

1 NATIONAL PARK SERVICE
2 U.S. DEPARTMENT OF THE INTERIOR
3
4

5 BIG CYPRESS NATIONAL PRESERVE

6 ADDITION DRAFT GMP/WS/ORV PLAN/EIS MEETING
7

8 August 11, 2009
9

10 Commencing at 4:00 p.m.

11 Edison State College
12 7007 Lely Cultural Parkway
13 Conference Center
14 Naples, Florida 34113
15

16 PRESENT:

17 Pedro Ramos, Superintendent
18 Patrick Malone
19 Gary Oye, Wilderness Coordinator

20 REPORTED BY:

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1 (Requested excerpt of the meeting was as
2 follows:)

3 MR. MALONE: Okay. We've got a little less
4 than ten people, it's nine folks, so we have
5 plenty of time to give you three minutes apiece.
6 Last night we had to actually cut it down a little
7 bit shorter. We had a number of folks that wanted
8 to speak. But the first person I have on the
9 roster here is E. H. Atchison.

10 MR. ATCHISON: Thank you. All these
11 alternatives you have are just too restrictive.
12 As Superintendent Ramos said in his opening
13 remarks, in 1974 congress said that the Big
14 Cypress was to be used in traditional manners;
15 hunting, fishing, camping and off-the-road
16 vehicles, and ya'll's never-ending attempt to
17 limit that is just not right. Congress decided
18 that, not ya'll.

19 MR. MALONE: Okay. Next on the list is Frank
20 Denninger, please.

21 MR. DENNINGER: Hello, again. Frank
22 Denninger here representing the Jetport
23 Conservation and Recreation Club, both kind of on
24 the east side of Big Cypress.

25 And a couple of issues I'd like to mention
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1 today is that there's quite a desire, I believe,
2 for interconnection of the addition lands fully
3 within the -- integrated within the Big Cypress
4 Preserve absolutely south of the southern portion
5 below I-75.

6 The plan states on one page, I forgot to get
7 the page number, but, you know, ya'll, I guess,
8 have thought about it and decided not to do it
9 because of time and money.

10 Well, I know a lot of people have said that
11 we want to move this plan through, get it done.
12 And even a lot of our people say in the ORV
13 community, they pretty well say they want that,
14 too. But when you think about it -- Karen Gustin
15 told me if we don't do it now, it will be ten
16 years before the GMP would be opened up to revisit
17 the Big Cypress and deal with the no-good buffer
18 zone that was stuck in arbitrarily below the south
19 boundary of the addition lands in the northern
20 portion.

21 So that, I think, needs to be considered.
22 And even if it does hang the plan up a little
23 longer, in my opinion, it's just me and the
24 organization, we -- you know, a lot of times
25 there's an old saying, if we're going to do it,
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1 let's do it right and get it over with because,
2 you know, there is a lot of -- most of the access
3 from the south is along that buffer boundary. I
4 guess it was put in there for a reason back when
5 other people ran the preserve.

6 Also on page 165 -- I mean, you all are the
7 -- we're depending on your accuracy and scientific
8 knowledge and brains when you do this plan. On
9 page 165 -- or excuse me -- 164, the text states
10 clearly that the water flow through the addition
11 is northeast of south -- wait a minute --
12 northeast to southwest.

13 On the adjacent page, 165, it shows the
14 opposite, and a pictorial map. It shows all the
15 arrows through Mullet Slough going northwest to
16 southeast very clearly. There's a little teeny
17 corner up in the northwest corner with some water
18 flowing the other direction, but the text and
19 something should be aligned up to cover that. And
20 what else have I forgotten?

21 Just that, you know, I mean, that's one
22 example. I haven't fully reviewed the plan. I
23 gave another example or so last night, and it's
24 just, you know, we're depending on you. This is a
25 formal process, structured. We're using

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1 information in this plan to base comments on,
2 things of that nature. I don't know if that
3 particular conflict statements would make a major
4 change in somebody's comment, but it tells me
5 there might be another one or two more things out
6 there, and we need to really be careful and
7 accurate. Thank you.

8 MR. MALONE: John Adornato next, please.

9 MR. ADORNATO: Good evening. My name is John
10 Adornato. I'm the Regional Director for the
11 National Parks Conservation Association, and I'm
12 here on behalf of our over 300,000 members.

13 It was a beautiful video to open up the
14 evening, and I must say that the beauty of the
15 Cypress is unparalleled. I did notice that there
16 were no images of ORVs, or ATVs, or swamp buggies,
17 airboats, boats, hunting equipment or hunting
18 activities, but I imagine that the full video will
19 represent some of that.

20 The NPCA continues to support Alternative F
21 as we believe that that is the most protective,
22 and is the responsibility as to -- we look to the
23 preserve, to the Park Service, as protecting the
24 resources. And we've learned certainly over the
25 past 35 years -- as the Sun Sentinel said in their
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1 editorial, that, you know, we learned a lot about
2 panther habitat and this delicate ecosystem, and
3 it is ever more challenging to protect these
4 resources, and I think that Alternative F, so far,
5 is the only alternative that's come forward to
6 truly ensure that those resources are protected.

7 It's clearly the management policies for the
8 National Park Service that were updated again in
9 2006 that resource protection does have the
10 precautionary principle to take precedent over use
11 when that use can be detrimental to the resources
12 that preserve.

13 Unfortunately, what we've seen is that the
14 preserve hasn't had the best management policies
15 in place for off-road vehicles. In the original
16 preserve, I know things are moving, but they still
17 move slowly with implementing the Management Plan.

18 I was -- the comment about how the ORV
19 management portion of the addition lands would be
20 more robust than the current Management Plan in
21 the original preserve causes me some concern
22 because the preserve hasn't met all of the studies
23 that were required in the original ORV Management
24 Plan. And so to suggest that the Addition Lands
25 ORV Management Plan would be even more robust
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1 causes me to question whether or not the preserve
2 can meet all the requirements that they would pose
3 there because they're not yet done here.

4 While I understand that the legislation
5 allows for recreational activities, it does also
6 ensure that there is a return to the true
7 wilderness character that once prevailed in the
8 preserve, so I would -- I would proffer that
9 balance is not necessarily a statutory
10 requirement, but that the resource protection
11 certainly is. And I will reserve my comments
12 about wilderness designation to the next section.

13 MR. MALONE: Lyle McCandless next, please.

14 MR. McCANDLESS: Yes, for the record my name
15 is Lyle McCandless. I'm here representing myself
16 individually tonight, and as the President of the
17 Big Cypress Sportsman's Alliance.

18 The first thing I would like to say to the
19 public, generally, in this room this evening is
20 that we have this continuing, ongoing problem and
21 I'm going to say that accepting the local park
22 service personnel, Ken Gustafson and his staff,
23 it's apparent to me that the National Park Service
24 and the massive force they have, in general, have
25 continuously worked to bringing the preserve more
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1 in line with park rules and preserve rules. This
2 has become more apparent to me every day. I've
3 got to say that I have tremendous respect for
4 Superintendent Ramos, in that, he has given the
5 job of managing this preserve and putting this new
6 addition land process in place, and then they say
7 to him, by the way, Mr. Ramos, not only do you
8 have to explain to the people why they've been
9 kept out of the 150,000 acre addition land for
10 20-plus years, you also need to sell them, and do
11 it enthusiastically, sell them on accepting up to
12 88,000 acres as wilderness; that's a hard sell.
13 Good luck.

14 And we shouldn't have to be here today. Let
15 me say again, we should not have to be here today.
16 If the National Park Service, in general, were
17 truly interested in what job they should be
18 pursuing, which is protecting the traditional
19 cultural rights given to the public by an act of
20 congress in 1974, and continued in the additional
21 land documents in 1988.

22 It -- it carte blanche is clear to me that
23 the addition lands -- it doesn't say other lands,
24 or this land or that land, it says addition lands.
25 They were -- they were purchased as an addition to
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1 the existing preserve. They could have been
2 brought into the existing preserve just by an
3 addendum. We didn't have to go through all this
4 expensive process.

5 And another big point, there was an
6 insistence that the addition lands be managed
7 under a separate management plan, okay, that's
8 good in one way and bad in another way.

9 The good side of it is that if you're going
10 to have it under different management plans, that
11 give us the opportunity to manage that in a
12 separate mode, but that's not what the Park
13 Service is pushing to do. They're pushing to use
14 the exact same minimal 400 mile formula of primary
15 ORV trails in the existing preserve that was
16 forced on us by sellout agreement between the Park
17 Service and the Valid Diversity Project, that's
18 how the 400 miles came into place.

