



APPENDIXES, GLOSSARY, SELECTED REFERENCES,
PREPARERS AND CONSULTANTS, AND INDEX

APPENDIX A: LEGISLATION

PUBLIC LAW 93-440, AN ACT TO ESTABLISH BIG CYPRESS NATIONAL PRESERVE, AS AMENDED BY PUBLIC LAW 100-301, THE BIG CYPRESS NATIONAL PRESERVE ADDITION ACT

Note: All underlined sections are from the 1988 Addition Act

An Act to establish the Big Cypress National Preserve in the State of Florida, and for other purposes. (88 Stat. 1255) (P.L. 93-440)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established.

(b) The Big Cypress National Preserve (hereafter referred to as the "preserve") shall comprise the area generally depicted on the map entitled "Big Cypress National Preserve", dated November 1971 and numbered BC-91,001, which shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and shall be filed with appropriate offices of Collier, Monroe, and Dade Counties in the State of Florida. The Secretary of the Interior (hereafter referred to as the "Secretary") shall, as soon as practicable, publish a detailed description of the boundaries of the preserve in the Federal Register which shall include not more than five hundred and seventy thousand acres of land and water.

(c) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve or the Addition; *Provided*, That any lands owned or acquired by the State of Florida, or any of its subdivisions, in the preserve may be acquired by donation only and, any land acquired by the State of Florida, or any of its subdivisions, in the Addition shall be acquired in accordance with subsection (d); *Provided further*, That no Federal funds shall be appropriated until the Governor of Florida executes an agreement on behalf of the State which (i) provides for the transfer to the United States of all lands within the preserve previously owned or acquired by the State and (ii) provides for the donation to the United States of all lands acquired by the State within the preserve pursuant to the provision of "the Big Cypress Conservation Act of 1973" (Chapter 73-131 of the Florida Statutes) or provides for the donation to the United States of any remaining moneys appropriated pursuant to such Act for the purchase of lands within the preserve. No improved property, as defined by this Act, nor oil and gas rights, shall be acquired without the consent of the owner unless the Secretary, in his judgment, determines that such property is subject to, or threatened with, uses which are, or would be, detrimental to the purposes of the preserve. The Secretary may, if he determines that the acquisition of any other subsurface estate is not needed for the purposes of the preserve and the Addition, exclude such interest in acquiring any lands within the preserve and the Addition. Notwithstanding the provisions of section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894, 1904) the Secretary (i) may evaluate any offer to sell land within the preserve or the Addition by any landowner and may, in his discretion, accept any offer not in excess of \$10,000 without an appraisal and (ii) may direct an appraisal to be made of any unimproved property within the preserve or the Addition without notice to the owner or owners thereof. Notwithstanding any other provision of law, any federally owned lands within the preserve or the Addition shall, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without transfer of funds. Nothing in this Act shall be construed to interfere with the right of the State of Florida to acquire such property rights as may be necessary for Interstate 75.

(d) (1) The aggregate cost to the United States of acquiring lands within the Addition may not exceed 80 percent of the total cost of such lands.

(2) Except as provided in paragraph (3), if the State of Florida transfers to the Secretary lands within the Addition, the Secretary shall pay to or reimburse the State of Florida (out of funds appropriated for such purpose) an amount equal to 80 percent of the total costs to the State of Florida of acquiring such lands.

(3) The amount described in paragraph (1) shall be reduced by an amount equal to 20 percent of the amount of the total cost incurred by the Secretary in acquiring lands in the Addition other than from the State of Florida.

(4) For purposes of this subsection, the term 'total cost' means that amount of the total acquisition costs (including the value of exchanged or donated lands) less the amount of the costs incurred by the Federal Highway Administration and the Florida Department of Transportation, including severance damages paid to private property owners as a result of the construction of Interstate 75.

SEC. 2. (a) In recognition of the efforts of the State of Florida in the preservation of the area, through the enactment of chapter 73-131 of the Florida statutes, "The Big Cypress Conservation Act of 1973", the Secretary is directed to proceed as expeditiously as possible to acquire the lands and interests in lands necessary to achieve the purposes of this Act.

(b) Within one year after the date of the enactment of this Act, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this preserve.

(ii) the lands which he has previously acquired by purchase, donation, exchange or transfer for administration for the purpose of this preserve, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

(c) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by this Act within six years after the date of its enactment.

SEC. 3. (a) The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition less the fair market value, on that date, of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, which shall include the exercise of such right in violation of any applicable State or local laws and ordinances, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(b) As used in this Act, the term "improved property" means:

(i) a detached, one family dwelling, construction of which was begun before November 23, 1971, with respect to the preserve and January 1, 1986, with respect to the Addition which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and such additional lands as the Secretary deems reasonably necessary for access thereto, such land being in the same ownership as the dwelling, and together with any structures accessory to the dwelling which are situated on such lands and

(ii) any other building, construction of which was begun before November 23, 1971, with respect to the preserve and January 1, 1986, with respect to the Addition which was constructed and is used in accordance with all applicable State and local laws and ordinances, together with as much of the land on which the building is situated, such land being in the same ownership as the building, as the Secretary shall designate to be reasonably necessary for the continued enjoyment and use of the building in the same manner and to the same extent as existed in November 23, 1971, or January 1, 1986, as the case may be, together with any structures accessory to the building which are situated on the lands so designated. In making such designation the Secretary shall take into account the manner of use in which the building, accessory structures, and lands were customarily enjoyed prior to November 23, 1971 or January 1, 1986, as the case may be.

(c) Whenever an owner of property elects to retain a right of use and occupancy as provided in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of such sections such owner shall not be considered a displaced person as defined in section 101(6) of such Act.

SEC. 4. (a) The area within the boundaries depicted on the map referred to in section 1 shall be known as the Big Cypress National Preserve. Such lands shall be administered by the Secretary as a unit of the National Park System in a manner which will assure their natural and ecological integrity in perpetuity in accordance with the provisions of this Act and with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

(b) In administering the preserve, the Secretary shall develop and publish in the Federal Register such rules and regulations as he deems necessary and appropriate to limit or control the use of Federal lands and waters with respect to:

- (1) motorized vehicles,
- (2) exploration for and extraction of oil, gas, and other minerals,
- (3) grazing,
- (4) draining or constructing of works or structures which alter the natural water courses,
- (5) agriculture,
- (6) hunting, fishing, and trapping,
- (7) new construction of any kind, and

(8) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act: *Provided*, That the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the preserve and the Addition in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida shall be permitted, subject to reasonable regulations established by the Secretary, to continue their usual and customary use and occupancy of Federal or federally acquired lands and waters within the preserve and the Addition, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials.

SEC. 6. Notwithstanding any other provision of law, before entering into any contract for the provision of revenue producing visitor services,

(i) the Secretary shall offer those members of the Miccosukee and Seminole Indian Tribes who, on January 1, 1972 (January 1, 1985, in the case of the Addition), were engaged in the provision of similar services, a right of first refusal to continue providing such services within the preserve and the Addition subject to such terms and conditions as he may deem appropriate, and

(ii) before entering into any contract or agreement to provide new revenue-producing visitor services within the preserve or within the Addition, the Secretary shall offer to the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida the right of first refusal to provide such services, the right to be open for a period of ninety days. Should both tribes respond with proposals that satisfy the terms and conditions established by the Secretary, the Secretary may allow the Tribes an additional period of ninety days in which to enter into an inter-Tribal cooperative agreement to provide such visitor services, but if neither tribe responds with proposals that satisfy the terms and conditions established by the Secretary, then the Secretary shall provide such visitor services in accordance with the Act of October 9, 1965 (79 Stat. 969, 16 U.S.C. 20). No such agreement may be assigned or otherwise transferred without the consent of the Secretary.

SEC. 7. Within five years from the date of the enactment of this Act with respect to the preserve and five years from the date of the enactment of the Big Cypress National Preserve Addition Act with respect to the Addition, the Secretary shall review the area within the preserve or the area within the Addition (as the case may be) and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or unsuitability of any area within the preserve or the area within the Addition (as the case may be) for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 8. (a) Except as provided in subsection (b), there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$116,000,000 for the acquisition of lands and interests in lands and not to exceed \$900,000 for development. Any funds donated to the United States by the State of Florida pursuant to chapter 73-131 of the Florida statutes shall be used solely for the acquisition of lands and interests in land within the preserve.

(b) There is hereby authorized to be appropriated from the Land and Water Conservation Fund not to exceed \$49,500 000 for the acquisition of lands within the Addition. There is hereby authorized to be appropriated such sums as may be necessary for development in the Addition.
Approved October 11, 1974.

(The following are completely new sections added from Addition Legislation)

SEC. 9. (a) In order to --

- (1) achieve the purposes of the first section of this Act;
 - (2) complete the preserve in conjunction with the planned construction of Interstate Highway 75; and
 - (3) insure appropriately managed use and access to the Big Cypress Watershed in the State of Florida,
- the Big Cypress National Preserve Addition is established.

(b) The Big Cypress National Preserve Addition (referred to in this Act as the 'Addition') shall comprise approximately 146,000 acres as generally depicted on the map entitled Big Cypress National Preserve Addition, dated April, 1987, and numbered 176-91000C, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior, Washington, D.C., and shall be filed with appropriate offices of Collier County in the State of Florida. The Secretary shall, as soon as practicable, publish a detailed description of the boundaries of the Addition in the Federal Register.

