



SUMMARY OF PUBLIC COMMENTS

Big Cypress National Preserve – Addition

Draft General Management Plan / Wilderness Study / Off-Road Vehicle Management Plan / Environmental Impact Statement and Wilderness Hearings

December 2009

INTRODUCTION

The *Draft General Management Plan/Wilderness Study/Off-Road Vehicle Management Plan/Environmental Impact Statement* for the Big Cypress National Preserve-Addition (“Draft Plan” or “Draft Plan/EIS” or “DEIS”) was released to the public on July 10, 2009. Four public meetings/wilderness hearings were held across south Florida (see Table 1) to review the draft plan and receive public input. The public comment period closed on September 30, 2009.

A total of 16,912 pieces of correspondence were received from individuals, organizations, tribes, and agencies on the Draft Plan/EIS (see Table 2). 15,481 correspondences were received from individuals responding to an e-mail action alert produced by the National Parks Conservation Association (NPCA). Of these, 14,326 were form letters (where the text content was the same as what was included in the action alert message) and 1,155 were personalized and contained the form letter content plus additional text. 778 form letters were received from individuals using the form that the Big Cypress Sportsmen’s Alliance prepared. 535 pieces of correspondence were received via the National Park Service’s online comment system (Planning, Environment, and Public Comment (PEPC) located at <http://parkplanning.nps.gov/bicy>), via e-mail, from comment forms dropped off at one of the public meetings or sent in via postal mail following one of the meetings, or from letters sent via postal mail. In addition, 89 respondents commented during the four public meetings/wilderness hearings.

Table 1. Meeting Attendance

Date and Location of Meeting	Total # of attendees	# of individuals providing oral comments at the GMP session	# of individuals providing oral comments at the wilderness hearing
August 10, 2009 in Miami	116	15	28
August 11, 2009 in Naples	35	12	18
August 12, 2009 in Everglades City	41	11	9
September 22, 2009 in Weston	148	31	49

Table 2. Respondents

Total number of submissions	16,912
National Parks Conservation Association form letters	15,481
Big Cypress Sportsmen's Alliance form letters	778
PEPC submissions	535
Public Meeting/Wilderness Hearing commenters	89
Letters from organizations and agencies	29

WILDERNESS HEARINGS

A total of four wilderness hearings were held in the project area (see Table 1). A total of 104 individuals spoke and provided oral comments on the wilderness proposal contained in the Draft Plan. A hearing officer presided over the hearings and moderated the public comment session. A certified court reporter attended all four meetings, recorded all testimony, and prepared an official transcript of the meetings. These transcripts have been posted for public inspection to the PEPC site located at <http://parkplanning.nps.gov/bicy>.

The analysis of the comments, concerns, and issues that were presented in these meetings has been integrated into the comment analysis that was completed for the *Draft General Management Plan/Wilderness Study/Off-Road Vehicle Management Plan/Environmental Impact Statement*. Sections of this report that follow explain the methodology for comment analysis and present the major findings of the public comment period.

METHODOLOGY FOR COMMENT ANALYSIS AND COMMENT CHARACTERIZATION

Analysis of the content of comments received was conducted through a systematic process of compiling and categorizing public viewpoints and concerns. The goal of the process was to identify all relevant issues, not just those represented by the majority of respondents. Comments were first evaluated to identify the specific issues presented. Many respondents identified multiple concerns or issues in their comment, and some also included attachments with their submissions. In those cases the content of both the primary comment and the attachment(s) were taken into consideration when identifying the respondents' concerns or issues.

The analysis of comments received from individuals yielded two primary concern categories: pro-motorized access and anti-motorized access. Comments from individuals were first coded in this manner and then further divided into subcategories that are described in the following sections. These subcategories, or additional concerns and themes, represented the reasons that the commenters supported or opposed their primary position of pro- or anti-motorized access. Where possible, a determination was made as to whether the respondent supported or opposed one of the alternatives presented in the Draft Plan. Comments provided by organizations and agencies were summarized and are also presented below.

Within each category that follows, a description is provided that characterizes the nature of the comments and the issues and concerns identified by the commenters. Since the themes and categories are not mutually exclusive, a respondent's comments could have been categorized under multiple categories depending upon the content of the submission. Within the analysis, the term "respondent" or "commenter" refers to an individual, organization, tribe, or public agency that provided a comment. The term "comments" refers to statements made by a respondent or commenter.

