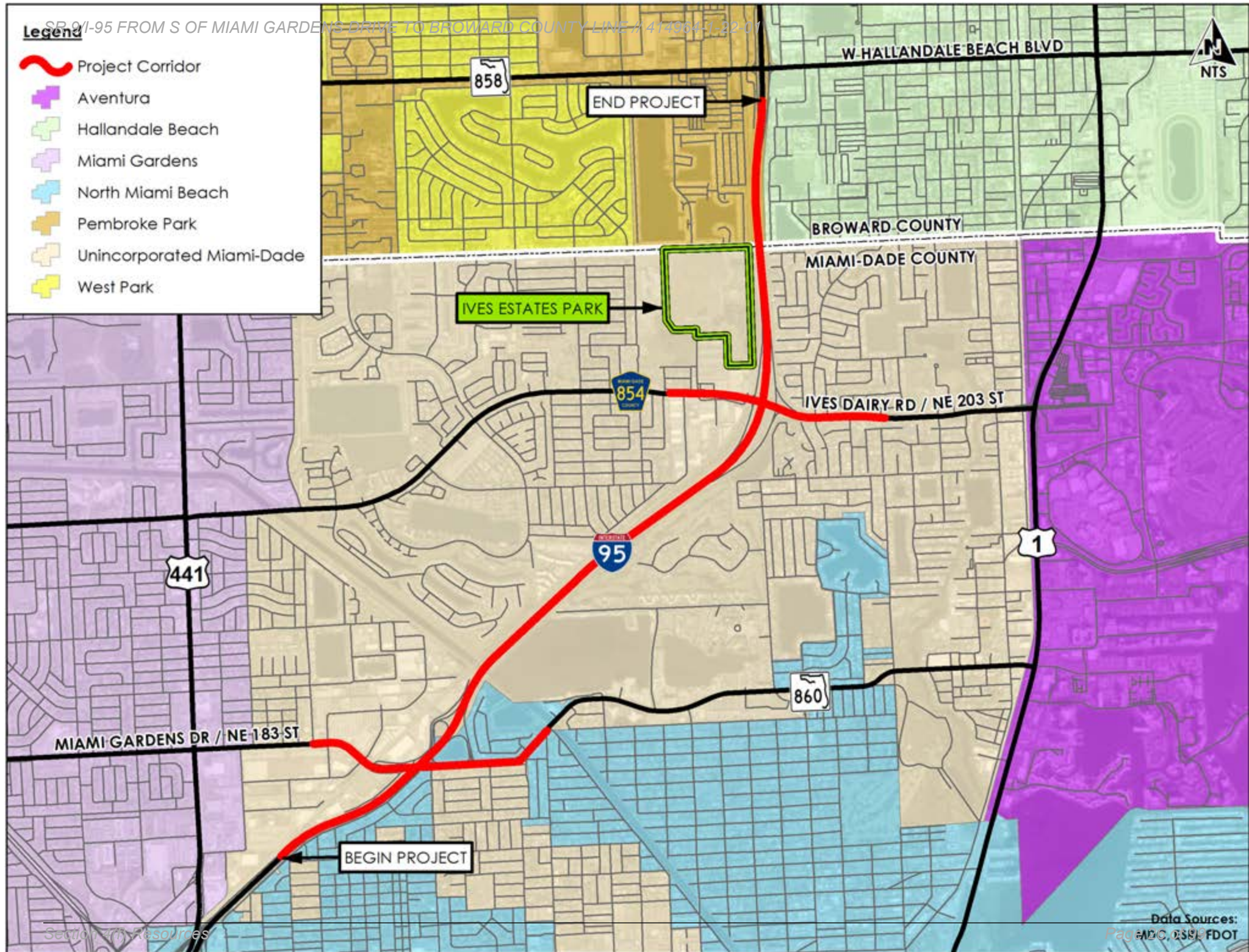
Ives Estates Park Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

DRAFT

Legend

- Project Corridor
- Aventura
- Hallandale Beach
- Miami Gardens
- North Miami Beach
- Pembroke Park
- Unincorporated Miami-Dade
- West Park



Legend

 Ives Estates Park

SR 94-95 FROM S OF MIAMI GARDENS DRIVE TO BROWARD COUNTY LINE // 44964-1-22-01

BROWARD COUNTY
MIAMI-DADE COUNTY



IVES ESTATES PARK

NE 14 AVE

NE 16 AVE

IVES DAIRY RD

95

854

0 250 500 1,000 Feet

Section 4(f) Resources

Data Sources:
MDC, DSR, FDOT



Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

December 14, 2021

***Every Great Community has
a Great Park System.***

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

2013 Governor's Sustained
Excellence Award



Subject: Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail
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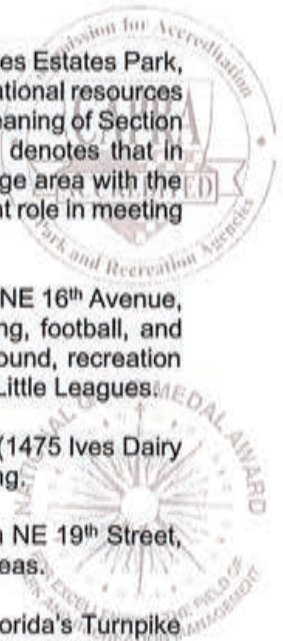
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Should you have any questions or require additional information, please contact my office at (305)755-7903 or by email maria.nardi@miamidade.gov.

Sincerely,


 Maria I. Nardi
Director



Ives Estates Tennis Center

Contents:

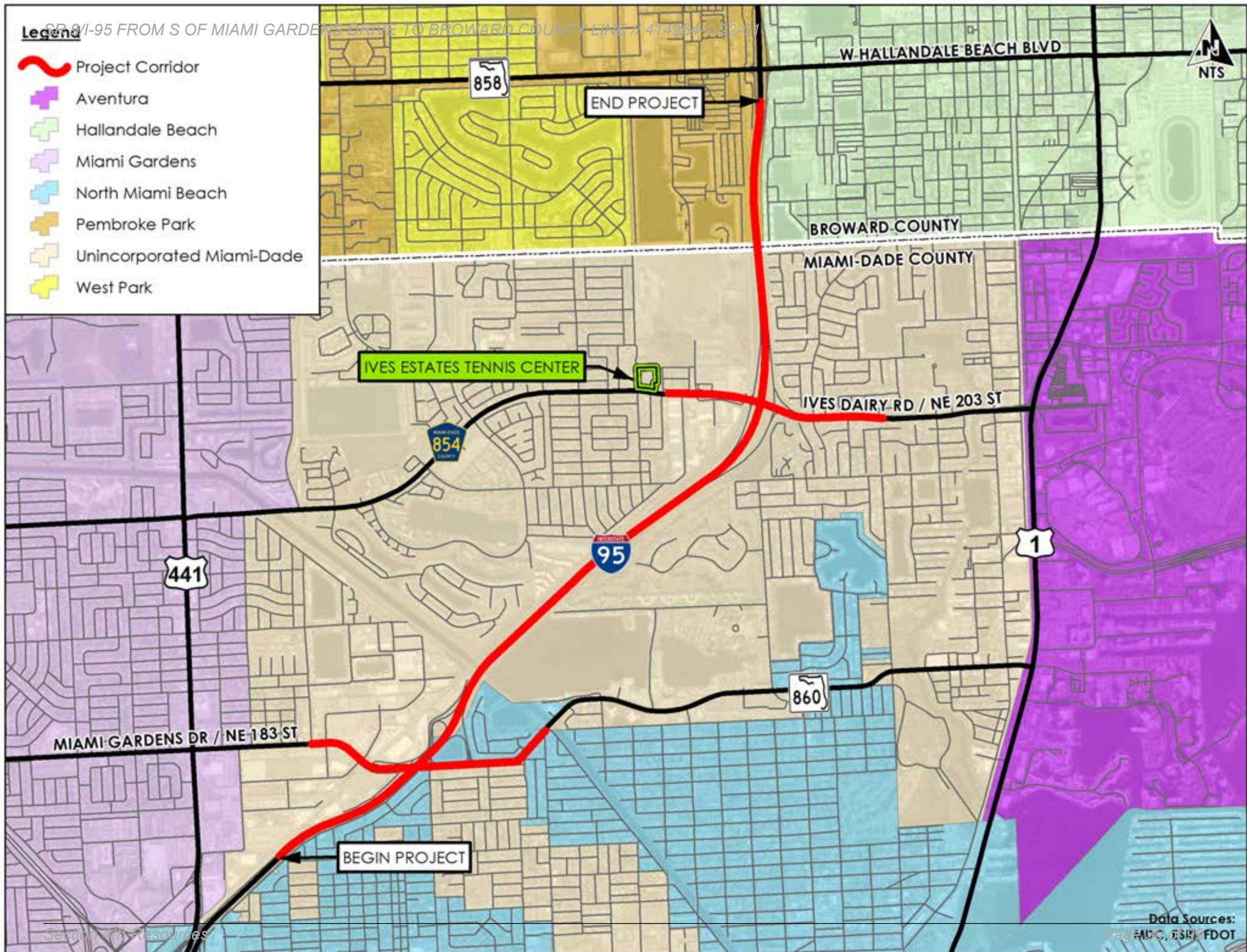
Ives Estates Tennis Center Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_


DRAFT

Legend

-  Project Corridor
-  Aventura
-  Hallandale Beach
-  Miami Gardens
-  North Miami Beach
-  Pembroke Park
-  Unincorporated Miami-Dade
-  West Park



Legend

 Ives Estates Tennis Center

SR 94-95 FROM S OF MIAMI GARDENS DRIVE TO BROWARD COUNTY LINE // 1964-1-22-01



IVES ESTATES TENNIS CENTER

NE 14 AVE

NE 207 ST

NE 206 ST

NE 15 AVE

NE 205 TER

IVES DAIRY RD



0 75 150 300 Feet

Section 4(f) Resources



Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

December 14, 2021

***Every Great Community has
a Great Park System.***

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
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2013 Governor's Sustained
Excellence Award



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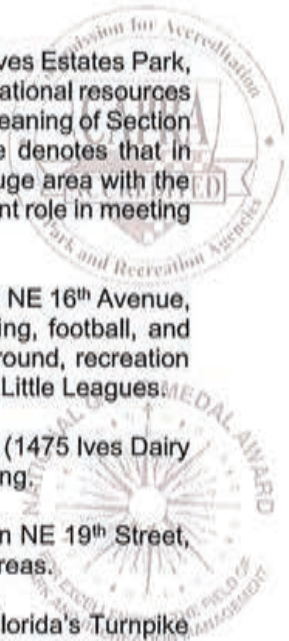
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Sincerely,


 Maria I. Nardi
Director



Ives Estates Mini Park (Tot Lot)

Contents:

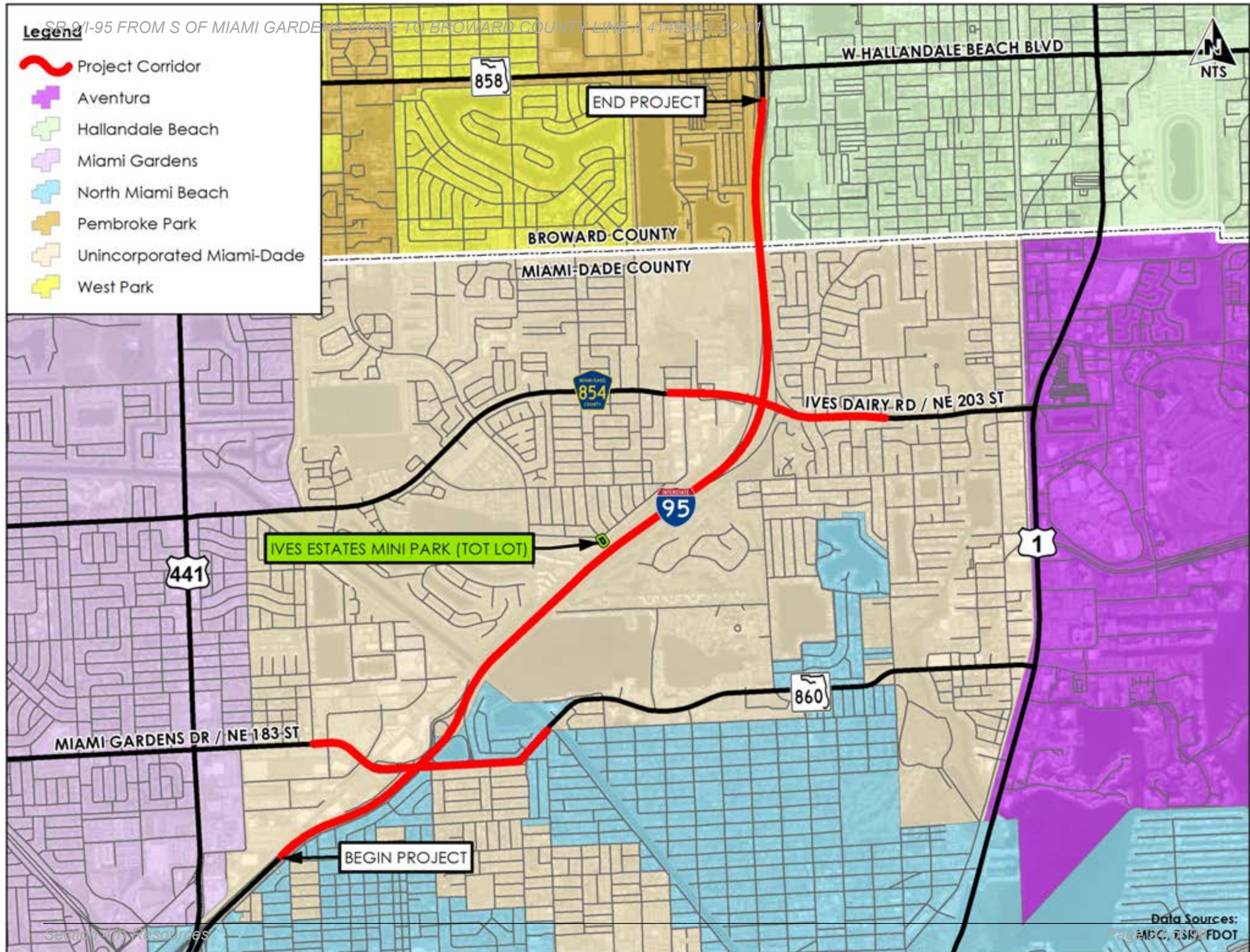
Ives Estates Mini Park - Tot Lot Maps

41496412201-CE2-D6-OWJ_Letter_MDPROS-2021-1214_

DRAFT

Legend

-  Project Corridor
-  Aventura
-  Hallandale Beach
-  Miami Gardens
-  North Miami Beach
-  Pembroke Park
-  Unincorporated Miami-Dade
-  West Park



Legend

 Ives Estates Mini Park
(Tot Lot)

IVES ESTATES MINI PARK (TOT LOT)

0 40 80 160 Feet

Section 4(f) Resources



Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

December 14, 2021

***Every Great Community has
a Great Park System.***

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

2013 Governor's Sustained
Excellence Award



Subject: Ives Estates Park, Ives Estates Tennis Center, Ives Estates Mini Park (Tot Lot), and Snake Creek Trail
Statement of Significance
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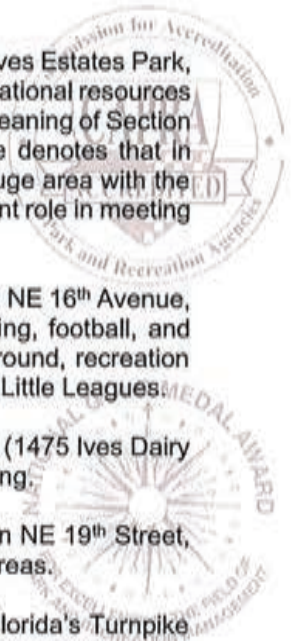
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Sincerely,