(c) The area within the boundaries depicted on the map referred to in subsection (b) shall be known as the 'Big Cypress National Preserve Addition' and shall be managed in accordance with section 4.

(d) For purposes of administering the Addition and notwithstanding section 2(c), it is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated with respect to the Addition in not more than five years after the date of the enactment of this paragraph.

SEC. 10. The Secretary and other involved Federal agencies shall cooperate with the State of Florida to establish recreational access points and roads, rest and recreation areas, wildlife protection, hunting, fishing, frogging, and other traditional opportunities in conjunction with the creation of the Addition and in the construction of Interstate Highway 75. Three of such access points shall be located within the preserve (including the Addition).

SEC. 11. Not later than two years after the date of the enactment of this section, the Secretary shall submit to the Congress a detailed report on, and further plan for, the preserve and Addition including --

- (1) the status of the existing preserve, the effectiveness of past regulation and management of the preserve, and recommendations for future management of the preserve and the Addition;
- (2) a summary of the public's use of the preserve and the status of the access points developed pursuant to section 10;
- (3) the need for involvement of other State and Federal agencies in the management and expansion of the preserve and Addition;
- (4) the status of land acquisition; and
- (5) a determination, made in conjunction with the State of Florida, of the adequacy of the number, location, and design of the recreational access points on I-75/Alligator Alley for access to the Big Cypress National Preserve, including the Addition.

The determination required by paragraph (5) shall incorporate the results of any related studies of the State of Florida Department of Transportation and other Florida State agencies. Any recommendation for

significant changes in the approved recreational access points, including any proposed additions, shall be accompanied by an assessment of the environmental impact of such changes.

SEC. 12. (a) Within nine months from the date of the enactment of the Big Cypress National Preserve Addition Act, the Secretary shall promulgate, subject to the requirements of subsections (b)-(e) of this section, such rules and regulations governing the exploration for and development and production of non-Federal interests in oil and gas located within the boundaries of the Big Cypress National Preserve and the Addition, including but not limited to access on, across, or through all lands within the boundaries of the Big Cypress National Preserve and the Addition for the purpose of conducting such exploration or development and production, as are necessary and appropriate to provide reasonable use and enjoyment of privately owned oil and gas interests, and consistent with the purposes for which the Big Cypress National Preserve and the Addition were established. Rules and regulations promulgated pursuant to the authority of this section may be made by appropriate amendment to or in substitution of the rules and regulations respecting non-Federal oil and gas rights (currently codified at 36 CFR 9.30, et seq. (1986)).

(b) Any rule or regulation promulgated by the Secretary under subsection (a) of this section shall provide that --

(1) exploration or development and production activities may not be undertaken, except pursuant to a permit issued by the National Park Service authorizing such activities or access; and

(2) final action by the National Park Service with respect to any application for a permit authorizing such activities shall occur within 90 days from the date such an application is submitted unless --

(A) the National Park Service and the applicant agree that such final action shall occur within a shorter or longer period of time; or

(B) the National Park Service determines that an additional period of time is required to ensure that the National Park Service has, in reviewing the application, complied with other applicable law, Executive orders and regulations; or

(C) the National Park Service, within 30 days from the date of submission of such application, notifies the applicant that such application does not contain all information reasonably necessary to allow the National Park Service to consider such application and requests that such additional information be provided. After receipt of such notification to the applicant, the applicant shall supply any reasonably necessary additional information and shall advise the National Park Service that the applicant believes that the application contains all reasonably necessary information and is therefore complete, whereupon the National Park Service may --

(i) within 30 days of receipt of such notice from the applicant to the National Park Service determine that the application does not contain all reasonably necessary additional information and, on that basis, deny the application; or

(ii) review the application and take final action within 60 days from the date that the applicant provides notification to the National Park Service that its application is complete.

(c) Such activities shall be permitted to occur if such activities conform to requirements established by the National Park Service under authority of law.

(d) In establishing standards governing the conduct of exploration or development and production activities within the boundaries of the Big Cypress National Preserve or the Addition, the Secretary shall take into consideration oil and gas exploration and development and production practices used in similar habitats or ecosystems within the Big Cypress National Preserve or the Addition at the time of

promulgation of the rules and regulations under subsection (a) or at the time of the submission of the application seeking authorization for such activities, as appropriate.

(e) Prior to the promulgation of rules or regulations under this section, the Secretary is authorized, consistent with the purposes of which the Big Cypress National Preserve Addition was established, to enter into interim agreements with owners of non-Federal oil and gas interests governing the conduct of oil and gas exploration, development or production activities within the boundaries of the Addition, which agreements shall be superseded by the rules and regulations promulgated by the Secretary when applicable: Provided, That such agreement shall be consistent with the requirements of subsections (b)-(d) of this section and may be altered by the terms of rules and regulations subsequently promulgated by the Secretary: Provided further, That this provision shall not be construed to enlarge or diminish the authority of the Secretary to establish rules and regulations applicable to the conduct of exploration or development and production activities within the Big Cypress National Preserve or the Addition.

(f) There is hereby authorized to be established a Minerals Management Office within the Office of the Superintendent of the Big Cypress National Preserve, for the purpose of ensuring, consistent with the purposes for which the Big Cypress National Preserve was established, timely consideration of and final action on applications for the exploration or development and production of non-Federal oil and gas rights located beneath the surface of lands within the boundaries of the Big Cypress National Preserve and the Addition.

(g) There are hereby authorized to be appropriated such sums as may be necessary to carry out the activities set forth in this section.

Legislative History.

House Report No. 93-502 (Comm. on Interior and Insular Affairs).

Senate Report No. 9-1128 (Comm. on Interior and Insular Affairs).

Congressional Record:

Vol. 119 (1973): Oct 3, considered and passed House.

Vol. 120 (1974); Sept 9, considered and passed Senate, amended.

Sept. 24, House concurred in Senate amendments with amendments.

Oct 1, Senate concurred in House amendments to Senate amendments.

APPENDIX B: WILDERNESS ELIGIBILITY ASSESSMENT FINDINGS

INTRODUCTION

The Big Cypress National Preserve Addition Act (Public Law 100-301) required a wilderness study of the Addition. As described in this document, (pages 112–115), the National Park Service evaluated the eligibility of lands within the Addition for wilderness designation according to the criteria listed and defined in the Wilderness Act of 1964. In 2006, NPS staff reviewed current data for the Addition and obtained additional data through field visits. A workshop was held in July 2006 (see list of participants below) with NPS staff to evaluate and document the wilderness qualities and characteristics of the Addition, determine eligible and ineligible areas, and make recommendations on the suitability of certain lands. Finally, NPS staff incorporated different amounts of eligible wilderness into the management alternatives, creating various proposals to be considered for wilderness designation.

RESULTS AND RATIONALE

Approximately 111,601 acres of land in the Addition (93,959 acres in the Northeast Addition and 17,642 acres in the Western Addition) were determined to be eligible for wilderness designation; 35,345 acres were deemed ineligible (see Map 8: Eligible Wilderness below).

The findings of the eligibility assessment are included below. See the “Wilderness Resources and Values” section of “Chapter 3: Affected Environment for more information on the existing conditions and characteristics of the Addition.

A. NORTHEAST ADDITION

Not Suitable for Wilderness Designation

I-75 Right-of-Way — Fifty feet on either side of actual right-of-way is not suitable because it includes all past disturbances from highway construction and maintenance.