Comments from Individuals

The characterization of comments from individuals incorporates comments received from individuals at-large, individuals that provided oral testimony at the wilderness hearings, individuals that are members of the National Parks Conservation Association, individuals that are members of the Big Cypress Sportsmen's Alliance, and individuals that are members of the Florida Chapter of the National Wild Turkey Federation. The comments presented below are summaries of the many concerns and issues that were raised by these individuals.

Of the 16,883 total comments received from individuals that were analyzed, approximately 7 % were in favor of motorized access to the Addition and 93 % opposed motorized access. The reasons for their support and opposition are further broken down into sub-categories below. This data set includes all comments received with the exception of the 29 letters received from organizations and agencies.

Of the 15,679 respondents that expressed an identifiable preference for a particular management alternative, 50 (approximately 0.3 %) supported Alternative B, 4 (approximately 0.03 %) supported the Preferred Alternative, and 15,594 (approximately 99 %) supported Alternative F (see Table 3). The vast majority of the comments received that stated an alternative preference were from the NPCA form letter, which did state support for Alternative F. These statistics do not include those respondents that did not state a preference for an alternative.

Table 3. Alternatives	
Respondents expressing an identifiable position on an alternative	
Supported No-Action Alternative	9
Opposed No-Action Alternative	0
Supported Alternative B	50
Opposed Alternative B	0
Supported Preferred Alternative	4
Opposed Preferred Alternative	1
Supported Alternative F	15,594
Opposed Alternative F	1
Supported No Action or F	3
Supported B Modified	13
Supported Preferred or B	4

* 74 respondents stated that they support the position of the Florida Fish and Wildlife Conservation Commission (FWC).

Support Motorized Access

1,158 pieces of correspondences indicated support for motorized access in the Addition; 778 (67 %) of these were derived from the Big Cypress Sportsmen's Alliance form letter. The following reasons were most commonly identified in support of this position, along with the relative frequency of the stated concern:

- Oppose wilderness (86%)
- Pro-hunting/fishing access (80%)
- References to "Gladesman culture" and "traditional use" (79%)
- Enabling legislation (74%)
- Miscellaneous pro-motorized access issues (77%)
- Off-road vehicle (ORV) trail issues (75 %)
- ORV visitor experience and values (6%)
- Limited locations and opportunities for ORV users in Florida (2%)
- ORV permit issues (1%)
- ORV impact mitigation and ORV management (1%)

Oppose Motorized Access

15,702 pieces of correspondences indicated opposition to motorized access in the Addition. This includes the 15,481 form letters received from members of the National Parks Conservation Association (NPCA) and 221 pieces of correspondence from individuals not associated with NPCA. A separate analysis was performed on each of these two data sets.

National Parks Conservation Association Members

The National Parks Conservation Association (NPCA) forwarded DSC staff the individual correspondence letters from its members concerning the Draft Plan. The NPCA submitted a cover letter and a CD-ROM that included 15,481 correspondence letters from NPCA members. 14,326 of these were form letters that contained the same text content but had separate signatures, and 1,155 were edited, individualized letters with varying text content. Approximately 10% of the NPCA members who commented are Florida residents, with the remainder being distributed across all 50 states. With the exception of a couple of isolated comments, these correspondence letters oppose the use ORVs in the Addition, with the vast majority of the letters indicating support for Alternative F. The NPCA members stated a variety of reasons for their opposition to ORV use in the Addition.

The unedited form letters contained the following primary concerns and issues:

- Support Alternative F
- Preserve the maximum amount of wilderness area to protect threatened and endangered species, such as the Florida panther and its habitat
- Preserve the primitive, ecologically preserved land of Big Cypress and Everglades for future generations
- Other areas of Big Cypress National Preserve (BICY) already provide opportunities for ORV use
- ORV use should be prohibited in these ecologically sensitive areas due to negative impacts to wildlife and land
- NPS should take advantage of the opportunity to designate the Addition lands as a Wilderness area

And the edited, individualized letters commonly contained the following additional concerns and issues:

- Need to protect the Florida panther
- Need to preserve Wilderness
- ORV impacts on wildlife and ecology
- Questioning the need for more lands that allow ORV use
- ORV impacts on visitor experience
- Negative behavior of ORV users

Individuals at-large not associated with the National Parks Conservation Association