 Maria I. Nardi
Director



Milton Littman Park

Contents:

Milton Littman Park Maps

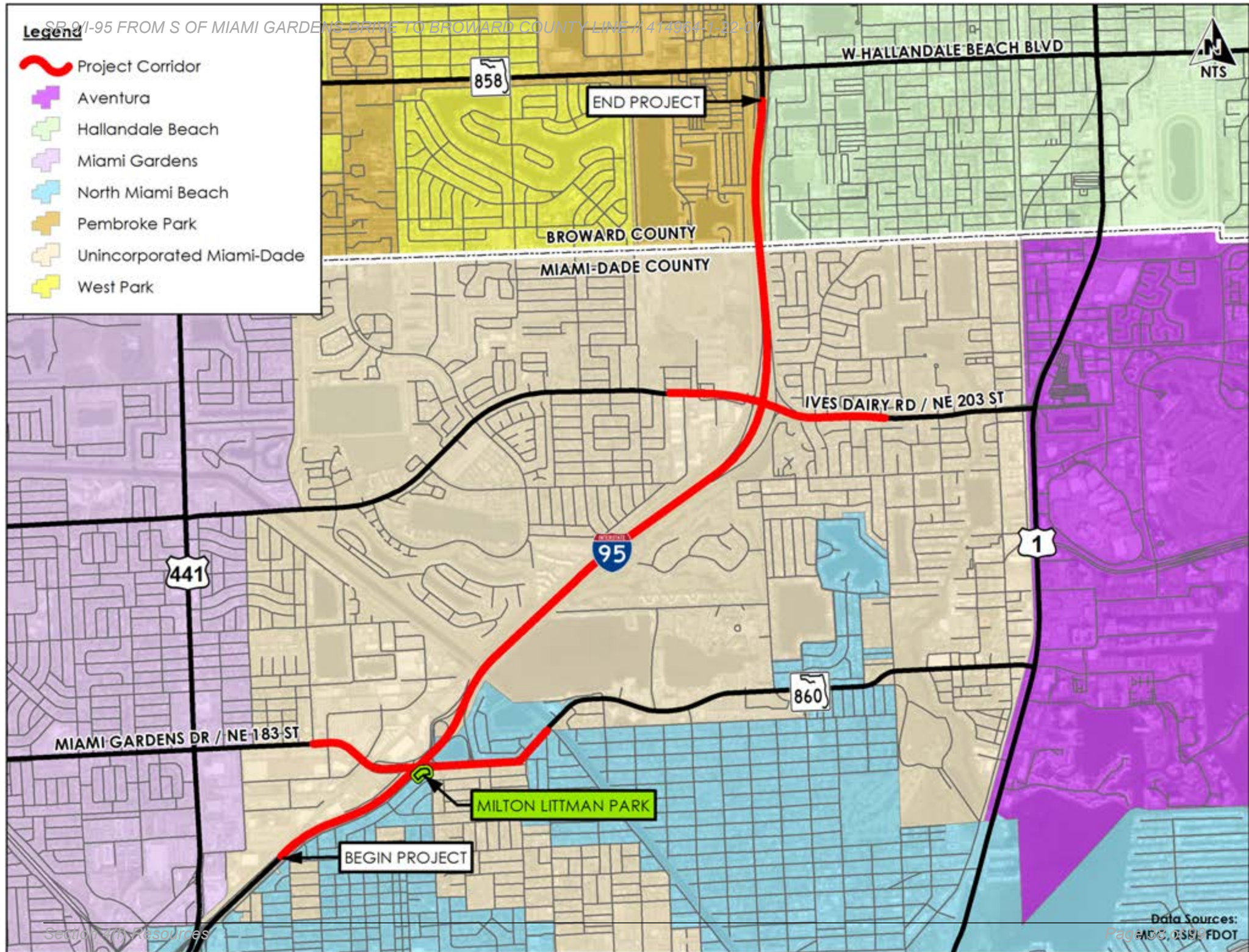
2025 03 24 - Resolution - 1-95 N PDE - Section 4f CNMB Milton Littman Park - Final Signed

41496412201-CE2-D6-I-95_N_PDE_-_Section_4f_-_CNMB_Milton_Littman_Park_-_Request_for_Concurrence_Signed-2025-0324

DRAFT

Legend

- Project Corridor
- Aventura
- Hallandale Beach
- Miami Gardens
- North Miami Beach
- Pembroke Park
- Unincorporated Miami-Dade
- West Park

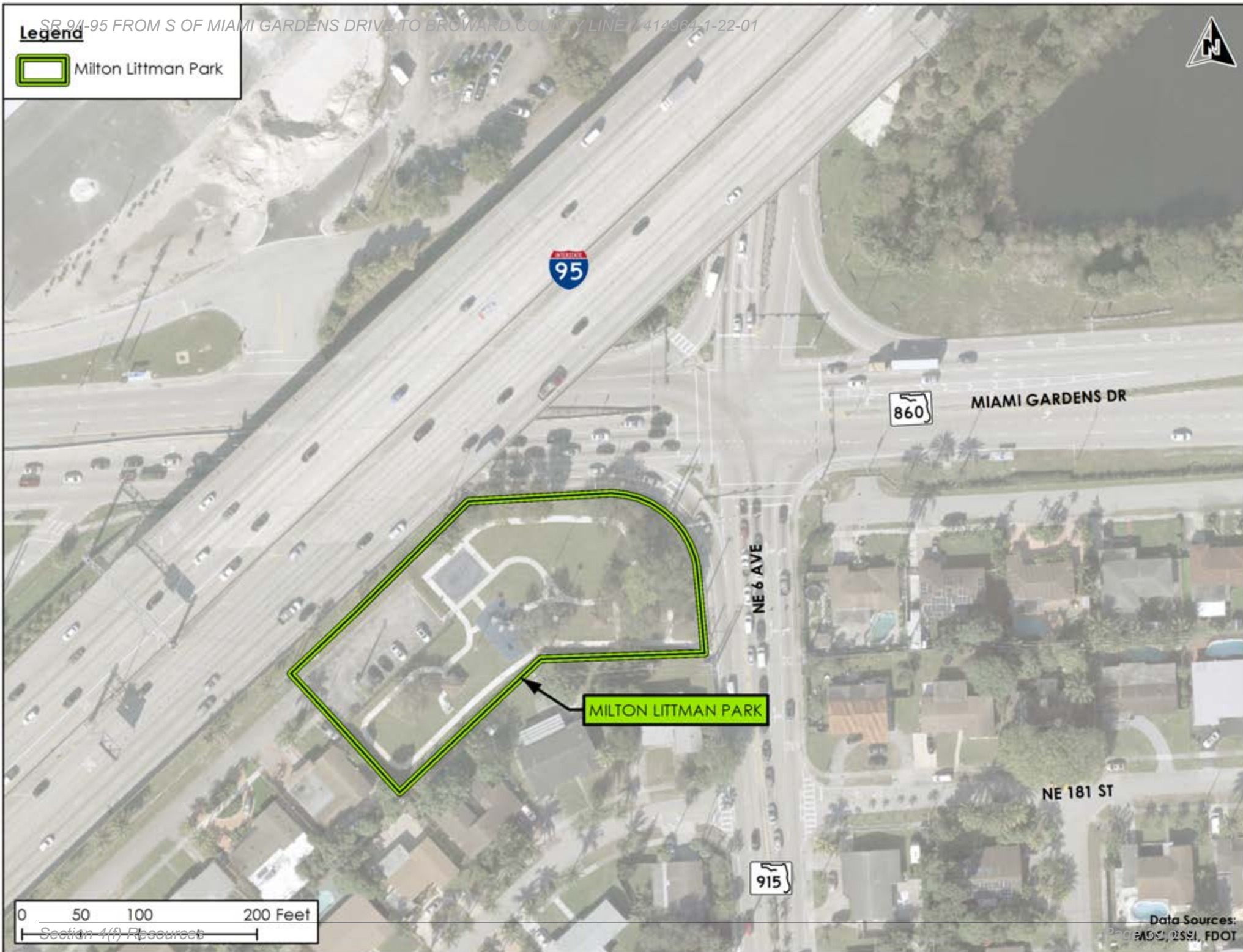


Legend



Milton Littman Park

SR 94-95 FROM S OF MIAMI GARDENS DRIVE TO BROWARD COUNTY LINE / 414964-1-22-01



0 50 100 200 Feet

Section 4(f) Resources

Data Sources:
Page 100, 2551, FDOT

RESOLUTION NO. R2025-37

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, FOR AUTHORIZING THE CITY MANAGER TO SIGN THE MILTON LITTMAN PARK 4(f) *DE MINIMIS* FINDING FOR FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROJECT DEVELOPMENT AND ENVIRONMENTAL (PD&E) STUDY FOR THE I-95 CORRIDOR FROM SOUTH OF SR 860 / MIAMI GARDENS DRIVE TO NORTH OF THE BROWARD COUNTY LINE FINANCIAL PROJECT ID 414964-1-22-01, PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach (CNMB) Parks and Recreation Department has reviewed the proposed impacts to Milton Littman Park resulting from the Project Development and Environment (PD&E) Study conducted by the Florida Department of Transportation (FDOT) for the improvement of the I-95 corridor from South of Miami Gardens Drive to North of the Broward County Line (the "Project") under FDOT Financial Project ID: 414964-1-22-01; and

WHEREAS, the FDOT, as part of the Project, is seeking approval of a Section 4(f) *de minimis* Finding in accordance with the U.S. Department of Transportation regulations [23 CFR § 774.5(b)(2) and 23 CFR § 774.17]; and

WHEREAS, the CNMB Parks and Recreation Department concurs that the proposed impacts, including the necessary mitigation measures, will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f), as detailed in the documentation provided by the FDOT; and

WHEREAS, the FDOT has agreed to enter into an agreement with the CNMB during the Design Phase of the project to appropriately mitigate any loss of parklands, including potential monetary contributions or land acquisition or enhancements to pedestrian and bicycle facilities, consistent with the City's Parks and Recreation Master Plan; and

WHEREAS, the FDOT intends to pursue the Section 4(f) *de minimis* finding, based on the City's concurrence and the mitigation measures outlined in the project documentation; and

WHEREAS, the Mayor and City Commission find that the proposed impacts combined with the necessary mitigation measures are consistent with the CNMB Comprehensive Plan and in the City's best interests

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY

COMMISSION OF THE CNMB, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, incorporated herein, and made a part hereof.

Section 2. Authorization to City Manager. The City Council hereby grants the City Manager, Mario Diaz, the authority to sign and submit the Milton Littman Park Section 4(f) *de minimis* Finding for FDOT Financial Project ID: 414964-1-22-01 on behalf of the CNMB, based on the findings and concurrence described above.

Section 3. Mitigation Agreement. The City Manager is further authorized to negotiate and execute any necessary agreements with the FDOT related to the mitigation of impacts to Milton Littman Park, including provisions for land acquisition or potential monetary contributions or enhancement of park facilities as detailed in the project documents.

Section 4. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall be in force and take effect immediately upon its passage and adoption.

[THE REMAINDER OF THE PAGE WAS INTENTIONALLY LEFT BLANK]

RESOLUTION NO. R2025-37

APPROVED AND ADOPTED by the CNMB City Commission at the regular meeting assembled this 18th day of March, 2025.

ATTEST:

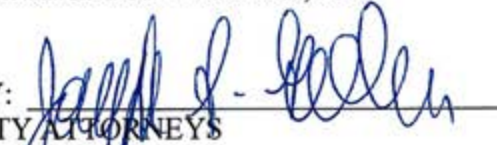

 ANDRISE BERNARD, MMC
 CITY CLERK


 MICHAEL JOSEPH
 MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
 SUFFICIENCY FOR THE USE AND
 RELIANCE OF THE CITY OF NORTH
 MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: 
 CITY ATTORNEYS

Sponsored By: Mayor and City Commission

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph				
Vice-Mayor Lynn Su				
Commissioner Jay Chernoff				
Commissioner Daniel Jean				
Commissioner Fortuna Smukler				
Commissioner McKenzie Fleurimond				
Commissioner Phyllis Smith				

RESOLUTION NO. R2025-37



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. PERDUE, P.E.
SECRETARY

February 24, 2025

Mr. Mario Diaz
City Manager
City of North Miami Beach Community Development Department
17051 NE 19th Avenue
North Miami Beach, FL 33162

Mario.Diaz@citynmb.com

Mr. Ian Fors
Interim Director
City of North Miami Beach Parks and Recreation Department
17051 NE 19th Avenue
North Miami Beach, FL 33162

Ian.Fors@citynmb.com

Subject: CNMB Request for Additional Information
Milton Littman Park Section 4(f) *de minimis* Finding
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9/I-95 Project Development and Environment (PD&E) Study from South of Miami Gardens Drive to North of the Broward County Line in Miami-Dade County, FL

Dear Mr. Diaz and Mr. Fors:

As previously discussed, the Florida Department of Transportation (FDOT), District Six, is currently preparing a Project Development and Environment (PD&E) Study along SR 9/I-95 (I-95) from South of SR 860/Miami Gardens Drive/NE 183rd Street (Miami Gardens Drive) to North of the Broward County Line in Miami-Dade County, Florida. A component of this proposed project will require the acquisition of right-of-way (ROW) from Milton Littman Park, which is partially located within the City's transportation ROW for East Drive, adjacent to the I-95 corridor, just south of Miami Gardens Drive, in the City of North Miami Beach (CNMB) (see **Appendix A, Figure A-1: Existing Milton Littman Park Area**). Milton Littman Park is owned, operated, and maintained by the CNMB Parks and Recreation Department. The park is entirely enclosed by a fence/concrete wall and accessed via entry/exit gates; and includes two pavilions and water fountains, a playground, a double bay swing set, a walking path, an outdoor fitness equipment cluster, and open landscaped green space (see **Appendix A, Figure A-2: Existing Milton Littman Park Conditions and Figure A-6: Existing Milton Littman Park Area - 2024 Aerial View**). Although minimization efforts have been applied to the greatest extent practicable, due to the need to enhance safety, the FDOT's project will implement improvements along the western and northern edges of Milton Littman Park which will cause unavoidable effects.

Mario Diaz and Ian Fors**February 24, 2025****Page 2**

Since the CNMB is the Official With Jurisdiction (OWJ) over the park, the FDOT submitted an initial request to the CNMB on September 27, 2023 (see **Appendix B**). The initial request was for the CNMB to review and upon approval, to concur that the proposed impacts to Milton Littman Park as a result of the I-95 PD&E Study, including all measures to mitigate and minimize harm as described therein, will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f) [23 CFR § 774.5(b)(2) and 23 CFR § 774.17]; and also that the CNMB understands that the FDOT may pursue a Section 4(f) de minimis finding, based upon this concurrence. On October 6, 2023, the PD&E Team received a call from Mr. Edward Ng, Interim Director, CNMB Community Development Department, stating that the CNMB has reviewed the information provided by the FDOT and will be requesting additional information from the FDOT prior to making a final decision. A letter was received from the CNMB via email on October 27, 2023, which included five additional points from the CNMB which needed to be discussed and addressed (see **Appendix C**). A follow up meeting was also held with the CNMB on December 21, 2023, to discuss the CNMB points and how each will be addressed by the FDOT (see **Appendix D** for meeting notes). A second clarification meeting was held with the CNMB on January 30, 2025, to further discuss proposed impacts to Milton Littman Park and mitigation options (see **Appendix E** for meeting notes).