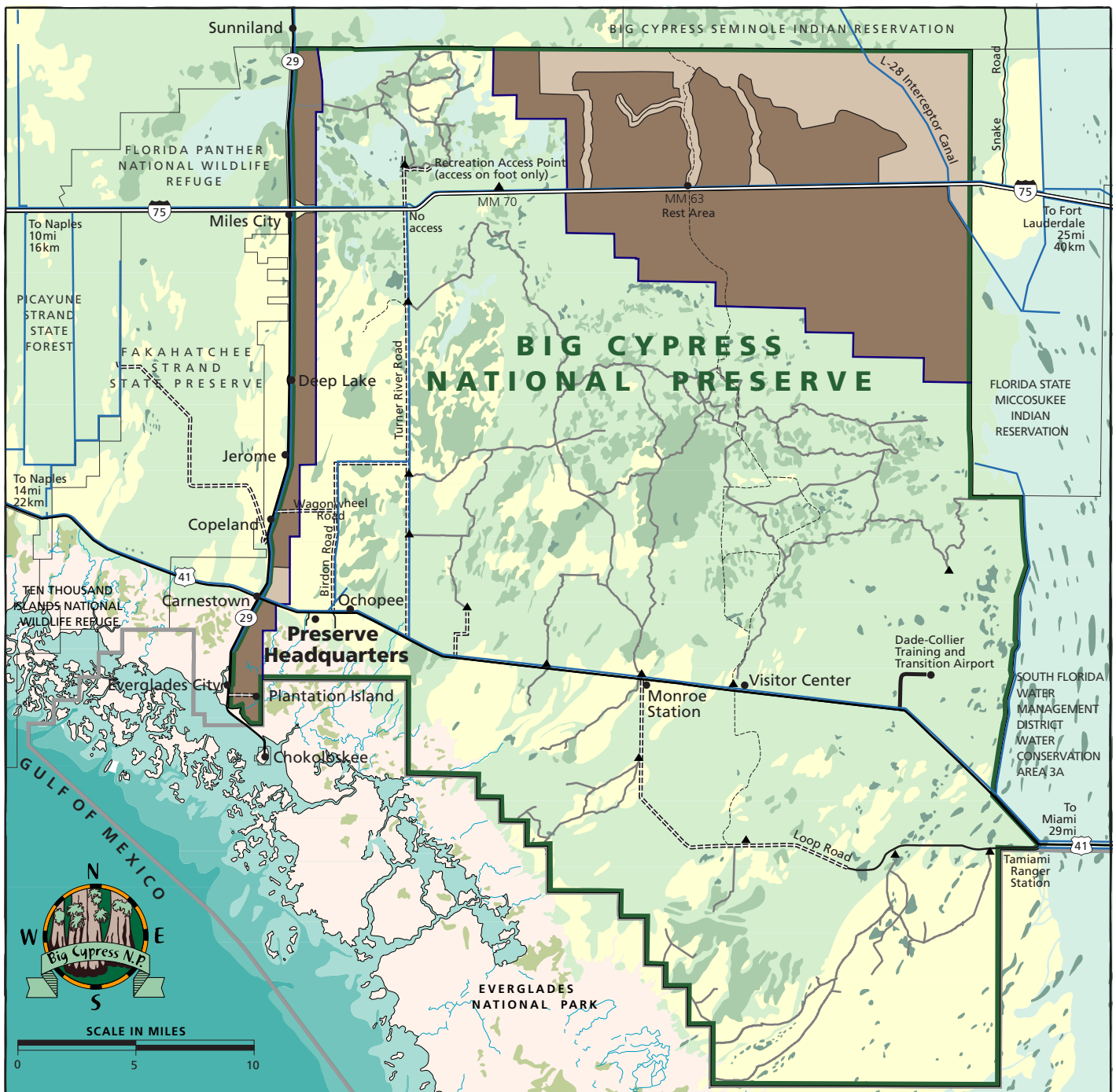
L-28 Interceptor Canal — Fifty feet on west side of canal is not suitable because it includes levee and areas disturbed by past construction and maintenance; the northeast triangle in this area is substantially altered by man (hydrologic processes and prior land uses).

Pipeline Right-of-Way — Fifty-foot corridor is not suitable (actual right-of-way width is 40 feet, but the pipeline owner has the option to expand to 50 feet where needed) based on history of maintenance activity occurring within the right-of-way.

Nobles Grade — One-hundred-foot corridor is centered on grade; this area often includes areas that have been altered or disturbed by unconventional techniques that were used to create roads and grades and resulted in “sidecast” debris.

Bundschu Grade — One-hundred-foot corridor, which often included areas that have been altered or disturbed by unconventional techniques that were used to create roads and grades and resulted in “sidecast” debris.

Jones Grade — Seventy-five-foot corridor is not eligible because it includes a couple of borrow pits, but they are not as substantial as the ones at Nobles and Bundschu.



Legend

- Preserve Boundary
- Addition Boundary
- Wilderness Eligible Land
- Wilderness Ineligible Land
- Unpaved Roads
- Existing Hiking Trail
- Canal
- ▲ Existing Access Point

Key to Ecosystems

- | | | | |
|--|--|---|---|
| Cypress | Pineland | Mangrove | Coastal Marsh |
| Hardwood Hammock | Freshwater Marl Prairie | Freshwater Slough | Marine and Estuarine |

Map 8

Eligible Wilderness

Big Cypress National Preserve – Addition General Management Plan

United States Department of the Interior • National Park Service
DSC • March 2009 • 176/20080

Grades East of Jones Grade — The grades are not suitable because the grades are raised and there are significant signs of human use.

Big Cypress Sanctuary — This area has been substantially altered (by roads and houses); area is too small to be managed as wilderness; boundaries are based on property lines because there are no major topographic features.

Storelli — This area has been substantially altered (by roads and houses); area is too small to be managed as wilderness; boundaries are based on property lines because there are no major topographic features.

West and South of Sanctuary — There are camps in this area; area is too small for wilderness management; area is adjacent to a trail/road that serves exempt properties.

Mullet Slough Camps — This is airboat country, so there are many camps and access to exempt properties.

1-mile Strip North of Pipeline — Adjacent land management is incompatible with wilderness; area is small in size and there are trail impacts

Suitable for Wilderness Designation

Mullet Slough — Area is primeval, and there are no trails; natural processes are continuing; area is roughly 19,000 acres.

Mullet Slough Watershed — All areas are within the watershed, including Turkey Foot Road/trail; trails and roads are narrow and at-grade with no other major improvements; signs of human use could be removed.

West of Mullet Slough near Florida Trail — There are no trails; the area is

remote and adjacent to wildlands, and there are no ORV impacts.

Kissimmee Billy Strand — The area is wild; there are no trails, and the area is more than 5,000 acres.

West of Bundschu Grade — There are sensitive resources here; there are no trails, and the area is about 6,000 acres.

Area East of Nobles Grade — The area is wild, and it is greater than 5,000 acres; there are minor signs of human use.

East of Jones Grade and North of I-75 — The area is wild, there are minimal signs of human use, and the area is greater than 5,000 acres.

B. WESTERN ADDITION

1. PLANTATION ISLAND NORTH TO HIGHWAY 41

Not Suitable for Wilderness Designation

Municipal Boundary and Edge of Lake Placid — This area is used regularly by Everglades City; however, human development makes a logical boundary for wilderness management.

Highway 41 Right-of-Way — Thirty-five feet on either side of right-of-way is not suitable because it includes disturbances from road construction and maintenance; actual right-of-way is believed to be 183 feet wide.

LCEC Power Substation — This is private property and it has been developed.

Chamber of Commerce site — This area has been dredged and filled; the land is encumbered with leases.

Plantation Island Subdivision and Access Road — This area is private property, and it is outside the Preserve boundary.

Suitable for Wilderness Designation

All other areas are suitable.

2. HIGHWAY 41 NORTH TO DEEP LAKE

Not Suitable for Wilderness Designation

Lower Wagon Wheel Road Right-of-Way — Right-of-way plus 50 feet on both sides are not suitable due to disturbance from construction.

Highway 29 Right-of Way — Right-of-way plus 50 feet are not suitable due to disturbance from construction (east of road and canal) and there are borrow pits.

Private land — The land plus 50-foot buffer around property lines is not suitable because it is needed for management — including tree removal and prescribed fire.

Suitable for Wilderness Designation

All Other Areas — All other areas are wild and greater than 5,000 acres, and adjacent management is compatible with wilderness.

3. DEEP LAKE NORTH TO I-75

Not Suitable for Wilderness Designation

Highway 29 Right-of Way — Right-of-way plus 50 feet are not suitable due to disturbance from construction

(east of road and canal), and there are borrow pits.

Interchange Triangle — This land is not suitable due to presence of interchange and canal; the boundary has been squared off for management purposes.

Suitable for Wilderness Designation

All Other Areas — The tram north of Deep Lake blends into the landscape and is not considered a substantially noticeable feature (this is different than grades with stone materials and canals).

4. I-75 NORTH TO BEAR ISLAND

Not Suitable for Wilderness Designation

Highway 29 Right-of Way — Right-of-way plus 50 feet are not suitable due to disturbance from construction (east of road and canal), and there are borrow pits.

Private Land — The land plus 50-foot buffer around property lines is not suitable due to previous disturbance and because it is needed for management, including tree removal and prescribed fire.

Bear Island Grade Easement — One-hundred-foot wide corridor is not suitable.

Suitable for Wilderness Designation

All Other Areas — Adjacent use around these areas is compatible with wilderness; the areas are wild; management is practicable as wilderness when managed with neighboring land.

**LIST OF JULY 2006
WORKSHOP PARTICIPANTS**

Big Cypress National Preserve

James Burch, Botanist*
Ron Clark, Chief of Resources Management
Ed Clark, Chief Ranger
Christine Clark, Management Assistant
Bob DeGross, Chief of Interpretation
Karen Gustin, Superintendent
Damon Doumlele, Environmental Protection
Specialist
Don Hargrove, Environmental Protection
Specialist*
Ryan Levins, Park Ranger*
John Nobles, Fire Management Officer
Pedro Ramos, Deputy Superintendent
Steve Schulze, Wildlife Technician
Bob Sobczak, Hydrologist

* Individual was brought into the meeting
to address a specific issue or question; not
present for the entire workshop

**Denver Service Center,
National Park Service**

Pat Kenney, Project Manager
Patrick Malone, Natural Resource Specialist

**Southeast Regional Office,
National Park Service**

Mark Kinzer, Regional Liaison to the
Addition GMP and Wilderness
Coordinator

Washington Office, National Park Service

Rick Potts, Chief of Wilderness Stewardship
& Recreation Management

APPENDIX C: CONSULTATION LETTERS

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United States Department of the Interior

NATIONAL PARK SERVICE

Big Cypress National Preserve
HCR 61, Box 110
Ochopee, Florida 34141-9710

L3215 (BICY-S)

December 12, 2001

Honorable Jerry G. Haney, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, Oklahoma 74884

Dear Principal Chief Haney:

This letter is meant to inquire whether your tribe desires to undertake government to government consultations in conjunction with the general management planning for the Addition land of Big Cypress National Preserve, a unit of the National Park Service.


