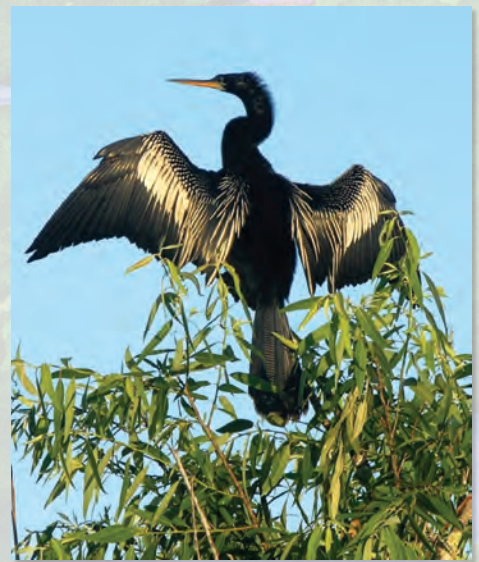




Sunset in Pinelands



Anhinga

APPENDIXES, GLOSSARY AND ABBREVIATIONS,
REFERENCES, PREPARERS AND CONSULTANTS, AND INDEX

APPENDIX A: LEGISLATION

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73d CONGRESS. SESS. II. CHS. 370, 371. MAY 29, 30, 1934.

[CHAPTER 371.]

AN ACT

May 30, 1934.
[H.R. 2837.]
[Public, No. 287.]

To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes.

Everglades National
Park, Fla.
Establishment, when
title to lands is vested
in United States.
Area, location, etc.

Vol. 45, p. 1443.

Proviso.
Lands secured only
by donation.

Acceptance of title.

Proviso.
Restriction, until ex-
clusive jurisdiction
over entire area is
ceded.

National Park Serv-
ice to administer, etc.

Vol. 39, p. 535.

Provisos.
Water Power Act not
applicable.
Vol. 41, p. 1063.
Rights of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately two thousand square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States.

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park: *Provided further*, That nothing in this Act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the

Everglades National Park is created: *And provided further*, That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act.

SEC. 4. The said area or areas shall be permanently reserved as a wilderness, and no development of the project or plan for the entertainment of visitors shall be undertaken which will interfere with the preservation intact of the unique flora and fauna and the essential primitive natural conditions now prevailing in this area.

Approved, May 30, 1934.

No Federal expense
for first 5 years.

Permanently re-
served as a wilderness.

6. Everglades

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * *

(3) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred acres, depicted on a map entitled "Wilderness Plan, Everglades National Park, Florida", numbered 160-20,011 and dated June 1974, to be known as the Everglades Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of

the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

* * * * *

Approved November 10, 1978.

8. Everglades

103 STAT. 1946

PUBLIC LAW 101-229—DEC. 13, 1989

Public Law 101-229
101st Congress

An Act

Dec. 13, 1989
[H.R. 1727]

To modify the boundaries of the Everglades National Park and to provide for the protection of lands, waters, and natural resources within the park, and for other purposes.

Everglades
National Park
Protection and
Expansion Act of
1989.
Florida.
16 USC 410r-5
note.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Everglades National Park
Protection and Expansion Act of 1989".

TITLE I—EVERGLADES NATIONAL PARK EXPANSION

16 USC 410r-5.

SEC. 101. FINDINGS, PURPOSES AND DEFINITIONS OF TERMS.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Everglades National Park is a nationally and internationally significant resource and the park has been adversely affected and continues to be adversely affected by external factors which have altered the ecosystem including the natural hydrologic conditions within the park.

(2) The existing boundary of Everglades National Park excludes the contiguous lands and waters of the Northeast Shark River Slough that are vital to long-term protection of the park and restoration of natural hydrologic conditions within the park.

(3) Wildlife resources and their associated habitats have been adversely impacted by the alteration of natural hydrologic conditions within the park, which has contributed to an overall decline in fishery resources and a 90 percent population loss of wading birds.

(4) Incorporation of the Northeast Shark River Slough and the East Everglades within the park will limit further losses suffered by the park due to habitat destruction outside the present park boundaries and will preserve valuable ecological resources for use and enjoyment by future generations.

(5) The State of Florida and certain of its political subdivisions or agencies have indicated a willingness to transfer approximately 35,000 acres of lands under their jurisdiction to the park in order to protect lands and water within the park, and may so transfer additional lands in the future.

(6) The State of Florida has proposed a joint Federal-State effort to protect Everglades National Park through the acquisition of additional lands.

(b) PURPOSE.—The purposes of this Act are to—

(1) increase the level of protection of the outstanding natural values of Everglades National Park and to enhance and restore

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PUBLIC LAW 101-229—DEC. 13, 1989

103 STAT. 1947

the ecological values, natural hydrologic conditions, and public enjoyment of such area by adding the area commonly known as the Northeast Shark River Slough and the East Everglades to Everglades National Park; and

(2) assure that the park is managed in order to maintain the natural abundance, diversity, and ecological integrity of native plants and animals, as well as the behavior of native animals, as a part of their ecosystem.

(c) DEFINITIONS.—As used in this Act:

(1) The term “Secretary” means the Secretary of the Interior.

(2) The term “addition” means the approximately 107,600 acre area of the East Everglades area authorized to be added to Everglades National Park by this Act.

(3) The term “park” means the area encompassing the existing boundary of Everglades National Park and the addition area described in paragraph (2).

(4) The term “project” means the Central and Southern Florida Project.

SEC. 102. BOUNDARY MODIFICATION.

16 USC 410r-6.

(a) AREA INCLUDED.—The park boundary is hereby modified to include approximately 107,600 acres as generally depicted on the map entitled “Boundary Map, Everglades National Park Addition, Dade County, Florida”, numbered 160-20,013B and dated September 1989. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Public information.

(b) BOUNDARY ADJUSTMENT.—The Secretary may from time to time make minor revisions in the boundaries of the park in accordance with section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 and following). In exercising the boundary adjustment authority the Secretary shall ensure all actions will enhance resource preservation and shall not result in a net loss of acreage from the park.

(c) ACQUISITION.—(1) Within the boundaries of the addition described in subsection (a), the Secretary may acquire lands and interests in land by donation, purchase with donated or appropriated funds, or exchange. For purposes of acquiring property by exchange, the Secretary may, notwithstanding any other provision of law, exchange the approximately one acre of Federal land known as “Gilberts' Marina” for non-Federal land of equal value located within the boundaries of the addition. Any lands or interests in land which are owned by the State of Florida or any political subdivision thereof, may be acquired only by donation.

(2) It is the express intent of Congress that acquisition within the boundaries of the addition shall be completed not later than 5 years after the date of enactment of this section. The authority provided by this section shall remain in effect until all acquisition is completed.

Termination date.

(d) ACQUISITION OF TRACTS PARTIALLY OUTSIDE BOUNDARIES.—When any tract of land is only partly within boundaries referred to in subsection (a), the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries, and any land so acquired and not utilized for exchange shall be reported to the General Services Administration for disposal

under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377).

(e) OFFERS TO SELL.—In exercising the authority to acquire property under this Act, the Secretary shall give prompt and careful consideration to any offer made by any person owning property within the boundaries of the addition to sell such a property, if such owner notifies the Secretary that the continued ownership of such property is causing, or would result in undue hardship.

(f) AUTHORIZATION OF APPROPRIATIONS.—(1) Subject to the provisions of paragraph (2), there are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(2) With respect to land acquisition within the addition, not more than 80 percent of the cost of such acquisition may be provided by the Federal Government. Not less than 20 percent of such cost shall be provided by the State of Florida.

(g) ASSISTANCE.—Upon the request of the Governor of the State of Florida, the Secretary is authorized to provide technical assistance and personnel to assist in the acquisition of lands and waters within the Kissimmee River/Lake Okeechobee/Everglades Hydrologic Basin, including the Big Cypress Swamp, through the provision of Federal land acquisition personnel, practices, and procedures. The State of Florida shall reimburse the Secretary for such assistance in such amounts and at such time as agreed upon by the Secretary and the State. Notwithstanding any other provision of law, reimbursement received by the Secretary for such assistance shall be retained by the Secretary and shall be available without further appropriation for purposes of carrying out any authorized activity of the Secretary within the boundaries of the park.

16 USC 410r-7.

SEC. 103. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the areas within the addition in accordance with this Act and other provisions of law applicable to the Everglades National Park, and with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat 535; 16 U.S.C. 1-4). In order to further preserve and protect Everglades National Park, the Secretary shall utilize such other statutory authority as may be available to him for the preservation of wildlife and natural resources as he deems necessary to carry out the purposes of this Act.

(b) PROTECTION OF ECOSYSTEM.—The Secretary shall manage the park in order to maintain the natural abundance, diversity, and ecological integrity of native plants and animals, as well as the behavior of native animals, as a part of their ecosystem.

Boating.

(c) PROTECTION OF FLORA AND FAUNA.—The park shall be closed to the operation of airboats—

(1) except as provided in subsection (d); and

(2) except that within a limited capacity and on designated routes within the addition, owners of record of registered airboats in use within the addition as of January 1, 1989, shall be issued nontransferable, nonrenewable permits, for their individual lifetimes, to operate personally-owned airboats for noncommercial use in accordance with rules prescribed by the Secretary to determine ownership and registration, establish

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103 STAT. 1949

uses, permit conditions, and penalties, and to protect the biological resources of the area.

(d) CONCESSION CONTRACTS.—The Secretary is authorized to negotiate and enter into concession contracts with the owners of commercial airboat and tour facilities in existence on or before January 1, 1989, located within the addition for the provision of such services at their current locations under such rules and conditions as he may deem necessary for the accommodation of visitors and protection of biological resources of the area.

(e) VISITOR CENTER.—The Secretary is authorized and directed to expedite the construction of the visitor center facility at Everglades City, Florida, as described in the Development Concept Plan, Gulf Coast, dated February 1989, and upon construction shall designate the visitor center facility as “The Marjory Stoneman Douglas Center” in commemoration of the vision and leadership shown by Mrs. Douglas in the protection of the Everglades and Everglades National Park.

Marjory
Stoneman
Douglas.

SEC. 104. MODIFICATION OF CERTAIN WATER PROJECTS.

16 USC 410r-8.

(a) IMPROVED WATER DELIVERIES.—(1) Upon completion of a final report by the Chief of the Army Corps of Engineers, the Secretary of the Army, in consultation with the Secretary, is authorized and directed to construct modifications to the Central and Southern Florida Project to improve water deliveries into the park and shall, to the extent practicable, take steps to restore the natural hydrological conditions within the park.

(2) Such modifications shall be based upon the findings of the Secretary's experimental program authorized in section 1302 of the 1984 Supplemental Appropriations Act (97 Stat. 1292) and generally as set forth in a General Design Memorandum to be prepared by the Jacksonville District entitled “Modified Water Deliveries to Everglades National Park”. The Draft of such Memorandum and the Final Memorandum, as prepared by the Jacksonville District, shall be submitted as promptly as practicable to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the United States Senate and the Committee on Interior and Insular Affairs and the Committee on Public Works and Transportation of the United States House of Representatives.

(3) Construction of project modifications authorized in this subsection and flood protection systems authorized in subsections (c) and (d) are justified by the environmental benefits to be derived by the Everglades ecosystem in general and by the park in particular and shall not require further economic justification.

(4) Nothing in this section shall be construed to limit the operation of project facilities to achieve their design objectives, as set forth in the Congressional authorization and any modifications thereof.

(b) DETERMINATION OF ADVERSE EFFECT.—(1) Upon completion of the Final Memorandum referred to in subsection (a), the Secretary of the Army, in consultation with the South Florida Water Management District, shall make a determination as to whether the residential area within the East Everglades known as the “Eight and One-Half Square Mile Area” or adjacent agricultural areas, all as generally depicted on the map referred to in subsection 102(a), will be adversely affected by project modifications authorized in subsection (a).

Agriculture and
agricultural
commodities.

(2) In determining whether adjacent agricultural areas will be adversely affected, the Secretary of the Army shall consider the impact of any flood protection system proposed to be implemented pursuant to subsection (c) on such agricultural areas.

(c) FLOOD PROTECTION; EIGHT AND ONE-HALF SQUARE MILE AREA.—If the Secretary of the Army makes a determination pursuant to subsection (b) that the "Eight and One-Half Square Mile Area" will be adversely affected, the Secretary of the Army is authorized and directed to construct a flood protection system for that portion of presently developed land within such area.

(d) FLOOD PROTECTION; ADJACENT AGRICULTURAL AREA.—(1) If the Secretary of the Army determines pursuant to subsection (b) that an adjacent agricultural area will be adversely affected, the Secretary of the Army is authorized and directed to construct a flood protection system for such area. Such determination shall be based on a finding by the Secretary of the Army that:

(A) the adverse effect will be attributable solely to a project modification authorized in subsection (a) or to a flood protection system implemented pursuant to subsection (c), or both; and

(B) such modification or flood protection system will result in a substantial reduction in the economic utility of such area based on its present agricultural use.

(2) No project modification authorized in subsection (a) which the Secretary of the Army determines will cause an adverse effect pursuant to subsection (b) shall be made operational until the Secretary of the Army has implemented measures to prevent such adverse effect on the adjacent agricultural area: *Provided*, That the Secretary of the Army or the South Florida Water Management District may operate the modification to the extent that the Secretary of the Army determines that such operation will not adversely affect the adjacent agricultural area: *Provided further*, That any preventive measure shall be implemented in a manner that presents the least prospect of harm to the natural resources of the park.

(3) Any flood protection system implemented by the Secretary of the Army pursuant to this subsection shall be required only to provide for flood protection for present agricultural uses within such adjacent agricultural area.

(4) The acquisition of land authorized in section 102 shall not be considered a project modification.

(e) PERIODIC REVIEW.—(1) Not later than 18 months after the completion of the project modifications authorized in subsection (a), and periodically thereafter, the Secretary of the Army shall review the determination of adverse effect for adjacent agricultural areas.

(2) In conducting such review, the Secretary of the Army shall consult with all affected parties, including, but not limited to, the Secretary, the South Florida Water Management District and agricultural users within adjacent agricultural areas.

(3) If, on the basis of such review, the Secretary of the Army determines that an adjacent agricultural area has been, or will be adversely affected, the Secretary of the Army is authorized and directed, in accordance with the provisions of subsection (d), to construct a flood protection system for such area: *Provided*, That the provisions of subsection (d)(2) shall be applicable only to the extent that the Secretary, in consultation with the Secretary of the Army, determines that the park will not be adversely affected.

Agriculture and
agricultural
commodities.

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103 STAT. 1951

(4) The provisions of this subsection shall only be applicable if the Secretary of the Army has previously made a determination that such adjacent agricultural area will not be adversely affected.

(f) **CURRENT CANAL OPERATING LEVELS.**—Nothing in this section shall be construed to require or prohibit the Secretary of the Army or the South Florida Water Management District from maintaining the water level within any project canal below the maximum authorized operating level as of the date of enactment of this Act.

(g) **NO LIMITATION ON OTHER CLAIMS.**—If the Secretary of the Army makes a determination of no adverse effect pursuant to subsection (b), such determination shall not be considered as a limitation or prohibition against any available legal remedy which may otherwise be available.

(h) **COORDINATION.**—The Secretary and the Secretary of the Army shall coordinate the construction program authorized under this section and the land acquisition program authorized in section 102 in such a manner as will permit both to proceed concurrently and as will avoid unreasonable interference with property interests prior to the acquisition of such interests by the Secretary under section 102.

(i) **WEST DADE WELLFIELD.**—No Federal license, permit, approval, right-of-way or assistance shall be granted or issued with respect to the West Dade Wellfield (to be located in the Bird Drive Drainage Basin, as identified in the Comprehensive Development Master Plan for Dade County, Florida) until the Secretary, the Governor of the State of Florida, the South Florida Water Management District and Dade County, Florida enter into an agreement providing that the South Florida Water Management District's water use permit for the wellfield, if granted, must include the following limiting conditions: (1) the wellfield's peak pumpage rate shall not exceed 140,000,000 gallons per day; (2) the permit shall include reasonable, enforceable measures to limit demand on the wellfield in times of water shortage; and (3) if, during times of water shortage, the District fails to limit demand on the wellfield pursuant to (2), or if the District limits demand on the wellfield pursuant to (2), but the Secretary certifies that operation of the wellfield is still causing significant adverse impacts on the resources of the Park, the Governor shall require the South Florida Water Management District to take necessary actions to alleviate the adverse impact, including, but not limited to, temporary reductions in the pumpage from the wellfield.

(j) **PROTECTION OF NATURAL VALUES.**—The Secretary of the Army is directed in analysis, design and engineering associated with the development of a general design memorandum for works and operations in the "C-111 basin" area of the East Everglades, to take all measures which are feasible and consistent with the purposes of the project to protect natural values associated with Everglades National Park. Upon completion of a general design memorandum for the area, the Secretary shall prepare and transmit a report to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the United States Senate and the Committee on Interior and Insular Affairs and the Committee on Public Works and Transportation of the United States House of Representatives on the status of the natural resources of the C-111 basin and functionally related lands.

Reports.

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103 STAT. 1952

PUBLIC LAW 101-229—DEC. 13, 1989

Approved December 13, 1989.

LEGISLATIVE HISTORY—H.R. 1727 (S. 724):
HOUSE REPORTS: No. 101-182, Pt. 1 (Comm. on Interior and Insular Affairs)
and Pt. 2 (Comm. on Public Works and Transportation).
CONGRESSIONAL RECORD, Vol. 135 (1989):
Nov. 7, considered and passed House.
Nov. 21, considered and passed Senate, amended, in lieu of S. 724. House
concurred in Senate amendment.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 25 (1989):

111 STAT. 1540

PUBLIC LAW 105-82—NOV. 13, 1997

Public Law 105-82
105th Congress

An Act

Nov. 13, 1997
[S. 931]

To designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Marjory
Stoneman
Douglas
Wilderness and
Ernest F. Coe
Visitor Center
Designation Act.
16 USC 410r-5
note.
16 USC 410r-7
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Center Designation Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds that—

(1)(A) Marjory Stoneman Douglas, through her book, “The Everglades: River of Grass” (published in 1947), defined the Everglades for the people of the United States and the world;

(B) Mrs. Douglas's book was the first to stimulate widespread understanding of the Everglades ecosystem and ultimately served to awaken the desire of the people of the United States to restore the ecosystem's health;

(C) in her 107th year, Mrs. Douglas is the sole surviving member of the original group of people who devoted decades of selfless effort to establish the Everglades National Park;

(D) when the water supply and ecology of the Everglades, both within and outside the park, became threatened by drainage and development, Mrs. Douglas dedicated the balance of her life to the defense of the Everglades through extraordinary personal effort and by inspiring countless other people to take action;

(E) for these and many other accomplishments, the President awarded Mrs. Douglas the Medal of Freedom on Earth Day, 1994; and

(2)(A) Ernest F. Coe (1886–1951) was a leader in the creation of Everglades National Park;

(B) Mr. Coe organized the Tropic Everglades National Park Association in 1928 and was widely regarded as the father of Everglades National Park;

(C) as a landscape architect, Mr. Coe's vision for the park recognized the need to protect south Florida's diverse wildlife and habitats for future generations;

(D) Mr. Coe's original park proposal included lands and waters subsequently protected within the Everglades National Park, the Big Cypress National Preserve, and the Florida Keys National Marine Sanctuary; and

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111 STAT. 15

(E)(i) Mr. Coe's leadership, selfless devotion, and commitment to achieving his vision culminated in the authorization of the Everglades National Park by Congress in 1934;

(ii) after authorization of the park, Mr. Coe fought tirelessly and lobbied strenuously for establishment of the park, finally realizing his dream in 1947; and

(iii) Mr. Coe accomplished much of the work described in this paragraph at his own expense, which dramatically demonstrated his commitment to establishment of Everglades National Park.

(b) PURPOSE.—It is the purpose of this Act to commemorate the vision, leadership, and enduring contributions of Marjory Stoneman Douglas and Ernest F. Coe to the protection of the Everglades and the establishment of Everglades National Park.

SEC. 3. MARJORY STONEMAN DOUGLAS WILDERNESS.

16 USC 1132
note.

(a) REDESIGNATION.—Section 401(3) of the National Parks and Recreation Act of 1978 (Public Law 95-625; 92 Stat. 3490; 16 U.S.C. 1132 note) is amended by striking "to be known as the Everglades Wilderness" and inserting "to be known as the Marjory Stoneman Douglas Wilderness, to commemorate the vision and leadership shown by Mrs. Douglas in the protection of the Everglades and the establishment of the Everglades National Park".

(b) NOTICE OF REDESIGNATION.—The Secretary of the Interior shall provide such notification of the redesignation made by the amendment made by subsection (a) by signs, materials, maps, markers, interpretive programs, and other means (including changes in signs, materials, maps, and markers in existence before the date of enactment of this Act) as will adequately inform the public of the redesignation of the wilderness area and the reasons for the redesignation.

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the "Everglades Wilderness" shall be deemed to be a reference to the "Marjory Stoneman Douglas Wilderness".

SEC. 4. ERNEST F. COE VISITOR CENTER.

(a) DESIGNATION.—Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-7) is amended by adding at the end the following new subsection:

"(f) ERNEST F. COE VISITOR CENTER.—On completion of construction of the main visitor center facility at the headquarters of Everglades National Park, the Secretary shall designate the visitor center facility as the 'Ernest F. Coe Visitor Center', to commemorate the vision and leadership shown by Mr. Coe in the establishment and protection of Everglades National Park."

111 STAT. 1542

PUBLIC LAW 105-82—NOV. 13, 1997

SEC. 5. CONFORMING AND TECHNICAL AMENDMENTS.

Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-7) is amended—

(1) in subsection (c)(2), by striking “personnally-owned” and inserting “personally-owned”; and

(2) in subsection (e), by striking “VISITOR CENTER” and inserting “MARJORY STONEMAN DOUGLAS VISITOR CENTER”.

Approved November 13, 1997.

LEGISLATIVE HISTORY—S. 931 (H.R. 136):

HOUSE REPORTS: No. 105-328 accompanying H.R. 136 (Comm. on Resources).

SENATE REPORTS: No. 105-68 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 143 (1997):

Sept. 16, considered and passed Senate.

Nov. 4, considered and passed House.

112 STAT. 2964

PUBLIC LAW 105-313—OCT. 30, 1998

Public Law 105-313
105th Congress

An Act

Oct. 30, 1998
[H.R. 3055]

To deem the activities of the Miccosukee Tribe on the Miccosukee Reserved Area to be consistent with the purposes of the Everglades National Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Miccosukee
Reserved Area
Act,
Native
Americans,
Florida,
16 USC 410 note,
16 USC 410 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Miccosukee Reserved Area Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Since 1964, the Miccosukee Tribe of Indians of Florida have lived and governed their own affairs on a strip of land on the northern edge of the Everglades National Park pursuant to permits from the National Park Service and other legal authority. The current permit expires in 2014.

(2) Since the commencement of the Tribe's permitted use and occupancy of the Special Use Permit Area, the Tribe's membership has grown, as have the needs and desires of the Tribe and its members for modern housing, governmental and administrative facilities, schools and cultural amenities, and related structures.

(3) The United States, the State of Florida, the Miccosukee Tribe, and the Seminole Tribe of Florida are participating in a major intergovernmental effort to restore the South Florida ecosystem, including the restoration of the environment of the Park.

(4) The Special Use Permit Area is located within the northern boundary of the Park, which is critical to the protection and restoration of the Everglades, as well as to the cultural values of the Miccosukee Tribe.

(5) The interests of both the Miccosukee Tribe and the United States would be enhanced by a further delineation of the rights and obligations of each with respect to the Special Use Permit Area and to the Park as a whole.

(6) The amount and location of land allocated to the Tribe fulfills the purposes of the Park.

(7) The use of the Miccosukee Reserved Area by the Miccosukee Tribe does not constitute an abandonment of the Park.

16 USC 410 note. SEC. 3. PURPOSES.

The purposes of this Act are as follows:

PUBLIC LAW 105-313—OCT. 30, 1998

112 STAT. 2965

(1) To replace the special use permit with a legal framework under which the Tribe can live permanently and govern the Tribe's own affairs in a modern community within the Park.

(2) To protect the Park outside the boundaries of the Miccosukee Reserved Area from adverse effects of structures or activities within that area, and to support restoration of the South Florida ecosystem, including restoring the environment of the Park.

SEC. 4. DEFINITIONS.

16 USC 410 note.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) EVERGLADES.—The term “Everglades” means the areas within the Florida Water Conservation Areas, Everglades National Park, and Big Cypress National Preserve.

(3) FEDERAL AGENCY.—The term “Federal agency” means an agency, as that term is defined in section 551(1) of title 5, United States Code.

(4) MICCOSUKEE RESERVED AREA; MRA.—

(A) IN GENERAL.—The term “Miccosukee Reserved Area” or “MRA” means, notwithstanding any other provision of law and subject to the limitations specified in section 6(d) of this Act, the portion of the Everglades National Park described in subparagraph (B) that is depicted on the map entitled “Miccosukee Reserved Area” numbered NPS-160/41,038, and dated September 30, 1998, copies of which shall be kept available for public inspection in the offices of the National Park Service, Department of the Interior, and shall be filed with appropriate officers of Miami-Dade County and the Miccosukee Tribe of Indians of Florida.

(B) DESCRIPTION.—The description of the lands referred to in subparagraph (A) is as follows: “Beginning at the western boundary of Everglades National Park at the west line of sec. 20, T. 54 S., R. 35 E., thence E. following the Northern boundary of said Park in T. 54 S., Rs. 35 and 36 E., to a point in sec. 19, T. 54 S., R. 36 E., 500 feet west of the existing road known as Seven Mile Road, thence 500 feet south from said point, thence west paralleling the Park boundary for 3,200 feet, thence south for 600 feet, thence west, paralleling the Park boundary to the west line of sec. 20, T. 54 S., R. 35 E., thence N. 1,100 feet to the point of beginning.”

(5) PARK.—The term “Park” means the Everglades National Park, including any additions to that Park.

(6) PERMIT.—The term “permit”, unless otherwise specified, means any federally issued permit, license, certificate of public convenience and necessity, or other permission of any kind.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior or the designee of the Secretary.

(8) SOUTH FLORIDA ECOSYSTEM.—The term “South Florida ecosystem” has the meaning given that term in section 528(a)(4) of the Water Resources Development Act of 1996 (Public Law 104-303).

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(9) SPECIAL USE PERMIT AREA.—The term “special use permit area” means the area of 333.3 acres on the northern boundary of the Park reserved for the use, occupancy, and governance of the Tribe under a special use permit before the date of the enactment of this Act.

(10) TRIBE.—The term “Tribe”, unless otherwise specified, means the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476), and recognized by the State of Florida pursuant to chapter 285, Florida Statutes.

(11) TRIBAL.—The term “tribal” means of or pertaining to the Miccosukee Tribe of Indians of Florida.

(12) TRIBAL CHAIRMAN.—The term “tribal chairman” means the duly elected chairman of the Miccosukee Tribe of Indians of Florida, or the designee of that chairman.

16 USC 410 note. SEC. 5. TRIBAL RIGHTS AND AUTHORITY ON THE MICCOSUKEE RESERVED AREA.

(a) SPECIAL USE PERMIT TERMINATED.—

(1) TERMINATION.—The special use permit dated February 1, 1973, issued by the Secretary to the Tribe, and any amendments to that permit, are terminated.

(2) EXPANSION OF SPECIAL USE PERMIT AREA.—The geographical area contained in the former special use permit area referred to in paragraph (1) shall be expanded pursuant to this Act and known as the Miccosukee Reserved Area.

(3) GOVERNANCE OF AFFAIRS IN MICCOSUKEE RESERVED AREA.—Subject to the provisions of this Act and other applicable Federal law, the Tribe shall govern its own affairs and otherwise make laws and apply those laws in the MRA as though the MRA were a Federal Indian reservation.

(b) PERPETUAL USE AND OCCUPANCY.—The Tribe shall have the exclusive right to use and develop the MRA in perpetuity in a manner consistent with this Act for purposes of the administration, education, housing, and cultural activities of the Tribe, including commercial services necessary to support those purposes.

(c) INDIAN COUNTRY STATUS.—The MRA shall be—

(1) considered to be Indian country (as that term is defined in section 1151 of title 18, United States Code); and

(2) treated as a federally recognized Indian reservation solely for purposes of—

(A) determining the authority of the Tribe to govern its own affairs and otherwise make laws and apply those laws within the MRA; and

(B) the eligibility of the Tribe and its members for any Federal health, education, employment, economic assistance, revenue sharing, or social welfare programs, or any other similar Federal program for which Indians are eligible because of their—

(i) status as Indians; and

(ii) residence on or near an Indian reservation.

(d) EXCLUSIVE FEDERAL JURISDICTION PRESERVED.—The exclusive Federal legislative jurisdiction as applied to the MRA as in effect on the date of the enactment of this Act shall be preserved. The Act of August 15, 1953, 67 Stat. 588, chapter 505 and the amendments made by that Act, including section 1162 of title

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18, United States Code, as added by that Act and section 1360 of title 28, United States Code, as added by that Act, shall not apply with respect to the MRA.

(e) OTHER RIGHTS PRESERVED.—Nothing in this Act shall affect any rights of the Tribe under Federal law, including the right to use other lands or waters within the Park for other purposes, including, fishing, boating, hiking, camping, cultural activities, or religious observances.

SEC. 6. PROTECTION OF EVERGLADES NATIONAL PARK.

16 USC 410 note.

(a) ENVIRONMENTAL PROTECTION AND ACCESS REQUIREMENTS.—

(1) IN GENERAL.—The MRA shall remain within the boundaries of the Park and be a part of the Park in a manner consistent with this Act.

(2) COMPLIANCE WITH APPLICABLE LAWS.—The Tribe shall be responsible for compliance with all applicable laws, except as otherwise provided by this Act.

(3) PREVENTION OF DEGRADATION; ABATEMENT.—

(A) PREVENTION OF DEGRADATION.—Pursuant to the requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Tribe shall prevent and abate degradation of the quality of surface or groundwater that is released into other parts of the Park, as follows:

(i) With respect to water entering the MRA which fails to meet applicable water quality standards approved by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), actions of the Tribe shall not further degrade water quality.

(ii) With respect to water entering the MRA which meets applicable water quality standards approved by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Tribe shall not cause the water to fail to comply with applicable water quality standards.

(B) PREVENTION AND ABATEMENT.—The Tribe shall prevent and abate disruption of the restoration or preservation of the quantity, timing, or distribution of surface or groundwater that would enter the MRA and flow, directly or indirectly, into other parts of the Park, but only to the extent that such disruption is caused by conditions, activities, or structures within the MRA.

(C) PREVENTION OF SIGNIFICANT PROPAGATION OF EXOTIC PLANTS AND ANIMALS.—The Tribe shall prevent significant propagation of exotic plants or animals outside the MRA that may otherwise be caused by conditions, activities, or structures within the MRA.

(D) PUBLIC ACCESS TO CERTAIN AREAS OF THE PARK.—The Tribe shall not impede public access to those areas of the Park outside the boundaries of the MRA, and to and from the Big Cypress National Preserve, except that the Tribe shall not be required to allow individuals who are not members of the Tribe access to the MRA other than Federal employees, agents, officers, and officials (as provided in this Act).

(E) PREVENTION OF SIGNIFICANT CUMULATIVE ADVERSE ENVIRONMENTAL IMPACTS.—

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Deadline.

(i) IN GENERAL.—The Tribe shall prevent and abate any significant cumulative adverse environmental impact on the Park outside the MRA resulting from development or other activities within the MRA.

(ii) PROCEDURES.—Not later than 12 months after the date of the enactment of this Act, the Tribe shall develop, publish, and implement procedures that shall ensure adequate public notice and opportunity to comment on major tribal actions within the MRA that may contribute to a significant cumulative adverse impact on the Everglades ecosystem.

(iii) WRITTEN NOTICE.—The procedures in clause (ii) shall include timely written notice to the Secretary and consideration of the Secretary's comments.

Deadline.

(F) WATER QUALITY STANDARDS.—

(i) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Tribe shall adopt and comply with water quality standards within the MRA that are at least as protective as the water quality standards for the area encompassed by Everglades National Park approved by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(ii) TRIBAL WATER QUALITY STANDARDS.—The Tribe may not adopt water quality standards for the MRA under clause (i) that are more restrictive than the water quality standards adopted by the Tribe for contiguous reservation lands that are not within the Park.

(iii) EFFECT OF FAILURE TO ADOPT OR PRESCRIBE STANDARDS.—In the event the Tribe fails to adopt water quality standards referred to in clause (i), the water quality standards applicable to the Everglades National Park, approved by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), shall be deemed to apply by operation of Federal law to the MRA until such time as the Tribe adopts water quality standards that meet the requirements of this subparagraph.

(iv) MODIFICATION OF STANDARDS.—If, after the date of the enactment of this Act, the standards referred to in clause (iii) are revised, not later than 1 year after those standards are revised, the Tribe shall make such revisions to water quality standards of the Tribe as are necessary to ensure that those water quality standards are at least as protective as the revised water quality standards approved by the Administrator.

(v) EFFECT OF FAILURE TO MODIFY WATER QUALITY STANDARDS.—If the Tribe fails to revise water quality standards in accordance with clause (iv), the revised water quality standards applicable to the Everglades Park, approved by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) shall be deemed to apply by operation of Federal law to the MRA until such time as the Tribe adopts water quality standards that are at least as protective as

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the revised water quality standards approved by the Administrator.

(G) NATURAL EASEMENTS.—The Tribe shall not engage in any construction, development, or improvement in any area that is designated as a natural easement.

(b) HEIGHT RESTRICTIONS.—

(1) RESTRICTIONS.—Except as provided in paragraphs (2) through (4), no structure constructed within the MRA shall exceed the height of 45 feet or exceed 2 stories, except that a structure within the Miccosukee Government Center, as shown on the map referred to in section 4(4), shall not exceed the height of 70 feet.

(2) EXCEPTIONS.—The following types of structures are exempt from the restrictions of this section to the extent necessary for the health, safety, or welfare of the tribal members, and for the utility of the structures:

- (A) Water towers or standpipes.
- (B) Radio towers.
- (C) Utility lines.

(3) WAIVER.—The Secretary may waive the restrictions of this subsection if the Secretary finds that the needs of the Tribe for the structure that is taller than structures allowed under the restrictions would outweigh the adverse effects to the Park or its visitors.

(4) GRANDFATHER CLAUSE.—Any structure approved by the Secretary before the date of the enactment of this Act, and for which construction commences not later than 12 months after the date of the enactment of this Act, shall not be subject to the provisions of this subsection.

(5) MEASUREMENT.—The heights specified in this subsection shall be measured from mean sea level.

(c) OTHER CONDITIONS.—

(1) GAMING.—No class II or class III gaming (as those terms are defined in section 4 (7) and (8) of the Indian Gaming Regulatory Act (25 U.S.C. 2703 (7) and (8))) shall be conducted within the MRA.

(2) AVIATION.—

(A) IN GENERAL.—No commercial aviation may be conducted from or to the MRA.

(B) EMERGENCY OPERATORS.—Takeoffs and landings of aircraft shall be allowed for emergency operations and administrative use by the Tribe or the United States, including resource management and law enforcement.

(C) STATE AGENCIES AND OFFICIALS.—The Tribe may permit the State of Florida, as agencies or municipalities of the State of Florida to provide for takeoffs or landings of aircraft on the MRA for emergency operations or administrative purposes.

(3) VISUAL QUALITY.—

(A) IN GENERAL.—In the planning, use, and development of the MRA by the Tribe, the Tribe shall consider the quality of the visual experience from the Shark River Valley visitor use area, including limitations on the height and locations of billboards or other commercial signs or other advertisements visible from the Shark Valley visitor center, tram road, or observation tower.

- (B) EXEMPTION OF MARKINGS.—The Tribe may exempt markings on a water tower or standpipe that merely identify the Tribe.
- (d) EASEMENTS AND RANGER STATION.—Notwithstanding any other provision of this Act, the following provisions shall apply:
- (1) NATURAL EASEMENTS.—
- (A) IN GENERAL.—The use and occupancy of the MRA by the Tribe shall be perpetually subject to natural easements on parcels of land that are—
- (i) bounded on the north and south by the boundaries of the MRA, specified in the legal description under section 4(4); and
- (ii) bounded on the east and west by boundaries that run perpendicular to the northern and southern boundaries of the MRA, as provided in the description under subparagraph (B).
- (B) DESCRIPTION.—The description referred to in subparagraph (A)(ii) is as follows:
- (i) Easement number 1, being 445 feet wide with western boundary 525 feet, and eastern boundary 970 feet, east of the western boundary of the MRA.
- (ii) Easement number 2, being 443 feet wide with western boundary 3,637 feet, and eastern boundary 4,080 feet, east of the western boundary of the MRA.
- (iii) Easement number 3, being 320 feet wide with western boundary 5,380 feet, and eastern boundary 5,700 feet, east of the western boundary of the MRA.
- (iv) Easement number 4, being 290 feet wide with western boundary 6,020 feet, and eastern boundary 6,310 feet, east of the western boundary of the MRA.
- (v) Easement number 5, being 290 feet wide with western boundary 8,170 feet, and eastern boundary 8,460 feet, east of the western boundary of the MRA.
- (vi) Easement number 6, being 312 feet wide with western boundary 8,920 feet, and eastern boundary 9,232 feet, east of the western boundary of the MRA.
- (2) EXTENT OF EASEMENTS.—The aggregate extent of the east-west parcels of lands subject to easements under paragraph (1) shall not exceed 2,100 linear feet, as depicted on the map referred to in section 4(4).
- (3) USE OF EASEMENTS.—At the discretion of the Secretary, the Secretary may use the natural easements specified in paragraph (1) to fulfill a hydrological or other environmental objective of the Everglades National Park.
- (4) ADDITIONAL REQUIREMENTS.—In addition to providing for the easements specified in paragraph (1), the Tribe shall not impair or impede the continued function of the water control structures designated as “S-12A” and “S-12B”, located north of the MRA on the Tamiami Trail and any existing water flow ways under the Old Tamiami Trail.
- (5) USE BY DEPARTMENT OF THE INTERIOR.—The Department of the Interior shall have a right, in perpetuity, to use and occupy, and to have vehicular and airboat access to, the Tamiami Ranger Station identified on the map referred to in section 4(4), except that the pad on which such station is constructed shall not be increased in size without the consent of the Tribe.

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SEC. 7. IMPLEMENTATION PROCESS.

16 USC 410 note.

(a) **GOVERNMENT-TO-GOVERNMENT AGREEMENTS.**—The Secretary and the tribal chairman shall make reasonable, good faith efforts to implement the requirements of this Act. Those efforts may include government-to-government consultations, and the development of standards of performance and monitoring protocols.

(b) **FEDERAL MEDIATION AND CONCILIATION SERVICE.**—If the Secretary and the tribal chairman concur that they cannot reach agreement on any significant issue relating to the implementation of the requirements of this Act, the Secretary and the tribal chairman may jointly request that the Federal Mediation and Conciliation Service assist them in reaching a satisfactory agreement.

(c) **60-DAY TIME LIMIT.**—The Federal Mediation and Conciliation Service may conduct mediation or other nonbinding dispute resolution activities for a period not to exceed 60 days beginning on the date on which the Federal Mediation and Conciliation Service receives the request for assistance, unless the Secretary and the tribal chairman agree to an extension of period of time.

(d) **OTHER RIGHTS PRESERVED.**—The facilitated dispute resolution specified in this section shall not prejudice any right of the parties to—

- (1) commence an action in a court of the United States at any time; or
- (2) any other resolution process that is not prohibited by law.

SEC. 8. MISCELLANEOUS.

16 USC 410 note.

(a) **NO GENERAL APPLICABILITY.**—Nothing in this Act creates any right, interest, privilege, or immunity affecting any other Tribe or any other park or Federal lands.

(b) **NONINTERFERENCE WITH FEDERAL AGENTS.**—

(1) **IN GENERAL.**—Federal employees, agents, officers, and officials shall have a right of access to the MRA—

(A) to monitor compliance with the provisions of this Act; and

(B) for other purposes, as though it were a Federal Indian reservation.

(2) **STATUTORY CONSTRUCTION.**—Nothing in this Act shall authorize the Tribe or members or agents of the Tribe to interfere with any Federal employee, agent, officer, or official in the performance of official duties (whether within or outside the boundaries of the MRA) except that nothing in this paragraph may prejudice any right under the Constitution of the United States.

(c) **FEDERAL PERMITS.**—

(1) **IN GENERAL.**—No Federal permit shall be issued to the Tribe for any activity or structure that would be inconsistent with this Act.

(2) **CONSULTATIONS.**—Any Federal agency considering an application for a permit for construction or activities on the MRA shall consult with, and consider the advice, evidence, and recommendations of the Secretary before issuing a final decision.

(3) **RULE OF CONSTRUCTION.**—Except as otherwise specifically provided in this Act, nothing in this Act supersedes any requirement of any other applicable Federal law.

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(d) VOLUNTEER PROGRAMS AND TRIBAL INVOLVEMENT.—The Secretary may establish programs that foster greater involvement by the Tribe with respect to the Park. Those efforts may include internships and volunteer programs with tribal schoolchildren and with adult tribal members.

(e) SAVING ECOSYSTEM RESTORATION.—

(1) IN GENERAL.—Nothing in this Act shall be construed to amend or prejudice the authority of the United States to design, construct, fund, operate, permit, remove, or degrade canals, levees, pumps, impoundments, wetlands, flow ways, or other facilities, structures, or systems, for the restoration or protection of the South Florida ecosystem pursuant to Federal laws.

(2) USE OF NONEASEMENT LANDS.—

(A) IN GENERAL.—The Secretary may use all or any part of the MRA lands to the extent necessary to restore or preserve the quality, quantity, timing, or distribution of surface or groundwater, if other reasonable alternative measures to achieve the same purpose are impractical.

(B) SECRETARIAL AUTHORITY.—The Secretary may use lands referred to in subparagraph (A) either under an agreement with the tribal chairman or upon an order of the United States district court for the district in which the MRA is located, upon petition by the Secretary and finding by the court that—

(i) the proposed actions of the Secretary are necessary; and

(ii) other reasonable alternative measures are impractical.

(3) COSTS.—

(A) IN GENERAL.—In the event the Secretary exercises the authority granted the Secretary under paragraph (2), the United States shall be liable to the Tribe or the members of the Tribe for—

(i) cost of modification, removal, relocation, or reconstruction of structures lawfully erected in good faith on the MRA; and

(ii) loss of use of the affected land within the MRA.

(B) PAYMENT OF COMPENSATION.—Any compensation paid under subparagraph (A) shall be paid as cash payments with respect to taking structures and other fixtures and in the form of rights to occupy similar land adjacent to the MRA with respect to taking land.

(4) RULE OF CONSTRUCTION.—Paragraphs (2) and (3) shall not apply to a natural easement described in section 6(d)(1).