Per the results of the coordination with the CNMB, along with further engineering analysis performed as part of the PD&E Study process, the FDOT respectfully submits the following additional information, which supplements the FDOT's September 27, 2023 initial request to the CNMB, for your review and concurrence. The additional information provided follows each CNMB point excerpted (noted in ***bold italics*** below) from your letter dated October 26, 2023. Please note that the specific areas identified for ROW acquisition in the September 27, 2023 document from the FDOT have slightly changed per conceptual design refinements (see **Appendix A, Figures A-3 through A-5** for existing ROW information and proposed encroachment; and see **Appendix F, Figure F-1** for ROW area calculations).

Required ROW within Milton Littman Park along Miami Gardens Drive is 2,286 square feet; and along I-95 is 2,117 square feet. Required ROW along East Drive outside the limits of Milton Littman Park is 12,116 square feet. Please see **Appendix G, Figure G-1: Potential ROW Impacts** for additional details. Also, as previously discussed in the September 27, 2023 correspondence with the CNMB (see **Appendix B**), "Area 4" as depicted on **Figure G-1 in Appendix G** is owned by the FDOT and will be needed to accommodate the proposed improvements to Miami Gardens Drive.

CNMB Point #1

Any reduction in parklands will result in lowered development capacity within the CNMB and a negative impact on its Parks Level of Service. The CNMB requests the FDOT to enter into an agreement with the CNMB by which any parklands lost shall be appropriately replaced, including consideration of proportional monetary contribution by the FDOT for land acquisition as part of a larger park facility serving the CNMB.

As previously discussed with the CNMB, the FDOT understands that the CNMB has a land dedication for East Drive which begins at the northern terminus of the pavement (just south of Milton Littman Park parking area, directly adjacent to I-95); continues to just south of Miami Gardens Drive; turns east; and ends at NE 6th Avenue (see **Appendix A, Figure A-3**). Per recent discussions with the CNMB in September 2024, the City is assessing the potential to replat the

Mario Diaz and Ian Fors**February 24, 2025****Page 3**

dedicated transportation easement to park/recreational land use for development growth purposes. The FDOT ROW Administration Office appreciates the City's cooperation and respectfully requests any future replating efforts by the CNMB specifically exclude the proposed areas of acquisition needed for this project.

The FDOT will enter into an agreement with the CNMB during the Design Phase (the subsequent project phase following completion of the PD&E Study) of the project by which parklands (CNMB ROW with recreational amenities within the existing fence along with the associated paved parking area) lost shall be appropriately mitigated. The agreement will include consideration of enhancing existing pedestrian/bicycle connections or consideration of a potential shared use path within the City transportation right-of-way of East Drive (from the intersection of NE 1st Avenue and NE 175th Street to Milton Littman Park, within the limits of the PD&E Study) consistent with the City of North Miami Beach adopted Parks and Recreation Master Plan dated 6/21/2016 (see **Appendix H**); or consideration of replacement with lands of equal or better value; or consideration of proportional monetary contribution by the FDOT for land acquisition as part of a larger park facility serving the CNMB. The mitigation type and/or amount will be negotiated with the CNMB by the FDOT ROW Administration Office during the Design Phase of the project.

The FDOT will include the following commitment (in italics below) in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Project Commitment: *During the Design Phase of the project, the FDOT will enter into an agreement with the City of North Miami Beach by which parklands (City right-of-way with recreational amenities within the existing fence along with the associated paved parking area) lost shall be appropriately mitigated, including consideration of enhancing existing pedestrian/bicycle connections or consideration of a potential shared use path within the City transportation right-of-way of East Drive consistent with the City of North Miami Beach adopted Parks and Recreation Master Plan dated 6/21/2016; or consideration of replacement with lands of equal or better value; or consideration of proportional monetary contribution by the FDOT for land acquisition as part of a larger park facility serving the City.*

CNMB Point #2

The CNMB has questions about the proposed design impacts on the park's access for pedestrians and bicyclists without adequate mitigation/information. The CNMB requests the FDOT provide additional information regarding traffic control, effect on pedestrians and bicycles, width and location of crossings, connectivity, etc.

Under existing conditions, within the interchange area of Miami Gardens Drive with I-95, there are intermittent sections of sidewalk, which are located along only the southern side of Miami Gardens Drive (see **Appendix I, Figure I-1**). The project is proposing to construct/reconstruct continuous sidewalks, six feet wide (eight feet wide at bus stops for pedestrian landings), both eastbound and westbound along Miami Gardens Drive between NE 2nd Court and NE 10th Avenue, which will improve and enhance connectivity to and from Milton Littman Park (see **Appendix I, Figures I-2 and I-3** for the proposed layout of the new/reconstructed sidewalks).

Under existing conditions, there are currently no facilities for bicycles along Miami Gardens Drive within the project study area. The project is proposing to construct new bicycle lanes, with a

Mario Diaz and Ian Fors**February 24, 2025****Page 4**

variable width of five to seven feet, both eastbound and westbound along Miami Gardens Drive between NE 2nd Court and NE 9th Court, which will improve and enhance connectivity to and from Milton Littman Park (see **Appendix I, Figures I-4 and I-5** for the proposed layout of the new bicycle lanes). In the area of the interchange of Miami Gardens Drive with I-95, the westbound bicycle lane will use bicycle ramps and connect to a shared use path to cross the on- and off-ramps with pedestrian flow (per Florida Design Manual (FDM) Section 211.18.1).

Under existing conditions, there is an existing crossing of Miami Gardens Drive at the existing four-way signalized intersection at NE 6th Avenue (at the existing I-95 off-ramp). To improve safety, the location where pedestrians and bicyclists will be able to cross Miami Gardens Drive is proposed to be moved approximately 900 feet (0.17 miles) east of the existing crossing to the location where the proposed signalized T-intersection for the proposed I-95 on- and off-ramps will be located. The new crossing will be designed with a width of ten feet. With the new configuration of the interchange, pedestrians and bicycles will be able to cross Miami Gardens Drive in two, short parts, only crossing one direction of travel at a time, improving and enhancing safety (see **Appendix I, Figures I-2 and I-4** for the proposed crossing location/configuration). Note that NE 6th Avenue is proposed to become a signalized T-intersection that will include a westbound turbo lane along Miami Gardens Drive coming from the I-95 off-ramp, making it an impractical location for a crossing of Miami Gardens Drive under proposed conditions.

CNMB Point #3

The CNMB has questions about the effect of the movement of the landscaped wall along the western edge of the park [the existing I-95 mechanically-stabilized earth (MSE) retaining wall], as well as change of perviousness on the north side of the park property. The CNMB requests the FDOT to provide additional information regarding whether adequate drainage will be in place to ensure that future stormwater effects will not adversely affect the usage of the remaining park area.

It is the intent of the proposed FDOT drainage design to be able to handle 100% of the stormwater runoff within the ROW of the FDOT in such a way so as to ensure that any and all adjacent properties will not be adversely affected. This will be verified during design by ensuring that all pre-development discharges and flood levels will not be exceeded by the proposed drainage design.

During the PD&E Study phase, conceptual drainage design for the proposed project is documented in a Preliminary Drainage Report, a Location Hydraulics Report, and a Bridge Hydraulics Report. The conceptual analysis included I-95, arterials within the study area (Miami Gardens Drive and Ives Dairy Road), and adjacent properties as needed, including Milton Littman Park. The FDOT will conduct a more detailed drainage design during the Design Phase of the project which will ensure that future stormwater effects will not adversely affect the usage of the remaining park area. The project will also require an Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD). As part of the ERP process, the stormwater management elements of the project area reviewed by the SFWMD to ensure stormwater retention and water quality criteria are met and that the project does not adversely affect the existing stormwater conditions within the drainage basin, which typically includes adjacent and nearby properties (i.e., Milton Littman Park).

Mario Diaz and Ian Fors

February 24, 2025

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CNMB Point #4

The CNMB has questions relating to the design of the wall along the western edge of the park. The CNMB requests the FDOT to design the wall in consultation with the CNMB to ensure proper aesthetics from the park; and that this be memorialized as part of the process.

As noted in the original letter dated September 27, 2023, (see **Appendix B**) the existing I-95 wall along the western edge of the park will be replaced with a proposed new wall. See **Appendix G, Figure G-1: Potential ROW Impacts** for details of the estimated area needed.

During the Design Phase of the project, the FDOT will consider aesthetic treatment(s) along this section of the proposed I-95 structural wall, based on CNMB and local resident input. The FDOT will design the wall in consultation with the CNMB to ensure aesthetics are considered, as viewed from the park. The existing landscaping on the I-95 side of East Drive (the west side of East Drive) will likely be impacted by the proposed project and either relocated or removed. As discussed with the CNMB, aesthetic considerations may include options for new landscaping on the resident side of East Drive (the east side of East Drive). Any new landscaping trees will be considered a part of the mitigation for any project-related FDOT tree removal (as noted in Point #5, below). The aesthetics and coordination will be memorialized through the inclusion of a project commitment in the PD&E Study, which will be carried through both the subsequent design and construction phases of the project.

The FDOT will include the following commitment (in italics below) in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Project Commitment: *During the Design Phase of the project, the FDOT will coordinate with the City of North Miami Beach on considerations for aesthetic treatment(s) of the proposed I-95 structural retaining wall along East Drive specifically protected by Section 4(f) within Milton Littman Park, along the right-of-way of East Drive.*

CNMB Point #5

The CNMB has questions relating to tree removal from within CNMB property. The CNMB requests that as part of any mitigation, consistent with the CNMB's approach to developing its tree canopy citywide, the FDOT will replace any trees removed through coordination with the CNMB to ensure no net loss in tree canopy coverage.

During the Design Phase of the project, the FDOT will work with the CNMB to identify trees that need to be relocated or replaced from lands owned by the CNMB, specifically along the City's East Drive ROW and within Milton Littman Park. The tree replacement activities for these specific trees will be coordinated with the CNMB in consideration with the City's approach to developing its tree canopy citywide.

The FDOT will include the following commitment (in italics below) in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Mario Diaz and Ian Fors

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Project Commitment: *During the Design Phase of the project, the FDOT will coordinate with the City of North Miami Beach to address any trees removed from lands owned by the City as part of this project, specifically protected by Section 4(f) within Milton Littman Park, along the right-of-way of East Drive.*

Additional Considerations/Mitigations - Milton Littman Park

- A. As noted in our initial request to the CNMB on September 27, 2023 (see **Appendix B**) and discussed at the meeting on December 21, 2023 (see **Appendix D**), temporary construction fencing or similar should be employed by the contractor during the Construction Phase of the project along the western and northern edges of Milton Littman Park at the new ROW limits of the FDOT. A Temporary Construction Easement (TCE) or similar document, if needed, will be coordinated with the CNMB during the Design Phase of the project. The TCE will be minimized to the greatest extent practicable as needed for safe construction practices and is not anticipated to adversely affect park amenities including fitness areas, play areas, pavilions, and paved parking. Access to these park amenities is expected to be maintained at all times during construction.

The FDOT will include the following commitment in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Project Commitment: *During the Design Phase of the project, the FDOT will coordinate with the City of North Miami Beach on the need for a Temporary Construction Easement (TCE) within the limits of Milton Littman Park. The TCE will be minimized to the greatest extent practicable and will be cordoned off by temporary construction fencing, or similar, as needed for safe construction practices. The TCE is not anticipated to adversely affect park amenities including fitness areas, play areas, pavilions, and paved parking. During construction, access to these park amenities is expected to be maintained at all times, to the extent practical for safety. Post-construction, FDOT will fully restore any temporary impacts to the park within the limits of the TCE so that the property will be restored to the condition which existed prior to the project.*

- B. As noted in our initial request to the CNMB on September 27, 2023 (see **Appendix B**), and discussed at the meeting on December 21, 2023 (see **Appendix D**), park fencing, paved pathway, landscaping, and associated conflicting irrigation components along the northern and western edges of Milton Littman Park will be relocated/replaced within the remaining limits of the park by the FDOT to accommodate the improvements along I-95 and Miami Gardens Drive. The new section of park fence, section of the relocated paved path, and associated landscaping and irrigation are anticipated to be installed prior to removal of the existing park fence for safety. The CNMB will be provided opportunities for input on these park elements and will be requested to review and approve all proposed mitigation actions within the park during the Design Phase of the project.

The FDOT will include the following commitment in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Project Commitment: *During the Design Phase of the project, the FDOT will coordinate with the City of North Miami Beach on the proposed locations of the park fence, paved path, and landscaping/irrigation within the limits of Milton Littman Park. During*

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construction, these elements will be installed prior to removal of the existing park fence, to the extent practical for safety.

- C. As noted in our initial request to the CNMB on September 27, 2023 (see **Appendix B**) and discussed at the meeting on December 21, 2023 (see **Appendix D**), existing access to the park will be maintained during the Construction Phase of the project.

The FDOT will include the following commitment in the PD&E Study, which will be carried forward into the Design Phase of the project, to be refined and/or addressed at that time:

Project Commitment: *During construction, access to Milton Littman Park will be maintained at all times, to the extent practical for safety.*

Section 4(f) of the *Department of Transportation Act of 1966*, now codified at 23 U.S.C. § 138 and 49 U.S.C. § 303 governs the use of land from publicly owned parks, recreation areas, and wildlife and waterfowl refuges for federal highway projects. A publicly owned park, recreational area, or wildlife or waterfowl refuge must be a significant resource for Section 4(f) to apply. Per your letter to the FDOT dated January 5, 2022 (see **Appendix J**), Milton Littman Park is a significant resource.

The FDOT has determined that this project, together with the measures to mitigate and minimize harm to the park, is not anticipated to adversely affect the activities, features, or attributes qualifying the park for protection under Section 4(f). The proposed project design and mitigation actions for City ROW with recreational elements will be presented to the public as part of the Public Hearing for the PD&E Study, which is currently being scheduled for early 2025. This will offer the public an opportunity to comment on the proposed impacts and mitigation actions for Milton Littman Park. A letter to request final concurrence for a Section 4(f) *de minimis* finding for this project per 23 CFR § 774 will be prepared and submitted to the CNMB following completion of the Public Hearing and receipt of public comments.

A Section 4(f) *de minimis* use to a Section 4(f) property is one that, after taking into account any measures to minimize harm (such as avoidance, minimization, mitigation, or enhancement measures), results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park for protection under Section 4(f). FDOT has reviewed the proposed activities and determined that the project meets the conditions set forth at 23 CFR § 774.3(b) and 23 CFR § 774.17 and therefore qualifies for a Section 4(f) *de minimis*.

The FDOT respectfully requests concurrence from the CNMB, as the OWJ, of the details of this letter and previous correspondence submitted to the CNMB including, but not limited to, the initial request to the CNMB on September 27, 2023 (see **Appendix B**). Based on this concurrence, the FDOT's intent is to pursue a Section 4(f) *de minimis* finding for this project per 23 CFR § 774.

Please sign below signifying concurrence with the resulting acquisition and proposed mitigations and commitments resulting from the proposed FDOT improvements along I-95 and Miami Gardens Drive. Upon completion, please return a signed copy of this letter to the FDOT District Six Planning and Environmental Management Office (PLEMO) to my attention.

Mario Diaz and Ian Fors

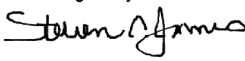
February 24, 2025

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Thank you for your continued support and coordination efforts and we look forward to working with the CNMB during the Design and Construction Phases of the project. Please do not hesitate to call or email me at 305-470-5221 or Steven.James@dot.state.fl.us.

Sincerely,

DocuSigned by:



44A2F58851B5476...


Steven Craig James, RLA 1451

District Environmental Manager

Planning and Environmental Management Office

CONCURRENCE:

The City of North Miami Beach Parks and Recreation Department concurs that the impacts to Milton Littman Park as a result of the I-95 PD&E Study from South of Miami Gardens Drive to North of the Broward County Line as described in this document, including all measures to mitigate and minimize harm as described herein, will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f) [23 CFR § 774.5(b)(2) and 23 CFR § 774.17], and understands that the FDOT intends to pursue a Section 4(f) *de minimis* finding, based upon this concurrence.