19 We spent an unbelievable time in all-day
20 workshops and mapping to determine with
21 Superintendent John Donahue that it was going to
22 take about 1500 miles to have reasonable ORV
23 access to the preserve, not anywhere close to what
24 was intended in the preserve documents. That
25 didn't happen. We found out overnight that it was
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1 going to be -- it was going to be 400 miles. So
2 my final comment is that I'm expecting the
3 comments from the local people to carry a
4 tremendous lot more weight than comments coming
5 from the tree huggers up the country from Boston
6 and whatever that is pushing out numbers that have
7 never seen the preserve and never will. And I
8 really like what you said, Pedro, that this is not
9 going to be just a voting issue.

10 I'm encouraging you to consider the concerns
11 of the local people who have been thoroughly
12 abused. They are banned from 40 percent of the
13 existing preserve ORV wide with no fair process.
14 We've got 60-day closures that we got no
15 reasonable answer for and on and on and on.

16 So not only do we have to fight to get into
17 the addition lands, even when we get in there
18 we're going to have to fight for our rights
19 forever. Thank you very much.

20 MR. MALONE: Okay. Patrick Kerr next,
21 please.

22 MR. KERR: I'm Patrick Kerr. And I just have
23 a brief comment in regard to this land, addition
24 lands management, and that is that I am in favor
25 of Alternative F. Primarily -- aside from the

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1 fact that I sort of threw a hat in to the addition
2 lands and the peace and quiet, undisturbed, but
3 also as a home to take into consideration to the
4 Florida panther which is endangered and a habitat
5 that is necessary for this endangered animal to be
6 able to at least survive.

7 I dearly believe it would've been -- it would
8 be nice to survive, but this section of the
9 preserve, the addition lands, I believe, is
10 critical for at least the survival of this
11 endangered animal. Thank you.

12 MR. MALONE: Matthew Schwartz next, please.

13 MR. SCHUARTZ: How do you do, folks, once
14 again. I always bring a library up here when I
15 talk with you guys. I feel it's important that a
16 lot of the things that people are talking about --
17 and it's true, everybody can have opinions on all
18 kinds of things, and I guess to you folks it
19 sounds like, well, one person says the purpose of
20 the preserve is to protect the resources. Another
21 person says the purpose of the preserve is for
22 local users, the hunters, and the people who like
23 to go on the ORVs.

24 So I think it's important to bring into these
25 meetings what your agency, the National Park
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1 Service, has to say is the purpose of the
2 preserve, and so I'm going to spend my time
3 reading some documents to you and getting that
4 into the record. I'll expand on that much more
5 when I write written comments.

6 The enabling legislation, Big Cypress, states
7 that the preserve as a unit of the national park
8 system is to be managed in a manner that will
9 ensure its natural and ecological integrity and
10 perpetuity.

11 The legislation further states that the
12 management of the area shall be in accordance with
13 the provisions of the Act of August 25th, 1916,
14 also known as the Organic Act. Thus, the natural
15 and ecological integrity of the preserve is the
16 fundamental value that congress directed the
17 National Park Service to protect. Not my opinion,
18 your opinion, your agency's opinion anyway.

19 The enabling legislation directs the
20 secretary of the interior develop appropriate
21 rules and regulations to carry out the purpose of
22 the act, protecting the natural and ecological
23 integrity of the water shed. This provision
24 allows but does not mandate -- I'm going to repeat
25 that again -- does not mandate ORV use in the
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1 preserve and directs the National Park Service to
2 manage ORV use so that it does not impair the
3 natural and cultural resources of the preserve.

4 We just had a great example, 2007, we had a
5 closed area of the preserve called Bear Island
6 that had been closed by the Superintendent John
7 Donahue in accordance with this book, your book,
8 that says it's going to protect the prairies,
9 which are unsuitable for ORV use, and to create
10 undisturbed habitat for the panther.

11 In less than one season that area, at least
12 good chunks of it, were turned into a mud pie.
13 Because this document says prairies are
14 unsuitable, you guys opened it up. You made a
15 decision to open it up, and exactly what this
16 plan, based on sound management policies and
17 science, said was going to happen, came true, and
18 now you're defending that.

19 You're still defending that opening and
20 saying what we're going to do is dump a pile of
21 gravel on those muddy areas and turn them into
22 roads so that they won't be degraded any further;
23 that's unconscionable.

24 I'm going to read another section here from
25 the some of the science -- I have one minute left
26

1 so let me go to something real quick. The
2 enabling legislation states that the secretary
3 shall permit hunting and other uses in BCNP
4 including RV use. However, except that he may
5 designate zones where and periods when no hunting,
6 fishing, trapping or entry may be permitted for
7 reasons of public safety administration, fauna and
8 floral protection and management of public use and
9 enjoyment.

10 The additional lands are used by tons of
11 people right now. Everybody in this room has
12 access to the addition lands. They can walk in
13 any time they want. We have the Broward Sierra
14 Group, Broward Audubons, Green League of Broward
15 County; these are all local people, not people
16 from Boston. These are Native Floridians that go
17 out and enjoy these lands on foot.

18 There was not a single meeting in Broward
19 County for all of these people for whom the
20 addition lands is a very important part of their
21 life. Thank you very much.

22 MR. MALONE: Wayne Jenkins next, please.

23 MR. JENKINS: Good afternoon, everyone.

24 Thank you for the opportunity to express my
25 thoughts. I'm speaking as Wayne Jenkins tonight,

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1 as well as President of the Collier Sportsman's
2 and Conservation Club. We're a local group of
3 active users that primarily we formed because of
4 interest in the Big Cypress.

5 I've been following this process for many
6 years. I remember back when it was proposed to
7 create this area, and it seems like we take one
8 step forward and two steps back sometimes. I
9 guess that's part of the progress. But it seems
10 to me like what we're doing here in this time is
11 also backwards or wrong, and that the Park Service
12 got the addition lands in 1988, I believe, and
13 within three years they were supposed to have been
14 open for public access. Here we are 21 years
15 later, we're still hoping.

16 The reason I say this appears backwards to me
17 is the -- we currently have a General Management
18 Plan for Big Cypress, and the addition lands, I
19 believe, it was intended so they could be merged
20 into the Big Cypress and become part of the Big
21 Cypress. Instead, we have made a separate
22 management plan and management area called the
23 addition lands.

24 The concern I have over this is is this going
25 to continue indefinitely? Are we gonna get on the
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1 same page some day and have them both together, or
2 are we steering this thing toward where we're
3 going to have a different management plan for each
4 individual area? And that concerns me because I
5 travel a big majority of the Big Cypress.

6 I generally put in at Turner River Road and
7 run all the way across the corn dance. It's just
8 the travel and seeing the different sights,
9 observing the wildlife, it's like no other place
10 around, and that's why we're all fighting so much
11 for it.

12 Congress established this area as a new
13 designation, a preserve. The idea behind the
14 preserve was to allow opportunities that were not
15 consistent with the park unit. And part of that
16 was the traditional activities that we have at the
17 present time, hunting, fishing, camping, ORV use,
18 et cetera, these were supposed to continue forward
19 and be managed, and that's what we're working on.

20 The idea of what I see in the alternatives, I
21 don't see any alternative as was written that
22 would be acceptable to the sporting communities.
23 Even though you're required to do a wilderness
24 study, it doesn't require that you adopt a
25 wilderness. And I can tell you this wilderness
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1 area we're talking about has a four-lane highway
2 down the middle of it. It's been used for
3 logging, farm, oil exploration, cattle leases,
4 been driven over most of it.

5 So to say that it's considered wilderness I
6 think is not appropriate at this time. And I'm
7 out of time, so thank you for allowing me to
8 address you.

9 MR. MALONE: Bill Clark next, please.

10 MR. CLARK: I'm Bill Clark with the Big
11 Cypress Sportsman's Alliance. And I wanted to
12 address the -- when congress set this up when the
13 preserve was created, there was nothing in there
14 that said wilderness. It was created for the
15 gladesman and the South Florida people that
16 traversed the land with their ORVs and buggies,
17 and congress never intended it to be.

18 The original preserve -- the preserve
19 actually has not been honored; the preserve
20 documents. Through the years we have tried to
21 cooperate with the Park Service. We've had all
22 the input and we stood by and we just wound up not
23 getting what we asked for, not even close. Right
24 now there's 40 percent of the preserve that's --
25 that we can't -- no -- no ORV access. The Sierra
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1 Club says that, oh, there's no problem. You can
2 hike in there. We have hundreds and thousands of
3 people that are hiking all over the preserve.

4 This can't be.

5 This would have to be a realty show because
6 at this time of the year right now, there's no way
7 that you could hike miles and miles out there in
8 this kind of water, and this type of stuff. The
9 only way you can do any hiking at all would be on
10 an old buggy trail or something.

11 This is made up -- we've had a lot of -- I
12 know the Park Service has had a lot of pressure
13 from the environmentalists and so on and so forth.
14 And most of these people -- most of these people
15 are -- want to do good, they think they're doing
16 good, but 99 percent of them don't know the
17 history of the preserve. They don't know -- they
18 don't know how -- half of them don't even know
19 where it is. They think they're doing good and
20 they don't know our history.

