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NATIONAL PARK SERVICE

U.S. DEPARTMENT OF THE INTERIOR

BIG CYPRESS NATIONAL PRESERVE

ADDITION DRAFT GMP/WS/ORV PLAN/EIS MEETING

August 10, 2009

Commencing at 4:00 p.m.

Miccosukee Resort and Convention Center

500 S.W. 177<sup>th</sup> Avenue, Miami, Florida

PRESENT:

Pedro Ramos, Superintendent

Patrick Malone

Gary Oye, Wilderness Coordinator

REPORTED BY:

Dionne Merritt

Holden Reporting Service, Inc.

999 Vanderbilt Beach Road

Suite 200

Naples, Florida 34108

1           LYLE MCANDLESS: For the record my name is Lyle  
2 McCandless and I am representing myself personally, as the  
3 president of Big Cypress Sportsman's Alliance, of the area  
4 involved here.

5           I would like to state that when the local park  
6 service people accepted - - we have a situation here which  
7 we have been faced with since the preserve was created in  
8 1974, by an act of Congress. We have a situation here where  
9 the preserve is being managed by the park service this has  
10 been a struggle from day one, they are supposed to be hand  
11 and hand with the Fish and Wildlife people which, they  
12 hadn't done. There is a shortfall of existence with the  
13 preserve that has not been documented.

14           We are talking here, we really shouldn't have to  
15 be here today - - we are talking about additional lands - -  
16 additional lands which means, they are adding to something  
17 they're not other lands, it's additional lands we've been  
18 kept out of them since they were bought with our tax  
19 dollars in 1988, now we are in the - - the 1974 documents  
20 states that the traditional rights will be a continued  
21 process and that we would have no other rights period,  
22 including additional lands.

23           Additional lands could have been in my opinion could  
24 have been incorporated with an addendum into the process  
25 without all the expensive separate management plans

1 when a separate management plan is being imported but,  
2 going a step further, a separate management plan the fact  
3 that it is a separate management plan meaning; that the  
4 same could have started with a clean sheet of paper it  
5 shows the same formula as the existing preserve and come up  
6 with a mile of trail the formula is exact.

7           The group of us back in the late 1990's with John  
8 Donahue the previous Superintendent day in and day out in  
9 public workshops and Matthew and I agreed with the  
10 Superintendent John Donahue knew that it would take about  
11 1500 miles of O.R.V. trail to give the public reasonable  
12 access but, here is a big part of what happened there was  
13 an out of court settlement made I have documents in  
14 writing that states that 400 miles of trail that were  
15 mandated as maximum O.R.V. designated trails was in part a  
16 settlement agreement between the National Park Association  
17 and the Valid Diversity Project and it's in writing  
18 restrictive O.R.V.

19           The so called alternative preferred by the  
20 environmentalist, I am hoping and I'm going to do  
21 everything in my power to see that the local comments from  
22 the local traditional people affected by this that their  
23 voices are going to be more heard than the extreme  
24 environmentalist and watchman state New York, sitting there  
25 making thousands of comments that's how this wilderness got

1 pushed up from 50,000 acres to 88,000 acres which is a  
2 complete joke. It got pushed up by the power of the Sierra  
3 Club and others and I know it.

4           And so, I want to be on record stating that the  
5 people that are affected by it directly, comments should be  
6 considered the most. We have been restricted 40 percent of  
7 O.R.V. preserve on the restricting preserve with 60 days  
8 and it was put in affect years ago and are ongoing they are  
9 supposed to have a plan in place to review and close 40  
10 percent was closed and not one iota has been in process to  
11 reopen anything we re-opened the trails in Bear Island in  
12 October of '07 - -

13           MR. MALONE: Thank you, sir.

14           MR. MCCANDLESS: Aggravating and -- thank you for  
15 your time.

16           MR. MALONE: Dr. Mogelvang, just a reminder that  
17 the warning cards.

18           DR. MOGELVANG: I'm going to change my hats now,  
19 that is where I went to medical school enjoyed traditional  
20 free access and the Big Cypress since my childhood but,  
21 particularly since 1975, that is when I moved to Naples and  
22 started my practice which including by the way; injuries of  
23 snakebites of U.S. Government employees and the park  
24 services. That is when the preserve was only proven on the  
25 basis of continued traditional usage and access.

1 I was a field worker in Biological Research all  
2 over the State of Florida while I was at the University of  
3 Florida which was part of my research down by here, before  
4 medical school. And then I had a college degree in Biology  
5 and which included the study of biology in the State of  
6 Florida. Obstruction of a cultural U.S. landmark by the  
7 U.S. Park Service is an atrocity. Some of the most  
8 beautiful cabins that you ever did see out there.

9 But, you pick up a piece of pottery or arrowhead  
10 and go to jail, that's hypocrisy of the ninth degree. The  
11 destruction of cultural landmarks was really an atrocity.  
12 These existing and extensively restrictive plans of the  
13 traditional activities is a clear violation of the  
14 government agreement that in the first place established  
15 the preserve. Thank you.

16 MR. MALONE: Next, Frank Denninger, while Frank is  
17 coming up if I happen to talk over you the only reason is,  
18 I'm trying to get your attention about the warning part I  
19 apologize sometimes you may forget one way or the other and  
20 not see the yellow card there so, my apologies in advance,  
21 just trying to keep things on schedule.

22 MR. DENNINGER: I will do my best not to see that  
23 yellow card. Basically, I'm here to speak on behalf of the  
24 Jetport Conservation and Recreation Club when Mr.  
25 McCandless talked about compromise I agree with him about

1 compromise, we compromised right out of the original trail  
2 system 400 miles of Big Cypress and approximately 140 in  
3 the addition. We actually accepted it, it was really  
4 traumatic; I never thought I would feel that way but I do.

5 But, it is not extensive enough in Big Cypress to  
6 facilitate what I consider fair access for all Americans  
7 with a lot of different physical capabilities.

8 We waited on this Gladesman culture study day one  
9 of the takeover and this policy. The Gladesman community  
10 being studied, couldn't be can't be. Anyway it's not  
11 acceptable and the purpose of the significance in this  
12 state is associated with this plan did not take that  
13 community into consideration or count for one iota 2000 or  
14 2001, it should be readdressed.

15 The standards implemented on page 95; the  
16 physical conflicts standards that have been set up with no  
17 verification or proof specifically, in the plan to justify  
18 any plans of action. That being said, the environment or  
19 alternatives preferred alternative, Alternative B would be  
20 the preferred alternative.

21 From that point from one point different studies  
22 that we have done on this and one thing we do have is a  
23 citation that is familiar looking and that we can verify  
24 any communication that was done or discovered way back  
25 when, and I thank you for your time today.

1 MR. MALONE: Bill Clark.

2 MR. CLARK: My name is Bill Clark and I consider  
3 myself a glades man and I think the reason that most of  
4 this has been taken away from us is over 40 percent of the  
5 preserve is already un-accessible it's always  
6 being closed for one reason or another I think if it's un-  
7 accessible that the wilderness, it might as well be the  
8 wilderness it is not documented as wilderness but, it might  
9 as well be wilderness when you've already got 20 percent of  
10 that.

11 I feel like my rights have been slowly taken away  
12 in 1974, this was not what was promised to us when it was  
13 created for sportsmen and the people of South Florida.

14 When it was created congress intended for the Big  
15 Cypress Preserve and not as an independent unit under a  
16 separate general management plan. Wilderness is not needed  
17 for protection under the preserve resources like I said,  
18 you already know 40 percent of preserve now that is closed  
19 to our access, O.R.V. access and this type of thing  
20 requires that no O.R.V. access, to be accessible and  
21 operate like that is enough.

22 The additional land at least O.R.V. drilled they  
23 have had swamp buggy trails throughout plus the four lane  
24 highway and also, - - there is a major airboat airplane--

25 MR. MALONE: Mr. Clark --

1 MR. CLARK: --landing pattern at Fort Lauderdale  
2 Airport. It's not reasonable to consider wilderness.

3 MR. MALONE: Mr. Alligator Ron Bergeron.

4 MR. BERGERON: Howdy everybody. Like to say I'm  
5 honored to be here any comments that you have for  
6 The Florida Fish and Wildlife Commission we are putting  
7 together our position on what has been represented here.

8 What I'd like the public to understand is that  
9 the Florida Wildlife Commission has been working with the  
10 park service for a very considerable length of time and  
11 that they will continue to work with the park service they  
12 will end up with a plan that will associate the people of  
13 Florida.

14 The policy of our commission is we are caretakers  
15 and the resources for the benefit of the people the main  
16 thing to be looked at is access to the public, traditional  
17 culture, sustainable impact, preservation, with anyone that  
18 is our policy I would like the public to know that they can  
19 contact our agency with any issues you may have as we  
20 continue to negotiate with the park service.

21 I would like you to read my short column and you  
22 are welcome to call Chuck and put your input and this will  
23 be on there and we look forward to working with the park  
24 service. I think that it is important for them to  
25 understand you know, there is a lot questions here.