Mario Diaz, City Manager

City of North Miami Beach Parks and Recreation Department

3/24/2025

Date

Appendices

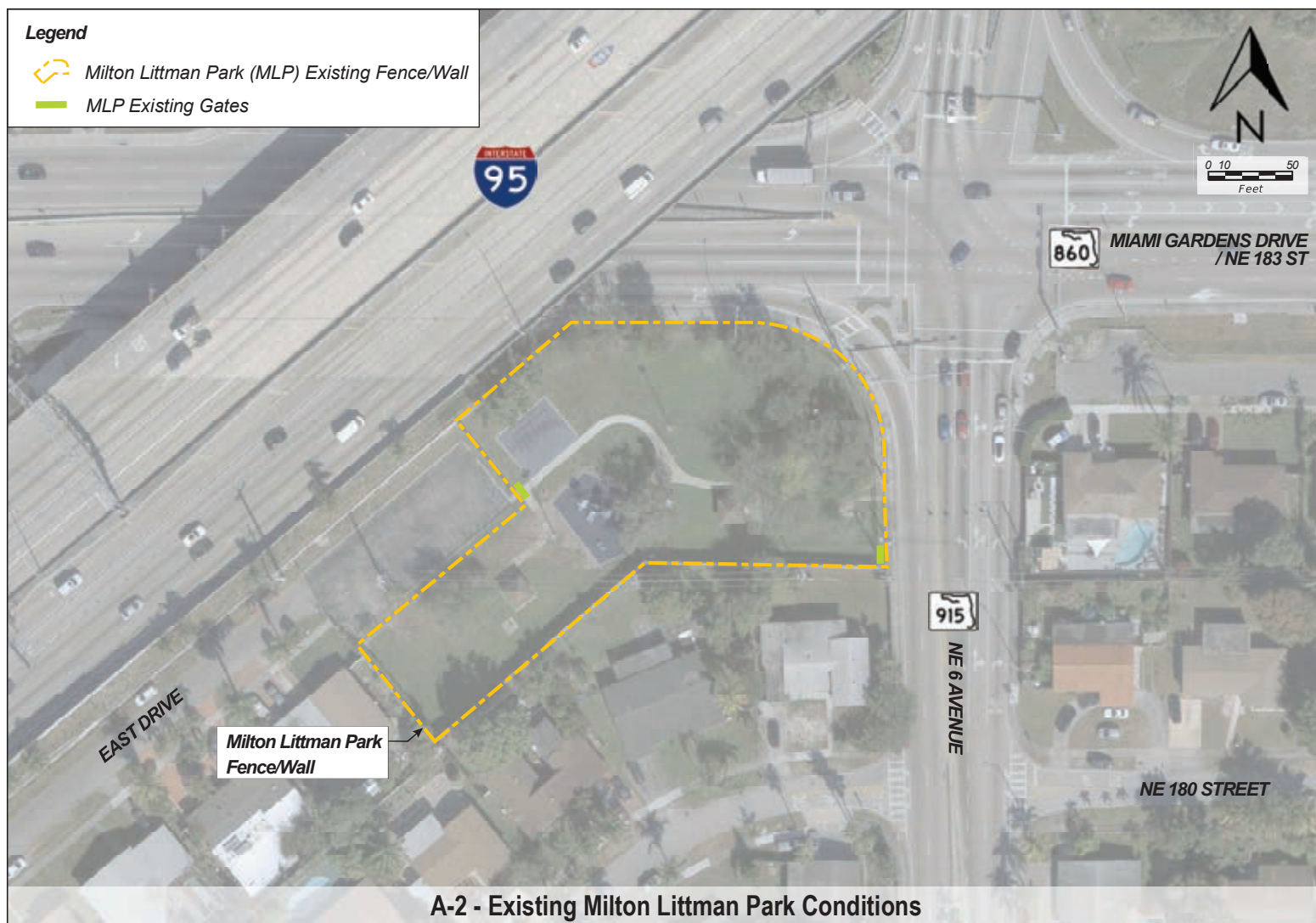
cc: Auraliz Benitez, P.E., FDOT
Victoria Vogt, FDOT
Andrew Plotkin, CNMB
Zafar Ahmed, CNMB
Mitchell Austin, CNMB
Jenn L. King, P.E., AECOM
Keith Stannard, AECOM



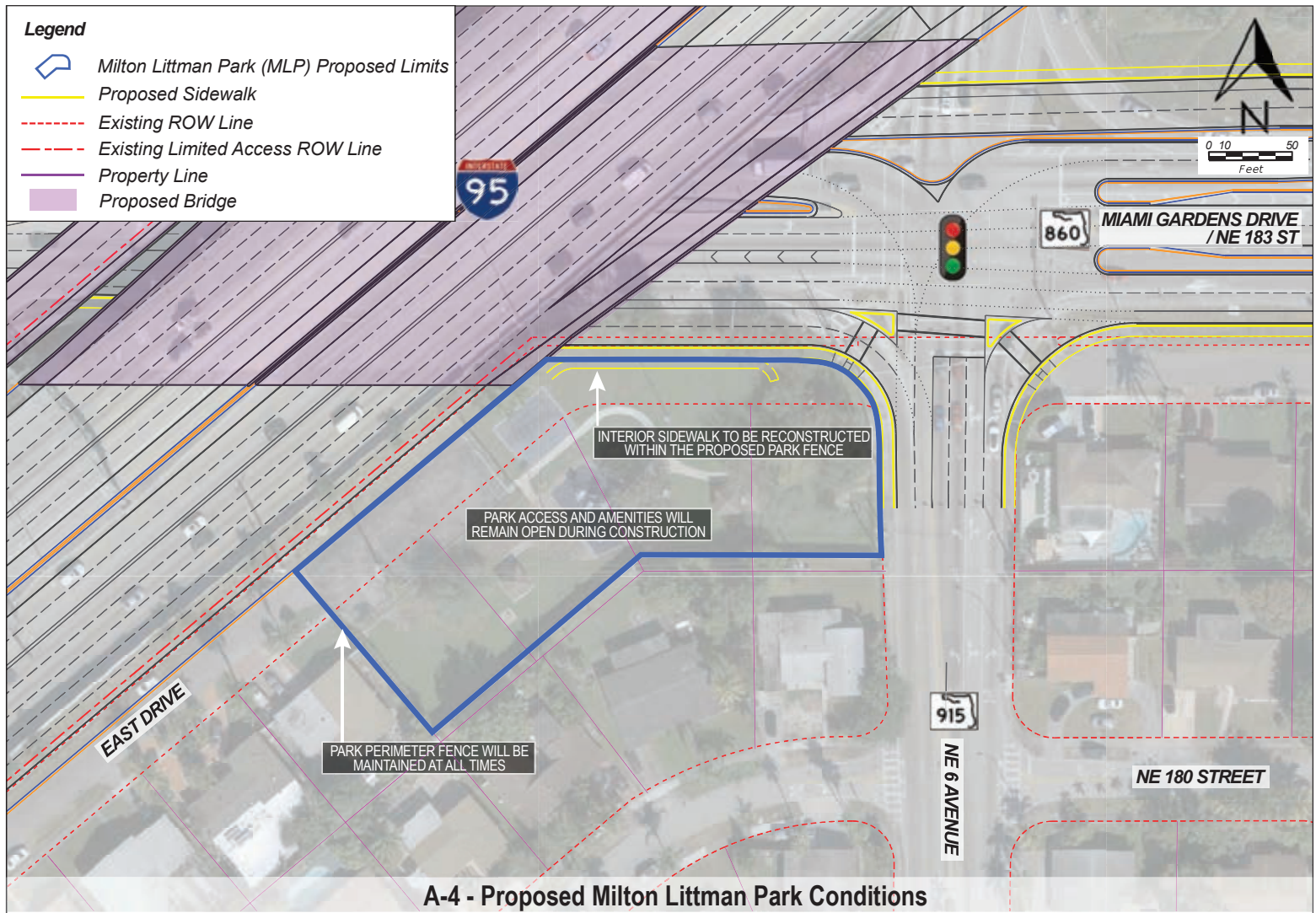
APPENDIX A.

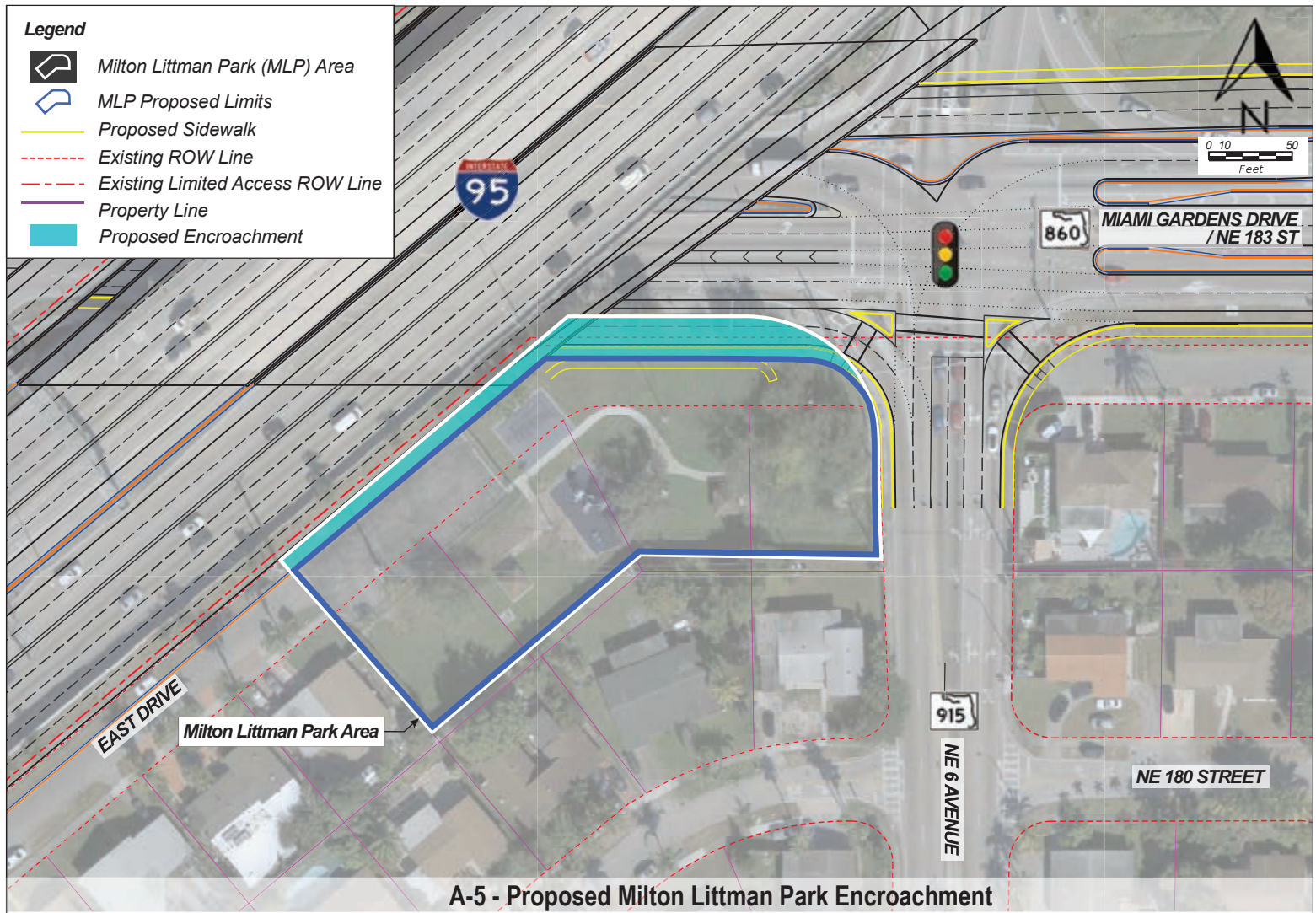
(6 EXHIBITS)















APPENDIX B.
(5 ATTACHMENTS)



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 N.W. 111 Avenue
Miami, Florida 33172

JARED W. PERDUE, P.E.
SECRETARY

September 27, 2023

Mr. Andrew Plotkin, CPRP
Director
City of North Miami Beach Parks and Recreation Department
17051 NE 19th Avenue
North Miami Beach, FL 33162

Subject: Milton Littman Park Section 4(f) *de minimis* Finding
Letter of Concurrence or No Objection
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9/I-95 Project Development and
Environment (PD&E) Study from South of Miami Gardens Drive to North of
the Broward County Line in Miami-Dade County, FL

Dear Mr. Plotkin:

The Florida Department of Transportation (FDOT), District Six, is currently preparing a Project Development and Environment (PD&E) Study along SR 9/I-95 (I-95) from south of SR 860/Miami Gardens Drive/NE 183rd Street (Miami Gardens Drive) to north of the Broward County Line in Miami-Dade County, Florida. A component of this proposed project will require the acquisition of right-of-way (ROW) from Milton Littman Park, which is located adjacent to the I-95 corridor just south of Miami Gardens Drive in the City of North Miami Beach (CNMB) (**Attachment A**). Milton Littman Park is owned, operated, and maintained by the CNMB Parks and Recreation Department. The approximate 1.1-acre park (size based on aerial footprint) includes two pavilions and water fountains, a playground, a double bay swing set, a walking path, an outdoor fitness equipment cluster and an open landscaped green space. As the CNMB is the Official With Jurisdiction (OWJ) over the park, please review this letter as a summary of the results of our coordination efforts with the CNMB for this PD&E Study.

The PD&E Study is being conducted to assess I-95 corridor improvements from south of Miami Gardens Drive to just north of the Broward County Line that will add highway and interchange capacity, improve local roadway intersections, provide relief from traffic congestion, and enhance traffic safety. I-95, within the Study limits, has one to two express lanes in each direction and the general-purpose lanes vary in each direction between three to four lanes. Outside shoulders are 12 feet wide with 10 feet paved. Inside

shoulders widths along the Express Lanes vary from seven and a half feet to 12 feet wide. The proposed typical (cross) section of I-95 will be wider to accommodate additional traffic lanes and shoulder widths. Improvements also include widening Miami Gardens Drive for improved I-95 access, multi-modal considerations (pedestrians, bicycles, and transit), and additional capacity turn lanes from eastbound and westbound Miami Gardens Drive onto SR 915/NE 6th Avenue (NE 6th Avenue). Although minimization of impact efforts have been considered to the greatest extent practicable, due to the need to enhance safety, these actions will require unavoidable improvements along the western and northern edges of Milton Littman Park.

From our recent coordination with the CNMB, the FDOT understands that the CNMB has a land dedication for East Drive which begins at the northern terminus of the pavement (just south of Milton Littman Park parking area, directly adjacent to I-95); continues to just south of Miami Gardens Drive; turns east; and ends at NE 6th Avenue (**Attachment B**). Per the CNMB, there are no future City plans to extend East Drive along this roadway dedication and the area will continue to function as a component of Milton Littman Park.

Approximately 0.08 acres (3,665.81 square feet) of ROW from the current East Drive dedication owned by the CNMB, which currently contains the parking area and some open green space for Milton Littman Park, will need to be acquired by the FDOT to accommodate the necessary improvements (widening) to the I-95 mainline corridor (**Attachment C - yellow polygon designated "2"**). This area to be acquired varies in width up to approximately 16 feet from FDOT's current ROW limit for I-95 (southeastern edge) into the park. No permanent impacts to the park amenities, including the parking area, are anticipated to occur at this location. Any landscaping (trees/shrubs) and any conflicting components of the park irrigation system will be relocated/replaced within the park, based on CNMB input as mitigation which will be a FDOT commitment in the PD&E Study.