Of the 221 pieces of correspondence received from individuals not associated with NPCA, the following reasons were most commonly identified in support of their opposition to motorized use in the Addition, along with the relative frequency of the stated concern:

- ORV impacts on wildlife/habitat (41%)
- Florida panther impacts and issues (41%)
- Supports wildlands preservation (similar to “supports Wilderness” category below, but without explicit reference to “Wilderness”) (34%)
- ORV ecological impacts (31%)
- Supports “Wilderness” (explicit reference to “Wilderness” designation/support) (29%)
- ORV impact on non-motorized visitor use and experience (19%)
- General anti-motorized access concerns (19%)
- ORV need in question (16%)
- Miscellaneous issues (13%)
- NPS role and responsibilities (10%)
- Pro-non-motorized recreation (5%)
- No human access (1%)

Other

Twenty-two pieces of correspondences included comments and concerns that did not fall into the pro- or anti-motorized categories. The following issues and concerns were reported:

- Tribal concerns
- Impacts to private inholdings
- Support for the Preferred Alternative
- Trail management
- Florida panthers
- Pythons
- Combined management of the original Preserve and the Addition
- Management of hunting and lands within the area by the FWC

Comments from Organizations

Allied Sportsmen's Associations of Florida

- Supports FWC's position and opposes wilderness designation. Recommends elimination of wilderness and changing of Primitive Backcountry zone to Backcountry Recreation zone.
- All existing roads and trails should be incorporated into the proposed trail system for a more comprehensive system of access for pedestrians and other multiple uses.
- Recommends that the FWC be specified in the Record of Decision for the plan as an equal partner in all decision-making regarding management of the ORV trail system.
- The Addition should be made a part of the Big Cypress Wildlife Management Area and public access provided that guarantees traditional uses.

Audubon of Florida and Collier County Audubon Society

- Prefers the management strategies outlined in Alternative F, but recognizes the importance of the sportsmen's contribution to the Preserve and therefore supports a modified version of the Preferred Alternative as described below:
 - No ORV trails south of I-75; and north of I-75, no ORV trails west of the L-28 Interceptor Canal out to Jones Grade.
 - No connection between ORV trails in the Addition and the Bear Island unit of the original Preserve.
 - Degraded or decommissioned trails should be restored. All trails must be hydrologically invisible, adequately maintained at-grade, and properly monitored.
 - Campsites at Nobles and Jones Grades are acceptable due to their previously disturbed status.
 - Trail routing must avoid wetlands and geowebbing and rock should be used only for spot treatment.
 - Monitoring of the trail system is very important to proper management and avoidance of impacts. Trails should be properly improved, relocated, eliminated, or closed based on site conditions and impacts.
 - All Terrain Vehicle (ATV) use in BICY should be discouraged and redirected to other suitable recreation areas.
 - A Wilderness Committee should be established to direct management and research needs and evaluate minimum tool requirements for wilderness areas.
- Concerned about impacts to the Florida panther, but feels that providing traditional access with the limits described above would be compatible with panther habitat and needs. Should adverse impacts on panther behavior be realized, the management of the Addition should be changed accordingly.

Big Cypress Sportsmen's Alliance

- Prepared a form letter that was signed by 778 individuals. The form letter stated that:
 - The NPS is required only to complete a wilderness study, not to propose any lands as Wilderness.
 - Prior to closing of the land by the NPS in 1988, there was significant sign of man's activity (in addition to the presence of I-75), and therefore the area does not meet the Wilderness Act criteria and is ineligible as wilderness.
 - The Primitive Backcountry management zone makes these areas wilderness by default, even without the wilderness designation.
 - Wilderness designation would severely restrict needed activities for fire management, exotic species control, and wildlife management.
 - All of the Addition should be zoned Backcountry Recreation and full access provided for traditional use.
 - The proposed trail system has arbitrarily limited the ORV trail mileage and access opportunities. The area should be managed compatible with the ratio of miles: acres that was included in the 2000 ORV plan for the original Preserve, which is greater than that included in the plan for the Addition.
 - The Preserve should be managed as a collective unit that provides connections among all ORV trail systems.
 - The SR 29 strip should be managed to include full ORV access and no wilderness.
 - They support the position of the FWC.

Collier Sportsmen and Conservation Club, Inc.