21 The Park Service in the past, to me, has
22 really not been cooperating with the FWC. As a
23 matter of fact, they have in their letter that
24 they drafted and sent to the Park Service, they --
25 they recommended that Plan B with modifications,

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1 that was the staff's recommendation, and we're
2 sure not getting that. On the Bear Island
3 situation --

4 MR. MALONE: Mr. Clark, go ahead and wrap up
5 your comments, please.

6 MR. CLARK: Okay. The FWC has advocated that
7 the NPS manage ORV use of the addition at a level
8 equivalent to that applied to the Bear Island unit
9 of BCNP. The system of designated trails in the
10 Bear Island unit allowing for diverse methods of
11 public access including ORVs provides a successful
12 model for providing public access in the addition
13 where public use is well-balanced with
14 conservation imperatives including protection of
15 panthers.

16 It is important to note that this successful
17 model does not include any lands under the
18 highly-restrictive federal wilderness designation.
19 FWC asserts that the federal wilderness
20 designation applied to the addition would be
21 unnecessarily -- unnecessary to achieve wildlife
22 conservation objectives including panther
23 protection, and, therefore, would necessarily
24 restrict public access and use. I thank you for
25 listening to me.

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1 MR. MALONE: Okay. Mr. Matt Hudson next,
2 please.

3 MR. HUDSON: Good evening. For the record,
4 my name is Matt Hudson. I represent the 101st
5 District of the Florida House of Representatives.
6 I sit on the Everglades Oversight Committee for
7 the Florida House. I represent the eastern part
8 of Collier County, the western part of Broward
9 County.

10 I represent everything from the Palm Beach
11 line to the Miami-Dade line, from State Road 27 to
12 mile marker 50, which is the Broward County line,
13 and the community of Pembroke Pines, Miramar and
14 Davie, and also Golden Gate, Immokalee, Ava Maria,
15 Sunniland and other points in-between.

16 So literally every one of my constituents
17 lives within 30 minutes of the area we're talking
18 about. I cannot tell you the number of comments
19 that I have received from the constituents --
20 grocery store, virtually everywhere I go -- about
21 this issue.

22 I like to tell people it's very simple. It's
23 not your money. It's not my money. The money is
24 used to purchase these lands, these monies planned
25 to maintain the lands, the money is used to pay my
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1 salary and your salary, it's not your money. It's
2 their money, and in that vein they have every
3 right to be able to use that land in accordance
4 with the original governing documents, and with
5 the intent of, quite frankly, the culture and the
6 history of Southwest Florida. I've lived in
7 Southwest Florida the majority of my life, and it
8 is an honor to represent this area.

9 What's going on here, quite frankly, is very
10 troubling. Of all of the -- all the suggestions,
11 shoot, Alternative B is the best of the worse, and
12 as far as I'm concerned it's unacceptable.

13 There are a few people I consider to be true
14 experts on this area, but generally speaking,
15 whether it's farming or whether it's wilderness,
16 the people that actively use that land have a
17 great vested interest (a noise was made) -- that's
18 a little creepy -- in making sure that those lands
19 stay nice because they're the ones enjoying them.

20 There's a reason they're going there, because
21 they enjoy that area. They enjoy the wildlife.
22 In all deference to the environmentalists that are
23 here, I live on three acres. I love the
24 environment, too, but there's gotta be a balance,
25 and it cannot be that we swing the pendulum so far
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1 to the other side that common sense and good logic
2 does not prevail. In this particular case we are
3 bordering on almost irrational behavior.

4 The constituents that I represent, the people
5 that pay their taxes, the people that just want to
6 go out and enjoy what God has created in our back
7 yard that makes Southwest Florida and Southeast
8 Florida like no place on the planet, they deserve
9 to have access to these lands in a fashion that
10 allows them to truly enjoy where they call home,
11 where there are generations that have enjoyed this
12 land in a responsible way, and by golly they need
13 and have the right to have that access.

14 I certainly, for the record, if anybody is
15 wanting to contact me later, I'm certainly
16 available through my office, or through my e-mail
17 address, or through the state website, but I can
18 tell you that the people I represent, and I
19 represent this land physically, I want to see
20 access. I want to see motorized access. I want
21 to see people have the ability to use the land as
22 it was intended to be in original documents.

23 Thank you for your time.

24 MR. RAMOS: Thank you, sir.

25 MR. MALONE: Brian McMahon next, please.

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1 MR. McMAHON: For the record my name is Brian
2 McMahon. I'm here representing myself. In 1993
3 we attended a meeting very similar to this, put on
4 when they were building Alligator Alley, upgrading
5 Alligator Alley with I-75.

6 They pulled out the recreational access plan
7 which they developed, the FWC and a number of
8 other agencies, developed comments. It's all in
9 the book which I still have from 1993. What that
10 book shows and what the preferred alternative is
11 are nowhere even close to what the plan in 1993
12 was; to allow a great deal of public access into
13 this land.

14 I want to know why that the -- obviously, you
15 can't answers questions -- but I don't understand
16 why that the work that was done in 1993, A, was
17 not followed up on for 18 years, and, B, why all
18 of that was thrown away to develop yet new
19 alternatives when the alternatives were already
20 developed back then.

21 We continue on 16 years later and then now we
22 look at the preferred alternative which we are
23 going to phase in. There's no schedule on how
24 quickly this is going to be phased in; might be
25 opening 20 feet of trail a month, or a year, or
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1 100 feet. We don't know. But there's no finite
2 time to when this 140 miles of trail will be
3 opened. At the current pace that we've been going
4 on, I can see that I will be dead and gone before
5 all 140 miles of this are open.

6 This process, you know, through no fault of
7 any of the people sitting here, has been dragging
8 on for 20-plus years, and I can see through this
9 alternative that this is going to continue.

10 Numerous other meetings that I have attended
11 all have talked about connectivity to the other
12 units. The alternative makes mention of possibly
13 connecting it to Bear Island but does not confirm
14 that.

15 To have this where you can only -- the only
16 way I can get, if I want to go from Bear Island to
17 into the addition lands, is to put my buggy on the
18 trailer, drive 18 miles down Turner River Road,
19 another 20-some odd miles back to the interstate,
20 another 20 miles to the east, to go what would
21 amount to be a couple of miles. It's not
22 reasonable and it's completely unnecessary.

23 But like I said, going back to the '93 plan,
24 I still don't understand why that that was never
25 followed up, and why that alternative was not one
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1 of the alternatives that was originally brought
2 out. But as I say FWC founded it or I believe it
3 was game and fish back then, there was comments
4 from all the agencies and I still have the book
5 that was just thrown away. So that's all I have
6 to say. Thank you very much.

7 MR. MALONE: Dr. Mogelvang next, please.

8 DR. MOGELVANG: I guess I would say that I'm
9 representing traditional users, myself, older
10 folks who showed me what it was all about, my
11 children and their children. I think one of them
12 may be here a little bit later.

13 Traditional use was the thing that was
14 promised. It was said in a vote and tremendous
15 uproar about whether this was actually going to
16 happen hinged on that vote, and finally it went
17 through and they said traditional uses.

18 And one of the traditional uses -- one of the
19 traditional uses was of random access, and that
20 takes the sense of personal responsibility for
21 looking out for yourself. If you get into
22 trouble, it's not the Park Service's fault.
23 Anyway, traditional use was promised in the
24 beginning for the Big Cypress. One fundamental
25 part of it was random access. I'm not saying that
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1 that needs to be repeated all over everywhere, but
2 there do need to be areas where there's a little
3 bit of random access, and to make somebody go 50
4 miles out of the way to get two miles is not
5 acceptable, period. It's not legally acceptable.

6 It's not what was assured in the beginning.
7 The public was assured, and so the vote of the
8 traditional users with their swamp buggies was
9 carried, and upon their vote the preserve was
10 approved and so was established.

11 Since its establishment the traditional uses
12 promised by our government have be chipped away
13 at, and all of these alternatives that I see here,
14 this may not continue, and all of the alternatives
15 are not part of what would be acceptable, and we
16 need to return to much more access, and there need
17 to be areas of -- some areas of free access with
18 the buggies as promised. Time's up.

19 MR. MALONE: Shane Snell next, please.

20 MR. SNELL: I would just like to say as far
21 as the General Management Plan, if you want to
22 create a separate General Management Plan for the
23 addition separate from the original preserve, that
24 was not the legislative intent of the fathers, the
25 founders of Big Cypress, and then the addition

1 enabling act of the late 80's. Both entities were
2 to be managed together and not separate. So as
3 far as I'm concerned, I'm against any General
4 Management Plan, period, for the addition lands.
5 If you have to wait another 20 years to manage
6 them together, then that's what you have to do.