Additionally, the FDOT recently advised the CNMB that the northernmost edge of the park including the fence and a portion of the recently constructed paved meandering path and associated landscaping are located within the FDOT's current ROW for Miami Gardens Drive. This area varies in width up to approximately nine feet from the park fence towards the park interior and is approximately 0.03 acres (1,337.34 square feet) in size (**Attachment B**). This FDOT roadway ROW area will be reclaimed by the FDOT for transportation use as part of the required improvements to Miami Gardens Drive.

An additional approximate 0.07 acres (3,003.25 square feet) within CNMB park limits just south of the reclaimed FDOT ROW area, which varies in width up to approximately 13 feet will also need to be acquired by the FDOT to accommodate the necessary improvements to Miami Gardens Drive (**Attachment C – green polygon designated "1"**). The fence, paved path and associated landscaping will be relocated/replaced within the remaining limits of the park, based on CNMB input as mitigation, which will be a FDOT commitment in the PD&E Study. Other than the fence, relocation of a small section of the paved path, and edge landscaping, no park amenities, fitness areas, play areas, pavilions, paved parking etc. will be affected. The park perimeter fence and existing

access to the park both from NE 6th Avenue (pedestrian access) and from East Drive (vehicle and pedestrian access) will be maintained at all times during construction. An aerial depiction of the adjusted park limits with the roadway improvements is attached (**Attachment D**).

The I-95 PD&E Study improvements and associated impacts to the park were presented and discussed with the CNMB on May 23, 2023 with City staff (Parks and Recreation, Public Works and Community Development Departments) and previously via email and telephone communications. The discussions included details of additional acquisition required along East Drive (to the south of, and outside the limits of, Milton Littman Park) to include the narrow width of green space between the current I-95 structural wall and the edge of pavement for East Drive (**Attachment B; and Attachment C – red polygon designated “3”**). This required area is approximately 0.36 acres (15,822.34 square feet) varies in width and tapers back to the I-95 structural wall along East Drive approximately 400 feet south of NE 178th Street. During the final design phase of the project, the FDOT will consider aesthetic treatment(s) along this section of the new I-95 structural wall with City and resident input. No impacts to the paved area of East Drive will occur and access to the park along East Drive will not be affected. This action is discussed herein since it is the only vehicular access road to Milton Littman Park.

Section 4(f) of the *Department of Transportation Act of 1966*, now codified at 23 U.S.C. § 138 and 49 U.S.C. § 303 governs the use of land from publicly owned parks, recreation areas, and wildlife and waterfowl refuges for federal highway projects. A publicly owned park, recreational area or wildlife or waterfowl refuge must be a significant resource for Section 4(f) to apply. Per your letter to the FDOT dated January 5, 2022 (**Attachment E**), Milton Littman Park is a significant resource.

Temporary construction fencing or similar may be employed by the contractor during construction along the western and northern edges of the park at the adjusted limits of the FDOT ROW. The new section of park fence, section of the relocated paved path and associated landscaping along Miami Gardens Drive will be installed prior to removal of the existing park fence for safety. During the design phase of the project, the CNMB will be provided opportunities for input on these park elements and will be requested to review and approve all proposed mitigation actions within the park as part of the project design prior to construction.

The FDOT has determined that this project, together with the measures to mitigate and minimize harm to the park, is not anticipated to adversely affect the activities, features or attributes qualifying the Park for protection under Section 4(f). The proposed project design and resulting impacts and mitigation actions for Milton Littman Park will be presented to the public as part of the Public Hearing for the PD&E Study, which is currently being scheduled for the 1st or 2nd quarter of 2024. This will offer the public an opportunity to comment on the proposed action.

A *de minimis* impact to a Section 4(f) property is one that, after taking into account any measures to minimize harm (such as avoidance, minimization, mitigation or enhancement

measures), results in a determination that the project would not adversely affect the activities, features, or attributes qualifying a park for protection under Section 4(f). FDOT has reviewed the proposed activities and determined that the project meets the conditions set forth at 23 CFR § 774.3(b) and 23 CFR § 774.17 and, therefore qualifies for a Section 4(f) *de minimis*.

The FDOT respectfully requests concurrence of the details of this letter from the CNMB, as the OWJ. Based on this concurrence, the FDOT will pursue a Section 4(f) *de minimis* finding for this project per 23 CFR § 774.

Please sign below signifying concurrence or no objection with the resulting acquisition and proposed mitigations resulting from the proposed FDOT improvements along I-95 and Miami Gardens Drive. Upon completion, please return a signed copy of this letter to the FDOT District Six Planning and Environmental Management Office (PLEMO) to my attention.

Thank you for your continued support and coordination efforts and we look forward to working with the CNMB during the design and construction phases of the project. Please do not hesitate to call or email me at 305-470-5221 or Steven.James@dot.state.fl.us.

Sincerely,

DocuSigned by:

44A2F58851B5476...

Steven Craig James, RLA 1451
District Environmental Manager
Planning and Environmental Management Office

CONCURRENCE:

The City of North Miami Beach Parks and Recreation Department concurs that the impacts to Milton Littman Park as a result of the I-95 PD&E Study from south of Miami Gardens Drive to north of the Broward County Line as described in this document, including all measures to mitigate and minimize harm as described herein, will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f) [23 CFR § 774.5(b)(2) and 23 CFR § 774.17], and understands that the FDOT may pursue a Section 4(f) *de minimis* finding, based upon this concurrence.

Andrew Plotkin, CPRP, Director
City of North Miami Beach Parks and Recreation Department

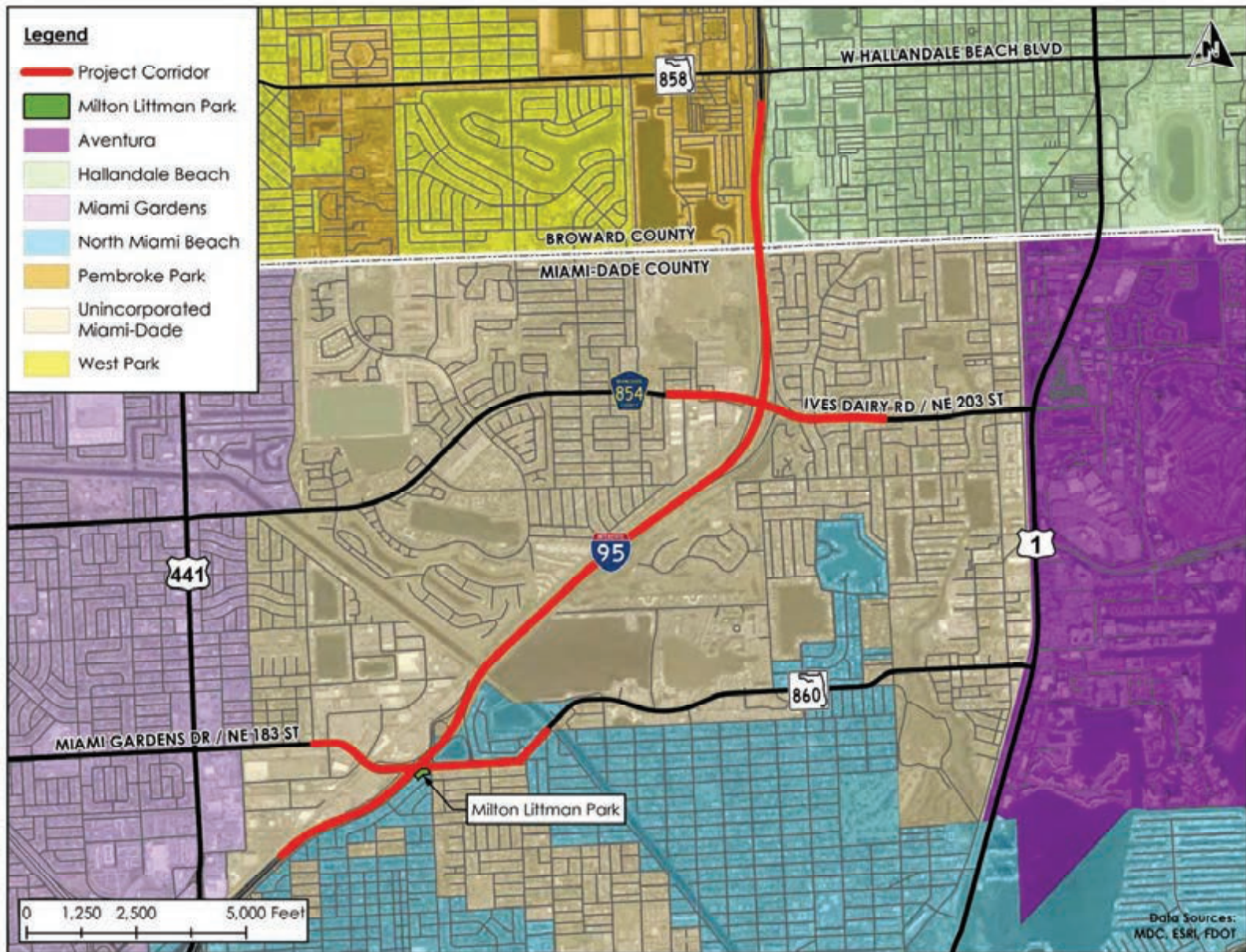
Date

Attachments

cc: Auraliz Benitez, P.E., FDOT
Jenn King, P.E., AECOM
Keith Stannard, AECOM



APPENDIX B.
ATTACHMENT A





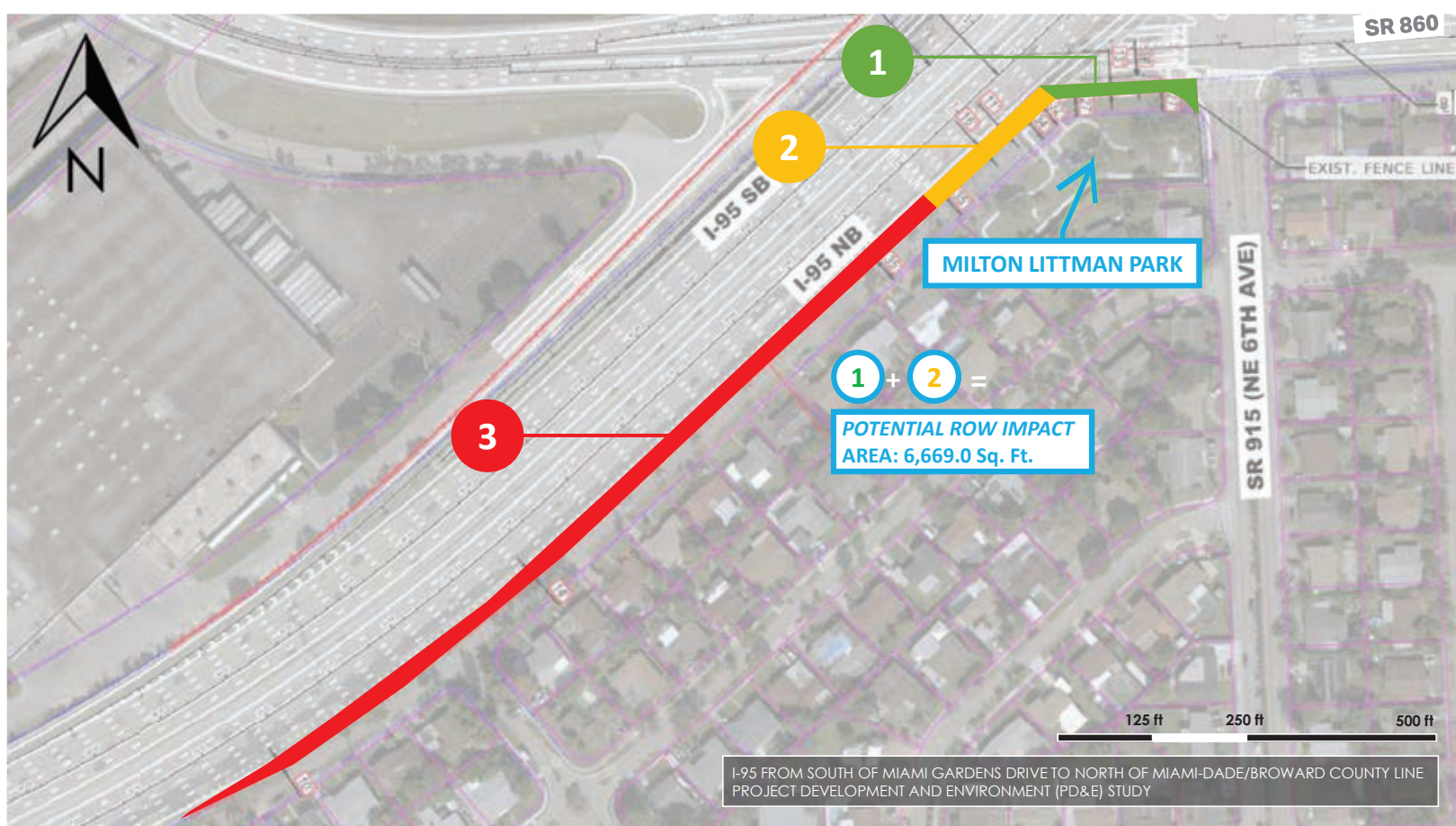


APPENDIX B.
ATTACHMENT B



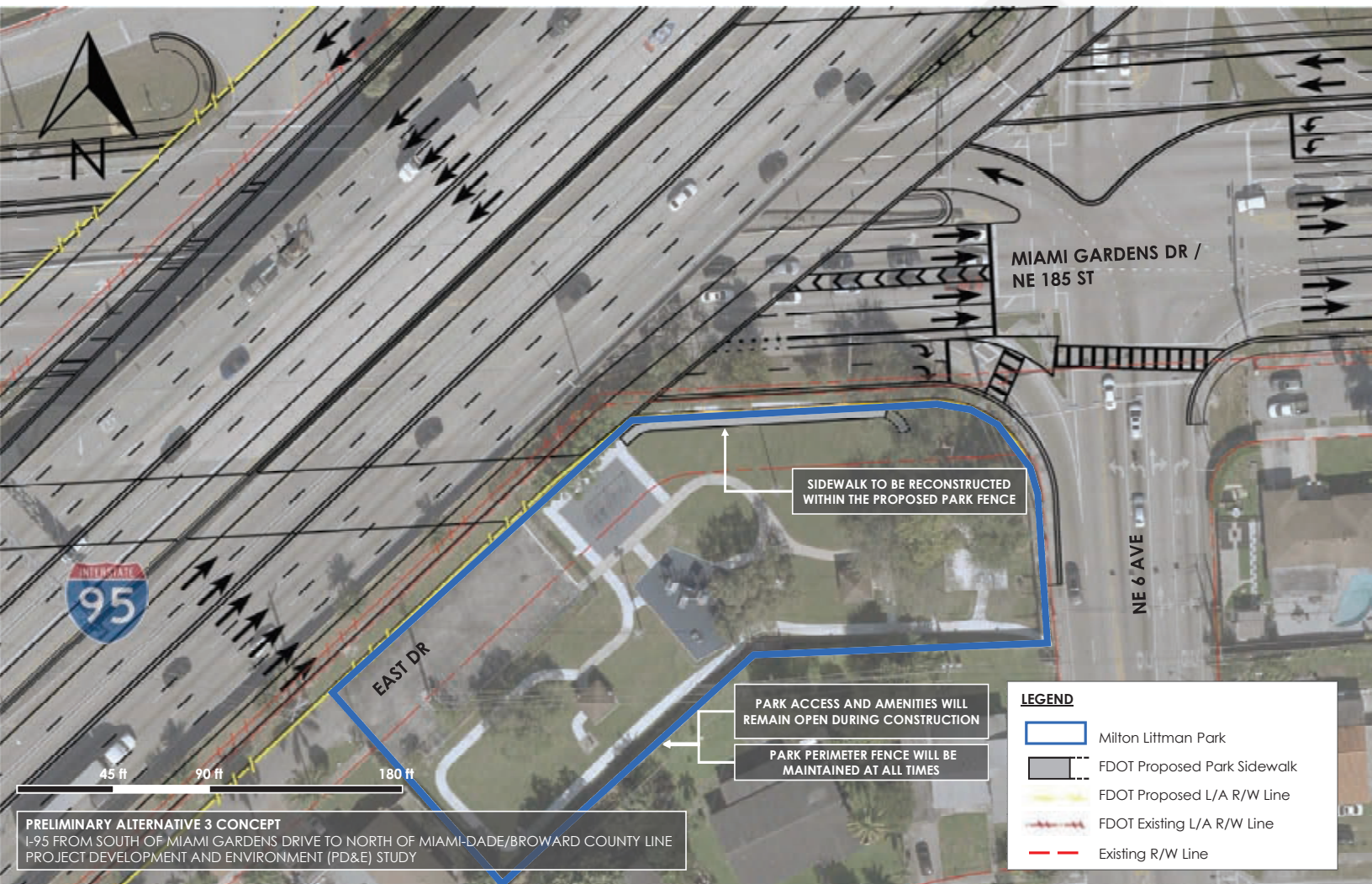


APPENDIX B.
ATTACHMENT C





APPENDIX B.
ATTACHMENT D





APPENDIX B.
ATTACHMENT E



City of North Miami Beach, Florida

Parks and Recreation Department

January 05, 2022

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

Subject: Milton Littman Park
Statement of Significance
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9A/I-95 Project Development and Environment (PD&E)
Study from South of Miami Gardens Drive to the Broward County Line in in Miami-Dade
County, FL

Dear Mr. James,

As the Official with Jurisdiction, please accept this letter as formal Statement of Significance for Milton Littman Park. This recreational resource is located within the City of North Miami Beach and is a significant resource within the meaning of Section 4(f) (49 U.S.C. § 303) of the U.S. Department of Transportation Act regulations. Significance means that in comparing the availability and function of the recreation area, park or wildlife and waterfowl refuge area with the recreational, park and refuge objectives of that community, the land in question plays an important role in meeting those objectives.