(f) PARTIES HELD HARMLESS.—

(1) UNITED STATES HELD HARMLESS.—

(A) IN GENERAL.—Subject to subparagraph (B) with respect to any tribal member, tribal employee, tribal contractor, tribal enterprise, or any person residing within the MRA, notwithstanding any other provision of law, the United States (including an officer, agent, or employee of the United States), shall not be liable for any action or failure to act by the Tribe (including an officer, employee, or member of the Tribe), including any failure to perform any of the obligations of the Tribe under this Act.

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(B) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to alter any liability or other obligation that the United States may have under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(2) **TRIBE HELD HARMLESS.**—Notwithstanding any other provision of law, the Tribe and the members of the Tribe shall not be liable for any injury, loss, damage, or harm that—

(A) occurs with respect to the MRA; and

(B) is caused by an action or failure to act by the United States, or the officer, agent, or employee of the United States (including the failure to perform any obligation of the United States under this Act).

(g) **COOPERATIVE AGREEMENTS.**—Nothing in this Act shall alter the authority of the Secretary and the Tribe to enter into any cooperative agreement, including any agreement concerning law enforcement, emergency response, or resource management.

(h) **WATER RIGHTS.**—Nothing in this Act shall enhance or diminish any water rights of the Tribe, or members of the Tribe, or the United States (with respect to the Park).

(i) **ENFORCEMENT.**—

(1) **ACTIONS BROUGHT BY ATTORNEY GENERAL.**—The Attorney General may bring a civil action in the United States district court for the district in which the MRA is located, to enjoin the Tribe from violating any provision of this Act.

(2) **ACTION BROUGHT BY TRIBE.**—The Tribe may bring a civil action in the United States district court for the district in which the MRA is located to enjoin the United States from violating any provision of this Act.

Approved October 30, 1998.

LEGISLATIVE HISTORY—H.R. 3055 (S. 1419):

HOUSE REPORTS: No. 105-708, Pt. 1 (Comm. on Resources).

SENATE REPORTS: No. 105-261 accompanying S. 1419 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD, Vol. 144 (1998):

Oct. 12, considered and passed House.

Oct. 15, considered and passed Senate.



PUBLIC LAW 108-483—DEC. 23, 2004

118 STAT. 3919

Public Law 108-483
108th Congress

An Act

To authorize the exchange of certain land in Everglades National Park.

Dec. 23, 2004

[H.R. 3785]

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

Florida.

SECTION 1. EVERGLADES NATIONAL PARK.

Section 102 of the Everglades National Park Protection and
Expansion Act of 1989 (16 U.S.C. 410r-6) is amended—

(1) in subsection (a)—

(A) by striking “The park boundary” and inserting
the following:

“(1) IN GENERAL.—The park boundary”;

(B) by striking “The map” and inserting the following:

“(2) AVAILABILITY OF MAP.—The map”; and

(C) by adding at the end the following:

“(3) ACQUISITION OF ADDITIONAL LAND.—

“(A) IN GENERAL.—The Secretary may acquire from
1 or more willing sellers not more than 10 acres of land
located outside the boundary of the park and adjacent
to or near the East Everglades area of the park for the
development of administrative, housing, maintenance, or
other park purposes.

“(B) ADMINISTRATION; APPLICABLE LAW.—On acquisi-
tion of the land under subparagraph (A), the land shall
be administered as part of the park in accordance with
the laws (including regulations) applicable to the park.”;
and

(2) by adding at the end the following:

“(h) LAND EXCHANGES.—

“(1) DEFINITIONS.—In this subsection:

“(A) ADMINISTRATOR.—The term ‘Administrator’ means
the Administrator of General Services.

“(B) COUNTY.—The term ‘County’ means Miami-Dade
County, Florida.

“(C) COUNTY LAND.—The term ‘County land’ means
the 2 parcels of land owned by the County totaling approxi-
mately 152.93 acres that are designated as ‘Tract 605-
01’ and ‘Tract 605-03’.

“(D) DISTRICT.—The term ‘District’ means the South
Florida Water Management District.

“(E) DISTRICT LAND.—The term ‘District land’ means
the approximately 1,054 acres of District land located in
the Southern Glades Wildlife and Environmental Area and
identified on the map as ‘South Florida Water Management
District Exchange Lands’.

PUBLIC LAW 111-11—MAR. 30, 2009

Public Law 111-11
111th Congress

An Act

To designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

Mar. 30, 2009
[H.R. 146]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Omnibus Public Land Management Act of 2009”.

Omnibus
Public Land
Management Act
of 2009.
16 USC 1 note.

SEC. 7107. EVERGLADES NATIONAL PARK.

Florida.
16 USC 410r-9.

(a) **INCLUSION OF TARPON BASIN PROPERTY.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **HURRICANE HOLE.**—The term “Hurricane Hole” means the natural salt-water body of water within the Duesenbury Tracts of the eastern parcel of the Tarpon Basin boundary adjustment and accessed by Duesenbury Creek.

(B) **MAP.**—The term “map” means the map entitled “Proposed Tarpon Basin Boundary Revision”, numbered 160/80,012, and dated May 2008.

(C) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(D) **TARPON BASIN PROPERTY.**—The term “Tarpon Basin property” means land that—

- (i) is comprised of approximately 600 acres of land and water surrounding Hurricane Hole, as generally depicted on the map; and
- (ii) is located in South Key Largo.

(2) **BOUNDARY REVISION.**—

(A) **IN GENERAL.**—The boundary of the Everglades National Park is adjusted to include the Tarpon Basin property.

(B) **ACQUISITION AUTHORITY.**—The Secretary may acquire from willing sellers by donation, purchase with donated or appropriated funds, or exchange, land, water, or interests in land and water, within the area depicted on the map, to be added to Everglades National Park.

(C) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(D) **ADMINISTRATION.**—Land added to Everglades National Park by this section shall be administered as part of Everglades National Park in accordance with applicable laws (including regulations).

(3) **HURRICANE HOLE.**—The Secretary may allow use of Hurricane Hole by sailing vessels during emergencies, subject to such terms and conditions as the Secretary determines to be necessary.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this subsection.

APPENDIX B: INTERIM 2011 COSTS AND STAFFING

COST SUMMARY OF THE ALTERNATIVES AS THEY EXISTED IN 2011

As part of the planning process for this general management plan, the National Park Service conducted extensive internal and external scoping to identify the issues and concerns that needed to be addressed in the planning effort. The alternatives that grew out of scoping were in turn subjected to internal review by multiple levels of NPS management. Additional assessment related to the cost and economic feasibility of new development at Everglades National Park, specifically at Flamingo and the park's site in Everglades City, was performed. The intent of this reassessment was to put park managers and the public in a position to work toward implementation of an achievable vision in the next 15 to 20 years.

Due to reassessment, the planning teams decided to scale back some of the proposed development features at Flamingo and Everglades City. These reductions were made primarily due to concerns about (a) the high cost of construction and operation, (b) the

vulnerability of the proposed developments to storm damage, and (c) the need to plan for projected sea level rise at both locations. Accordingly, the earlier proposals for Flamingo and the Everglades City site are no longer part of the action alternatives in the plan. Likewise, the cost and staffing estimates prepared in connection with the earlier proposals are no longer valid.

The table below presents cost and staffing information as it existed in 2011. This information is presented in order for the public to more fully understand the evolution of the costs and staffing associated with the plan. While the costs summarized below for the action alternatives were deemed feasible at the time they were developed, the reality of current and anticipated funding levels for the life of this plan (20 years) necessitated a reassessment of the alternatives, as discussed above.

The assumptions used in developing the table below are identical to those used in developing the cost table in the plan (see chapter 2).

Costs Summary of the Alternatives as They Existed in 2011

	Alternative 1 (No Action)	NPS Preferred	Alternative 2	Alternative 4
Annual Operating Costs (ONPS)	\$19,750,000	\$25,900,000	\$24,900,000	\$25,800,000
Staffing (FTE)	219	262.5	252.5	262.5
Total One-time Costs	\$65,000,000	\$110,200,000	\$106,750,000	\$107,950,000
Facility Costs	\$0	\$40,200,000	\$38,000,000	\$38,500,000
Nonfacility Costs	\$0	\$5,000,000	\$3,750,000	\$4,450,000
Other Costs				
Flamingo Redevelopment	\$65,000,000	\$65,000,000	\$65,000,000	\$65,000,000

The following explanatory notes pertain to table 2:

- Annual operating costs (ONPS) are the total costs per year for maintenance and operations associated with each alternative, including utilities, supplies, staff salaries and benefits, leasing, and other materials. Cost and staffing estimates assume that the alternative is fully implemented as described in the narrative (but see 8th bullet statement on the preceding page). For all alternatives annual operating costs includes staffing and other costs associated with Flamingo improvements.
- The staffing figure (total number of full-time equivalent [FTEs] employees) is the number of person-years of staff required to maintain the assets of the park at a productive level, provide acceptable visitor services, protect resources, and generally support park operations. The FTE number indicates ONPS-funded NPS staff only, not volunteer positions or positions funded by partners. FTE salaries and benefits are included in annual operating costs. (The 219 FTE figure for the no-action alternative equals 210 authorized positions plus 5 positions associated with operating an upgraded Flamingo [common to all alternatives]). The actual staffing level in 2012 was 195 FTE because funding was insufficient to fill all 210 authorized positions.
- Total one-time costs include facility costs, nonfacility costs, and other costs. They are calculated by summing the rows that follow in table 2.
- One-time facility costs include those for the design, construction, rehabilitation, or adaptive use of visitor centers, roads, parking areas, administrative facilities, comfort stations, educational facilities, entrance stations, fire stations, maintenance facilities, museum collection facilities, and other visitor facilities.
- One-time nonfacility costs include actions for the preservation of cultural or natural resources not related to facilities, the development of visitor use tools not related to facilities, and other park management activities that would require substantial funding above park annual operating costs. Examples include the seagrass restoration program and the boater education/permit program.
- Other costs are for projects that would be partially or wholly funded from other sources. Flamingo costs have been separated out in table 2 because (a) they make up a large share of the overall cost, and , and (b). they are common to every alternative, including alternative 1 (no-action). Costs for Flamingo redevelopment would likely be shared by donors and partners, including the concessioner.
- Land acquisition costs are not included in the cost estimates.

APPENDIX C: RELATIONSHIP OF THE GENERAL MANAGEMENT PLAN TO OTHER PLANNING EFFORTS—ADDITIONAL PLANS

This appendix is a continuation of the chapter 1 section titled “Relationship of the General Management Plan to Other Planning Efforts.”

NATIONAL PARK SERVICE PLANS

Everglades National Park Strategic Plan (2007–11)

The Strategic Plan for Everglades National Park is a five-year plan that includes a mission statement born out of the NPS Organic Act and the legislation that established and expanded the national park. It includes mission goals for the park that closely parallel NPS mission goals. It also includes objectives (measurable targets) to be achieved over a five-year time frame. Achievement of these targets demonstrates progress toward meeting the park’s mission goals. The desired conditions in this general management plan for Everglades National Park would provide the information necessary to update the Strategic Plan.

Everglades National Park Fire Management Plan

Everglades National Park Fire Management Plan is being updated, and the park expects to release a draft for public review in 2014. The fire management plan provides the guidance necessary for managing fire to safely achieve the management objectives of the park in accordance with applicable policies and regulations. Fire management is an integral part of the park’s natural and cultural resource management program. Managing the role of fire in park ecosystems is one of the highest natural resource management priorities given the presence of critically endangered species (including Cape Sable seaside sparrow),

threatened habitat (pine rockland savannas), more than 750,000 acres of designated terrestrial wilderness, and vast tracts of invasive nonnative vegetation. Managers must also consider the millions of residents and visitors near the park and the substantial infrastructure and historic properties that must be protected from wildland fire.

Everglades National Park Backcountry Management Plan (1981)

The *Everglades National Park Backcountry Management Plan* provides management guidance for the nearly 95% of Everglades National Park that is considered backcountry. It intends to provide opportunities for quality visitor experiences while protecting park resources. It also serves as an action plan for programming and budgeting. Portions of this plan will be superseded by a wilderness management plan to be developed after the general management plan for Everglades National Park is approved.

Everglades National Park Resource Management Plan (1991) and Resource Stewardship Strategy

Following approval of the general management plan, a resource stewardship strategy will be prepared for Everglades National Park. The resource stewardship strategy will replace the park’s resource management plan. The resource stewardship strategy will serve as a bridge between the desired conditions in the approved general management plan and the goals and implementation actions determined through park strategic planning. An important outcome will be comprehensive strategies for achieving or maintaining the desired

condition of each natural and cultural resource or value (e.g., wildlife populations and vegetation, archeological sites and cultural properties). Strategies will also be developed to gather basic data that is missing but needed to understand the natural variability of the park's natural resources.

Big Cypress National Preserve General Management Plan (1991)

The general management plan for Big Cypress National Preserve was completed in 1991. The preserve is north of the western portion of Everglades National Park. The preserve plan guides visitor use, natural and cultural resource management, and general development in Big Cypress National Preserve. An amendment to the original general management plan is being prepared and will likely be finished in late 2010 for the 147,000 acres added to the preserve by the Big Cypress National Preserve Addition Act of 1988. The amendment addresses management of the Addition and includes a wilderness study and off-road vehicle management plan. The *General Management Plan Amendment* for the Addition was approved in 2011. This general management plan for Everglades National Park is consistent with the management direction in the *Big Cypress National Preserve General Management Plan* and the *General Management Plan Amendment* for the Big Cypress National Preserve Addition lands.

Biscayne National Park General Management Plan

Biscayne National Park is developing a new general management plan to replace the plan approved in 1983. This planning effort is on a similar time line to the Everglades National Park General Management Plan. Coordination between the two parks on their respective general management plans is ongoing.

South Florida Parks Collections Management Plan (2007)

This multipark collections management plan defines the relationship, role, and responsibilities between Everglades National Park and the other south Florida national park system units, including the establishment of the multipark South Florida Collections Management Center, which Everglades National Park hosts and supports. This plan also establishes the vision, mission, goals, and objectives for the multipark museum program (which has an impact on Everglades National Park and its collections). The charter of the South Florida Collections Management Center has been approved by five superintendents, the regional curator, and the regional director. The location of Everglades National Park as a multipark repository for the five south Florida parks is also stated in the congressionally approved NPS Museum Collection Storage Strategy.

South Florida and Caribbean Parks Exotic Plant Management Plan and Environmental Impact Statement (2010)

The plan outlines the management of invasive nonnative plants in nine south Florida and Caribbean parks, including Everglades National Park. The plan promotes restoration of native plant communities and habitat conditions in ecosystems that have been infested by invasive nonnative plants and protects resources, values, visitors, staff, and area residents from adverse effects resulting from invasive nonnative plant presence and control activities. The plan takes a collaborative approach to managing invasive nonnative plants across the nine parks, improving effectiveness and efficiency and providing a consistent management framework for responding to this threat. The plan also seeks to establish plant and treatment location priorities, reduce new invasive nonnative plant introductions, and

reduce the number of individually targeted plants to protect natural resources.

U.S. FISH AND WILDLIFE SERVICE PLANS

Ten Thousand Islands National Wildlife Refuge Comprehensive Conservation Plan (2000)

This plan outlines an ecosystem approach to managing the national wildlife refuge, which is just north of the western portion of Everglades National Park. The plan includes desired future conditions and long-range guidance (goals, objectives, and strategies) for accomplishing the purpose of the wildlife refuge. This general management plan for Everglades National Park is consistent with the *Ten Thousand Islands National Wildlife Refuge Comprehensive Conservation Plan*.

Crocodile Lake National Wildlife Refuge Comprehensive Conservation Plan (2006)

This plan describes efforts to protect critical breeding and nesting habitat for the endangered American crocodile and other wildlife. The refuge, established in 1980, is in north Key Largo and is composed of 6,700 acres, including 650 acres of open water. The plan includes desired future conditions and long-range guidance (goals, objectives, and strategies) for fulfilling the refuge mission. This general management plan for Everglades National Park is consistent with *Crocodile Lake National Wildlife Refuge Comprehensive Conservation Plan*.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PLANS

Florida Keys National Marine Sanctuary Revised Management Plan (2007)

Florida Keys National Marine Sanctuary consists of coastal and ocean waters and submerged lands surrounding the Florida Keys. Its northeastern boundary intersects the boundary of the Everglades National Park, so the two management areas are part of the same south Florida ecosystem. The revised management plan replaced the 1996 sanctuary management plan and serves two main purposes: (1) it provides updates about the outcomes of successfully implemented management strategies; and (2) it disseminates useful information about the sanctuary and its management strategies, activities, and products. This general management plan for Everglades National Park is consistent with the revised management plan for Florida Keys National Marine Sanctuary.

STATE AGENCY PLANS

John Pennekamp Coral Reef State Park Management Plan (2004)

The management plan for Pennekamp Coral Reef State Park in Key Largo identifies goals and objectives for meeting its management responsibilities to protect natural and cultural resources associated with the nation's first underwater state park. The park comprises more than 63,000 acres near Everglades National Park's southeastern boundary in lower Florida Bay. This general management plan for Everglades National Park is consistent with the management plan for John Pennekamp Coral Reef State Park.

Conceptual Management Plan for the Everglades Complex of Wildlife Management Areas (2002)

The Everglades Complex is part of the Kissimmee-Okeechobee-Everglades basin. Through a cooperative management agreement with the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission has management authority over the Everglades Complex of Wildlife Management Areas (mainly lands in Water Conservation Areas 2 and 3, north of the eastern portion of Everglades National Park). The plan outlines management strategies that emphasize maintenance and restoration of plant and wildlife communities, public education and recreation, and habitat protection. The plan was considered during development of this general management plan for Everglades National Park.

Lignumvitae Key Aquatic Preserve Management Plan (1991)

Lignumvitae Key Aquatic Preserve lies in the Florida Keys, south of Everglades National Park. It includes expansive seagrass beds that are bisected by channels that exchange water between Florida Bay and the Atlantic Ocean. The management plan for the aquatic preserve is the primary tool for managing and protecting the preserve's natural resources. The preserve management plan was considered during development of this general management plan for Everglades National Park.

Rookery Bay National Estuarine Research Reserve Management Plan (draft 2008)

The Rookery Bay reserve is immediately north of Everglades National Park, adjacent to the park's Gulf Coast / Ten Thousand Islands area. The reserve contains 110,000 acres of mangrove forests, seagrass beds, saltwater

marshes, and other coastal and upland habitats. It is one of the few remaining sanctuaries for the federally threatened American crocodile. The reserve was designated in 1978 and expanded in 2000 to include the rest of the Rookery Bay Aquatic Preserve and Cape Romano-Ten Thousand Islands Aquatic Preserve. The reserve shares many natural and cultural resource management and visitor experience goals with Everglades National Park, and this general management plan will be consistent with the reserve's management plan, which is in the process of being updated.

Florida Keys Overseas Heritage Trail Master Plan (2000)

The vision for a 100-plus-mile trail connecting all of the Florida Keys was in response to public demand to use hundreds of old bridges for pedestrian and recreational activities. The bicycle and pedestrian trail parallels U.S. 1 from Key Largo to Key West, following Henry Flagler's historic railroad route. The trail links ecological resources such as Everglades and Biscayne national parks, Florida Keys and Key West national marine sanctuaries, and Great White Heron, Key Deer, and Crocodile Lake national wildlife refuges, as well as 10 state parks. This general management plan for Everglades National Park is consistent with the revised management plan for *Florida Keys Overseas Heritage Trail Master Plan*.

Florida Circumnavigation Saltwater Paddling Trail

The Florida Circumnavigation Saltwater Paddling Trail is a 1,515-mile sea kayaking trail around Florida. The trail is coordinated by the Office of Greenways and Trails (Florida Department of Environmental Protection), but numerous other government agencies at the federal, state, regional, and local levels, along with private outfitters, businesses, paddling clubs, and individual volunteers, are cooperators. Scouting for the trail concluded in 2007; most of the trail is now open. The trail

incorporates several local and regional trails such as the Big Bend Saltwater Paddling Trail, the Nature Coast Trail, and the Gulf and Wilderness waterways in Everglades National Park. The trail includes various Florida coastal habitat types, from barrier island dune systems to salt marsh to mangroves (FDEP 2009).

Planning for the Past: Preserving Florida's Heritage, 2006–10 (2006) and Preserving Florida's Heritage: More Than Orange Marmalade, Florida's Comprehensive Historic Preservation Plan, 2012–16 (2012)

Planning for the Past: Preserving Florida's Heritage (a plan published by the Florida Department of State, Division of Historical Resources) is designed to guide Florida's cultural heritage preservation efforts during 2006–10. *Preserving Florida's Heritage: More Than Orange Marmalade, Florida's Comprehensive Historic Preservation Plan*, was also published by the Florida Department of State, Division of Historical Resources to guide cultural heritage preservation efforts during 2012–16. These plans describe cultural heritage preservation issues, opportunities, goals, and strategies. The state historic preservation office plans to track implementation of and progress toward accomplishing the plans' goals and objectives. These plans are consistent with management guidance provided in this general management plan for Everglades National Park.

COUNTY AND LOCAL PLANS

Miami-Dade County Comprehensive Development Master Plan

Florida's Growth Management Act (1985) requires Florida's counties and municipalities to adopt local government comprehensive plans that guide future growth and development. Miami-Dade County adopted

its first plan, the *Miami-Dade County Comprehensive Development Master Plan*, in 1988 and has updated it as necessary. The various plan elements (land use, transportation, housing, conservation, recreation and open space, coastal management, etc.) provide the framework to guide future development while providing a variety of goals such as controlling urban expansion, promoting mass transit, conserving natural resources, encouraging appropriate kinds and locations of development and redevelopment, and maintaining agriculture. The county plan was considered during development of this general management plan for Everglades National Park, and will be considered as appropriate during implementation-level planning efforts.

Southeast Florida Regional Transportation Plan, 2035 (2010)

Various agencies within the three-county southeast Florida metropolitan area have developed a regional long-range transportation plan to outline how to meet the area's transportation needs through the year 2035. The plan will also be used to determine which projects are of highest priority from a regional standpoint. The regional transportation plan was considered during development of this general management plan for Everglades National Park.

Miami-Dade County Parks and Open Space System Master Plan (2008)

Miami-Dade County's Park and Open Space System Master Plan envisions that parks, public spaces, natural and cultural areas, streets, greenways, blueways, and trails can form the framework for a more sustainable community. The plan's vision provides a framework for outdoor recreation and environmental protection strategies to serve the more than two million residents of Miami-

Dade County. With Everglades National Park comprising a large portion of the county and the Open Space Plan outlining a way to create a seamless, sustainable system of parks, recreation, and conservation open spaces for this and future generations, there is clear consistency between the two planning efforts.

Biscayne-Everglades Greenway Master Plan (2010)

The cities of Homestead and Florida City, Miami-Dade County Park and Recreation Department, the South Florida Water Management District, Everglades and Biscayne national parks, the NPS Rivers, Trails and Conservation Assistance Program, as well as numerous organizations, local businesses, and citizens, have been working collaboratively since 2006 to develop a multipurpose trail and greenway to link south Miami-Dade communities with Biscayne and Everglades national parks. The greenway plan was considered during development of this general management plan for Everglades National Park.

River of Grass Greenway Feasibility Study and Master Plan (ongoing)

The purpose of the River of Grass Greenway Feasibility Study and Master Plan is to determine if it is feasible to create a greenway extending across the state from Krome Avenue (on the eastern edge of Everglades National Park near Miami) to the outskirts of Naples/ Marco Island, with a 3-mile spur to Everglades City and the Gulf Coast Visitor Center of Everglades National Park. The project will also develop a master plan for this effort. The greenway is envisioned as a

sustainable, 12- to 14-foot-wide corridor (separated from the highway) suitable for a range of nonmotorized recreation activities such as bicycling, walking, bird-watching, photography, fishing, and general enjoyment of the greater Everglades natural area. It would also provide opportunities for education, stewardship, and preservation of the area's environmental, historic, and cultural assets. The greenway would parallel the park and Tamiami Trail (U.S. 41) for more than 20 miles. The feasibility study and master plan, begun in 2009, is being developed in cooperation with the NPS Rivers and Trails Conservation Assistance Program and Everglades National Park. This general management plan for Everglades National Park is consistent with the vision for the River of Grass Greenway study.

Collier County Manatee Protection Plan (1995)

The purpose of this county plan is to provide county-wide protection for the manatee. The plan examines and provides criteria related to marina and boat facility shoreline and submerged land development, manatee-human interaction, habitat protection, educational programs, law enforcement, and intergovernmental coordination. Objectives include reducing the number of boat-related manatee mortalities, achieving sustainable manatee populations, protecting manatee habitat, and promoting safe boating and public awareness about manatees. The National Park Service will be coordinating with Collier County, as well as state and other federal agencies, in developing the manatee management plan for Everglades National Park (described in chapter 1 of this general management plan) while Collier County revises its Manatee Protection Plan.

APPENDIX D: IMPLEMENTATION PHASING OF THE NPS PREFERRED ALTERNATIVE

Actions in the NPS preferred alternative have been divided into three phases or priorities for implementation. The time frame for phase one is generally out to 2022. Actions in phase two and three would generally occur from 2022 and beyond. Factors that were considered in determining these phases are as follows:

- relevance to meeting NPS mission, park mission, and desired future conditions
- importance as identified by the NPS planning team
- importance as determined by public involvement efforts during the GMP process
- relative feasibility to implement given resource, funding, and other requirements
- anticipated high benefit to cost ratio (“bang for the buck”)

[Note: This is the phasing approach envisioned at the writing of this management plan; however, as circumstances change and opportunities arise over time, there could be adjustments to these phases. Also note that cost estimates associated with each phase do not include the approximately \$5.9 million in Flamingo improvements that would be incurred by the concessioner.]

Refer to the NPS preferred alternative for full descriptions of the elements listed in the phases below. For more detailed information regarding the scope of improvements see the NPS “Gulf Coast Visitors Contact Station and Ranger Station Value Analysis Report” (2012), the NPS *Flamingo Master Plan and Design Program* (dated June 2012).

PHASE I

Phase 1 includes elements that are important and feasible to implement with relatively modest staffing and funding support. Please note that not all funding sources have been identified at the time of this printing. This list is not in order of priority.

- GMP implementation advisory committee
- East Everglades private airboat permits and routes
- East Everglades concessions contracts
- User capacity monitoring (part also in phase 2)
- at Gulf Coast site – construct the new visitor center/concession facility, construct site improvements, and construct canoe/ kayak ramp
- GMP implemental rule making (initially through the Superintendent’s Compendium)
- boater education / permit program
- Florida Bay seagrass restoration program
- boating safety and resource protection plan
- enhanced paddling access at three sites
- Florida Bay pole/troll zone delineation, maps, guides
- actions associated with reopening Joe and Snag Bays as a backcountry area
- signs and markers to support resource protection and boater safety
- backcountry chickee campsites in Florida Bay and Gulf Coast (part also in phase 2)

- Homestead/Florida City interpretive/ orientation kiosk
- Royal Palm interpretive media improvements
- Long Pine Key campground improvements
- Hole-in-the-Donut visitor use interpretive media improvements
- main park road interpretive media improvements (part also in phase 2, partially implemented)
- private airboat launch facilities (part also in phase 3)
- Everglades Paddling Trail marking and interpretive/educational materials
- hiking and biking opportunity improvements
- Tamiami Trail paddling opportunity improvements
- Shark Valley improvements
- Wilderness Stewardship Plan

Resources required for phase 1:

10 FTE staff members (\$0.9 million)
\$12.2 million in facility, and program costs

PHASE 2

Phase 2 includes elements that are important to implement, but require substantial funding or other support not currently available or anticipated. This list is not in order of priority.

- South Florida Collections Management Center
- backcountry chickee campsites in Florida Bay and Gulf Coast (part also in phase 1)
- rehabilitate existing visitor center at Flamingo
- rehabilitate/restore 50 acres of landscape at camping loops B and C at Flamingo

- Anhinga Trail water flow restoration improvements
- East Everglades administrative complex (partially implemented)
- additional law enforcement housing (part also in phase 1)
- User capacity monitoring (part also in phase 1)
- at Gulf Coast site – remove existing visitor center, remove existing day use shelter, relocate most maintenance operations to Big Cypress National Preserve Maintenance Area, and construct new site improvements
- historic/cultural resources water trail interpretive/educational materials

Resources required for phase 2:

- 19.5 FTEs (\$1.8 million)
- \$18.5 million in facility and program costs

PHASE 3

Phase 3 includes elements that are important to implement but are contingent on other projects happening first. This list is not in order of priority.

- Daniel Beard Center and Robertson Building improvements
- Nike Missile Base site improvements
- private airboat launch facilities (part also in phase 1)
- commercial airboat site(s) modifications for park visitor use
- Chekika improvements
- Tamiami Trail operations consolidation/improvements
- Florida Keys information / orientation facility

- Key Largo ranger station / science center and/or Tarpon Basin improvements (partially implemented)

Resources required for phase 3:

- 5.5 FTEs (\$0.5 million)
- \$5.5 million in facility and program costs

APPENDIX E: LIST OF SPECIES NAMED IN THIS DOCUMENT WITH COMMON AND SCIENTIFIC NAMES

PLANTS

angadenia (*Angadenia sagrae*)
 Australian pine (*Casuarina equisetifolia*)
 beaksedge (*Rhynchospora* spp.)
 black mangrove (*Avicennia germinans*)
 black needlerush (*Juncus roemerianus*)
 black sedge (*Schoenus nigricans*)
 bladderwort (*Utricularia purpurea*)
 Blodgett's silverbush (*Argythamnia blodgettii*)
 blue water hyssop (*Bacopa caroliniana*)
 bluejoint panicgrass (*Panicum tenerum*)
 blue maidencane (*Amphicarpum* spp.)
 Brazilian pepper (*Schinus terebinthifolius*)
 buttonwood (*Conocarpus erecta*)
 cabbage palm (*Sabal palmetto*)
 Cape Sable thoroughwort (*Chromolaena frustrata*)
 cocoplum (*Chrysobalanus icaco*)
 common spikebrush (*Eleocharis cellulosa*)
 coontie (*Zamia pumila*)
 crenulate lead-plant (*Amorpha crenulata*)
 cypress (*Taxodium distichum*)
 dahoon holly (*Ilex cassine*)
 Deltoid spurge (*Chamaesyce deltoidea* ssp. *Deltoidea*)
 devil's claw (*Pisonia aculeata*; armed with wicked spines)
 firegrass (*Andropogon cabanisii*)
 Florida pineland crabgrass (*Digitaria pauciflora*)
 Florida prairie clover (*Dalea carthagenensis* v. *floridana*)
 Garber's spurge (*Chamaesyce garberi*)
 glasswort (*Salicornia* spp.)
 gumbo limbo (*Bursera simaruba*)
 hackberry (*Celtis laevigata*)
 Jamaica dogwood (*Piscidia piscipula*)
 lancewood (*Nectandra coriacea*)
 lantana (*Lantana involucrata*)
 large reed (*Neyraudia* sp.)
 lather leaf (*Colubrina asiatica*)
 live oak (*Quercus virginiana*)
 lygodium (*Lygodium microphyllum*)
 maidencane (*Panicum hemitomon*)
 manatee grass (*Syringodium filiforme*)
 mastic (*Mastichodendron foetidissimum*)
 melaleuca (*Melaleuca quinquenervia*)
 mermaid weed (*Proserpinaca palustris*)
 muhly grass (*Muhlenbergia capillaris*)
 panic grass (*Panicum dichotomum*)
 pineland clustervine (*Jacquemontia curtissii*)
 Pineland sandmat (*Chamaesyce deltoidea pinetorum*)
 poisonwood (*Metopium toxiferum*)
 pond cypress (*Taxodium ascendens*)
 pondapple (*Annona glabra*)
 red bay (*Persea borbonia*)
 red mangrove (*Rhizophora mangle*)
 royal palm (*Roystonea elata*)
 salt grass (*Distichlis spicata*),
 saltwort (*Batis maritima*)
 saw palmetto (*Serenoa repens*)
 sawgrass (*Cladium jamaicense*)
 sea grape (*Coccoloba uvifera*)
 sea lavender (*Limonium carolinianum*)
 sea oats (*Uniola paniculata*)
 sea purslane (*Sesuvium portulacastrum*)
 shoal grass (*Halodule wrightii*)
 shortleaf basketgrass (*Oplismenus setarius*)
 slash pine, south Florida variety of (*Pinus elliottii* var. *densa*)
 smooth cordgrass (*Spartina alterniflora*)
 spikerush (*Eleocharis* spp.)
 St. John's wort (*Hypericum perforatum*)
 strangler fig (*Ficus aurea*)
 sweet bay (*Magnolia virginiana*)
 turtle grass (*Thalassia testudinum*)
 Virginia creeper (*Parthenocissus quinquefolia*)
 wax myrtle (*Myrica cerifera*)
 West Indian bluestem (*Schizachyrium semiberbe*)
 white mangrove (*Laguncularia racemosa*)
 white stopper (*Eugenia axillaris*)
 white top sedge (*Dichromena colorata*)
 wild coffee (*Psychotria nervosa*)
 wild tamarind (*Lysiloma latisiliqua*)
 willow (*Salix caroliniana*)
 willow bustic (*Bumelia salicifolia*)

MAMMALS

black bear (*Ursus americanus*)
bonnethead (*Sphyrna tiburo*)
bottlenose dolphin (*Tursiops truncatus*)
cotton mice (*Peromyscus gossypinus*)
Florida bonneted bat (*Eumops glaucinus floridanus*)
Florida panther (*Puma concolor coryi*)
Florida water rat (*Neofiber alleni*)
fox squirrel (*Sciurus niger avicennia*),
golden mice (*Ochrotomys nuttalli*)
Jamaican fruit bat (*Artibeus jamaicensis*)
Key deer (*Odocoileus virginianus clavium*)
manatee (*Trichechus manatus latirostris*)
mangrove fox squirrel (*Sciurus niger*)
marsh rabbit (*Sylvilagus palustris*),
mastiff bat (*Eumops glaucinus floridanus*)
muskrat (*Ondatra zibethica*)
opossum (*Didelphis virginiana*)
raccoon (*Procyon lotor*)
rice rat (*Oryzomys palustris*).
river otter (*Lutra canadensis*)
southeastern shrew (*Sorex longirostris*)
striped skunk (*Mephitis mephitis*)
white-tailed deer (*Odocoileus virginianus*)

BIRDS

American bittern (*Botaurus lentiginosus*)
anhinga (*Anhinga anhinga*)
Antillean nighthawk (*Chordeiles gundlachii*)
Audubon's crested caracara (*Caracara cheriway* or *Polyborus plancus audubonii*)
belted kingfisher (*Megasceryle alcyon*)
blue-gray gnatcatcher (*Poliophtila caerulea*)
boat-tailed grackle (*Quiscalus major*)
Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*)
Carolina wren (*Thryothorus ludovicianus*)
cattle egret (*Bubulcus ibis*)
clapper rail (*Rallus longirostris*)
common yellowthroat (*Geothlypis trichas*)
common yellowthroat red-winged blackbird (*Agelaius phoeniceus*)
Cuban yellow warbler (*Dendroica petechia gundlachi*)
double-crested cormorant (*Phalacrocorax auritus*)

egret (*Egretta* spp.)
elegant Caspian tern (*Sterna caspia*)
Everglade snail kite (*Rostrhamus sociabilis plumbeus*)
frigatebird (*Fregata magnificens*)
glossy ibis (*Plegadis falcinellus*)
gray kingbird (*Tyrannus dominicensis*)
great blue heron (*Ardea herodias*)
great egret (*Casmerodius albus*)
greater Antillean subspecies of the mourning dove (*Zenaida m. macroura*)
green-backed heron (*Butorides striatus*)
king rail (*Rallus elegans*)
Kirtland's warbler (*Dendroica kirtlandii*)
least bittern (*Ixobrychus exilis*)
limpkin (*Aramus guarauna*)
long-billed marsh wren (*Cistothorus palustris*)
mangrove cuckoo (*Coccyzus minor*)
marsh wren (*Cistothorus palustris*)
Mississippi kite (*Ictinia mississippiensis*)
northern cardinal (*Cardinalis cardinalis*)
pine warbler (*Dendroica pinus*)
piping plover (*Charadrius melodus*)
popular brown pelican (*Pelecanus fuscus*)
raucous laughing gull (*Larus atricilla*)
red-cockaded woodpecker (*Picoides borealis*)
red-shouldered hawk (*Buteo lineatus*)
roseate spoonbill (*Platalea ajaja*)
roseate tern (*Sterna dougallii dougallii*)
seaside sparrow (*Ammodramus maritimus* ssp.)
smooth-billed ani (*Crotophaga ani*)
Swainson's warbler (*Limnethlypis swainsonii*)
swallow-tailed kite (*Elanoides forficatus*)
West Indian cave swallow (*Hirundo f. fulva*)
white-crowned pigeon (*Columba leucocephala*)
white ibis (*Eudocimus albus*)
wood stork (*Mycteria americana*)

REPTILES AND AMPHIBIANS

American alligator (*Alligator mississippiensis*)
American crocodile (*Crocodylus acutus*)
aquatic salamander called "sirens" (*Amphiuma means*)
bark anole (*Anolis distichus*)
bird-voiced tree frog (*Hyla avivoca*)
black racer (*Coluber constrictor*)

brown anole (*Anolis sagrei*)
bufo toad (*Bufo terrestris*)
bullfrog (*R. catesbeiana*)
Burmese python (*Python molarus bivittatus*)
cottonmouth (*Agkistrodon piscivorus*)
Cuban treefrog (*Hyla septentrionalis*)
diamondback terrapin (*Malaclemys terrapin*)
dwarf siren (*Pseudobranchius striatus*)
eastern indigo snake (*Drymarchon corais couperi*)
fire-bellied newt (*Cynops orientalis*)
Florida cooter (*Chrysemys floridana*)
Florida kingsnake (*Lampropeltis getulus*)
four-toed salamander (*Hemidactylium scutatum*)
glossy crayfish snake (*Regina rigida*)
green anole (*Anolis carolinensis*)
green sea turtle (*Chelonia mydas*)
green treefrog (*Hyla cinerea*)
green water snake (*Nerodia cyclopion*)
greenhouse frog (*Eleutherodactylus planirostris*)
hawksbill sea turtle (*Eretmochelys imbricata*)
Kemp's ridley sea turtle (*Lepidochelys kempi*)
leatherback sea turtle (*Dermochelys coriacea*)
leopard frog (*Rana sphenoccephala*)
loggerhead sea turtle (*Caretta caretta*)
marbled salamander (*Ambystoma opacum*)
Miami black-headed snake (*Tantilla oolitica*)
mud snake (*Farancia abacura*)
mud turtle (*Kinosternon obauri* and *K. subrubrum*)
musk turtle (*Sternotherus odoratus*)
pig frog (*R. grylio*)
rainbow snake (*F. erythrogramma*)
red-bellied turtle (*C. nelsoni*).
reef gecko (*Sphaerodactylus notatus*)
rough green snake (*Opheodrys aestivus*)
salt marsh snake (*Nerodia fasciata clarkii*)
striped crayfish snake (*Regina alleni*)
swamp snake (*Seminatrix pygaea*)

FISHES

Bay anchovy (*Anchoa mitchilli*)
black acara (*Cichlasoma bimaculatum*)
blue tilapia (*Tilapia niloticus*)
bluespotted sunfish (*Enneacanthus gloriosus*).
bonefish (*Albula vulpes*)

brown hoplosternum (*Hoplosternum littorale*)
flagfish (*Jordanella floridae*)
Florida gar (*Lepisosteus platyrhincus*)
Florida pompano (*Trachinotus carolinus*)
golden topminnow (*Fundulus chrysotus*)
gray snapper (*L. griseus*)
jaguar guapote (*Cichlasoma managuense*)
jewel cichlid (*Hemichromis spp.*)
lane snapper (*L. synagris*)
largemouth bass (*Micropterus salmoides*),
least killifish (*Heterandria formosa*)
lemon shark (*Negaprion brevirostris*)
Mayan cyclid (*Cichlasoma urophthalmus*)
mosquitofish (*Gambusia spp.*)
mullet (*Mugil spp.*)
mutton snapper (*Lutjanus analis*)
nurse shark (*Ginglymostoma cirratum*)
oscar (*Astronotus ocellatus*)
pike killifish (*Belonesox belizanus*)
pinfish (*Lagodon rhomboides*)
pirate perch (*Aphredoderus sayanus*)
pygmy sunfish (*Elassoma spp.*)
redecor sunfish (*Lepomis microlophus*)
sea trout (*Salmo trutta*)
smalltooth sawfish (*Pristis pectinata*)
snook (*Centropomus undecimalis*)
Spanish sardine (*Sardinella aurita*)
spot (*Leiostomus xanthurus*)
spotted seatrout (*Cynoscion nebulosus*)
tarpon (*Megalops atlanticus*)
walking catfish (*Clarias batrachus*)
warmouth (*Lepomis gulosus*)
yellow bullhead (*Ameiurus natalis*)
yellowtail snapper (*Ocyurus chrysurus*)

INVERTEBRATES

apple snail (*Pomacea paludosa*)
atala (*Eumaeus atala*)
blue crab (*Callinectes sapidus*)
eastern oyster (*Crassostrea virginica*)
Florida tree snail (*Ligus fasciatus*)
marsh crab (*Sesarma spp.*)
Miami blue butterfly (*Cyclargus thomasi bethunebakeri*)
midge (the aquatic insects *Chironomidae* and *Ceratopogonidae*)
planthopper (*Prokelesia spp.*)

prawn (freshwater shrimp, *Macrobrachium*
spp.)
queen conch (*Strombus gigas*)
Schaus swallowtail (*Heraclides aristodemus*
ponceanus)

snail (*Littorina* and *Melampus* spp.)
Stock Island tree snail (*Orthalicus reses reses*)
stone crab (*Menippe mercenaria*)

APPENDIX F: FLOODPLAIN STATEMENT OF FINDINGS

INTRODUCTION

The “Statement of Findings” includes the rationale for the location of a proposed action (building a new visitor center at the NPS Gulf Coast administrative site) in the floodplain, the continued use of existing park infrastructure and development within the floodplain, and to document the anticipated effects on floodplain values. The proposed visitor center and related improvements are elements of the NPS preferred alternative in the *Everglades General Management Plan*.


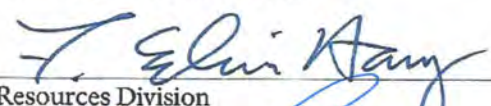
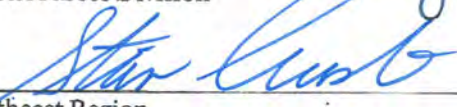
It is NPS policy to preserve floodplain values and minimize potentially hazardous conditions associated with flooding. If a

proposed action is found to be in an applicable regulatory floodplain and relocating the action to a nonfloodplain site is considered not to be a viable alternative, then flood conditions and associated hazards must be quantified as a basis for management decision making and a formal Statement of Findings must be prepared. The Statement of Findings must describe the rationale for selection of a floodplain site, disclose the amount of risk associated with the chosen site, and explain flood mitigation plans. The Statement of Findings will generally be available for public review and comment by including it in applicable National Environmental Policy Act compliance documentation.