In 1988, Public Law 100-301 expanded the boundaries of Big Cypress National preserve by approximately 146,000 acres. The primary purposes of the Addition lands are to 1) protect the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress watershed, 2) limit the development pressures on lands bordering the Preserve that important fish and wildlife habitat supporting endangered species, and wetlands that are the headwaters of the Preserve, 3) enhance the protection of Everglades National Park while providing recreational opportunities and other public uses offered by the Preserve.

The current general management plan for the Preserve does not address the lands in the Addition. The general management plan will address the Addition's numerous management issues and guide management of these lands over the next 15 years.

For your information we have already held public workshops on July 30 in Everglades City, July 31 in Naples, August 1, at the Seminole Tribe Reservation and on August 2 in Miami. We also held one planning workshop with representatives from agencies on June 21, 2001 in Naples. We intend to have another agency workshop soon. A newsletter will also be issued to provide follow up of these activities.

Please contact our office at 941-695-1103 should you wish to undertake government to government consultation concerning the Addition at Big Cypress National Preserve.

Sincerely,



John J. Dwyahue
Superintendent

cc:
Emman Spain, Historic Resource Specialist
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, Oklahoma 74884

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United States Department of the Interior

NATIONAL PARK SERVICE
Big Cypress National Preserve
HCR 61, Box 110
Ochopee, Florida 34141-9710

L3215 (BICY-S)

December 12, 2001

Honorable Mitchell Cypress
Acting Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

Dear Chairman Cypress:

This letter is meant to inquire whether your tribe desires to undertake government to government consultations in conjunction with the general management planning for the Addition lands of Big Cypress National Preserve.

In 1988, Public Law 100-301 expanded the boundaries of Big Cypress National Preserve by approximately 146,000 acres. The primary purposes of the Addition lands are to 1) protect the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress watershed, 2) limit the development pressures on lands bordering the Preserve that important fish and wildlife habitat supporting endangered species, and wetlands that are the headwaters of the Preserve, 3) enhance the protection of Everglades National Park while providing recreational opportunities and other public uses offered by the Preserve.

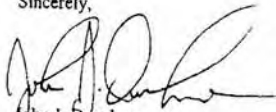
The current general management plan for the Preserve does not address the lands in the Addition. The general management plan will address the Addition's numerous management issues and guide management of these lands over the next 15 years.

We have already held public workshops on July 30 in Everglades City, July 31 in Naples, August 1, at the Seminole Tribe Reservation and on August 2 in Miami. We also held one planning workshop with representatives from agencies on June 21, 2001 in Naples. Sam Tommie attended the agency session. We intend to have another agency workshop soon. A newsletter will also be issued to provide follow up of these activities.

Should you prefer to have a separate meeting to discuss your views and ideas about the future management of the Addition, we would welcome the opportunity.

Please contact our office at 941-695-1103 should you wish to arrange a meeting.

Sincerely,



John J. Donahue
Superintendent

cc:

Dr. Patricia R. Wickman, Historic Preservation Officer

Dec 13 01 01:46p

P. 4



United States Department of the Interior

NATIONAL PARK SERVICE

Big Cypress National Preserve
HCR 61, Box 110
Ochopee, Florida 34141-9710

L3215 (BICY-S)

December 12, 2001

Honorable Billy Cypress, Chairman
Miccosukee Tribe of Indians of Florida
Tamiami Station
P.O. Box 440021
Miami, Florida 33144

Dear Chairman Cypress:

This letter is meant to inquire whether your tribe desires to undertake government to government consultations in conjunction with the general management planning for the Addition land of Big Cypress National Preserve.

In 1988, Public Law 100-301 expanded the boundaries of Big Cypress National Preserve by approximately 146,000 acres. The primary purposes of the Addition lands are to 1) protect the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress watershed, 2) limit the development pressures on lands bordering the Preserve that important fish and wildlife habitat supporting endangered species, and wetlands that are the headwaters of the Preserve, 3) enhance the protection of Everglades National Park while providing recreational opportunities and other public uses offered by the Preserve.

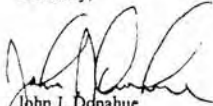
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Please contact our office at 941-695-1103 should you wish to arrange a meeting.

Sincerely,



John J. Donahue
Superintendent



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
DENVER SERVICE CENTER
12795 W. ALAMEDA PARKWAY
P.O. BOX 25287
DENVER, COLORADO 80225-0287



1621 (DSC-PDS)
BICY 003

August 21, 2001

Mr. Jay Slack, Project Leader
U.S. Fish and Wildlife Service
P.O. Box 2676
Vero Beach, FL 32961-2676

Dear Mr. Slack:

Reference: Big Cypress National Preserve
Addition Lands General Management Plan

Subject: Request for List of Federal Species of Concern

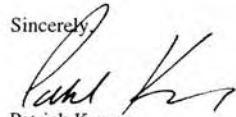
The National Park Service is preparing a general management plan for the Addition portion of Big Cypress National Preserve. This letter initiates informal consultation on the proposed plan by requesting a current list of federally listed, proposed, and candidate species; designated and proposed critical habitat; and other species or habitats of concern that may inhabit the project area.

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To facilitate planning and in accordance with 50 CFR 402.12, please provide us your list of species that may be present in the project area, as well as any relevant comments concerning construction timing and restrictions, within 30 days of receiving this request. If you have any questions or comments, please contact me at (303) 969-2674. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Kenney', written over a horizontal line.

Patrick Kenney
Natural Resource Specialist

Attachment

cc: John Donahue, BICY



United States Department of the Interior

NATIONAL PARK SERVICE
DENVER SERVICE CENTER
12795 W. ALAMEDA PARKWAY
P.O. BOX 25287
DENVER, COLORADO 80225-0287



IN REPLY REFER TO:

1621 (DSC-PDS)
BICY 003

August 21, 2001

Mr. Dave McElveen, Planning Coordinator
Florida Fish and Wildlife Conservation Commission
620 South Meridan Street
Tallahassee, Florida 32399-1600

Dear Mr. McElveen:

Reference: Big Cypress National Preserve
Addition Lands General Management Plan

Subject: Request for List of Species of Concern

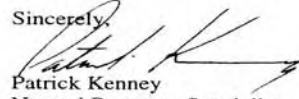
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Sincerely,



Patrick Kenney
Natural Resource Specialist

Attachment

cc: John Donahue, BICY

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

JULIE K. MORRIS
Sarasota

DAVID K. MEEHAN
St. Petersburg

ILA. "HERKY" HUFFMAN
Deltona

JOHN D. ROOD
Jacksonville

QUINTON L. HEDGEPEETH, DDS
Miami

EDWIN P. ROBERTS, DC
Pensacola

RODNEY BARRETO
Miami

BRADLEY J. HARTMAN, DIRECTOR
OFFICE OF ENVIRONMENTAL SERVICES
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679

September 4, 2001

Mr. Patrick Kenney
Natural Resource Specialist
National Park Service
Denver Service Center
12795 W. Alameda Parkway
P.O. Box 25287
Denver, CO 80225-0287

Dear Mr. Kenney,

Per your request, enclosed is a current listing of Florida's endangered species, threatened species, species of special concern, and other rare and imperiled wildlife located within the Addition portion of Big Cypress National Preserve. Species identification was conducted for both land parcels of the Addition and was reported in the same list. Along with the Florida Fish and Wildlife Conservation Commission species designation, the federal designation was included.

The Florida Fish and Wildlife Conservation Commission does not currently have any designated or proposed critical habitat in the Addition portion of Big Cypress National Preserve. Therefore, we were unable to help with this portion of your request.

If you have any questions or require additional information that can be provided by our agency please contact me at (850) 488-6661 or endriem@gfc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Endries".

Mark J. Endries
Biological Scientist

Enclosure

MJE
ENV 8-7/8

APPENDIXES

List of Current Florida's endangered species, threatened species, and species of special concern in the Addition portion of Big Cypress National Preserve

Scientific Name	Common Name(s)	Designated Status	
		Florida Fish & Wildlife Conservation Commission	U.S. Fish and Wildlife Service
<u>Fish</u>			
<i>Rivulus marmoratus</i>	Mangrove rivulus; rivulus	Species of Special Concern	Not Listed
<u>Amphibians</u>			
<i>Rana capito</i>	Gopher (=crawfish) frog	Species of Special Concern	Not Listed
<u>Reptiles</u>			
<i>Alligator mississippiensis</i>	American alligator	Species of Special Concern	Threatened/Similarity of Appearance
<i>Caretta caretta</i>	Atlantic loggerhead turtle	Threatened	Threatened
<i>Chelonia mydas mydas</i>	Atlantic green turtle	Endangered	Endangered
<i>Crocodylus acutus</i>	American crocodile	Endangered	Endangered
<i>Dermochelys coriacea</i>	Leatherback (=leathery) turtle	Endangered	Endangered
<i>Drymarchon corais couperi</i>	Eastern indigo snake	Threatened	Threatened
<i>Eretmochelys imbricata imbratica</i>	Atlantic hawksbill turtle	Endangered	Endangered
<i>Gopherus polyphemus</i>	Gopher turtle	Species of Special Concern	Not Listed
<i>Lepidochelys kemp</i>	Atlantic ridley turtle	Endangered	Endangered
<i>Malaclemys terrapin macrospilota</i>	Ornate Diamondback Terrapin	Not Listed	Not Listed
<i>Nerodia clarkii compressicauda</i>	Mangrove Water Snake	Not Listed	Not Listed
<u>Birds</u>			
<i>Ajaia ajaja</i>	Roseate spoonbill	Species of Special Concern	Not Listed
<i>Ammodramus maritimus mirabilis</i>	Cape Sable seaside sparrow	Endangered	Endangered
<i>Anas fulvigula</i>	Mottled Duck	Not Listed	Not Listed
<i>Aphelocoma coerulescens</i>	Florida scrub-jay	Threatened	Threatened
<i>Aramus guarauna</i>	Limpkin	Species of Special Concern	Not Listed
<i>Buteo swainsoni</i>	Swainson's Hawk	Not Listed	Not Listed
<i>Charadrius alexandrinus tenuirostris</i>	Southeastern snowy plover	Threatened	Not Listed