7 There's no sense in doing it -- I can't find
8 the right word -- but there's no sense in doing it
9 wrong. If you have to wait, wait. Do it the
10 right way. Thank you.

11 MR. MALONE: Okay. That was the last of the
12 speakers that were listed on the roster. There's
13 still a few more minutes in this session. Is
14 there anybody that wishes to speak that didn't get
15 a chance to sign up?

16 (No response).

17 MR. MALONE: Okay. We'll go ahead and close
18 this particular session and move on into the
19 informal open house, and at 6:00, at the top of
20 the hour, that's when we will kick off the formal
21 wilderness hearing, so thank you.

22 (A recess was had and the proceedings
23 continued as follows:)

24 MR. RAMOS: Good afternoon, everybody. We
25 can start finding our seats again. We're going to
26

1 be beginning our wilderness hearing in a moment.

2 Okay. Good afternoon, everybody. For those
3 of you who came in after I made my opening remarks
4 this afternoon, I'd like to welcome you to the GMP
5 public meeting this evening, which is also a
6 wilderness hearing, which we're about to start.

7 My name is Pedro Ramos and I'm the lucky guy
8 that serves as the superintendent of Big Cypress
9 National Preserve. Some of you have come around
10 to me and said, "Boy, you've got a tough job," but
11 I think every single time I've come back answering
12 that I can't believe you all pay me to do the job
13 that I have. It is an absolute privilege to be
14 part of a team that serves as stewards of a place
15 as magnificent as Big Cypress National Preserve
16 is.

17 We're just about to begin the wilderness
18 hearing. This is the part that is required by
19 law, and we're extremely fortunate and grateful
20 that we have a gentleman with us -- we have a
21 gentleman from Washington, D.C. that agreed to
22 come and officiate over these wilderness hearings
23 that we're about to start. His name is Gary Oye.
24 Gary, where are you? You're right there.

25 Gary is not only part of the National Park
26

1 Service team in Washington, D.C., but he's also
2 the wilderness coordinator for the National Park
3 Service in Washington, D.C., and we are extremely
4 grateful that Gary agreed to come all the way down
5 here to help us get through this process. So
6 thank you very much, Gary, for being here with us
7 today.

8 And thank you very much, again, to the
9 members of the public that are here hopefully to
10 make some good comments with respect to your
11 thoughts now specifically related to wilderness.

12 So with no further adieu, Gary or Patrick,
13 who takes it from here?

14 MR. MALONE: I'm going to take it from here.

15 MR. RAMOS: Okay, thank you.

16 MR. MALONE: Now before Gary presides over
17 this hearing, which he's -- he or someone is
18 required to do by law according to the Wilderness
19 Act, I have a few announcements. Folks heard me
20 go through this earlier for the comment session on
21 the GMP, but I need to restate it again. There's
22 some folks that showed up now that weren't here
23 earlier.

24 We have a number of ground rules that we've
25 established for this meeting, for this hearing,

26

1 and they were in the handout that you should've
2 received at the front table. I'm going to walk
3 through this real quickly with you.

4 If you want to speak in this -- in this
5 hearing session, you would have needed to sign up
6 on the speaker registration form. We have enough
7 time that if you didn't get a chance to sign up on
8 that, let one of us know and after all the people
9 that have already signed up have spoken, let one
10 of us know and we'll ask if anybody else would
11 like to speak, because I think we'll have enough
12 time to accommodate them. We'll need to get your
13 name on that registration form.

14 We also have enough time in the lot, three
15 minutes per individual speaker. So the way we're
16 going to conduct that is we have a yellow warning
17 card. After a couple minutes go by and there's
18 one minute remaining, you'll see this yellow card.

19 When your time has expired, you'll see the
20 red card, and at that point I'm going to have to
21 step in, or Gary will have to step in, and ask you
22 to conclude your remarks. And we want to
23 apologize ahead if we have to walk over you with
24 the microphone. But please do wrap up your
25 comments, your message and thoughts at that point.

26

1 We're going to have to call up the next speaker.
2 We're not going to allow any time that you may
3 have allotted to you that registers as a speaker
4 to be deferred to anybody else in order that they
5 might have 6, 9, 12 minutes. We're going to go
6 ahead and ask that each individual speaker come
7 up, and if you decide not to comment, that's fine.
8 We'll just continue through the roster.

9 The folks that are sitting up here behind
10 this desk are just going to be listening and
11 taking notes and thinking about your concerns and
12 your comments. They're not going to be in a
13 position to respond to your questions.

14 I think we'll have enough time at the end of
15 the session to continue the informal open house
16 format; that's when you ought to ask your
17 questions at that time. Again, regarding
18 cellphones, please do turn them off, or turn them
19 on vibrate. If you get a call and you need to
20 take it, go ahead and step outside of the door so
21 that we can keep it quiet for our speakers.

22 We also are recording this session, both with
23 videotape as well as we have a court reporter
24 that's going to be recording and transcribing
25 these comments for the record. So just wanted you

26

1 to be aware of that. And, lastly, if you would
2 refrain from applause after the speakers are
3 finished, even if you feel passionate or strongly
4 about it, it does disrupt things and we have to
5 wait on that to continue to get through the folks
6 and call up the next speaker. So we appreciate
7 your cooperation with all that. We look forward
8 to hearing from you, and I'm going to turn it over
9 to Gary Oye.

10 MR. OYE: Thank you, Patrick. Okay, our
11 first speaker tonight is Frank Denninger.

12 MR. DENNINGER: Hello. Frank Denninger
13 again, Jetport Conservation and Recreation Club.
14 Pedro mention earlier, I'm not sure if I'm perfect
15 on this, but the preferred alternative to really
16 consider it seriously, because it's representative
17 of either the interest and/or the legislation, I
18 don't know if you can straighten me out on that
19 right now, maybe not, but in my opinion it is not
20 indicative at least of the legislation, because
21 even though the legislation does state NPS will do
22 a wilderness assessment within an X, Y, Z time
23 period, which I'm sure there's flexibility, we're
24 experiencing that, I can find no law or rule that
25 would enforce or mandate NPS to propose wilderness
26

1 as a result of this process, maybe I'm wrong, but
2 I can't find anything and I do a lot of looking.

3 And we appreciate you doing the wilderness
4 assessment and very strongly hope you don't
5 propose anything, because if you do, then I
6 believe the elected officials, whether in this
7 room or elsewhere, need to get firm assurances in
8 writing.

9 And no offense to Pedro, because I got a lot
10 of respect for you, but I would want that
11 assurance and demand it from the secretary of
12 interior, that fully modern firefighting regimes
13 would be allowed to continue for perpetuity
14 anywhere on any land along I-75, our South Florida
15 major commerce corridor, which has a lot of
16 valuable business being conducted east and west,
17 from the east to west coast, and that has to
18 continue to be done, and no more slow response to
19 fires and confusion of management, because I'm not
20 sure when, but sooner or later management becomes
21 shared in the wilderness.

22 I don't know if it's proposed, designated,
23 potential, whatever it is, that's a problem, at
24 certain points become shared between three items.
25 The superintendent, whoever they are, right now we

26

1 got a very, I believe, one of the best management
2 teams we've had in this place since '74, but
3 you're not guaranteed that forever. And the next
4 manager might like to drag his feet a little bit
5 to fight a fire because he thinks, well, it hasn't
6 burned in a while so, whatever, let's let her go,
7 and meanwhile cars get detoured 50 miles.

8 And then that brings me to the point on
9 page 278 and 343 of this plan, NPS states kind of
10 like what this plan will consume in energy, like,
11 will it cause energy to such an increase due to
12 what gets done here. And on 278 and 343 they
13 refer to certain things like, well, it's going to
14 cost some energy for us to build buildings and
15 facilities and things like that.

16 There's absolutely no mention of increased
17 carbon footprint, fuel consumption that would be
18 generated due to extra long shutdowns of 75. We
19 may be able to never figure out what the exact
20 increase was, but you'll be experiencing one thing
21 or another, but it's gonna to be a big deal, and
22 needs to be added to those two pages what your
23 estimate of that impact will be on energy
24 consumption, fuel cost, carbon footprint from
25 longer -- fire burning longer, more smoke in the
26

1 atmosphere. My God, we don't want to increase
2 global warming.

3 MR. OYE: Okay. John Adornato.

4 MR. ADORNATO: Thank you. Again, my name is
5 John Adornato, Regional Director for National
6 Parks Conservation Association. Thank you, again,
7 for the opportunity to give my comments on the
8 wilderness designation. And NPCA, as I had
9 previously said, does support Alternative F, as it
10 is the alternative that maximizes the proposed
11 wilderness designated areas, and we see no other
12 way for the Park Service to not, in fact,
13 officially designate all 111,000 acres as
14 wilderness.