STATEMENT OF FINDINGS
FOR
EXECUTIVE ORDER 11988 FLOODPLAIN MANAGEMENT

EXISTING AND PROPOSED SITE DEVELOPMENT

EVERGLADES NATIONAL PARK
FLORIDA

Recommended: 	4/24/15
Superintendent, Everglades National Park	Date
Concurred: 	4/28/15
Chief, Water Resources Division	Date
Approved: 	5/18/15
Director, Southeast Region	Date

The above signatures certify that this document is technically adequate and consistent with NPS policy.

INTRODUCTION

Executive Order 11988, “Floodplain Management” requires the National Park Service (NPS) and other federal agencies to evaluate the likely impacts of actions in floodplains. The objectives of the executive order is to avoid to the extent possible the long-term and short-term adverse impacts associated with occupancy, modification, or destruction of floodplains and to avoid indirect support of development and new construction in such areas wherever there is a practicable alternative.

The NPS guidelines for compliance with Executive Order 11988 allow construction within a 100-year floodplain for recreational facilities such as parking and trails. The guidelines also state that in coastal areas structures can only be placed in the coastal high hazard area when the structures or facilities are for management and legislated use of the affected area. The guidelines go on to state that “their placement and construction shall be at locations least likely to be affected by the actions of coastal storms and flooding.” The purpose of this Statement of Findings is to present the rationale for the location of a proposed action (building a new visitor center at the NPS Gulf Coast administrative site) in the floodplain, the continued use of existing park infrastructure and development within the floodplain, and to document the anticipated effects on floodplain values.

PROPOSED ACTION

The National Park Service would propose to implement the NPS preferred alternative of the *Final General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement*. The most significant action in the preferred alternative with respect to new development is the construction of the Marjory Stoneman Douglas Visitor Center and related improvements at the Gulf Coast

administrative site. Construction of the visitor center was included in park legislation.

The proposed action would be to replace the existing 45-year-old wood-frame visitor center. The new building would incorporate innovative design to achieve net zero energy use. It would be a concrete modular design prefabricated at a facility 131 miles from the park and transported to the site. Earlier environmental analysis documented that there are no wetlands in the Gulf Coast site (NPS 1990). Because no wetlands would be impacted by this project, this Statement of Findings is for floodplains only.

The proposed action has been designed to meet the needs of the increasing numbers of visitors to the Gulf Coast area of the park, to enhance the quality of their experiences there, and to ensure safety and improved efficiency of management and operations. Previously, the National Park Service prepared and made available for public review the *Gulf Coast Development Concept Plan and Environmental Assessment* (DCP) that documented the alternatives considered for development at the Gulf Coast administrative site of Everglades National Park (NPS 1990). The *Gulf Coast Development Concept Plan and Environmental Assessment* assessed alternative planning strategies and potential environmental impacts of implementation. The current project proposal is slightly different from that described in the 1990 *Gulf Coast Development Concept Plan and Environmental Assessment*, so this Statement of Findings supersedes the 1990 version.

No alternatives have been carried forward other than construction. Moving administrative functions off-site was considered and rejected because it would not be as cost-effective or efficient operationally as the proposed project. The existing facilities were constructed on the same site in Everglades City where President Truman dedicated the park in 1947. In 1989, Congress

called for construction of the Marjory Stoneman Douglas Visitor Center at this site (see appendix A), and Ms. Douglas attended the dedication there. This establishes extraordinary context to interpret and educate visitors, as well as implementing the will of Congress.

FLOODPLAINS WITHIN THE EVERGLADES GULF COAST PROJECT AREA

The Everglades Gulf Coast administrative site is a 20-acre site within Everglades City and outside Everglades National Park boundary proper. The site was purchased by the National Park Service in 1959 for the development of park administrative and visitor use facilities. The administrative site is composed primarily of filled land built up in the past 30 years by dredging sand into a swampy area previously used as a city dump.

The floodplains of Everglades City in Collier County, Florida, were mapped in 1986 by the Federal Emergency Management Agency. About 25% of Everglades City is within the “coastal flood with velocity hazard (wave action)” zone (coastal high hazard area); the rest of the city is within the base elevation for 100-year flooding.

The Gulf Coast site is in an area that has been filled to approximately 5 feet above mean sea level and is completely within the coastal high hazard area zone VE, with a base flood elevation of 13 feet. The coastal high hazard area is an area where high winds, high waves, and tidal flooding can be expected. At the Gulf Coast site, the combined storm surge and wave elevation is 13 feet above mean sea level. In recent years several storms (hurricanes or tropical depressions) have required personnel and equipment evacuation and closure of the facilities. These storms, coupled with high tides and westerly winds, have caused minor flooding at the Gulf Coast site. Most of the damage to the facilities at Gulf Coast has been wind induced.

The Proposal in Relation to Floodplains

The major Gulf Coast development actions called for in the GMP preferred alternative are constructing a new visitor center and concession facility, improving the parking area, and building a new canoe/kayak ramp and launch. Approximately 8 acres of land would be used for the total site development and planted with turf grass as exists at the current site.

The planned structures and facilities are limited to those necessary to meet the minimum needs for visitor use projected for the next several years to provide a quality visitor experience while minimizing impacts on the park’s resources and site management. The planned construction actions would occur in areas of the site already impacted with development, therefore not introducing significant new impacts on floodplain values.

The site, being totally within the coastal high hazard area, could potentially have floodwater elevations as deep as 13 feet. The design of new structures would incorporate methods for minimizing storm damage as contained in the National Flood Insurance Program’s Floodplain Management Criteria for Flood-Prone Areas (44 CFR section 60.3) and in accordance with local, county, or state requirements for flood-prone areas.

The proposed replacement of the existing visitor center at a new site within the coastal high hazard area would have floor elevations above the combined storm surge and wave height calculated for the site. The space below the lowest floor would be free of obstructions to minimize impact on the structure by abnormally high tides and wind-driven water (storm surges).

Interpretation and natural resources management would emphasize perpetuation of floodplain and wetland values. The park staff would actively assist private landowners and federal, state, and local regulatory agencies in protecting wetlands that are

outside the park boundary, but whose use may affect park resources. Moreover, wetlands and floodplains would be used for their educational, recreational, and scientific qualities through expanded interpretive programs and possibly research emphasis.

JUSTIFICATION FOR CONTINUED USE OF THE FLOODPLAIN

Most of Everglades National Park is in 100-year or 500-year floodplains. Park development and public use at the main developed areas including Headquarters/Pine Island, Shark Valley, Key Largo, Chekika, the Tamiami Trail Ranger Station, Flamingo, Gulf Coast, and along the main park road have been in place for many years.

Actions proposed in the NPS preferred alternative include the retention or replacement of existing visitor services and park operation facilities within floodplains, as well as restoration of previously impacted areas within floodplains as is the case in the East Everglades Addition and at the Tamiami Trail Ranger Station. The preferred alternative does not propose any new development outside of previously developed areas in the floodplain. The justification for retaining these structures in the 100-year floodplain is as follows:

- The Gulf Coast site is the only land-based access to the park on the west coast of Florida, providing access for the public and park staff to Ten Thousand Islands, Wilderness Waterway, Gulf of Mexico, and Florida Bay. The facilities are historically and functionally dependent on their locations. Moving the entire administrative and visitor services site out of the floodplains would be cost-prohibitive and may not meet the will of Congress.
- Relocating existing facilities, infrastructure, and services at the main

developed areas in the park may be infeasible and very costly, both financially and from a level and quality of service perspective.

- All existing infrastructure and development within the park is on disturbed ground. Moving and attempting to relocate existing visitor services and park operations facilities within or outside the park would likely result in adverse impacts and the loss of other natural resource values in the area.

SPECIFIC FLOOD RISKS

In recent years, several severe storms (hurricanes or tropical depressions) have required the evacuation of personnel and equipment and facility closures. These storms, coupled with high tides and westerly winds, have caused minor flooding at the Gulf Coast site and other developed areas in the park. As noted above, the Gulf Coast site has the potential for floodwater elevations as deep as 13 feet. Most of the damage to the facilities within the park has been wind induced. Ample notice of severe weather is provided by the National Weather Service and other agencies, making warning and evacuation a practical option for protection of human life.

There would be no additional storage facilities for fuels or toxic materials or museum collections in a floodplain proposed by the NPS preferred alternative.

MITIGATION

The situations that lead to storm-caused high water events, and the scope and duration of these events, are known by park staff, making warning and evacuation a practical option for protection of human life. Everglades National Park will continue to maintain an active hurricane evacuation plan. The plan details responsibilities of individual park employees for advanced preparedness measures at the

onset of the hurricane season (June through October). These include removing or securing park property, records and utility systems during a hurricane warning; monitoring communications during a hurricane; and conducting rescue and salvage operations following a hurricane. The hurricane plan has proven effective in maintaining safety and reducing property damage during storms, and it will be annually reviewed and updated.

The design of new structures throughout the park would incorporate methods for minimizing storm damage as contained in the National Flood Insurance Program's Floodplain Management Criteria for Flood-Prone Areas (44 CFR section 60.3) and in accordance with local, county or state requirements for flood-prone areas.

The proposed replacement of the existing Gulf Coast visitor center would have floor elevations above the combined storm surge and wave height calculated for the site. The space below the lowest floor would be free of obstructions to minimize impact on the structure by abnormally high tides and wind-driven water (storm surges). By elevating the structure in this way, natural floodplain functions and values would be preserved and adverse impacts would be minimized.

The new facility would be a concrete modular design entirely prefabricated at a facility 131 miles from the park. This process achieves a level of construction efficiency that is impossible using conventional methods. Advantages include a shorter construction period, superior quality control, reduced labor and transportation costs, and reduced construction site pollution and solid waste disposal.

As previously identified in the *Flamingo Commercial Services Plan Findings of No Significant Impact and Statement of Findings* (2008), the overall development footprint of the Flamingo area would be considerably reduced from existing levels with the elevation of structures comprising most of the facilities to be rebuilt. Up to an additional 50 acres of

floodplain (the former B and C campground loops and a majority of the former lodge and cottage site) would be restored.

To avoid potential pollution of bay waters by stormwater runoff contaminated by oil and other petroleum products, the developed area (especially the parking lot) would use techniques such as backsloping to allow percolation and filtration of runoff through the soils.

The environmental analysis contained in the *Final General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement* and this Statement of Findings constitute the environmental compliance necessary to implement the Gulf Coast development should the NPS preferred alternative be selected.

SUMMARY

The National Park Service has determined that implementing the NPS preferred alternative would not result in any additional disruption of floodplains. Risk to life from storms and high water can be mitigated. The National Park Service would allow the existing visitor center to be replaced, the parking area improved, and a new canoe/kayak ramp and launch in the current Gulf Coast administrative site because there are no reasonable alternative sites. Construction of the visitor center would replace an existing facility with a sustainable structure that meets National Flood Insurance Program standards. Visitors would be informed of changes caused by storm events through regular interpretation and local media.

The replacement, restoration, or development facilities and infrastructure within the park would not expand beyond currently disturbed areas. The design of new structures throughout the park would incorporate methods for minimizing storm damage as contained in the National Flood Insurance Program's Floodplain Management Criteria for Flood-Prone Areas (44 CFR section 60.3)

and in accordance with local, county, or state requirements for flood-prone areas.

Therefore, the National Park Service finds that the proposed action would not have any additional adverse impacts on floodplains and their associated values.

Statement of Findings References:

Executive Order 11988, “Floodplain Management” (May 28, 1980). Executive Order of the President of the United States.

National Park Service, 2006. *Management Policies 2006*. National Park Service, Washington, D.C.

National Park Service, 2003. Director’s Order 77-2: *Floodplain Management*. Washington Office, Washington, D.C.

National Park Service, 1990. *Gulf Coast Everglades National Park Development Concept Plan / Environmental Assessment*. Everglades National Park, Homestead, Florida.

APPENDIX G: CONSULTATION LETTERS



United States Department of the Interior

NATIONAL PARK SERVICE
Everglades National Park
and
Dry Tortugas National Park
40001 State Road 9336
Homestead, Florida 33034-6733

REPLY REFER TO:
D18

NOV 20 2002

Ms. Martha Catlin, Historic Preservation Specialist
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 809
Washington, D.C. 20004

Dear Ms. Catlin:

The National Park Service has initiated the preparation of a General Management Plan (GMP) for Everglades National Park. The GMP will provide the National Park Service (NPS) with a comprehensive planning framework for managing the park over the next twenty years.

Consistent with the park's purpose, significance, and legislative mandates, the plan will identify strategies for achieving desired resource conditions, visitor experiences, and appropriate types and general intensities of development. In compliance with the National Environmental Policy Act and NPS policy, the GMP will be developed concurrent with preparation of an environmental impact statement (EIS). The GMP/EIS will identify significant management and operational issues confronting the park, and present a reasonable range of management alternatives for addressing these issues consistent with the park's mission, and its legal and policy mandates. The environmental impacts associated with implementing each of the management alternatives will be fully analyzed.

In accordance with provisions of Section 106 of the National Historic Preservation Act, and the 1995 Programmatic Agreement among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, we wish to notify you that we have initiated the GMP/EIS process and invite your participation. We will keep you informed throughout plan development, and welcome your comments and advice on decisions regarding protection and preservation of Everglades National Park's diverse array of historic and cultural resources. Should you have any questions or wish to discuss this project in more detail, please contact Fred Herling in our Ecosystem Planning and Compliance Branch at 305-242-7704 or at fred_herling@nps.gov.

Sincerely,

Maureen Finnerty
Superintendent

cc: Dr. Janet Matthews, Florida State Historic Preservation Officer



United States Department of the Interior

NATIONAL PARK SERVICE

Everglades National Park
and
Dry Tortugas National Park
40001 State Road 9336
Homestead, Florida 33034-6733

REPLY REFER TO:

D18

NOV 13 2002

Billy Cypress, Chairman
Miccosukee Tribe of Indians of Florida
Mile Marker 70, U.S. Hwy 41, Tamiami Trail
Miami, Florida 33194

Dear Mr. Cypress:

This letter is to inquire whether your tribe desires to undertake government-to-government consultation in conjunction with a General Management Plan (GMP) to be prepared for Everglades National Park.

A GMP is the most comprehensive of four kinds of plans the National Park Service produces for its parks. It articulates the park's mission, clearly defines what resource conditions and visitor experiences should be maintained over time, and establishes a practical framework for all future decision making at the park. Enclosed is a National Park Service brochure that describes the general management planning process in greater detail.

To prepare the GMP, the National Park Service will work in close consultation with a wide range of public and private organizations, and the general public to identify future management goals, analyze existing conditions and future possibilities, and determine the most appropriate course of action to accomplish these goals. A GMP does not include facility design, resolve all issues, or guarantee funding for the park. Rather, it describes the general path the National Park Service intends to follow in managing a unit of the National Park System over a 20-year timeframe.

Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the Everglades National Park General Management Plan. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this project.

Sincerely,

Maureen Finnerty
Superintendent

Enclosure: GMP Planning Brochure



United States Department of the Interior

NATIONAL PARK SERVICE

Everglades National Park
and
Dry Tortugas National Park
40001 State Road 9336
Homestead, Florida 33034-6733

REPLY REFER TO:

NOV 13 2002

D18

Kenneth Chambers, Principal Chief
Seminole Nation of Oklahoma
5th & Brown Streets
Wewoka, Oklahoma 74884

Dear Mr. Chambers:

This letter is to inquire whether your tribe desires to undertake government-to-government consultation in conjunction with a General Management Plan (GMP) to be prepared for Everglades National Park.

A GMP is the most comprehensive of four kinds of plans the National Park Service produces for its parks. It articulates the park's mission, clearly defines what resource conditions and visitor experiences should be maintained over time, and establishes a practical framework for all future decision making at the park. Enclosed is a National Park Service brochure that describes the general management planning process in greater detail.

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Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the Everglades National Park General Management Plan. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this project.

Sincerely,

Maureen Finnerty
Superintendent

Enclosure: GMP Planning Brochure



United States Department of the Interior

NATIONAL PARK SERVICE
Everglades National Park
and
Dry Tortugas National Park
40001 State Road 9336
Homestead, Florida 33034-6733

REPLY REFER TO:
D18

NOV 13 2002

Mitchell Cypress, Acting Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

Dear Mr. Cypress:

This letter is to inquire whether your tribe desires to undertake government-to-government consultation in conjunction with a General Management Plan (GMP) to be prepared for Everglades National Park.

A GMP is the most comprehensive of four kinds of plans the National Park Service produces for its parks. It articulates the park's mission, clearly defines what resource conditions and visitor experiences should be maintained over time, and establishes a practical framework for all future decision making at the park. Enclosed is a National Park Service brochure that describes the general management planning process in greater detail.

To prepare the GMP, the National Park Service will work in close consultation with a wide range of public and private organizations, and the general public to identify future management goals, analyze existing conditions and future possibilities, and determine the most appropriate course of action to accomplish these goals. A GMP does not include facility design, resolve all issues, or guarantee funding for the park. Rather, it describes the general path the National Park Service intends to follow in managing a unit of the National Park System over a 20-year timeframe.

Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the Everglades National Park General Management Plan. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this project.

Sincerely,

Maureen Finnerty
Superintendent

Enclosure: GMP Planning Brochure



United States Department of the Interior

NATIONAL PARK SERVICE
Everglades National Park
and
Dry Tortugas National Park
40001 State Road 9336
Homestead, Florida 33034-6733

REPLY REFER TO:
D18

NOV 20 2002

Dr. Janet Matthews, State Historic Preservation Officer
Division of Historical Resources
Department of State
500 S. Bronough Street, Room 305
Tallahassee, Florida 32399-0250

Dear Dr. Matthews:

The National Park Service has initiated the preparation of a General Management Plan (GMP) for Everglades National Park. The GMP will provide the National Park Service (NPS) with a comprehensive planning framework for managing the park over the next twenty years.

Consistent with the park's purpose, significance, and legislative mandates, the plan will identify strategies for achieving desired resource conditions, visitor experiences, and appropriate types and general intensities of development. In compliance with the National Environmental Policy Act and NPS policy, the GMP will be developed concurrent with preparation of an environmental impact statement (EIS). The GMP/EIS will identify significant management and operational issues confronting the park, and present a reasonable range of management alternatives for addressing these issues consistent with the park's mission, and its legal and policy mandates. The environmental impacts associated with implementing each of the management alternatives will be fully analyzed.

In accordance with provisions of Section 106 of the National Historic Preservation Act, and the 1995 Programmatic Agreement among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, we wish to invite the participation of the Florida Division of Historical Resources throughout GMP preparation. We will keep you informed throughout plan development, and welcome your comments and advice on decisions regarding protection and preservation of Everglades National Park's diverse array of historic and cultural resources. Should you have any questions or wish to discuss this project in more detail, please contact Fred Herling in our Ecosystem Planning and Compliance Branch at 305-242-7704 or at fred_herling@nps.gov.

Sincerely,

Maureen Finnerty
Superintendent

cc: Ms. Martha Catlin, Advisory Council on Historic Preservation



United States Department of the Interior

NATIONAL PARK SERVICE
Everglades & Dry Tortugas National Park
40001 State Road 9336
Homestead Florida 33034



D18

November 26, 2002

Eric Hawk
Southeast Regional Office
National Marine Fisheries Service
9721 Executive Center Drive, Room 102
St. Petersburg, Florida 33702

Dear Mr. Hawk:

The National Park Service has initiated the preparation of a General Management Plan (GMP) for Everglades National Park. The GMP will provide the National Park Service (NPS) with a comprehensive planning framework for managing the park over the next twenty years.

Consistent with the park's purpose, significance, and legislative mandates, the plan will identify strategies for achieving desired resource conditions, visitor experiences, and appropriate types and general intensities of development. In compliance with the National Environmental Policy Act and NPS policy, the GMP will be developed concurrent with preparation of an environmental impact statement (EIS). The GMP/EIS will identify significant management and operational issues confronting the park, and present a reasonable range of management alternatives for addressing these issues. The environmental impacts associated with implementing each of the management alternatives will be fully analyzed.

In accordance with the consultation requirement of Section 7 of the Endangered Species Act and NPS policy, we wish to notify you that we have initiated the GMP/EIS process and invite your participation. You will soon receive an introductory project newsletter that outlines the planning project and announces the schedule of public scoping meetings, and an invitation to participate in agency scoping meetings.

Enclosed is a list of federally-listed species that are or may be found in Everglades National Park for which the National Marine Fisheries Service would appear to have Endangered Species Act implementation responsibility. Please review for its adequacy and provide advice to ensure proper evaluation of the potential impacts that the GMP/EIS would have on these species.

We look forward to working closely with you throughout plan development and welcome your comments and advice regarding protection and preservation of Everglades National Park's diverse natural resources. Should you have any questions or wish to discuss this project in more detail, please contact Fred Herling in our Ecosystem Planning and Compliance Branch at 305-242-7704 or at fred_herling@nps.gov.

Sincerely,

Maureen Finnerty
Superintendent

Enclosures

cc: Jay Slack, U.S. Fish and Wildlife Service

Common names – Listed Species from NMFS Website

Initial list for Everglades National Park General Management Plan Project

(Species in or in proximity to Everglades National Park)

Turtles

- Green turtle
- Hawksbill turtle
- Kemp's ridley turtle
- Leatherback turtle
- Loggerhead turtle

Anadromous/Marine Fish

- Smalltooth Sawfish
- Dusky Shark
- Opossum Pipefish
- Saltmarsh Topminnow
- Goliath Grouper
- Key Silverside
- Mangrove Rivulus
- Nassau Grouper
- Sand Tiger Shark

Plants/Invertebrates

- Johnson's Sea Grass

Cetaceans

- bottlenose dolphin



United States Department of the Interior

NATIONAL PARK SERVICE
Everglades & Dry Tortugas National Park
40001 State Road 9336
Homestead Florida 33034



D18

November 26, 2002

Jay Slack, Field Supervisor
South Florida Office
United States Fish and Wildlife Service
1339 20th Street
Vero Beach, Florida 32960

Dear Mr. Slack:

The National Park Service has initiated the preparation of a General Management Plan (GMP) for Everglades National Park. The GMP will provide the National Park Service (NPS) with a comprehensive planning framework for managing the park over the next twenty years.

Consistent with the park's purpose, significance, and legislative mandates, the plan will identify strategies for achieving desired resource conditions, visitor experiences, and appropriate types and general intensities of development. In compliance with the National Environmental Policy Act and NPS policy, the GMP will be developed concurrent with preparation of an environmental impact statement (EIS). The GMP/EIS will identify significant management and operational issues confronting the park, and present a reasonable range of management alternatives for addressing these issues. The environmental impacts associated with implementing each of the management alternatives will be fully analyzed.

In accordance with the consultation requirement of Section 7 of the Endangered Species Act and NPS policy, we wish to notify you that we have initiated the GMP/EIS process and invite your participation. You will soon receive an introductory project newsletter that outlines the planning project and announces the schedule of public scoping meetings, and an invitation to participate in agency scoping meetings.

Enclosed is a list of federally-listed endangered, threatened and candidate species for Everglades National Park for which the Fish and Wildlife Service would appear to have Endangered Species Act implementation responsibility. Please review for its adequacy and provide advice to ensure proper evaluation of the potential impacts that the GMP/EIS would have on these species.

We look forward to working closely with you throughout plan development and welcome your comments and advice regarding protection and preservation of Everglades National Park's diverse natural resources. Should you have any questions or wish to discuss this project in more detail, please contact Fred Herling in our Ecosystem Planning and Compliance Branch at 305-242-7704 or at fred_herling@nps.gov.

Sincerely,

Maureen Finnerty
Superintendent

Enclosures

cc: Eric Hawk, National Marine Fisheries Service

**Federally Listed Endangered, Threatened, and
Candidate Species for Everglades National Park, Florida**

Common Name	Scientific Name	Listing	Status
REPTILES			
American crocodile	<i>Crocodylus acutus</i>	Endangered	Breeding
Atlantic hawksbill turtle	<i>Eretmochelys imbricata</i>	Endangered	Casual
Green turtle	<i>Chelonia mydas</i>	Endangered	Casual
Atlantic Ridley turtle	<i>Lepidochelys kempi</i>	Endangered	Casual
Atlantic leatherback turtle	<i>Dermochelys coriacea</i>	Endangered	Casual?
Eastern indigo snake	<i>Drymarchon corias couperi</i>	Threatened	Breeding
Loggerhead turtle	<i>Caretta caretta</i>	Threatened	Breeding
BIRDS			
Wood stork	<i>Mycteria americana</i>	Endangered	Breeding
Everglades snail kite	<i>Rostrhamus sociabilis plumbeus</i>	Endangered	Breeding
Red-cockaded woodpecker	<i>Picoides borealis</i>	Endangered	Formerly
Cape Sable seaside sparrow	<i>Ammodramus maritima mirabilis</i>	Endangered	Breeding
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened	Breeding
Piping plover	<i>Charadrius melodus</i>	Threatened	Wintering
Roseate term	<i>Sterna dougallii</i>	Threatened	Wintering
MAMMALS			
Key Largo cotton mouse	<i>Peromyscus gossypinus allapaticola</i>	Endangered	Casual?
Key Large woodrat	<i>Neotoma floridana smalli</i>	Endangered	Casual?
West Indian manatee	<i>Trichechus manatus</i>	Endangered	Breeding
Florida panther	<i>Felis concolor coryi</i>	Endangered	Breeding
Mangrove fox squirrel	<i>Sciurus niger</i>	Proposed Candidate	Breeding
PLANTS			
Garber's spurge	<i>Euphorbia garberi</i>	Threatened	Resident
INVERTEBRATES			
Stock Island tree snail	<i>Orthalicus reses</i>	Threatened	Introduced
Sabana swallowtail butterfly	<i>Panilio aristodemus</i>	Endangered	Casual?



Jeb Bush
Governor

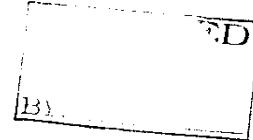
Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

March 17, 2003

Ms. Maureen Finnerty
National Park Service
Everglades National Park
40001 State Road 9336
Homestead, Florida 33034-6733



Re: U.S. Department of the Interior, National Park Service, Scoping Notice, Development of Comprehensive Plan to Replace Outdated 1979 Master Plan, Development of General Management Plan/Environmental Impact Statement (GMP/EIS), Everglades National Park, Miami-Dade County, Florida

SAI: FL200301293352

Dear Ms. Finnerty:

The Florida State Clearinghouse, pursuant to Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated the review of the above-referenced notification.

The Department of Environmental Protection (DEP) recommends that the Everglades National Park (ENP) planning staff utilize the park's 1979 Master Plan as a framework for updating the inventory of natural resources within the newly acquired acreage. It is further recommended that the staff avail itself of the water models that are constantly being refined by the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (COE). The models can be used to determine critical thresholds for supplying water to habitat utilized by listed species within the park, and can help establish policies to govern the intensity of public uses within the park. Please see the enclosed DEP comments for additional recommendations.

The Florida Department of Transportation (FDOT) is actively coordinating a number of projects in close proximity to the park, and has provided a list of those projects (see attachment). FDOT is also serving on the Project Development Team (PDT) for the Comprehensive Everglades Restoration Plan (CERP), and will be able to provide the park service with additional information on projects in the area. Please see the enclosed comments from FDOT.

The South Florida Regional Planning Council (SFRPC) has summarized the relevant goals and policies that apply to this project. Please see the attached comments from the SFRPC and specific recommendations for complying with its goals and policies.

Florida Department of Environmental Protection

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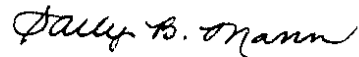
Ms. Maureen Finnerty.

March 17, 2003

Page 2

Thank you for the opportunity to participate in your scoping meetings and to make recommendations for scoping the GMP for the Everglades National Park. We look forward to reviewing the draft GMP that will be formulated from the public participation. If you have any questions regarding this letter, please contact Mr. Bob Hall at (850) 245-2163.

Sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/rwh
Enclosures

cc: Gordon Romeis, DEP Ft. Myers
Willie Puz, DEP SED
Marjorie Bixby, FDOT, District 6, Miami
Allyn L. Childress, SFRPC



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



Reply refer to:

D18

MAY 24 2007

Chairman Billy Cypress
Miccosukee Tribe of Indians of Florida
P.O. Box 440021
Tamiami Station
Miami, FL 33144


Dear Chairman Cypress:

This letter is to inquire whether your tribe desires to undertake advance government-to-government consultation in conjunction with the Everglades National Park General Management Plan (GMP) preliminary alternatives.

The National Park Service (NPS) has drafted the preliminary alternatives for the Everglades GMP (see enclosed newsletter). These preliminary alternatives will be presented at six public workshops in June. The dates, times and locations of the upcoming workshops are listed on page one of the newsletter. The public comment period continues through July 2, 2007.

Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the GMP preliminary alternatives. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this subject.

Sincerely,

 Dan B. Kimball
Superintendent

Enclosure

cc: Dexter Lehtinen, Esq.
Dioné C. Carroll, Esq.
Steve Terry
Fred Dayhoff
F.K. Jones



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



Reply Kater to:

D18

MAY 14 2007

Mitchell Cypress, President
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024


Dear Mr. Cypress:

This letter is to inquire whether your tribe desires to undertake advance government-to-government consultation in conjunction with the Everglades National Park General Management Plan (GMP) preliminary alternatives.

The National Park Service (NPS) has drafted the preliminary alternatives for the Everglades GMP (see enclosed newsletter). These preliminary alternatives will be presented at six public workshops in June. The dates, times and locations of the upcoming workshops are listed on page one of the newsletter. The public comment period continues through July 2, 2007.

Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the GMP preliminary alternatives. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this project.

Sincerely,


for Dan B. Kimball
Superintendent

Enclosure

cc: Beth Carlson, Esq.



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



(Reply Refer to:

D18

MAY 24 2007

Kenneth Chambers, Principal Chief
Seminole Nation of Oklahoma
5th and Brown Streets
Wewoka, Oklahoma 74884

Dear Mr. Chambers:

This letter is to inquire whether your tribe desires to undertake advance government-to-government consultation in conjunction with the Everglades National Park General Management Plan (GMP) preliminary alternatives.

The National Park Service (NPS) has drafted the preliminary alternatives for the Everglades GMP (see enclosed newsletter). These preliminary alternatives will be presented at six public workshops in June. The dates, times and locations of the upcoming workshops are listed on page one of the newsletter. The public comment period continues through July 2, 2007.

Please contact me at your earliest convenience if you wish to undertake government-to-government consultation concerning the GMP preliminary alternatives. Even if you do not wish to engage in formal consultation, I would welcome any thoughts and recommendations you might have about this project.

Sincerely,

Keith A. Whisenand

fr Dan B. Kimball
Superintendent

Enclosure

cc: Emman Spain

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United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 05 2013

Mr. Larry Williams, Field Supervisor
U.S. Fish and Wildlife Service
1339-20th Street
Vero Beach, Florida 32960

Subject: Draft General Management Plan / East Everglades Wilderness Study / Environmental
Impact Statement, Everglades National Park; Collier, Miami-Dade, Monroe Counties

Dear Mr. Williams: *LARRY*

I am writing to initiate informal consultation under Section 7 of the Endangered Species Act on the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) for Everglades National Park. The Draft GMP reflects many years of work, with important contributions from the public at large, stakeholder groups, elected officials, other agencies, and tribes – each have been valuable partners in this effort.

The Draft GMP identifies a Preferred Alternative and three other alternatives, and a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation). The National Park Service (NPS) has carefully considered public input received during many rounds of public and stakeholder meetings, the park's mission and legal responsibilities, and current and future restoration projects, in crafting the Preferred Alternative, which is also identified as the environmentally preferred alternative. When completed, the GMP is designed to guide protection, management, and use of the park for at least the next 20 years, with the goals and strategies serving to fulfill the mission of the NPS and Everglades National Park.

Among other features, the Preferred Alternative includes important proposals for two areas of the park that have been of particular interest to the public and park managers: Florida Bay and the East Everglades Addition. The impact analysis for the Preferred Alternative for threatened and endangered species (summary of impacts on pages 142-143, and complete analysis on pages 366-374) concludes with a determination of *may affect, but is not likely to adversely affect* for federally-listed species in the park. In addition, there are some important features of the plan that have the potential for beneficial impacts to listed species such as manatees, sea turtles, wood storks, and the Everglades snail kite.

In Florida Bay, extremely shallow areas would be managed as pole and troll (non-combustion engine use) zones, while still providing traditional access and use through the channels and deeper basins. Careful examination of damage and threats to natural and submerged wilderness features, and patterns of visitor use, pointed to the need for a new strategy. Our approach in the plan is comprehensive and multi-faceted (mandatory boater education, improvements to navigation and enforcement, and strategic zoning) and builds on work by the state of Florida in its 1995 statewide report for protecting vital seagrass resources.

In the East Everglades Addition, for the first time since passage of the 1989 Expansion Act, a framework would be established for managing commercial and private airboating, and backcountry uses. Here, the Preferred Alternative outlines a zoning strategy that would lead to implementing a limited number of airboat tour concession contracts between NPS and four eligible companies identified in the 1989

Expansion Act, and identifying areas for eligible individual airboaters, and backcountry recreational users. The Preferred Alternative also proposes 80,100 acres of wilderness and 9,900 acres of potential wilderness in the 109,600-acre Addition.

The Draft GMP also highlights a new, smarter approach to sustainable development in coastal areas like Flamingo and Everglades City, where consideration of sea level rise, storm surge and fiscal realities have led to innovative investment strategies for both the NPS and its partners, such as park concessioners.

To guide complex efforts like Florida Bay and East Everglades Addition management, a stakeholder-based advisory committee would be established. This committee would help park managers in GMP implementation by working with park managers to assess projects, and inform monitoring and adaptive management activities to meet resource protection and visitor use goals.

Enclosed is a paper copy of the plan, which can also be viewed at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link). The public review period continues through May 12, 2013. Below is the listing of the public meetings that may be of interest to you and your staff. In addition, the park has been working with your office over the years in a cooperating agency role, and most recently Jane Tutton has been the point of contact to facilitate review and input. Should you or anyone on your staff be interested in a meeting with park managers specific to USFWS issues, please let me know.

Date	Location
March 19, 2013	Homestead, Florida John D. Campbell Agricultural Center, 18710 SW 288 th Street
March 20, 2013	Islamorada, Florida Coral Shores High School, 89901 Old Highway
March 21, 2013	Everglades City, Florida Everglades City School, 415 School Drive
April 8, 2013	Dania Beach, Florida International Game Fish Association – Fishing Hall of Fame, 300 Gulfstream Way Live webcast will be available: http://parkplanning.nps.gov/EVER
April 9, 2013	Naples, Florida Edison State College, Collier Campus – Building J, 7007 Lely Cultural Parkway
April 10, 2013	Key Largo, Florida Murray Nelson Government Center, 102050 Overseas Highway
April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

Thank you for your attention to this important project. If you have any questions or need more information, please contact me or Fred Herling at 305-242-7704 or fred_herling@nps.gov.

Sincerely,



Dan B. Kimball
Superintendent

Enclosure

cc: Jane Tutton, USFWS



**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 06 2012

David Bernhardt, Assistant Regional Administrator
National Marine Fisheries Service
Protected Resources Division
263 13th Avenue South
St. Petersburg, Florida 33701

Subject: Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement, Everglades National Park; Collier, Miami-Dade, Monroe Counties

Dear Mr. Bernhardt:

I am writing to initiate informal consultation under Section 7 of the Endangered Species Act on the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) for Everglades National Park. The Draft GMP reflects many years of work, with important contributions from the public at large, stakeholder groups, elected officials, other agencies, and tribes – each have been valuable partners in this effort.

When completed, the GMP is designed to guide protection, management, and use of the park for at least the next 20 years, with the goals and strategies serving to fulfill the mission of the NPS and Everglades National Park. The Draft GMP identifies a Preferred Alternative and three other alternatives, and a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation). The National Park Service (NPS) has carefully considered public input received during many rounds of public and stakeholder meetings, the park's mission and legal responsibilities, and current and future restoration projects, in crafting the Preferred Alternative, which is also identified as the environmentally preferred alternative.

Among other features, the Preferred Alternative includes important proposals for two areas of the park that have been of particular interest to the public and park managers: Florida Bay and the East Everglades Addition. The impact analysis for the Preferred Alternative for threatened and endangered species (summary of impacts on pages 142-143, and complete analysis on pages 366-374) concludes with a determination of *may affect, but is not likely to adversely affect* for federally-listed species in the park. In addition, there are some important features of the plan that have the potential for beneficial impacts to listed species such as sea turtles and the smalltooth sawfish.

In Florida Bay, extremely shallow areas would be managed as pole and troll (non-combustion engine use) zones, while still providing traditional access and use through the channels and deeper basins. Careful examination of damage and threats to natural and submerged wilderness features, and patterns of visitor use, pointed to the need for a new strategy. Our approach in the Draft GMP is a comprehensive, multi-faceted program (mandatory boater education, improvements to navigation and enforcement, and strategic zoning) and builds on work by the state of Florida in its 1995 statewide report for protecting vital seagrass resources.

In the East Everglades Addition, for the first time since passage of the 1989 Expansion Act, a framework would be established for managing commercial and private airboating, and backcountry uses. Here, the

Preferred Alternative outlines a zoning strategy that would lead to implementing a limited number of airboat tour concession contracts between NPS and four eligible companies identified in the 1989 Expansion Act, and identifying areas for eligible individual airboaters, and backcountry recreational users. The Preferred Alternative also proposes 80,100 acres of wilderness and 9,900 acres of potential wilderness in the 109,600-acre Addition.

The Draft GMP also highlights a new, smarter approach to sustainable development in coastal areas like Flamingo and Everglades City, where consideration of sea level rise, storm surge and fiscal realities have led to innovative investment strategies for both the NPS and its partners, such as park concessioners.

To guide complex efforts like Florida Bay and East Everglades Addition management, a stakeholder-based advisory committee would be established. This committee would help park managers in GMP implementation by working with park managers to assess projects, and inform monitoring and adaptive management activities to meet resource protection and visitor use goals.

Enclosed is a paper copy of the plan, which can also be viewed at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link). The public review period continues through May 12, 2013. Below is the listing of the public meetings that may be of interest to you and your staff.

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April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

Thank you for your attention to this important project. If you have any questions or need additional information, please contact me or Fred Herling at (305) 242-7704 or fred_herling@nps.gov.

Sincerely,



Dan B. Kimball
Superintendent
Enclosure

cc:
Shelley Norton, NMFS



United States Department of the Interior
NATIONAL PARK SERVICE

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 11 5 2002

Mr. Miles M. Croom, Assistant Regional Administrator
National Marine Fisheries Service
Habitat Conservation Division
263 13th Avenue South
St. Petersburg, FL 33701-5505

Subject: Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact
Statement, Everglades National Park; Collier, Miami-Dade, Monroe Counties

Dear Mr. Croom:

I am writing to transmit the Everglades National Park Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) and to initiate Essential Fish Habitat (EFH) consultation for this project. The Draft GMP reflects many years of work, with important contributions from the public at large, stakeholder groups, elected officials, other agencies, and tribes – each have been valuable partners in this effort.

When completed, the GMP is designed to guide protection, management, and use of the park for at least the next 20 years, with the goals and strategies serving to fulfill the mission of the NPS and Everglades National Park. The Draft GMP identifies a Preferred Alternative and three other alternatives, and a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation). The National Park Service (NPS) has carefully considered public input received during many rounds of public and stakeholder meetings, the park's mission and legal responsibilities, and current and future restoration projects, in crafting the Preferred Alternative, which is also identified as the environmentally preferred alternative.

Among other features, the Preferred Alternative includes important proposals for two areas of the park that have been of particular interest to the public and park managers: Florida Bay and the East Everglades Addition. The affected environment section of the plan for Essential Fish Habitat can be found on pages 198-202, and the impact analysis for the Preferred Alternative for EFH (summary of effects on page 141, and complete analysis on page 365) concludes with a determination of *no adversely effects*. In addition, there are some important features of the plan that have the potential for beneficial impacts on the park's shallow-water habitats.

In Florida Bay, extremely shallow areas would be managed as pole and troll (non-combustion engine use) zones, while still providing traditional access and use through the channels and deeper basins. Careful examination of damage and threats to natural and submerged wilderness features, and patterns of visitor use, pointed to the need for a new strategy. Our approach in the Draft GMP is a comprehensive, multi-faceted program (mandatory boater education, improvements to navigation and enforcement, and strategic zoning) and builds on work by the state of Florida in its 1995 statewide report for protecting vital seagrass resources.

In the East Everglades Addition, for the first time since passage of the 1989 Expansion Act, a framework would be established for managing commercial and private airboating, and backcountry uses. Here, the

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The Draft GMP also highlights a new, smarter approach to sustainable development in coastal areas like Flamingo and Everglades City, where consideration of sea level rise, storm surge and fiscal realities have led to innovative investment strategies for both the NPS and its partners, such as park concessioners.

To guide complex efforts like Florida Bay and East Everglades Addition management, a stakeholder-based advisory committee would be established. This committee would help park managers in GMP implementation by working with park managers to assess projects, and inform monitoring and adaptive management activities to meet resource protection and visitor use goals.

Enclosed is a copy of the plan, which can also be viewed at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link). The public review period continues through May 12, 2013. Below is the listing of the public meetings that may be of interest to you and your staff.

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Thank you for your attention to this important project. If you have any questions or need additional information, please contact me or Fred Herling at (305) 242-7704 or fred_herling@nps.gov.

Sincerely,



Dan B. Kimball
Superintendent

Enclosure

cc:
Jocelyn Karazsia, NMFS



**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 08 2013

Reid Nelson, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Ave. NW, Suite 803
Washington, DC 20004

Dear Mr. Nelson:

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP/EEWS/EIS) for Everglades National Park.

The Draft GMP provides long-term, broad guidance and describes desired conditions to be achieved and maintained regarding natural and cultural resource protection, appropriate types and levels of visitor activities, and facility improvements and development, with the goals and strategies serving to fulfill the mission of the National Park Service (NPS) and Everglades National Park. Also included is a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation).

The Draft GMP presents and evaluates the NPS Preferred Alternative and three other alternatives. It is expected that the Final GMP and Record of Decision will be completed in 2014, and then plan implementation will begin.

In accordance with the National Environmental Policy Act, the process and documentation for preparing the Draft GMP has been used to comply with Section 106 of the National Historic Preservation Act. Through the Draft EIS, the NPS has determined that for each of the action alternatives including the preferred alternative there would be no adverse effects on cultural resources. As the plan does provide for an affirmative commitment to inventory and manage cultural resources in the park, we welcome your comments to help inform these future actions.

