

To: Big Cypress National Preserve
Att'n.: Pedro Ramos, Superintendent
Headquarters Office
Ochopee, Fl. 34141

From: Jetport Conservation and Recreation Club
14505 S.W. 75 Street
Miami, Florida 33183

Date: October 22, 2009

Re: Comments regarding Big Cypress National Preserve (BCNP) – Addition (A), General Management Plan (GMP) / Wilderness Study (WS) / ORV Plan (ORVP) / Environmental Impact Statement (EIS).

Superintendent Ramos,

On behalf of the Jetport Conservation and Recreation Club (JCRC) we will begin by commending you for your fair, open and cooperative management of this lengthy process. It has been a pleasure to work with all of the BCNP staff on this project even if it is grueling and very drawn out. The most important goal is to develop a plan that is sustainable for our Preserve's Addition and will provide non-motorized as well as motorized access at levels that will facilitate all visitors the ability to see all of the wonders that the Addition has to offer via ORV trails and beyond them on foot or by other non-motorized means (e.g. canoe). We do appreciate this opportunity to comment.

JCRC is in full strong support of **recommendations** forwarded by the Florida Fish and Wildlife Conservation Commission and their **formal resolution** associated with them related to the Addition. JCRC also supports all of the **resolutions** and **proclamations** passed by Collier County and Everglades City about this subject. Wilderness Proposal or Primitive Backcountry Zoning will cause more negative impact than positive impact in our opinion based on decades of experience in the Big Cypress Swamp.

Gladesmen Culture

We Gladesmen have been used these varied modes of transport in a relatively unfettered manner within BCNP and Addition up until the years 2000 and 1988 respectively. Our past and present uses are traditional cultural uses. It was very traumatic in 2000 to fall under the ORV plan. We didn't think we would ever be able to accept the concept. We do now but Designated ORV trails just need to be closer together to facilitate walking between them. The main problems with all of the alternatives is that large areas of the addition have been put off limits to traditional vehicular access by Gladesmen Cultural Community members who have for over half a century utilized traditional ORV's for transport to very remote camps and traditional cultural activities such as hunting, fishing, frogging, camping etc. in all areas of the Addition and the large distances between conceptually designated ORV trails. We don't know if the agency understands it but when Gladesmen see purple (primitive backcountry) or crosshatching (Wilderness Proposal) in the current Alternatives, NPS might as well say WE DON'T WANT YOUR TYPE in this area.

Now average Americans won't see it that way but we do because we were here before many other new arrivals including NPS and actually were instrumental in having this land preserved. We do not feel fairly treated as an Americans by these alternatives- B, Preferred, or F as they will greatly thwart our ability to even view the aesthetic bounty within the Addition much less hunt or fish the entire area. We believe NPS could gain understanding of these feelings if they were to do a cultural study of some kind to find out more about our culture. The US Army Corp of Engineers has seen fit to study and gain a better understanding of the Gladesmen Culture so as to gauge potential impacts upon our culture from the Comprehensive Everglades Restoration Plan (CERP) Master Recreation Plan (MRP). The url provided will lead NPS to the Army Corp study of our culture.

http://www.evergladesplan.org/pm/progr_master_rec_plan_gladesmen.aspx

The fact of the matter is that the way JCRC sees it, is that hunting, fishing, frogging etc. are not mere recreation due to the fact that living organisms die in these processes. Simply put our traditional activities are more serious than "recreation" to us as well as others we know. These are traditional cultural activities. We commend the Corp for this study and hope and recommend NPS to do the same prior to a Record of Decision on this project. It is very worrisome not to see our Gladesmen Culture or even that of our predecessors the Aboriginal Peoples of Florida's Culture mentioned by name in the 441 page Addition EIS we have studied. JCRC fears that no mention of Gladesmen Culture will legalize unlimited permanent adverse impacts being thrust upon our Threatened or possibly Endangered cultures by an Addition alternative/Final Plan. JCRC does not believe NPS is out to do this intentionally but it is very likely possible as we see it today. Our culture is quite dependent upon our traditional trails and pathways to be re-opened for access to all areas of the Addition via ORV since our traditional tools (buggies, atv's, airboats etc.) are part of the glue that sustains the Gladesmen Culture. We also believe the National Historic Preservation Act as amended 2000, section 106 and 110 will support NPS to do this.