- Believes that the Addition lands do not meet the eligibility requirements of the Wilderness Act, especially if the National Park Service (NPS) had completed the study when it was required to (within five years of acquiring it – not 21 years later).
- The Primitive Backcountry management zone does not comply with the intent of the enabling legislation with respect to providing full access.
- Wilderness designation would severely restrict needed activities for fire management, exotic species control, and wildlife management.
- Supports a modified Alternative B with no wilderness, no Primitive Backcountry management zones, and no restrictions on trail mileage.
- They support the position of the FWC.

Collier Resources Company

- The treatment of oil and gas exploration and extraction within the Addition should be more prominently described in the draft plan, including the fact that wilderness designation cannot impinge upon existing private mineral interest rights as required by law.
- The EIS portion of the plan should more thoroughly and accurately describe the potential impacts of oil and gas activities so that it serves as an umbrella document that better represents current and future oil and gas activities.

Conservancy of Southwest Florida

- Concerned about loss of Florida panther habitat and impacts to panthers and other listed species.
- Concerned about the placement of trails and impacts to wetlands and other sensitive areas. Prairies and marshes should be avoided, especially in the wet season; use of pinelands should be balanced with panther habitat needs, especially for denning sites.
- Concerned that ORV use and wilderness designation could impede hydrologic restoration efforts within the Addition and the larger Everglades ecosystem.

- Supports wilderness designation.
- Supports traditional motorized access but requests that the NPS properly manage such access to minimize impacts to natural resources.

Council of the Original Miccosukee Simanolee Nation, Aboriginal People

- Asserts that they are afforded “usual and customary use and occupancy” rights to the Preserve and the Addition and that these rights be acknowledged and documented in the plan.

Defenders of Wildlife

- Supports Alternative F - maximum amount of proposed wilderness and no ORV use.
- Notes that wilderness designation allows for NPS restoration activities, including the use of mechanized equipment to accomplish natural resource restoration.
- Notes that the NPS has still not completed the required panther and hydrologic studies and therefore should not open the Addition to ORV use at this time.
- Concerned over lack of Preserve staff to adequately oversee and enforce ORV use in the Addition.
- Supports hunting and fishing with proper regulations.
- Concerned about impacts to Florida panthers and recommends that some sizeable area of intact habitat be conserved as refugia.
- Recommends that the draft plan be more descriptive on the Addition’s role and relationship to meeting the goals of South Florida ecosystem restoration efforts.
- Recommends that impacts from climate change and sea level rise be more specifically discussed and that management objectives focus on improving ecological integrity and resilience.
- Concerned that the Preferred Alternative’s management needs (staff and funding) may not be congruent with what will be realistically available after approval of the plan.

Everglades Coordinating Council

- Concerned that the draft plan does not provide a full range of alternatives, since there is no alternative that contains 100% of the Addition zoned as Backcountry Recreation that provides maximum access.
- The Addition lands are ineligible for wilderness designation because they do not meet the Wilderness Act criteria; furthermore, wilderness would hamper resource management and emergency response.
- Best available science was not used in the draft plan and there are many places where outdated studies and sources are used, which leads to incorrect conclusions in the impact analyses.
- The significance and impacts to the Gladesmen culture are ignored.
- Recommends that Alternative B be modified to remove all wilderness and Primitive Backcountry management zones, connectivity between trails in the original Preserve and those proposed in the Addition, removal of the closure area in the original Preserve that buffers the Stair Steps unit and the Addition boundary, and trail mileage is based on need and resource protection not a miles-to-acres ratio.

Florida Trail Association (FTA)

- Supports Alternative F because it contains wilderness and primitive backcountry management zones that would preserve wilderness character and offer outstanding hiking opportunities.
- Concerned that ORV use would permanently limit opportunities to identify and protect a route of the Florida National Scenic Trail (FNST) in the Addition. The Association looks forward to working with the NPS to relocate the FNST from its current temporary route to a permanent wilderness trail setting through the Addition.
- Recommends that ORV use be prohibited from using the FNST route except for designated crossings and that a primitive, non-motorized buffer of one mile be established along the length of the trail in the

Addition to preserve hiker experience. For the trail in the Addition to be eligible as part of the FNST, it cannot be open to motorized use.

- Recommends that ORV use (speed limits, noise, and time of day) be regulated to limit conflict with other uses.
- Supports enhancement of the I-75 Mile Marker 63 rest area to improve hiker access, safety, and public education. Recommends that signage marking the FNST in this area be added to improve way-finding.