The review period officially began on February 27 and goes through May 12, 2013. Enclosed please find a hard copy of the Draft GMP. The Draft GMP and related materials are also available for review and comment at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link).

Seven (7) public meetings will be held the evenings of March 19 – 21 and April 8 – 11, 2013 (5:30 to 8:30 p.m.; the April 8 meeting will also be webcast through the link above). The meetings will be organized in three parts:

- Open House – opportunities for the public to review Draft GMP materials, meet with National Park Service (NPS) staff, and provide comments
- NPS Presentation – overview of key features of the Draft GMP
- Formal Comment/East Everglades Wilderness Hearing – comment session that allows the public to comment on the Draft GMP and the East Everglades Wilderness Study (session will be transcribed)

APPENDIXES, SELECTED REFERENCES, PREPARERS AND CONSULTANTS,
GLOSSARY OF TERMS, ACRONYMS AND ABBREVIATIONS, AND INDEX

Schedule of Public Meetings:

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The National Park Service values your continued interest and commitment to the future of Everglades National Park.

Sincerely,



Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:

D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

**Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034**



Robert F. Bendus
State Historic Preservation Officer
Division of Historical Resources
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250

Dear Mr. Bendus:

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP/EEWS/EIS) for Everglades National Park.

The Draft GMP provides long-term, broad guidance and describes desired conditions to be achieved and maintained regarding natural and cultural resource protection, appropriate types and levels of visitor activities, and facility improvements and development, with the goals and strategies serving to fulfill the mission of the National Park Service (NPS) and Everglades National Park. Also included is a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation).

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April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

The National Park Service values your continued interest and commitment to the future of Everglades National Park.

Sincerely,

Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:

D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

**Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034**



Mr. Colley Billie, Tribal Chairman
Miccosukee Tribe of Indians of Florida
Tamiami Station
P.O. Box 440021
Miami, Florida 33144

Reference: Draft General Management Plan/East Everglades Wilderness Study/EIS for Everglades National Park

Dear Chairman Billie:

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP/EEWS/EIS) for Everglades National Park.

The Draft GMP provides long-term, broad guidance and describes desired conditions to be achieved and maintained regarding natural and cultural resource protection, appropriate types and levels of visitor activities, and facility improvements and development, with the goals and strategies serving to fulfill the mission of the National Park Service (NPS) and Everglades National Park. Also included is a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation).

The Draft GMP presents and evaluates the NPS Preferred Alternative and three other alternatives. It is expected that the Final GMP and Record of Decision will be completed in 2014, and then plan implementation will begin.

The review period officially began on February 27 and goes through May 12, 2013. Enclosed please find a hard copy of the Draft GMP. The Draft GMP and related materials are also available for review and comment at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link). A limited number of paper copies and compact disks (CDs) are also available upon request by contacting Everglades National Park at 305-242-7700.

Seven (7) public meetings will be held the evenings of March 19 – 21 and April 8 – 11, 2013 (5:30 to 8:30 p.m.; the April 8 meeting will also be webcast through the link above). The meetings will be organized in three parts:

- Open House – opportunities for the public to review Draft GMP materials, meet with National Park Service (NPS) staff, and provide comments
- NPS Presentation – overview of key features of the Draft GMP
- Formal Comment/East Everglades Wilderness Hearing – comment session that allows the public to comment on the Draft GMP and the East Everglades Wilderness Study (session will be transcribed)

Schedule of Public Meetings:

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March 21, 2013	Everglades City, Florida Everglades City School, 415 School Drive
April 8, 2013	Dania Beach, Florida International Game Fish Association – Fishing Hall of Fame, 300 Gulfstream Way Live webcast will be available: http://parkplanning.nps.gov/EVER
April 9, 2013	Naples, Florida Edison State College, Collier Campus – Building J, 7007 Lely Cultural Parkway
April 10, 2013	Key Largo, Florida Murray Nelson Government Center, 102050 Overseas Highway
April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

Should the Miccosukee Tribe of Indians of Florida desire to engage in government-to-government consultation to discuss the Draft GMP, please contact me at 305-242-7710 to schedule a meeting.

The National Park Service values your continued interest and commitment to the future of Everglades National Park.

Sincerely,

Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:

D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

**Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034**



Mr. James Billie, Tribal Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, Florida 33024

Reference: Draft General Management Plan/East Everglades Wilderness Study/EIS for Everglades National Park

Dear Chairman Billie:

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP/EEWS/EIS) for Everglades National Park.

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April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

Should the Seminole Tribe of Florida desire to engage in government-to-government consultation to discuss the Draft GMP, please contact me at 305-242-7710 to schedule a meeting.

The National Park Service values your continued interest and commitment to the future of Everglades National Park.

Sincerely,

Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:

D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

**Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034**



Mr. Leonard Harjo, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, Oklahoma 74884

Reference: Draft General Management Plan/East Everglades Wilderness Study/EIS for Everglades National Park

Dear Chief Harjo:

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP/EEWS/EIS) for Everglades National Park.

The Draft GMP provides long-term, broad guidance and describes desired conditions to be achieved and maintained regarding natural and cultural resource protection, appropriate types and levels of visitor activities, and facility improvements and development, with the goals and strategies serving to fulfill the mission of the National Park Service (NPS) and Everglades National Park. Also included is a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation).

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Schedule of Public Meetings:

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April 11, 2013	Miami, Florida Florida International University – Stadium Club, 11200 SW 8 th Street

Should the Seminole Nation of Oklahoma desire to engage in government-to-government consultation to discuss the Draft GMP, please contact me at 305-242-7710 to schedule a meeting.

The National Park Service values your continued interest and commitment to the future of Everglades National Park.

Sincerely,

Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:
D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



MAR 05 2013

Ms. Lauren Milligan
Florida State Clearinghouse Coordinator
Florida Department of Environmental Protection
3900 Commonwealth Blvd., Mail Station 47
Tallahassee, Florida 32399-3000

Dear Ms. Milligan:

Subject: Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement, Everglades National Park; Collier, Miami-Dade, Monroe Counties

The National Park Service (NPS), in compliance with the National Environmental Policy Act of 1969 (NEPA), has released for public review and comment a Draft Environmental Impact Statement (DEIS) for the General Management Plan / East Everglades Wilderness Study for Everglades National Park.

The Draft GMP reflects many years of work with the public and stakeholder groups, other agencies, and tribes. The Draft GMP was released for public review on February 27 with the comment ending on May 12, 2013. The Draft GMP identifies a Preferred Alternative and three other alternatives, and a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park's original 1978 wilderness designation). The National Park Service (NPS) has carefully considered public input received during many rounds of public and stakeholder meetings, the park's mission and legal responsibilities, and current and future restoration projects, in crafting the Preferred Alternative, which is also identified as the environmentally preferred alternative. When completed, the GMP is designed to guide protection, management, and use of the park for at least the next 20 years, with the goals and strategies serving to fulfill the mission of the NPS and Everglades National Park.

As requested, ten (10) CD copies of the Draft GMP are enclosed. In addition, the document is also available at: <http://parkplanning.nps.gov/EVER> (then go to the "Open for Comment" link).

Seven public meetings (see details below) will be held the evenings of March 19 – 21 and April 8 – 11, 2013 (5:30 to 8:30 p.m.; April 8 meeting will also be webcast), organized in three parts:

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Among other features, the Preferred Alternative includes important proposals for two areas of the park that have been of particular interest to the public and park managers: Florida Bay and the East Everglades Addition. In Florida Bay, extremely shallow areas would be managed as pole and troll (non-combustion engine use) zones, while still providing traditional access and use through the channels and deeper basins. Careful examination of damage and threats to natural and submerged wilderness features, and patterns of visitor use, pointed to the need for a new strategy. Our approach in the Draft GMP is a comprehensive, multi-faceted program (mandatory boater education, improvements to navigation and enforcement, and strategic zoning) and builds on work by the state of Florida in its 1995 statewide report for protecting vital seagrass resources.

In the East Everglades Addition, for the first time since passage of the 1989 Expansion Act, a framework would be established for managing commercial and private airboating, and backcountry uses. Here, the Preferred Alternative outlines a zoning strategy that would lead to implementing a limited number of airboat tour concession contracts between NPS and four eligible companies identified in the 1989 Expansion Act, and identifying areas for eligible individual airboaters, and backcountry recreational users. The Preferred Alternative also proposes 80,100 acres of wilderness and 9,900 acres of potential wilderness in the 109,600-acre Addition.”

The Draft GMP also highlights a new, smarter approach to sustainable development in coastal areas like Flamingo and Everglades City, where consideration of sea level rise, storm surge and fiscal realities have led to innovative investment strategies for both the NPS and its partners, such as park concessioners.

To guide complex efforts like Florida Bay and East Everglades Addition management, a stakeholder-based advisory committee would be established. This committee would help park managers in GMP implementation by working with park managers to assess projects, and inform monitoring and adaptive management activities to meet resource protection and visitor use goals.

Date	Location
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After the public review and comment period ends on May 12, public input will be reviewed and analyzed, and adjustments to the plan will be made. The Final GMP and Record of Decision will be issued in 2014.

We look forward to receiving comments from state of Florida agencies, including a consistency review for this project in accordance with the State's Coastal Zone Management Program, and other applicable state and local laws, regulations and policies.

Should you need additional information or have any questions, please contact Fred Herling, Park Planner at 305-242-7717 or at fred_herling@nps.gov. State agency comments may be entered at: <http://parkplanning.nps.gov/EVER> (then go to "Open for Comment" link) or mailed to the park:

Everglades National Park
Attn: Fred Herling (Draft General Management Plan)
40001 State Road 9336
Homestead, Florida 33034

Sincerely,



Dan B. Kimball
Superintendent

Enclosure



**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 05 2013

Nick Wiley, Executive Director
Florida Fish and Wildlife Conservation Commission
620 S. Meridian Street
Tallahassee, Florida 32399

Dear Mr. Wiley: *Nick*

I am very pleased to announce the release of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) for Everglades National Park. The Draft GMP reflects many years of work, with important contributions from the public at large, stakeholder groups, elected officials, other agencies, and tribes – each have been valuable partners in this effort, and we look forward to the upcoming public meetings and the review period.

Enclosed is a paper copy of the plan, which can also be viewed at: <http://parkplanning.nps.gov/EVER> (then go to the “Open for Comment” link). The public review period began on February 27 and ends on May 12, 2013.

On February 22, 2013, I had the opportunity to meet with Chuck Collins and his staff to brief them on key features of the Draft GMP. A similar meeting took place on February 25 with Commissioner Bergeron. Both meetings were constructive and helped the National Park Service better understand FFWCC perspectives on Everglades National Park management. The National Park Service looks forward to continuing discussions and input from FFWCC and other state agencies during this review period.

The Draft GMP identifies a Preferred Alternative and three other alternatives, and a wilderness study for the East Everglades Addition (an area added to the park in 1989, after the park’s original 1978 wilderness designation). The National Park Service (NPS) has carefully considered public input received during many rounds of public and stakeholder meetings, the park’s mission and legal responsibilities, and current and future restoration projects, in crafting the Preferred Alternative, which is also identified as the environmentally preferred alternative. When completed, the GMP is designed to guide protection, management, and use of the park for at least the next 20 years, with the goals and strategies serving to fulfill the mission of the NPS and Everglades National Park.

Among other features, the Preferred Alternative includes important proposals for two areas of the park that have been of particular interest to the public and park managers: Florida Bay and the East Everglades Addition. In Florida Bay, extremely shallow areas would be managed as pole and troll (non-combustion engine use) zones, while still providing traditional access and use through the channels and deeper basins. Careful examination of damage and threats to natural and submerged wilderness features, and patterns of visitor use, pointed to the need for a new strategy. Our approach in the Draft GMP is a comprehensive, multi-faceted program (mandatory boater education, improvements to navigation and enforcement, and strategic zoning) and builds on work by the state of Florida in its 1995 statewide report for protecting vital seagrass resources.

In the East Everglades Addition, for the first time since passage of the 1989 Expansion Act, a framework would be established for managing commercial and private airboating, and backcountry uses. Here, the

Preferred Alternative outlines a zoning strategy that would lead to implementing a limited number of airboat tour concession contracts between NPS and four eligible companies identified in the 1989 Expansion Act, and identifying areas for eligible individual airboaters, and backcountry recreational users. The Preferred Alternative also proposes 80,100 acres of wilderness and 9,900 acres of potential wilderness in the 109,600-acre Addition.

The Draft GMP also highlights a new, smarter approach to sustainable development in coastal areas like Flamingo and Everglades City, where consideration of sea level rise, storm surge and fiscal realities have led to innovative investment strategies for both the NPS and its partners, such as park concessioners.

To guide complex efforts like Florida Bay and East Everglades Addition management, a stakeholder-based advisory committee would be established. This committee would help park managers in GMP implementation by working with park managers to assess projects, and inform monitoring and adaptive management activities to meet resource protection and visitor use goals.

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Should you need additional information or have any questions, please contact me or Fred Herling, Park Planner at 305-242-7717 or at fred_herling@nps.gov

Sincerely,

Dan B. Kimball
Superintendent

Enclosure



**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034



In Reply Refer to:

D18

MAR 05 2013

Ronald M. Bergeron
19612 SW 69th Place
Ft. Lauderdale, Florida 33332

Dear Mr. Bergeron:

COMMISSIONER

Following up on our conversation last week, I am pleased to announce the public release and provide you with a copy of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) for Everglades National Park. The Draft GMP reflects many years of work, with important contributions from the public at large, stakeholder groups, elected officials, other agencies, and tribes – each have been valuable partners in this effort, and we look forward to the upcoming public meetings and the review period. The National Park Service looks forward to continuing discussions and input from FFWCC during this review period.

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Sincerely,



Dan B. Kimball
Superintendent

Enclosure



In Reply Refer to:
D18

**United States Department of the Interior
NATIONAL PARK SERVICE**

Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, Florida 33034

MAR 05 2013



Ms. Lauren Milligan
Florida State Clearinghouse Coordinator
Florida Department of Environmental Protection
3900 Commonwealth Blvd., Mail Station 47
Tallahassee, Florida 32399-3000

Dear Ms. Milligan:

Subject: Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement, Everglades National Park; Collier, Miami-Dade, Monroe Counties

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We look forward to receiving comments from state of Florida agencies, including a consistency review for this project in accordance with the State's Coastal Zone Management Program, and other applicable state and local laws, regulations and policies.

Should you need additional information or have any questions, please contact Fred Herling, Park Planner at 305-242-7717 or at fred_herling@nps.gov. State agency comments may be entered at: <http://parkplanning.nps.gov/EVER> (then go to "Open for Comment" link) or mailed to the park:

Everglades National Park
Attn: Fred Herling (Draft General Management Plan)
40001 State Road 9336
Homestead, Florida 33034

Sincerely,



Dan B. Kimball
Superintendent

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

APR 15 2013

April 15, 2013

Dan Kimball
Superintendent
Everglades National Park
40001 State Road 9336
Homestead, FL 33034-6733

SUBJECT: Draft General Management Plan/East Everglades Wilderness Study/
Environmental Impact Statement
CEQ Number: 20130047

Dear Mr. Kimball:

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the subject Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement. The National Park Service (NPS) is the lead federal agency for the proposed action.

Everglades National Park was dedicated in 1947 with 460,000 acres. As a result of various boundary additions, the park now encompasses 1,509,000 acres, including the largest legislated wilderness area (1,296,500 acres) east of the Rocky Mountains.

The last comprehensive effort for Everglades National Park was completed in 1979. Much has occurred since then— patterns and types of visitor use have changed, the Comprehensive Everglades Restoration Plan was approved, and in 1989 the East Everglades Addition (109,600 acres) was added to restore Northeast Shark River Slough and enhance freshwater flows from the northern end of the park to Florida Bay. Recent studies have enhanced the National Park Service's understanding of resources, resource threats, and visitor use in the national park. This general management plan will provide updated management direction for the entire national park, including the East Everglades Addition.

This document presents and analyzes four alternative ways of managing Everglades National Park for the next 20 or more years—alternative 1 (no action), the NPS preferred alternative, alternative 2, and alternative 4.

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Alternative 1 (no action) provides a baseline for evaluating changes and impacts of the three action alternatives. No wilderness is proposed for the East Everglades Addition in alternative 1.

The NPS preferred alternative would support restoration of natural systems while providing improved opportunities for quality visitor experiences. It proposes about 80,100 acres for designation as wilderness and about 9,900 acres for designation as potential wilderness within the East Everglades Addition.

Alternative 2 would strive to maintain and enhance visitor opportunities and protect natural systems while preserving many traditional routes and ways of visitor access. It proposes 39,500 acres for designation as wilderness within the East Everglades Addition. Alternative 2 would provide a high level of support for protecting natural systems while improving opportunities for certain types of visitor activities.

Alternative 4 would eliminate commercial airboat tours within the park. It proposes 42,700 acres for designation as wilderness and 59,400 acres for designation as potential wilderness within the East Everglades Addition.

All four alternatives, including the no action alternative, would enhance Flamingo Concession Services and facilities, but at a reduced level from what was described in the 2008 Commercial Services Plan. All of the action alternatives include construction of the Marjory Stoneman Douglas visitor facility at Gulf Coast, and each of these three alternatives would provide different new visitor opportunities.

DIFFERENCES BETWEEN ALTERNATIVE 1 (NO ACTION) AND THE ACTION ALTERNATIVES (PREFERRED, ALTERNATIVE 2, AND ALTERNATIVE 4)

There are several programs and processes that would be implemented in the action alternatives (preferred, alternative 2, and alternative 4). These programs are described below.

An adaptive management program would be developed to evaluate the success of management actions in achieving desired resource and visitor use conditions and modify management strategies as needed to improve success in achieving desired conditions.

An Everglades National Park Advisory Committee, composed of diverse stakeholders would be established to help park managers consider various perspectives on issues such as management of fisheries, access and visitor use (particularly the management of boating in shallow marine waters), and protection of endangered species during adaptive implementation of the approved management plan.

A user capacity program would be implemented to assist in managing the levels, types, and patterns of visitor use to preserve park resources and quality of the visitor experience. Components would include: (1) establish desired conditions for various areas of the park through management zoning, (2) identify indicators to monitor to determine whether desired conditions are being met, (3) identify standards (limits of acceptable change) for the indicators, (4) monitor

indicators to determine if there are disturbing trends or if standards are being exceeded, and (5) take management action to maintain or restore desired conditions.

A comprehensive cultural resource management program would be established, focusing on efforts to inventory, document, and protect all types of cultural resources; regularly monitor archeological sites and other historic properties to assess resource conditions and inform long-term treatment strategies; interpret selected cultural sites for the public; and better interpret and protect ethnographic resources in consultation with associated American Indian tribes and others traditionally associated with the park.

A strong natural resource management program would be developed to support implementation of desired conditions described in this general management plan, implement natural resource components of this plan, and contribute to the adaptive management and user capacity components of this plan.

A boater education permit program would be established to promote shared stewardship of marine resources, including shallow sea bottom areas, seagrasses, and wildlife. Operators of motorboats and non-motorized boats (including paddled craft) would complete a mandatory education program to obtain a permit to operate vessels in the park. Program information would be tailored to the type of craft and/or type of trip and would be widely available at the park; on the Internet; in gateway communities, marinas, hotels; and from guides; etc.

EPA's COMMENTS

Regarding **water quality issues**, specifically TMDLs, numeric nutrient criteria (NNC), impaired waters with causes, EPA offers the following comments:

Page 171 has a discussion on phosphorus content at discharge structures rising over the years, however, there was no mention of the new/emerging criteria (water quality standards). Basically, on 11/30/12, EPA approved the State's numeric nutrient criteria for, streams, lakes, springs and south Florida estuaries and coastal waters. On the same day, the EPA proposed criteria for the remaining estuaries, coastal waters, and south Florida inland flowing waters, and also re-proposed criteria for flowing waters outside of south Florida (applicable to waterways that may meet the definition at 62-302.200(36)(a) or (b) F.A.C.).

In accordance with the requirements of the Clean Water Act, the U.S. Environmental Protection Agency has completed the review of the revised rules adopted by the State of Florida. The U.S. Environmental Protection Agency has concluded that those changes which were determined to be water quality standards are approved.

Criteria Derivation

Springs

For spring vents, FDEP adopted a nitrate-nitrite criterion. The spring vent nitrate-nitrite criterion is based on a stressor-response relationship between nitrate-nitrite and the presence of

nuisance algal mats, with the criterion established at a concentration that would prevent nuisance mats from occurring.

Streams

For stream criteria, FDEP has developed reference-based nitrogen and phosphorus thresholds, in conjunction with biological components. This biological information augments the reference-based nutrient thresholds, and this integrated approach provides a strong package for protecting streams that is biologically responsive. The specific concentration values associated with the nitrogen and phosphorus thresholds vary depending upon which area of the state, out of a total of five areas that the water body is located within.

Lakes

FDEP has classified lakes into three categories; colored lakes, clear lakes with high alkalinity and clear lakes with low alkalinity. The lakes criteria were based on a stressor-response relationship between total nitrogen and total phosphorus (TN and TP) and phytoplankton response (chlorophyll a).

Estuaries

Estuary-specific numeric interpretations of the narrative criteria were derived for estuaries along the South and Southwest Coast. These include Tampa Bay, Clearwater Harbor, Sarasota Bay, Charlotte Harbor, Clam Bay and South Florida marine waters from the Ten Thousand Islands around to Biscayne Bay including Florida Bay and the Florida Keys. FDEP adopted these criteria to protect recreation and a healthy, well-balanced population of fish and wildlife.

Downstream Protection

Protection of downstream waters is required in FDEP's nutrient Rule by the statement, "The loading of nutrients from a water body shall be limited as necessary to provide for the attainment and maintenance of water quality standards in downstream waters." FDEP will implement this narrative by using models to allocate to upstream watersheds when establishing the TMDL for the downstream water body; requiring dischargers, at the time of permit issuance, to provide reasonable assurance that their effluent does not cause or contribute to nutrient impairments in the receiving water body and downstream water bodies; and identifying increasing trends in nutrient concentrations in all waters, including downstream waters, during the assessment cycle.

The FDEP Rule also includes an evaluation of trends to ensure that conditions are not increasing in a manner that could result in future impairment downstream.

FDEP's Rule provides processes that will serve to ensure the attainment and maintenance of downstream waters by requiring nutrient control measures not only in cases where nutrient impairment has already been documented, but also in cases where nutrient standards are currently met in downstream waters, but maintaining compliance with those nutrient standards is threatened as documented by water quality trends.

Site-Specific Alternative Criteria

FDEP's Rule also includes provisions outlining the process for the development of site-specific alternative criteria or SSAC for nutrients. This process provides a predictable approach to developing nutrient SSAC. The Rule language provides clear expectations on the water quality and biological data needed to characterize existing nutrient concentrations and aquatic health.

The Final Environmental Impact Statement (FEIS) should include discussions of the State's numeric nutrient criteria for, streams, lakes, springs and south Florida estuaries and coastal waters.

Cumulative TMDLs by Pollutant Florida, Everglades Watershed

This chart includes TMDLs since October 1, 1995.

<u>Pollutant</u>	<u>Number of TMDLs Completed</u>	<u>Number of Causes of Impairment Addressed</u>
Fecal Coliform	16	16
Nitrogen, Total	10	15
Phosphorus, Total	10	15
Turbidity	6	6
Biochemical Oxygen Demand (BOD)	5	8
Total Suspended Solids (TSS)	4	4
Fecal	3	3

Total: 54 TMDLs; 67 Causes of Impairment

The Final Environmental Impact Statement (FEIS) should include discussions of the 54 TMDLs that have been approved/established for the Everglades.

Regarding **Tribal issues**: EPA encourages consultation with the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida at all levels of decision-making. The EPA works closely with both Tribes on Everglades matters and is committed to working with other federal partners to prioritize the Tribes' water quality and water management concerns.

In the spirit of collaboration and technical assistance the EPA encourages NPS to consider some **sustainability concepts** which could be incorporated in the management plan.

Green Building

Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle from design to, construction, operation, maintenance, renovation and deconstruction. This practice expands and complements the classical building design concerns of economy, utility, durability, and comfort. Green building is also known as a sustainable or high performance building.

Green buildings are designed to reduce the overall impact of the built environment on human health and the natural environment by:

- Efficiently using energy, water, and other resources
- Protecting occupant health and improving employee productivity
- Reducing waste, pollution and environmental degradation

For example, green buildings may incorporate sustainable materials in their construction (e.g., reused, recycled-content, or made from renewable resources); create healthy indoor environments with minimal pollutants (e.g., reduced product emissions); and/or feature landscaping that reduces water usage (e.g., by using native plants that survive without extra watering).

Green Parking

Green parking refers to several techniques that when applied together reduce the contribution of parking lots to total impervious cover. From a storm water perspective, green parking techniques applied in the right combination can dramatically reduce impervious cover and, consequently, reduce the amount of storm water runoff. Green parking lot techniques include: setting minimums of permanent parking spaces; minimizing the dimensions of parking lot spaces; utilizing alternative pavers in overflow parking areas; using bioretention areas to treat storm water; encouraging shared parking.

Green parking lots can dramatically reduce the creation of new impervious cover. How much is reduced depends on the combination of techniques used to achieve the greenest parking. While the pollutant removal rates of bioretention areas have not been directly measured, their capability is considered comparable to a dry swale, which removes 91 percent of total suspended solids, 67 percent of total phosphorous, 92 percent of total nitrogen, and 80-90 percent of metals (Claytor and Schueler, 1996).

Based on the DEIS, we agree with NPS that The NPS Preferred Alternative appears to be the best approach. We rate this document LO (Lack of Objections). However, as noted above, additional information, data, analyses, or discussion should be included in the FEIS.

We appreciate the opportunity to review the proposed action. Please contact Ken Clark of my staff at (404) 562- 8282 if you have any questions or want to discuss our comments further.

Sincerely,

A handwritten signature in black ink, appearing to read "Mueller", with a stylized flourish at the end.

Heinz J. Mueller, Chief
NEPA Program Office
EPA, Region 4



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960



June 24, 2013

JUN 28 2013

Memorandum

To: Dan B. Kimball, Superintendent, Everglades and Dry Tortugas National Parks

From: *for* *Donald R. Williams*
Larry Williams, Field Supervisor, South Florida Ecological Services Office

Subject: Draft General Management Plan / East Everglades Wilderness Study /
Environmental Impact Statement, Everglades National Park; Collier,
Miami-Dade, Monroe Counties

This memorandum responds to the National Park Service's (NPS) letter dated March 5, 2013, requesting initiation of informal consultation under section 7 of the Endangered Species Act (Act) on the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) for Everglades National Park (ENP). The U.S. Fish and Wildlife Service's (Service) comments are provided to support ENP efforts to conserve fish and wildlife resources. The Service is available to continue informal consultation, in accordance with section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*) with the NPS on the alternative to be selected as part of finalization of the GMP.

Project Description and Background

The approved final GMP will be the basic document for managing ENP for the next 20 to 30 years. This new management plan is needed because the last comprehensive planning effort for the park was completed in 1979. Many changes have occurred since then: patterns and types of visitor use have changed, the Comprehensive Everglades Restoration Plan was approved, and the ENP boundary was modified in 1989 with the East Everglades Addition. Furthermore, recent studies have enhanced NPS understanding of resources, resource threats, and visitor use in the park. The GMP also includes a wilderness study for the East Everglades Addition and evaluates this area for possible Congressional recommendation for inclusion in the national wilderness preservation system. The Wilderness Act of 1964, Secretarial Order 2920, and NPS Management Policies 2006, require NPS to study roadless and undeveloped areas within the national park system, including new areas or expanded boundaries, to determine whether they should be designated as wilderness.

The GMP outlines and analyzes four alternatives for managing ENP; Alternative 1 (the no action alternative), the NPS preferred alternative, Alternative 2, and Alternative 4. Alternative 3 was created during an early phase of alternatives development, but was dropped from detailed consideration in the GMP.

Alternative 1 (the no action alternative), is characterized primarily as conditions at ENP as of December 2009, with continuation of current management practices. It assumes implementation of some approved and funded facility improvements via concessioners and NPS as well as unfunded improvements at Flamingo, but otherwise the existing built environment would remain and maintained. Management activities would continue to conserve natural resources while accommodating a range of visitor uses and visitors would continue to have access to existing land and water based opportunities and programs. In Florida Bay, small areas of idle speed restriction would remain, and Little Madeira Bay, Joe Bay, and the Crocodile Sanctuary would remain closed to the public. The East Everglades Addition would continue to be managed under the guidance provided in the Expansion Act and the Land Protection Plan, commercial airboating would continue at the discretion of owners, and private airboating would continue.

The NPS Preferred Alternative will use management zoning and collaborative techniques such as adaptive management, user education, and a national park advisory committee, to support restoration of natural systems while providing improved opportunities for quality visitor experiences. Management zones that establish pole/troll zones over some shallow areas of Florida Bay (submerged marine wilderness), channels, passes, and boat access routes would be established. About 21,700 acres in the northwest portion of the East Everglades Addition will be managed as the frontcountry zone, where commercial airboat tours and private airboat use by eligible individuals would continue. The majority of the East Everglades Addition (where airboat use would not be allowed) would be proposed for wilderness designation. A boating safety and resource protection plan would be developed to avoid/minimize the risk of boat-boat collisions, boat-wildlife collisions (including the manatee), groundings, and other impacts on the sea bottom which is a federally protected wilderness. Little Madeira Bay, Joe Bay, and the Crocodile Sanctuary would remain closed to the public.

Alternative 2 would endeavor to maintain and enhance visitor opportunities and protect natural systems as well as preserve many traditional routes and visitor access. This alternative relies more on boater education and enhanced ranger patrols to provide a degree of increased protection for seagrass beds, banks, and other submerged marine wilderness values. Small areas of idle speed restriction would remain. Little Madeira Bay, Joe Bay, and the Crocodile Sanctuary would be open for limited use to the public. About 56,000 acres in the northern portion of the East Everglades Addition would be managed as the frontcountry zone. The remainder would be managed as the backcountry (nonmotorized) zone. Commercial airboating under concessions contracts and private airboating would operate on designated routes in the frontcountry zone. About 39,500 acres would be proposed wilderness.

Alternative 4 would provide a high level of support for protection of natural systems as well as improving opportunities for certain types of visitor activities. This alternative establishes pole/troll zones over shallow areas of Florida Bay on approximately 159,564 acres to better protect the sea bottom, covering about 41 percent of Florida Bay waters within the park. The zones would be traversed by marked channels, and the waters from Middle Cape to East Cape would be managed as an idle speed, no wake area. Little Madeira Bay, Joe Bay, and the Crocodile Sanctuary would remain closed to the public. Approximately 21,600 acres in the

northwest portion of the East Everglades Addition will be managed as the frontcountry zone where private airboating by eligible individuals would continue. Commercial airboat tours in the national park would be discontinued in this alternative. Nearly all the East Everglades Addition would be proposed for eventual wilderness designation. In addition to the parkwide programs listed for the action alternatives, a manatee management plan would be developed to identify ways to improve manatee protection within the national park while maintaining as many recreational boating opportunities as possible.

Status of the Species

The NPS has made the following determinations of impacts from implementing the NPS preferred alternative on federally-listed species which are known to occur within or proximate to the Draft General Management Plan / East Everglades Wilderness Study area, and requests the Service's concurrence with their determinations of no effect and "may affect, not likely to adversely affect" (MANLTAA), for the listed species in the following table:

Common Name	Scientific Name	Status	Determination
BIRDS			
Cape Sable seaside sparrow	<i>Ammodramus maritimus mirabilis</i>	Endangered	MANLTAA
Everglade snail kite	<i>Rostrhamus sociabilis plumbeus</i>	Endangered	MANLTAA
Piping plover	<i>Charadrius melodus</i>	Threatened	MANLTAA
Roseate tern	<i>Sterna dougallii dougallii</i>	Threatened	MANLTAA
Wood stork	<i>Mycteria americana</i>	Endangered	MANLTAA
Audubon's crested caracara	<i>Caracara cheriway</i>	Threatened	No effect
Red-cockaded wood-pecker	<i>Picoides borealis</i>	Endangered	No effect
INVERTEBRATES			
Stock Island tree snail	<i>Orthalicus reses reses</i>	Threatened	No effect
Schaus swallowtail	<i>Heraclides aristodemus ponceanus</i>	Endangered	No effect
Miami blue butterfly	<i>Cyclargus thomasi bethunebakeri</i>	Endangered	No effect
PLANTS			
Garber's spurge	<i>Chamaesyce garberi</i>	Threatened	No effect
Crenulate lead-plant	<i>Amorpha crenulata</i>	Endangered	No effect
Johnson's Seagrass	<i>Halophila johnsonii</i>	Threatened	No effect
MAMMALS			
Florida panther	<i>Puma (=Felis) concolor coryi</i>	Endangered	MANLTAA
Bottlenose dolphin	<i>Tursiops truncatus</i>	Depleted	MANLTAA
West Indian manatee	<i>Trichechus manatus</i>	Endangered	MANLTAA
Key Largo woodrat	<i>Neotoma floridana smalli</i>	Endangered	MANLTAA
Key Largo cotton Mouse	<i>Peromyscus gossypinus allapaticola</i>	Endangered	MANLTAA
REPTILES			
American crocodile	<i>Crocodylus acutus</i>	Threatened	MANLTAA
Eastern indigo snake	<i>Drymarchon corais couperi</i>	Threatened	MANLTAA
Green sea turtle	<i>Chelonia mydas</i>	Endangered	MANLTAA
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	MANLTAA

Kemp's Ridley sea turtle	<i>Lepidochelys kempii</i>	Endangered	MANLTAA
Leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	MANLTAA
Loggerhead sea turtle	<i>Caretta caretta</i>	Threatened	MANLTAA
FISH			
Smalltooth sawfish	<i>Pristis pectinata</i>	Endangered	MANLTAA
Dusky shark	<i>Carcharhinus obscurus</i>	Species of concern	No effect
Opossum pipefish	<i>Microphis branchiurus</i>	Species of concern	No effect
Saltmarsh topminnow	<i>Fundulus jenkinsi</i>	Species of concern	No effect
Goliath grouper	<i>Epinephelus itajara</i>	Species of concern	No effect
Key silverside	<i>Menidia menidia</i>	Species of concern	No effect
Mangrove rivulus	<i>Rivulus marmoratus</i>	Species of concern	No effect
Nassau grouper	<i>Epinephelus striatus</i>	Species of concern	No effect
Sand tiger shark	<i>Carcharias taurus</i>	Species of concern	No effect
CANDIDATE SPECIES			
Florida bonneted bat	<i>Eumops glaucinus floridanus</i>	Candidate	No effect
Gopher tortoise	<i>Gopherus polyphemus</i>	Candidate	No effect
Mangrove fox squirrel	<i>Sciurus niger</i>	Candidate	No effect
Bartram's hairstreak butterfly	<i>Strymon acis bartrami</i>	Candidate	No effect
Florida leafwing butterfly	<i>Anaea troglodyta floridalis</i>	Candidate	No effect
Blodgett's silverbush	<i>Argythamnia blodgettii</i>	Candidate	No effect
Florida pineland crabgrass	<i>Digitaria pauciflora</i>	Candidate	No effect
Pineland sandmat	<i>Chamaesyce deltoidea</i> var. <i>pinetorum</i>	Candidate	No effect
Florida prairie clover	<i>Dalea carthagenensis</i>	Candidate	No effect
Cape Sable thorough-wort	<i>Chromolaena fruticosa</i>	Candidate	No effect
Everglades bully	<i>Sideroxylon reclinatum</i> subsp. <i>austrofloridense</i>	Candidate	No effect
Everglades crabgrass	<i>Digitaria pauciflora</i>	Candidate	No effect

Although consultation is not required for candidate species under the Act, the Service acknowledges NPS' efforts to coordinate activities affecting them, which enhances and facilitates future consultation and protection once the species are proposed or listed. The Service has reviewed the plans, maps, and other information provided by NPS for the proposed project, including the conservation measures proposed to reduce adverse effects to federally-listed threatened and endangered species. We will conclude section 7 consultation after the release of the Final GMP and before the Record of Decision is signed.

General Comments

The NPS preferred alternative lists as a key impact, long-term, baywide, moderate to major, beneficial impacts on vegetation (primarily seagrass) in Florida Bay from new programs and changes in management of recreational boating in Florida Bay. The Service fully supports these efforts that would have wide-ranging benefits to marine and estuarine organisms as well as manatees.

The NPS preferred alternative also would include development of a boating safety and resource protection plan that would include Florida Bay, the Gulf Coast, and Ten Thousand Islands that would evaluate how to further avoid/minimize the risk of boat-boat and boat-wildlife collisions, groundings, and other impacts on the sea bottom. Because this study would address how to minimize risks to wildlife (including the manatee and other marine endangered species), it is anticipated that a separate manatee management plan would not be necessary. The Service also fully supports these efforts and believes that they would be an important step in improved manatee management efforts in this area.

Another aspect of the NPS preferred alternative includes Little Madeira Bay, Joe Bay, and adjacent smaller water bodies (also known as the Crocodile Sanctuary) that would remain closed to public use and managed as a special protection zone. The Service is in support of these closures that again would have wide-ranging benefits to marine and estuarine organisms as well as manatees.

The GMP outlines that the NPS Preferred Alternative will use collaborative techniques such as adaptive management to support restoration of natural systems. The Service wholly supports the concept of adaptive management as an effective tool to more efficiently manage and restore natural resources and recommends additional discussion in the Final GMP of how ENP will implement this process so that we can be an active participant.

On page 156 of the GMP, under Summary of Uses, Developments, and Management Actions Permitted and Prohibited in Wilderness, two types of actions are specifically permitted: 1) Scientific activities, research, and monitoring (provided the activities are appropriate and use the minimum requirement to accomplish project objectives); and 2) Management actions taken to address impacts of human use; examples of such actions include restoration of extirpated species, controlling invasive nonnative species, managing endangered species, and protection of air and water quality. However, the same section specifically prohibits use of motorized equipment, motorboats, airboats, and landing of aircraft. Given the logistic difficulty of travel distances and foot travel involved in the Everglades habitats, effective management of many listed species, and specifically research activities and helicopter survey counts of Cape Sable seaside sparrows are dependent on these forms of transportation. NPS should specifically address this issue in the Final GMP as to whether wilderness designation will significantly curtail these management activities or give assurances that latitude will be provided to conduct these actions as dictated by the endangered species' needs and the NPS's responsibilities under the Act.

Table 10 on Page 211 includes Habitat Comments and Other Notes for the Cape Sable seaside sparrow. In these comments the document states that "Recent surveys estimate the population at approximately 2,000 individuals, all west of the Northeast Shark River Slough in the park (USFWS 1999b)." This statement should read "approximately 3,000 individuals, mostly east of the Northeast Shark River Slough". However, based on recent data obtained by field researchers studying the Cape Sable seaside sparrow, extreme caution should be exercised in the use of

Draft GMP for Everglades National Park

Page 6

population estimations obtained using the available methodology. Field data has shown a wide discrepancy in actual counts of birds, especially in smaller subpopulations, compared to population estimations obtained with the helicopter survey methodology.

Table 10 on Page 222 lists the status under Act of the Miami blue butterfly as candidate. This status has recently been changed to endangered.

The Service could not find an analysis of effects within the draft GMP on critical habitat. Critical habitat within ENP has been designated for the American crocodile, West Indian manatee, Cape Sable seaside sparrow, and Everglade snail kite. The NPS preferred alternative should have beneficial effects to the Primary Constituent Elements that are the physical and biological features essential for conservation of the species. The Service recommends that ENP include determinations of effects on critical habitat for federally-listed species in their Final GMP.

The Service is available to collaborate with the NPS on finalization of this GMP and completion of section 7 consultation, and to analyze alternatives other than the NPS preferred alternative or modified alternatives, if necessary. We look forward to working with you to protect ENP for its conservation and historic value. If you have any questions, please contact Richard Fike at 772-469-4262.

cc: electronic copy only
NPS/ENP, Homestead, Florida (Fred Herling, Tylan Dean)



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR
HERSCHEL T. VINYARD JR.
SECRETARY

May 15, 2013

Mr. Fred Herling, Supervisory Park Planner
Everglades and Dry Tortugas National Parks
40001 State Road 9336
Homestead, FL 33034

RE: National Park Service – Everglades National Park, Draft General Management Plan/East
Everglades Wilderness Study/Environmental Impact Statement – Collier, Miami-Dade
and Monroe Counties, Florida.
SAI # FL201303066519C

Dear Mr. Herling:

The Florida State Clearinghouse has coordinated a review of the National Park Service's (NPS) Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement for Everglades National Park (draft GMP) under the following authorities: Presidential Executive Order 12372; § 403.061(42), *Florida Statutes*; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

The following agencies submitted comments, concerns and recommendations regarding the draft GMP, all of which (letters, memoranda or Clearinghouse database entries) are attached hereto, incorporated herein by this reference, and made an integral part of this letter:

- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Florida Department of Transportation
- South Florida Water Management District
- Florida Department of Agriculture and Consumer Services
- South Florida Regional Planning Council
- Miami-Dade County Planning Division

Based on the information contained in the draft GMP and enclosed agency comments, the state has determined that the NPS' draft GMP for Everglades National Park is consistent with the Florida Coastal Management Program (FCMP). To ensure the projects' continued consistency with the FCMP, the concerns identified by the reviewing agencies must be addressed prior to

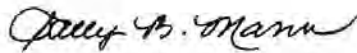
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Mr. Fred Herling
Page 2 of 2
May 15, 2013

project implementation. The state's continued concurrence will be based on the activities' compliance with FCMP authorities, including federal and state monitoring of the activities to ensure their continued conformance, and the adequate resolution of issues identified during this and subsequent regulatory reviews. If applicable, the state's final concurrence of the projects' consistency with the FCMP will be determined during the state's environmental permitting process, in accordance with Section 373.428, *Florida Statutes*.

Please refer to the attached letters, memoranda and online Clearinghouse database entries for all agency comments, concerns and recommendations regarding the above-captioned project. Should you have any questions or require additional information, please contact Ms. Lauren Milligan, Clearinghouse Coordinator, at (850) 245-2170 or Lauren.Milligan@dep.state.fl.us.