<i>Charadrius melodus</i>	Piping plover	Threatened	Threatened
<i>Coccyzus minor</i>	Mangrove cuckoo	Not Listed	Not Listed
<i>Columba leucocephala</i>	White-crowned pigeon	Threatened	Not Listed
<i>Dendroica discolor paludicola</i>	Florida Prairie Warbler	Not Listed	Not Listed
<i>Dendroica petechia</i>	Cuban Yellow Warbler	Not Listed	Not Listed
<i>Egretta caerulea</i>	Little blue heron	Species of Special Concern	Not Listed
<i>Egretta rufescens</i>	Reddish egret	Species of Special Concern	Not Listed
<i>Egretta thula</i>	Snowy egret	Species of Special Concern	Not Listed
<i>Egretta tricolor</i>	Tricolored (=Louisiana) heron	Species of Special Concern	Not Listed
<i>Elanoides forficatus</i>	American Swallow-tailed Kite	Not Listed	Not Listed
<i>Eudocimus albus</i>	White ibis	Species of Special Concern	Not Listed
<i>Falco peregrinus tundrius</i>	Arctic peregrine falcon	Endangered	Not Listed
<i>Falco sparverius paulus</i>	Southeastern American kestrel	Threatened	Not Listed
<i>Grus canadensis pratensis</i>	Florida sandhill crane	Threatened	Not Listed
<i>Haematopus palliatus</i>	American oystercatcher	Species of Special Concern	Not Listed
<i>Haliaeetus leucocephalus</i>	Bald eagle	Threatened	Threatened
<i>Ixobrychus exilis</i>	Least Bittern	Not Listed	Not Listed
<i>Laterallus jamaicensis</i>	Black Rail	Not Listed	Not Listed
<i>Meleagris gallopavo</i>	Wild Turkey	Not Listed	Not Listed
<i>Mycteria americana</i>	Wood stork	Endangered	Endangered
<i>Pandion haliaetus</i>	Osprey	Species of Special Concern	Not Listed
<i>Nyctanassa violacea</i>	Yellow-Crowned Night Heron	Not Listed	Not Listed
<i>Nycticorax nycticorax</i>	Black-Crowned Night-Heron	Not Listed	Not Listed
<i>Pelecanus occidentalis</i>	Brown pelican	Species of Special Concern	Not Listed
<i>Picoides borealis</i>	Red-cockaded woodpecker	Threatened	Endangered
<i>Rostrhamus sociabilis</i>	Snail kite	Endangered	Endangered
<i>Rynchops niger</i>	Black skimmer	Species of Special Concern	Not Listed
<i>Speotyto cunicularia</i>	Burrowing owl	Species of Special Concern	Not Listed

APPENDIXES

<i>Sterna antillarum</i>	Least tern	Threatened	Not Listed
<i>Sterna dougallii</i>	Roseate tern	Threatened	Threatened
<i>Vireo altiloquus</i>	Black-whiskered Vireo	Not Listed	Not Listed

Mammals

<i>Blarina brevicauda shermani</i>	Sherman's Short-tailed Shrew	Not Listed	Not Listed
<i>Felis concolor coryi</i>	Florida panther	Endangered	Endangered
<i>Felis rufus</i>	Bobcat	Not Listed	Not Listed
<i>Lasiurus intermedius floridanus</i>	Northern Yellow Bat	Not Listed	Not Listed
<i>Mustela vison evergladensis</i>	Everglades mink	Threatened	Not Listed
<i>Neofiber alleni</i>	Round-tailed Muskrat	Not Listed	Not Listed
<i>Sciurus niger avicennia</i>	Big Cypress (=mangrove) fox squirrel	Threatened	Not Listed
<i>Trichechus manatus</i>	West Indian (=Florida) manatee	Endangered	Endangered
<i>Ursus americanus floridanus</i>	Florida black bear	Threatened	Not Listed

Plants

<i>Acrostichum danaeifolium</i>	Giant leather fern	Commercially Exploited	Not Listed
<i>Asclepias curtissii</i>	Curtiss' (=sandhill) milkweed	Endangered	Not Listed
<i>Asplenium serratum</i>	Bird's nest spleenwort; wild birdnest fern	Endangered	Not Listed
<i>Campylocentrum pachyrrhizum</i>	Leafless orchid	Endangered	Not Listed
<i>Campyloneurum angustifolium</i>	Narrow strap fern	Endangered	Not Listed
<i>Campyloneurum costatum</i>	Tailed strap fern	Endangered	Not Listed
<i>Catopsis berteroniana</i>	Powdery (=yellow) catopsis	Endangered	Not Listed
<i>Catopsis floribunda</i>	Many-flowered air plant	Endangered	Not Listed
<i>Catopsis nutans</i>	Nodding catopsis	Endangered	Not Listed
<i>Celtis iguanaea</i>	Iguana hackberry	Endangered	Not Listed
<i>Chamaesyce cumulicola</i>	Sand dune spurge	Endangered	Not Listed
<i>Cheilanthes microphylla</i>	Southern lip fern	Endangered	Not Listed
<i>Crossopetalum rhacoma</i>	Rhacoma	Endangered	Not Listed
<i>Ctenitis sloanei</i>	Red-hair comb fern; Florida tree fern	Endangered	Not Listed

<i>Cyrtopodium punctatum</i>	Cowhorn (=cigar) orchid	Endangered	Not Listed
<i>Encyclia boothiana</i>	Dollar (=dogtooth) orchid	Endangered	Not Listed
<i>Encyclia cochleata</i>	Shell (=clamshell) orchid	Endangered	Not Listed
<i>Encyclia pygmaea</i>	Dwarf epidendrum	Endangered	Not Listed
<i>Epidendrum acunae</i>	Acuna's epidendrum	Endangered	Not Listed
<i>Epidendrum nocturnum</i>	Night-scent orchid	Endangered	Not Listed
<i>Epidendrum strobiliferum</i>	Matted epidendrum	Endangered	Not Listed
<i>Gossypium hirsutum</i>	Wild cotton	Endangered	Not Listed
<i>Guzmania monostachia</i>	Fuch's bromeliad	Endangered	Not Listed
<i>Ionopsis utricularioides</i>	Delicate ionopsis; violet orchid	Endangered	Not Listed
<i>Jacquemontia curtissii</i>	Pineland (=Curtiss') clustervine	Endangered	Not Listed
<i>Lantana depressa</i>	Pineland lantana	Endangered	Not Listed
<i>Lechea cernua</i>	Nodding (=drooping; =scrub) pinweed	Threatened	Not Listed
<i>Lechea divaricata</i>	Pine (=spreading) pinweed	Endangered	Not Listed
<i>Lechea lakelae</i>	Lakela's pinweed	Endangered	Not Listed
<i>Lepanthopsis melanantha</i>	Harris' tiny orchid	Endangered	Not Listed
<i>Linum carteri</i>	South Florida (=Everglades) flax	Endangered	Not Listed
<i>Maxillaria crassifolia</i>	Hidden orchid	Endangered	Not Listed
<i>Microgramma heterophylla</i>	Climbing vine fern	Endangered	Not Listed
<i>Myrcianthes fragrans</i> (=Eugenia simpsonii)	Simpson's ironwood; Simpson's stopper	Threatened	Not Listed
<i>Peperomia glabella</i>	Cypress peperomia	Endangered	Not Listed
<i>Peperomia humilis</i>	Pepper (unnamed)	Endangered	Not Listed
<i>Peperomia obtusifolia</i> (=P. floridana)	Florida (=Everglades) peperomia	Endangered	Not Listed
<i>Pleurothallis gelida</i>	Frosted orchid	Endangered	Not Listed
<i>Pteroglossaspis</i> (=Eulophia) <i>ecristata</i>	Non-crested coco; false coco	Threatened	Not Listed
<i>Roystonea elata</i>	Florida royal palm	Endangered	Not Listed
<i>Selaginella eatonii</i>	Pygmy spikemoss	Endangered	Not Listed
<i>Spiranthes torta</i>	Southern ladies' tresses	Endangered	Not Listed

APPENDIXES

<i>Stylisma abdita</i>	Hidden stylisma	Endangered	Not Listed
<i>Thelypteris reptans</i>	Creeping star-hair fern	Endangered	Not Listed
<i>Thrinax radiata</i>	Florida thatch palm	Endangered	Not Listed
<i>Tillandsia flexuosa</i>	Twisted and banded air plant	Endangered	Not Listed
<i>Tillandsia pruinosa</i>	Fuzzy-wuzzy (=hoary) air plant	Endangered	Not Listed
<i>Tripsacum floridanum</i>	Florida tripsacum	Endangered	Not Listed
<i>Vanilla phaeantha</i>	Leafy (=oblong-leaved) vanilla	Endangered	Not Listed
<i>Zephyranthes simpsonii</i>	Simpson's zephyr lily	Threatened	Not Listed

ADL200119.1



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

August 29, 2001

Ms. Christine Bates
Superintendent
Big Cypress National Preserve
HCR 61, Box 110
Ochopee, Florida 34141

RE: Department of the Interior - National Park Service - Notice of Intent to Prepare a
General Management Plan/Draft Environmental Impact Statement for Big
Cypress National Preserve - Collier County Florida
SAI: FL200106250480C

Dear Ms. Bates:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act (CZMA), 16, U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4231, 4331-4335, 4341-4347, as amended, has coordinated a review of the above-referenced project.