1           You know, my family has lived here since the  
2 1800's and I am very proud to be an old Florida cracker and  
3 it's is the tradition of the State of Florida I look at the  
4 aspects of everybody's interest you know, from the Sierra  
5 Club to the Everglades Coordinating Council--  
6 to everybody that has an interest here.

7           I think that it is important as we progress here  
8 from looking at the 1974 Congressional Act I think that is  
9 extremely, important. It is important that we preserve our  
10 culture and our heritage to you in this community you know,  
11 otherwise you'll only see it in a museum.

12           So, I think that it is extremely important that  
13 we put this thing together in the State of Florida working  
14 with the park service that we take into account the  
15 congressional and all intent and have this for the  
16 enjoyment for the people of Florida, with substantial  
17 impact for the preservation for the people of Florida.  
18 Thank you.

19           MR. MALONE: Dione Carroll.

20           DIONE CARROLL: I'm an Attorney for the Seminole  
21 Nation of Florida I have represented the Native Americans  
22 in this State for 15 years and I can not for a moment  
23 pretend that I understand their lives and their cultures.

24           But, there are a few things that I do understand;  
25 I understand that this land was their land before Big

1 Cypress was a glitch in congresses eyes. I understand  
2 that their culture, their religion and their lives, their  
3 families and their homes are tied to this land, Native  
4 land.

5 I know at this point I am not comfortable that  
6 the Native access is guaranteed in the future in Big  
7 Cypress and I can not rest until I am assured that their  
8 access is guaranteed.

9 I also, know that the help and the protection of  
10 the Everglades related areas is fundamental to their  
11 beliefs I know that in this point in time I am not  
12 comfortable that the Big Cypress is protected under the  
13 existing claims. So, until we have that guarantee I will  
14 not rest and the traditional people they won't rest either.

15 Now, I specifically have concerns with the  
16 designation of the wilderness posts a problem and reposes  
17 to exclude a problem to the Native people I have specific  
18 comments about that, and I don't want to go over my time  
19 so, I will hold my comments until the other half of the  
20 meeting. But, I will tell you we are not happy and until we  
21 are happy I will be a thorn in your side and the  
22 traditional people will be a thorn in your side.

23 I'll be glad to talk to you, I will be glad to  
24 give you more details and I will be certainly, be glad to  
25 make more comments in writing. Thank you for your time.

1 MR. MALONE: Mr. Danny Billie.

2 MR. BILLIE: Good afternoon, my name is Danny  
3 Billie and I am the spokesperson for the Independent  
4 Traditional Seminole Nation my comment for today and for  
5 the record is always been the same since the first Big  
6 Cypress preserve was set in 1974, and it will still  
7 continue to be the same which, is that when congress set  
8 aside the land it says to use it in customary ways just for  
9 our nation but, the Miccosukee Tribe of Florida and the  
10 Seminole Tribe of Florida, it includes them too.

11 For us this gathering and meeting about the land  
12 we never even heard of until today and all this time you  
13 all have been talking about it and excluding us when it's  
14 really our land that you are talking about. We have been  
15 here since the signing of the memorial (phonetics) we have  
16 been taking care of this land our people -- that is the  
17 only reason why it is still the Everglades because, of the  
18 indigenous people.

19 But, every single time the Unites States  
20 Government has to talk about saving something or continue  
21 to save for the future you leave us out we have been here  
22 since signing of the memorial (phonetics) taking care of  
23 this land our people -- man can not manage looking after -  
24 you can not manage the wilderness, you manage yourself  
25 around it only the creator God can.

1 MR. MALONE: Mr. Drake Okay, Mr. Byron Maharrey.

2 MR. MAHARREY: Byron Maharrey and I am the  
3 President of the Everglades Coordinating Council with more  
4 than 15 conservations we consider ourselves glades men,  
5 glades men culture and the book that has been published by  
6 contract or Network engineers gives us that stand, which I  
7 think is very important. I would like to digress for a  
8 moment the moderator -- this has been a longtime coming and  
9 with your permission, sir I'm going to enter that into the  
10 understatement of the year contest. Because, it hasn't been  
11 since 1988, it's been 20 years or more it has been closed  
12 since 1988, I'll give you that - what have you done since  
13 1988, and taking a chance of sounding like a conspiracy  
14 theory.

15 There are some things in here that you can keep  
16 if you have a budget and that disturbs me greatly, because  
17 to me it's just another potential delay it's about budget  
18 and you can't do anything without a budget. It just becomes  
19 a temptress in a teapot by one of the people that is  
20 suppose to have access.

21 I don't care what you call it, you can call it  
22 the wilderness or the - I don't care what you call it. If  
23 you don't give access in the you can cut off the  
24 recreational activities of certain groups that cannot  
25 access this land.

1 I've got artificial knees and I sympathize with  
2 Commissioner Burgess (sic) on the new plan and I tell you I  
3 cannot walk. Like someone hikes so, my plea to you today is  
4 to make access to available, to us - all of us not just to  
5 those of us who are incapacitated to be able to enjoy  
6 this land.

7 There are plenty of roads, I agree the portion of  
8 this you can drive almost anywhere you want to go in a  
9 pickup truck on those trails up there. In 1957 the  
10 northeast corner of this land south of the way before the  
11 original preserve was ever finished. So, I feel like I have  
12 a certain right to it because, of the glades culture and  
13 having access to this land because of my taxpayer dollars  
14 paid for it. Thank you.

15 MR. MALONE: Bishop Wright, please.

16 MR. WRIGHT: My name is Bishop Wright, Jr. and I  
17 represent the Florida Airboat Association and current  
18 resident like Byron we represent multiple organizations 64  
19 of them throughout the State of Florida. Needless to  
20 say we represent 26,000 who recreate in Florida.

21 There is no one who cares more about the land  
22 than the traditional users, because without the land we  
23 have no recreation. That is the reason why the sportsmen  
24 set aside the piece of land to be able to recreate and use  
25 it. For some reason you know, 20 something years later

1 we're still talking about whether or not we can still use  
2 something -- set aside I don't know where everybody else  
3 was in sportsmen were out there and set aside a  
4 a piece of land. Maybe, we should have used it and look  
5 around to see where everybody is today what do you have  
6 another development you've got to be the eyes and ears in  
7 the area, please give us access, access is the most  
8 important thing in the area, locking it up ain't gonna do  
9 nothing. I invite you to go take a look at the conservation  
10 area one we haven't been in there for 15 years  
11 Thank you.

12 MR. MALONE: Matthew Schwartz.

13 MR. SCHWARTZ: My name is Matthew Schwartz,  
14 representing the Sierra Club and there are 1 Million  
15 members nationwide, and I am representing that many people  
16 who fill that way about this land. Before I call -- I'm not  
17 sure how much I can say in two minutes.

18 We've been talking about this for years I do want  
19 to say a word to my friends in the community, I do admire  
20 your tenacity on this issue we've been talking about this  
21 for a long time, and I admire your ability to stick  
22 together and get a point of view out there.

23 But, my fight the Sierra Club fight is not with  
24 you because, you're a user and you have a right to ask for  
25 what you want and I admire your ability to do that,

1 actually say what you want. I wish there are some other  
2 people that would do the same; ask for what they want.

3 I'm going to read something quickly,  
4 this is your management policy that I'm holding up here; do  
5 you guys recognize it?, I'm going to read something called  
6 underlying principals and I'm only going to read one of  
7 them and it says: Insure that the conservation will be  
8 predominate when there is a conflict between the protection  
9 of resources and there use.

10 Bottom line, this was written as a mission  
11 statement for the National Park Service back in the 1960's  
12 it's -- it's direct with that every single piece of  
13 legislation there is no balance between recreation --  
14 especially, recreation that your plan says is going to  
15 damage; soils, plants, vegetation, roots and endangered  
16 species throughout the additional lands.

17 It's going to cause -- behavior of the Florida  
18 panther, it's going to reduce prey for the Florida panther,  
19 a critically endangered species the state animal of  
20 Florida. Chosen by Florida school children in 1983 as the  
21 state animal.

22 I would really appreciate you folks going out and  
23 to the schools and explaining to the school children of  
24 Florida why access of 700 -- remember maximum of 700  
25 vehicle driver -- basically .001 percent of vehicle drivers

1 in the state -- I do have to say that because it's posted  
2 here -- 700 -- 99 percent of vehicle drivers are quote,  
3 unquote locked out, I'm sorry still locked out.

4           You don't know if you are going to be one of the  
5 700 chosen. This is like Willie Wonka and the Chocolate  
6 Factory. Nobody's going to have access to that land you  
7 need to preserve the resources as per your policies, so do  
8 your jobs as stewards of this land -- and god knows why  
9 you made the decisions that you did. But, all the research  
10 that you've done you should have come up with an  
11 alternative. You said, it took ten years to write it and  
12 unfortunately, I would say go back and take another ten  
13 years and rewrite and get it right. Thank you.