Yours sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/lm
Enclosures

cc: Ernie Marks, DEP Office of Ecosystem Projects
Stacey Feken, DEP Office of Ecosystem Projects
Chad Kennedy, DEP Office of Ecosystem Projects
Jennifer Nelson, DEP South District
Scott Sanders, FWC
Martin Markovich, FDOT
John Morgan, SFWMD
Forrest Watson, FDACS, FFS
Eric Swanson, SFRPC



Project Information	
Project:	FL201303066519C
Comments Due:	04/16/2013
Letter Due:	05/20/2013
Description:	NATIONAL PARK SERVICE - EVERGLADES NATIONAL PARK, DRAFT GENERAL MANAGEMENT PLAN/EAST EVERGLADES WILDERNESS STUDY/ENVIRONMENTAL IMPACT STATEMENT - COLLIER, MIAMI-DADE AND MONROE COUNTIES, FLORIDA
Keywords:	NPS - EVERGLADES NATIONAL PARK, DRAFT GMP/EEWS/EIS
CEQA #:	15.916
Agency Comments:	
SOUTH FL RPC - SOUTH FLORIDA REGIONAL PLANNING COUNCIL	
SFRPC staff finds the Draft GMP to be generally consistent with the SFRPC's Strategic Regional Policy Plan. The Miami-Dade County Planning Division also finds it to be generally consistent with the County's Comprehensive Development Master Plan. Please refer to the enclosed SFRPC and Miami-Dade County letters for further information.	
FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	
The FWC notes its strong support of the NPS' intent to establish a number of committees and groups to inform management activities or develop programs as identified in the draft GMP, and requests staff representation on those committees or groups relating to the agency's specific fields of expertise. FWC staff has provided detailed comments and recommendations on the proposed "Idle Speed No Wake" vessel speed restrictions, park-wide boater education permit program, listed species management measures, pole and troll zone public access barriers, improved waterway marking and state regulatory requirements, enforcement of restricted areas, airboat usage restrictions, and scientific research site accessibility. Of particular concern to the FWC is the East Everglades Addition area wilderness designation. The agency is strongly opposed to a "proposed wilderness" or "proposed potential wilderness" designation for any of the East Everglades Addition area due to its potential effects on restoration and invasive species control efforts. Please contact Ms. Lisa Gregg at (850) 617-9621 or lisa.gregg@myfwc.com, or Mr. Chuck Collins at (561) 882-5701 or chuck.collins@myfwc.com if you have any questions regarding the FWC's comments.	
TRANSPORTATION - FLORIDA DEPARTMENT OF TRANSPORTATION	
FDOT District One reports that state roadways in Collier County within the vicinity of the proposed Marjory Stoneman Douglas Visitor Center in the City of Everglades City are anticipated to continue to have available capacity during year 2017 short term horizon and year 2035 long term horizon conditions. Further, the implementation of the NPS' preferred alternative is anticipated to result in only minor long-term increases in traffic on the roadway network in the area and will not adversely impact important state transportation facilities. FDOT District Six notes that the following preferred alternative plans may require further coordination with District Six staff in Miami: (1) Turnouts are proposed along Tamiami Trail for visitor access to new and upgraded facilities. (2) New motorized/non-motorized boat launches are proposed along Tamiami Trail and U.S. 1 (the "18-mile Stretch"), including paddle, canoe, carry-in and airboat access points. (3) Parking congestion relief is proposed along Tamiami Trail. (4) The proposed regional hiking and biking trails in the area, including one proposed from Tamiami Trail to the main park entrance. (5) Expansion of education and recreational opportunities (hiking, bicycling, wildlife viewing, and learning about Everglades restoration and history) along Tamiami Trail. (6) Expansion of connections to public transportation systems along Tamiami Trail. (7) Proposed connections to the South Dade Greenway Network where it is located along state roads. FDOT looks forward to continued coordination with the NPS as it proceeds with further planning and development of the above projects. For further information and assistance, please contact Ms. Barbara B. Culhane at (305) 470-5231 or Ms. Aileen Varela-Margolles at (305) 470-5405.	
MIAMI-DADE -	
The Miami-Dade County Planning Division has reviewed the Draft GMP and notes that the Everglades National Park area is designated "Environmentally Protected Parks" in the County's Comprehensive Development Master Plan. Please be advised that the County's adopted East Everglades Resource Management program governs land use and site alterations on	

privately-owned areas within the park under Chapter 33-B, Code of Miami-Dade County. Staff also advises that the Draft GMP should include references to the River of Grass Greenway Feasibility Study and Master Plan, the Biscayne-Everglades Greenway Loop, and South Dade Greenway Network Master Plan in certain portions of the document. Please refer to the enclosed County letter for further details and suggested GMP edits.

ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

The DEP Office of Ecosystem Projects reports that the Draft GMP appendices acknowledge DEP's 2003 comments on the GMP scoping notice, but not those provided on the scoping notices for the East Everglades Wilderness Study in 2006 or Revised Preliminary Alternatives for Marine Waters, Everglades National Park GMP in 2009. Staff requests that the Final GMP provide specific information addressing the integration of planning efforts for area restoration projects into the decision making processes associated with park resource management. Since these details are not provided in the Draft GMP, the potential exists for delays in implementing the important restoration plans in the region. The DEP's 2006 comments stated that the Wilderness Study should address the requirements for implementation of any hydrological elements, such as canals, pump stations or control structures associated with the Modified Water Deliveries project and components of the Comprehensive Everglades Restoration Plan designed to restore more natural water flows through the East Everglades and Northeast Shark River Slough. The analyses presented in the GMP do recognize that there may be short term minor to moderate adverse impacts from construction of the various restoration projects in the area, state that the various restoration projects in the region are designed to restore more natural conditions to the park, and acknowledge that the projects would improve the natural and undeveloped qualities of the wilderness and eligible wilderness. These analyses appear to be restricted to the East Everglades Addition, however, and do not cover other areas of the park. For example, the draft environmental impact statement for the Central Everglades Planning Project is anticipated to be released in the next few months and it is important to ensure that any potential issues are coordinated and addressed prior to the release of a Final GMP.

AGRICULTURE - FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Thank you for the opportunity to comment. The Florida Forest Service would like more information included within the General Management Plan regarding wildfire suppression activities that will be allowed within Everglades National Park, including any areas designated as "wilderness". For example, if a wildfire within the park is threatening to move outside the boundary area, will low ground impact fire suppression be allowed into the park and/or will fire retardant and foam be allowed to be used? Any questions may be directed to David Crane, Manager, Everglades District @ 954-475-4120.

STATE - FLORIDA DEPARTMENT OF STATE

No Comment/Consistent

SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT

South Florida Water Management District (SFWMD) staff has reviewed the Draft General Management Plan/Environmental Impact Statement for Everglades National Park and offers the following comments. (1) Final determinations regarding wilderness designation should be coordinated with the SFWMD to assure such designations and areas of exemption are compatible with on-going and planned Everglades restoration projects adjacent to the East Everglades Addition Area. (2) Recognition should be made that vehicular/motorized access will likely be needed to provide cost-effective exotic plant and animal control activities within proposed wilderness areas located in the East Everglades Addition Area and adjacent to District managed lands. (3) The potential use of invasive species in revegetation plans (see page 120) should be reconsidered or, at a minimum, reworded to clarify the intent. Under what conditions would an invasive species be suitable for revegetation efforts? How is invasive defined in this context? Perhaps it would be more appropriate to state that under special circumstances, the use of non-invasive, non-indigenous species (e.g., sterile hybrids) may be considered. (4) The encroachment of non-indigenous fish species in the Park represents a significant challenge to resource protection goals. The Park's recognition of the potential threat of invasive fish is well-founded. It is encouraging that the Park proposes continued research and monitoring to assess the distribution, abundance, and impacts of non-indigenous species. In addition to these activities, the Park should coordinate closely with the SFWMD, USACE, and other agencies to identify potential preventative actions to limit future introductions of non-indigenous fish species. For example, design alternatives and management strategies could be assessed during planning stages of future Everglades restoration projects.

SW FLORIDA RPC - SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

No Comments Received

COLLIER - COLLIER COUNTY

MONROE -

For more information or to submit comments, please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD, M.S. 47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190



Memorandum

TO: Lauren Milligan, Florida State Clearinghouse

THROUGH: Ernie Marks, Director
Office of Ecosystem Projects

THROUGH: Greg Brock, Administrator
Division of State Lands

FROM: Stacey Feken, Chad Kennedy, and Jerilyn Ashworth

DATE: April 30, 2013

SAI#: FL201303066519C

SUBJECT: National Park Service – Everglades National Park, Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (Draft GMP) – Collier, Miami-Dade and Monroe Counties, Florida.

Background

The National Park Service has prepared a Draft General Management Plan (GMP), East Everglades Wilderness Study (EEWS) and Environmental Impact Statement (EIS), which will be the basis for managing Everglades National Park for the next 20 to 30 years. According to the document, the last comprehensive planning effort for the park was completed in 1979. Scoping for the current GMP was initiated in 2003. The GMP defines desired resource conditions and visitor experiences and provides a framework for decision-making on how best to protect resources, provide quality visitor opportunities, manage visitor use, and what kind of facilities, if any, to develop in or near the park. The scope of the GMP was expanded in 2006 to include an evaluation of whether all or portions of the East Everglades Addition should be designated as a Wilderness Area, a special designation authorized by the 1964 Wilderness Act.

Comments

The Florida Department of Environmental Protection (Department) reviewed the Draft GMP/EEWS/EIS dated February 2013. The appendices acknowledge Department comments based on a review of the scoping notice for an earlier version of the GMP dated 2003, but did not reflect that Department staff also provided comments through the Florida State Clearinghouse on the Scoping Notice for the East Everglades Wilderness Study in 2006, and comments on the Revised Preliminary Alternatives for Marine Waters, Everglades National Park General Management Plan in 2009.

East Everglades Addition

The State of Florida donated 25,000 acres of land when Everglades National Park (ENP) was initially authorized by Congress in 1934. In 1989, the Governor and Cabinet signed a resolution strongly supporting the joint federal-state acquisition of the East Everglades and the inclusion of

Florida State Clearinghouse: Everglades National Park, Draft GMP
 April 30, 2013
 Page 2 of 4

state land in the expansion in order to protect and restore the Everglades system. The Everglades National Park Protection and Expansion Act of 1989 authorized the expansion of the boundaries of ENP by 107,600 acres to include the Northeast Shark River Slough and East Everglades, and indicated the aforementioned willingness of the State of Florida to donate additional state lands to protect lands and water within the park. The state subsequently donated over 44,000 acres in a series of transfers in 1991, 1993 and 2003, including the 635.0-acre Chekika State Recreation Area. Though the GMP acknowledges funding provided by the state for the initial acquisition of lands in 1934 and the donation of the former Chekika State Recreation Area, it does not recognize the state's other significant contributions (some 43,365 acres of land), which comprise over 40 percent of the East Everglades Addition.

The state lands transfer certifications state that "if the National Park Service should for any reason cease to use the property for public outdoor recreation purposes, title will revert to the Board of Trustees." From our review of the GMP, the majority of the land donated by the state is eligible for the Wilderness designation, which is intended to "preserve and protect wilderness characteristics and values in perpetuity, including opportunities for solitude or primitive and unconfined recreation." Although the Chekika area was determined to be ineligible due to existing infrastructure, the GMP indicates that it would remain open seasonally as a day use area to allow for public recreational opportunities. Based upon the review conducted by the Department's Division of State Lands, the proposed uses outlined in the GMP conform with the Board of Trustees' purposes for transferring title of state lands to ENP.

In our 2006 comments, we stated that the Wilderness Study should address planned utilities and the potential for locating alternate corridors. The Department has provided assistance with the recent discussions between the National Parks Conservation Association and Florida Power and Light (FPL) with regard to an alternative corridor. The alternate electrical transmission corridors that have been proposed for locating transmission lines outside the park boundaries are currently under review by the Department and may also require consideration by the Board of Trustees. The Department notes that Chapter 3 of the GMP identifies the corridor currently owned by FPL as a *proposed potential wilderness area*. The GMP acknowledges this issue is being considered and will be addressed in a separate EIS.

Relationship to Regional Ecosystem Restoration Projects

Although the EIS states that ecosystem restoration is not specifically addressed in the GMP, the section entitled "Relationship of the GMP to Other Planning Efforts" outlines major restoration projects in the region. While we recognize that most of the projects have their own scoping and planning processes, we have observed that the GMP lacks specific information addressing how the restoration activities are integrated into the decision-making processes associated with managing park resources. By not providing more detail in the GMP, the potential exists for delays in implementing the important restoration plans in the region.

Our 2006 comments stated that the Wilderness Study should address the requirements for implementation of any hydrological elements such as canals, pump stations or control structures associated with Mod Waters and components of CERP designed to restore more natural water flows through the East Everglades and Northeast Shark River Slough. In Chapter 1, we note that the study considers – but specifically excludes – these elements of ecosystem restoration in the

Florida State Clearinghouse: Everglades National Park, Draft GMP
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analyses presented in the GMP, in recognition that these plans have separate dynamic processes. While we understand this approach, it is not clear from the GMP/EEWS/EIS, specifically, how these activities were considered during development of the proposed plan or how they will be addressed or integrated into decision-making activities for park resources in the future. The analyses presented in the GMP do recognize there may be short-term minor to moderate adverse impacts from construction of the various restoration projects in the area, state that the various restoration projects in the region are designed to restore more natural conditions to the park, and acknowledge that long-term the projects would improve the natural and undeveloped qualities of the wilderness and eligible wilderness. Even so, however, the analyses are restricted to the East Everglades Addition.

In addition, the GMP does not recognize or address impacts from restoration projects in other areas of the park. For example, the document acknowledges the CERP Central Everglades Planning Project (CEPP), but does not address specific features. Of particular interest are the removal of the Old Tamiami Trail road bed and the backfilling of the L-67 canal, both currently included in the Tentatively Selected Plan for the CEPP and outside the boundaries of the addition. The GMP could provide an opportunity to avoid unintended delays in the completion of these and other restoration activities in the region. The draft EIS for CEPP is anticipated to be released in the next few months, and it is important to ensure that any potential issues are coordinated and addressed prior to the release of a final GMP.

In Chapter 3, we note that exclusions to the wilderness proposal portion of the study include a strip along the park boundary, south of Tamiami Trail and the entire length of the eastern boundary of ENP. We concur with this approach, as this will allow for natural resource management, maintenance and construction activities necessary not only for ENP operations, but also for completion of restoration efforts in the region, as the Wilderness designation prohibits certain types of activities. The GMP does not, however, address the existence or need for similar "buffer" strips in other areas of the park. For example, how will the GMP address construction, maintenance and operational activities for existing structures and features managed by other entities, such as the existing culverts along Tamiami Trail, the S-12 structures, and other structures along the C-111 Detention Area and Modified Water Delivery Features along the eastern boundary of the park? The Department requests the GMP consider these additional areas in its designation of buffer zones.

Regulatory Authorizations

The EIS recognizes that impacts to water quality and wetlands must be avoided or minimized and activities must comply with applicable federal and state regulations, including Section 404 of the Clean Water Act and Chapters 373 and 403, Florida Statutes. The majority of the large-scale ecosystem restoration projects described in pages 35-38 of the GMP will require permits from the Department's Office of Ecosystem Projects. In addition, activities that may affect, are intended to complement, or are adjacent to restoration areas should be coordinated through the office to ensure consistency with ongoing regional restoration efforts. The construction activities proposed in the EIS, such as (but not limited to) the establishment of camping platforms and roofed structures, may require an Environmental Resource Permit from either the Department (South or Southeast District Office) or the South Florida Water Management District, depending on the location and scope, as ENP spans two Department regulatory districts.

Florida State Clearinghouse: Everglades National Park, Draft GMP
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Page 4 of 4

The Office of Ecosystem Projects requests that in addition to the Florida State Clearinghouse (Ms. Lauren Milligan, Coordinator), the office be added to the NPS's mailing list for future notifications associated with this and related studies. Should you have any questions regarding the foregoing comments, please contact Ms. Stacey Feken at (850) 245-3176.

Additional Comments

The Department's South District staff also reviewed the Draft GMP and offers the following comments:

The National Park Service's preferred alternative will support restoration of natural systems, while providing improved opportunities for quality visitor experiences through "management zoning," which will establish pole/troll zones in shallow areas of Florida Bay to prevent or minimize boat propeller damage and scarring of sea grass beds and other benthic communities in those shallow areas. The GMP also proposes an adaptive management plan and a user education program for boaters to prevent boat groundings and collisions, including those with wildlife, such as manatees. Under the preferred alternative, the GMP will establish a "frontcountry" zone in the East Everglades Addition lands, where both commercial and private airboating will be allowed and managed. A significant portion of the East Everglades Addition will be designated as Wilderness Area. The preferred alternative will also expand camping areas, including installing additional over-the-water camping platforms ("chickees") to increase recreational opportunities and visitor access.

Based on the information presented, the cumulative effects of the preferred alternative will be beneficial to natural resources, as well as public access and education. Benefits include the long-term reduction of motorized boating impacts, such as reducing propeller scarring of sea grass beds and reducing turbidity associated with boat groundings. In addition, improved management of airboat use will benefit fish and wildlife and their habitats by limiting airboat use to a portion of the East Everglades Addition, and designating the remainder as Wilderness. Commercial airboat operations would be managed under a limited number of National Park Service concession contracts, and private airboating would be permitted along designated routes only. Potential temporary impacts associated with implementation of the preferred alternative may include water quality or wetland impacts related to proposed construction activities, which must be addressed in accordance with applicable federal and state regulations.

Please note that the proposal to establish pole/troll zones in large areas of Florida Bay (affecting up to 33% of Florida Bay waters within the park) remains controversial among many local fishing guides and chambers of commerce in the Florida Keys, who believe the restrictions will affect local businesses and tourism. The park management is currently holding public meetings in the Keys to receive input from the public and local stakeholders. For further information and assistance, please contact Jennifer Nelson at (239) 344-5676 or Gus Rios at (305) 289-7081.

ec: Greg Brock, Ernie Marks, Gus Rios, Jennifer Nelson, Frank Powell, Chad Kennedy, Jerilyn Ashworth, Inger Hansen, Deinna Nicholson, Kelli Edson



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April 22, 2013

Ms. Lauren Milligan
Office of Intergovernmental Programs
Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, FL 32399-3000
Lauren.milligan@dep.state.fl.us

Re: SAI #FL201303066519C – National Park Service – Everglades National Park,
Draft General Management Plan/East Everglades Wilderness
Study/Environmental Impact Statement (Draft GMP) – Collier, Miami-Dade and
Monroe Counties, Florida

Dear Ms. Milligan:

The Florida Fish and Wildlife Conservation Commission (FWC) has completed agency review of the Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement (draft GMP) for Everglades National Park (ENP, Park). The FWC provides the following comments pursuant to the National Environmental Policy Act and the Coastal Zone Management Act/Florida Coastal Management Program.

Background

Everglades National Park is currently operating under a General Management Plan (GMP) that was completed in 1979. Since then, the Comprehensive Everglades Restoration Plan was approved, and in 1989 the East Everglades Addition (109,600 acres) was added to restore Northeast Shark River Slough and enhance freshwater flows from the northern end of the park to Florida Bay. The GMP is in need of revision to address increased usage of Park resources and identified resource threats, while maintaining a level of resource protection and providing for opportunities to enjoy Park resources that are expected from a National Park. This draft GMP will provide updated management direction for the entire national park, including the East Everglades Addition, and proposes alternatives for management of ENP for the next 20 or more years.

Comments

FWC comments and recommendations on the draft GMP with supporting technical information and details are included in Attachment 1.

Ms. Lauren Milligan
Page 2
April 22, 2013

Consistency Statement

The FWC finds the Everglades National Park, Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement, consistent with FWC statutes and rules included in the Florida Coastal Management Program.

We appreciate the opportunity to provide input on the Everglades National Park Draft GMP. Should you require additional assistance regarding our comments, please contact Lisa Gregg at (850) 617-9621 or lisa.gregg@myfwc.com or Chuck Collins at (561) 882-5701 or chuck.collins@myfwc.com.

Sincerely,



Scott Sanders, Director
Office of Conservation Planning Services

ss/lg

Everglades National Park Draft General Management Plan_17315_042213
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Enclosures

FWC Coordination

The FWC strongly supports the stated NPS intent to establish a number of committees and groups to inform management activities or develop programs as identified in the draft GMP (e.g., Everglades National Park Advisory Committee, Boater Education Program, Adaptive Management Program, User Capacity Program, Natural Resource Management Program). Effective engagement of stakeholders contributes to making well-informed decisions, and is likely to result in improved buy-in from users of lands and waters within the park.

The FWC possesses a wealth of knowledge and experience in conservation management of land, water and outdoor activities, and we formally request representation on advisory committees or groups that are formed by the NPS to tackle issues which may relate to our specific fields of expertise.

Vessel Speed Restrictions

The proposed Preferred Alternative and Alternatives 2 and 4 include the regulation of specific areas of water within the park as “Idle Speed No Wake.” Florida law specifies two separate and distinct off-plane vessel speed restrictions: “Idle Speed No Wake” and “Slow Speed Minimum Wake” that are well established and well known standards throughout the state. The use of “Slow Speed Minimum Wake” is likely most appropriate in all but the most severe instances where operating a boat above the speed which is required to maintain headway and steerage creates significant boating safety issues. “Slow Speed Minimum Wake” requires a boat to be operated fully off plane, completely settled in the water, and in a manner which produces little or no wake. The FWC recommends use of “Slow Speed Minimum Wake” as opposed to “Idle Speed No Wake” in those areas where off-plane vessel restrictions must be established within the park.

Boater Education

The proposed Preferred Alternative and Alternatives 2 and 4 include establishing a park-wide boater education permit program. Vessel operators would be required to complete this program in order to operate any vessel in the Park (including both motorized and non-motorized vessels). Mandatory boater education is a concept that is also currently being explored by a number of other federally managed areas (e.g., parks, refuges, sanctuaries) in addition to ENP. The FWC is concerned that this effort will result in multiple, confusing requirements for vessel operators statewide. This effort would also result in significant duplication of fiscal and manpower resources by each individual federal park/refuge/sanctuary area.

The FWC recommends that ENP coordinate with other NPS Florida parks, U.S. Fish and Wildlife Service (USFWS) Florida refuges, the Florida Keys National Marine Sanctuary (FKNMS), the U.S. Coast Guard, and the FWC to develop an appropriate boater education program. Once developed and implemented, completion of this program could satisfy all boater education requirements for vessel operators established by any federally managed area in

Attachment 1

Florida. Any boater education program should be available online (in addition to onsite), and preferably at no-cost.

Listed Species Management

Manatees and Marine Turtles

The FWC does not have any concerns with the Preferred Alternative as it relates to manatees and marine turtles. The FWC is of the opinion that the Preferred Alternative would provide minor to moderate benefits to manatees and marine turtles, and FWC staff is available for consultation for these species if the park moves forward with developing a boating safety and resource education plan/program (imperiledspecies@mfwc.com).

Birds

The roseate tern was included in the "Salt Marsh Wildlife" analysis (pg. 193) of the draft GMP, even though they have never nested in ENP and their foraging in the salt marsh is probably very minimal and sporadic. A reader could make the assumption that the roseate tern might nest in ENP, and the FWC recommends in the final GMP that it be clarified that they do not.

While it is not a federally listed species, the least tern was not addressed in the draft GMP even though they used to nest on island(s) in Florida Bay and likely still forage and roost in Florida Bay. There are many rooftop colonies of least terns in the Keys which do use Florida Bay for foraging. The FWC recommends that discussion of least tern (listed by state of Florida as Threatened) usage of Park areas be included in the final GMP.

Butterflies

The Miami blue butterfly was not retained for detailed analysis (pg. 222) because reintroduction attempts in 2004 failed, and they are believed to be extirpated from the park. Even though previous reintroduction efforts have failed, they may still be reintroduced in the future. The FWC recommends that the Miami blue butterfly be included for detailed analysis in the final GMP.

Pole and Troll Zones

The FWC recognizes and appreciates the significant amount of effort that ENP has put into developing management strategies to address the protection of submerged marine wilderness resources (primarily seagrasses), yet still allow for fishing activities to occur. Unfortunately, these efforts fall significantly short with regards to providing reasonable access.

The identified Preferred Alternative and Alternatives 2 and 4 propose to use pole and troll zones as a management strategy to address the amount of seagrass propeller scarring occurring within the Park, and for protection of other submerged marine wilderness resources. The FWC recognizes that management strategies such as pole and troll zones designed to protect submerged resources can be important conservation tools. On the other hand, such management

Attachment 1

strategies have the potential to negatively affect Park resources if not designed and implemented in a manner that will provide reasonable access.

It is a commonly held misconception that the public continues to have access to areas for fishing after pole and troll zones are implemented because in theory, one can still pole and troll in order to fish. In reality, fishers do not continue to have reasonable access when pole and troll zones are implemented without full consideration of the many factors that contribute to accessibility, such as the size of the zone relative to the distance fishers would need to pole/troll. This is the primary concern with regards to the majority of the proposed poll and troll zones in the draft GMP. Many of the proposed poll and troll zones would require fishers to poll or troll $\frac{1}{2}$ - 1 mile in and out of an area. The polling/trolling distance combined with environmental conditions such as currents, tides, and prevailing winds will ultimately result in concentrating recreational activities in areas that are not designated as a pole and troll zone, or in poll and troll zones that provide more reasonable access. Concentrating use in these more accessible areas will also result in localized impacts on fish populations, seagrass prop scarring, and will create user conflicts; all of which will negatively affect Park resources and detract from the overall positive park experience.

The FWC requests that ENP re-engage fishing stakeholders with goals of achieving submerged resource protection and addressing the factors that contribute to accessibility. The following are FWC recommended general guidelines that could be used for re-engaging in this process:

- Identify general areas that are used for fishing within the Park.
- Identify barriers that fishers may encounter when attempting to access any part of the identified general fishing areas, taking into consideration:
 - the size of the zone relative to the distance fishers would need to pole/troll;
 - existing and proposed management strategies surrounding a pole and troll zone (e.g., vessel speed restrictions, other pole and troll zones); and
 - environmental conditions such as currents, tides, and prevailing winds that can be significant access barriers when use of internal combustion motors is prohibited, and recognize these conditions have the potential to change during different times of the year.
- Identify the likely causes of propeller scarring in areas identified for seagrass protection. Sargent et al. (1995) noted several common reasons for propeller scarring, including:
 - boaters misjudging water depth and accidentally scarring seagrass beds;
 - boaters intentionally leaving marked channels to take shortcuts through shallow seagrass beds;
 - inexperienced boaters engaging in fishing over shallow seagrass flats, believing that their boat's designed draft is not deep enough to scar seagrasses;
 - boaters overloading their vessels, resulting deeper drafts than the boaters realize; and
 - boaters anchoring over shallow seagrass beds, where their boats swing at anchor and scar seagrasses.
- Develop alternatives to address both access barriers and the likely causes of propeller scarring. Alternatives for ENP should consider the development of or use of transit corridors previously identified by stakeholders (during 2007 and 2009 GMP development

Attachment 1

hearings) to facilitate access to and from fishing areas inside a pole and troll zone, and to facilitate entry and exit from the pole and troll zone as expediently as possible in the event of inclement weather. The following are general guidelines for developing transit corridors:

- Identify the direction a fisher would need to approach a fishing area, considering factors that influence the approach. These factors include but are not limited to public and private boat launch locations and environmental conditions, such as currents, tides, prevailing winds, and orientation of the sun during tides.
- The presence of resources in the zone should not be the only factor that dictates limitations on use of internal combustion motors or vessel speed. Identify areas within the management zone that have sufficient water depth to allow for vessels to run on plane or high idle, as well as areas that lack sufficient water depth and necessitate restrictions on usage in order to provide for resource protection. These areas can be utilized in conjunction with the information regarding approach directions to develop corridors (i.e., being able to transit to a fishing area that contains seagrass resources under reasonable power so there is enough time to fish a tide, then pole or troll into the fishing area without the sun directly in one's face while sight fishing).
- Historically used channels should also be considered in this process.
- Develop both a navigational marking plan and educational plan to aid compliance with pole and troll zones and corridors.

The FWC is also concerned that the maps that were used for developing management zones during the draft GMP planning process did not accurately reflect Park resources. This is evidenced by the omission of a basin we will refer to as "Mystery Basin", in draft GMP maps and in nautical charts (see Attachment 2). Mystery Basin is located in what is now depicted as shallow bank along the southern portion of Nine Mile Bank, and there is access to this basin from Twin Key Basin. Mystery Basin is presently used by FWC research staff to conduct sponge research, and staff has periodically observed guides fishing along the edges. This basin is approximately 6 feet deep.

The FWC recommends that as part of the process to re-engage stakeholders previously requested, ENP considers reconfiguring the pole and troll zone in the SW ENP area in and around Nine Mile Bank and the Arsnicker Keys, and also provide for motorized access to Mystery Basin and any part of Twin Key Basin that may be proposed for inclusion in a pole and troll zone. By opening this area, it will provide new access to pole and troll zones and alleviate some of the farthest pole and troll runs to flats fishing areas in the SW portion of ENP in Florida Bay.

Waterway Marking

The use of extensive restricted areas on the waterways which limit access to only those using poles, oars, paddles and trolling motors is given broad consideration within the alternatives. In fact, the alternatives propose pole and troll zones ranging from no expanded zones to restricting use of 33% to 41% of Florida Bay. Given the fact that the stated intent is to leave restricted

Attachment 1

areas “minimally marked to preserve the scenery and aesthetics,” there are several potential concerns related to the establishment of widespread pole and troll zones. Without appropriate marking of restricted areas, most boat operators will either be unable to identify the boundaries of restricted areas or may become so focused on navigation equipment that they are unaware of other boats, shallow water, objects or other safety concerns in their immediate vicinity. Furthermore, applying this type of restriction to vast, irregularly shaped areas within Florida Bay is likely to lead to confusion among boat operators and unintentional violations, both of which will likely compromise any anticipated benefits from the regulations.

Various portions of the proposals mention “improved aids to navigation” and “better channel marking.” It has been documented that improvement in the health of seagrass beds can occur when channels are well marked, and it is likely that at least some seagrass areas within the park boundaries would benefit from improved marking of preferred travel routes.

Should the NPS initiate the installation or replacement of waterway markers, FWC requests coordination with the Boating and Waterways Section so a Florida Uniform Waterway Marker Permit can be issued for all signs and buoys placed in the water. Ensuring that markers are consistent with both state and federal regulations will greatly enhance the ability of boaters to see and understand the markers and any associated regulations. Additionally, the issuance of marker permits allows local, state and federal agencies to more efficiently deal with damaged markers following a catastrophic event.

Enforcement

Both education and enforcement are key components of any regulatory scheme, and there are many aspects of the proposed Alternatives which point toward significant challenges for enforcement personnel. It is unclear as to whether there would be adequate means to enforce many of the proposed regulations. Furthermore, establishing boating restricted areas without adequately marking those areas is highly problematic with regards to enforcing the restrictions. FWC encourages the NPS to give appropriate consideration to how any changes to the management of Park lands and waters would be effectively enforced, and to engage enforcement partners so enforcement issues can be addressed prior to the adoption of expanded regulations in the park.

East Everglades Wilderness Designation

The FWC strongly opposes a “proposed wilderness” or “proposed potential wilderness” designation for any of the East Everglades Addition area as proposed in the Preferred Alternative and Alternatives 2 and 4. Areas designated as “wilderness” or “potential wilderness” in the Record of Decision for this GMP planning process must be managed “to preserve wilderness character” until such time as Congress specifically decides whether or not to include them in a formal wilderness designation. These designations by the Park during the GMP process or future designations by Congress of this nature will make it extremely difficult to accommodate any unforeseen restoration needs associated with Everglades Restoration, or to accommodate

Attachment 1

invasive species control efforts. In addition, the designation may also impact listed species management efforts (e.g., panther relocation). All of these issues are crucial to management of the greater Everglades area and associated resources managed by both ENP and the FWC.

Excluded Areas from Wilderness Designation

The identified Preferred Alternative and Alternatives 2 and 4 propose to exclude from the Wilderness designation a 1,320 foot east-west strip that runs along the Park boundary south of the Tamiami Trail within the East Everglades Addition, to facilitate road modifications and improved water delivery. The FWC strongly recommends that this exclusion also be extended for the entire length of the Tamiami Trail that shares a boundary with the Park (not only for the areas with the East Everglades Addition), to facilitate road modifications, maintenance and water delivery.

Airboating

Restricting the use of airboats as proposed in the proposed Preferred Alternative and Alternatives 2 and 4 (primarily targeting the East Everglades Addition), is a departure from traditional use of airboats currently allowed in ENP. Those stakeholders who would be affected by such restrictions should be directly engaged in discussions about the proposals with the aim of making consensus-based decisions on future management of the Park for airboat usage.

Scientific Research Activities

The FWC conducts a significant amount of scientific research activities within ENP pursuant to ENP permits. Research study sites cover large geographic areas in remote locations, and may fall within proposed pole and troll/non-motorized zones or areas where airboats are proposed to be prohibited from use. It is imperative that FWC research staff continue to have flexibility beyond what is proposed in the draft GMP in order to access research study sites. More specifically, FWC research staff need continued use of motorized vessels (including airboats) in areas that proposed actions may prohibit these activities.

The FWC acknowledges this issue of research access extends to agencies beyond the FWC, and recommends the Park work with all current ENP Research Permit holders to better understand the future needs of the research community within the Park and be able to accommodate those needs during this GMP process.

Editorial Comments

Pg. 23 – Second bullet under Strategies – “Continue to cooperate with the Florida Fish and Wildlife Conservation Commission (USFWS), and National Marine Fisheries Service...” It is

Attachment 1

not clear whether this statement is intended to reflect continued cooperation with FWC, USFWS or both.

Pg. 190 – The text references 3 subspecies of raccoons, but the scientific names for the subspecies are not listed anywhere in the draft GMP. In addition, the FWC (and much of the scientific community) no longer recognizes subspecies of raccoons in Florida. A literature citation would be beneficial to clarify this issue.

Pg. 191 – “Park staff members are reintroducing butterfly species that have been extirpated from the park, including the state-listed endangered Miami blue butterfly and the atala.” The Miami blue butterfly was federally listed as endangered as of April 6, 2012, in addition to being state-listed as federally endangered.

References Cited:

Sargent, F.J., T.J. Leary, D.W. Crewz, and C.R. Kruer. 1995. Scarring of Florida's seagrasses: assessment and management options. FMRI Tech. Rep. TR-1. Florida Marine Research Institute [now Florida Fish and Wildlife Research Institute], St. Petersburg, FL. 37 pp. plus appendices.

Attachment 2



South
Florida
Regional
Planning
Council



May 14, 2013

Mr. Fred Herling
Park Planner
Everglades National Park
40001 Sate Road 9336
Homestead, Florida 33034

RE: SFRPC#13-0310, Review of the General Management Plan (GMP)/East Everglades Wilderness Study/Environmental Impact Statement (EIS) for the Everglades National Park; Collier, Miami-Dade and Monroe Counties.

Dear Mr. Herling:

We have reviewed the above-referenced two-part document that includes the General Management Plan (GMP) for the Everglades National Park and the East Everglades Wilderness Study/Environmental Impact Statement (EIS).

The GMP presents and evaluates four (4) alternatives suggesting comprehensive management options for the Everglades National Park for the next 20 years. The GMP provides broad guidance and describes desired conditions to be achieved and maintained regarding natural and cultural resource protection, appropriate types and levels of visitor activities, and facility improvements and development.

The East Everglades Wilderness Study evaluates the 109,506-acre East Everglades Addition (EEA) to ENP in 1989 to determine if it contains wilderness characteristics. In accordance with the Wilderness Act of 1964 and the NPS Management Policies of 2006, wilderness studies provide recommendations to Congress to consider their inclusion in the national wilderness preservation system.

The South Florida Regional Planning Council (SFRPC) supports projects that aim to enhance regional cooperation, multi-jurisdictional coordination, public involvement and multi-issue regional planning to ensure long-term sustainability of our natural, developed and human resources. If approved, the Applicant should consider the following comments:

- The SFRPC has reviewed the National Park Service (NPS) application and finds that the GMP and the East Everglades Wilderness Study/EIS are generally consistent with the Council's regional policy document, the *Strategic Regional Policy Plan (SRPP)*.
- The project is generally consistent with the Comprehensive Master Development Plan (CDMP) in accordance with the findings from Miami-Dade County's Sustainability, Planning and Economic Enhancement Department. Please see the attached letter.
- The project should also be consistent with the goals and policies of the National Environmental Policy Act (NEPA), the Endangered Species Act and its corresponding regulations. It is important for the applicant to coordinate involvement with all governments of jurisdiction, environmental groups, as well as concerned public citizens.
- The Everglades is a globally unique habitat that supports a diverse array of species, many of which are found nowhere else on Earth. The *SRPP* identifies the Everglades National Park as a regional priority. The Goals and Policies of the *Strategic Regional Policy Plan for South Florida (SRPP)*, in particular those indicated below, should be observed when making decisions regarding this general management plan:

3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021
Broward (954) 985-4416, State (800) 985-4416
Fax (954) 985-4417, e-mail stadmin@sfrpc.com, website: www.sfrpc.com

- GOAL 14** Preserve, protect and restore Natural Resources of Regional Significance.
- Policy 14.2 Improve the quality and connectedness of Natural Resources of Regional Significance by eliminating inappropriate uses of land, improving land use designations, and utilizing land acquisition where necessary.
- Policy 14.14 Increase public awareness and continue to support programs regarding the importance of maintaining and enhancing the tree canopy and other native vegetative cover in improving air quality and natural habitat.
- Policy 14.15 Require the ecologically sensitive use of natural areas as a condition to access and utilization. Promote environmental education through parks, nature centers, and schools.
- Policy 14.16 Coordinate funding from various groups to produce common documents to be distributed to the public regarding natural resource protection, appropriate recreational opportunities, and access.
- Goal 15** Restore and protect the ecological values and functions of the Everglades Ecosystem by increasing habitat area, increasing regional water storage, and restoring water quality.
- Policy 15.1 Encourage land uses and development patterns that are consistent with Everglades Ecosystem restoration and with the protection of Natural Resources of Regional Significance.
- Policy 15.2 Restore natural volume, timing, quality, and distribution of water to the Everglades, Florida Bay, Biscayne Bay, other estuaries, and the Atlantic Ocean by:
- A. implementing structural and operational modifications to the Central and Southern Florida Project including Modified Water Deliveries to Everglades National Park, the C-111 Project, and the Comprehensive Everglades Restoration Plan;
 - B. implementing the East Coast Buffer/Water Preserve Areas; and
 - C. implementing the Lower East Coast Water Supply Plan so that the needs of the natural system are met consistent with ecosystem restoration.

Thank you for the opportunity to comment. If you require further information, please contact me at 954-985-4416.

Sincerely,



Eric Swanson
Policy Analyst

Cc: Ms. Lauren P. Milligan, Florida State Clearinghouse; Mark R. Woerner, Miami-Dade County



miamidade.gov

Department of Regulatory and Economic Resources
Planning Division, Metropolitan Planning Section
111 NW 1 Street • Suite 1250
Miami, Florida 33128-1902
T 305-375-2835 F 305-375-1091
www.miamidade.gov/business/planning.asp

May 9, 2013

Mr. Eric Swanson, Regional Planner
South Florida Regional Planning Council
3440 Hollywood Boulevard, Suite 140
Hollywood, Florida 33021

Re: National Park Service – Everglades National Park, Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement – Collier, Miami-Dade and Monroe Counties, Florida (SAI#: FL201303066519C)

Dear Mr. Swanson:

Staff of the Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Division and the Miami-Dade County Parks, Recreation and Open Spaces Department has reviewed the National Park Service – Everglades National Park, Draft General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement. The RER Division of Environmental Resource Management will submit its comments at a later date. Our review was conducted to identify points of consistency or inconsistency of the subject application with the provisions of the Miami-Dade County Comprehensive Development Master Plan (CDMP). The Departments find that the subject application is generally consistent with the CDMP.

The National Park Service (NPS) application is a two-part document which includes the Everglades National Park Draft General Management Plan, and the East Everglades Wilderness Study/Environmental Impact Statement. The Everglades National Park (ENP) Draft General Management Plan provides a framework of how to protect resources, manage visitor use, identify the type of facilities to develop in or near the park, and provides a framework for the management of ENP over the next 20 to 30 years. The East Everglades Wilderness Study evaluates the 109,506-acre East Everglades Addition (EEA) to ENP in 1989 to determine if it contains wilderness characteristics. In accordance with the Wilderness Act of 1964 and the NPS Management Policies 2006, wilderness studies provide recommendations to Congress to consider their inclusion in the national wilderness preservation system.

The application provides three alternatives and a NPS preferred alternative as follows:

- Alternative 1 (No Action) acknowledges ENP conditions as of December 2009 and continues current management practices. This alternative assumes the implementation of NPS and concessioner approved and funded facility improvements, as well as currently unfunded improvements outlined in the Flamingo Commercial Services Plan. Otherwise, the built environment and conservation management activities would remain at current levels.
- Alternative 2 would maintain and enhance visitor opportunities, protect the natural environment, and preserve most traditional routes and visitor's access. This alternative includes boater education, enhanced ranger patrols, a manatee management plan, facility improvements and/or upgrades, camping opportunities at the Chekika

Mr. Eric Swanson
South Florida Regional Planning Council
May 9, 2013
Page 2 of 3

recreational area, and new campsites or camping platforms in Florida Bay, the East Everglades Addition (EEA) and along the Gulf Coast. Approximately 56,000 acres of the northern portion of the EEA would be managed as a "frontcountry" zone and provide airboat access, while 39,500 acres would be proposed as "wilderness."

- Alternative 3 was dropped from detailed consideration.
- Alternative 4 would provide high level support for protecting the natural environment, while improving opportunities for certain types of visitor activities. This alternative establishes "poll/troll" zones over the shallow areas of Florida Bay, develops a manatee management program, manages 21,600 acres of the EEA as a frontcountry zone and would continue to allow private air-boating; discontinues commercial airboat tours in ENP, and proposes to designate most of the EEA as wilderness.
- NPS Preferred Alternative would use management zoning and collaborative techniques such as adaptive management, user education, and a national park advisory committee to support restoration of the natural system while providing improved opportunities for visitor experiences. This alternative would: establish poll/troll zones for approximately 131,392 acres of shallow areas of Florida Bay; and manage 21,700 acres of the northwest portion of the EEA as a frontcountry zone while continuing to allow eligible private and commercial airboating and designating most of the EEA as wilderness. This alternative also includes a boating safety and resource protection plan for Florida Bay, the Gulf Coast and Ten Thousand Islands; avoids and/or minimizes boat-boat, boat-wildlife collisions and boat groundings (this would eliminate the need for a separate manatee management program); improvements and/or upgrades to Flamingo facilities as funding permits; provides seasonal use of the Chekika recreational area and new campsites or camping platforms in Florida Bay, the EEA and along the Gulf Coast; and would pursue commercial services to provide visitors with more opportunities such as interpretive fishing and paddling tours.

After a public review and comment period, the NPS will incorporate any changes into a Final General Management Plan, and a Record of Decision which will document the NPS selection for implementation. The signing of the Record of Decision will implement the selected alternative.