15 In fact, the addition of the preserve -- the
16 addition lands within that -- that law said that
17 the -- let's see. In accordance with sections of
18 the title, the secretary's recommendations as to
19 the sustainability or non-suitability of any area
20 within the addition for preservation as
21 wilderness. So it was right there in the language
22 that added these lands.

23 And, furthermore, the original act of 1974
24 states that such lands shall be administered by
25 the secretary as a unit of the national park
26

1 system in a manner which will assure their natural
2 and ecological integrity in perpetuity. And it
3 further goes on to say that the secretary shall
4 develop such rules and regulations as he deems
5 necessary and appropriate to limit or control the
6 use of federal lands and waters, with respect to
7 -- lists a number of things, the first one is
8 motorized vehicles.

9 So the secretary, park service, the
10 superintendent have the ability and the
11 responsibility to protect those resources and to,
12 in fact, limit or control the use of motorized
13 vehicles.

14 It goes on to say that -- and I said this
15 before but I just feel the need to reiterate it --
16 that the preserve would be managed in a manner
17 which will assure its return to the true
18 wilderness character that once prevailed. So
19 there is and will continue to be ORV access within
20 the preserve, within the original preserve,
21 hunting and other activities of the like will be,
22 and will continue to be, part of the preserve.

23 But we, NPCA and our members, believe that
24 wilderness designation must be maximized and must
25 be used as a conservative means of protecting the
26

1 resources, protecting the panther, and that all
2 111,000 acres that are eligible should be
3 designated as wilderness, and that is Alternative
4 F. Thank you.

5 MR. OYE: Lyle McCandless.

6 MR. McCANDLESS: Yes, for the record my name
7 is Lyle McCandless. I'm here this evening
8 speaking for myself as an individual and also as
9 President of the Big Cypress Sportsman's Alliance.

10 If the proper process had been followed as
11 mandated in that good old faithful 1974 preserve
12 creation document, we wouldn't be in this contest
13 here now. If the addition lands had been brought
14 in as an addition, as legally it could have been
15 done, without this fiasco of all these new
16 alternatives and everything, we wouldn't be having
17 this conversation now.

18 There was -- this wilderness thing is an act
19 of convenience. The fact that they've demanded to
20 have a separate management plan then from pressure
21 from above there's all this pressure to turn it
22 into wilderness.

23 I'd just like to say that the
24 environmental -- the extreme environmentalists,
25 they have no more right to demand that these areas
26

1 be pristine wilderness, which allows only their
2 foot traffic, they don't have any more right to do
3 that, than we have a right to eliminate them by
4 saying, you know, we're swamp buggy people and we
5 want to ride our swamp buggies, and we structure
6 it some way where you wouldn't be allowed.

7 And the -- and the -- the history of the
8 addition lands we can document -- one of my board
9 members, Roland Martin, and a couple other
10 individuals that go all the way back to the 40's,
11 we can document the activity that's gone on in the
12 addition lands from the early 40's.

13 By a mysterious act of convenience when the
14 addition lands were purchased by the park service
15 and allowed to sit idle for 20 years, there's
16 enough overgrowth in there to make it look like to
17 a novice that wasn't probably informed, that it
18 might be a stretch to consider it as wilderness,
19 but that won't fly because there's been too much
20 activity.

21 I would've loved to have been in the room
22 with the committee that was making the final
23 decision on the suitability for wilderness. I'd
24 love for somebody with some common sense to look
25 at this thing and say, look, guys we got an area
26

1 here with all this activity that's gone on for the
2 last 60-plus years, we've got a super four-lane
3 highway running right down the middle of it.

4 Don't you think we're going to have a little
5 problem selling this to those people down there
6 that have been waiting for 20 years to get into
7 this area? The only word for it is ridiculous.

8 There is diesel noise. I asked
9 Superintendent Gustin one time, I said Ronny
10 Berjiran, Commissioner Berjiran, has 5,000 acres
11 north of Bear Island. He can consistently hear
12 the diesel noise all the way to the north side of
13 the Bear Island unit. And her answer to me was
14 she says, well, you know, Lyle, technically diesel
15 truck noise is not considered a nuisance noise. I
16 said to Superintendent Gustin, if I can hear
17 diesel noise from my private camp, I think I would
18 consider it a nuisance.

19 So anyway, my final comment is that we all
20 need to realize that my alliance did an ORV count
21 this past hunting season for the 11 weeks of
22 general gun, we actually established, in fact,
23 that in that 11-week period there was about 120
24 ORVs in the preserve at any given time. If you do
25 the math, that is one ORV per 4,000 -- 565,000
26

1 acres, and that is the absolute maximum time of
2 year when you have a -- people need to realize
3 that the impact ORV-wise on the preserve is
4 extremely minimal, extremely minimal. Thank you
5 for your time.

6 MR. OYE: Okay. Next speaker is Patrick
7 Kerr.

8 MR. KERR: I'm Patrick Kerr, a member of the
9 Sierra Club, as well as the Florida Trail
10 Association, and in addition to my earlier
11 comments in regard to the importance of preserving
12 this addition lands as a critical habitat for the
13 Florida panther, I also have mentioned how much I
14 enjoy hiking out into the addition lands under a
15 variety of circumstances, better it be bone dry or
16 the water be up to my knees or side on the trail.
17 It's always totally immensely enjoyable.

18 While I have been out there I have observed
19 the remnants, the evidence of some of the prior
20 commercial activities that have gone on there in
21 the past from the horrors of the drilling, and it
22 is reassuring to see in the past 20 years this
23 area is slowly but surely returning to the
24 wilderness character that it once was prior to
25 those activities occurring in the addition lands.

26

1 There is ample access, I believe, for anyone who
2 has been in the wilderness to go out into the
3 addition lands, it's just that when this is
4 observed by foot, as opposed to by other means.
5 Thank you very much.

6 MR. OYE: Our next speaker is Matthew
7 Schuartz.

8 MR. SCHUARTZ: How do you do once again. I
9 neglected to say that when I came up the first
10 time here today that I am representing the Sierra
11 Club and our one million -- approximately one
12 million members nationwide, and that we do support
13 Alternative F. I kind of left that off when I
14 spoke that first time. I just explained why we
15 felt that the area needed to be protected, but we
16 do support Alternative F.

17 We do support maximum wilderness in the
18 preserve. In the -- well, actually in the
19 preserve as a whole and especially in the addition
20 lands in accord with the suitability study that
21 was just done.

22 First of all, I want to say one thing about
23 this plan that I don't hear anybody mentioning,
24 and I did mention it last night. This plan allows
25 for up to 700 off-road vehicle users in the
26

1 addition lands, that represents less than
2 one-tenth of one percent of off-road vehicle users
3 in the State of Florida. It's probably even less
4 than that. There was 200-something thousand
5 registrations of off-road vehicles between 2002
6 and 2007.

7 So this entire document that you've produced,
8 which shows all the damages, severe, moderate,
9 minor, addition-wide is for the benefit of a tiny,
10 tiny fraction of the off-road vehicle owners in
11 the State of Florida. And it would be the irony
12 of ironies if all the people in this room didn't
13 even get a permit, because the chances of getting
14 one is not that great.

15 The addition is different, partially because
16 of its location off I-75. There is ample
17 precedent for closing areas of the preserve next
18 to a highway. You did it in the Deep Lake unit.

19 I'm going to quote, Deep Lake unit, the unit
20 was closed to ORV use in 1989 because of the
21 unit's important resource areas and concern about
22 illegal and unchecked hunting, which was difficult
23 to control because of the unit's accessibility
24 from surrounding roads. So you closed Deep Lake
25 unit in 1989 because it's next to a two-lane
26

1 highway called State Road 29. It's okay to open
2 up the addition lands next to an interstate
3 highway from three access points. There's
4 something wrong there. There's something wrong
5 with logic.

6 And I said -- as I said in some comments that
7 I've written, the NPS is an agency that's
8 constantly at war with itself. You do have those
9 people within the NPS who want conservation,
10 people who don't.

11 I'm just going to read a few things into the
12 record here because there's a lot of things talked
13 about the panther, and the panther is a
14 critically-endangered state animal. It is the
15 state animal of Florida chosen by Florida school
16 children in 1983 as the symbol of our state and
17 wild Florida.

18 I also had a conversation earlier, by the
19 way, we talked with some gentlemen here, a few
20 gentleman here, about the development going on
21 outside the preserve that feeds in directly to
22 wild wilderness.

23 Albert Leopold, aside from the Wilderness
24 Society and a former employee of the National Park
25 and National Forest Service, made one really
26

1 interesting quote: Wilderness is a commodity that
2 never grows. It always shrinks. At one time the
3 entire American continent was known as the
4 American wilderness. For hundreds of years after
5 Columbus came to the new world, the Europeans
6 thought of America as wilderness, and every year,
7 every year we get less and less. And this
8 preserve is surrounded by a lot of private land
9 that is rapidly, rapidly disappearing.