Based on the information contained in the Notice of Intent to Prepare a General Management Plan/Draft Environmental Impact Statement for Big Cypress National Preserve and the enclosed comments provided by our reviewing agencies, at this stage, the state does not object to the continued development of the project. Florida's decision regarding the consistency of the referenced action with the Florida Coastal Management Program (FCMP) will be provided when Florida receives the consistency determination and the necessary data and information required by the CZMA and its implementing regulation 15 C.F.R. 930.

The Park Service is encouraged by 15 C.F.R. 930.37 to use the draft environmental impact statement to provide its consistency determination. If the Park Service chooses this option, the Service is still required to adhere to the timeframes in 15 C.F.R. 930 and, given the importance of the Big Cypress and the potential for significant effects to Florida's coastal resources, provide the state with a detailed evaluation of the effects of the proposed action on the enforceable policies contained in the FCMP, which are located in the Chapters of the Florida

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, FL 33050-2227
(305) 289-2402

COMMUNITY PLANNING EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-2356

2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 413-9969

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-7956

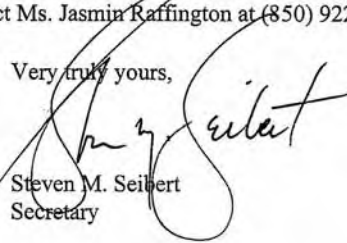
Ms. Christine Bates
August 29, 2001
Page Two

Statutes identified by the Department of Environmental Protection (DEP) in the enclosure. Enforceable policies contained in Chapters 267, 372 and 380, Florida Statutes, should also be considered. Please refer to the enclosed comments from DEP.

Although the proposed action is directed toward the development of a management plan for the Addition, the National Park Service should reexamine and update the management plan for the entire big Cypress National Preserve. Complementary management strategies for the original Preserve lands and the Addition lands should be developed that addresses the current environmental conditions in the Preserve and in the surrounding ecosystems; future hydrologic changes planned for water management within the Preserve and the south Florida watershed; and the performance of management practices applied since adoption of the Preserve's current management plan, whether beneficial or harmful.

Thank you for the opportunity to assist you with the scoping of such an important action. We look forward to our review of the draft environmental impact statement. If you have any questions regarding this letter, please contact Ms. Jasmin Raffington at (850) 922-5438.

Very truly yours,



Steven M. Seibert
Secretary

SMS/dc

Enclosure

cc: Sally B. Mann, Florida Department of Environmental Protection



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

August 27, 2001

David B. Struhs
Secretary

Ms. Jasmin Raffington
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Department of the Interior, National Park Service, Notice of Intent to
Prepare General Management Plan and Draft Environmental Impact Statement
For the Big Cypress National Preserve, Collier County, Florida

SAI: FL200106250480C

Dear Ms. Raffington:

The Department of Interior, National Park Service is preparing a draft environmental impact statement and revised general management plan for the Big Cypress National Preserve (Preserve), to address the 147,280-acre Preserve Addition Lands (Addition) added to the Preserve in 1988. The Addition is not covered in the current general management plan (published in 1992), which addresses natural resource and visitor management issues. The Preserve was established in 1974 to ensure the preservation, conservation, and protection of the natural, scenic, floral and faunal, and recreational values of the Big Cypress watershed. The importance of the watershed to the adjacent Everglades National Park was a major consideration in establishment of the Preserve. To assist both state and federal efforts to protect the south Florida ecosystem, the State of Florida donated approximately 51,000 acres of the Addition to the federal government for expansion of the Preserve.

Most of the Preserve is classified as wetlands, and waters within the Preserve are classified as "special waters," a category of Outstanding Florida Waters that prohibits dredge-and-fill activities not clearly in the public interest. The Preserve has also been designated an Area of Critical State Concern,¹ and a portion of the Florida National Scenic Trail lies within the Addition. Many endangered and threatened species inhabit the area, including the Florida panther, red-cockaded woodpecker, wood stork, peregrine falcon, snail kite, American alligator, and eastern indigo snake. In fact, seventy-three percent (73%) of all federal and state-listed and imperiled species either use or live in the freshwater, saltwater or wetland communities of the Southwest Florida/Big Cypress Basin.²

¹ FLA. STAT. §§ 380.05(2)(a), .55 (2000) (an area having a significant impact on natural resources of regional or statewide importance, requiring stringent development principles). See also FLA. STAT. § 403.061(27) (designation of Outstanding Florida Waters).

² FLORIDA DEP'T OF ENVTL. PROTECTION, DIV. OF WATER RESOURCE MGMT., BASIN STATUS REPORT (DRAFT): EVERGLADES WEST COAST 24 (June 2001).

"More Protection, Less Process"

Printed on recycled paper.

Ms. Jasmin Raffington
August 27, 2001
Page 2 of 5

The Preserve is but one of several neighboring south Florida tracts designated as unique natural areas, e.g. Picayune Strand State Forest, Fakahatchee Strand State Preserve, Ten Thousand Islands National Wildlife Refuge, Florida Panther National Wildlife Refuge, Collier Seminole State Park, Shark River Slough, Everglades National Park, Cape Romano Ten Thousand Islands Aquatic Preserve, and Rookery Bay Aquatic Research Preserve. All of the foregoing natural areas are interdependent with the Preserve and provide clean water and unspoiled habitat for the south Florida ecosystem.

Developed in the late 1980s, the Preserve's current general management plan describes the types and intensity of activities conducted by individuals or groups who use, live, or operate in the Preserve. Activities that may occur within the Preserve include off-road vehicle and airboat use; oil and gas exploration and operation; and construction and utilization of hunting camps and other recreational facilities. Although the proposed action is directed toward development of a management plan for the Addition, the National Park Service should reexamine and update the management plan for the entire Big Cypress National Preserve. Complementary management strategies for the original Preserve lands and the Addition lands should be developed on the basis of current environmental conditions inside the Preserve and in the surrounding ecosystem; future hydrologic changes planned for water management within the Preserve and the south Florida watershed; and the performance of management practices applied since adoption of the Preserve's current management plan – whether beneficial or harmful.

The Department of Environmental Protection offers the following comments regarding the scope and content of issues and alternatives that should be evaluated in the draft environmental impact statement (EIS) for the general management plan:³

- The description of the affected environment should be updated in the draft EIS to reflect current environmental conditions throughout the Preserve and surrounding lands. It is especially important to complete a comprehensive natural resource inventory of the Addition lands before considering management options. Descriptions of environmental conditions should be based on a thorough understanding of the area's hydrology, responses by plant and animal communities to environmental fluctuations, whether normal (seasonal rainfall patterns) or extreme (recent 3-year drought), and the relationship between the Addition lands and the lands of the greater Preserve and the south Florida ecosystem.
- The draft EIS should quantify the results of current management strategies and evaluate their effectiveness in protecting and improving Preserve resources since the general management plan was adopted. The evaluation should include cumulative, long-term impact assessments of new tribal camps or camp expansions; off-road vehicle (ORV) use; construction of access roads; oil and gas development; and other activities that could disturb the geology, hydrology, flora and fauna of the Preserve. Such a "report card" could determine whether the current practices should be continued,

³ Detailed comments on the scope and content of a draft environmental impact statement for the Preserve's *oil and gas* management plan are provided in a separate response.

Ms. Jasmin Raffington
August 27, 2001
Page 3 of 5

whether specific protocols or activities are appropriate for the Addition lands, and whether management alternatives could increase resource protection in the Preserve and better safeguard other resource management initiatives in the surrounding ecosystem.