The Departments offers the following comments:

- The subject area is designated "Environmentally Protected Parks." The CDMP acknowledges that "[L]and uses and activities, which may occur in the National Parks and Big Cypress National Preserve, are outlined in management plans for those areas prepared and adopted by the National Park Service." However, "[T]he County-adopted East Everglades Resource Management program (Chapter 33-B, Code of Miami-Dade County) shall continue to govern land use and site alteration for privately-owned areas within the park" (CDMP Pages I-52, I-52.2).
- The Draft General Management Plan should include references to the River of Grass Greenway Feasibility Study and Master Plan, the Biscayne-Everglades Greenway Loop,

APPENDIXES, SELECTED REFERENCES, PREPARERS AND CONSULTANTS,
GLOSSARY OF TERMS, ACRONYMS AND ABBREVIATIONS, AND INDEX

Mr. Eric Swanson
South Florida Regional Planning Council
May 9, 2013
Page 3 of 3

and the South Dade Greenway Network Master Plan as follows (please see Attachment A for additional recommendations):

- o Page vii: NPS Preferred Alternative: Parkwide Visitor Experience and Facilities. The River of Grass Greenway Feasibility Study and Master Plan is looking at ways to connect national and state parks with a non-motorized 12-14 foot wide hard surfaced path near U.S. 41 with spurs to nearby historic and cultural centers including Everglades City and the Miccosukee Indian Village. An important focus for the pathway is the potential for environmental education and stewardship. The pathway will be designed and built for sustainability, with acute awareness of potential environmental impact. Addressing the needs of citizens, local businesses along the pathway, and governmental and tribal officials is crucial to the conceptualization and development of this unique greenway.
- o Page 67, third paragraph: Headquarters/Pine Island /Royal Palm/Main Park Road. The NPS should consider the proposed 43-mile Biscayne-Everglades Greenway loop as an example of alternative transportation. The greenway would connect Biscayne National Park to Everglades National Park via a series of trails along canal and road right-of-ways, and connect to nine other trails in the South Dade Greenway Network Master Plan.
- o Page 74, first paragraph: Gulf Coast/Ten Thousand Islands/Everglades City. If the River of Grass Greenway is constructed, the NPS should consider the addition of bicycle rentals as another way to visit Ten Thousand Islands and Big Cypress National Preserve.

If you have any questions, please do not hesitate to contact me or Napoleon Somoza, Section Supervisor, Long Range Planning, at 305-375-2835.

Sincerely,


Mark R. Woerner, AICP
Interim Assistant Director for Planning

MRW:NVS:smd

Attachment

Attachment A

**Draft General Management Plan / East Everglades Wilderness Study/
Environmental Impact Statement
Everglades National Park**

Miami-Dade County Parks, Recreation and Open Spaces Department
Review Comments 4/1/13

NPS PREFERRED ALTERNATIVE

Under Parkwide Visitor Experience and Facilities (Pg vii)

- The River of Grass Greenway Feasibility Study and Master Plan is looking at ways to connect national and state parks with a non-motorized 12-14 foot wide hard surfaced path near U.S. 41 with spurs to nearby historic and cultural centers including Everglades City and the Miccosukee Indian Village. An important focus for the pathway is the potential for environmental education and stewardship. The pathway will be designed and built for sustainability, with acute awareness of potential environmental impact. Addressing the needs of citizens, local businesses along the pathway, and governmental and tribal officials is crucial to the conceptualization and development of this unique greenway.

BRIEF HISTORY AND DESCRIPTION OF PARK

Under fifth paragraph Pg. 5

- Add biking to the list of "popular" activities. Many people from greater Miami and South Florida go to Shark Valley to rent bicycles or bring their own to ride the 15.4 mile Shark Valley Loop Trail.

RESURFACE MAIN PARK ROAD AND IMPROVEMENTS

Under Pg. 41

- Has any consideration be given to adding five foot bike lanes on re-paved road from main entrance to Flamingo? If there is no room for bike lanes what about adding a Bike Warning signs (W11-1) and Share the Road signs (W16-1P)?

Alternative 1 – No Action Map

- Add Florida Scenic Trail with line to BICY Oasis Visitor Center

Headquarters /Pine Island /Royal Palm / Main Park Road

Pg. 67 third paragraph

- An example of alternative transportation would be the proposed 43 mile Biscayne-Everglades Greenway loop which would connect Biscayne National Park to Everglades National Park via a series of trails along canal and road right-of-ways. The greenway would connect to nine other trails in the South Dade Greenway Network Master Plan.

Pg. 67 seventh or last paragraph

- Change "South Dade Greenway Network" to "South Dade Greenway Network Master Plan"
- Change "Biscayne-Everglades National Park Greenway" to "Biscayne-Everglades Greenway"
- Has any consideration be given to adding five foot bike lanes on re-paved road from main entrance to Flamingo? If there is no room for bike lanes what about adding a Bike Warning signs (W11-1) and Share the Road signs (W16-1P)?

Other Management Elements

Pg. 72 sixth paragraph

- Change "...regional greenway efforts..." to "...River of Grass Greenway Feasibility Study and Master Plan efforts near U.S. 41 from Krome Ave. in Miami-Dade County to 6L's Road in Collier County.

Pg. 72 eighth paragraph

- The River of Grass Greenway Feasibility Study and Master Plan will incorporate a preliminary summary of projected reduction of vehicle traffic, count and accidents, and parking lot and visitor site entrance congestion and summarize any projected reductions in vehicle-based environmental damage based on observations during the existing conditions assessment and review of previous studies.
- The River of Grass Greenway Feasibility Study and Master Plan is all about alternative transportation modes and will assess the visitor mobility and experience benefits of a potential alternative transportation system.

Tamiami Trail / Shark Valley

Pg. 73 second paragraph

- The River of Grass Greenway Feasibility Study and Master Plan is looking at ways to get to Shark Valley through alternative means like shuttle buses.

Gulf Coast / Ten Thousand islands / Everglades City

Pg. 74 first paragraph

- If the River of Grass Greenway gets built it would be appropriate to add bicycle rentals as another way to visit Ten Thousand Islands and Big Cypress National Preserve.

NPS Preferred Alternative Map

- Add Florida Scenic Trail with line to BICY Oasis Visitor Center

Alternative 4 Map

- Add Florida Scenic Trail with line to BICY Oasis Visitor Center

Table 5 Summary of Key Differences Among the Alternatives

Pg. 133

- There should be a goal of providing some form of alternative transportation from North central Miami-Dade County to Shark Valley visitor center in NPS Preferred Alternative. The River of Grass Greenway Feasibility Study and Master Plan is looking alternative transportation modes such as shuttle buses for this area.

Pg. 134

- Need to Change "...South Dade Greenway Network..." to "...South Dade Greenway Network Master Plan and North Dade Greenways Master Plan..." Change "...Biscayne-Everglades National Park Greenway" to "Biscayne-Everglade Greenway and River of Grass Greenway"

Pg. 138 Visitor Orientation / Visitor opportunities along Tamiami Trail

- The River of Grass Greenway Feasibility Study and Master Plan team is looking at potential sites for trailheads outside Everglades National Park that could also function as preservation, demonstration and educational use.

Pg. 139 Partnerships

- The River of Grass Greenway Feasibility Study and Master Plan team is looking at potential sites for trailheads outside Everglades National Park that could also function as preservation, demonstration and educational use.

Pg. 188- Pinelands fourth paragraph

- Change "lather leaf" to "leather leaf"

Opportunities for Solitude or primitive, Unconfined Recreation

- Add "bicycling along existing roads and designated trails" to list of non-motorized form of recreation

Bicycle Opportunities

Pg. 258

- The River of Grass Greenway Feasibility Study and Master Plan team is looking at a 75 mile long hard-surfaced 12-14 foot wide non-motorized path corridor separated from the highway extending from Krome Ave. at the eastern edge of Everglades National Park to 6 L's Road near Naples.

Tamiami Trail / Shark Valley

Pg. 362

- The River of Grass Greenway Feasibility Study and Master Plan is looking at ways to get to Shark Valley through alternative means like shuttle buses.

APPENDIXES, SELECTED REFERENCES, PREPARERS AND CONSULTANTS,
GLOSSARY OF TERMS, ACRONYMS AND ABBREVIATIONS, AND INDEX

Wade, Monroe, Collier
SCH - NEPA - NPS - EVER
2013-1619

COUNTY: ALL

DATE: 3/6/2013

COMMENTS DUE DATE: 4/16/2013

CLEARANCE DUE DATE: 5/5/2013

SAI#: FL201303066519C

REFER TO: FL200903164649C

MESSAGE:

STATE AGENCIES	WATER MNGMNT. DISTRICTS	OPB POLICY UNIT	RPCS & LOC GOVS
AGRICULTURE	SOUTH FLORIDA WMD		
ENVIRONMENTAL PROTECTION			
FISH and WILDLIFE COMMISSION			
X STATE			
TRANSPORTATION			

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- X Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

NATIONAL PARK SERVICE - EVERGLADES NATIONAL PARK, DRAFT GENERAL MANAGEMENT PLAN/EAST EVERGLADES WILDERNESS STUDY/ENVIRONMENTAL IMPACT STATEMENT - COLLIER, MIAMI-DADE AND MONROE COUNTIES, FLORIDA.

To: Florida State Clearinghouse

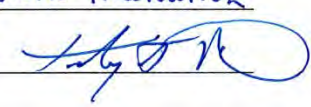
AGENCY CONTACT AND COORDINATOR (SCH)
3900 COMMONWEALTH BOULEVARD MS-47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190

EO. 12372/NEPA Federal Consistency

- | | |
|---|---|
| <input type="checkbox"/> No Comment | <input checked="" type="checkbox"/> No Comment/Consistent |
| <input type="checkbox"/> Comment Attached | <input type="checkbox"/> Consistent/Comments Attached |
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Inconsistent/Comments Attached |
| | <input type="checkbox"/> Not Applicable |

From:

Division/Bureau: Historical Resources / Historic Preservation

Reviewer: T. Parsons, Deputy SHPO 

Date: 4/23/13

RECEIVED

APR 25 2013

DEP Office of
Intergov't Programs

RECEIVED
BUREAU OF
HISTORIC PRESERVATION
2013 MAR 12 A 8:23

**Council of the Original Miccosukee Simanolee Nation
Aboriginal Peoples**

May 10, 2013

Dan B. Kimball
Superintendent
Everglades National Park
40001 State Road 9336
Homestead, Florida 33034

Reference: Draft – General Management Plan/East Everglades Wilderness Study/Environmental Impact Statement – March 2013.

You cannot regulate us because you are not suppose to be coming across the Indian Boundary and coming inside Miccosukee Simanolee Nation's Land. That is what the U.S Law is.

You are telling us, that you prohibit us from hunting, fishing, gathering materials, and plants inside our Land. But you cannot prohibit us because we do have the right to hunt, we do have the right to fish, we do have to the right to gather natural materials, and we do have the right to gather natural plants inside our Land.

You are inside of Land that you are not suppose to be in. We need to talk to you to make sure you understand our Rights in Miccosukke Simanolee Nation's Land.

The only thing you can do to help us is: putting the Water back into our Land, back inside the Everglades and Big Cypress Areas.

Miccosukee Simanolee Nation did not create all the problems. The newcomers are the one's who created all the problems, and they are the ones that need to be regulated and prohibited from any further damaging destroying, and desecrating of our Land.

Enclosed is the Council of the Original Miccosukiee Simanolee Nation's Statement concerning the Draft General Management Plan.

The United Nations Declaration on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples recognizes Indigenous Peoples and the urgent need to Respect and Protect the Inherent Rights of Indigenous Peoples which derive from their politics, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their Lands, territories and resources and Promotes the Rights of Indigenous Peoples affirmed in treaties, agreements and other constructive arrangements with States and recognizes that control by Indigenous Peoples over development affecting Them and their Lands and Resources will enable them to maintain and strengthen their institutions, cultures and traditions and to promote their development in accordance with their aspirations and needs.

Aboriginal Indigenous Peoples that follow the Natural Laws created into the Aboriginal Indigenous Peoples by the Creator (God) Himself at the beginning of the Creation of Life were born into and have Rights that go way beyond these words created by the United Nations Declaration on the Rights of Indigenous Peoples. This Declaration is considered a "minimum standard" for non-indigenous people to begin working towards fulfilling their obligation to Aboriginal Indigenous Peoples.

Aboriginal Indigenous Peoples will continue to Defend the Future of Life against your attacks on their Way of Life, and the Natural World: the Sunlight, the Water, the Air, the Land, the Trees, the Birds, the Animals, the Fish, the Insects, and all that is Sacred to us, as our Elders have done since the illegal, aggressive and brutal immigration of the European Americans, and the other immigrants into our Aboriginal Indigenous Land.

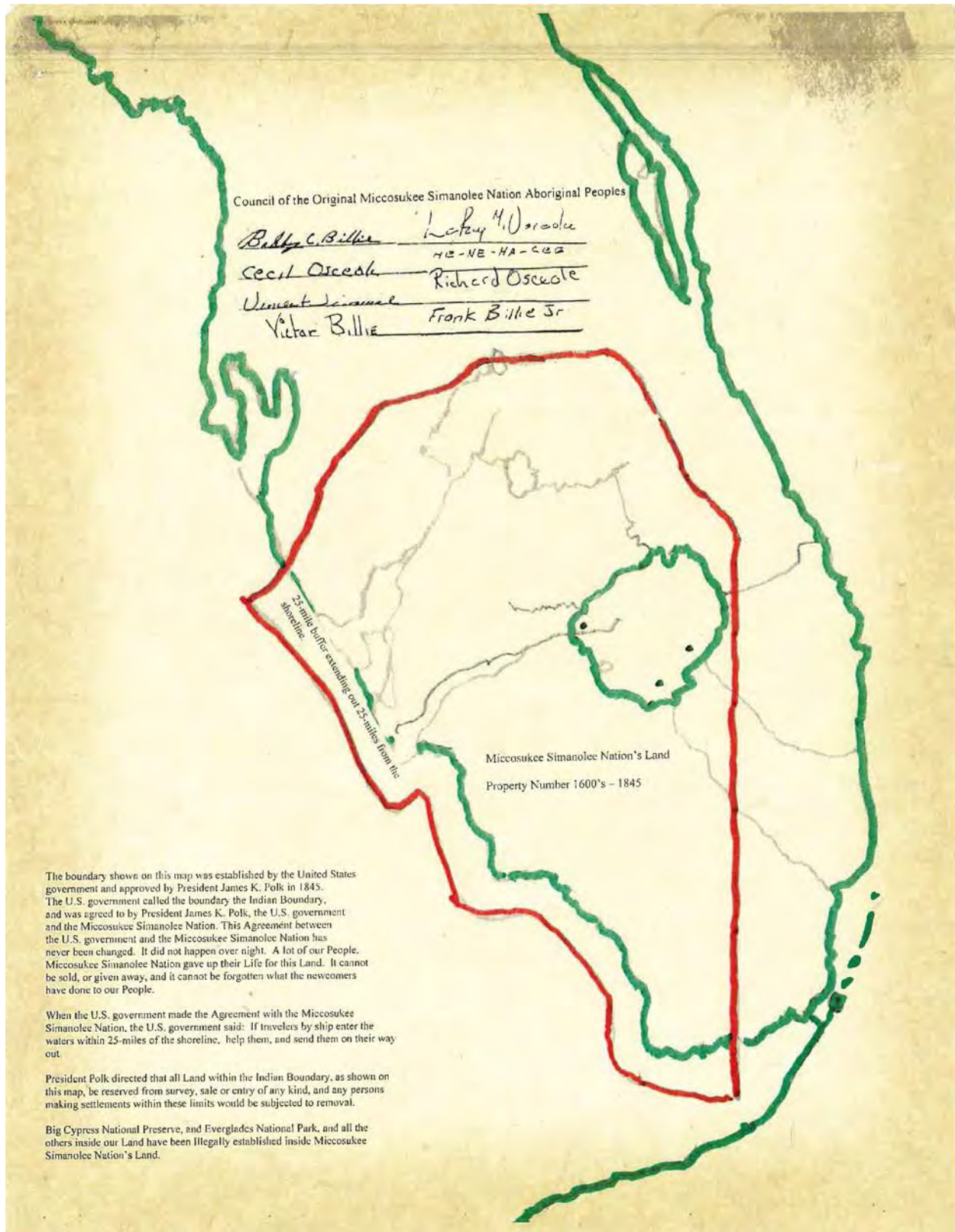
The Creator (God) Himself gave us the Rights to live in His Creation. The Creator (God) Himself created the Original Aboriginal Indigenous Peoples into the Land at the beginning of the Creation of Life and the Creator (God) created into the Aboriginal Indigenous Peoples the Natural Law at the beginning of the Creation of Life.

The Creator's Gift is in us, which is: Our Way of Life and the Natural Law and all His Creation, which is: The Air, the Water, the Trees, the Plants, the Animals, the Fish, the Birds, the Reptiles, the Insects, and all the others, and for that reason we cannot accept other peoples' way of life or their man-made laws.

Council of the Original Miccosukee Seminole Nation Aboriginal Peoples

<u>Barry C. Billie</u>	<u>Larry M. Osceola</u>
	HE-NE-HA-CEG
<u>Cecil Osceola</u>	<u>Richard Osceola</u>
<u>Vernon Osceola</u>	
<u>Victor Billie</u>	<u>Frank Billie Jr</u>

Contact Mailing Address: P.O. Box 1452, Lake Placid, Florida 33862



Council of the Original Miccosukee Simanolee Nation Aboriginal People

Facts and Message to european american people and other immigrant people who came
from the other countries illegally, and uninvited, and brutally forced themselves into our
Aboriginal Indigenous Land (Indian Land)

August 8, 2011

*Our Ancestors fought and struggled and died for us.
They never gave up the Land or the Rights that we hold onto today.*

In the 1700's and 1800's, we made an Agreement, Aboriginal Indigenous Simanolee
Nation and the american government and the president of the american flag of the people.
Which says: You are not supposed to be disturbing our Land: You are not supposed to be
surveying or selling our Land. You are not supposed to be moving into our Land, and you
are not supposed to be bringing your law into our Land. Everything that was said at that
time, we still hold on to it, to continue to pass it on, to the next generation.

We didn't sign the Agreement in the early 1800's because it is easy to change the written
papers. We only "*shake hands*", and with that, we remember, because it has been passed
on from generation to generation to generation to generation, and nothing has changed
towards that agreement, since the time we "*shake hands*".

In our Way of Life, we never change what has been said. We Honor our Words. When
we agree to something and we "*shake hands*" it means more than a written paper. It
means: We Honor and Trust the Words that have been said between us, and we "*shake
hands*" to Respect the Agreement between us. With that, the Agreement has never been
broken on our side - We Honor our Words, and we Honor the "*shake hands*". That
makes us the Human Being. But the Agreement was broken on your side. You broke
your own law. Some of the words that were said at that time were documented on the
papers by your side. But, also a lot of things were said, beyond those papers, and we
have passed those words on to generation to generation to generation to this
day.

*The Elders have said:
"If you break your words, the boundary of the Agreement,
we have a right to take that land back under our hand again,
because you broke the Agreement,
and you broke your own law."*

You think you have a right moving onto our Land, but that is not what has been said at
that time.

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*"If you break your words, the boundary of the Agreement,
we have a right to take that land back under our hand again,
because you broke the Agreement,
and you broke your own law."*

That is what has been said, and that has never been changed. So, we have a right to do what we want to do, in the one you call Florida State, and beyond because you broke the Agreement.

In the earlier days, before you called it Florida, when there were not too many newcomers in the one you call Florida, we lived our way of life, we hunted and fished and camped and lived through out the one you call Florida and beyond just as our Ancestors did. We still hold onto those Rights. It is the white people and the others who broke the Agreement. The government and the president are supposed to communicate with us if there is something they want to do, and it has not been done yet. Nobody has sat down and talked to us. We still hold onto our Rights to the one you call Florida and beyond. We see you as the people who have promised and promised and promised, but have broken and broken and broken those promises. The law you follow cannot be trusted, and not only, "cannot be trusted" - you use that law to steal, kill, lie and cheat.

The Council of the Original Miccosukee Simanolee Nation Aboriginal People resists all federal, state, county, and local government actions that change or destroy:

*Our Way of Life,
Our Spiritual/Religious Customs,
Aboriginal Indigenous Land (Indian Land),
Sacred Grounds, Natural Areas,
Natural Systems,
or Wildlife.*

The Council of the Original Miccosukee Simanolee Nation Aboriginal People Defend, Preserve and Protect the Rights of Aboriginal Indigenous People to follow the Natural Laws created into Aboriginal Indigenous People by the Creator (God) Himself at the beginning of the Creation of Life.

Aboriginal Indigenous People have the Right to Protect their Way of Life, Spiritual/Religious Customs, Aboriginal Indigenous Lands (Indian Lands) and Sacred Islands, Sacred Burial Grounds, Sacred Sunlight, Sacred Waters, Sacred Air, Sacred Grounds, Sacred Mountains, Natural Areas, Natural Systems and Wildlife from the aggression of the government system of the american flag of the people:

*A system of government that has continually and brutally sought to eliminate
Aboriginal Indigenous People and their Right to live on their own
Aboriginal Indigenous Land (Indian Land),*

*A system of government that has sought to extinguish our Rights to live
our Way of Life and follow our Spiritual/Religious Customs
created into us by the Creator (God) Himself
at the beginning of the Creation of Life.*

Aboriginal Indigenous People have a right to protect what is in our Land. As long as your hand touches or you even think towards Aboriginal Sacred Burial Grounds or Burial Islands, Aboriginal Remains, Aboriginal Belongings, Aboriginal Ceremonial Grounds, or Aboriginal Villages or Aboriginal Under Water Sacred Grounds, Aboriginal Sacred Waters, or Aboriginal Sacred Natural Areas, Sacred Mountains, or the Natural Creation, you are directly damaging our Way of Life, and bringing sickness into the World. We have a Right to Protect ourselves and our Way of Life, the Sunlight, the Water, the Air, the Lands, the Trees, the Birds, the Fish, the Insects, Animals, and all that is Sacred to us.

Aboriginal Indigenous People, of their own Aboriginal Indigenous Land (Indian Land), have followed their Way of Life and the Natural Laws given to them by the Creator (God) Himself since the beginning of the Creation of Life.

There was no such thing as America until European Americans and other immigrants came into our Land. They didn't have a law at that time, and they didn't have an understanding or Respect for the Creator's Law of this Land. Somehow, over time, they created their own man-made system of law - they call it under the American flag of the people. It is only 500 years or less, just a short time, just like five seconds to us.

The American system of government of laws under the American flag of people was created in opposition to the already existing Aboriginal Indigenous Natural Laws in Aboriginal Indigenous Land (Indian Land). Illegal, immigrant, European Americans and other immigrants, created their own laws, constitutions, by-laws, regulations, rules, and agreements in order to govern themselves. That is why we call your laws man-made laws. Later on, European Americans and other immigrants created the labels: federally recognized tribes, government-to-government, tribal relations, consultations, agreements and memorandums of understandings. These labels continue to disrupt and damage the sanctity of the relationship between Nations of Aboriginal Indigenous Peoples of their own Land. This is one way European Americans and the other immigrants divide Aboriginal Indigenous People and place them in opposition against each other.

By using these labels, illegal, immigrant European Americans and other immigrants are discriminating and abusing Aboriginal Indigenous People and violating the Human Rights and Spiritual/Religious Rights of the Aboriginal Indigenous People of their own Land - the ones who still follow their own Law and Way of Life given to them by the Creator (God) Himself at the beginning of the Creation of Life.

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This system, created by the european americans and the other immigrant people, violates the Aboriginal Indigenous Peoples' Rights to practice their Way of Life and their Spiritual Relationship with their Lands, Waters, Trees, Plants, Animals, and all the others necessary for the continuance of their Way of Life for future generations yet to come.

The american system of government, under the american flag of people, federal, state, county, and local governments, national and state park service, national and state forest service, department of transportation, water management districts, u.s. army corps of engineers, archeologists, and all the others, continue to attempt to impose a system of man-made laws, created by european american immigrants and other immigrants, who came from other countries, and aggressively and forcibly settled illegally, and uninvited among Aboriginal Indigenous People living in harmony with the Natural Creations of Life, in Aboriginal Indigenous Land (Indian Land), following the Natural Laws created into them by the Creator (God) Himself at the beginning of the Creation of Life.

Aboriginal Indigenous People never went to other peoples' countries, and destroyed their culture and their lands. Aboriginal Indigenous People have always remained in their own Land where the Creator (God) meant us to be.

The Council of the Original Miccosukee Simanolee Nation Aboriginal People has never given up their Rights to their Aboriginal Indigenous Lands (Indian Lands) or their Rights to follow and council themselves under the Natural Laws created into Aboriginal Indigenous People by the Creator (God) Himself at the beginning of the Creation of Life.

Our Elders Defended themselves against the aggressive attacks during the american wars against the Simanolee Nation. They Defended their Right to Live, as they have always lived, and right to follow the Natural Laws given to them by the Creator (God) himself at the beginning of the Creation of Life.

No matter what kind of laws, rules, regulations or jurisdictions you make it is not going to work. Those laws, rules, regulations or jurisdictions are not our laws, rules, regulations or jurisdictions. You came from other countries from across the Ocean. You have a right to regulate your own people and manage over your own populations, but you cannot regulate or manage Aboriginal Indigenous People of their own Land because you broke the law when you came across the boundary of the Agreement. You broke your own law. You do not honor yourselves, and not only that - You came across the Ocean from other countries into our Land illegally.

Aboriginal Indigenous People have their own Law to follow and Way of Life to live created into them by the Creator (God) Himself at the beginning of the Creation of Life. We cannot accept other peoples' laws. We have to maintain what the Creator (God) Himself created for us to follow.

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The Creator (God) Himself gave Aboriginal Indigenous People the Responsibility to take care of His Creation, and He gave them the Knowledge and Law to follow to pass it on to generation to generation to generation to generation to the next generation, to do the same thing. What the Creator (God) Himself told them to do, at the beginning of the Creation of Life. And that is what Aboriginal Indigenous People, of their own Land, throughout the Creator's (God's) Creation do.

All Creation has a right to survive on this Earth and raise their families, same as you do. We all breathe the same Air, we all drink the same Water, and we all live on the same Earth and when the Sun rises it shines on all people, not just those that entered our Land illegally. You are violating the Rights of the Council of the Original Miccosukee Seminole Nation Aboriginal People, and the Rights of the Birds, Animals, Reptiles, Fish, Insects, Plants, Trees, and Waters, and All Others a part of the Creator's (God's) Creation.

You cannot separate the Land, the way you think, with imaginary lines, because it is all connected. It is one Earth. All Creation is Sacred (Holy) to Aboriginal Indigenous People. We cannot separate the Creator's (God's) Creation. All His Creation is connected and Sacred (Holy) to us, for us to take care of, and make sure His Creation is not disturbed or damaged so we can pass on what He gave us, at the beginning of the Creation of Life, to the next generation of Unborn Life.

You, the Illegal immigrant european american people and other immigrants from the other countries, have an obligation to accept responsibility for the devastation, destruction, and desecration that resulted from the creation of your own man-made system of laws.

And,

You have an obligation to Us, the Original Aboriginal Indigenous People of this Land,

And,

You have an obligation to Them, the Unborn Life, and to all the other Life: the Water, the Air, the Trees, the Plants, the Grasses, the Rivers, the Streams, the Oceans, the Animals, the Fish, the Birds, the Insects, the Reptiles, and all the others.

All Aboriginal Indigenous People have to have their own Language, their own Teachings, their own Garden, their own Care of their own People, and all those Creations that have been mentioned because Aboriginal Indigenous People do have a Responsibility of their own, given to them by the Creator (God) Himself, at the beginning of the Creation of Life.

Our Elders Defended themselves, against the aggressive attacks, during the american wars, against the Seminole Nation, and Defended the Right to Live, as they have always lived, and the Right to follow the Natural Laws of the Creator. We are those People and we are still Defending our Rights.

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European american people, and the other immigrants living illegally on our Aboriginal Indigenous Land, never paid us for our Land. *Our Land is not for sale or to be given away.* And you said: as long as we are living in Aboriginal Indigenous Land (Indian Land), you do not have to pay taxes, or for health care services, and you said: the american law, itself, is going to protect you – that is what you have said at that time – and that we have not forgotten. Even today, what you have said, maybe you turn around, and say it differently, but that is you not us.

The Aboriginal Indigenous People of this Land never created the money or the papers. The other people, the other cultures, who came into our Land, and later became the americans, are the ones who created the money, the papers, and all the other material things. When they came into our Land, they killed our People, and took things away from our People, and they started making things up as they went along. The so-called "Allocation of Funds" is one of those. By setting aside the money, it made the american people think they were going to buy the Land. But, they never spoke with the Simanolee People or Aboriginal Indigenous People. We never knew what took place at that time. It is not our money. It is the american peoples' own idea. It has nothing to do with us, and our Land. So, even if the money has been accepted by the Seminole Tribe of Florida, Inc., Seminole Nation of Oklahoma, Miccosukee Tribe or other people "claiming to be independent Seminoles, it was accepted on their behalf - not ours. The money has nothing to do with the Council of the Original Miccosukee Simanolee Nation Aboriginal People because our Elders have said: *Our Land is not for sale or to be given away.*

We know how the archeologists, anthropologists, historians, and the others write about our People in the history books, and other books about our People. What they write is wrong – just imaginative stories – just fiction! Repeated and repeated, but not the truthful history.

These people, the archaeologists, anthropologists, historians, and the others are trying to change the history of our People. For example: They have written, in their books, that the Simanolee People come from the "Creek". The Simanolee People did not come from the Creek. They came from the Earth, and the Law we follow comes from the Creator (God) Himself at the beginning of the Creation of Life.

When Columbus, Ponce de Leon, Pedro Menendez, Desoto and the others came into our Land, with their armies, to steal gold, silver, and other things that were of value to the Aboriginal Indigenous People, they committed terrorist, criminal actions against the Aboriginal Indigenous People of their own Land.

They murdered, raped, tortured, and slaughtered Innocent Aboriginal Indigenous People. They chased them down with the dogs, and tortured and slaughtered our People -young or old, the women or the men, children or babies. They died for us, and that is something that cannot be forgotten – what they have done.

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*Columbus, Ponce de Leon, Pedro Menendez, Desoto, and the others should not
be commemorated or celebrated.*

They were nothing more than cold-blooded, savage killers.

European american people still talk about the terrible things Hitler did to the people. They think it was so awful what he did, but what the european americans and other immigrants did to the Aboriginal Indigenous People, of their own Land, is far, far, far worse than what Hitler did.

*American people point out to other countries, but they never see themselves
for what they have done to the Simanolee People and other
Aboriginal Indigenous People around the World.*

*The War Crimes against Aboriginal Indigenous People cannot go unpunished and
must be stopped.*

When the european american immigrants and other immigrants, came into our Land, they heard our language. They didn't understand what the people were saying because it wasn't their language, but they gave names to our people according to what they thought they heard. But it is not the way we talk, and it is not the language we call ourselves. It is not the true names.

These are just a few things. We have many untold, factual stories, what the european americans, and the other immigrants, who came from the other countries, have done to our People. The true history has never been talked about, what really took place, but the factual stories will come out – there are plenty of them.

*Non-Indigenous People, people outside our Culture,
do not have a right to tell about our People
or to try to reenact our Way of Life because they
are not born into our Culture, and never will understand.*

The Council of the Original Miccosukee Simanolee Nation Aboriginal People would never touch or disturb white peoples' graves or any other peoples' graves: human remains or grave items. We do not dig up the human remains and grave items of white people or other people. We respect your graves. White people and other people need to learn to respect themselves and they need to Respect our Burials - Aboriginal Human Remains and Belongings, and stop digging them up and leave them alone.

Maybe archeologists should start digging up their own european american and other newcomers' graves to feed, raise, and educate their kids because this is what they are doing to Aboriginal Indigenous Peoples' Sacred (Holy) Burial Grounds, Ceremonial Grounds, and Villages. They are digging them up to make money to feed, raise, and educate their kids and they continue to pass the bad things on to their kids by bringing in

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the young volunteers to educate them to dig up our Ancestors. It is a sickness these people are passing on to their young ones. These simple grave robbers are making money off our Ancestors and their Belongings under the name of so-called experts – archaeologists and anthropologists, historic preservation officers, and all the others.

The so-called experts, with their degrees, are using those names to allow the stealing and robbing of our Sacred Belongings and Aboriginal Indigenous Remains.

The Council of the Original Miccosukee Simanolee Nation Aboriginal People know it is not right what the white people or other people are doing to our Sacred (Holy) Burials, Ceremonial Grounds and Villages. It is wrong what you are doing, and the Council of the Original Miccosukee Simanolee Nation Aboriginal People and Mother Nature is getting more and more angry about the disturbances of our Grounds. You need to Respect our Grounds and leave them alone.

European american immigrants, and other immigrants who came into our Land illegally do not have a connection with our People.

They do not have the right to remove our People or their Belongings from their Burial Grounds or have the Right to conduct Reburials of our People.

When the european american immigrants and other immigrants do those things, they are breaking The Creator's (God's) Law

So, again no matter what kind of law you create on your own, giving you the right to disturb our Grounds, we still know it is wrong what you are doing, because the Council of the Original Miccosukee Simanolee Nation Aboriginal People has their own Law – The Natural Law – the *Law of the Human Beings*. The Council of the Original Miccosukee Simanolee Nation Aboriginal People has carried the Natural Law from the beginning of Creation of Life, and we are not going to change that, no matter what kind of law you come up with on your own.

Aboriginal Indigenous People are not breaking anybody's laws. Illegal, immigrant european americans, and other immigrants, are the ones who are breaking the law - The Natural Law of this Land.

*Our Culture is not your culture to take care of.
Our Culture is ours to take care of.*

European american immigrants and the other immigrants came forcibly, illegally, and uninvited into our Land and became the so-called americans. Because of the money,

European Americans took away the Future of the Unborn Life of generations yet to come. If all the Natures and Natural Systems are destroyed the money is not going to help you, the technology is not going to help you, and there will be no running water for your house anymore. There is no other place to go. There is no other place like the Mother Earth. We see you going up and down in the space hoping to find water and another place to live. All that junk you sent up in the space will come back down on us. We understand that the space program has been stopped and we were glad to hear that, because, that is what needed to happen.

***When the illegal, immigrant, European Americans first saw our Land they said:
"It is like a Paradise".***

But later on they destroyed our Paradise.

Illegal, immigrant, European Americans, and other immigrants have been damaging, destroying, and desecrating Aboriginal Indigenous Peoples' Way of Life since their arrival on our Land. Which is, the Creator's (God's) Way. The Way we are suppose to do things, and that is the Way we have always been living our Way of Life since the beginning of the Creation of Life from generation to generation, to generation to generation, to this day. Aboriginal Indigenous People keep everything Natural and in Balance. We are Protecting the Future of the next generation, the Future of All Creation of Life. That is why we do not hurt the Mother Earth, and that is why we have survived so many millions of years.

**Just think about what you have done to damage, destroy and
desecrate the Creator's (God's) Gift – His Creation of Life.**

You started cutting all the trees, and you slaughtered animals for recreation and you started building houses, high-rise buildings, shopping malls, new towns, roads and highways, vehicles, trains, railroads, airplanes, bullets, and guns. And you drilled deep into the Mother Earth for oil and gas, and dug deep into the Mother Earth and into the Mountains for materials: coal and uranium for electricity and weapons, and steel to make the vehicles, airplanes, trains, and space ships. Developers drained the Wetlands to build more and more houses and more and more golf courses and by draining the Wetlands, whole Ecosystems were changed forever. You changed the course of Rivers and used them for dumping sites of toxic chemicals and sewage, and you dammed up Rivers and flooded Lands to cool the nuclear reactors of the big nuclear power plants, and you dammed up the Rivers for hydroelectric power, and you dumped waste, chemicals, and all kinds of things into our Oceans, and you started piling up all your waste and garbage on our Land. We did not use to have mountains in Florida, but now, because there are so many people, the human waste and garbage is piling up, and piling up, so high it is beginning to look like mountains in Florida. You introduced *invasive species* of all kinds, *including your ideas*, which continue to damage, destroy and desecrate our Way of Life, and the Future of All Creation.

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And just think about what you have done in the so-called "Protected Lands" and "Wilderness Lands":

By putting more and more people out into the Natural Areas and Wilderness Areas you have damaged the Natural Areas and Natural Systems with more and more facilities: campgrounds, bathrooms, parking areas, concession stands, viewing areas, roads, trails, off road vehicles trails, boat ramps, watercraft, management facilities, and tourist information centers. Cars, trucks, off road vehicles, motor bikes, boats coming and going 24 hours, seven days a week, the Nature never gets a chance to rest, or renew itself, to come back into balance.

If you want to maintain these areas, as you say you do, as Natural Areas and Wilderness Areas, you need to restrict the people to "Walking in and walking out". No vehicles, no watercraft and no facilities of any kind.

And,

You need to Respect and Protect our Sacred Waters by limiting the numbers of people and recreational activities that take place at our Sacred Springs, Creeks Rivers, and Lakes so that these Sacred Waters can renew themselves from the constant abuse of recreational activities that takes place on our Sacred Waters.

People use to complain about the exhaust from the cars and trucks – the black smoke coming from the mufflers. Today we don't see the black smoke coming out of the vehicles, and people think it is good because they cannot see it anymore, but the exhaust is still coming out, and this is changing the Mother Earth – and still continues to change the Air we Breathe.

All of these damaging, destructive and desecrating actions, we have mentioned, are causing climatic changes: earthquakes, volcanoes, and tornados, and it is going to get worse, if you continue with those things.

Aboriginal Indigenous People are not destroying all those things because we care about the next generation yet to come.

We see illegal, immigrant, european americans, and other immigrants destroying the Mother Earth, the Creator's (God's Gifts), and destroying their own future of generations yet to come, and that must be stopped!

You need to think about and care about your kids, your grandkids, great-grandkids and unborn grandkids. That is how far we look at it, and that is how far you must begin to look at it, and that is why we don't create the guns, or electricity, or computers and we don't dig oil, or coal, or dig canals or ditches, build cars, airplanes, trains, highways or all

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the others things you have done on our Aboriginal Indigenous Land (Indian Land), the Creator's (God's) Creation.

The young people must do something because it is your future and your children's future we are defending and speaking about.

Now, because of all those damaging disturbances, the Natural Cycles can no longer function like they used to: The Rains do not come on time anymore. The Winter does not come on time anymore. The Sky and Clouds are not like they used to be anymore. The Oceans and the Life that live in the Oceans are not the same anymore. The Sky and the Life that lives in the Sky are not the same anymore. The Rivers, Creeks, Springs, and Lakes and the Life that lives in the Rivers, Creeks, Springs, and Lakes are not the same anymore. The Land is not the same anymore and all the Life that lives on the Land is not the same anymore, and the Snow is not the same anymore. It is not snowing in the Mountains any more like it used to. It does not take a scientist or a so-called expert with a degree to see these changes. The scientists or so-called experts with the degrees, following the man-made system, need to stop manipulating data and information for money. This manipulation and falsifying of data and information is used to justify continuing the destructive actions which is destroying the Natural Cycles.

The Mother Earth is getting older and will die out if we do not take care of her.

The way things are going in the modern life, as they call it, there will be no future, because you do not value the Mother Earth and what the Creator (God) gave us. You are destroying it. You measure everything with the value of the dollar, gold, diamonds, and silver, and all the other material things. Because of this, all good things are disappearing, and all that was good in Life is vanishing, and all those technologies and all those machines people rely on will also disappear.

*"Do not imagine, in your own minds, things to create.
The things I give you are real, hold on to them, and
if you do, you can survive for many generations to come."
That is what the Creator has said.*

But people thinking they are smarter than the Creator, "Let's create this and that" - they are killing themselves. You need to listen to the Creator. What has been given to you, the Creator's (God's) gift, has to be protected.

When you hear the words spoken, All Creation, to us, that is what we mean. It does not mean one nation or one culture. When people think that way, one nation, one culture, they become greedy and prejudice, and they no longer have Sacred or Holiness in their minds. When that happens it disturbs the other Cultures, by killing, stealing and lying, and cheating.

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That kind of mind is causing the taking and destroying of other Cultures, their Way of Life, and their Law. Their Sacredness and their Holiness is being destroyed by the people of the minds believing in one nation and one culture.

We know what we are saying. All Aboriginal People are living on their own Land, on different parts of the Earth, where the Creator (God) meant them to be and the value of each Culture needs to be Respected. We don't know if you understand or not, but it is the same as when the Creator (God) planted the different Life of the Trees in different parts of the Earth. All Creation has to be where the Creator (God) Himself created them on that part of the Earth – that is where they need to be.

What you call *invasive species* – that is *YOU* – the illegal immigrant european americans and other immigrants. You have *invaded* this Land and damaged, destroyed and desecrated, what was planted here, by the Creator (God). You are just like the other *invasive* plants and animals, and fish that have caused damage and destruction to the Natural Creation.

All Creation has been disturbed, either the Plants, either Rivers, or Mountains, and Trees, and all the other Creations have been disturbed by some people who have the minds focusing only on the material things, or their own comfort, or their on benefit – only thinking of themselves. Those People are destroying all the Sacredness and Holiness, the Natural Way that was suppose to be Healing the people of the Earth. It is disappearing. It is going faster than you think. And when that happens:

You are not going to survive. You are not going to win.

In the minds of illegal, immigrant european americans and other immigrants, they think they are going to conquer the World, but thinking like that is a big mistake. Mother Nature is going to conquer you, and seeing that Aboriginal Indigenous People are so worried, afraid and scared for you because you are not going to win. It is around the corner.

Aboriginal Indigenous People are going to continue living, our Way of Life, on the Creator's Land - His Creation, with the Knowledge, Responsibility and Way of Life that was created into Aboriginal Indigenous People at the beginning of the Creation of Life to follow. But you, illegal european american immigrants, and the other immigrants, you are going to destroy yourselves through your own man-made system of laws that do not Respect the Creator's (God's) Natural Laws or Respect the Life, and the Future of Life.

European americans, and other immigrants, who came illegally and uninvited, from the other countries have an obligation to Respect and Care for the Creator's (God's) Creation. That is what the Council of the Original Miccosukee Simanolee Nation Aboriginal People is Responsible for, so that All Creation will continue Forever.

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The United Nations Declaration of Indigenous Rights recognizes Indigenous Peoples and the urgent need to Respect and Promote the Inherent Rights of Indigenous Peoples which derive from their politics, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their Lands, territories and resources and Promotes the Rights of Indigenous People affirmed in treaties, agreements, and other constructive arrangements with States, and recognizes that control by Indigenous People over development affecting Them and their Lands and Resources will enable them to maintain and strengthen their institutions, cultures and traditions and to promote their development in accordance with their aspirations and need.

Aboriginal Indigenous People, that follow the Natural Laws created into the Aboriginal Indigenous People by the Creator (God) Himself at the beginning of the Creation of Life, were born into and have Rights that go way beyond these words created by the United Nations Declaration on the Rights of Indigenous Peoples. This Declaration is considered a "minimum standard" for non-indigenous people to begin working towards fulfilling their obligation to Aboriginal Indigenous People.