Throughout this entire process we have had to listen to what we thought were Environmental Groups (e.g. Sierra Club) speak at meetings and say over and over that they hike in the Addition and don't want our culture or our traditional tools (e.g. swamp buggies) within their range of hearing, smell or sight. We thought these groups always worried about environmental issues in a non-parochial manner, but in this case (Addition) something is very different. Environmentalists are expressing concerns over Panthers and habitat but it all seems to revolve around their Wilderness agenda and their goal to create some sort of a very large exclusive private hiking playground where some the specific **intended** traditional uses for which the Addition was created to sustain are completely banned or at minimum, greatly thwarted by their mean spirited Wilderness agenda. JCRC considers this a direct violation of the intent of the BCNP enabling legislation and its Addition amendment should it occur. If this is allowed to happen it will be unconscionable.

. All we JCRC Gladesmen desire is a fair shake in order to be able to access all areas of the Addition as per legislative intent, including next to State Rd. 29 by ORV on existing designated trails to be laid out in a manner so our members or any visitor of average physical fitness can be able to travel on foot across non-motorized areas to other designated ORV trails. Old pre-existing ORV trails along side and East of SR 29 are clearly visible on the Collier County

Property Tax appraiser's web site on aerial GIS data page when using the year 1995 in the drop down window to view Collier County. Due to vegetative changes and different style data many of the trails visible from 1995 data are not discernable on later mapping but none the less are there and will be able to be located upon field studies.

Recommend that NPS to initiate such an investigation so as to incorporate some of these existing ORV trails into a final plan.

Wilderness Proposal (WP) and Primitive Backcountry Zoning (PBZ) will have serious detrimental impact upon law enforcement. How do people think park rangers or game wardens find out that bad things are occurring in such remote areas? They have always found out by word of mouth from frequent visitors to such areas. Gladesmen in these type areas of South Fla. have always been the eyes and ears that alert law enforcement to problems that sometimes arise and would continue to do so if allowed to be in all areas of the Addition.

Recommend removal of WP and PBZ from current alternatives and not including them or any similar ideas in a future alternative of final plan within BCNP or the Addition.

Hydrology

Many will claim ORV use would alter natural water flow throughout certain areas of the Addition. This may be true but only in a miniscule manner when compared to massive flow alterations of roadways such as I-75 and State Road 29. ORV trails for the most part are located between the tens of thousands of hammocks (high land features) throughout the Addition. These hammocks quickly re-direct any slightly altered flow back to wherever it would have been headed otherwise but sooner or later the flows run into the highways that we all need for travel. End of Story. The area will never regain natural water flow even if we could ever pinpoint where or what that is. JCRC believes the flow patterns are forever changing since hammocks develop (evolve) here and there over a period of time and constantly alter the psuedo-natural sheet flow that is by no means static. We believe natural sheet flow is used by the disengueine or the totally misinformed members our society to thwart and prevent the use of ORV's due to the human feelings of jealousy and/or hate. Possibly a cease and desist order to that activity of those that are hateful and/or prejudice could result from this plan.

Panthers/Hybrids

Another issue of concern to some will be the false assumption that ORV use or trails will hurt the Panther's recovery. We will not waste our time or yours refuting all of the best guess science supporting such claims. What we will do is give some advise to those who worry about people in other areas of Florida or other States not wanting to assist in re-establishing this animal in their area. The Panther causes severe permanent adverse impact to every human endeavor anywhere near where it exists. People outside So. Fla. are acutely aware of this and want no part of the environ-tyranny we in So. Fla. are forced to put up with. If certain Panther advocates could bring themselves to set aside their personal prejudices against and hatred of human beings, hunting, ORV's etc. and be fully accepting and supportive of everyone's desires and needs these advocates would see much less resistance to their ideas. We do not intend here to paint all Panther advocates with this brush but the individuals we're addressing know who they are. If one would take the time to read pages 118 and 119 of a book titled Swamp Screamer authored by Charles Fergus one would understand the illegitimacy of the whole Panther program discovered

by a so-called panther scientist named Melody Roelke around 1990. To benefit whoever reads this we will include a large excerpt from this book next, in italics.