- The management alternatives evaluated in the draft EIS should reflect the continuing and comprehensive efforts of state, federal and local governments (including significant funding commitments)⁴ directed at solving the large-scale natural resource problems of the south Florida ecosystem. Resource management strategies in the Preserve should be consistent with implementation of the Comprehensive Everglades Restoration Plan (CERP) and evaluate the role of Preserve and Addition lands in meeting restoration goals for the south Florida ecosystem. Key CERP elements that need to be considered in the development of management strategies for Preserve and Addition lands include modifications to the L-28 Interceptor, raised culverts along Tamiami Trail, and the Seminole Tribe-Big Cypress Water Conservation Plan. Those projects will result in significantly increased water conveyance through the Preserve and Addition lands to improve sheetflow and water quality in the Everglades and related ecosystems. As a result, activities that adversely affect Preserve or Addition resources may jeopardize the effectiveness of the improvements. The draft EIS should evaluate compatibility between the general management plan and the CERP and, where possible, identify alternatives and improvements to the general management plan that would serve the mutual interests of the Preserve and the CERP.
- Florida is concerned about and does not support additional oil and gas activities in the Preserve and Addition area. The effectiveness of current oil and gas management activities, particularly the "Area of Influence" methodology, should be critically examined using current cumulative and secondary impact guidelines. Its effectiveness in protecting the water resources, habitats, flora and fauna of the existing Preserve should be quantified to determine whether the approach should be continued or modified, and whether it should be applied in the Addition area. The draft EIS should specifically examine one or more alternatives that would establish a limit lower than the current methodology's 10% allowance for oil and gas activities in the Preserve. The draft EIS should also consider management options that would significantly increase resource protection in highly sensitive areas. The use of an impact threshold based on total Preserve acreage may artificially dilute impacts through numerical calculation and mask the intensity of impacts in more localized areas. The draft EIS should evaluate the merits of establishing a range of impacts in specific geographic areas, such as management units, active oil and gas fields, hydrologic components, etc.
- The draft EIS should address the need to restore already damaged resources in the Preserve, including borrow pits, fill sites, deserted hunting camps, abandoned oil and gas exploration and production roads and facilities, and off-road vehicle trails. The general management plan should include provisions to control allowable use access to and from disturbed sites to minimize future damage outside the distressed areas. The draft EIS should discuss the development of performance criteria for restoration projects, including: the determination of keystone or sentinel species to measure recovery progress; the development of performance measures for water quality and floral communities; and the establishment of timelines and milestones for the restoration effort.

⁴ Restoration projects either in progress or proposed for the Southwest/Big Cypress sub-region currently total \$353,216,625. SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE, INTEGRATED FINANCIAL PLAN CALENDAR YEAR 1999 Section 2 (1999).

Ms. Jasmin Raffington
August 27, 2001
Page 4 of 5

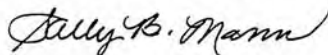
- The National Park Service should use the Big Cypress Basin Board watershed-planning model to characterize (in the draft EIS) surface water and groundwater flows throughout the Preserve and to evaluate alternatives for improved water management strategies. The model can incorporate surface hydrology, the hydraulics of existing canals, and other general land use data at various spatial scales. The program can simulate the dynamic processes that have influenced the overall hydrology and ecology of the Big Cypress Basin and help evaluate alternative strategies for effectively managing water, related land resources and the fish and wildlife they support. Water management in the Preserve and Addition should achieve the following objectives and goals: identification of areas where water quality monitoring is crucial; identification of priority groundwater protection areas; better flood protection in developed and developing areas, consistent with local government comprehensive plans; restoration of historic surface water flow characteristics on conservation and public lands; improved water retention and aquifer recharge potential; reduced saltwater intrusion; diminished effects of excessive freshwater discharges on downstream estuaries; and enhanced natural system functions and values on publicly-owned and conservation lands.
- The draft EIS should incorporate elements of the National Park Service's Big Cypress Basin Water Supply Plan in an effort to identify water quality and hydrological characteristics and needs of the Big Cypress Basin. The assessment should review the adequacy of flow-ways for flood protection and determine if water demands for 2020 growth projections can be met. Land use patterns should be correlated with water supply needs and sources and determinations made regarding anticipated quantitative or qualitative problems. The draft EIS should analyze the anticipated consequences of critical projects funded by the Water Resource Development Act: restoration of Southern Golden Gate Estates and Lake Trafford; construction of seventy-eight raised culverts beneath Tamiami Trail (to realign and improve sheetflow through the Everglades and south Florida ecosystem); reduction of pollutant loading to estuarine systems in the western Everglades; and removal of exotic vegetative species and subsequent restoration of native vegetative communities.
- The general management plan should include a long-term plan for siting and managing public access, recreational facilities, tribal camps, and oil and gas exploration facilities in a manner that minimizes impacts to wetlands and other surface waters. In addition, the general management plan should include a long-term plan to minimize impacts to the rare pine and hardwood hammock islands throughout the Preserve and reflect critical use thresholds for observed incremental changes in habitat.
- The draft EIS should evaluate a comprehensive mitigation plan to offset adverse impacts to wetlands and other surface waters from future permissible activities in the Preserve. To the extent appropriate, consideration could be given to the development of an offsite regional mitigation area that could be used to offset impacts in areas adjacent to the Preserve, such as Golden Gate Estates.
- The draft EIS should evaluate long-term goals and plans for managing, controlling, and removing exotic plants and animals from the Preserve; conducting necessary fire management activities; and implementing recovery plans for threatened and endangered species and their habitats, most notably the Florida Panther. The draft EIS should address the restoration of historic wildlife movement corridors in the Preserve, including the need for additional culverts and passageways under Interstate 75.

Ms. Jasmin Raffington
August 27, 2001
Page 5 of 5

- If ORV use is contemplated for the Addition, the Department recommends that the monitoring results of current ORV use in the Preserve and potential future use be analyzed to determine impacts to the Addition.
- Following the catastrophic freeze events of the 1980s, citrus production has increasingly migrated toward the Preserve. The draft EIS should describe and analyze the impacts that expanded agricultural practices have had on the area's hydrology, and address agricultural best management practices that could help reduce any contamination entering the Preserve.
- Activities proposed in the Preserve may require environmental resource permits or sovereign submerged land authorizations, under part IV of Chapter 373 and Chapter 253, Florida Statutes (F.S.). Such activities may include wellfield construction, operation, modification, maintenance and abandonment; alteration of surface water flows; construction of new impervious surfaces; construction and operation of dikes, levees, and canals; construction of bridges and culverts; mitigation-related activities; and dredging and filling in wetlands and other surface waters.
- The National Park Service must prepare a federal consistency determination pursuant to section 307 of the Coastal Zone Management Act. The determination and supporting data or information should be provided for the state's review in conjunction with the draft EIS. The consistency determination should address water quality (Chapter 403, F.S.); compliance with wetland mitigation and stormwater management requirements (Chapters 373 and 403, F.S.); spill contingency plans and capabilities (Chapter 403, F.S.); avoidance of impacts to protected species (Chapter 373, F.S.); protection of the values for which the Florida National Scenic Trail was designated (Subsection 260.012 (6), F.S.); the manner in which the project contributes to the public interest (Subsections 373.414(1) and 252.034 (1), F.S.); and how successful, long-term reclamation and restoration would be accomplished (Chapter 373, F.S.)

Should you have any questions or require additional information regarding any item or issue described in this letter, please do not hesitate to call Ms. Lynn Griffin or Mr. Bob Hall at (850) 487-2231.

Yours sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

cc: Ernie Barnett
Eric Bush
Rick Cantrell

COMMENTS DUE DATE: 7/25/01

CLEARANCE DUE DATE: 8/22/01

Message:

SAI#: FL200106250480C

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

Department of the Interior - National Park Service - Notice of Intent to Prepare a General Management Plan/Draft Environmental Impact Statement for Big Cypress National Preserve - Collier County, Florida.

To: Florida State Clearinghouse

EO. 12372/NEPA

Federal Consistency

AGENCY CONTACT AND COORDINATOR (SCH)

2555 SHUMARD OAK BLVD

TALLAHASSEE, FLORIDA 32399-2100

(850) 414-6580 (SC 994-6580)

(850) 414-0479

- ☒ No Comment
☐ Comment Attached
☐ Not Applicable

- ☐ No Comment/Consistent
☐ Consistent/Comments Attached
☐ Inconsistent/Comments Attached
☐ Not Applicable

From:

Division/Bureau: BIG CYPRESS BASIN / SFWM D

Reviewer: CLARENCE TEARS, JR

Date: JULY 5, 2001

SAI Routing SheetCOUNTY: COLLIER

DATE: 06/25/2001

Message:

SAI#: FL200106250480C

PROJECT TO BE REVIEWED BY: (Div/Program)	ASSIGNED REVIEWERS (Print Last Name)	IS PROJECT LOCATED IN APPROVED DRI? (Circle Yes/No)				Is Project CONSISTENT w/ COMPLAN?	Is Project CONSISTENT w/ FCMP?	Do you have any COMMENTS on project?	DATE REVIEW COMPLETED	RVWR/ SUPV INIT	
		YES		NO							
		Is Project Consistent with DO?	Is Project DRI Scale?	YES	NO						YES
DCP	<u>RWD</u>	YES	NO	YES	NO	<input checked="" type="radio"/>					
<u>4/28/01</u> Date Rec'd				Monitoring Letter?	Monitoring Letter?						
		YES	NO	YES	NO						
Complete and forward to Div/Prog Below no later than: 7/25/01											
FCT	<u>McCarton</u>										
<u>7/25/01</u> Date Rec'd											
Complete and forward to Div/Prog Below no later than: 7/25/01											
CMP	<u>J. Clayton</u> <u>L. Ason</u>	Wetlands?		Stormwater?							
<u>7/25/01</u> Date Rec'd		YES	NO	YES	NO						
		YES	NO	YES	NO						
<u>8-7-01</u>		Complete and forward to ACC Coordinator no later than: 7/25/01									

COUNTY: COLLIER

DATE: 6/23/01

COMMENTS DUE DATE: 7/25/01

Message:

CLEARANCE DUE DATE: 8/22/01

SAI#: FL200106250480C

STATE AGENCIES

COMMUNITY AFFAIRS
FISH & WILDLIFE CONSERV. COMM
X STATE
TRANSPORTATION
ENVIRONMENTAL PROTECTION

WATER MNGMNT. DISTRICTS

SOUTH FLORIDA WMD

RECEIVED
AUG 14 2001
State of Florida Clearinghouse

State of Florida Clearinghouse

OPS POLICY UNITS

ENVIRONMENTAL POLICY/C & ED

Collier
SAI - NPS
2001-6228

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HISTORIC PRESERVATION
01 JUN 28 PM 3:30

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

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- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
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Project Description:

Department of the Interior - National Park Service - Notice of Intent to Prepare a General Management Plan/Draft Environmental Impact Statement for Big Cypress National Preserve - Collier County, Florida.