*Aboriginal Indigenous People will continue to Defend
the Future of Life against your attacks on
their Way of Life, and the Natural World:
the Sunlight, the Water, the Air, the Land, the Trees,
the Birds the Animals, the Fish, the Insects, and
All that is Sacred to Us, as our Elders have done since
the illegal, aggressive, and brutal immigration, of the
european americans, and the other immigrants,
into our Aboriginal Indigenous Land.*

*The Creator (God) himself gave us the Rights to live in His Land.
The Creator (God) Himself created the Original Aboriginal Indigenous People into
the Land at the beginning the Creation of Life and
The Creator (God) created into the Aboriginal Indigenous People the Natural Law at
the beginning of the Creation of Life.*

*This is the True Statement of the Council of the Original Miccosukee Simanolee
Nation Aboriginal People*

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Council of the Original Miccosukee Seminole Nation Aboriginal People

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August 8, 2011





United States Department of the Interior


FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960



August 5, 2014

Memorandum

To: Shawn Benge, Acting Superintendent, Everglades National Park

From:  Bob Progulske, Everglades Program Supervisor, South Florida Ecological Services Office

Subject: Everglades National Park Draft General Management Plan/Everglades Wilderness Study/Environmental Impact Statement Comments and Consultation, Service Consultation Code: 2014-I-0266

This memorandum responds to the National Park Service's (NPS) Everglades National Park Draft General Management Plan/Everglades Wilderness Study/Environmental Impact Statement (GMP) May 2014 and the NPS' June 2, 2014, request for informal consultation regarding the GMP. The GMP presents five alternatives addressing both the original boundaries of Everglades National Park (ENP) and the East Everglades Addition. This memorandum provides the U.S. Fish and Wildlife Service's (Service) comments, in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*), on the GMP and provides our informal section 7 consultation, in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), with the NPS on the preferred alternative for the GMP.

PROJECT DESCRIPTION AND BACKGROUND

ENP was dedicated in 1947, the East Everglades Addition was added in 1989. The last GMP effort was completed in 1979. GMPs typically have a planning horizon of 20 to 30 years, thus the ENP GMP is due to be updated. The Wilderness Study portion of the GMP is included to evaluate the East Everglades Addition for possible recommendation to congress for inclusion in the national wilderness preservation system. As both studies were to occur concurrently, NPS decided to combine them into one GMP.

The purpose of the GMP is to: 1) confirm the purpose, significance, and special mandates of ENP; 2) clearly define resource conditions and visitor uses and experiences to be achieved in ENP; 3) provide a framework for ENP managers to use when making decisions about how to best protect resources, how to provide quality visitor opportunities, how to manage visitor use, and what kinds of facilities, if any, to develop in/near ENP; and 4) ensure this foundation for decision making has been developed in consultation with interested stakeholders and adopted by NPS leadership after and adequate analysis of the benefits, impacts, and economic costs of alternative courses of action. The four alternatives, as described in the GMP, include:

- **Alternative 1 – No-Action.** This alternative provides a baseline for evaluating changes and impacts of the three action alternatives. NPS chose the conditions at ENP as of December 2009 as the baseline condition representative of the no-action alternative. This alternative includes the continuation of current management practices into the future. Some approved and funded improvements would take place under the no-action alternative as well as some currently unfunded projects including improvements at Flamingo. Other than those improvements, the existing infrastructure would remain at the December 2009 state.
- **NPS Preferred Alternative (PA).** NPS would use management zoning and collaborative techniques such as adaptive management to support restoration of natural systems while providing improved opportunities for quality visitor experiences. Much of the East Everglades Addition would be proposed for wilderness and potential wilderness designation under this alternative.
- **Alternative 2.** This alternative would maintain and enhance visitor opportunities and protect natural systems while preserving many traditional routes and visitor access. This alternative would also use management zoning and would rely on boater education and enhanced ranger patrols to provide increased protection for resources. Commercial airboat tours would continue under Alternative 2, and a modest portion of the East Everglades Addition would be proposed for wilderness designation.
- **Alternative 4.** This alternative would provide a high level of support for protection of natural resources while providing improved opportunities for some types of visitor activities. This alternative would also employ zoning concepts. There would be a frontcountry zone in the East Everglades Addition where private airboating would continue to occur, however, commercial airboat tours would be discontinued. Nearly all of the East Everglades Addition would be proposed for eventual wilderness designation.

Additional detailed information on each of the evaluated alternatives may be found in the GMP (NPS 2014). The NPS evaluated an additional alternative, Alternative 3, however; it was dropped from detailed consideration as it too closely resembled another alternative. Alternative 3 was not evaluated in the GMP.

COMMENTS

In general, the GMP document is well done. The document is well-organized and clearly articulates the details of each of the evaluated alternatives. Since this is a planning document, many sections lack specificity, however, NPS clearly states they anticipate developing more detailed plans and pursuing additional NEPA and ESA consultation at the time those future plans are developed. NPS wilderness study is thorough and adequately weighs the advantages and disadvantages of the proposed options for wilderness designation in each alternative. The proposal for wilderness designation in the PA seems reasonable and balances resource protection with other uses in ENP.

THREATENED AND ENDANGERED SPECIES

The ENP consists of approximately 569,506 acres, including the original ENP and East Everglades Addition, and is located in Miami-Dade, Collier, and Monroe counties, Florida. Seventeen federally threatened or endangered species are present within, or use ENP. Species present include the endangered Florida panther (*Felis [=Puma] concolor coryi*), endangered West Indian manatee (*Trichechus manatus*), endangered Key Largo woodrat (*Neotoma floridana smalli*), endangered Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*), endangered Florida bonneted bat (*Eumops glacinus floridanus*), threatened piping plover (*Charadrius melodus*), endangered wood stork (*Mycteria americana*), threatened roseate tern (*Sterna dougallii dougallii*), threatened Audubon's crested caracara (*Caracara cheriway* = *Polyborus plancus audubonii*), endangered Everglade snail kite (*Rostrhamus sociabilis plumbeus*), endangered red-cockaded woodpecker (*Picoides borealis*), endangered Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*), proposed threatened red knot (*Calidris canutus rufa*), threatened American crocodile (*Crocodylus acutus*), endangered green sea turtle (*Chelonia mydas*), endangered hawksbill sea turtle (*Eretmochelys imbricata*), and threatened eastern indigo snake (*Drymarchon corais couperi*). The American alligator (*Alligator mississippiensis*) is listed as threatened due to similarity of appearance, however, the Service does not consult on these species. Critical habitat for the West Indian manatee, American crocodile, and piping plover is present within ENP boundaries.

NPS requested the GMP serve as their biological assessment for the preferred alternative. The Service had no objections to this proposal and reviewed the GMP with this in mind.

In their analysis, the NPS eliminated several species from detailed analysis. The species eliminated included the Florida bonneted bat, Audubon's crested caracara, red-cockaded woodpecker, and Cape Sable seaside sparrow. Florida bonneted bat roost locations have not been identified within ENP and the activities identified in the PA of the GMP are not likely to affect potential roost sites. Audubon's crested caracara is rarely seen in ENP and suitable habitat for this species is limited within the park boundaries. The core range for the crested caracara is in the Lake Okeechobee/Kissimmee Chain of Lakes area. Therefore, activities identified in the PA of the GMP are not likely to alter potential habitat for the crested caracara. The red-cockaded woodpecker is found in Big Cypress National Preserve (BICY) and activities identified in the PA of the GMP are not likely to have effects on suitable habitat present in BICY. The Cape Sable seaside sparrow was eliminated from further analysis as the activities that affect this species are primarily related to water management operations and not included as part of the PA of the GMP. Habitat management activities undertaken by NPS would be related to these water management or Everglades Restoration actions and not NPS operations and management. The species discussed above will not be further considered in this consultation.

While NPS did not provide separate effects determinations for designated critical habitat, the text in the Environmental Consequences sections clearly describes the types of effects that could occur in designated critical habitat during implementation of the PA. Designated critical habitat for both the manatee and the crocodile would see a reduction in on-going adverse effects from

changes in boat use and designation of additional pole/troll zones within ENP. Piping plover critical habitat also benefit from implementation of the PA. Since the implementation of the PA would not result in adverse effects to critical habitat, the Service will not further discuss designated critical habitat for these species.

ANALYSIS

The PA proposes to use management zoning and collaborative techniques such as adaptive management, user education, and a national park advisory committee to support restoration of natural systems while providing improved opportunities for quality visitor experiences. The PA includes submerged marine wilderness in Florida Bay and the designation of 26,900 acres in the northwest portion of the East Everglades Addition as a frontcountry zone. Much of the remainder of the East Everglades Addition would be recognized as having the potential for eventual wilderness designation. It is the implementation of the PA that will be the subject of this consultation.

Florida panther

For the purposes of this consultation, the Service used the status of the Florida panther as described in the 2008 Recovery Plan (Service 2008) and updated in the August 13, 2012, Biological Opinion for the Off Road Vehicle (ORV) Trail Heads and U.S. Highway 41 Turn Lanes Project, Service Consultation Code 2012-I-0139. The Service's goal for Florida panther conservation in south Florida is to locate, preserve, and restore lands containing sufficient area and appropriate land cover types to ensure the long-term survival of a population of 80 to 100 individuals (adults and subadults) south of the Caloosahatchee River.

Currently, 40 living radio-instrumented panthers use ENP and a 25-mile buffer around ENP. An additional 10 panthers with telemetry points within 25 miles of ENP have unknown status. Meahr et al (1991) stated the Everglades subpopulation had been effectively extirpated with the death of three females in June and July 1991. Historic telemetry points indicate the Everglades area, including the Water Conservation Areas (WCAs) was used more often in the 1980s and 1990s when there were reproducing females in the vicinity. Since the 2000s, fewer telemetry points have been recorded in this area and none in the WCAs. Panthers do, however, continue to use the levees surrounding the WCAs (Figure 1). It should be noted there is a reduced level of effort to radio-collar panthers in the Everglades area than in the Big Cypress Basin.

The PA directs NPS to limit new construction and place any new facilities in already disturbed locations. This effort will minimize the potential loss of panther habitat from new infrastructure. Designation of a portion of the East Everglades Addition as wilderness will limit human activity in the area and remove mechanized equipment as a source of disturbance to panthers.

NPS proposes to limit airboat use to specific, designated routes, thereby reducing the spatial extent of this type of disturbance on panthers using ENP. Camping on tree islands would continue although NPS may close some tree islands for resource protection. These closures would benefit panthers by further limiting human activities in potential panther habitat.

Shawn Bengte

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Since the PA would reduce airboat traffic and not increase other human activity, the NPS has determined that implementation of the PA may affect, but is not likely to adversely affect the Florida panther. The Service concurs.

Key Largo woodrat and Key Largo cotton mouse

The PA of the GMP would allow for development of a paddle launch and interpretive trail to access Florida Bay and Tarpon Basin. The new trail would disturb a portion of hardwood hammock in areas occupied, or potentially occupied by Key Largo woodrats and Key Largo cotton mice. NPS believes foot traffic on the proposed trail would not access areas off the trail, reducing the potential human disturbance use of the trail could cause. NPS also believes foot traffic in this area will not increase as a result of the new trail. NPS plans on implementing conservation measures that would avoid or minimize the effects of trail development to such an extent that the effects would be insignificant or discountable. The Service believes this particular component of the GMP would be one that would require additional consultation once a more detailed proposal is developed, however, we agree that the plan to develop a trail does not, in this case, authorize its development. Based on this information, the NPS has determined the implementation of the PA of the GMP may affect, but is not likely to adversely affect the Key Largo woodrat and Key Largo cotton mouse. The Service concurs.

West Indian manatee

Under the PA of the GMP, motor boating in ENP would continue, however, additional pole/troll zones would decrease motor boat activity in those areas and increase the rate of seagrass recovery. NPS would implement active seagrass restoration projects, resulting in additional seagrass availability. NPS would implement a boater safety and resource protection plan to further protect manatee habitat. NPS is also proposing to increase law enforcement on the water. Implementation of the PA would reduce motor boat access, underwater boat noise, and manatee boat strikes. The PA would also result in improvements in manatee habitat. Based on this information, the NPS has determined implementation of the PA of the GMP may affect, but is not likely to adversely affect the West Indian manatee. The Service concurs.

Wood stork

In accordance with the PA for the GMP, disturbance from airboats would decrease in the East Everglades Addition. This action could provide long-term benefits to wood storks nesting or using the East Everglades Addition. In addition, the new pole/troll zones would decrease use of motorized vessels in proximity to the shorelines of Florida Bay, reducing erosion and disturbance from motor boats. This reduction would benefit foraging, roosting, and nesting wood storks. The NPS commits that any new chickees in the Gulf Coast/Ten Thousand Islands area would be placed to avoid effects to roosting or nesting areas. Restoration activities planned for the Anhinga Trail area would improve foraging habitat for wood storks.

Shawn Bengé

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Based on this information, the NPS has determined the implementation of the PA for the GMP may affect, but is not likely to adversely affect the wood stork. The Service concurs.

Piping plover, roseate tern, red knot

The designation of pole/troll zones in Florida Bay and the designation of Long Sound as a backcountry non-motorized zone would reduce the potential for human activities to disturb these species. The pole/troll zone would also reduce the potential effects of boat wake on designated critical habitat for the piping plover.

Based on this information, the NPS has determined the implementation of the PA for the GMP may affect, but is not likely to adversely affect the piping plover, roseate tern, or red knot. The Service concurs.

Everglade snail kite

Since the PA calls for airboat activities to be restricted to designated trails in the East Everglades Addition, the potential effects of airboat-related disturbance on snail kites would be minimized. Although the PA calls for designating certain tree islands in the East Everglades Addition for recreation, important areas to the snail kite would be avoided. Other activities planned under the PA of the GMP are likely to be benign to the snail kite.

Based on this information, the NPS has determined the implementation of the PA of the GMP may affect, but is not likely to adversely affect the Everglade snail kite. The Service concurs.

Eastern indigo snake

Much of ENP is not suitable habitat for the eastern indigo snake as it prefers a mosaic of upland and wetland habitats and ENP is mainly wetter than desired for this species. However, Long Pine Key, the tree islands, and the portion of ENP located in the Florida Keys would provide suitable habitat for this species. The restriction of airboat activities to designated trails would have a positive effect on indigo snake habitat by reducing effects to tree islands from human disturbance and boat wake. Any ground disturbing activities undertaken in accordance with the PA would use the Service's standard protection measures for the eastern indigo snake as published on Service's website

(<http://www.fws.gov/verobeach/ReptilesPDFs/EasternIndigoSnakeConservationGuidelines.pdf>) These measures include the creation and distribution of educational materials regarding eastern indigo snake identification, biology and habitat requirements.

Based on this information, the NPS has determined the implementation of the PA may affect, but is not likely to adversely affect the eastern indigo snake. The Service concurs.

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American Crocodile

Many actions identified in the PA have the potential to benefit crocodiles through reductions in human disturbance and activities that could degrade designated critical habitat. Expanded pole/troll zones, shoreline idle speed, no-wake zones, boater education, and increased law enforcement should improve habitat conditions for the American crocodile. Some increase in human use could occur in areas where new put-in locations and chickees are developed, however, the increase in use should not result in measurable effects on the American crocodile and should be offset by the reduction in other types of use that have the potential to disturb crocodiles or degrade crocodile habitat.

Based on this information, the NPS has determined implementation of the PA of the GMP may affect, but is not likely to adversely affect the American crocodile. The Service concurs.

Sea turtles

The implementation of the PA will, largely, have effects on swimming sea turtles, therefore, the National Marine Fisheries will provide consultation regarding these species. Should activities undertaken in accordance with implementation of the PA have effects on nesting sea turtles not previously identified, then, reinitiation of consultation may be necessary.

CONCLUSION

The Service supports selection of the PA, due to its inclusion of adaptive management and other collaborative techniques to facilitate natural resource protection and enhancement.

This consultation applies to implementation of the PA for the GMP. Any additional proposals or activities may require additional consultation in accordance with section 7 of the Act.

This letter fulfills the requirements of section 7 of the Act and further action is not required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

We look forward to working with you to protect ENP for its conservation and historic value. If you have any questions, please contact Jane Tutton at 772-469-4235.

Shawn Bengte

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cc: electronic only
NPS/DSC, Denver, Colorado (Tracy Atkins)
NPS/RO, Atlanta, Georgia (Tim Pinion)
FWC, Tallahassee, Florida (Nick Wiley)
FWC, Gainesville, Florida (Don Coyner)

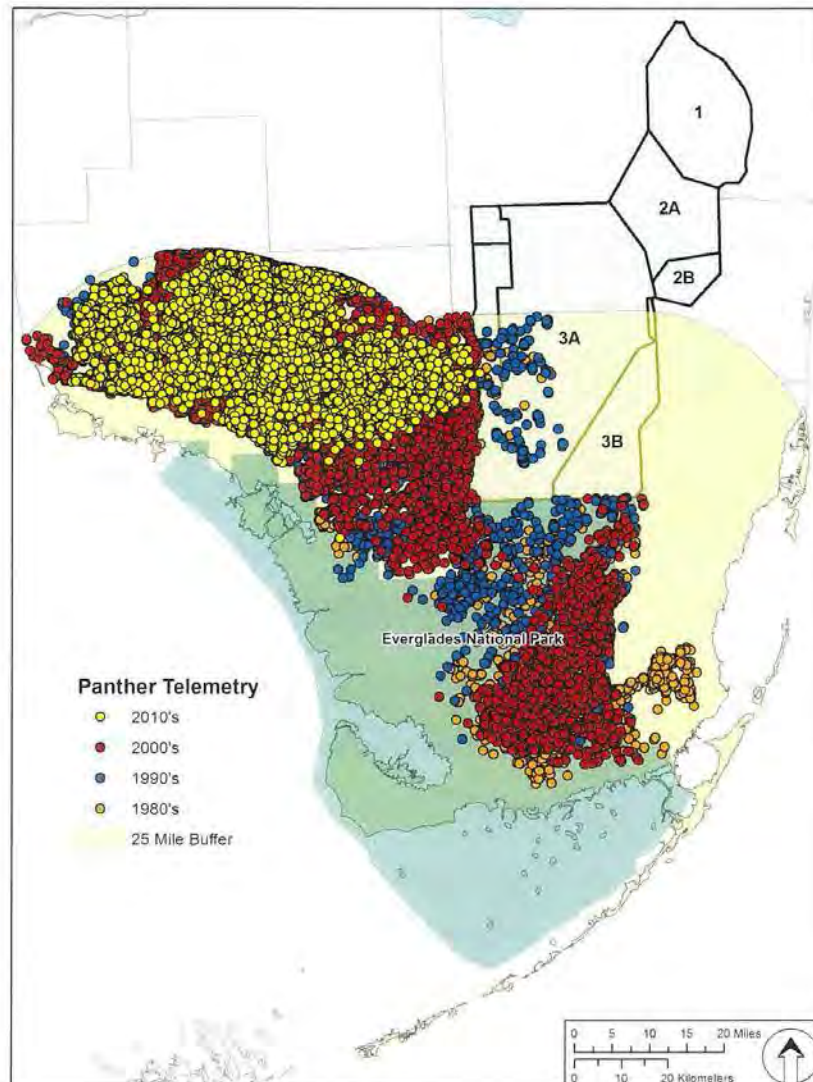
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Figure 1. Florida panther telemetry locations within 25 miles of Everglades National Park.





UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

253 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://seis.nmfs.noaa.gov>

F/SER31:NB

SER-2014-14671

MAR 12 2015

Pedro Ramos
Superintendent
Everglades and Dry Tortugas National Parks
40001 SR 9336
Homestead, Florida 33034

Re: Everglades National Park Draft General Management Plan, Miami-Dade, Monroe, and Collier Counties, Florida

Dear Mr. Ramos:

Enclosed is the National Marine Fisheries Service's (NMFS's) Programmatic Biological Opinion based on our review of the impacts associated with the issuance of the National Park Service's (NPS) General Management Plan (GMP) for Everglades National Park (ENP).

The Opinion analyzes the project's effects on sea turtles (loggerhead, *Caretta caretta*; leatherback, *Dermochelys coriacea*; Kemp's ridley, *Lepidochelys kempi*; hawksbill, *Eretmochelys imbricata*; and green, *Chelonia mydas*), smalltooth sawfish (*Pristis pectinata*), smalltooth sawfish critical habitat, and loggerhead sea turtle critical habitat, and is based on project-specific information provided by ENP and NMFS's review of published literature. We conclude that the issuance of the ENP GMP is likely to adversely affect, but is not likely to jeopardize, the continued existence of sea turtles (loggerhead, Kemp's ridley, and green) and smalltooth sawfish and is not likely to adversely affect any other species or critical habitats.

We look forward to further cooperation with you on other NPS projects to ensure the conservation and recovery of our threatened and endangered marine species. If you have any questions regarding this consultation, please contact Nicole Bonine, Consultation Biologist, at (727) 824-5336, or by email at Nicole.Bonine@noaa.gov.

Sincerely,

Roy E. Crabtree, Ph.D.
Regional Administrator

Enclosure

File: 1514-22.P



APPENDIX H: WILDERNESS ELIGIBILITY ASSESSMENT

Final Wilderness Eligibility Assessment – 2015 Everglades National Park – East Everglades Addition



INTRODUCTION

This document sets forth the final wilderness eligibility assessment for the East Everglades Addition of Everglades National Park. This wilderness eligibility assessment meets the policy mandate that all lands administered by the National Park Service (NPS) be evaluated for their eligibility for inclusion in the national wilderness preservation system. This assessment does not propose wilderness, potential or otherwise, nor does it recommend wilderness boundaries. The purpose is solely to assess the eligibility of lands pursuant to section 6.2.1 of *NPS Management Policies 2006*.

The wilderness eligibility assessment for the East Everglades Addition has been made by analyzing all areas of the Addition relative to the wilderness criteria in the Wilderness Act of 1964 and the primary eligibility criteria in *NPS Management Policies 2006* (section 6.2.1 with consideration for the criteria in section 6.2.1.2).

WILDERNESS CRITERIA

The following criteria were used to evaluate all lands in the East Everglades Addition for wilderness eligibility:

- The area is at least 5,000 acres or of sufficient size to make practicable its preservation and use in an unimpaired condition.
- The Earth and its community of life are untrammeled by humans, where humans are visitors and do not remain.
- The area is undeveloped and retains its primeval character and influence without permanent improvements or human habitation.
- The area generally appears to have been affected primarily by the forces of nature, with the imprint of humans' work substantially unnoticeable.
- The area is protected and managed so as to preserve its natural conditions.
- The area offers outstanding opportunities for solitude or a primitive and unconfined type of recreation.

CONSIDERATIONS

- The park's 1978 Marjory Stoneman Douglas Wilderness boundaries and determinations were used to help inform findings of this assessment.

- Public comments on the draft East Everglades Wilderness Study (2013), as well as public input from the 2006 East Everglades Wilderness Study scoping process were considered in preparing this final assessment.
- This assessment was conducted taking into consideration the legislative mandates of Everglades National Park, including its enabling legislation and the 1989 Everglades National Park Protection and Expansion Act (1989 Expansion Act).
- When discussing the areas determined to be eligible, application of the wilderness criteria was considered for both existing conditions and conditions expected in the future (once nonconforming or incompatible uses are expected to conclude).

FINDINGS

Of the 109,600 acres assessed, 85,300 acres were determined to be eligible for wilderness designation. See map on page 172. The remaining 24,300 acres are not recommended as eligible for congressional designation as part of the National Wilderness Preservation System. These areas do not meet eligibility criteria due to the following factors: existing development, ongoing incompatible uses that will continue indefinitely, and/or lack of outstanding opportunities for solitude or primitive and unconfined types of recreation.

A detailed presentation of the eligibility analysis and findings is presented below.

EAST EVERGLADES ADDITION

NOT ELIGIBLE FOR WILDERNESS DESIGNATION

1. Highway 41 Right-of-Way (ROW): 0.25 mile (1,320 feet) on south side of the park boundary/Florida DOT ROW so as to include all past disturbances and anticipated road/bridge-related improvements to restore water flows and restoration of park resources from Tamiami Trail highway engineering, construction and maintenance, restoration activities (e.g., nonnative vegetation removal, prescribed fire management activities, resource condition research/monitoring activities), as well as continued motorized use and access for infrastructure maintenance; areas of existing development associated with the commercial airboat operations and radio transmission buildings along the south side of Tamiami Trail. This area does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

2. Northwest Corner of East Everglades Addition. This area, comprising approximately 16,400 acres, is a triangular-shaped area in the northwestern portion of the expansion area. It is bounded on the north for about 8 miles by the Tamiami Trail and on the west for about 7 miles by the L67 extension canal. This area has historically been used for commercial airboating operations. If this use were to ever cease, the area would likely recover its wilderness character over time and hence be eligible for wilderness designation. Should that use end the National Park Service would reevaluate the eligibility of these lands consistent with NPS *Management Policies 2006* (6.2.1): “Additionally, lands originally assessed as ineligible for wilderness because of nonconforming or incompatible uses must be reevaluated if the nonconforming uses have been terminated or removed.” However, the final general management plan for Everglades National Park calls for commercial airboating to

continue in this location over the long term (20 or more years). Therefore, the imprint of human activity is substantial in this area and will remain so for the foreseeable future.

3. Eastern Park Boundary the Length of the East Everglades Addition (1,320 feet) on the west side of the actual park boundary so as to include all past disturbances from canal engineering, construction and maintenance activities, restoration activities (e.g., nonnative vegetation removal, prescribed fire management activities, resource condition research/monitoring activities) and allow for future water management activities (i.e., seepage management) or other uses for this area (i.e., potential NPS-FPL land exchange currently being evaluated per the Omnibus Public Lands Management Act of 2009). This area does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

4. SW 168 Street ROW: 150-foot corridor on either side of the paved road; includes the areas that have been altered or disturbed by techniques used to create roads and grades in wetlands. Other human disturbances such as borrow pits are present. These areas do not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

5. SW 237 Avenue ROW: 150-foot corridor on either side of the paved road; includes the areas that have been altered or disturbed by techniques used to create roads and grades in wetlands. Other human disturbances such as borrow pits are present. These areas do not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

6. Chekika Recreation Area and Surrounding Lands: Approximately 3,000-acre area surrounding the Chekika recreation area previously part of the Florida state park system, in and around the intersection of SW 237th Avenue and SW168th Street; irregularly shaped; boundaries based on property lines in the absence of any major topographic features; includes 300-foot buffer extending outward from perimeter boundary of site (north, west, south); area has been disturbed by past construction and maintenance activity; humans' work is substantially noticeable in the form of a parking area, park administration and recreational facilities; motorized access to the area would continue in the future for recreational activities. This area is developed and does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

ELIGIBLE FOR WILDERNESS DESIGNATION (REMINDER OF EAST EVERGLADES ADDITION)

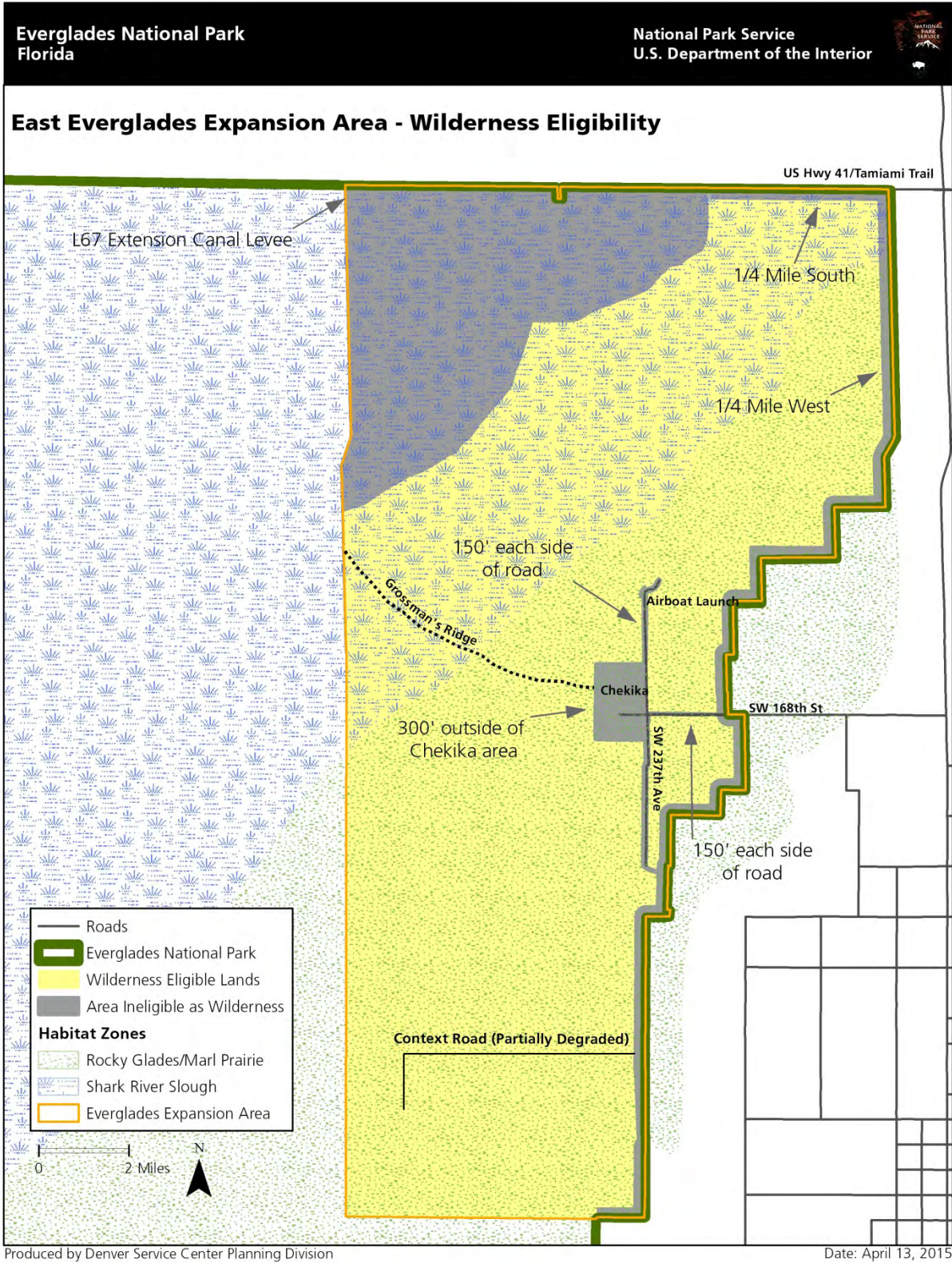
All parts of the East Everglades Addition not listed and described above are eligible for designation as wilderness. The eligible lands total approximately 85,300 acres and fall into two zones: the Rocky Glades/Freshwater Marl Prairie zone, and the Ridge and Slough zone.

1. Rocky Glades / Freshwater Marl Prairie Zone – This area comprises approximately 57,200 acres to the south and east of Northeast Shark River Slough. Elevations increase along the eastern edge of the slough and the slough gives way to freshwater marl prairie. Much of this area has extended dry periods annually due to the elevation increase, and rock is exposed most of the year. The area is remote, inaccessible, and roadless, except for remnants of the 7.5 mile Context Road, most of which has been degraded to conform to the topography of adjacent lands in order to support natural ecosystem functions. Natural processes dominate in this area and the imprint of human activity is substantially unnoticeable. Outstanding opportunities for solitude or a primitive and unconfined type of recreation exist.

2. Ridge and Slough Zone – This area comprises approximately 28,050 acres on the eastern edge of Shark River Slough in the north part of the Addition. It is bounded on the south by the edge of the slough and by a rock ridge feature known as Grossman's Ridge (also called Hogback Ridge). It contains the headwaters of the Northeast Shark River Slough and Taylor Slough, which are the primary sources of water flow to the park. The area is composed of wetland communities typical of those parts of the southern Everglades, which are often inundated for 9 to 12 months each year. Vegetation consists of a mosaic of sawgrass marshland, lower-lying flats and sloughs, and tree islands and hardwood hammocks at higher elevations.

The slough has an extended hydroperiod and contains sufficient water to allow year-round opportunities for nonmechanized wilderness recreation for much of the year, and in wet years for year-round opportunities. Within the slough, the area contains hundreds of hammocks ranging in size from a few yards to several hundred acres. Although now part of the park, this area will see continued airboat use by those individuals specifically identified in the 1989 Expansion Act as eligible for lifetime permits. There are at least nine camps/cabins that were privately constructed on tree islands in the interior prior to NPS ownership. Some of the camps are still used by airboaters despite NPS ownership.

Nonconforming uses in this zone have not resulted in permanent developments. The camps/cabins currently found on tree islands can be easily removed. Natural processes dominate in this area and the imprint of human activity will be substantially unnoticeable once nonconforming uses end. Outstanding opportunities for solitude or a primitive and unconfined type of recreation exist here.



APPENDIX I: COMMENT ANALYSIS AND RESPONSE REPORT

INTRODUCTION

On February 27, 2013, Everglades National Park (the park) released the *Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement* (Draft GMP) for public review and comment. The Draft GMP was available locally at the park and on the National Park Service (NPS) planning website (<http://parkplanning.nps.gov/ever>). The public was invited to submit comments on the Draft GMP through May 12, 2013.

During the public comment period, 15,762 pieces of correspondence (including 12,083 form letters from the National Parks Conservation Association supporters) were entered into the Planning, Environment, and Public Comment (PEPC) system, either through direct entry by commenter or uploading hard copy letters, electronic correspondence, or transcripts from public meetings. The following organizations, state, local and federal government agencies submitted correspondence:

- American Bird Conservancy
- American Sportfishing Association
- Audubon Florida
- Bonefish & Tarpon Trust
- Center for Biological Diversity
- Center for Coastal Conservation
- Coastal Conservation Association
- Congressional Sportsmen's Foundation
- Conservancy of Southwest Florida
- Defenders of Wildlife
- Florida Department of Environmental Protection
- Florida Fish and Wildlife Conservation Commission
- Florida Fish and Wildlife Research Institute
- Florida Guides Association
- Florida Keys National Marine Sanctuary Advisory Council
- Guy Harvey Ocean Foundation
- Hapnehatchee Center
- International Game Fish Association
- Lower Keys Guides Association
- Miami-Dade County Department of Regulatory and Economic Resources
- Monroe County Tourist Development Council
- National Marine Manufacturers Association
- National Parks Conservation Association
- Public Employees for Environmental Responsibility
- Save the Manatee Club
- Sea Turtle Oversight Protection
- South Florida Audubon Society
- South Florida Regional Planning Council
- South Florida Wildlands Association,
- The Islamorada Chamber of Commerce & Visitor Center
- The Lodging Association of the Florida Keys and Key West
- Tropical Audubon Society
- Tropical Everglades Visitor Association
- United States Environmental Protection Agency
- United States Fish and Wildlife Service
- Village Council of Islamorada, Village of Islands

- Wildlands CPR
- Wilderness Watch
- Wild South

The following businesses submitted comments:

- Brine Media, LLC
- Bud n' Mary's Marina
- Contender Boats, Inc.
- Endless Summer LLC
- Everglades Alligator Farm, Inc.
- Everglades Safari Park
- Everglades V. R. Corporation
- Fly Life Magazine.com
- Gaiadigm Publishing, Inc.
- GEO Productions
- Hudson-Mohawk Bird Club, Inc.
- Innovative Systems & Services LLC
- IlbarAngleR
- Kenny's Backcountry Adventures, LLC
- Marine Specialties Inc.
- Marine Clean LLC
- Palmer Biological Services, LLC
- Print Source
- Ramhaus K9
- Save our Sovereign Lands, LLC
- Sayler Photography
- The Middle River Group, LLC
- Uhflixshun Enterprises LLC
- WaterTribe, Inc.
- Wilbur Ave LLC
- www.kayakfari.com

In addition to the general public, members of the following organizations also submitted comments:

- Airboat Association of Florida

- Ancient City Game Fish Association
- B.A.S.S. Federation Nation
- Backcountry Fly Fishers of Naples, Florida
- Bighorn River Alliance
- BoatUS
- Brevard County Airboat Association
- Buttonwood Bay Condominium Association
- Coastal Conservation Association
- Coastal Wildlife Club
- Collier Sportsmen and Conservation Club
- Ducks Unlimited
- Everglades Exploration Network
- Everglades Foundation
- Florida Airboat Association
- Florida Bass Federation
- Florida Guides Association
- Florida Keys Fishing Guides Association
- Florida Keys Commercial Fishermen's Association
- Florida Keys Wild Bird Center
- Florida Paddling Trails Association
- Florida Sierra Club
- Florida Sports Fishing Association
- Florida Sportsman
- Florida Trail Association
- Good Sam RV Club
- Great Old Broads for Wilderness
- Guides Trust Foundation
- Hudson-Mohawk Bird Club
- Indian River Powerboat Association
- Interfaith Worker Justice
- International Federation of Fly Fishers
- International Game Fish Association
- Islamorada Fishing Guides

- Kayak Fishing Club of the Palm Beaches
- Key Largo Fishing Guides Association
- Keep America Fishing
- Louisiana Charter Boat Association
- Matacumbe Anglers: Islamorada Fishing Club
- MoveOn
- National Audubon Society
- National Parks Foundation
- National Parks Conservation Association
- Ocean Reef Rod & Gun Club
- Orange Audubon Society
- Palm Beach Water Yaks
- Port Hudson Fishing Club
- Reel Angler's Fishing Club
- River of Grass Greenway
- Sierra Club
- Snook & Gamefish Foundation
- South Florida Bush Paddlers Association
- South Florida Kayak Meetup
- Sportfishermen of Broward
- Stuart Rod and Reel Club
- Swamp Apes
- The Climate Crisis Coalition of the Twin Cities
- The Conservation Agency
- Tropical Anglers Club
- Trout Unlimited
- West Palm Beach Fishing Club
- West Valley Outdoor Learning Center
- Wilderness Watch

Comments were received from across the United States as well as from other countries. Comments were received from every state as well as from the Commonwealth of Puerto Rico and the District of Columbia (DC). The majority of commenters were from Florida,

although large numbers of comments came from the states of California, New York, Washington, Georgia, and Texas.

SUMMARY OF COMMENTS

Comments addressed a full range of topics related to the management of Everglades National Park and the draft GMP.

Commenters expressed both support for and concerns with the preferred alternative. A large portion of the comments received were in regards to visitor use and resource management strategies proposed in the Draft GMP, particularly Florida Bay and other shallow-water marine areas. Some commenters opposed the establishment of some or any new pole/troll zones (PTZs), identified the need for additional channels/access corridors in Florida Bay, and/or identified a need for new category of zoning, pole/troll/idle zones (PTIs), to provide for greater access to shallow areas of Florida Bay while still protecting resources. Other commenters supported the establishment of new PTZs and other measures proposed in the preferred alternative to protect resources and provide greater opportunities for wilderness experiences.

Some commenters expressed support for the proposed boater education program while other commenters expressed concern with who the program applies to (i.e., paddlers and/or boaters) as well as the coordination and consistency of the program with other agencies and organizations.

Commenters also expressed concern with the proposed wilderness designation in the East Everglades Addition. Some commenters expressed support for the maximum amount of wilderness or the amount proposed in the preferred alternative. Other commenters were concerned with the effect that wilderness designation would have on management activities and visitor access, or to the extent this area qualified for wilderness designation.

The economic impact of the proposed action alternative on the local and regional economy including the livelihood of fishing guides, commercial fishing industry, and fishing related businesses was also identified as a concern. Some commenters were concerned that the preferred alternative could adversely affect the local economy related to outdoor recreation and tourism, particularly in the Upper Keys, while others expressed the view that the strategies in the plan would strengthen the local economic conditions by working to create healthier, more sustainable ecological conditions.

The public provided comments on other topics related to the plan including general resource protection (for natural and cultural resources), law enforcement, recreational and educational opportunities, navigation markers and signage, and community involvement. Commenters provided suggestions for and comments on the alternatives, levels of impact analysis concerning possible future construction projects, monitoring and protection of special or endangered species, protection of natural and cultural resources, and management actions for the park to consider.

THE COMMENT ANALYSIS PROCESS

Comment analysis is a process used to compile and correlate similar public comments into a format that the planning team can use to organize, clarify, and address technical information pursuant to National Environmental Policy Act (NEPA) regulations. The process also aids the planning team in identifying the topics and issues to be evaluated and considered throughout the planning process.

The process includes six main components:

1. employing a comment database for comment management
2. developing a coding structure
3. reading and coding public comments

4. interpreting and analyzing the comments to identify issues and themes, which includes drafting concern statements
5. responding to comments
6. preparing a comment analysis and response report

A coding structure was developed to help sort comments into logical groups by topic. The coding structure was derived from an analysis of the comments, the range of topics discussed during internal NPS scoping, and past public involvement. The coding structure was designed to capture all comment content rather than to restrict or exclude any ideas. In order to organize all of the comments in a clear and concise manner for inclusion in the comment analysis and response report, the planning team created response topics that are organized by similar themes and issues.

The National Park Service PEPC database was used to manage the comments received. After reading the correspondence, the planning team assigned codes to statements made by the public in their letters, at the public meetings, in their e-mail messages, and on the written comment form. All comments—those of a technical nature; opinions, feelings, and preferences of one element or one potential alternative over another; and those of a personal or philosophical nature—were considered and analyzed and will be used to help create the Final GMP.

After reading the comments, the planning team coded comments as either substantive or nonsubstantive. A substantive comment, as defined in the NPS Director's Order 12 Handbook (section 4.6A), is a comment that:

- questions (with a reasonable basis) the accuracy of information presented in the environmental impact statement
- questions (with a reasonable basis) the adequacy of the environmental analysis

- presents reasonable alternatives other than those presented in the environmental impact statement
- causes changes or revisions in the proposal

As further stated in Director's Order 12, substantive comments "raise, debate, or question a point of fact or policy. Comments in favor of or against the proposed action or alternatives, or comments that only agree or disagree with NPS policy, are not considered substantive." Typically, only those comments considered to be substantive are analyzed and used to create concern statements for NPS response; however, some nonsubstantive issues were identified for response during this process.

Then, all substantive comments were categorized and grouped by similar themes. The themes were then summarized using a concern statement that is representative of many comments. In this comment analysis and response report, concern statements are organized under broad topical categories.

As required under the NEPA process, the National Park Service has responded to all substantive comments raised by the public as part of finalizing the GMP. In this report, the planning team provided responses to the substantive comments and indicated, where appropriate, how the text in the final environmental impact statement was revised. In addition, the nonsubstantive comments that were identified as being of high importance to the public or needing clarification are also responded to in this report.

DEFINITION OF TERMS

Correspondence: A correspondence is the entire document received from a commenter. It can be in the form of a letter, e-mail, written comment form, note card, open house transcript, or petition.

Comment: A comment is a portion of the text within a correspondence that addresses a single subject or issue. It could include such information as an expression of support or opposition to the use of a potential management tool, additional data regarding the existing condition, or an opinion debating the adequacy of an analysis.

Code: A grouping that is centered on a common subject.

Concern Statement: Concern statements summarize the issues identified by each code. Each code is further characterized by concern statements to provide a better focus on the content of comments. Some codes may require multiple concern statements, while others do not. In cases where no comments were received on an issue, the issue was not identified or discussed in this report.

