



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

September 3, 2009

Mr. Pedro Ramos, Superintendent
Big Cypress National Preserve
33100 Tamiami Trail East
Ochopee, FL 34141-1000

**RE: EPA Review and Comments on Big Cypress National Preserve - Addition,
Draft General Management Plan/Wilderness Study, Off-Road Vehicle
Management Plan/Environmental Impact Statement - May 2009;
CEQ No. 20090229**

Dear Mr. Ramos:

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the subject Big Cypress National Preserve - Addition, Draft General Management Plan / Wilderness Study / Off-Road Vehicle (ORV) Management Plan / Environmental Impact Statement – of May 2009 prepared by the National Park Service (NPS). This draft plan, study and EIS of the Preserve Addition will hereafter be referred to as the Draft Environmental Impact Statement (DEIS).

The NPS finalized a *General Management Plan* for the Preserve in 1991. That plan addressed only the original Preserve and contained no guidance for the Addition. The Addition, located in Collier County, Florida, was established as part of Big Cypress National Preserve. The Addition is about 147,000 acres and consists of two separate areas — the Northeast Addition and the Western Addition. Most of the lands, about 128,000 acres in the Northeast Addition, are northeast of the original Preserve boundary. The Western Addition is an approximately 1-mile strip of land (approximately 19,000 acres) between State Road 29 and the western boundary of the original Preserve.

This DEIS presents four alternatives, including the NPS's Preferred Alternative, for future management of the Addition. The four alternatives include the "no-action" alternative (Alternative A), which describes the continuation of current management direction, and three "action" alternatives (Alternative B, Preferred Alternative, and Alternative F). Additional alternatives (Alternatives C, D, and E) were considered; however, these alternatives were dismissed from further detailed analysis.

The concept for management under Alternative B would be to enable visitor participation in a wide variety of outdoor recreational experiences. It would maximize motorized access, provide the least amount of proposed wilderness, and develop limited new hiking only trails. New visitor and operations facilities along the I-75 corridor

would also be provided. The key impacts of implementing Alternative B would include moderate, long-term, adverse, and mostly localized impacts on surface water flow; long-term, moderate, adverse and potentially Addition-wide impacts on the control of exotic/nonnative plants; long-term, moderate, adverse and mostly localized impacts on (likely to adversely affect) the Florida panther; long-term, minor to moderate, adverse and mostly localized impacts on (likely to adversely affect) the red-cockaded woodpecker; long term, minor to moderate, adverse and mostly localized impacts on major game species; long-term, moderate, beneficial and Addition-wide impacts on wilderness resources and values; long-term, moderate, and beneficial impacts on visitor use and experience.

Alternative F would emphasize resource preservation, restoration, and research while providing recreational opportunities with limited facilities and support. This alternative would provide the maximum amount of wilderness, no ORV use and minimal new facilities for visitor contact along I-75. The key impacts of implementing Alternative F would include minor, beneficial, long-term, and mostly localized impacts on surface water flow; long-term, minor, adverse, and mostly localized impacts on (not likely to adversely affect) the Florida panther; long term, major, beneficial, and Addition-wide impacts on wilderness resources and values; long-term, minor, beneficial impacts on visitor use and experience.

The Preferred Alternative would provide diverse front country and backcountry recreational opportunities, enhance day use and interpretive opportunities along road corridors, and enhance recreational opportunities with new facilities and services. This alternative would maximize ORV access, provide a moderate amount of wilderness, provide non-motorized trail opportunities and new camping opportunities, and develop a partnership approach to visitor orientation. New visitor and operations facilities along the I-75 corridor would also be provided. The key impacts of implementing the Preferred Alternative would include moderate, long-term, adverse, and mostly localized impacts on surface water flow; long-term, moderate, adverse and potentially Addition-wide impacts on the control of exotic/non-native plants; long-term, moderate, adverse and mostly localized impacts on (likely to adversely affect) the Florida panther; long-term, minor-to-moderate, adverse and mostly localized impacts on (likely to adversely affect) the redcockaded woodpecker; long-term, minor to moderate, adverse and mostly localized impacts on major game species; long-term, moderate, beneficial and Addition-wide impacts on wilderness resources and values; long-term, moderate, and beneficial effects on visitor use and experience.