To: Florida State Clearinghouse

EO. 12372/NEPA

Federal Consistency

AGENCY CONTACT AND COORDINATOR (SCH)

2555 SHUMARD OAK BLVD

TALLAHASSEE, FLORIDA 32399-2100

(850) 414-6580 (SC 994-6580)

(850) 414-0479

- ☒ No Comment
☐ Comment Attached
☐ Not Applicable

- ☒ No Comment/Consistent
☐ Consistent/Comments Attached
☐ Inconsistent/Comments Attached
☐ Not Applicable

From:

Division/Bureau: Historical Resources / Historic PreservationReviewer: Laura A. KemmererDate: 7-26-2001

J. Matthews
8-1-2001

COUNTY: COLLIER		DATE: 5/23/01
Message:		COMMENTS DUE DATE: 7/25/01
		CLEARANCE DUE DATE: 8/22/01
SAI#: FL200106250480C		
STATE AGENCIES	WATER MNGMNT. DISTRICTS	OPB POLICY UNITS
COMMUNITY AFFAIRS FISH & WILDLIFE CONSERV. COMM STATE X TRANSPORTATION ENVIRONMENTAL PROTECTION	SOUTH FLORIDA WMD JUL 27 2001 State of Florida Clearinghouse	ENVIRONMENTAL POLICY/C & ED RECEIVED JUN 28 2001 BY DOT CD

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
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Project Description:

Department of the Interior - National Park Service - Notice of Intent to Prepare a General Management Plan/Draft Environmental Impact Statement for Big Cypress National Preserve - Collier County, Florida.

Jasmin Raffington

To: Florida State Clearinghouse AGENCY CONTACT AND COORDINATOR (SCH) 2555 SHUMARD OAK BLVD TALLAHASSEE, FLORIDA 32399-2100 (850) 414-6580 (SC 994-6580) (850) 414-0479	EO. 12372/NEPA <input checked="" type="checkbox"/> No Comment <input type="checkbox"/> Comment Attached <input type="checkbox"/> Not Applicable	Federal Consistency <input checked="" type="checkbox"/> No Comment/Consistent <input type="checkbox"/> Consistent/Comments Attached <input type="checkbox"/> Inconsistent/Comments Attached <input type="checkbox"/> Not Applicable
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From:
 Division/Bureau: _____
 Reviewer: _____
 Date: 7/24/01

Florida Department of Transportation
 District One - Southwest Area Office
 P.O. Box 1030
 Fort Myers, FL 33902-1030

*RESPONDED VIA
INTERNET 7-24-01*

A001 245

**FLORIDA STATE CLEARINGHOUSE
RPC INTERGOVERNMENTAL COORDINATION
AND RESPONSE SHEET**

SAI#: FL200106250480C

DATE: 6/23/01

COMMENTS DUE TO CLEARINGHOUSE: 6/25/01

AREA OF PROPOSED ACTIVITY: COUNTY: COLLIER CITY:

☐ FEDERAL ASSISTANCE ☒ DIRECT FEDERAL ACTIVITY ☐ FEDERAL LICENSE OR PERMIT ☐ OCS
PROJECT DESCRIPTION

Department of the Interior - National Park Service - Notice of Intent to Prepare a General Management Plan/Draft
Environmental Impact Statement for Big Cypress National Preserve - Collier County, Florida.

ROUTING:

RPC

X SW FLORIDA RPC

PLEASE CHECK ALL THE LOCAL GOVERNMENTS BELOW FROM WHICH COMMENTS HAVE BEEN RECEIVED; ALL COMMENTS RECEIVED SHOULD BE INCLUDED IN THE RPC'S CLEARINGHOUSE RESPONSE PACKAGE. IF NO COMMENTS WERE RECEIVED, PLEASE CHECK "NO COMMENT" BOX AND RETURN TO CLEARINGHOUSE.

COMMENTS DUE TO RPC: 6/25/01

COLLIER

RECEIVED
AUG 13 2001

State of Florida Clearinghouse

NO COMMENTS: _____

(IF THE RPC DOES NOT RECEIVE COMMENTS BY THE DEADLINE DATE, THE RPC SHOULD CONTACT THE LOCAL GOVERNMENT TO DETERMINE THE STATUS OF THE PROJECT REVIEW PRIOR TO FORWARDING THE RESPONSE PACKAGE TO THE CLEARINGHOUSE.)

NOTES:

No Comments at this time.

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT (INCLUDING ANY RPC COMMENTS) SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE CLEARINGHOUSE.

PLEASE ATTACH THIS RESPONSE FORM AND REFER TO THE SAI # IN ALL CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED PROJECT, PLEASE CONTACT THE STATE CLEARINGHOUSE AT (850) 414-6580 OR SUNCOM 994-6580.

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



BARBARA C. BARSH
Jacksonville

JULIE K. MORRIS
Sarasota

QUINTON L. HEDGEFETH, DDS
Miami

TONY MOSS
Miami

H.A. "HERKY" HUFFMAN
Deltona

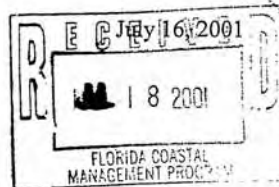
EDWIN P. ROBERTS, DC
Pensacola

DAVID K. MEEHAN
St. Petersburg

JOHN D. ROOD
Jacksonville

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679



Ms. Jasmin Raffington
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: SAI #FL200106250480C, Collier
Co., Notice of Intent to Prepare a
General Management Plan/Draft EIS
for Big Cypress National Preserve
Addition Lands, National Park
Service

Dear Ms. Raffington:

The Florida Fish and Wildlife Conservation Commission has had ongoing coordination with the National Park Service on the development of the referenced management plan. We anticipate continued involvement in this process, and will provide written agency comments on the draft plan when it is available for review.

Sincerely,

Bradley J. Hartman
Bradley J. Hartman, Director
Office of Environmental Services

BJH/BSB/tgw
J:\oes\traci\sai0480c.doc
ENV 1-3-2
CC: Mr. Mark Robson, FWC

GLOSSARY

TERMS RELEVANT TO TRAILS

Primary Trail: An ORV trail that starts from a designated access point and is a principal ORV route.

Secondary Trail: A short ORV trail that branches off a primary trail and provides access to a specific destination.

TERMS RELEVANT TO WILDERNESS

Wilderness: Areas protected by provisions of the Wilderness Act of 1964. These areas are characterized by a lack of human interference in natural processes; generally, there are no roads, structures, or installations, and the use of motorized equipment is not allowed. General references to the term wilderness can include the categories of eligible, marine, wilderness study, designated, potential, proposed, and recommended wilderness. Potential wilderness may be a subset of any of these five categories.

Eligible Wilderness: Eligible wilderness are lands determined by the National Park Service to be eligible for inclusion in the national wilderness preservation system because the lands meet wilderness criteria as identified in the Wilderness Act.

Marine Wilderness: Like wilderness, these designated marine wilderness areas are characterized by a lack of human interference in natural processes, and there are generally no roads, structures, or installations. The use of motorized boating is permitted in these areas according to the provisions of the Wilderness Act.

Wilderness Study: A study of areas eligible for wilderness designation. The study typically evaluates lands and waters against

the criteria outlined in the Wilderness Act of 1964. The findings of a wilderness study are forwarded to the director of the National Park Service, and sometimes are incorporated into a general management plan.

Designated Wilderness: Designated wilderness are federal lands designated by Congress as a wilderness area and a component of the National Wilderness Preservation System. The National Park Service is required to manage these lands according to the Wilderness Act of 1964.

Potential Wilderness: Lands that are surrounded by or adjacent to lands proposed for wilderness designation but that do not themselves qualify for immediate designation due to temporary nonconforming or incompatible conditions can be deemed “potential wilderness.” If so authorized by Congress, these potential wilderness areas will become designated wilderness upon the secretary’s determination, published in the *Federal Register*, that they have finally met the qualifications for designation by the cessation or termination of the nonconforming use.

Proposed Wilderness: Proposed wilderness is an area that has been studied by the National Park Service that has been submitted as a proposal for designation by a park or region to the director of the National Park Service but has not been approved by the Department of the Interior.

Recommended Wilderness: Recommended wilderness is an area that has been studied and proposed by the National Park Service, recommended for wilderness designation by the secretary to the president, and then transmitted by the president to Congress. Once approved by the secretary, the area can be considered recommended wilderness for management purposes.

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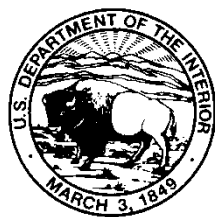
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As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.