14           MR. MALONE: Mr. David Denham.

15           MR. DENHAM: Hi I am David Denham and I am  
16 representing the Trail Association and myself. I just have  
17 one quick comment, while we're waiting for the G.M.P. to be  
18 finalized and to be put in tack, I would highly recommend  
19 that we fix the fencing, the gates on the interceptor path  
20 because there is so much illegal O.R.V. use there is  
21 basically, a lot of A.T.V.'s out there.

22           They are starting to cut through trail and doing  
23 dispersive use in this area south now west I think you're  
24 going to have to do this no matter what plans, to put in a  
25 fence. I would say, get up there with some heavy duty gates

1 and heavy duty fencing and string up that wire along the  
2 interceptor that aside from the interceptor. Thank you.

3 MR. MALONE: Leigh Buckner, please.

4 MS. BUCKNER: My name is a Leigh Buckner and I  
5 live in Broward County and I go up there a lot almost year-  
6 round, I'm always there and we really enjoy all that is  
7 there, Alternative F is what I'm supporting.

8 The -- wilderness eligible study I think the  
9 Alternative F method makes the most sense like -- honestly  
10 to really look at all of this and look at what science  
11 supports which is divination (sic) which is purposed and do  
12 the right thing which is consider these things, truly but,  
13 Alternative F is the way to go.

14 In addition to that, the Florida panther; itself  
15 even saying the preferred alternative, long to moderate  
16 adverse impact affect on the Florida panther. I don't think  
17 there is a mystery to anyone that the panther is well, that  
18 the panther prefers that area the exact area that we are  
19 talking about, uses it for their primary habitat, to go do  
20 what it is supposed to do in that area.

21 What the Fish and Wildlife Commission is doing is  
22 unconscionable. For what their mission is set out to do. I  
23 would like to add to that in the course of their own study;  
24 that their behavior is threatening endangered species and  
25 plants and that could adversely be affected. Someone

1 mentioned something earlier about being found in a museum  
2 well, that is going to be the national resources if we move  
3 forward. Please consider what you are proposing, look at  
4 this again and consider what you are proposing.

5 Thank you.

6 MR. MALONE: Ina Oost Topper.

7 MS. TOPPER: My name is Ms. Ina Topper and I am  
8 here on behalf of the Sierra Club. (inaudible) (very strong  
9 accent). We are progressively pursuing recycling and taking  
10 care of our trash and also, a concern of mine is the  
11 indestructible shopping bags which has made it's way into  
12 Big Cypress as well.

13 So, one thing I have not heard the speakers touch  
14 on tonight is the cleanup. How are you going to pursue  
15 cleanup and how are you going to take care of everything  
16 left behind from the general access.

17 Thank you.

18 MR. MALONE: Pat Littlechild.

19 MS. LITTLECHILD: I speak as a second generation  
20 Miamian, we need for all us humans - there is so much  
21 damage done already as a whole, and I just can't understand  
22 how we would want to have more we can't continue to do  
23 this. Thank you.

24 MR. MALONE: Okay, that is last of the speakers  
25 from this session. We are going to transition and

1 thank you everyone for your comments.

2 (Whereupon, the meeting was adjourned.)

3 (A recess was had and the proceedings continued  
4 as follows:)

5

6 MR. MALONE: We looked at the list and we have  
7 about 25 people signed up so, I think you have plenty of  
8 time to add another minute so 3 minutes to all speakers. We  
9 will be going through the same sort of management system  
10 Andrew will be here with the yellow card indicating the one  
11 minute warning and the red card indicating that your time  
12 is up.

13 We want to apologize to you in advance, if I or  
14 others talk over you -- in the attempt to try to keep  
15 things on track and limit the speakers time and make sure  
16 that everyone has a chance to tell us about their concerns.

17 Thank you, for your cooperation in the last  
18 session, we appreciate it and we think it went well. Now  
19 one of the things that I wanted to ask was if you could  
20 hold your applause after the speakers on this next one  
21 because, we want to make sure that everyone can finish  
22 their comments or remarks.

23 It does take a little bit of time to wait for the  
24 clapping to stop after each speaker so, I would appreciate  
25 that.

1 Another reminder we have comment forms behind  
2 you if you wish to provide written comments to us you can,  
3 we have a comment drop box in the back of the room. If you  
4 want to drop your off that is fine and we appreciate it. If  
5 you want to send your through the mail that's fine too.

6 Are there any speakers or potential speakers that  
7 did not have a chance to sign up on the form? Please do so  
8 now, we have an extra sign in sheet we can add you to it.  
9 Okay, so it is the same sort of system here. At this point  
10 I'm going to turn it over to Gary and I appreciate it.

11 MR. OYE: Okay, our first speaker is Lyle  
12 McCandless.

13 MR. McCANDLESS: For the record again my name is  
14 Lyle McCandless, I am here today speaking on behalf of  
15 myself and the and as President of the Big Cypress  
16 Sportsman's Alliance.

17 I have a catch phrase here and it is an absolute  
18 stretch at best and a total joke at worst. The past  
19 activity in the industry, that can be confirmed by half a  
20 dozen really good, strong, old fashioned standup type  
21 people. The ranking and farming and all that, private  
22 property - even having boaters there shows me that how much  
23 influence our opponents have in this scenario.

24 That is exactly how that wilderness got pumped up  
25 to that 85,000 acres and I know that. I would love to have

1 somebody with some common sense to look at this and say,  
2 look, guys we got an area here with all this activity,  
3 you've got a super major 4 lane highway right smack in the  
4 middle of it. That is how our government can stretch things  
5 to suit their purpose. There is a diesel noise. We had a  
6 meeting a couple of years ago and it involved diesel noise  
7 -- her name was Karen Cook (sic), I said Karen one of the  
8 commissioners has 5,000 acres north of Bear Islands and he  
9 consistently hears diesel noise all the way to the north  
10 side of the Bear Island Unit. She looked me right in the  
11 eyes and said; You know Lyle, diesel noise technically is  
12 not considered a nuisance noise.

13           That's an unusual statement, I said if I can hear  
14 diesel noise from my private camp, I would consider it a  
15 nuisance noise. So, if you take the past activity of the  
16 wilderness the area, it is considerable. But, you see here  
17 is what happened, they left the area very strategically let  
18 it sit idle for 20 years there is a whole lot of people  
19 ready to come forward. Roland Martin was a manager out  
20 there for a farmer -- so, so, the wilderness is an absolute  
21 laugh. I would encourage you all to comment online and to  
22 give your thoughts. We can help you comment online you can  
23 get in touch with me through our Alliance we will guide you  
24 through that process. Thank you for your time.

25           MR. OYE: Dr. Mogelvang.

1 DR. MOGELVANG: I don't have very much to say.  
2 The land out there has amazing resilience I know that there  
3 is a lot more going on out there than it is you can find  
4 traces of it. They promised us the traditional use in  
5 The beginning for Big Cypress. What is going on now is  
6 violating our traditional usage in a big way it's not going  
7 to work in the end. Thank you.

8 MR. OYE: Frank Denninger.

9 MR. DENNINGER: I'm Frank Denninger for the  
10 record. Traditional use was promised in the beginning for  
11 Big Cypress that was very good in the beginning.

12 I think it made more sense when I was watching  
13 television about it, and I have seen it on public  
14 television they did a good thing got all this pristine land  
15 very quickly and ran out.

16 Then somehow somebody explained the definitions  
17 and it worked like a rubber band you can wrap it around  
18 anything that you want I believe you can make my backyard  
19 in Hialeah Florida a wilderness (laughter), I truly do.

20 I oppose the wilderness on behalf of myself and  
21 the Jetport Conservation and Recreation Club. And I oppose  
22 an overlay on anything because, essentially the amount of  
23 O.R.V. trails is a defacto with the future management of  
24 Big Cypress.

25

1           The sound issue I back them up 100 percent.  
2 Stand on the bridges of I75 and it goes a long ways. And I  
3 know that because, I used to work on B52's it is to the  
4 sound of a flight that I was working on B52's in the U.S.  
5 Air Force. This is an issue -- I like to do what everybody  
6 else likes to do, hike, canoe, you name it in Big Cypress.  
7 The Major issue that every elected official in this State  
8 is or better start looking into is, the ability to fight  
9 fire and smoke along I75, it is a major issue and it was  
10 major shutdowns this year on the west coast.

11           22,000 cars a day run down that road it is not  
12 easy to get to the west coast they suffer to get to the  
13 east or the west coast they are suffering 50 miles with a  
14 one way detour. With gas being \$3.00 a gallon, time, money,  
15 economic -- you name it, it suffers, when that artery gets  
16 clogged.

17           This is something that can cause everybody a lot  
18 and will be calling -- in fact I called D.O.T. Today.  
19 That's it for now.