10 I'm going to take just a few seconds, I have
11 a lot of quotes here on the panther. I'm going to
12 take a few quotes and just something from the
13 National Park Service itself on recreational
14 access as well as off-road vehicles along I-75.

15 The odds of the long-term survival of the
16 Florida panther in the wild are not good. Human
17 population in the region continues to increase
18 resulting in urban growth and expansion of the
19 regional highway network into the former panther
20 habitat. The demand and use of the panther
21 habitat for off-road recreation has also increased
22 and will continue to do so.

23 It is the determination of the National Park
24 Service that the proposed action may affect the
25 Florida panther. The primary threat to the
26

1 Florida panther has been human encroachment into
2 panther habitat. And there's documentation and
3 scientific studies galore that show the impact of
4 off-road vehicle use and motorized use in that
5 area. I think that wilderness will provide
6 protection. Thank you.

7 MR. OYE: Gene -- is it Gene Dang? Did I get
8 that right?

9 MR. DART: Gene Dart.

10 MR. OYE: Gene Dart.

11 MR. DART: You can call me anything, just not
12 late for supper. Hi, I'm Gene Dart. I'm the Vice
13 President of the Collier Sportsman Conservation
14 Club. I feel if this would have been turned over
15 many years ago, all this would be moot right now.
16 All this land when it was made for the Big Cypress
17 would have been turned into one. It would have
18 been all right. And I'm against any wilderness
19 whatsoever. Thank you.

20 MR. OYE: Matt Hudson, please.

21 MR. HUDSON: Thank you. For the record, Matt
22 Hudson, State Representative of the 101st District
23 of the Florida House of Representatives. I
24 mentioned earlier I serve on the Everglades
25 Oversight Committee and represent both Broward
26

1 County and Collier County; the eastern portion of
2 Collier, the western portion of Broward.

3 My constituents are very loud and clear on
4 this. I find it very interesting often times when
5 we have these discussions that usually the people
6 that come out in opposition to impacting public
7 lands usually are the people that don't live
8 anywhere near a wilderness area. I always find
9 that kind of ironic, really.

10 You can decide to live in a concrete jungle,
11 why are you going to tell my constituents that
12 they can't enjoy the places they call home? At
13 the end of the day -- and I reiterate my comments
14 from earlier, at the end of the day, it's not your
15 money. It's not the government's money. It's our
16 money. It's our money that is handling all this;
17 the management plan, the access issues, all of our
18 salaries.

19 At the end of the day it's about the people.
20 The people that are spending the money to do this.
21 There is a balance. There can be a balance. But
22 if you go with Alternative F, you create no
23 balance. There is absolutely no semblance of
24 balance. It is a complete and total skewing of
25 the process, and virtually eliminating all
26

1 possibilities for public usage, and that is
2 absolutely wrong. If I told you that when you got
3 your paycheck, you could just go ahead and turn it
4 over to me and I would decide how I would use your
5 money, I think you'd have a problem with that.

6 Well, that's exactly what you're doing
7 tonight with Alternative F, and that's absolutely
8 wrong and that's not something that I can tell you
9 that I can support, not something my constituents
10 support, and is absolutely wrong and should not
11 allow you to sleep at night.

12 MR. OYE: Bill Clark.

13 MR. CLARK: I'm Bill Clark with Big Cypress
14 Sportsman's Alliance. I represent myself and a
15 lot of South Florida sportsmen in the area, and
16 consider myself a gladesman. I've been hunting
17 out here for over 40 years and using the preserve.

18 On one of the -- one of the issues of the
19 addition lands being separate from the preserve,
20 the FWC is not mandating that. They think it
21 should be all one. And I'm going to read a little
22 bit here to you what their draft letter here was.

23 In order to eliminate confusion, we recommend
24 one type of ORV permit, such as the one currently
25 issued by the NPS for the addition and the
26

1 original portion of the preserve. Again, we
2 recommend that the addition be managed as an
3 integral part of the BCNP. This approach would
4 facilitate management of the activities associated
5 with the use of the BCNP as a wildlife management
6 area. It would also greatly reduce the potential
7 for confusion as part of the public.

8 I can't reiterate enough here why we keep
9 deviating over what the people of South Florida,
10 the State of Florida -- the FWC is an agency that
11 I can't -- I can't say why their credibility --
12 when they recommend something, why we can't
13 cooperate with them. Why do we have to deviate
14 over all this stuff and try to create things that
15 weren't created in the park to start with -- the
16 preserve to start with?

17 It wasn't mandated for -- like I say it was
18 never, never, never considered wilderness to start
19 with when it was created. It's important to note
20 that this successful model does not include any
21 lands under the highly-restrictive federal
22 wilderness designation. FWC asserts that federal
23 wilderness designation applied to the additions
24 would be unnecessary to achieve wildlife
25 conservation.

26

1 Bear Island is contiguous with the portion of
2 the addition north of I-75. An existing
3 designated ORV trail system within Bear Island can
4 easily be integrated with trails that exist within
5 the addition. The system of trails that exist
6 within the addition would provide access to the
7 bulk of the area, but also be far enough apart to
8 provide large blocks of refuge for wildlife.

9 Panthers numbers have increased throughout
10 their range and in particular within the BCNP.
11 This fact strongly suggests that the traditional
12 uses of BCNP, including managed ORV use on
13 designated trails, are compatible with panther
14 conservation.

15 MR. OYE: Brian -- or Bill, I'm sorry, time's
16 up. Do you want to make a closing comment?

17 MR. CLARK: No, the only comment I would make
18 is that FWC is our -- is our -- they have their
19 biologists. They have their people that do their
20 studies. They have as many as the NPS does, and I
21 don't understand why we keep deviating from what
22 they are mandating, and what they are suggesting
23 for the people, and they are representing the
24 people of South Florida on this. So that's my
25 concern and I thank you.

26

1 MR. OYE: Thank you. Brian McMahon.

2 MR. McMAHON: Hello. For the record my name
3 is Brian McMahon. Through the middle of your
4 proposed wilderness area is a four-lane
5 interstate. In addition to which throughout the
6 wilderness, proposed wilderness area, is a number
7 of oil beds, and oil will be allowed to continue
8 to be explored and mined as necessary. I guess
9 mined isn't the word, but removed from the ground
10 as necessary.

11 I find it difficult to believe that a swamp
12 buggy in the middle of a four-lane -- around a
13 four-lane highway in an oil bed is causing a
14 problem with the management, insofar as
15 wilderness. The swamp buggy is a far less impact
16 than either one of those activities which are
17 permitted as legal.

18 So I'm trying to understand what the
19 objective of the wilderness area is. The only
20 thing that I can come to mind is that as I look at
21 the history of this county, which swamp buggies go
22 back into the early 1920's and 30's, I believe
23 what the purpose of this basically is cultural
24 genocide.

25 You people are trying to destroy all the
26

1 history and the continuing culture of this county.

2 The State of Florida, the FWC, is supposed to be a

3 partner in this management of the addition lands,

4 and, obviously, their advice is not being taken.

5 The Collier County Commission also passed a

6 resolution opposed to wilderness, and they're not

7 being listened to either.

8 So if the intent is just to try to destroy

9 the culture then this is the perfect plan because

10 we have plenty of black holes in Collier County

11 that have already been managed as wilderness

12 areas.

13 For example, the Florida Panther National

14 Wildlife Refuge is pretty much off limits to all

15 humans, with the exception of a couple mile of

16 trail on a boardwalk.

17 The federal government has likewise stepped

18 in and tried to destroy our culture in what is now

19 known as the Picayune Strand, which is a name that

20 was picked from out of the area by the way. And

21 it says that you cannot engage in your traditional

22 activity there either.

23 So my question -- my objection to this is

24 that no one is -- that any cultural impact has

25 understood what the history of this county is, and

26

1 I would hope before they issue the wilderness
2 designation they would look at that. Thank you.

3 MR. OYE: Dr. Mogelvang?

4 (No response.)

5 MR. OYE: Rick Varecella (sic).

6 MR. VARELA: Varela.

7 MR. OYE: Varela.

8 MR. VARELA: Good evening. My name is Rick
9 Varela, for the record. I am a citizen of Collier
10 County. I am also a gladesman. I've been going
11 out to Big Cypress since 1978. I'm also an
12 inholder in south -- in the Big Cypress Preserve.

13 As I look at this study one of the things
14 that becomes obviously clear is that the Park
15 Service caved in to the extremist environmental --
16 environmentalist community. And it was never the
17 intended act of congress to have any kind of
18 wilderness area within the Big Cypress Preserve.

19 We already have one million acres of
20 wilderness inside Everglades National Park. As
21 the speaker before me came up here and said, for
22 all practical purposes the Florida Panther
23 Preserve is also a wilderness area, and so is
24 Picayune, and so is Collier State Seminole Park.