Milton Littman Park is located just east of I-95, south of SR 860/NE 183rd Street, and west of NE SR 915/6th Avenue. This Park includes two pavilions and water fountains, a playground, a double bay swing set, a walking path, an outdoor fitness equipment cluster (scheduled to be installed this month) and an open landscaped green space. The Park is heavily used by the neighborhood.

Should you have any questions or require additional information, please contact my office at 305-948-2957 or by email andrew.plotkin@citynmb.com

Note: This letter is in response to an email request from Victoria Vogt, M.S., Environmental Specialist III, Florida Department of Transportation – District 6, dated 12/8/2021, subject FM 414964-1 I-95 PD&E Section 4(f) Statement of Significance – Milton Littman Park

Sincerely,

Andrew Plotkin
Director of Parks & Recreation
City of North Miami Beach



APPENDIX C.



City of North Miami Beach, Florida

Community Development Department

October 26, 2023

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 W 111th Avenue, Room 6109
Miami, FL 33172

Re: Milton Littman Park Section 4(f) Finding

Dear Mr. James,

The City of North Miami Beach has reviewed the information provided by the Florida Department of Transportation regarding the SR 9/I-95 Project Development and Environment (PD&E) Study from South of Miami Gardens Drive to North of the Broward County Line in Miami-Dade County, FL provided September 27, 2023.

The City of North Miami Beach does not currently concur that the impacts to Milton Littman Park as a result of the I-95 PD&E Study from south of Miami Gardens Drive to north of the Broward County Line as described in the materials provided to the city will not adversely affect the activities, features, or attributes that qualify the property for protection under [23 CFR § 774.5(b)(2) and 23 CFR § 774.17]. The City does not at this time support a Section 4(f) de minimis finding.

The City notes that as proposed, no replacement of park lands is contemplated in the plans or the letter. As the City has an adopted Parks Level of Service, any reduction in parklands will result in lowered development capacity within the City and a negative impact on its Parks Level of Service. The City requests that as part of the necessary mitigation, the Florida Department of Transportation enter into an agreement with the City by which any parklands lost shall be replaced in a manner deemed appropriate by the City. Due to the size of the reduction, the City desires that any agreement on the terms of replacement be part of an overall cohesive strategy that will result in meaningful replacement as contemplated by Section 4(f), including consideration of proportional monetary contribution by FDOT for land acquisition as part of a larger facility serving the City.

The City also notes that the proposed design impacts the park's access for pedestrians and bicyclists without adequate mitigation. Milton Littman Park's current design includes a park entrance on the east (NE 6th Avenue) which is accessed from the north by bicycle and pedestrians. The current design contemplates the creation of a bicycle lane to the north, along with expanding the right turn to two lanes. As provided, the City does not have adequate information regarding the traffic control and effect on bicycle level of stress as associated with the Multimodal Quality/Level of Service Handbook, but posits that on its face, the wider crossing, implications of traffic control on the

schematics, removal of north-south crossing without adequate information on replacement or location of crossings in the overall area to ensure connection to the areas east and northeast provides unknowns for staff which must be adequately addressed before any consideration of concurrence, especially given FDOT's presentation on the overall project's effect on the Snake Creek Canal Trail. These connections will be vital considerations of any future parks connectivity planning for the City of North Miami Beach.

The City also requests at this time more information regarding the effect of the movement of the landscaped wall along the western edge of the park, as well as change of perviousness on the north side of the property. Specifically, the City's concern is whether adequate drainage will be in place to ensure that future stormwater effects will not adversely affect the usage of the remaining park area.

The City appreciates prior discussions and assurances from FDOT that the resulting wall will be designed with consultation with the City to ensure proper aesthetics from the park, and requests that this be memorialized as part of the process before assent on any de minimis finding.

Lastly, the City requests that as part of any mitigation, consistent with the City's approach to developing its tree canopy citywide, any trees removed will be replaced in coordination with the City to ensure no net loss in tree canopy coverage.

We look forward to discussing the issues above further with the Florida Department of Transportation.

Sincerely,

Edward Ng, AICP, Interim Director

City of North Miami Beach Community Development Department



APPENDIX D.



Milton Littman Park Section 4(f) Discussion Notes

Date / Time: Thursday, December 21, 2023 / 3:00 - 4:00 PM
Project: I-95/SR 9 PD&E Study
 From South of SR 860/Miami Gardens Drive to
 North of Broward County Line
FM Number: 414964-1-22-01
ETDM Number: 14419
Contract Number: CAD40
RE: Milton Littman Park Section 4(f) *de minimis* Finding
 Discussion of CNMB Response Points to FDOT's Request for
 Concurrence or No Objection

1) Attendees

Auraliz (Lola) Benitez, FDOT 6 (Project Manager)	Edward Ng, CNMB
Jenn L. King, AECOM (Project Manager)	David Scott, CNMB
Keith Stannard, AECOM	Andrew Plotkin, CNMB Parks and Recreation
Alex Barrero, AECOM	Ian Fors, CNMB Parks and Recreation
Victoria Vogt, PLEMO, FDOT 6	Sebastian Ruiz, PLEMO, FDOT 6

2) Discussion

- a. Jenn explained the intent is to minimize impacts on recreational assets and in the case of Milton Littman Park, City of North Miami Beach (CNMB) is the Official with Jurisdiction (OWJ)
 - i. Purpose of this meeting is to have a discussion before the Florida Department of Transportation (FDOT), District 6 resubmits the Section 4(f) package
 - ii. Jenn suggested this is an opportunity to discuss in more detail and clarify the response that will be drafted by FDOT
 - iii. Auraliz explained the project will be presented to the City prior to the Public Hearing and Project Advisory Group meeting
 - iv. David explained there is a possibility to present on February 20th, 2024 to the City Commission
 - v. Team agreed to plan for the February date to present to the City Commission, expecting to obtain their approval for the City to execute the concurrence letter in the Section 4(f) package
 - vi. Jenn explained team will go through the initial FDOT letter and then the response from the City point by point
- b. Jenn walked through the initial letter from FDOT:
 - i. Jenn reviewed the contents of the letter and the appendix
 - ii. Jenn commented the existing park fence is in the FDOT ROW
 - iii. Jenn acknowledged team did not provide the complete picture of the



Milton Littman Park Section 4(f) Discussion Notes

- pedestrian and bicycle facilities along Miami Gardens Drive with the initial package, it was too narrowly focused
- iv. Jenn explained the park and all access points will remain functional throughout construction, which is expected to begin in 2032; the project will not touch amenities or facilities within the park
 - 1. The one exception will be for a temporary easement to provide access to build the new MSE wall along I-95
 - v. Edward Ng/Jenn agreed the project is in the initial stages of planning so there are not exact/final numbers for the area of the take, yet
 - vi. Keith explained the exact commitment values will be refined in the Final Design Phase; in this PD&E phase the intent is established initial commitments and intent which will be captured in the Project Commitment Record (PCR) which gets updated throughout the life of the project
- c. Jenn explained the City request for replacing park area as it is written in Paragraph 3 of the response letter (**Point 1**):
- i. Edward explained a monetary compensation would be the preferred option for the City; FDOT would draft the commitment
 - ii. Jenn/Lola commented team will draft this commitment to include the appropriate language (NEPA compliance)
 - iii. David explained staff team would like to review project and negotiate before committing to a signed letter; this process would take about three weeks
 - 1. The proposed plan is for FDOT to deliver a new version of the package to the City by the end of January
 - 2. This would allow for the item to be placed on the agenda for the Commission to approve during the February 20th meeting
 - iv. David will introduce the team; then FDOT/Consultant will present the project; and all can prepare for questions
 - v. Keith explained a Final Section 4(f) letter will come to the City after the Public Hearing; the letter will explain there were no further changes proposed for the project based on the public feedback from the Public Hearing process
- d. Jenn explained the City request for access to pedestrians and bicycles as it is written in Paragraph 4 of the response letter (**Point 2**):
- i. Edward explained access to bus stop (route 17) should be addressed including mobility from 6th Avenue; Jenn confirmed there will be sidewalks on both sides of Miami Gardens Drive, a crossing of Miami Gardens Drive, and that there has already been coordination with Miami-Dade Transit
 - ii. Jenn presented the design for the interchange, focusing on the improved sidewalks and new bicycle lanes along Miami Gardens Drive, as well as the signalized intersection at the new interchange (for a safer crossing than at 6th Avenue under proposed conditions which will have a turbo lane)
 - iii. Edward agreed with the concept of the proposed facilities along Miami Gardens Drive and commented it makes sense for the pedestrian/bicyclists network
 - iv. Edward suggested the FDOT could commit to include the City in the conversations that will occur in the Final Design Phase; Jenn agreed the commitment wording will include that continued coordination
 - v. Edward commented the City had concerns with the *Eastbound Miami Gardens Drive – Southbound 6th Ave* traffic when making the right turn by the park at high speeds



Milton Littman Park Section 4(f) Discussion Notes

1. Jenn commented construction is anticipated in 2032 and this detail can be addressed as the design is refined
- e. Jenn explained the City request related to the I-95 wall and drainage in the area as it is written in Paragraph 5 of the response letter (**Point 3**):
 - i. Jenn commented the wall is going to be moved closer to the park and the drainage system will also be part of the Final Design stage (pre/post analysis)
 - ii. Edward commented the wall will have an aesthetic effect on the park so a commitment on treatment could be established
 - iii. Jenn explained details/treatments on the wall is something that will be part of the Final Design of the project not only in the park area, but also along I-95 in front of the residences (there may also be a potential to add landscaping on the residential side of East Drive)
 - iv. Team agreed this can be a commitment that FDOT will work with the City on a proposed aesthetic treatment that could involve static artistic elements and not necessarily natural elements that would need maintenance
 - v. Keith explained that a Temporary Construction Easement (TCE) or similar may be needed in the park for construction of the I-95 wall – this TCE will be shown on the updated maps/figures for the City's review and included in the final Section 4(f) finding letter
- f. Jenn explained the City request for a commitment to further coordination, as it is written in Paragraph 6 of the response letter; consultation will be maintained throughout the future phases of the project (**Point 4**); this was already discussed, addressed, and agreed to in the prior point
- g. Jenn explained the City request about replacing lost tree canopy coverage as it is written in Paragraph 7 of the response letter (**Point 5**):
 - i. Keith explained trees that will be removed from along Miami Gardens Drive can be replaced within the park or other places within the City limits
 - ii. Edward/Keith agreed to a commitment to replace the canopy that will be taken out by the project; details will be addressed in the Final Design phase of the project

3) Conclusion and further steps

- a. Team FDOT/Consultant will draft new Section 4(f) letter with appropriate language per the clarification meeting today
- b. Team FDOT/Consultant will include new graphics that show pedestrian and bicycle facilities design, as well as general geometry for the area surrounding the park
- c. Team FDOT/Consultant anticipates submitting new package by mid-January
- d. Team FDOT/Consultant anticipates presenting the project to the City Commission by mid-February expecting to obtain their approval for the City to execute the concurrence letter
- e. Team FDOT/Consultant will submit a final letter after the project's Public Hearing that will incorporate public comments (to comply with NEPA)



APPENDIX E.



Notes for Meeting with City of North Miami Beach on Milton Littman Park Section 4(f)

Date / Time: Thursday, January 30, 2025 / 3:30 - 4:30 PM
Project: I-95/SR 9 PD&E Study
 From South of SR 860/Miami Gardens Drive to
 North of Broward County Line
FM Number: 414964-1-22-01
ETDM Number: 14419
Contract Number: CAD40

1) Introductions

Auraliz (Lola) Benitez, FDOT (Project Manager)	Mitchell S. Austin, CNMB
Steven (Craig) James, FDOT ENV	Victoria Vogt, FDOT ENV
Jenn L. King, AECOM (Project Manager)	Megan Moore, FDOT ENV
Keith Stannard, AECOM ENV	Alex Barrero, AECOM

2) Discussion

- a. Overview of the PD&E and impact on Milton Littman Park:
 - i. Jenn explained key aspects of the context, schedule, scope, and conceptual design of the PD&E project with PDF presentation to contextualize Mitchell
 - ii. Jenn explained that the project requires a wider ROW for I-95 and Miami Gardens Drive (MGD) in the area of Milton Littman Park (MLP) which is inside the limits of the City of North Miami Beach (CNMB)
 - iii. Jenn and Keith explained that the latest Section 4(f) package was submitted to the CNMB addressing the initial comments from the City so it can be signed (obtaining concurrence) and the project can proceed to the Public Hearing
- b. Mitchell noted on the revised letter package currently in CNMB review:
 - i. It needs to be coordinated with him, since Edward Ng (consultant) is now performing another role within the CNMB staff
 - ii. The CNMB needs to increase their areas dedicated to parks and recreation for Concurrence
 - 1) Jenn explained that the intent of the letter package is to recognize that the FDOT will work with the City to mitigate for proposed park impacts through monetary contribution towards the City's effort to increase the park areas
 - 2) Lola added that this direction for mitigation (FDOT monetary contribution) was initiated by the CNMB and FDOT recognized it is a reasonable approach
 - 3) Lola explained that the letter could reflect two options: monetary contributions or D6 ROW to provide surplus FDOT land directly to the CNMB to be used for park (as previously discussed with the City)
 - iii. Mitchell has a new concept to add into the approach: The mitigation strategies should consider that the existing green strip along the current I-95 noise wall is "unprogrammed" and impacts several residents/the City due to on-going illegal parking and dumping in the area; it was agreed that the noise wall is not within the City's limits