Florida Wildlife Federation

- Recommends that land use designations in the Addition allow for appropriate resource management, including fire management and exotic species control. Concerned that formal wilderness designation would unnecessarily complicate needed resource management activities.
- Recommends that appropriate regulations be put in place (permits, speed limits, access points, etc.) to limit adverse ecological impacts from ORV use – enforcement and education will be important. The scope of the ORV Advisory Committee should be expanded to assist with implementation in the Addition.
- Recommends that a more robust system of pedestrian-only trails be designated in the Addition.
- Recommends that the NPS explore and evaluate trail connections between the original Preserve and the Addition with the notion that the separate management plans for the two areas will eventually be combined.

Jetport Conservation and Recreation Club

- Supports the FWC's position and their formal resolution on the Addition. Also supports resolutions passed by Collier County and Everglades City with respect to access and management of the Addition.
- Concerned about limitations on access and impacts to the Gladesmen culture. Recommends NPS complete a more-detailed study of the Gladesmen culture as supported by provisions of the National Historic Preservation Act, as amended.
- Wilderness designation and limitations on motorized access are violations of the Addition's enabling legislation.
- Recommends that the NPS incorporate all existing roads and trails into the proposed trail system.
- Recommends removal of all wilderness proposals and Primitive Backcountry management zones.
- Concerned about the legitimacy of Endangered Species Act protection for Florida panthers that are hybrid animals.
- Concerned about the connection of ORV trails between the original Preserve and the Addition. A mechanism is needed to re-evaluate the closure area along the Addition boundary in the Stairsteps unit that was included in the 2000 ORV plan so that the Addition can be joined and managed with the original Preserve as was directed in the enabling legislation.
- Recommends halting the current planning process and simply amending the 1991 GMP and the 2000 ORV plan to include the Addition lands.
- Recommends providing immediate ORV access to State and County lands within the Addition.
- Recommends that the State of Florida take back all ownership interests in the Addition and in Big Cypress National Preserve.
- Recommends that if a Backcountry Recreation management zone remains in the final plan that it allow dispersed camping.
- Recommends that any future Addition concessionaires are not allowed to unfairly compete with local businesses and engage in below-market pricing.

National Parks Conservation Association (NPCA)

- Supports Alternative F - maximum wilderness and no ORV use.

- Maximizing conservation and wilderness designation will help ensure the protection of the Florida panther. The NPS should provide a rationale for not including almost 25% of the wilderness-eligible lands in the Preferred Alternative.
- Believes that the Preferred Alternative violates NPS Management Policies and the Organic Act by maximizing ORV use at the expense of resource protection.
- Recommends that the NPS further evaluate impacts to the Florida panther from the Preferred Alternative and reconsider its proposal. The document should explain how the NPS will meet panther recovery goals.
- Need better explanation and justification for ORV trail connections between the original Preserve and the Addition, how secondary trails would be located and managed, and how ORV users participate in the separately required permits for the two areas.
- Additional non-motorized access and recreational opportunities should be considered for hiking and overnight backpacking.
- The Preferred Alternative should include restoration actions that help return the Addition to its true wilderness character.
- Recommends that the NPS continue to pursue acquisition of the subsurface mineral rights to minimize impacts to natural resources.
- The document should more clearly explain the relationship between restoration of the Everglades ecosystem and that of Big Cypress National Preserve. ORV use may hinder the water resource improvements.

National Wild Turkey Federation – Everglades Longbeards Chapter

- Supports FWC's position.

National Wild Turkey Federation - Florida State Chapter

- Supports a modified version of Alternative B similar to what the FWC has proposed – no wilderness, replace Primitive Backcountry management zones with Backcountry Recreation, incorporate all existing roads and trails into the trail system, issuance of all 700 permits at once, and incorporation of the Addition lands into the management of the Big Cypress National Preserve, especially for hunting.

North American Butterfly Association – Miami Blue Chapter

- Supports Alternative F.
- Invertebrate species, including butterflies, are disregarded in the plan and the Preferred Alternative poses significant risks to these species and their habitats from ORV use. Furthermore, impacts to federally listed species are unacceptable.
- The plan violates the Addition Act and the Redwood Act, in which the NPS is required to favor conservation over recreation when there is conflict.
- The NPS has underestimated the efforts and costs required to monitor and manage the uses proposed in the Preferred Alternative.