25 Basically no human activity, or very little
26

1 human activity, with definitely no ORV activity.
2 These environmental extremist think that they know
3 what's best for everybody. They're the ones
4 behind the push for putting up fencing all along
5 I-75.

6 You guys follow the news with any regularity
7 you'll see that about a week or so ago a panther
8 was killed off of mile marker 90 because it
9 couldn't go through the fences unfortunately. It
10 found its way around the fence, or under the
11 fence, through the fence, whatever the case was,
12 but it was killed on I-75 because it could not get
13 back out to its natural environment because it was
14 fenced in.

15 If you also look at these extremist
16 environmental organizations, I suggest you go onto
17 Google and do a search, their whole thing is to
18 bring back the entire country back to pre-Columbus
19 days; that's a fact. Look it up in Google and
20 you'll see that. They want to take down dams.
21 They want to take out bridges. They basically
22 want to bring this country back to pre-Columbus
23 days.

24 For the record I am a human being. I am part
25 of the environment. I refused to be taken out of
26

1 the environment. I believe I have more rights
2 than a cockroach does and I will fight for that
3 right. Somebody spoke up -- thank you. Somebody
4 said up here that they represent a one-million
5 member organization, and that there's only 700
6 permits of ORVs that are going to handed out to be
7 used in the addition lands.

8 I tell you, sir, those 700 members represent
9 more than the number of your members totaling over
10 one million that actually do use the preserve.
11 Thank you for your time.

12 MR. OYE: Shane Snell, please. Is Shane
13 still here? Okay.

14 MR. SNELL: Public law 100-301, I'm sure
15 everybody knows what that is. This act may be
16 cited as the Big Cypress National Preserve
17 Addition Act. Amendment of the Big Cypress
18 National Preserve Act whenever this act or
19 amendment in expressed terms is an amendment to
20 your act of October 11, 1974, such amendment shall
21 be considered made an act entitled to establish
22 Big Cypress Preserve addition.

23 If congress and the creators of the Big
24 Cypress had intended for this area to be managed
25 as wilderness, they would have done so at the very
26

1 creation and made it a park and not a preserve.

2 If that was -- if that was the whole intentions
3 and there was to be no traditional recreational
4 uses or anything of the such in the addition, or
5 in the original preserve, they would become Big
6 Cypress National Park not Big Cypress National
7 Preserve.

8 So the wilderness suitability and everything
9 else is in the record, and they have to go through
10 it, but if they wanted to have had 100 percent
11 wilderness, they would have made it a national
12 park and not a national preserve.

13 Section 5 also calls for cooperation among
14 agencies, act of October 11, 1974 is further
15 amended.

16 Section 10, secretary and other involved
17 federal agencies shall cooperate with the State of
18 Florida to establish recreational access points,
19 and roads, rest and recreation areas, wildlife
20 protection, hunting, fishing, frogging and other
21 traditional recreational opportunities in
22 conjunction with the creation of the addition and
23 the construction of Interstate 75.

24 Clearly, they intended for their to be
25 recreation in the area consistent with the
26

1 traditional uses. I'm reading your handouts here
2 and I'm very troubled by the fact that -- I'm
3 reading the sentence here -- National Park Service
4 policy on wilderness preservation and management
5 has changed since the original preserve was
6 studied.

7 And I fully believe that it's the Department
8 of Interior, National Park Service's policy and
9 intent to manage and turn the Big Cypress National
10 Preserve into a National Park, and that was
11 clearly not the intent of the creators. Thank
12 you.

13 MR. OYE: Jeff Moscardelli.

14 MR. MOSCARDELLI: For the record, I speak for
15 myself. For the better part of probably about I'd
16 say seven or six years, I've been fighting with
17 the South Florida Water Management District, who
18 we all know is real lovely and arrogant and don't
19 give a crap about anybody. And it's been a fight
20 that's gone all the way over into Big Cypress now.

21 There are far more people out there than
22 you'd ever imagine that would need a sticker to go
23 into Big Cypress for an ORV. There are more than
24 700. Now I was raised here in Collier County.
25 This is beyond ridiculous. This is part of our
26

1 heritage, going out into the swamps. This is who
2 we are. I mean, it dates -- I know people it
3 dates back in their family almost three
4 generations. This is ridiculous to have to hear
5 this, to have to be here right now.

6 I mean, I don't have a lobbyist like other
7 people from the Sierra Group to probably bribe or
8 whore some public official or something, but it's
9 gotten to the point where I don't trust anybody
10 who probably sits or stands before me. I wouldn't
11 trust you. I don't think I'd trust you if we're
12 in a room full of cockroaches to kill one of them
13 to be quite honest.

14 MR. OYE: If you want to share insults you
15 can go out in the -- we don't need this. If you
16 have input, let's focus on that, okay.

17 MR. MOSCARDELLI: It's input apparently
18 nobody likes to listen to. This is where we're
19 from. This is our home. If you don't like it
20 maybe you should leave. Maybe the people here
21 should leave, because some of us are tired of the
22 bull crap that we put up with.

23 MR. OYE: All right.

24 MR. MOSCARDELLI: Asshole.

25 MR. OYE: Bob Andrew.

26

1 MR. ANDREW: Good evening. I don't know how
2 to handle that one. My name is Bob Andrew. I'm
3 president of Southwest Florida Outdoorsman
4 Association in Punta Gorda. I didn't make the
5 last meeting so I didn't get an invite, my
6 brother-in-law did, and so I wasn't real prepared
7 on what I was going to find when I got here.

8 I started hunting the addition land back in
9 1965 with my uncles and my granddaddy. We hunted
10 that until the Park Service run us out. There is
11 no reason for it to be the way it is. We have --
12 if we had known in the 70's whenever all the
13 politicking was going on to purchase the Big
14 Cypress Preserve, we would never have agreed to
15 it. We'd have fought back then, but we got a song
16 and a dance story. We've lived with that.

17 The new addition land was bought. It's been
18 20 years since that's been opened up. It's time
19 to open it up. It's time to give the hunters back
20 something that we gave up.

21 You know, I hear all that the anti-groups --
22 you know the difference between a hunter and an
23 anti-hunter? A hunter don't care what you're
24 doing. You don't infringe on me, I don't care if
25 you go out there and be the biggest whatever and
26

1 have all -- any kind of alternative lifestyle,
2 whatever. It don't bother me. Just leave me
3 alone. Let me go do my thing. Let me enjoy
4 nature in my way of enjoying nature.

5 You want to go bird watch, that's great.
6 Don't tell me I can't go out there and do my
7 thing. An anti works on one philosophy: "I don't
8 like what you're doing so you gotta stop." They
9 don't negotiate.

10 And to me the only alternative is
11 Alternative B, give as much access as you can to
12 the hunter, to the sportsman, to the bird watcher.
13 We've got -- anybody that has ever hunted the
14 glades or ever went in the Everglades, it's a
15 totally different terrain.

16 You start pulling mud and water from walking,
17 you can take the biggest, strongest guy you think
18 it is, you put him out there bogging up to his
19 knees in mud and water, it ain't long before he's
20 spying him a stump to sit down on because he's
21 whooped.

22 You can't use a piece of property out there
23 without having some type of vehicular access to
24 it. And I hope you all take it into
25 consideration, give us as much access as you

26

1 possibly can. Don't cave in to the anti's.
2 Follow what was designed when this program was set
3 forth and it was purchased. Stand up for what are
4 the sportsman's rights for a change. Thank you.

5 MR. OYE: Brad Cornell.

6 MR. CORNELL: Good evening. I'm Brad
7 Cornell. I'm here on behalf of Collier County
8 Audubon Society and I've lived in Collier County
9 since 1992 and have a family. And I enjoy the
10 outdoors, including Big Cypress, and a lot of the
11 other natural destinations that we are really
12 lucky to have in Southwest Florida.

13 I want to start out my comments by noting
14 that we are still considering the alternatives
15 that you have published and have presented to all
16 of us to comment on, and I want to recognize the
17 huge contribution that the sportsman's community
18 has made to the establishment of the Big Cypress
19 National Preserve.

20 This is something that we all are indebted
21 to, and at the same time we also have to
22 acknowledge the importance of the wilderness
23 consideration that these kind of areas bring
24 opportunity for, in terms of wildlife, resources,
25 wetlands and all of those kinds of values that go
26

1 along with wise use and hunting and those kinds of
2 access. I want to point out a couple of concerns
3 that we have as we make our considerations. One
4 is the relative effectiveness for varying sizes of
5 wilderness areas in the addition lands and other
6 areas around them for resource and baseline
7 establishment for evaluating the effects of
8 motorized access in the rest of the Big Cypress
9 National Preserve.