Notes for Meeting with City of North Miami Beach on Milton Littman Park Section 4(f)

- iv. Mitchell stated that the community would benefit from a strategy that encompasses not only Milton Littman Park, but also the surrounding area, such as East Drive along the existing noise wall
- v. Mitchell added that a greenway using East Drive would be beneficial for all as it promotes non-motorized transportation, parallel parking, and landscaping opportunities for the low income and ethnically diverse community in the area
 - 1) Lola mentioned that the road (East Drive) may need some reconstruction as the drainage design gets finalized; so, a Shared Use Path (SUP) could be considered when the time comes (not necessarily now during the PD&E phase)
 - 2) Keith and Mitchell commented that the design speed for East Drive would possibly need to be changed from 30mph to 20mph to allow for a SUP
 - 3) Mitchell noted that the SUP could be counted towards park/open space land for the CNMB, helping with their Concurrency issues, so it would be a beneficial scenario for all parties if the Section 4(f) letter includes a commitment from the FDOT to coordinate with the City to explore the idea of greenway options along East Drive
- c. Next steps for the PD&E team, FDOT, and CNMB:
 - i. Mitchell will provide information about the proposed CNMB greenway (since it was recently found included in some prior City planning records)
 - ii. Mitchell may also review the letter package and provide minor editorial comments
 - iii. Mitchell explained that the standard deadline to be included into the April CNMB Commission Agenda would be 2/28/2025; however, the FDOT could make a special exception request to be added on the March Agenda, or possibly be a walk-on item for the February Agenda (this could occur only after the package has been reviewed and agreed on)
 - 1) The City Commission needs to authorize the City Manager/designee to sign
 - 2) After the City Commission's approval (by Resolution), it should take about 7 to 10 days for the FDOT to obtain a signed letter from the CNMB
 - iv. Craig explained that he agrees with the idea to review putting a multi-use trail along East Drive; however, it cannot be claimed as a Section 4(f) asset, it would still be a transportation use; he can see there may be physical challenges with this concept since the available width is limited; care should be taken on the language in the revised letter (in the final design phase, an agreement will need to be created stipulating who will manage/maintain what area)
 - v. Mitchell agreed that the proposed area along East Drive (within the project limits) would be considered like a sidewalk facility, and not a Section 4(f) asset, since it will be a transportation land use (City will take risk)
 - vi. Craig mentioned that one option to consider in final design may be installing landscape treatments on the east side, the CNMB side, of East Drive; perhaps consider reducing the width and/or typical section of the two-lane road
 - vii. It was agreed that a representative from the PD&E project team should be present a brief PPT at the City Commission; this will support Mitchell who would be able to advocate for the idea of why the FDOT project is beneficial for CNMB even if it impacts (not Adversely) the edge of a recreational facility
 - viii. Craig offered that, if CNMB is looking at other parcels to buy for park space, FDOT ROW staff may be able to help the City with that process



Notes for Meeting with City of North Miami Beach on Milton Littman Park Section 4(f)

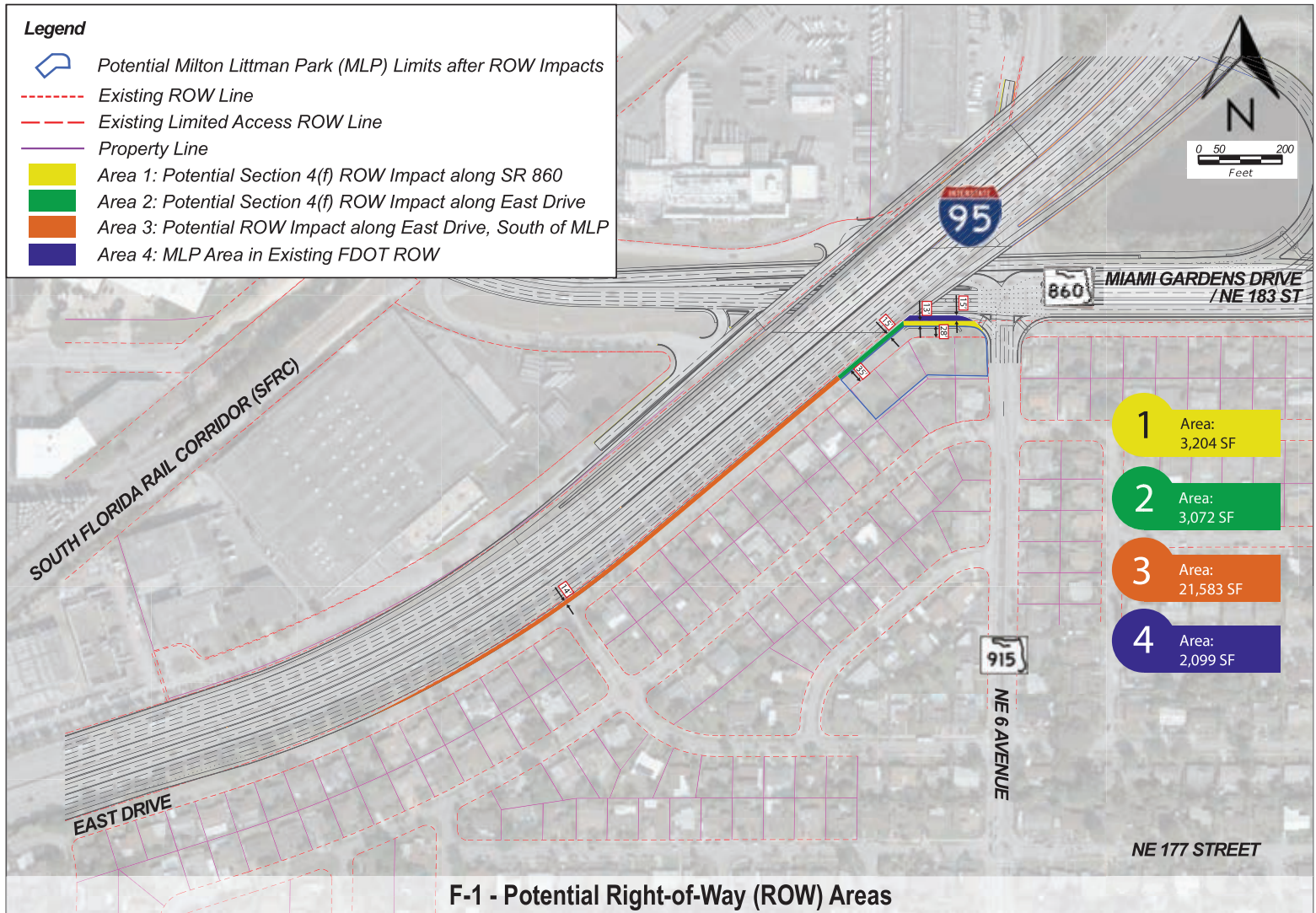
3) Review of Action Items

- 1) Mitchell will provide information about the proposed CNMB greenway (since it was recently found included in some prior City planning records)
- 2) Mitchell will provide names and contact information for pertinent City staff
- 3) The PD&E team will revise the letter package to reflect the possibility of mitigation via compensating the CNMB by coordinating on a potential greenway option along East Drive; in addition to the approach of a monetary compensation for the Milton Littman Park area being affected by the project. If the greenway options are not viable/feasible, cannot be technically accomplished, then revert back to the monetary option
- 4) Lola will start internal coordination at FDOT about requesting a special exception from the CNMB to be added to a February or March City Commission Agenda
- 5) The FDOT will work with Mitchell to review the language and have the final approved letter ready for signature within the next two weeks (before the 02/28/2025 deadline)



APPENDIX F.

(1 EXHIBIT)





APPENDIX G.

(1 EXHIBIT)

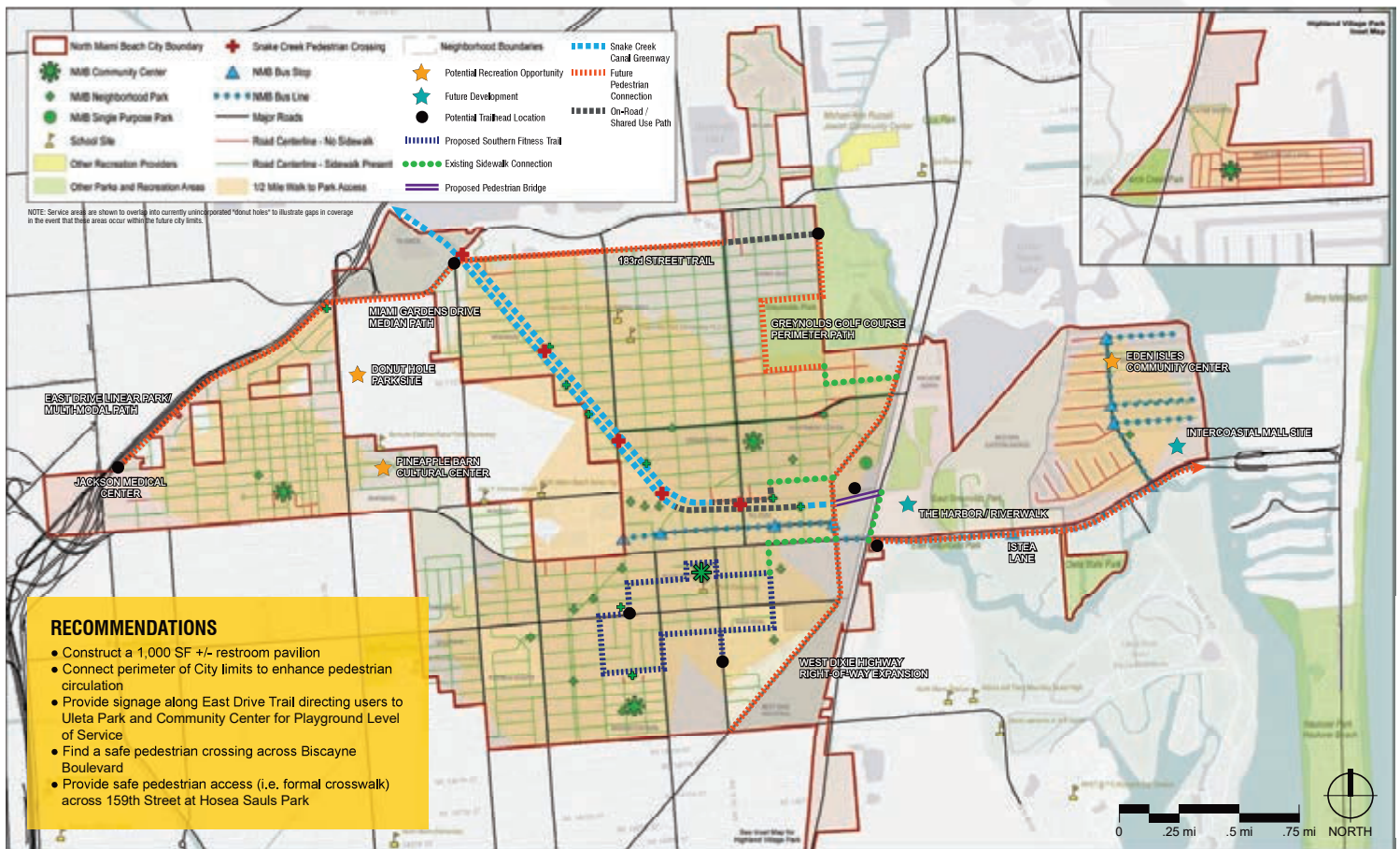




APPENDIX H.

(1 EXHIBIT)

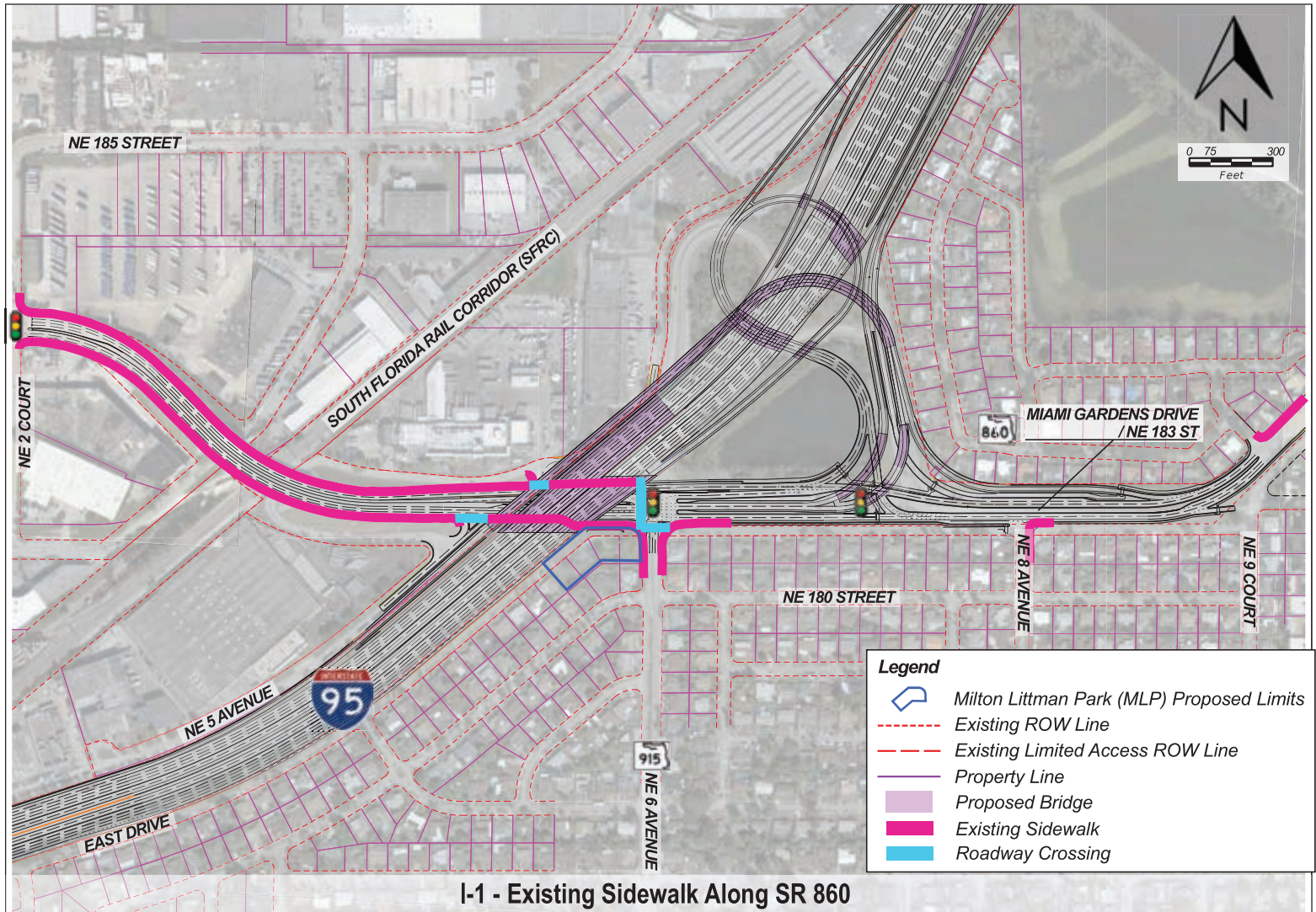
LEVEL OF SERVICE RECOMMENDATIONS | OVERALL CONNECTIVITY