20           MR. OYE: Kate Ferrara.

21           MS. FERRARA: Good evening gentleman, my name is  
22 Kate Ferrara and I am here on behalf of the Florida Trail  
23 Association. Please accept these comments on behalf of the  
24 Florida Trail Association, who has been a long standing  
25 partner in the National Park Service in the development of

1 Florida National Trail and Big Cypress offers  
2 the opportunity for solitude. Designation for the  
3 additional lands create an -- designate the wilderness  
4 area and trail and the only fort designated wilderness area  
5 anywhere along this 1400 mile hiking trail throughout  
6 Florida. (Telephone interruption)

7 The Florida Trail Association strongly recommends  
8 that the Alternative F, this alternative is the most  
9 consistent with the value for which Congress designed for  
10 the Florida National Trail the adoption of Alternative F,  
11 will ensure that all motor vehicles are excluded from using  
12 the Florida National Trail and ensure the preservation of  
13 wilderness character remains in the area.

14 The Association's greatest concern is vehicle use  
15 in addition to which may limit our opportunity to identify  
16 and protect the route of the National Trail in this portion  
17 of the Big Cypress National Preserve.

18 The exclusion of all motor vehicles from the  
19 additional lands is critical to maintain the integrity of  
20 the trail, the hyper sense of solitude and the  
21 opportunities to enjoy the natural beauty and to appreciate  
22 the wildlife of Big Cypress.

23 As per the requirements of the National Trail  
24 Assistance Act, to be eligible for the Florida National  
25 Trail -- the trail cannot be open to motorized use.

1 So, Alternative F is a once in a lifetime opportunity to  
2 be a permanent wilderness protection -- surrounded by six  
3 million people and still growing. Obviously, there will  
4 never be another opportunity for designating a wilderness  
5 area anywhere else in South Florida.

6 Thank you, for considering our comments and thank  
7 you, for your partnership in the Florida National Trail.

8 MR. OYE: David Denham.

9 MR. DENHAM: Of course, I would have to endorse  
10 Alternative F. My Florida Trail Association endorses that.  
11 Individual I would suggest that there is even more lands  
12 out there that should be designated as the wilderness  
13 specifically, that northern strip that is just south of Mr.  
14 Bergeron's property and south of the Seminole Indian  
15 Reservation.

16 People, excluded that because you talked about  
17 the right away of the Sunny-Land Pipeline (sic) which has  
18 been decommissioned for at least a dozen years. A pipeline  
19 that is totally rusted through in many places I don't see  
20 where that needs to separate a possible wilderness from the  
21 rest of which, you put forth in your plan.

22 I know there is a total of 12 sections of land  
23 there where the pipeline goes north out to the preserve --  
24 all the way to the Spicoli (sic) near the interceptor canal  
25 I would think that, that area is certainly qualifies as

1 much as any of the rest of the preserve for wilderness  
2 protection.

3 I think that there is only one property owner in  
4 there and that is J.T. Mazer (sic) and I think that he  
5 just has a -- at his property, having people living on  
6 that shouldn't be a -- impediment considering those 12  
7 sections land for wilderness.

8 That is all I have to say, thank you.

9 MR. OYE: Bill Clark.

10 MR. CLARK: I am Bill Clark. The preserve why it  
11 was created was not -- the additional lands was all  
12 created -- there are supposed to be managed like a  
13 preserve the original documents was never intended to have  
14 any wilderness designation it was intended to provide  
15 traditional -- activities, hunting, fishing, frogging,  
16 swamp buggy and airboat access.

17 Congress intended this to be Big Cypress Preserve  
18 all the same and not have an independent wilderness under a  
19 separate general management plan. Wilderness designation  
20 will -- in the central habitat that wildlife management  
21 needs such as: Prescribed burns, wildlife, suppression,  
22 species and eradication.

23 As I stated before, 40 percent of the preserve at  
24 this time is closed to O.R.V.s it might as well be  
25 wilderness. Because, if there is not O.R.V.s you can't

1 access it. And you can not -- properly so, I'm for  
2 Alternative B, and I think there should be no wilderness.

3 We have Alligator Alley running right through the  
4 middle. It's been -- everything you could think of out  
5 out there it is unreasonable. Thank you.

6 MR. OYE: Thank you. Dione Carroll.

7 MS. CARROLL: Thank you for hearing from me again,  
8 Dione Carroll I'm an attorney on behalf of the Independent  
9 Seminole Nation of Florida. I would like to adopt my prior  
10 comments earlier, if possible. But, I will certainly recap  
11 them here so that they are included in the record, with  
12 respect to this issue.

13 The general management plan, I am not comfortable  
14 that it guarantees the rights of the native people in Big  
15 Cypress Preserve. There are statutory things that protect  
16 the rights of the traditional people in Big Cypress.  
17 However, what's happening here is not new.

18 Traditional people have seen over and over again  
19 that when you start revisiting statutes when we reach back  
20 on what is done through detail, through implementation of  
21 other statutes through regulations, through planning.  
22 Through my, it is inevitable the rights of Native people  
23 suffer. And I cannot endorse this wilderness plan, the  
24 wilderness designation because, I am not comfortable that  
25 the Native peoples rights are protected in Big Cypress.

1           In addition to this obviously, I am recapping  
2 my earlier comments. Native people have been custodians of  
3 the Everglades long before -- like I said before Big  
4 Cypress was a spark in Congresses eyes. They have proven to  
5 be very good custodians. However, we are in a position that  
6 they are no longer allowed to be the custodians they should  
7 be, the way they have been traditional, they are native  
8 people who have had access to these lands forever because,  
9 it is their land, they were there first. Their Religion,  
10 their customs, their culture, their families, and their way  
11 of life are in these Everglades.

12           These traditional people whether or not they  
13 choose to associate themselves with any other type need to  
14 know and need to be comfortable need to leave with this  
15 process knowing that they will be able to protect and  
16 practice their traditions as they have.

17           I am glad to be of assistance in any way to make  
18 sure that they have guarantees and I will not rest until I  
19 feel that they do. And if they do not I will go out of this  
20 process saying that they were denied their rights. We will  
21 also, be providing detailed written comments and I look  
22 forward to hearing from you. Thank you.

23                       MR. OYE: Danny Billie.

24                       MR. BILLIE: Again Danny Billie, for the  
25 record. You say that these two plans are different but they

1 are the same. It is the same you started -- you created  
2 the National Preserve, you say it is to protect it but,  
3 from our point of view it has been destroyed the agency  
4 that says they were going to protect it.

5           It took some time for me to realize what was  
6 going on and to me it seems like it is not being protected.  
7 Every time I look around the park service is doing  
8 something. And all we got is our nation and every time you  
9 turn around you know, there is a wayside being built (sic)  
10 without our say so.

11           And so, for me and the nation and the people like  
12 I said before not only us but, Miccosukee Tribe of Florida  
13 but, the Seminole nation -- we want to be consulted on all  
14 of these things to this day you may say you have records of  
15 that but, I have not seen them. And so, at this point in  
16 time we are totally against that wilderness.

17           Even the man prior to Dione Carroll -- we have  
18 been restricted from going into these areas all along. And  
19 now you're going to designate this whole new addition as a  
20 wilderness, that is not going to happen. Because, when you  
21 do that you kill us as people as who we are and once you do  
22 that who is going to be there to protect it for you in the  
23 future, nobody.

24           Like I said, you said you were going to protect  
25 it that is not the case from my point of view that has not

1 been the case. Because, this wilderness process what you  
2 are talking about here is that eliminates and extinguishes  
3 all of our rights in those areas. Because, when you do that  
4 -- you know, we have campsites in the path in those areas.

5           According to the Congress Legislation Law that  
6 provided this whole Big Cypress National Preserve we had to  
7 run people to those areas and if you turn it into a  
8 wilderness that won't be the case and not only that -- on  
9 top of that with the panther, the people and the I75  
10 corridor you have fences all over the other part and it  
11 makes it look ugly.

12           And you know at this point we are not able to  
13 access it and now you want to add more restriction to this  
14 land. And so, we are totally against it as a nation and  
15 hopefully our brother tribes feel the same thing. Thank  
16 you.

17           MR. OYE: Mr. Byron Maharrey.

18           MR. MAHARREY: Bryon Maharrey President of the  
19 Everglades Coordinating Council. I could not agree more  
20 with everyone that has gotten up here and said, this is the  
21 most unique piece of land in the world, and to me it is.

22           You folks and the park service has kept it  
23 pristine for the last 20 years. When the tree fell nobody  
24 was there to hear it. And if you do this wilderness you're  
25 going to continue to keep a good portion of it that same

1 way. I feel that I have the right to be there and to  
2 recreate as I did before it was even the original preserve  
3 was there. Certainly, before the additional lands were  
4 purposed.

5 My grandfather was with a group and Model T's  
6 (sic) that raised the trail from Naples to Miami U.S. 41 I  
7 believe it was in the 20's. I am five generation Floridian  
8 I am a Joe lunch bucket I don't speak as eloquently as Ms.  
9 Carroll, or Mr. Barrister for the Seminole Tribe. I would  
10 love to be there but, I am speaking from the heart.