10 The 400 miles of trails that we already have
11 for ORV access, we need to have that kind of a
12 baseline and research basis to make those kinds of
13 comparisons. We also have concerns about
14 enforcement of access rules and limitations that
15 will go with considering ORV access to the
16 addition lands. Staffing and resources, of
17 course, are limited in all the agencies, state,
18 federal and local, especially in these times, and
19 this is a huge area.

20 So I have -- we have, Audubon, has very
21 strong concerns about the ability of the National
22 Park Service Interior Department to enforce its
23 own rules. And I have some specific comments that
24 have to do with the user capacity indicators and
25 standards. First, the T and E species should be
26

1 monitored and addressed, not only for hunting
2 impacts because that's not the only issue, also
3 for just the -- what other kinds of human presence
4 access, ORV, hiking, whatever human presence that
5 is in there, we need to be monitoring for that.

6 Monitoring has to address invasive and
7 non-native fish and invertebrates, not just what
8 is listed in the current draft. You gotta look at
9 the fish and inverts. Prey species must include
10 the food chain support for wood storks and wading
11 birds, that would be, again, fish and
12 invertebrates. You don't have that in the
13 monitoring protocol.

14 And service water flow must include
15 monitoring disturbance by rutting, as a major flow
16 of habitat wetlands. And this is also a vector
17 for exotic fish and animals that come in that way.
18 Again, something not mentioned in the current
19 draft.

20 Regardless of the alternative chosen -- I'm
21 closing up right now -- we believe that monitoring
22 of the impacts, both positive and negative, is
23 going to be absolutely vital, and that you're
24 going to have to employ adaptive management as
25 you've outlined in the Management Plan. It's
26

1 going to be necessary to effectively respond to
2 whatever data you gather in the monitoring plan.

3 We will submit our formal and complete
4 recommendations and comments before September.
5 Thank you.

6 MR. OYE: Okay, that's our final speaker. I
7 want to thank all of you for coming tonight, and
8 participating in the wilderness hearing portion,
9 and I'll turn it back over to Pedro.

10 MR. RAMOS: I'll say a few things. We're not
11 going to close yet. I think Patrick can correct
12 me if I'm wrong, I think that we have plenty of
13 time to do a little bit more visiting using the
14 format that we were using prior to.

15 MR. MALONE: If we can ask if there are any
16 additional speakers that didn't have the chance to
17 --

18 MR. RAMOS: Are there any additional speakers
19 that did not have the chance to -- come on up.
20 And since they gave me the microphone I will say
21 that, you know, there is a lot of differences in
22 opinion with respect to what people want to see us
23 ultimately do in managing the addition lands.

24 I mentioned earlier in my remarks, that you
25 may not have heard if you got here late, that in
26

1 spite of the fact that we have some very marked
2 differences, we all share a common passion and
3 love and care for this place. And, folks, I think
4 that we need to start trying to figure out how we
5 can highlight and center ourselves around that
6 fact.

7 I can tell you that the kind of behavior that
8 I saw displayed here a little bit ago by the
9 gentleman that left is regrettable. That kind of
10 behavior is and cannot be tolerated in a meeting
11 like this, and I hope that those of us that are
12 still here, whether we agree or disagree, in terms
13 of our views on how the addition lands should be
14 managed over the long-term, we need to respect
15 each other. That is the only way that we're going
16 to be able to succeed and find some common ground
17 and move forward in these things.

18 So I count on people being civil to each
19 other, respecting each other, especially when we
20 disagree with each other's views, we have to do
21 so. There is no other way, so, please, let's
22 behave in that manner. Thank you. Please, sir,
23 go ahead.

24 MR. MILLER: Okay. My name is Buster Miller.
25 I've heard people talk, they want to make it all
26

1 wilderness. Well, I'm a disabled person. We have
2 a lot of disabled veterans coming home from
3 fighting for our country, and you know, if we make
4 that wilderness, it's fine for people that can
5 walk. They can go out there and enjoy it. But
6 where do these people get off saying they want it
7 all wilderness, because that takes it away from
8 the disabled and the handicapped people. How can
9 they get out there?

10 If it wasn't for my four-wheeler, I couldn't
11 get around in the Cypress now. Take a little
12 consideration for the disabled and the handicapped
13 people. These people out here, some of them they
14 don't care. I do. I used to travel all of Bear
15 Island and the Big Cypress on foot. I was in an
16 accident a few years ago. I can't do it anymore
17 and it kills me. It really kills me.

18 And now you have this buffer loan -- zone for
19 the addition lands. There's road out there that
20 used to go right through the fence. The cattlemen
21 had those gates and they would go right over into
22 what they call the addition lands right now, and
23 I'm saying why is there -- why do you have to
24 separate it?

25 I thought addition meant that you're adding
26

1 on. If you were adding on to your house, you
2 would put a bedroom door in or into your addition.
3 You wouldn't have to say, well, I walk around the
4 garage to go in my back door. It's kind of
5 ridiculous to me.

6 Addition lands are addition lands, and they
7 should be like they were created for us to use, to
8 enjoy, and not have certain people dictate to us
9 what they want us to do. And thank you for your
10 time.

11 MR. OYE: Scott Ford.

12 MR. FORD: Evening, everybody. I'm Scott
13 Ford. I'm also a board -- sit on the Board of
14 Directors for the Southwest Florida Outdoorsman.
15 I also sit on the state board for the National
16 Wild Turkey Federation for the State of Florida.

17 I'm here representing myself, although I am a
18 member of these organizations. I started hunting
19 Big Cypress when I was a, you know, young, young
20 teen. You know, I've heard people talking about
21 they moved here in '92, or they moved here
22 whenever. I moved to Marco Island as a young lad
23 at the age of, like, two and I'm 45 years old.

24 I think, you know, again there's two
25 alternatives here that the sportsmen are willing
26

1 to live with: Your preferred alternative and B,
2 and there's probably somewhere in between we can
3 live with. I was here at the last meetings and
4 there was a lot of other alternatives, but total
5 wilderness that should be, you know, that should
6 be completely stricken.

7 I mean, again, like everybody else has said,
8 what about us? What about the people that were
9 here that enabled this? There should be a great
10 debt paid to the sportsman for that, because if it
11 wasn't for the sportsman at that time, back in the
12 late 60s and early 70s, there would not be a Big
13 Cypress National Preserve today. There may be
14 cattle ranches, there may be golf courses. There
15 may be, you know, other developments like Golden
16 Gate.

17 You know, we helped create this. You know,
18 let us enjoy it, too. Don't come in now, sweep in
19 now and take it away. That's all I have to say.
20 Thank you.

21 MR. OYE: Okay. Any other -- can I get your
22 name?

23 MS. PRIDDY: Lisa Priddy.

24 MR. OYE: Lisa Priddy.

25 MS. PRIDDY: For the record, my name is Lisa
26

1 Priddy. My family and I for -- I'm a third
2 generation -- have 9,000 acres that's contiguous
3 to the northern border of the Big Cypress National
4 Preserve just north of Bear Island. I've lived
5 there all my life and I love the property.

6 I think that you should consider
7 Alternative B. There's enough property there to
8 have wilderness, and also for the public that pays
9 for this to be purchased and managed to be there
10 as well. There have been an increase in the
11 number of panthers, and however many there are 90,
12 120, no one knows for sure, but we sure do spend a
13 lot of our assets on protecting those panthers.

14 Even if there are only 700 users of ORVs in
15 the addition lands, that's a lot more than there
16 are panthers, and I think we should be able to
17 accommodate those 700 people, just as easily as we
18 accommodate whatever number of panthers that there
19 are still in the wild. So, again, I would like to
20 encourage you to support Alternative B. Thank
21 you.

22 MR. OYE: Okay. Thank you. Any late
23 arrivals?

24 (No response.)

25 MR. OYE: Okay, Patrick?

26

1 MR. MALONE: Okay. We're going to go ahead
2 and close the hearing portion of this meeting, but
3 we still have about 30 minutes or so before we
4 would have to get out of this facility so we still
5 have plenty of time to interact, ask questions,
6 take a look at maps, visit with the preserve
7 staff.

8 So we're going to transition here into a more
9 informal setting, get rid of the microphones and
10 go from there. So thank you for your comments.
11 Thank you for your support of Big Cypress National
12 Preserve.

13 (Said proceedings were concluded at 6:58
14 p.m.)

C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF LEE)

I, JANICE R. MALINE, Court Reporter and
Notary Public in and for the State of Florida at large,
do hereby certify that, pursuant to notice of hearing
in the above-titled cause, the foregoing proceedings
were reduced to print by means of computer-assisted
transcription under my personal supervision, and that
the said transcription constitutes a true record of the
proceedings.

I further certify that said proceedings were
taken at the time and place specified hereinabove and
that I am neither of counsel, nor solicitor to either
party in said suit, nor interested in the event of the
cause.

WITNESS my hand and official seal in the
County of Lee, State of Florida, this 21st day of
August, 2009.

JANICE R. MALINE

Notary Public, State of Florida