Pegasus Foundation

- Supports Alternative F - favoring wilderness designation and protection of the Florida panther, and opposing ORV use and hunting.

Public Employees for Environmental Responsibility (PEER)

- Commends the NPS for completing the wilderness study and expects that the final proposal will be sent forward for action after the ROD is signed.

- The Preferred Alternative does not include the full complement of eligible wilderness and therefore they support Alternative F.
- ORV use could be provided in the areas that were considered ineligible for wilderness designation, with appropriate regulations. This combination would allow for maximum wilderness, species protection, and ORV use.
- Mullet Slough should remain closed to motorized use and be included as proposed wilderness no matter what alternative is selected. The adjacent area within the original Preserve that is part of the 91,000-acre slough should be protected and included as wilderness when the original Preserve is re-studied for wilderness eligibility. The former oil and gas “road” that starts at I-75 and travels south bisecting the Mullet Slough would be appropriate for public motorized and bicycling use – but no other roads or trails would.
- NPS Management Policies require the NPS to maintain the wilderness qualities and characteristics of all lands found to be eligible for wilderness designation until such time that Congressional action has been taken on the wilderness recommendation and the lands have been “released”. This means that no construction of ORV trails or other permanent improvements can take place until the wilderness process has been fully completed.

Safari Club International

- Opposes the Preferred Alternative because it contains too few ORV trails and too much proposed wilderness. The fact that none of the alternatives contain ORV trails without any proposed wilderness means that the NPS failed to consider a full range of alternatives as required by NEPA.
- Alternative B is the best of the action alternatives, although it cannot be fully supported due to wilderness.
- Support quick completion of the plan and its requirements so that the Addition can be opened to public ORV use and hunting as soon as possible.
- The wilderness eligibility/study should have been based on conditions that were present in 1988, not current conditions after 20 years of natural reclamation. Even under current conditions the Addition lands are not suitable for wilderness designation. The closure of the Addition should not be the baseline under which the wilderness evaluation is completed. Recommends that the NPS base the study on 1988 conditions or at least explain why they did not.
- Wilderness designation would interfere with wildlife management and recreational activities. Congress required a wilderness study of the Addition but they did not require that wilderness be included in the final plans for management and use of the area.

Sierra Club (Broward Group)

- Support Alternative F and no motorized use in the Addition.
- Recommends that all lands determined to be eligible for wilderness designation be included as “proposed wilderness”.
- Concerned that ORV use, which benefits less than one percent of all ORV owners in south Florida, would cause significant adverse impacts to natural resources and would have far reaching ecological implications.
- Concerned that the proposed ORV trail system utilizes existing hiking trails and creates user conflict, which is in violation of Executive Order 11644 that directs the use of ORVs on public lands.
- Recommends that the NPS acknowledge and utilize the conclusions about the impacts of ORV use that resulted from the Waddle study on the use of amphibians as indicator species.
- Concerned that the preferred alternative causes substantial habitat fragmentation with unknown consequences on flora and fauna.
- Supports Alternative F because it includes all “wilderness-eligible” and best protects the natural resources of the Addition, while still allowing for ORV use in the majority of the original Preserve.

- Suggests that the Sierra Club and the NPS work together to develop programs for school children that enhance their access to, and appreciation of, wilderness settings.

The Future of Hunting in Florida, Inc.

- Concerned that wilderness designation and the Primitive Backcountry management zone would limit motorized access and traditional recreational opportunities such as hunting. Proper access must be provided to achieve hunting objectives. Recommends removal of the wilderness proposal and the Primitive Backcountry zoning, and adoption of a designated trail system.

Tropical Audubon Society

- Supports Alternative F – is more consistent with the requirements of the enabling legislation.
- Concerned that the draft plan significantly underestimates the adverse impacts to natural resources caused by ORV use.
- The Preferred Alternative is not consistent with the full complement of acreage found to be eligible for wilderness designation.
- The plan violates the Addition Act and the Redwood Act, in which the NPS is required to favor conservation over recreation when there is conflict.
- The NPS underestimates the efforts and costs required to monitor and manage the uses proposed in the Preferred Alternative.
- The Preferred Alternative poses significant risks to listed species and their habitats from ORV use, resulting in a “taking” as described under the Endangered Species Act.
- The Preferred Alternative increases the Preserve’s carbon footprint, conflicting with DOI policy.
- The range of preliminary alternatives developed prior to the draft plan is unacceptable and were not fair and balanced; therefore, they recommend that the NPS start over with alternatives development or select Alternative F at this time.