11 I don't think that this qualifies for wilderness  
12 you do have pipelines, you do have I75 you have a sound  
13 scape (sic) that goes for miles north, south, east and  
14 west. You have roads through there that the farmers call  
15 produce -- access it. You have honey bees in there and  
16 what else -- timber was cut out of there and hauled out of  
17 there.

18 And what you have in the north part especially,  
19 and the south part gets a lot of trails too. But you know,  
20 it has been 20 years and nobody has been in there to use it  
21 a lot of those trails have grown up and they are hard to  
22 see. So, they are there but, they are documented there's a  
23 study -- I think it was done by the University of Georgia  
24 that shows a map that it looks like a spaghetti down there  
25 on the south side.

1           So, I ask you to take another look at this  
2 eliminate the wilderness if we are staying on designated  
3 roads and we have committed to conceive dispersed use. We  
4 stay on designated roads we do less harm to the land  
5 than the hikers do because, we disperse through the woods  
6 the hikers are the ones walk on trails and the paths. So,  
7 we do less than that.

8           It serves me -- the 20 year language if faced  
9 again if the budget permits that was four years ago when  
10 newsletter five came out we accomplished very little at  
11 that time. And I think that I'm to the point that I have  
12 two choices either I'm going to die before we can get into  
13 this land legally and assumptive (sic), recreate or I'm  
14 going to be in jail for going in there anyway. (Laughter)  
15 Thank you.

16           MR. OYE: We asked not to have applause so we can  
17 get through and make sure that everyone can get through  
18 their comments. So, please hold your applause until we get  
19 through the presentation.

20           MR. WRIGHT: Bishop Wright, you know I'm amazed  
21 they will tell you how we destroyed the land and so forth  
22 why is should be kept pristine and kept wilderness they put  
23 a pipeline in and the pipeline deteriorated and it should  
24 be considered wilderness I am just amazed at the mindset.  
25 That is the reason why the sportsmen are the true

1 traditional user is always concerned of the value of the  
2 land. That is the reason why years ago sportsmen created  
3 many different funds that were able to take many different  
4 avenues to generate funds too so they could  
5 buy those lands. Why? Because we wanted everybody to be  
6 able to use this pristine valuable piece of land.

7           Never -- I can tell you right now all the bills  
8 that have been passed they bought a lot of land in the  
9 state of Florida when I go back home and tell them what  
10 ya'll have in mind, the keeping people out of the land that  
11 the sportsmen fought to preserve and stay -- it's just  
12 heartbreaking for the next generation what are you all  
13 gonna do put a fence up and say, it's an old field full of  
14 ditches and roads but, it is too good for you to go in and  
15 use. But, we want you to hang out on the streets, we want  
16 you to do drugs, we want you to just party and drink and do  
17 whatever kids is supposed to do. We don't want you to go in  
18 there and enjoy the land the way your founding fathers did  
19 we don't want you to fish and hunt and use the land in the  
20 way that the natives did when they came here.

21           That is not what land is here for, land is here  
22 for Americans to use, to hold and to respect and if you  
23 can't go in something you know, then, you might as well  
24 develop it. As, Byron said; who is going to know what is  
25 really in there. Thank you.

1 MR. OYE: The next speaker is Ina Topper.

2 MS. TOPPER: Good evening, my name is Ina Topper  
3 and if you recall, this land should remain in it's natural  
4 State with it's pristine beauty for all to enjoy and for  
5 future generations. What was possible in the past may not  
6 be possible in the future. We talk about idea of general  
7 access, a drive from Broward to Dade was about 20 minutes  
8 that was what, 25 or 30 years times have changed and that  
9 is just not possible today.

10 So, general access we may have to realize that  
11 what happened in the past for general access is not going  
12 to be any longer possible in the future, the past is gone.

13 Frequently, I escort groups of European tours  
14 from all over Europe -- the fishing in the Everglades, and  
15 what they keep saying is there is still wilderness here all  
16 around here and we must -- if it could turn a profit we  
17 would do it in a blink of an eye.

18 Let us learn from their experience let's keep our  
19 last ruminants of what we may still call wilderness as  
20 pristine as possible. For our future generations so, they  
21 won't say 50 or 100 years from now well, this is what was  
22 left behind. Keeping this land as pristine as possible is  
23 the way to go. Thank You, sir.

24 MR. OYE: Thank you. The next speaker is Matthew  
25 Schwartz.

1 MR. SCHWARTZ: Matthew Schwartz, with the Sierra  
2 Club. First of all I would definitely support a wilderness  
3 in Frank Denninger's backyard. (Applause). Aside from that,  
4 I would very much appreciate the fact that the park service  
5 went to and did its wilderness study did and recognize that  
6 the additional lands did qualify for wilderness. And it  
7 does have those qualities that you require for the  
8 designation of wilderness in the United States and not just  
9 wilderness quality act with the East Alliance Wilderness  
10 Act (phonetics) which who knows that most I mean that most  
11 wilderness areas there are gigantic wilderness areas in  
12 Alaska its wilderness act but also the wilderness act.

13 There are large wilderness areas that have been  
14 designated we have very little areas in the East Coast the  
15 largest one is Everglades National Park and I assumed that  
16 that was the last time that a formal wilderness hearing of  
17 this type was done in South Florida.

18 I definitely support a maximum wilderness for the  
19 additional lands and I also support for reviewing the  
20 entire wilderness study that was submitted by Frank Warner  
21 (sic) a former and now a retired National Park Service  
22 employee who surveyed the entire Big Cypress national  
23 preserve.

24 And I'd like to stop here I don't like lingering  
25 during this hearing because he found most of the preserve

1 to be eligible for the wilderness including the eastern  
2 part of Bear Island which is now in litigation (phonetics).

3           It's difficult to put in words it's difficult  
4 to come up with the scientific mathematical logical reason  
5 for it, for the value. The National Park Service what they  
6 have are based on qualities for what people want and that  
7 was written for the American people the East and wilderness  
8 areas to protect everybody is discussing sights and sounds  
9 has been evaded on the subject of roadway is not included  
10 as a wilderness area I would also like to talk about people  
11 talking about access of the additional lands is accessible  
12 to anybody that wants to walk in there all that happens is  
13 that you get your feet wet just bring an extra pair shoes  
14 either walking on those trails for two years at take my GPS  
15 and I never get lost.

16           One time I had an argument about whose GPS was  
17 right (laughter) but other than that it's a pretty easy  
18 thing to do there is no hills there is no rocks your feet  
19 get wet that's all. It is accessible to anyone that wants  
20 to go in there you can get lost look at this map  
21 (indicating) here are the areas that are accessible to  
22 motorized vehicles most of the preserve is accessible to  
23 motorized vehicles. But if you have one area that's not its  
24 managed right now as a wilderness not allowing motorized  
25 vehicles. The last thing I'm gonna say is, the wilderness

1 plan to need to come up with an alternative if you look  
2 at it creates its 18 separate wilderness areas you've got  
3 trails somebody doesn't get it, this is no longer  
4 wilderness this is just -- when are you gonna do put signs  
5 up saying you're entering the Big Cypress Wilderness area  
6 you are leaving the Big Cypress Wilderness area every time  
7 you cross the trail this is not wilderness -- go back to  
8 alternative F, and designate wilderness for the entire  
9 preserve. I'm going to leave this map with you because it  
10 does extend also the pipeline is not a preclusion of  
11 wilderness. Thank you.

12 MR. OYE: okay we have some folks coming in that  
13 are late and they have requested some time to speak. So,  
14 what we're going to do is honor the group that we already  
15 have here and signed in when I get through those and see  
16 how much time we have and then we will make a decision.

17 MR. RAMOS: I would like to recognize the presence  
18 of Rodney Barreto, who serves as the Chairman of the  
19 Florida Wildlife Commission. Thank you very much, sir for  
20 being here this evening.

21 MR. BARRETO: Thank you.

22 MR. OYE: next speaker is Leigh Buckner.

23 MS. BUCKNER: Hi my name is Leigh Buckner and I  
24 reside in Broward County and also Sierra club member. As I  
25 said before, I used the area a lot almost monthly and

1 really appreciate the wilderness out there. I feel it  
2 should be designated as Alternative F as a maximum  
3 wilderness. I just want to remind you that the National  
4 Parks own documents, do document under the preferred plan  
5 negative impacts on soil quality, vegetation, plants and  
6 changes in hydrology and also no motorized vehicle use.

7           And again, advocating Alternative F the need for  
8 the maximum wilderness designation is for the survival of  
9 the critically endangered Florida panther. I don't know,  
10 nobody mentioned that I'm not sure who really still cares  
11 about that.

12           We certainly need to move forward with this  
13 preferred Alternative F which will be compatible with what  
14 I believe with their survival. Evidence has shown that the  
15 bulk of the population is currently, less than 82 to 100  
16 panthers and they currently use the exact land that we're  
17 talking about right now.