Beginning at paragraph 2 on page 118:

Roelke went to O'briens laboratory in Maryland and learned his arcane practices. She applied them to blood samples she had been hoarding from Florida panthers. She compared the genetic material to that of 8 other North American puma subspecies and 3 South American subspecies. (These were all the races from which biologists and veterinarians had secured tissue or blood samples.) The indicator on which she focused was a distinctive form of an enzyme called "adenosine phosphoribosyl transferase", or APRT. Roelke and O'brien concluded that 7 panthers in Everglades National Park had descended, at least in part, from Central or South America. Also the South American genes had crossed the Shark River Slough (one wandering cat could have done it) and infiltrated the main cluster of panthers in Big Cypress ecosystem.

*Roelke studied the archives of Everglades National Park and learned that a small private menagerie, Everglades Wonder Gardens of Bonita Springs, Florida, had turned loose at least 7 captive pumas between 1957 and 1965. Apparently park administrators had wanted to boost the panther's population even back then, and no doubt they were under the impression that the imports were pure Florida panthers. Thirty years later, Everglades Wonder Gardens was still in business. Roelke went and checked on their cats. She zeroed in on an ancient female named Fatima. With the permission of Lester Piper, the menagerie's owner, Roelke trimmed Fatima's toenails. Also, she **snuck** a syringe of her blood: South American APRT.*

On to page 119

"No one wants to admit it." Roelke said "but apparently a tame female from the East coast was brought into the menagerie in the fifties." Maybe she came from Central America. Or from French Guiana, where the native puma had such a reddish cast to its coat that it is called tigre rouge. In any event, a cross-bred panther had made it into the wild. Five, six, seven generations later, the chromosomal contributions of at least one foreign cat could still be detected.

*Which meant that Florida's panthers were cross-bred. They were still overwhelmingly *Felis Concolor coryi*, but they were not purely so. In several scientific papers, Roelke and O'brien referred to the cross-bred cats as "**heretical**", which was a polite of calling them **hybrids**. It seemed that the outside genes had given a boost to the panthers' overall health. It was as if, say, several Haitian immigrants had been somehow accepted into an isolated Amish community in which, due to inbreeding, half the children were being born as dwarfs. After a few generations there would be darker- skinned Amish plowing the fields, fewer of whom would be three feet tall.*

*Yet if the panther was helped biologically by this influx of genes, it had been compromised politically. The Endangered Species Act bestows protection on the Florida Panther. It provides funding to aid in **its** restoration. It disallows the wholesale plundering of **its** habitat. It scares the hell out of corporations poised to turn thousand acre tracts of panther-friendly pine forest into orderly, profitable rows of orange and grapefruit trees.*

The Endangered Species does not apply to hybrids.

End of page 119 of “Swamp Screamer” author Charles Fergus ph 1 814 692 5097
By the way JCRC installed the bold type and underline in this excerpt.

It is our opinion due to the above, that panthers are not justified as an issue (or impact topic in any Addition alternative) to prevent or inhibit traditional ORV travel in the Addition, especially since the activity is comprehensively regulated today. Let’s face it – prior to 2000 ORV use was only minimally regulated and the activity had not caused any measurable harm to panthers that could be proven. All of the so-called science reports are consistently full of caveats such as may, could, might, we speculate etc. as to any activities effect upon this species. The best results we see from concerns over this species is that it has acted as a jobs program for graduates of college in environmental fields and also kept quite a few attorneys busy and to be honest here, it has preserved a lot of our beautiful Florida lands. Ask yourself though what good is that for we humans, not able to enjoy these same lands? Answer NO GOOD.