Comments from Government Agencies

Local

Collier County Board of County Commissioners

- Adopted a proclamation on September 29, 2009 that expresses their concern about levels of public access, management zoning, and proposed wilderness included in the draft plan. Recommends that all Primitive Backcountry management zones and proposed wilderness be removed, that suitable public access be provided consistent with the enabling legislation, and that the State of Florida be consulted.

State

Florida State Clearinghouse

- Comment letters were provided by seven different state agencies (the Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services’ Division of Forestry, Florida Fish and Wildlife Conservation Commission, Florida Department of Community Affairs, South Florida Water Management District, Southwest Florida Regional Planning Council, and the Florida Department of State’s Division of Historical Resources), with a cover letter including a final set of collective comments and recommendations being provided by the Secretary of the Department of Environmental Protection.

- Concerned about the restrictions wilderness would place on the management of fire and invasive exotic species.
- Recommends that the NPS issue all 700 ORV permits within three years.
- Potential conflict between motorized use and pedestrian use on the route of the Florida National Scenic Trail should be further evaluated and explained.
- ORV trails should be designed to avoid wetland and hydrologic impacts.
- Consultation and compliance under Section 7 of the ESA should be documented in the plan.
- Proposed wilderness north of I-75 and in the western SR 29 strip should be removed and these areas placed in a Backcountry Recreation management zone. A ½-mile non-wilderness buffer surrounding I-75 and the L-28 Interceptor Canal should be created and placed into the Backcountry Recreation management zone to accommodate future infrastructure maintenance.
- Two conditions must be met to be consistent with the Coastal Zone Management Act (CZMA), the Florida Coastal Management Program, and various state statutes. If these are met, the State will provide the needed CZMA determination of consistency.
 - Any wilderness designation must contain specific language and authorization to appropriately manage fire and exotic species, including the use of mechanized equipment.
 - The final plan/EIS must evaluate the potential effects that recreational development (including ORV trails) will have on surface hydrology and South Florida ecosystem restoration projects. The selected alternative must provide details on trail development and improvement activities so that the State can determine if they are compatible with area ecosystem restoration efforts and eligible for permitting under state statute.

Florida State Representative Matt Hudson (Florida House of Representatives District 101)

- Wilderness designation is not in accordance with the Addition Act.
- Concerned that fire and exotic species could not be properly managed with wilderness.
- Wilderness precludes reasonable public access, especially for disabled persons, and results in violations of Second Amendment rights to use and bear arms.
- Recommends that the entire Addition be zoned as Backcountry Recreation with no wilderness.

Federal

Environmental Protection Agency (EPA)

- Recommends Alternative F.
- The plan should explain how it was determined that 140 miles was the least amount of trail necessary to provide access and still adequately protect resources.
- Use of the remaining 113 miles should be described and restored to the greatest extent possible.
- Include information on how the trail system was designed to avoid wetland impacts as well as mitigation measures that will be utilized.
- A more thorough description of wetland impacts (by alternative and types of wetlands) should be included. A wetland functional analysis should be performed and included in the plan along with mitigation required to offset the impacts.
- The cumulative impacts analysis should include the entire Big Cypress National Preserve, including the Addition.
- The plan should disclose how it was determined that 700 ORV permits would not have a negative impact on the environment.
- The plan should document the total number of acres currently impacted by ORVs, the restoration efforts proposed, and how future ORV impacts will be managed.

- The plan should explain how white-tailed deer hunting will be managed to ensure an adequate prey base for the Florida panther.
- It is unclear whether the plan includes a proposal for developed campgrounds; if so, identify the anticipated ecological impacts.
- Appropriate restrictions on horseback riding should be developed to minimize impacts to aquatic resources.