18           Concentrate in a complicated manner to use that  
19 as a -- once there is an increased activity to do that and  
20 what's purposed we really need that alternative. And I'm  
21 not really sure who is on the side to really carry out that  
22 mission. Which is, to serve we really need to move forward  
23 with Alternative F and maximum wilderness.

24           That is one great example of why we need to move  
25 forward with Alternative and maximum wilderness. Thank you.

1 MR. OYE: Thank you. Pat Littlechild.

2 MS. LITTLECHILD: Pat Littlechild, still  
3 advocating Alternative F. we need to preserve the preserve  
4 we have cut in slices and carved to do a large portion hope  
5 that when my grandchildren grow up they can enjoy this land  
6 and their children and their children and it will continue  
7 to be a beautiful land that also helps all the people here  
8 all the people that live here. Thank you.

9 MR. OYE: Pete Theis, is it?

10 MR. THEIS: My name is Pete Theis and I strictly  
11 oppose the wilderness plan and using additional lands on  
12 the number one basis is because, when the preserve was  
13 established there was no consideration to even think about  
14 what it did to our wilderness in this area.

15 You have the wilderness to the south of the  
16 National Park. The preserve is making it into a preserve  
17 and not as park. And it's your definition that you need  
18 5,000 acres in uncharted land. Here is your map and it  
19 clearly shows the additional lands as you can see the whole  
20 additional lands are miles long.

21 So that property has been and it's all cultural  
22 use and if you go ahead and make a wilderness area you can  
23 see you got cut off access and you should learn from the  
24 fire that you just had, you didn't have access to get to  
25 the fires so, you need to just say poop on the wilderness

1 and put it back to traditional cultural use if you want I  
2 can leave this map with you but, I'm pretty sure you got  
3 it. Thank you.

4 MR. OYE: Russell Larkins? What about Rick Sanda?

5 MR. SANDA: Good evening all, my name is Rick  
6 Sanda. I am a native Miamian born and raised second  
7 generation. I recognize Mr. Barreto here I trained his  
8 brother in fire college. I wish I could invite you out to  
9 some of these areas and have a frog leg fry and get down to  
10 grass level in some of these areas that you are talking  
11 about. But, unfortunately we have to be here more serious  
12 matters.

13 I can see and appreciate that work that you do  
14 here. The National Park Association, visiting these areas  
15 and qualifying them for under the legislation for Florida  
16 wildlife. When you know what is just a definition is not  
17 only wildlife, it is our backyard.

18 When you referred to people it's all of us, the  
19 Native Americans. As a matter of fact; I was out there  
20 Saturday with my boys and your definition of trampling, I  
21 didn't see it.

22 If you look back and you look at pictures, look  
23 at one from now and one from 30 years ago and they look  
24 exactly the same. There are a couple of new trails here,  
25 they are the wildlife. We the people have been managing it

1 we have been taking care of it for you, we even pickup  
2 stuff out there.

3 I'm also speaking on behalf of being a 28 year  
4 fireman responding out to some of these plane crashes.  
5 Remember ValuJet? I wasn't there for the 401 but I talked  
6 to the stewardesses and some of the survivors and guess  
7 what, they thanked some of the O.R.V. people for being out  
8 there and saving them.

9 So, your access restriction is going to be a two-  
10 edged sword and I will thank you, to revisit it. Also, in  
11 common areas -- we've talked about that -- and or  
12 activities in covering definition of your wilderness you  
13 know, you have more things -- more exclusion criteria as  
14 to the wilderness area, than you have in the included  
15 criteria, such as current activity.

16 We have been using this area all of our lives,  
17 some of us since way back -- so many generations and their  
18 kids and their forefathers -- and they enjoyed it. Also,  
19 this is a -- if it is left alone it will reclaim itself  
20 guess what, some of those trails have -- over.

21 And know what I have walked Bear Island and I  
22 have seen the Panthers and I have seen the dears and I have  
23 walked through the fields and you know what? Nature  
24 reclaims itself.

25 We have not damaged -- you want to maintain

1 this area? Keep development out of there, keep  
2 construction out of there, keep industry out of there.

3 And you will be protecting our people. Thank you  
4 for your time.

5 MR. OYE: Mr. Tom Rahill.

6 MR. RAHILL: My name is Tom Rahill, I am a  
7 volunteer down in the Everglades and currently the trail  
8 boss. Down at the trail I mention that because,  
9 Every year we've been at it for a year and-a-half now you  
10 are covered in mosquitoes and up to your armpits in the  
11 swamp water.

12 If you like to canoe just come on down we will be  
13 opening in a couple of months and you are welcome in. That  
14 access being in that kind of environment you can get in  
15 anywhere you don't need motor vehicles to get in there.

16 You have to really know the Everglades to  
17 appreciate the Everglades. You can get in there all times  
18 of year, it is an incredible place to be.

19 I want to talk about rights, people who have  
20 rights. And the O.R.V. people have rights and the  
21 wilderness people have rights, I mean, it is land-use  
22 issues.

23 The nursery had rights years ago to sell whatever  
24 plants they wanted. They sold Brazilian pepper they sold  
25 Other plants that are not endangered or exotic

1 and are not negative affecting the Everglades.

2           The pet stores have rights they should be able to  
3 sell what they want to sell. Pythons they are a beautiful  
4 animal. Burmese Pythons look what happened to that, we are  
5 regulating that now. You know farmers have rights to use  
6 pesticides, and do what they wanted to do.

7           D.E.T. just about wiped out the -- every time  
8 you go out there and see an offspring you can thank the  
9 people that stopped the use of D.E.T.

10           Landowners have rights, the natives have rights  
11 but, yet we walk all over the rights of natives and the  
12 land owners in this State. And Governor Lawton (sic) back  
13 in the day the theme was bring the Everglades for profit,  
14 that was landowner profits.

15           There is something that you may not know is, we  
16 had waterfalls in Miami, in the Miami River, down there and  
17 they blew them all up.

18           It wasn't natives that blew them up, it wasn't  
19 wilderness that blew it up, it was people that wanted to  
20 develop the land and use the land in that way; they have  
21 rights. All these people have rights but, rights is within  
22 the context of the protecting and preserving.

23           Who is speaking for the wildlife? The Ivory-  
24 billed woodpecker has been seen up in the National Wildlife  
25 refuge. It was a form of money, a form of celebration for

1 the Native people. He is gone, he is extricated from this  
2 area. The Big Cypress is an area that it once thrived in.  
3 Supposedly, it has been seen in Northern Florida we didn't  
4 create a wilderness environment, a wilderness environment  
5 that could possibly, bring this back which, we can not have  
6 -- encroachment on that.

7 All the preservation, the land preservation of  
8 the Big Cypress was done before this huge population  
9 explosion. We're in a situation where it's different now  
10 the rules have changed it is encroaching urban areas,  
11 suburban areas, rural agriculture wilderness is  
12 diminishing.

13 You can diminish wilderness with inside your car  
14 when you take away the shock absorbers all that -- you  
15 have an event -- and it wrecks the machine we need to  
16 preserve -- I support as much wilderness -- and we need  
17 to as much as we can -- and respect and understand --  
18 Thank you.

19 MR. OYE: Patrick Kerr.

20 MR. KERR: Good evening, I'm Patrick Kerr (This  
21 speaker has a speech impediment and was very hard to  
22 understand) I'm with the Sierra Club and (inaudible) I  
23 have -- Big Cypress.

24 MR. OYE: Dennis Wilson.

25 MR. WILSON: My name is Dennis Wilson and

1 I've been working for Big Cypress for 30 or 40 years and  
2 I'm kind of old fashioned, when a man says something, he  
3 should really do it. We all know that the legislation says  
4 that there will be guaranteed recreational use including,  
5 O.R.V. use.

6 And I'm kind of curious to see some of these  
7 people are now saying let's change the rules and make this  
8 into a wilderness. I just looked today, and I saw three  
9 airfields, where the planes have been landing in the  
10 additional lands.

11 They may not be in use now but, that entire area  
12 has been used to recreate -- it does not qualify -- I  
13 read the definition and maybe you have too. I don't know  
14 how people can up here and say that it is wilderness. It  
15 never has been and it is a situation where --

16 If you would allow me to read what Assistant  
17 Secretary Reid said, when he was asked by Congress about  
18 wilderness designation and he said; I'm not going to read  
19 the entire thing to you but he said; We're not going to do  
20 that. It's going to be for recreation and it's not going to  
21 be a park and people are going to be allowed to use  
22 recreational vehicles. This was said in front of Congress  
23 second session if you want you can check that out.

24 This wilderness designation would not want you to  
25 deny people like myself from using O.R.V., I mean

1 it is in black and white it's right here in the  
2 legislation. So, I hope you guys can come to the right  
3 decision and because, all this stuff about changing the  
4 rules and you shouldn't because, it is all written here in  
5 black and white. Thank you gentlemen.