The Final Plan must not only protect and preserve the Addition but also facilitate **all** Americans the ability to enjoy **all** of the Addition.

RE-Interconnectivity of the Addition to other units of BCNP via designated ORV routes seems to be a problem. A process to implement vehicular access corridors through the arbitrary unjustified buffer zone included in the BCNP ORV plan ROD needs to be part of this Addition planning process. Resolution of this ongoing problem once and for all is very necessary to provide reasonable access to the Addition South of I-75 and fulfill the intent of the legislation creating the Addition and Big Cypress National Preserve. We have been told there are various roadblocks to re-interconnection as follow- an Environmental Assessment is required, an EIS is required or that the ORV plan of 2000 EIS would have to be re-opened. We do not agree but concur that an EIS or an ORV plan EIS review would be in order **if focused strictly** upon the corridor being used to provide the interconnection route. Enabling legislation never mentions these 2 properties being independent of one another as related to public use and enjoyment thereof.

Recommend NPS to entertain the idea of discontinuing the process we are currently involved in and immediately implementing a management plan for the Addition through a simple addendum as per direction given in the BCNP ORV Plan of 2000 at page7. This should be a feasible option now that the Wilderness Study mentioned on page (v) of the same plan is complete.

If the above is not feasible either we would suggest another process to resolve some these contentious issues.

Recommend NPS implement an ORV trail system to all private as well as County 16 sections and State land within the Addition. Florida can then manage our remaining lands and NPS can do as they please with theirs. Florida’s State government probably can implement this on their own due to sovereignty assurances afforded by the US Constitution.

In the event that this is no longer due to the weakening of Constitutional sovereignty guarantees that has happened over the years this suggestion might apply.

Recommend that the Great State of Florida utilize the provisions of the reverted clause to reclaim all of the Addition and Big Cypress National Preserve and relieve Federal agencies of any further responsibilities in these 729,000 acres.

Recommend that if Backcountry Recreation survives into a final plan that dispersed camping be allowed.

Recommend that any Government subsidized Addition concessionaire not be allowed to unfairly compete with any local business by selling their wares below cost as NPS currently does in BCNP. NPS either intentionally or unintentionally is doing this to the only privately owned campground within BCNP as a direct result of their past and present management and regulatory actions. The campground of which we speak is Trail Lakes Campground located about 5 miles East of the intersection of US 41 and State Road 29 in Collier County, Florida. There is absolutely no way a real business could sell campsite daily stays for what NPS does if that business had spent the amount of money in improvements that NPS has in the last few years. The Addition holds the promise of similar negative economic impacts to Everglades City and Ochopee small private businesses since the BCNP Commercial Services Plan is to be rolled into the Addition with an addendum.

In closing we want to let anyone who reviews these comments know that the BCNP staff has in our opinion done their best to produce a plan that would satisfy everyone. It might have been accepted by Gladesmen had they not been banished from the Addition since NPS took over. We believe NPS might have justifiably thought – well we gave the ORV folks some of what they want and we gave those with Wilderness desires most of what they want. The problem is that everyone gets to share in whatever ORV visitors receive but ORV visitors unless extremely fit cannot share in the 50,000 to 110,000 acre gifts of Wilderness and Primitive Backcountry bestowed upon a select few with a loud voice. The inherent unacceptability of this plan is not the staff's fault in our humble opinion. It is the fault of an environmental ethic that has been established upon the biggest pack of pseudo science the world has ever seen. To expect any NPS staff to weave a reasonable fair and balanced plan through the maze of best guess science and agendas floating around this world would be possibly, asking too much.

We will say Thank You to the Big Cypress staff for giving it their best. The current staff is as good as there has been in BCNP. Special thanks are in order to superintendent Pedro Ramos, Damon Doumlele, Bob Degross and last but not least Ed Clark a fine head ranger.

These comments are sincerely presented to you for your consideration and with the hope that they will make a positive difference in this extremely complex situation.

Respectfully,

John A. Cameron, Vice-President

Gene Van Schaick, President