U. S. Fish and Wildlife Service (USFWS)

- Concerned that wilderness designation may not meet the resource management objectives of the Addition.
- Concerned about the number of miles of ORV trails, levels of use, and how they would be managed to ensure compatibility with listed species protection.
- Recommends further clarifying the unique differences amongst the alternatives and developing a framework for analyzing variations in the amount of trails and number of permits assigned to each alternative.
- Recommends that Mullet Slough and the Cowbell Strand/California Slough be closed to motorized use.
- The analysis of the effects on listed species is insufficient. More recent studies and data should be used to complete a more robust analysis, especially for the Florida panther. The Everglades snail kite, American crocodile, and eastern indigo snake should be retained as impact topics, and informal ESA consultation will likely be required for these species. The NPS should consult with them on information needs and the development of the required Biological Evaluation.

Comments from Independent Traditional Seminole Nation of Florida

- Concerned about impacts to the traditional customs and lifeways of the Nation.
- The plan violates NEPA by not recognizing the existence of traditional people in the area, a deficiency in the description of the human environment and any impacts to it. Recommends language from the Goss report (provided) be included in the plan and that an evaluation of impacts to indigenous people be completed.
- Concerned that wilderness designation would limit their access to sacred sites.

Comments from Miccosukee Tribe of Florida

- A consultation meeting was held on September 24, 2009. The following issues and concerns were discussed:
 - Generally opposed to wilderness, but they could support small areas along the eastern boundary, south of I-75, to protect against motorized use in those areas, particularly during times of high water when deer in Water Conservation Area 3A are most vulnerable and may leave that area to seek higher ground in the Preserve.
 - Concerned about impacts to the Reservation from public access into the Addition from the L-28 Canal.
 - The boundary of management zones should be delineated on ortho-photo maps to better illustrate which named features on these maps are within, or outside of, each respective management zone.
 - The plan should guarantee Tribal rights of access, especially if a wilderness proposal has the potential to influence their access. Tribal members should not be excluded from use of machinery in wilderness-proposed areas.
 - No commercial activities of any kind in the Addition are acceptable to the Tribe.

Comments from Seminole Tribe of Florida

- Concerned that the process for identifying the selected alternative is not objective, since the NPS developed the proposed action and also wrote the plan.
- Alternative F is best aligned with the agency's purpose, and the NPS has not properly justified how the Preferred Alternative meets the agency's conservation mandate.
- Requests that the plan include specificity with respect to the Tribe's rights of use and occupancy – there is potential for conflict once the Addition is opened for public use.
- Concerned about increased trespass along the Tribe's southern border and the expense to repair their fences.
- Concerned about the adequacy of staffing resources for the NPS to properly manage and enforce use in the Northeast Addition.
- Concerned about increases in illegal harvesting and poaching of plants (especially rare plants) and wildlife on Tribal lands.
- Management of exotic plants along the Tribal border may be conflicting, and the Tribe requests that the NPS coordinate its efforts with them.
- Use of the Reservation's southern border as a management boundary for NPS activities will increase the potential for impacts to a host of natural and cultural resources. ORV use should be directed away from the common boundary and limited to the area south of the L-28 Interceptor Canal or south of the existing campsites.
- The threat of wildland fire and risk to the Reservation will increase as a result of new ORV traffic.
- Illegal off-trail use will eventually degrade the areas that are zoned as Primitive Backcountry.
- Public use of the area will disrupt the migration patterns of large mammals (Florida panthers, black bears, deer, turkey) traveling between the Preserve and the Addition, adversely impact wood stork rookeries and potential nesting habitat for the red-cockaded woodpecker near the Reservation's southern border, degrade browse and ground cover that are needed to support game and panther prey habitat, and degrade panther denning habitat.
- Surface water flow and wetlands will be adversely impacted by ORV use and would degrade the investment that the Tribe and Army Corps of Engineers have put into the restoration of natural sheet flow. The plan should more specifically describe impacts to surface water flow and wetlands and identify best management practices and compensatory mitigation.
- Concerned about the adequacy and accuracy of cultural resource surveys conducted in the Addition. The methodological approaches used seem to be lacking consistency. Future research designs need to be updated to better reflect the historic period of use, including the Creek Town pattern and culture.
- Concerned about impacts to the Tribe's sacred Green Corn Dance site - from ORV use, trespass and damage to traditional structures, noise impacts on the Tribe's traditional activities at the site, and increased risk from wildland fire. The NPS should work with the Tribe to restrict access to ORV trails within the vicinity of this site.
- Concerned about impacts to archeological sites within the vicinity of the Jones Grade Road and Campsite, as well as in areas accessible from Mile Marker 51. The Tribe should be consulted on all ORV trail plans within the Northeast Addition.