6 MR. OYE: John Storms.

7 MR. STORMS: Good evening, my name is John Storms  
8 and I'm here on behalf of Broward County Park service. The  
9 first thing that concerns me is when ya'll mentioned that  
10 you went from 240 plus miles down to 140 miles.

11 Where did you all get your knowledge to know  
12 which areas were for going to used for O.R.V. use and which  
13 areas were not? What process did ya'll use to come up with  
14 that? I don't think that there was any scientific study  
15 that ya'll done to prove any adverse affect from  
16 any motorized access either. I believe the benefit would  
17 out weigh any adverse affects of providing walkways,  
18 hallways for wilderness use along with fire safety which,  
19 it can also provide.

20 The only example that I can actually think of  
21 that pertains to limited access, which would cause anything  
22 to happen, the only problem is the pipeline problem, where  
23 is the pipeline gonna run at? If it's not here it's gonna  
24 be the Everglades National Park. That is the first step if  
25 you make any of this area a additional land wildlife zone

1 or wilderness zone you're just gonna have more problems.

2 MR. OYE: Ms. Barbara Powell.

3 MS. POWELL: I have a stack of congressional and  
4 other lawmaker testimony and documents that attest that Big  
5 Cypress Preserve is not supposed to maintain a wilderness  
6 area. I will also, read excerpts from that stack. These  
7 were the hearings from creating the original preserve.

8 (Speaker reading excerpts of testimony)

9 Senator Johnson: It is philosophy of use, now,  
10 philosophy of use now, is that it? Assistant Secretary Matt  
11 Reid; In the philosophy of use this is what we would  
12 expect, are you sure an increase of numbers as the State  
13 grows, there is no question about that, the usage will grow  
14 but, we want to keep the usage, the type of uses to what it  
15 is now. You don't want to build a trailer park?

16 Senator Johnson asked. No, sir I don't want to build very  
17 much of anything. I don't want the federal government going  
18 in and building visitor centers, or roads or anything else  
19 it is not that kind of a place. Are vehicles allowed? Yes,  
20 sir.

21 Just a few questions, when is the fact that you  
22 are asking questions which I think that are very prevalent  
23 to the fact that this is a very unique designation none  
24 other like it, so far as I know.

25 Mr. Reid: Correct, sir.

1           Senator McClure: If it is absolutely unique  
2 what is the amendment philosophy? it's not a park, it is  
3 not a recreation area, it is not a active seashore. It's a  
4 completely new breed of cat.

5           Mr. Reid: It is a new breed of cat, sir.

6           Senator McClure: The question comes to the  
7 management philosophy, there is also involved in this bill  
8 the standard provision for wilderness review.

9           Mr. Reid: That is true. That is probably an old  
10 legislation; this area is not a part in which a great deal  
11 will remain wilderness or wilderness type use. This is not  
12 going to be that kind of use at all it is going to be used  
13 and used hard.

14           Senator McClure: If a wilderness designation  
15 certainly has it is in all likelihood it will preclude  
16 the use of motorized vehicles either land or water. Yes,  
17 sir. I would be less than honest --

18           Senator Reid: -- if I said we didn't have to  
19 watch carefully and monitor these uses. and so Senator  
20 McClure says; Will it be regulated rather than exclusion.

21           Mr. Reid: Yes, sir I think it does with the  
22 tremendous population increasing on the East Coast and now  
23 the Naples area.

24           (Reading of excerpt testimony is completed.)

25           Big Cypress is a marvelous recreation

1 experience the majority of the people who are here in  
2 this room now who are property owners, who have used this  
3 area for anything else have a tremendous recreation  
4 experience here on the coast. I don't have time to read it  
5 all I will include more in my written comments.

6 MR. OYE: Please, please hold your applause, we  
7 really need for you to hold your applause we want to  
8 Make sure that people complete their comments.

9 MS. KNAPP: Hello, my name is Patricia Knapp and I  
10 would just like to tell you the nice happy memories that I  
11 have of going out into the Big Cypress where you can hunt  
12 and fish these are memories that will be with me all my  
13 life and when my husband was alive we always (microphone  
14 feedback very loud noise.) And have such a wonderful time  
15 and now I'm a grandmother of four children who all grew up  
16 my son grew up and had these children they were out there  
17 In the Everglades and Big Cypress hunting and fishing and  
18 using their swamp buggies and those memories will be with  
19 them for the rest of their lives. They're all grown and now  
20 they're at the age in life where my grandchildren will have  
21 children and this is what life is about the wonderful times  
22 we had and memories.

23 None of my grandchildren had a drug problem,  
24 alcohol problem, they all turned out wonderful and you know  
25 what? I used to take them out there and let them know what

1 nature was all about see the birds see beauty in the tree  
2 and the wonderful times we had together this is what keeps  
3 families together.

4 Please, I beg of you do not shut us out little by  
5 little there is less and less areas for people to go and  
6 have a good recreational time. As you all know our economy  
7 is very bad people can afford to just take the whole family  
8 to the movies you know what I mean. What they need to do is  
9 get out there and camp BBQ and see what life is really  
10 about.

11 And I beg of you no wilderness no wilderness no  
12 wilderness. We don't need a big fence to keep us out we're  
13 the taxpayers let us enjoy our land that God created for  
14 all of us. We are human beings and I beg of you go through  
15 this wilderness plan, Thank you.

16 MR. OYE: Once again, please no applause. We've  
17 Got some more folks that want to speak if we can get  
18 through these. So --

19 MR. BRYAN: Hello, my name is Albert Bryan, and  
20 that was my mom. I can tell you that we not only take our  
21 kids out there we take other kids out there from the  
22 neighborhood and have the opportunity to really see what's  
23 going on and learn about the real things in life what they  
24 can see on TV obviously and they are not going to learn  
25 that on the computer they do by having the experience of

1 going out there at this one has to question, the  
2 additional lands is that a park or preserve? Can you answer  
3 that? Is it going to be a park or preserve?

4 MR. RAMOS: A preserve.

5 MR. BRYAN: A preserve. Well, want to manage it  
6 as a preserve? You come in here with the mentality of a  
7 park ranger in debt to try to cut people out there is  
8 supposed to have a plan here. If they want to have a  
9 wilderness or if they want to have a park was detective to  
10 Everglades National Park there's what a million and-a-half  
11 acres. You've taken enough of our property away from us  
12 that's an area down there where a lot of people used to go  
13 as well. But, for whatever reason you've cut people out of  
14 there and now it's just a big wilderness and now we can't  
15 go there to the additional lands I remember when we  
16 used to pull over to the side of the road and go hunting  
17 anywhere we wanted to. The trail system is already there  
18 that's one reason it's making me mad.

19 I can show you some videotape -- I made a  
20 videotape and the whole trail system is there all you have  
21 to do is go to discovery.gov (sic) there is already a  
22 preserve area it is for logging, farming, and all these  
23 other types of activities.

24 And then you come in there and put the fence up  
25 and make a management plan which you were supposed to do--

1 you were mandated by Congress to do in two years. It's  
2 been about 20 years if my math is right, it's been 20 years  
3 and now you're going to he-haw around here and it may take  
4 another 20 years while you try and come up with a plan.  
5 All your alternatives have department mentality in them.  
6 You need to get rid of them and you need to rewrite it and  
7 put something in there that makes sense to the area. We're  
8 here to work with you, you know we are conservationists and  
9 we put something back in our land we go out there and we go  
10 in there and help them with the trees, we help them remove  
11 exotics, with trash pickups and stuff like that and now we  
12 have the issue of the Python you have a wilderness area and  
13 you have a zone there to actually produce -- how fast can  
14 a python produce? They produce about 10 times a year and  
15 each time they could have about 40 babies and that's a lot  
16 of pythons in the area. What you ought to do is get rid of  
17 all of these stupid thinking and these air-conditioned  
18 ideas that people are doing. Open up these things allow  
19 people to go in there and hunt the python, allow people to  
20 go in there and access the area. We are the eyes and the  
21 ears in the area we'll watch out for it we're not going to  
22 let people go out there and be poaching, we're going to see  
23 that it's good conservation, good management, we're here to  
24 work with you even though we are systematically getting cut  
25 out.

1           Okay, I'm almost done the point I'm trying to  
2 tell you and the point that everybody here is trying to  
3 tell you is that you are destroying our culture if you  
4 systematically -- you have cut us out you take our money  
5 and use it against us and buy our land and you keep us out.

6           I'm going to tell you, my own son went  
7 up there three times he has not been able to go into the  
8 additional lands because you have not come up with a plan  
9 to let him go in there he's a man now he's on his own he  
10 served his country he'd like to go in this area too. And  
11 you know what, what can I tell him no you guys are still  
12 trying to figure out what's going on here trying to come up  
13 with an idea of whether or not to let people through you  
14 got hikers out there walking around they're doing more  
15 damage than anybody this is ridiculous a shame on you  
16 hikers and shame on you people who systematically try to  
17 take our land from us.