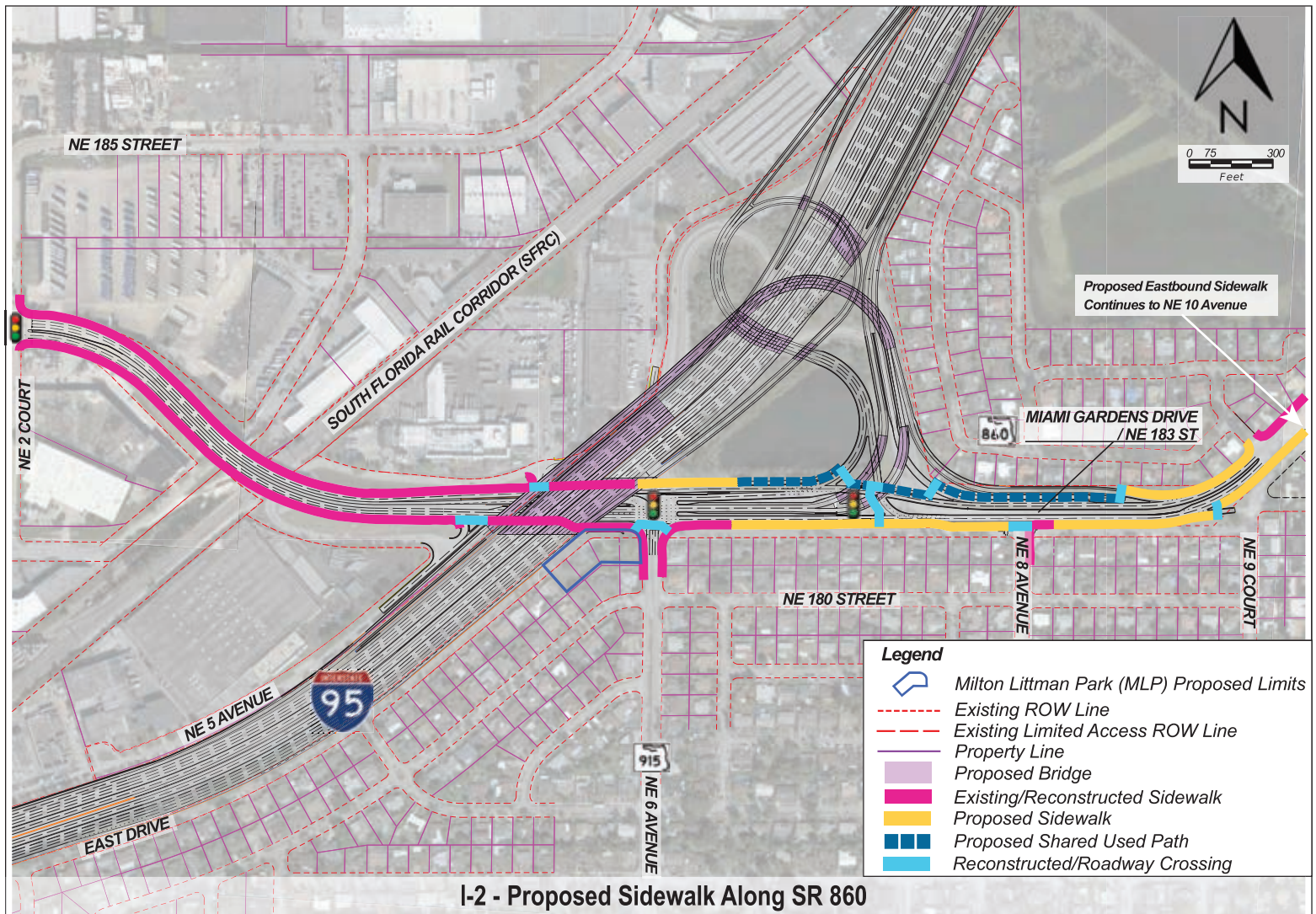


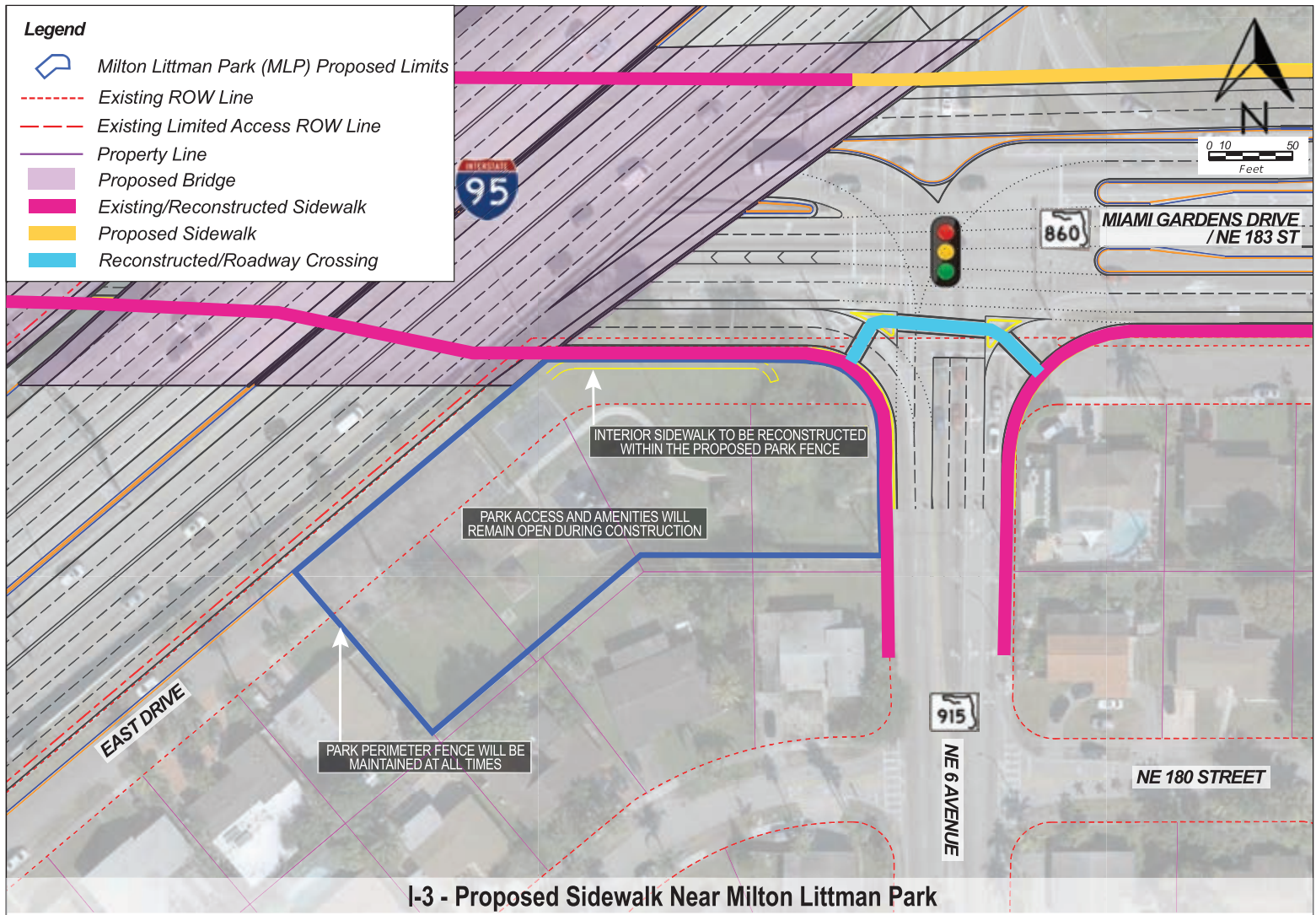


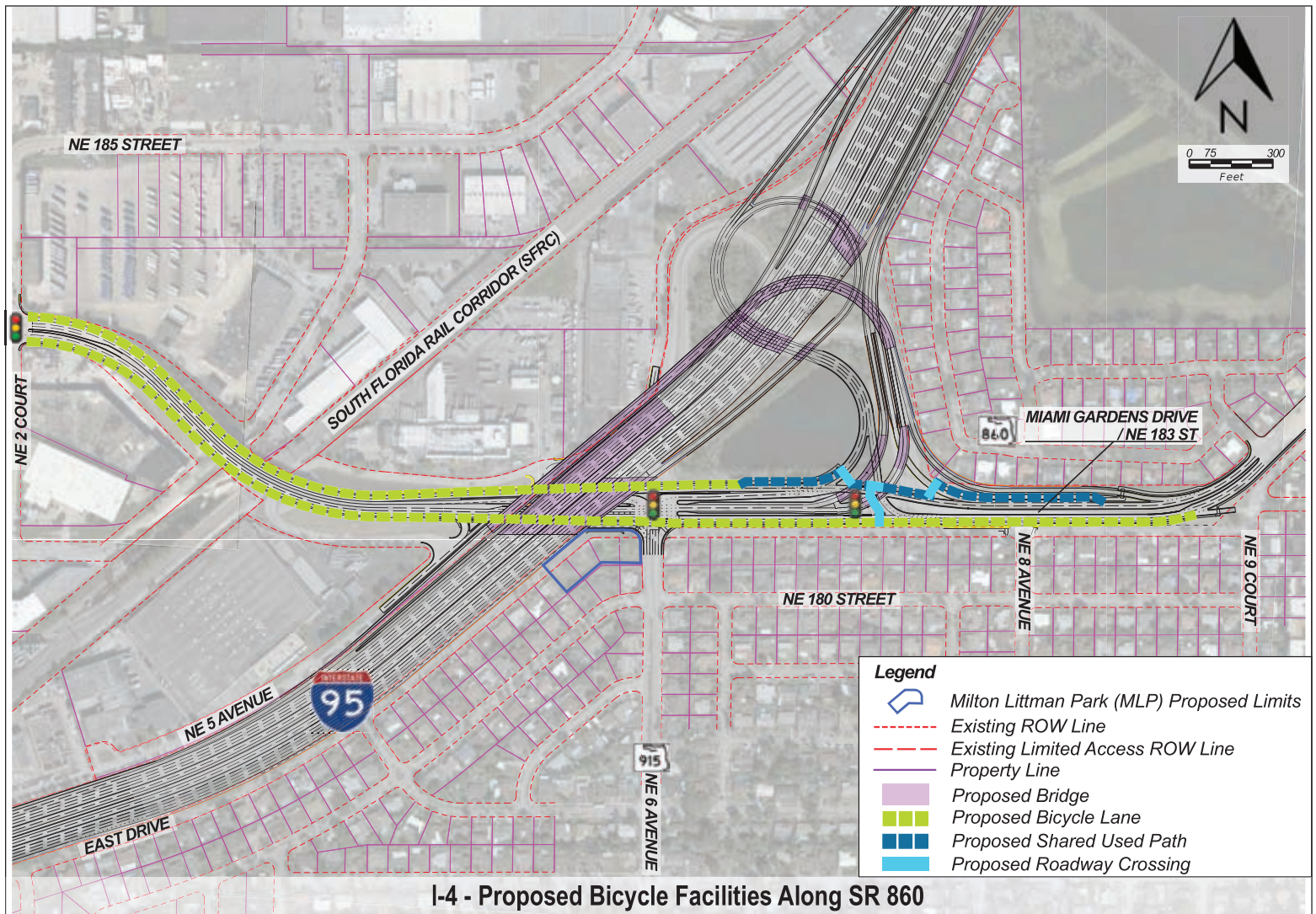
APPENDIX I.

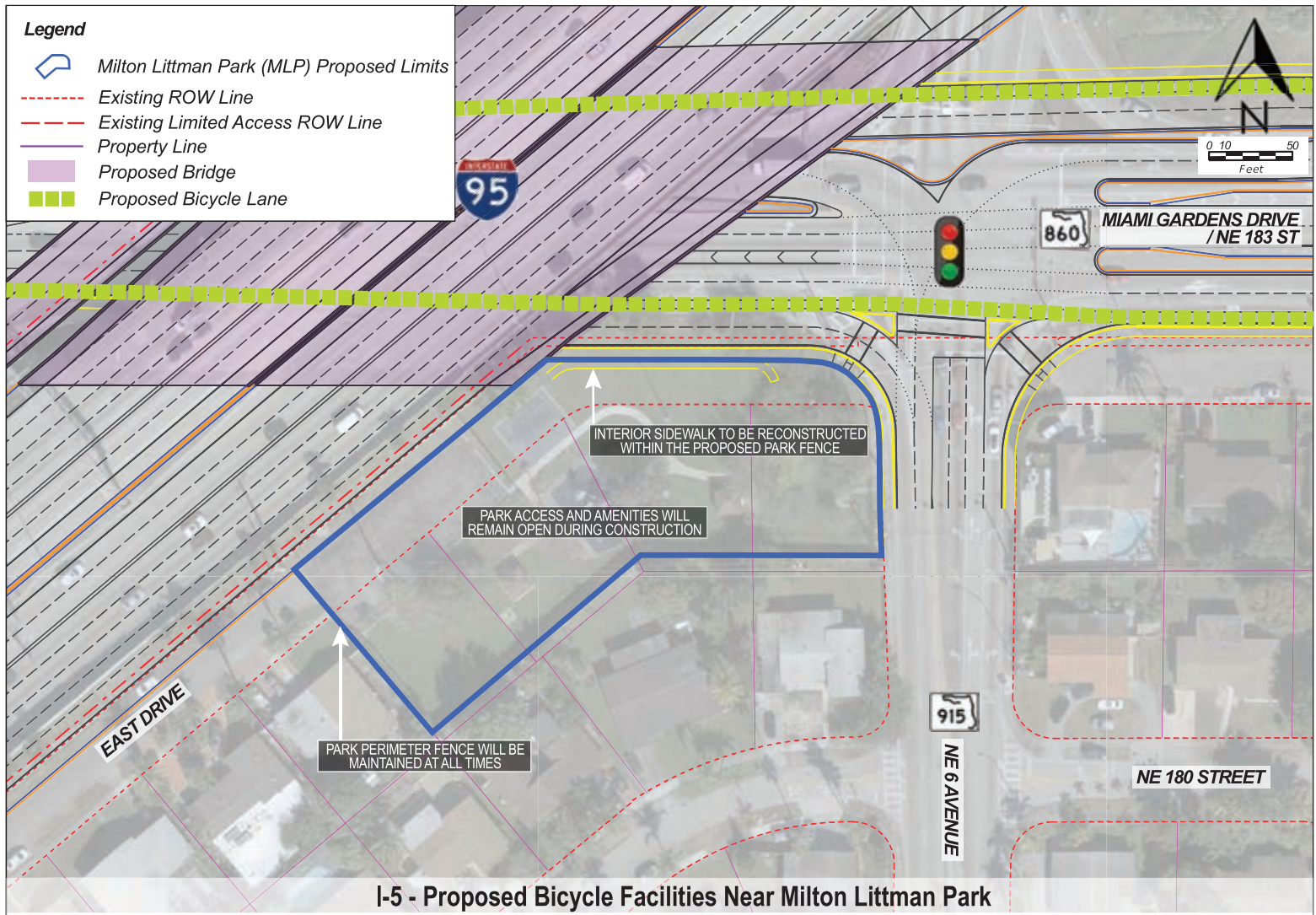
(5 EXHIBITS)













APPENDIX J.



City of North Miami Beach, Florida

Parks and Recreation Department

January 05, 2022

Mr. Steven Craig James
District Environmental Administrator
Florida Department of Transportation, District Six
1000 NW 111th Avenue, Room 6109
Miami, FL 33172

Subject: Milton Littman Park
Statement of Significance
FDOT Financial Project ID: 414964-1-22-01
FDOT Project Description: SR 9A/I-95 Project Development and Environment (PD&E)
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Should you have any questions or require additional information, please contact my office at 305-948-2957 or by email andrew.plotkin@citynmb.com

Note: This letter is in response to an email request from Victoria Vogt, M.S., Environmental Specialist III, Florida Department of Transportation – District 6, dated 12/8/2021, subject FM 414964-1 I-95 PD&E Section 4(f) Statement of Significance – Milton Littman Park

Sincerely,

Andrew Plotkin
Director of Parks & Recreation
City of North Miami Beach