EPA submits the following comments on this DEIS for your consideration in the Final EIS (FEIS):

General Comments

Alternatives

The Addition currently has 253 miles of ORV trails. The Preferred Alternative would authorize the use of 140 miles of those ORV trails. The FEIS should identify how it was determined that 140 miles of ORV trails is the least amount necessary in order to provide access throughout the site and still maintain an ecological balance within the Addition. Also, information on the use of the remaining 113 miles of ORV trails located within the Addition should be provided. EPA recommends that any trails not used to be restored to its natural community type.

Avoidance and Minimization of Wetland Impacts

In reviewing the four alternatives proposed, the DEIS did not include information on efforts taken to avoid and minimize wetland and other waters of the US impacts. EPA requests that the FEIS provide information on measures that have been taken to avoid and minimize onsite waters of the US impacts.

To further minimize wetland impacts, please consider the use of lower water crossings during trail restoration. The use of low-water crossings will allow the natural sheet flow of water and still allow the use of the trail for ORV use.

Wetland Impacts and Mitigation

The DEIS did not include information on the total amount of wetland impacts that will occur per alternative and the mitigation necessary to offset those impacts. The FEIS should provide a description of the wetland impacts which will occur by alternative and how those impacts will be mitigated. In addition, a wetland functional analysis for all proposed wetland impacts and mitigation necessary to offset those impacts should be provided. Technical rationale for each score should also be included.

Cumulative Impact Analysis

The DEIS lacked detailed information on the cumulative impacts the proposed alternatives would have on the environment. EPA requests that the FEIS provide a cumulative impact analysis for the entire Big Cypress National Preserve, including the Addition. It is essential that the FEIS provide a clear understanding of the potential direct, indirect (secondary), and cumulative environmental impacts the proposed alternatives will have on the aquatic and other affected resources within the project area in association with other past, present and reasonably foreseeable projects.

Specific Comments on DEIS

Motorized Recreational Opportunities –Trails and Permits (pg. 80)

The DEIS states that a maximum of 700 ORV permits would be issued annually for the Addition. How was it determined that the issuance of 700 ORV permits would not have a negative impact on the aquatic environment? The DEIS did not provide detailed information.

Restoration (pg. 108)

The DEIS states that the NPS would restore areas that have been impacted by off-road vehicles within the Addition. The FEIS should document the total number of acres impacted by off-road vehicles, the restoration efforts proposed, and how future off-road impacts will be restricted.

Major Game Species (pg. 186)

According to the DEIS, the major food source for the Florida Panther is the white-tailed deer. How will the white-tail deer hunting within the Addition be managed to insure it does not have an impact on the Florida Panther's prey supply?

Developed Campgrounds (pg. 200)

The DEIS states that no developed campgrounds currently exist in the Addition. It is unclear if the NPS is proposing to develop these types of campgrounds within the Addition. The FEIS should be clear on this point and identify any ecological impacts should developed campgrounds be proposed.

Nonmotorized Use (including hiking horseback riding, and bicycling) (pg. 336)

The DEIS did not provide any discussions on the proposed authorization of horseback riding within the Addition. EPA believes that the FEIS should include restrictions on horseback riding to insure it does not have an adverse impact on the aquatic functions of the Addition.

EPA DEIS Rating

EPA rates this document EC-2 (Environmental Concerns, additional information requested). We have concerns that NPS's Preferred Alternative will have impacts on the environment that could and should be avoided. The DEIS does not contain sufficient information to fully assess the environmental impacts that should be avoided in order to protect the environment. Additional information, data, analyses, or discussion should be included in the FEIS.

Summary

EPA finds that the Preferred Alternative may adversely impact surface water flow; the control of exotic/non-native plants; the Florida panther's food supply; the redcockaded woodpecker and localized impacts on major game species. EPA also has concerns for potential impacts to wetlands and other waters of the US. Overall, the aquatic environment could be negatively impacted by the addition of 700 ORV permits in the Addition area. EPA recommends that the FEIS provide a cumulative impact analysis for the entire Big Cypress National Preserve, including the Addition. It is essential that the FEIS provide a clear understanding of the potential direct, indirect (secondary), and cumulative environmental impacts the proposed alternatives will have on the aquatic and other affected resources within the project area in association with other past, present and reasonably foreseeable projects. We also recommend consideration of Alternative F which would emphasize resource preservation, restoration, and research while providing recreational opportunities with limited facilities and support. This alternative would provide the maximum amount of wilderness, no ORV use, and minimal new facilities for visitor contact along I-75.

We appreciate the opportunity to review this document. Please call Ken Clark of my staff at (404) 562-8282 or clark.ken@epa.gov if you have questions on our comments.

Sincerely,

Christian M. Hoberg / for
Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management