18           UNKNOWN SPEAKER: Shut up asshole!

19           (Disruption in audience)

20           MR. BRYAN: I don't appreciate being called an  
21 asshole.

22           MR. OYE: I'm sorry about this, this has been a  
23 long, long evening. I have another person that wants to  
24 speak. Our last speaker is Bryan Sherk.

25           MR. BARRETO: I would like to say a few words.

1 MR. RAMOS: Thank you, sir for being here again.

2 MR. BARRETO: Well, thank you. It's been a long  
3 road we haven't been able to get the ball rolling and open  
4 this property up which is kind of a shame. But, I think  
5 that it is the overall system problem. However, refreshing  
6 a few moments ago with Mrs. Bryant's words because, I'm one  
7 of 11 kids and I have six other brothers and we kind of  
8 grew up hunting down in the Everglades and camp on the  
9 south side of the road and we'd fish out of Biscayne Bay.

10 My dad, who is still with us today at age 87  
11 often says that the reason that we stayed out of trouble is  
12 because we used to come out to the Everglades and  
13 used to swamp buggy in the Everglades, so, it is kind of  
14 interesting to see how a mother got up here and gave her  
15 perspective on her family because, my dad had the same  
16 perspective. You know, we need to respect this land and I  
17 think that it needs to be opened up to some people and we  
18 need to recreate in it and we need to try to get this one  
19 done. I mean, it's been what 18 years?

20 MR. RAMOS: It's been about 10.

21 MR. BARRETO: It's been about 20 years and you  
22 know whether you agree with them or disagree with them and  
23 everybody's going to have 2 sides to this story. Our former  
24 Governor Chiles you know was a hunter. And He understood  
25 what he thought people wanted out there. And I think that

1 there are agreements in place and I think the people  
2 should adhere to these agreements.

3           This is no different than going to the public and  
4 telling them we are going to pass a transit tax like they  
5 did in Miami-Dade County and they've hoodwinked the public  
6 and they are spending that money on everything other than  
7 transit, seems like, okay. So, what I'm advocating is; A.  
8 I've worked with the federal government and Pedro you are  
9 the third Superintendent that I have dealt with on this  
10 issue and I hope that we can get this and get it over with  
11 so That people can enjoy, so that everybody can enjoy the  
12 land so we need to respect it and give everybody an  
13 opportunity to enjoy it I think that when you spend your  
14 tax dollars that the only thing you could ask for so thank  
15 you for your comments.

16           You guys are -- first of all Pedro I want to  
17 thank you for allowing the public to speak and know that  
18 there's been some discussion as far as people not being  
19 able to speak in front of the group and we appreciate the  
20 federal government changing the rules a little bit and  
21 allowing the public to give their input. Thank you.

22           MR. RAMOS: Let me say a few things. Gary we spoke  
23 about this a little earlier during my opening remarks this  
24 afternoon around four o'clock. We recognize the fact that  
25 there is a lot of disagreement with respect to what people

1 think should happen with these lands. I also made a  
2 comment with respect to the fact that what brings us all  
3 together here is the respect and love for this place that  
4 we all share and let's make sure that we are respectful to  
5 each other.

6 We are not going to be able to get this done if we are  
7 not going to do that, there is no space in this meeting for  
8 the kind of commentary that I heard a few minutes ago. And  
9 I ask that nobody indulges in that kind of behavior because  
10 this is not the place for it I am convinced that if  
11 we do not respect each other we are going to fail and  
12 ultimately, the resources are going to suffer so let's do  
13 the right thing here please.

14 MR. OYE: I think that I just have one other  
15 individual that wants to speak.

16 MR. SHERK: My name is Bryan Sherk, I'm with the  
17 Qualified Diversity in Broward County, sorry I got here  
18 late, it was because of the hearing location. One of the  
19 first things I want to address here is, you have excluded  
20 Broward County, in the past meetings and a lot of our  
21 citizens hike in the preserve we have eight or nine groups  
22 in there the Sierra Club, we take hundreds of people in  
23 there.

24 So, here we have two locations one in Everglades  
25 City where the population is 700 and you have Broward

1 County with a population of 1.7 million and can't get a  
2 hearing. And hundreds of people in Broward County use the  
3 preserve and I just don't understand why the Park Service  
4 has excluded Broward County. Broward County is being  
5 excluded and you have us trek all the way down here. There  
6 is two on the West Coast there should be two on the East  
7 Coast.

8           It gives the impression that the Park service is  
9 trying to structure their comments or the audience in a  
10 certain way. You know we're taking this up with  
11 The Interior Department to get another hearing and  
12 requesting another hearing in Broward County on this so  
13 that people can have their say.

14           Also, I want to address the fragmentation of  
15 wilderness in this plan. And these preferred alternatives  
16 Big Cypress is one of the most viable areas in the country,  
17 and here we have a plan that slices and dices the  
18 wilderness we sacrificed 23,000 acres off compared to  
19 Alternative F.

20           It fragmented approximately 20 pieces it sort of  
21 makes it like a veggie-matic it slices and dices and  
22 purees. You know, 140 mile trail in the O.R.V. plan you  
23 have secondary trails which is unspecified land. You have  
24 all these secondary trails which is precisely prohibited in  
25 the N.P.S. policy and it is just going to fragment it even

1 more. I have a picture of the Mona Lisa here and when you  
2 fragment things you are doing the same thing like this Mona  
3 Lisa (indicating) you know, slice it apart. You know, you  
4 are going to lose the integrity of Big Cypress, just like  
5 this painting here you slice and dice a 140 miles that is  
6 an un-specified number of O.R.V. trails so, -- eradicating  
7 Alternative F.

8 I just wanted to read a couple of quotes here  
9 about wilderness. (Reading)

10 But love of the wilderness is more than a hot  
11 girl for what is always be on reach; it is also an  
12 expression of loyalty to the earth which bore us and  
13 sustains us, the only home we shall ever know, the only  
14 paradise we ever need if only we had eyes to see.

15 Something will have gone out of us as a people if  
16 we ever let the remaining wilderness be destroyed; if we  
17 permit the last virgin forest to be turned into comic books  
18 and plastic cigarette cases; if we drive the few remaining  
19 members of the wild species into zoos or to extinctions; if  
20 we pollute the last clean air and dirty the last clean  
21 streams and push our paved roads through the last of the  
22 silence, so, that never again will Americans be free from  
23 the noise the exhaust of human and automotive waste. Thank  
24 you.

25 MR. OYE: One last speaker, Adam Perez.

1           MR. PEREZ: Good evening, my name is Adam Perez  
2 and I don't represent any group I come before you a simple  
3 man who pays his taxes who believes in God and tries to  
4 play by the rules and that's it. The first thing I'd like  
5 to do is -- I couldn't help but be impressed by some of  
6 you folks here you jumped into a hornet's nest and very  
7 strong opinions on both sides and that's not really easy  
8 and I also would like to commend you on your bravery I only  
9 wish that our Senators and Congressmen  
10 were as brave as you are being today the other thing I like  
11 to comment on is the irony of this meeting I was listening  
12 to the attorney that's representing the native American  
13 people and the irony -- just did not escape me how - the  
14 underlying theme is them having access to their lands and  
15 all of that -- and here we are now ourselves the European  
16 settlers and others are coming before you today with the  
17 same reasons I'm sure you will find that rather humorous.

18           Anyways, I've been camping out here at Big  
19 Cypress for many years really is a beautiful place I think  
20 most of you could agree with that at least where we seem to  
21 differ is obviously how it's going to be managed and I  
22 don't see Plan A or a Plan F as being fully reasonable.

23           If we look back at the act - what the intent was  
24 -- well I'm not going to go over it again it's been gone  
25 over many times already today. But it was supposed to allow

1 reasonable use of the land and I don't think just  
2 designating it a wilderness area is what I would consider  
3 reasonable. Also 21 years to study the problem is a little  
4 excessive even by federal government standards.

5           If we leave it as it is right now the status quo  
6 it's going to basically, be a playground for a couple of  
7 people to go hiking and I don't want it to be a place for  
8 them just to go hiking I want it to be a place where they  
9 can hike, where we can use our O.R.V.'s where we  
10 can hunt, we can walk we can canoe or just whatever. Okay  
11 well, I'll just bring this to a conclusion that's all I  
12 wanted to say thank you very much for letting me speak.

13           (Whereupon, the meeting was adjourned.)

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## REPORTER'S CERTIFICATE

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I, DIONNE MERRITT, Court Reporter and Notary Public in and for the State of Florida at Large, certify; that I was authorized to and did stenographically report the proceedings and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties; attorney or counsel connected with the action, nor am I financially interested in the action.

IN WITNESS WHEREOF I hereunto set my hand and official seal of office this 10<sup>th</sup> day of August 2009.

*Dionne Merritt*

Dionne Merritt, Court Reporter