Nonsubstantive Comment: As stated in the NPS Director's Order 12 Handbook (section 4.6A), comments in favor of or against the proposed action or alternatives, or comments that only agree or disagree with NPS policy, are considered nonsubstantive.

Substantive Comment: A substantive comment, as defined in the NPS Director's Order 12 Handbook (section 4.6A), is a comment that does one or more of the following:

- questions (with a reasonable basis) the accuracy of information presented in the environmental impact statement
- questions (with reasonable basis) the adequacy of the environmental analysis

- presents reasonable alternatives other than those presented in the environmental impact statement
- causes changes or revisions in the proposal

AGENCY CONSULTATION AND COORDINATION

Federal and state agencies affirmed their concurrence on the Draft GMP. The South Florida Regional Planning Council (SFRPC) found the plan to be generally consistent with the SFRPC's Strategic Regional Policy Plan. The Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection found the plan to be consistent with FWC statutes and rules included in the Florida Coastal Management Program. The U.S. Environmental Protection Agency gave the plan a lack of objections rating. The U.S. Fish and Wildlife Service (USFWS) support the preferred alternative and continued **closure to public** use of all areas of Crocodile Sanctuary (Little Madeira Bay and numerous other connected ponds and creeks). The National Marine Fisheries Service (NMFS) provided a Programmatic Biological Opinion that included section 7 determination on the species that were listed at the time of the Draft General Management Plan / East Everglades Wilderness Study / Environmental Impact Statement (see the park's planning website at <http://parkplanning.nps.gov/EVER>). The Programmatic Biological Opinion provides a detailed path forward for continued consultation with NMFS for implementation of the GMP and the protection of endangered species.

NPS RESPONSE TO PUBLIC COMMENTS

Comments that contain substantive points regarding information in the Draft GMP or comments that need clarification are extracted below. A concern statement has

been developed to summarize the comments. A response follows these concerns, sometimes multiple concern statements are addressed with one response. All comment letters from government agencies have been scanned and are included in appendix G.

Where appropriate, text in the *Everglades Draft General Management Plan / East Wilderness Study/Environmental Impact Statement* has been revised to address comments and changes, as indicated in the following responses.

Summary Concern and Response about Visitor Access

CONCERN: A large portion of the concerns received were in regard to the changes in visitor access proposed in the draft GMP. Some commenters do not support the establishment of new PTZs and would like to see continued or increased motorized boat access so that the current level of visitor access and opportunities are retained. Commenters also expressed concern that the PTZs proposed in the draft GMP do not consider the natural system of the Everglades and recommend reconfiguring the proposed PTZs to provide reasonable and safe access to the park. Commenters who supported the establishment of new PTZs and restricted airboat access expressed concern for the protection of natural and cultural park resources and cited desire for increased opportunity for wilderness experiences.

RESPONSE: Everglades National Park recognizes that many commenters are concerned that the pole troll zones outlined in the draft GMP/EIS will not provide adequate access to the park or will be detrimental to the visitor experience of boaters or provide for unsafe conditions. These concerns have been heard and carefully considered. The preferred alternative in the final GMP/EIS seeks to strike a balance to ensure natural, cultural, and wilderness resources are protected, while providing for and public access, use and enjoyment of park resources. The zoning

approach to Florida Bay has been significantly modified to take the above issues and concerns regarding resource protection, access, and visitor enjoyment into account.

The following changes were made to the NPS preferred alternative in the final GMP/EIS to address these key concerns:

- Refinements were made to zoning of Florida Bay, including development of a new pole/troll/idle zone, and the establishment of new on-plane access corridors/areas, idle speed corridors, and slow speed corridors, to provide reasonable access to key destinations and across the bay while still maintaining and protecting important resources.
- In the East Everglades Addition access opportunities were improved through refinements to backcountry/ frontcountry zoning as well as refinements to the wilderness proposal to recognize that ongoing ecosystem restoration in the East Everglades Addition would have adverse impacts to the areas wilderness character during the period when restoration activities are occurring.
- In the Alternative Wilderness Waterway (known as the Everglades Paddling Trail in the *Final Everglades Draft General Management Plan / East Wilderness Study/Environmental Impact Statement*), three segments were modified to be treated as backcountry (nonmotorized) zones seasonally, during the peak winter and early spring seasons, and a seasonal idle speed segment would be established to provide for a variety of possible experiences in this part of the park.

The preferred alternative in the final GMP/EIS is a balanced approach that provides protection for the resource while

also providing opportunities for park visitors to have a variety of possible experiences in the park.

Visitor Access Concerns Related to Poll/Troll Zones

CONCERN: Commenters gave recommendations for specific areas within the proposed PTZs that should be reconfigured. Commenters note that reconfiguring the PTZs as they recommend would provide realistic access to pole/troll areas and therefore alleviate high fishing and recreational use in areas that are currently accessible. Additionally, commenters believe that without making such changes to the PTZs, much of the park would essentially ban boat access or be too restrictive for their recreational uses as the PTZs cover too large of an area of the park. Many commenters were supportive of the general idea of PTZs if the zoning were reconfigured and less expansive.

CONCERN: Commenters expressed support for the implementation of pole/troll zones. Many of those who offered suggestions also expressed the belief that such zones are good methods for protecting park resources. Many entities, including the South Florida Wildlands Association, Tropical Audubon Society, the National Parks Conservation Association, and Orange Audubon Society, stated their support for proposed PTZs, especially around keys in the bay.

CONCERN: Commenters find that the current PTZs do not provide visitors with reasonable access to much of the park. Comments remarked that the current PTZ does not consider contributing factors of access. For instance, the large size of the zone requires that boaters to poll/troll their boats for long distances in order to reach areas within the park. Commenters contend that requiring visitors to poll or troll a mile or more in and out of an area is unrealistic and limits the number of people who would physically be able to reach those areas. Generally, the extent of the PTZs proposed

was found to be too large and restrictive. In addition, comments contend that by establishing such a large PTZ without corridors, recreational activities would be concentrated to accessible areas and therefore damage resources.

CONCERN: Commenters expressed the belief that the proposed PTZs do not consider the natural systems of Everglade NP. Commenters believe that aspects of the PTZ should reflect or accommodate changing conditions such tidal flow, winds and weather, and seasonal variations in water levels. Other commenters find that proposed PTZs do not accurately reflect existing conditions such as water depths in certain areas. For this reason, they think that boat access should not be restricted in those areas as resource damage is unlikely to occur. Commenters, including the National Parks Conservation Association (NPCA), suggested that adaptive management for zoning should be adopted in the Final GMP so that monitoring and science can inform future zoning.

CONCERN: Commenters would like corridors or paths to be included within the PTZs in which boat idling is acceptable. Commenters find that many areas have water depths over 2 feet in high tide and are therefore able to safely accommodate idling boats. By adding such corridors, access to and from areas of the park would be possible. One commenter, the CCA Florida, contends that just as formalized dirt paths are built in terrestrial Wilderness areas, so too should idle boat corridors be built in the Everglades. Commenters also contend that without the ability to idle their boats in areas within the proposed PTZs, their personal safety is at risk because getting out of an area before a storm approaches would be very difficult. Commenters suggested the access corridors be identified, and then PTZs in between those corridors be determined.

CONCERN: In addition to commenters who believe access corridors are needed for users to be able to reach safety if weather or conditions change, commenters also cited the

need for the GMP and the PTZs to more concretely deal with safety issues. For instance, one commenter suggested that the park study effects of plane landings versus motor boat uses in cases of emergency response and formulate recommendations as part of the GMP. Another commenter believes that the park's reliance on GPS markers as a way for boaters to identify PTZs would cause safety risks as boaters are viewing GPS devices rather than looking where they are going.

CONCERN: Commenters are concerned that by implementing large PTZs in the park, recreational and professional fisheries would be forced to concentrate their efforts in accessible non-PTZ areas. Comments contend that such concentrated use would cause the very type of resource damage that the park is elsewhere trying to avoid. In addition, commenters are worried that such concentrated use would result in increased user conflicts as well as boater accidents.

CONCERN: Commenters believe that education and navigation marking efforts should be tried first before PTZs are implemented. Their rationale was that education and channel/access route marking are a more effective and meaningful way to avoid impacts to resources. Generally, many commenters expressed their support for better signage and navigation markers.

CONCERN: Commenters, including the Lower Keys Guides Association, the National Marine Manufacturers Association, and the CCA, believe that PTZs are not the only method available to protect resources. They suggest that idle speed zones can be just as effective to minimize impact on seagrass beds and other resources. One of the commenters suggests that PTZ be converted to idle speed zones. Another commenter suggested that the park look to models that were used at Merritt Island when considering idle zoning.

RESPONSE: Everglades National Park recognizes that many commenters are concerned that the pole troll zones outlined in the draft GMP/EIS will not provide adequate

access to the park or will be detrimental to the visitor experience of boaters or provide for unsafe conditions. These concerns have been heard and carefully considered. The zoning approach to Florida Bay has been significantly modified to take the above issues and concerns regarding resource protection, access and visitor enjoyment into account. Park managers, based on thorough stakeholder input after the Draft GMP was released, are confident that the proper balance has been reached by providing strong and enhanced resource protection, while identifying appropriate access options to provide for visitor use and enjoyment. Key changes to the preferred alternative in chapter 2 of the final GMP/EIS include;

- Adjustments to the configuration of the pole and troll zones through the identification of deeper areas for inclusion into the boat access zone, which allows for on-plane, safe transit.
- Identification of numerous additional access corridors, including on-plane corridors, idle-speed corridors, and slow-speed corridors, to improve visitor safety and provide slightly faster recreational access to navigate and transit to key destinations within the bay while still protecting critical natural resources.
- The addition of a new zone category – pole/troll/idle – to acknowledge varying resource conditions in parts of Florida Bay and give more access flexibility to the boating public. The addition of this new zoning category was based on substantial input from park users and field verification that resource conditions and water depth in some areas of the bay can sustainably support this new zoning category.

When reconfiguring the pole troll zones, park staff considered multiple types and sources of information including substantial input from knowledgeable park users that suggested ways to provide appropriate access and

adjustments. These suggestions were verified in the field with park staff often accompanied by experienced members of the public. Park managers also visited the Merritt Island National Wildlife Refuge, exploring the Mosquito Lagoon pole/troll area and met with refuge managers. The goal was to learn from their experiences and determine how best to incorporate relevant ideas into park management decisions and implementation strategies.

It is also important to note that one of the first actions to be implemented from the GMP would be the establishment of a mandatory boater education program and continued channel/access route marking improvements on existing channel/access routes, so that the zones will not be implemented in isolation, but rather as part of a multifaceted approach to enhance visitor knowledge and awareness for better resource protection and visitor use and enjoyment.

Because the park plans to implement the zoning strategy with the benefit of a stakeholder advisory committee and an adaptive management approach, adjustments over time to the zones, means of access, and delivery of educational and other information, would be incorporated based on new information. These modifications would result from close monitoring of implemented zones, access channel / routes, and ingress/egress corridors to determine how to improve the resource conditions and visitor enjoyment. Park manager's would also initiate a research project to determine the effects of idling versus pole/troll transit in shallow waters to identify more precisely impact differences from these alternatives means of transit.

CONCERN: Commenters, including the Lower Keys Guides Association and Coastal Conservation Association Florida (CCA Florida), recommend that PTZs be implemented incrementally rather than implemented all at once. Commenters would like critical areas to be identified and slowly added as PTZs. Further, commenters believe

such an approach should include consultation efforts with the public as additional areas are added and as the effectiveness of the PTZs are evaluated. In addition, one commenter believes this approach would be more financially viable for the park as costs of implementation are spread out over space and time.

RESPONSE: Following the review of the Draft GMP/EIS, Park managers engaged in extensive outreach with concerned stakeholders to refine the zoning in the preferred alternative for Florida Bay. Based on the knowledge gained from this stakeholder outreach, it is believed that the refined zoning approach alleviates much of the concern with implementing the zoning all at once. Further, park managers are concerned that a phased approach would result in misinformation as commercial GPS software and navigational chart providers struggle to stay current as new zones are incrementally established.

CONCERN: It was recommended by many commenters that a working group of park users be established. A principal role of this working group would be to establish PTZs and access corridors. While not always terming this level of involvement as a working group, commenters such as the NPCA strongly suggested that the guide and recreational user groups be directly involved in deciding how and where PTZs and channel/access routes are added as well as allowable engine size.

RESPONSE: As is described in the summary of the Draft GMP, an Everglades National Park Advisory Committee would be established upon adoption of this plan. The park has made the establishment of this committee a priority as one of the first elements of this plan to be implemented. The park received many specific suggestions on who should be on this committee and how it should operate. When the committee is established, those suggestions will be again reviewed and considered. Everglades NP strongly believes that a committee composed of diverse stakeholders that would help park

managers consider various perspectives on a variety of issues is vital for the management of the park.

CONCERN: Commenters, including the CCA, questioned why such an extensive PTZ system was being implemented without the release of scientific studies demonstrating that such zones are needed and effective. Commenters specifically pointed to the Snake Bight study which they would like released to the public before additional PTZs are added.

RESPONSE: The park is committed to conducting the follow-up Snake Bight PTZ study, and NPS funding has been approved for that work for later this year. The results will be made available to the public once the study is completed and no additional PTZs would be established until that project is completed and the benefits of PTZs in the park are understood. Anecdotally, many in the public have spoken of the improved experiences in the Snake Bight PTZ and what they perceive as improved resource conditions for both seagrass and the fishery. This information indicates the potential effectiveness of the zone and perhaps its wider benefits to establishing other PTZs in Florida Bay. The study area at Snake Bight has demonstrated to be an effective management strategy for protecting resources and will also provide a comparison of conditions in shallow water areas of the bay that have not been subject to zoning. The park advisory committee established by the plan would help park managers to identify the results from establishing PTZs, other zones and means of access, and implementing other related measures from the GMP (e.g., boater education program) and identify strategies for how to best manage the park over time. This approach provides the flexibility to adapt to new information and changing conditions, and allows the park to adjust how zones and other GMP features are most effectively implemented.

CONCERN: One commenter, the Florida Fish and Wildlife Research Institute, is concerned that the proposed PTZs do not

accommodate the need for scientists to access study sites. The Florida Fish and Wildlife Research Institute specifically remarked that some of their study areas fall within the proposed PTZs and that accessing these sites without motorized boats would be very difficult.

RESPONSE: It is the policy of both the National Park Service and Everglades NP that scientific research, as well as other nonemergency administrative uses, needs to comply with the zoning requirements outlined in the GMP and other NPS and park regulations. Researchers and scientists will need to work with the park to make research arrangements, including permission to conduct research and specifics of how and where research may be carried out and how access is to be achieved. Specific proposals requesting variance in compliance with zoning regulations are expected to be reviewed on a case-by-case basis as a part of the research permit review process. Everglades NP and the scientific community as a whole have gained a wealth of information from research efforts conducted in the park and park managers would continue to support such research endeavors. Research helps the park understand what is happening in the park and to utilize adaptive management measures through lessons learned. Also as noted above, the zoning approach to Florida Bay has been significantly modified to take alleviate many of the concerns related to access into account.

Wilderness Waterway

CONCERN: Commenters expressed support for the nonmotorized segments of the Alternative Wilderness Waterway (known as the Everglades Paddling Trail in the *Final Everglades Draft General Management Plan / East Wilderness Study/Environmental Impact Statement*) in the preferred alternative, citing reasons such as increased opportunities for a tranquil wilderness experience, and the provision of increased protection for manatees. Commenters agreed that the route should be minimally marked to preserve

scenic and wilderness values. In contrast, other commenters supported the approach to the Alternative Wilderness Waterway as presented in alternative 2, where the entire waterway would be in the boat access zone. Commenters cited reasons such as the zoning as no motorized is unfair, is dangerous, and the waterway has been a historical access point for boats.

RESPONSE: The National Park Service acknowledges that there exists a diversity of views regarding appropriate use of the Alternative Wilderness Waterway (known as the Everglades Paddling Trail in the *Final Everglades Draft General Management Plan / East Wilderness Study/Environmental Impact Statement*). Having considered the public comments received on the proposal, the National Park Service has decided to retain most of the nonmotorized segments originally proposed in the preferred alternative for the 115-mile wilderness waterway. While nearly 90 miles of the corridor would remain open to all boat travel, the preferred alternative in the Final GMP/EIS identifies several segments that would seasonally be treated as backcountry (nonmotorized) zones during the peak winter and early spring seasons based on narrowness or shallowness of the water, low clearance to mangroves, and available alternate routes for motorboats. These seasonal backcountry segments would include a portion of Wood River, Shark-Watson River sites, and the Hells Bay area. Additionally, a seasonal idle speed segment would be established on Turner River, from Hurdles Creek junction to the Big Cypress National Preserve boundary. These segments would make it possible for park visitors to have a variety of possible experiences in this part of Everglades NP.

Comments Regarding Visitor Access and Use

CONCERN: General comments were received regarding perceived restrictions in visitor access to the park. These comments addressed a full range of recreational activities

in the park. Supporting details in these comments related to the need for future generations to understand the importance and value the park; the need for an escape from nearby urban environments; and the need for park to remain accessible to those with disabilities or the elderly.

CONCERN: Commenters felt that the restriction of access to the park is detrimental to the historic uses of the park and the Gladesmen culture.

CONCERN: The National Marine Manufacturers Association expressed that the perceived restrictions on access in the Draft GMP contradict NPS management regulations to limit actions to those that are necessary, and explain why less restrictive measures would not suffice. This commenter recommended the NPS reconsider the proposed preferred GMP alternative to be more consistent with the congressional directive that the park is for the “benefit and enjoyment of people,” and the National Park Service should not implement any policy that limits such enjoyment without a sound scientific basis.

RESPONSE: Everglades NP has benefited from a long history of public support and serves as an outstanding place for visitors to recreate in a variety of ways and areas of the park. The challenge for Everglades NP, and many NPS units, is to balance the need to preserve natural and cultural resources while also providing visitor experience opportunities. The crux of this balance is allowing recreation for current visitors that will also ensure the preservation of those resources for future generations of visitors. Everglades NP believes this GMP strikes a good balance between those objectives. The park strives to provide necessary and required accessibility in accordance with the Architectural Barriers Act.

How Everglades NP is managed is dictated by both NPS-wide and park-specific policy, guidance, and regulation. The fundamental purpose of the National Park Service,

established by the NPS Organic Act of 1916, and reaffirmed by the NPS General Authorities Act, begins with a mandate to conserve park resources and values. The fundamental purpose also includes providing for the enjoyment of park resources and values by the people of the United States. Congress has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to prevail. NPS *Management Policies 2006* state that the National Park Service will focus special attention on visitor enjoyment while recognizing that the NPS mission is to conserve unimpaired each park’s natural and cultural resources and values for the enjoyment, education, and inspiration of present and future generations (section 1.4.3, NPS *Management Policies 2006*).

The enabling legislation of Everglades NP describes the preservation of intact flora and fauna and a primitive natural condition of wilderness as a fundamental purpose of the park. The balance between preservation and recreation is a challenging task that Everglades NP managers continuously address. The National Park Service worked to strike this balance in the GMP by recommending a diversity of settings and opportunities, which are represented in the six management zones, which define a range of desired conditions for natural and cultural resources and visitor experience throughout the different sections of the park. Both the zoning and supporting narrative descriptions of the preferred alternative continue to support most of the current activities that occur in the park today. The existence of designated (as well as proposed and potential) Wilderness within Everglades NP requires certain restrictions on some activities in Wilderness areas of the park. Some desired or historic uses may not be consistent with these Wilderness designations. Chapter 3: East Everglades Wilderness Study and Proposal explains the uses and developments that are prohibited in wilderness. Changes have been made to the final GMP to clarify that bicycling is not allowed in wilderness.

Airboat Use in Everglades NP

CONCERN: Commenters supported the designation of airboat trails in order to fulfill the enabling legislation for the Everglades National Park Protection and Expansion Act of 1989 as well as to provide a clear division between motorized and nonmotorized areas. Commenters expressed that only by doing this would the National Park Service be able to fulfill the terms of the act which created the East Everglades. Commenters urged the National Park Service to undertake action as soon as possible, inside or outside of the GMP process.

CONCERN: Commenters support elimination or consolidation of the four commercial airboat tour companies along Tamiami Trail (three companies that own land within the park boundary and the fourth company that does not own land). These commenters feel that the wilderness proposal should include the majority of the ecologically diverse and hydrologically important Shark River Slough, with airboat operations (both commercial and private) playing the minor role. These commenters suggest that the park evaluate consolidation opportunities to reduce the likelihood that airboat operations impede water flow and bridging envisioned in the congressionally authorized Tamiami Trail Next Steps project. Some recommend that the Gator Park become the single concession location to eliminate costs and abolish any need for elevating concession facilities as water flow is restored under the *Comprehensive Everglades Restoration Plan* and other restoration projects. Some also suggest that the park should eliminate permit to a commercial airboat operation once it stops guiding. As part of this suggestion, some also suggest that airboaters should be required to mitigate ecological impacts.

CONCERN: Commenters support continued or increased airboat access in the park for a number of reasons, including its traditional use in the park; the use of airboats for science, exploration, rescue, and fire control; the access it creates for visitors to the park; and

the use of airboats to blaze trails for paddlers. Commenters generally support alternative 2 which provided the largest frontcountry zone and area for private airboating. Some of these commenters support those stakeholders who would be affected by such restrictions to be engaged in discussions about the proposals with the aim of making consensus-based decisions on future management of the park for airboat usage.

CONCERN: Commenters support continued or increased airboat access in the park, and provided maps or specific descriptions of those places they would like to see open to airboat use.

CONCERN: Commenters supported continued or increased airboat access, because they felt that airboat use causes little damage to the ecosystem, particularly to the seagrass and sandbars due to the lack of a propeller or exhaust in the water.

CONCERN: Commenters do not support continued or expanded airboat access because they feel that airboats have adverse impacts on hydrology, soils, vegetation, wildlife, soundscape, and non-motorized visitation.

RESPONSE: The NPS preferred alternative proposes to manage the East Everglades Addition per the Everglades National Park Protection and Expansion Act of 1989. The Addition provides for both private and commercial airboating operations within the GMP. The preferred alternative is a balanced approach that provides protection for the resource while also providing for traditional recreational uses.

The GMP specifically explains in the narrative that a private airboat permit system would be implemented. Private airboating, by those eligible (according to the 1989 East Everglades Expansion Act) would continue in the frontcountry zone. Airboats would be required to stay on designated routes (to minimize resource impacts) and other regulations could be established. Designated routes would coincide with existing airboat

trails (but not necessarily all existing airboat trails); specifics would be determined under the rulemaking process following GMP approval (see the “Rulemaking” section of this alternative). New and/or improved airboat launch areas may be established near Chekika and along Tamiami Trail.

In the preferred alternative commercial airboats would operate within the frontcountry zone under NPS concession contracts. All existing commercial airboat properties would be acquired by the National Park Service. Contracts would be negotiated with commercial operators that have met terms specified in the 1989 Expansion Act. Based on comments received during the 2013 public review period regarding access, the National Park Service has modified the preferred alternative to increase the size of the frontcountry management zone and to provide additional access trails within this zone. Under the NPS preferred alternative, approximately 42,200 acres of East Everglades would be proposed for wilderness designation, and about 43,100 acres would be proposed as potential wilderness.

General Comments on the Alternatives Presented and Suggested Changes or Additions to the GMP

CONCERN: Comments were received both in support and not in support of the alternatives, including the NPS-preferred alternative, for a variety of reasons. These reasons included support for increased visitor experiences, visitor infrastructure, and resource protection; comments on proposed measures for access restrictions, including continued motorboat access, airboat access, access to the East Everglades via motorized transportation, and access to continue the traditional Gladesmen culture; and the cost and/or feasibility of the alternatives. Commenters also provided specific examples of elements of the alternatives they preferred or didn’t prefer (e.g., specific proposed development, trails, transportation, management actions).

RESPONSE: The National Park Service appreciates these comments and have carefully reviewed and considered them.

CONCERN: Commenters wrote to express support for the adaptive management process to allow for management decisions to be informed by the evaluation of what level of success particular actions have in achieving park goals. Other commenters cited the need for flexibility in language and management strategies as a way to respond quickly and appropriately to new data or events. The USFWS asked that further discussion on how adaptive management strategies would be implemented at the park be included in the final plan. Commenters included the NPCA, Conservancy of Southwest Florida, and the Bighorn River Alliance. Other individuals and organizations supported the adaptive management concept and identified the proposed GMP Park Advisory Committee as being an important component of a successful adaptive management program, working closely with park managers to enhance fulfillment of the park’s mission, particularly some of the new, complex strategies identified in the Draft GMP for enhancing protection and enjoyment of Florida Bay and the East Everglades.

RESPONSE: As the final GMP describes, an adaptive management program would be developed as part of this plan in order to evaluate the success of management actions in achieving desired resource and visitor use conditions. Modifications could be made to management strategies as needed to improve success in achieving desired conditions. This approach is flexible as conditions or needs change, but also aids the park in being proactive as management strategies can be identified and implemented on varying scales to analyze their effectiveness. Adaptive management strategies may require additional planning and compliance with the National Environmental Policy Act when implemented. For this reason, specifics on how adaptive management strategies will be implemented are not discussed in this GMP. Rather, details of such strategies will be identified, analyzed

and implemented at a later time. This also acknowledges that implementation would occur over multiple years contingent upon securing the funds and resources necessary.

CONCERN: The EPA expressed their support for sustainability and green building and green parking concepts to incorporate in the management plan. They provided language suggestions describing both.

RESPONSE: The purpose of a general management plan is to articulate management guidance and establish a framework for long-term decision making. The approved general management plan will be the basic document for management of Everglades NP for the next 20 to 30 years.

The National Park Service appreciates comments providing suggestions for specific sustainability concepts. These include green building practices and green parking practices. While some of the language changes suggested may be too detailed for this comprehensive general management planning process, they will be considered during any appropriate detailed implementation planning processes in the future.

NPS Management Policies 2006 provides service-wide guidance for both sustainability practices in national park service units.

CONCERN: A variety of editor comments were received. These comments included corrections and content changes, including the maps, that commenters believe need to be changed in order for the Final GMP to be accurate and thorough.

RESPONSE: The park appreciates the effort that went into reviewing the document and identifying potential changes. Suggestions have been considered and the Final GMP has been updated as appropriate.

Impact Analysis

CONCERN: Commenters found the amount of scientific data and research supporting the proposed management actions of the Draft GMP to be inadequate. They do not believe that existing research supports the proposed management strategies for motor boat use (e.g., PTZs in the shallowest areas of Florida Bay) described in the Draft GMP; some view the PTZs as de facto closure areas. Commenters also contend that the scientific studies cited in the plan were not independently conducted and should therefore not be considered. Others found the document to not adequately document the science and data used to support decisions. Many commenters also cited specific studies that contain findings unsupportive of the park's analysis of potential impacts. The conclusions from these studies lead commenters to believe the park is unwarranted in its use of PTZs and other restrictions in the park.

RESPONSE: Scientific data and research used in the Draft GMP was independent, peer reviewed (prop scar study) and used well-established scientific methods that had been used in the park over more than a 30-year period (boat study). Park managers view the proposed strategy for managing Florida Bay as a sound approach based on the documented issues and trends, and believe that with the modifications to the preferred alternative described in the Final GMP that "reasonable access" as requested by the public is provided in order to better protect resources and also enhance visitor experiences. The Florida Bay strategy described in this document shows more accurately defined zones and additional means of access in Florida Bay. In addition, the multi-faceted management approach (education, enforcement, improved marking/signage, and strategic zoning) the park is using is consistent with recommendations of the Florida Fish and Wildlife Conservation Commission. The phased approach described in the Final GMP allows the most important actions to be accomplished in the initial years of

implementation, while allowing the advisory committee and adaptive management effort to inform more effective management in later years of plan implementation.

The National Park Service acknowledges the concern regarding the type and source of information used to inform its decisions. The National Park Service knows the importance of peer reviewed studies from all available sources (not just what the agency funds) to draw inferences regarding the ecosystem, its resources, and visitor use activities. In the case of Everglades NP and Florida Bay, this means the use of data from many other agencies, universities, NGOs, all with extensive peer review.

Both adaptive management and the Advisory Committee will allow opportunities to refine proposed PTZ boundaries and other aspects of Florida Bay management as additional information becomes available.

CONCERN: Commenters were concerned that the Draft GMP did not include clear language on how and where future science and monitoring would be conducted at the park to inform and support the management actions laid out in the plan. Commenters cited the need for additional research and monitoring to be done at the park in order to accurately identify resource protection issues and protections. One commenter pointed to the fact that the type and number of fish that people catch is not recorded and therefore changes in fish populations are not being monitored. Other commenters urged the park to adopt a user capacity program.

RESPONSE: GMPs are intended to be long-term documents that establish and articulate a management philosophy and framework for decision making and problem solving in national park system units. In most cases decisions about how specific programs and projects are implemented would be addressed during more detailed, implementation level planning efforts that follow this general management plan, including additional research and monitoring. However, given the

focus of some important issues and concerns discussed in the GMP process, certain topics are analyzed and include specific implementation details. Examples include management direction for Florida Bay and the East Everglades Expansion Area. The “Desired Conditions and Strategies” and “User Capacity” sections in the GMP discuss some areas where monitoring and additional research will be performed in the future. Additionally, the advisory committee will help determine areas of monitoring and study needed to successfully carry forward the plan to effectively meet park goals described in the GMP.

As for changes in fish populations, Everglades NP records information on the number and species of fish caught by recreational anglers in Flamingo and Everglades City, providing information on some of the major species in those areas. Additionally, other agencies collect fisheries-independent data on the abundance and distribution of juvenile fish in northern Florida Bay. While these sources of information are not sufficient to track all species in all coastal and estuarine waters of the park, they do provide information that allows the park to assess major changes in fish populations and evaluate the success of restoration or other efforts that aim to enhance natural system functions in the park.

CONCERN: The USFWS recommended that the Final GMP include determinations of effects on critical habitat for federally-listed species. They expressed the belief that the preferred alternative would likely have beneficial effects for these species; however, they found this discussion to be missing from the draft plan.

RESPONSE: The topic of critical habitat for federally listed species is addressed in the Final GMP. Table 10: “Federally Listed Endangered, Threatened, and Candidate Species of Everglades National Park” was updated to reflect presence of absence critical habitat for listed species. Chapter 5: Environmental Consequences analyzes the potential environmental impacts of

implementing any of the four action alternatives contained in the Final GMP. Impacts are analyzed in general, qualitative terms in accordance with the conceptual nature of the actions described in each alternative. Within chapter 5, a detailed analysis of federal special status species is presented. Within this impact topic, alternatives are reviewed to determine whether an action may affect federally listed species or designated critical habitat. For details on how this review was conducted and definitions of impact levels, please see the 'Impact Analysis Methods' section of chapter 5 of the Final GMP. Impacts to habitat, including critical habitat, are identified for specific federal special status species in chapter 5 for the no-action and action alternatives. Critical habitat designation, and also habitat in general, is one factor considered in this analysis of cumulative impacts. Cumulative impacts look at impacts on a broad level. Based on USFWS comments, additional discussion of currently designated critical habitat of other species at the time of publication is provided in the Final GMP, recognizing that future designations and modifications would be described and analyzed in other planning documents.

Law Enforcement

CONCERN: Commenters suggested that changes in proposed regulations would present challenges for law enforcement personnel, particularly in times of great fiscal restraint. These commenters included FWC, CCA, NPCA, Keep America Fishing, and the Sierra Club. The commenters suggested increased law enforcement personnel, increased tickets or fines for those who violate rules, a special ranger retention program for the park, and a wider or more strategic patrol area. In addition, the NPCA encourages the park to continue to pursue the establishment of, or partnering with law enforcement training centers in an effort to bolster law enforcement capability, diversity, and continuity of experience at the park.

CONCERN: The NPCA suggested that changes in proposed regulations would increase the need for park law enforcement personnel and providing suggestions for how partnerships could be formed locally and regionally to train and hire qualified and knowledgeable law enforcement personnel.

RESPONSE: The National Park Service is grateful that the visiting public, agencies and organizations have concerns about public safety and resource protection and damage. Everglades NP recognizes that law enforcement in the park is becoming increasingly challenging in the face of decreasing budgets and increasing visitor use. Everglades NP is committed to providing the best possible law enforcement and recognizes the need to meet this need effectively and creatively. The park is always looking for effective and feasible partnership opportunities and appreciates the suggestions made by commenters.

The presence of law enforcement staff is paramount to enforcing rules and identifying violators of those rules. In addition to traditional law enforcement, the GMP incorporates multiple strategies that aim to lower the need for traditional law enforcement. Management actions contained in the GMP, such as establishment of PTZs, will be implemented strategically and adaptive management strategies will be followed. The boater education program and continued outreach efforts also aim to lessen the need for some law enforcement efforts. It is anticipated that expanded education efforts will result in visitors better understanding park regulations, the impacts of their actions, and the role they can play in protecting the resources they value. Increased levels of education and stewardship would be expected to decrease the amount of violations and inappropriate activities taking place in the park. By adopting a multifaceted approach that leverages resources, both internal NPS resources and partnership resources, Everglades NP strives to do the best job possible with the limited resources available to

maintain a comprehensive law enforcement program.

A potential example of how law enforcement efforts may shift over time could be the establishment of a “PTZ violations hotline” that would increase the stewardship component among the PTZs users. Over time, reports of violations and repeated offenses, coupled with timely law enforcement response and investigations, would improve compliance while improving the efficiency of enforcement, resulting in enhanced resource conditions and visitor enjoyment. This hotline, or other tools, could be easily incorporated into the boater education program.

Another strategy the park and partners continue to work on is finding ways to increase the longevity (length of stay) of rangers assigned to work on Florida Bay and in the Ten Thousand Islands/Gulf Coast District. Implementing the GMP will greatly increase the need for knowledge and experience in dealing with the on-the-water education and enforcement, so retention of park rangers will be critical, as this longevity would equate to improved staff knowledge, more efficient law enforcement operations, and in the end better protection of park resources and a higher quality visitor experiences.

New Elements or Alternatives

CONCERN: Commenters, including the Department of Regulatory and Economic Resources of Miami-Dade County, gave multiple recommendations how alternative transportation could be incorporated into the Final GMP. Recommendations included adding a goal to the Final GMP that centers on developing alternative transportation, incorporating bicycle rentals if the River of Grass Greenway is built, and adding five-foot bike lanes to any repaved roads. Generally, comments want the Final GMP to include ways in which visitors can both reach the park by alternate transportation and those areas

nearby, such as Biscayne NP, can be connected to the park.

RESPONSE: Alternative transportation to, from, and within the park is recognized as an important opportunity to provide visitors in the future, as this enhances visitor enjoyment while also reducing resource impacts. Park managers are committed to working cooperatively with other agencies and organizations to offer and promote alternative transportation options for park visitors, particularly in and around the major gateways and developed areas of the park (e.g., Miami – Tamiami Trail segment, Homestead/Florida City–Main Park Road to Royal Palm and Flamingo). Increased use of bicycles in the park and connecting to greenways, trails and other nearby parks will also be promoted as an important way to enhance experiences in and around the park. A new trolley service from downtown Homestead to both Everglades and Biscayne National Parks was initiated in 2013 as a pilot project and will continue into 2014. The trolley provides opportunities for visitors to explore the Pine Island district of the park (park headquarters and the Royal Palm/Anhinga Trail areas). Additional language was added throughout the alternatives to provide for increased collaboration in the future related to alternative transportation projects in the region.

CONCERN: One commenter suggested that the NPS partner with other agencies, communities, or organizations to achieve park goals and increase resource protection in the park (e.g., cooperatively managing existing visitor centers outside the park before building new infrastructure).

RESPONSE: The park is always looking for creative and effective partnerships with nearby agencies, individuals, communities, and organizations. In the “Desired Conditions and Strategies” section of the Draft GMP, the park identifies desired conditions for park resources. Within individual categories of park resources, such as visitor experience, the desire and need to establish partnerships as

key strategies to achieve those desired conditions are discussed.

Concerning the specific comment about using existing visitor centers, the park agrees that building new structures is always going to be the last resort for the National Park Service. The park will consider the availability of existing or planned facilities in nearby communities or on adjacent lands, as well as the possibility of joint facilities with other agencies when deciding whether to pursue new developments in the park. If there are opportunities to partner for this goal, or other park goals, the park will strive to make and strengthen those partnerships.

CONCERN: Commenters provided an array of specific suggestions for the Final GMP that they did not find in the Draft GMP. Many suggestions centered on the Taylor Slough area and included ideas on camping facilities, canoe trails, boating trails and zoning. Commenters also supported a number of visitor facilities and transportation options in regards to Shark Valley, including more parking, integration of an alternative transportation system or trams, additional kayak/canoe put-ins, and suggestions for additional camping platforms. Another included creating a website where intellectual knowledge from current users could be gathered for future generations.

CONCERN: Commenters provided an array of specific suggestions for activities they feel the park should adopt, expand or limit. Suggestions included kayak and canoe rental, and visitor accommodations at Flamingo amongst other specific suggestions.

RESPONSE: Everglades NP appreciates the time and thought that went into all of the suggestions. The park would like to clarify the role of this GMP and how it guides specific changes to the park like the ones suggested by commenters. General management plans are intended to be long-term documents that establish and articulate a management philosophy and framework for decision making and problem solving in national park

system units; so often, decisions about how specific programs and projects are implemented (i.e., trail development or facility expansion) are addressed during more detailed, implementation level planning efforts that follow this general management plan. For this reason, a comprehensive list of specific changes or additions to visitor opportunities may not be included specifically in this plan, but these ideas would be carried forward to those subsequent projects or planning efforts. In particular, ways to improve services at Flamingo or in Everglades City/Gulf Coast District that have been the focus of ongoing discussion with the public in recent years and that are closely aligned with the guidance described in this GMP would be logical extensions of this plan and carry forward to detailed planning for those and other important visitor use areas.

CONCERN: One commenter asked clarifying questions about the use of sailboats in light of proposed boating restrictions in the Draft GMP. They suggest that sailboats draw less water than motorboats, do not touch the bottom, and represent a growing user group in the Everglades. They ask clarifying questions regarding whether they would be able to anchor in close to the keys; continue to be able to occasionally motor in and out of anchorages close by a key in shallow water; and be distinguished from other vessels in proposed boating regulations.

RESPONSE: Though not used extensively in the park, sailboats are an appropriate way to travel within and enjoy the park and Florida Bay. Sailboats would be allowed to transit in the bay as any other vessel. Sailboat use would be allowed consistent with park regulations (e.g., motoring in and out of anchorages would have to be consistent with future bay zoning, whether it's a pole/troll or pole/troll/idle zone, idle-speed areas or in deeper water basins).

New or Improved Technology

CONCERN: Commenters suggested that the new technologies for motorboats, airboats, and fishing equipment have made them less disruptive ecologically and to the soundscape. Commenters pointed out that boaters are able to use electric or hydraulic trim to idle or slow-speed operation; shallow draft skiffs are able to get on plane without disrupting seagrass or bottom ecosystems; improved trolling motors and newer combustion motors are more environmentally-sensitive; new airboat propellers are less noisy; and new innovations in tackle and fishing equipment have helped sustain fish populations at healthy levels.

RESPONSE: This GMP is intended to be a long-term document that establishes and articulates a management philosophy and framework for decision making and problem solving in the park. The plan will likely provide guidance for a 20- to 30- year time frame. Because this document is intended to serve a long time frame in which other improvements in technology and equipment are likely to occur, decisions in the plan are not tied to technology.

However, this plan provides mechanisms to help the park adapt and react to changing future conditions, which are described in the plan. Adaptive management gives the National Park Service the flexibility to consider, make decisions, and make adjustments over time to meet changing conditions. The advisory committee established as part of this GMP will advise the park on how to best manage the park to meet park goals and protect park resources. The park is confident that the existence of this committee will ensure that park managers hear and understand changes or opportunities that the park needs to consider and react to. In addition, research (e.g., the impacts of idling vs. use of trolling motors) will help inform park decision making over time.

Navigation Markers/Signage

CONCERN: Commenters stated the need for effective and consistent waterway markers to be placed in Everglades NP. Commenters provided a number of specific suggestions on how and where such markers could be placed. Suggestions ranged from GPS navigation chips for boats (and partnerships with GPS manufacturers) to buoys and headpins at certain depths and distances from channel/access routes. Commenters also volunteered their time and effort to help the park place such markers and asked the markers be highly visible. Many commenters expressed their support for a set of maps submitted by a local fishing group.

CONCERN: Comments contend that a great amount of resource damage such as prop scarring and blowouts is due to unfamiliar or confused boaters who become stuck in areas. Although this damage may be unintentionally, many commenters felt that experienced boaters are being punished because of a few inexperienced boaters. Therefore, commenters felt that by adding proper and effective navigation and waterway markers, resource damage would be avoided. Commenters also argued that while money has been spent on collecting data on resource damage, very little investment has been made by the park to improve the navigation markers on the bay.

RESPONSE: In assessing the propeller scarring data and high resolution photography of the bay, a large amount of propeller scarring is occurring within the shallow central area of Florida Bay and in the northern bights (Snake Bight to Terrapin Bay); remote areas of the bay used heavily by professional guides and local experienced boat operators. Scarring seen along the Intracoastal Waterway (ICW) is most likely due to inexperienced boaters. As a result of the magnitude and dispersal of this damage, park managers believe the proposed strategy would effectively target the problems, wherever they are found and whichever parties are responsible, including the park doing a better

job of educating the public and marking the water.

CONCERN: Commenters suggest that navigational markers be placed throughout Everglades NP in order to avoid human safety risks as well as user conflicts. Commenters cited boaters becoming lost or disoriented as safety risks as well as boater's ability to easily navigate out of an area as a storm approaches or the tide goes out.

RESPONSE: This is a challenge as the park's marine environment is vast and complex (over 500,000 acres of submerged marine wilderness). However, there are more than 50 marked channel/access routes with about 600 markers. Navigating these areas cannot be learned easily or quickly. Prudent mariners need to check the tides and the weather before venturing into these wilderness areas, and with that knowledge, more informed decisions can be made. The key is to provide intelligent access to all areas deemed accessible in a safe, resource-protective manner.

CONCERN: Commenters contend that without proper signage or markers that indicate where PTZs or other restricted areas are, that boaters would not be able to comply with zoning. In order to protect resources and enforce zoning, commenters would like to see extensive signage added to the park.

CONCERN: Commenters expressed their belief that navigational markers should not be placed in Everglades NP. The reasons given for this belief varied and included that many of the historically used navigation channel/access routes are steeped in local knowledge and that if that knowledge is publicly depicted, the local guides who make their living from holding that local knowledge would lose their income source. One commenter did not want navigation markers because he felt that they would visually diminish the park's wilderness experience. Another did not think that increased signage of any kind would avoid degraded resources caused by careless users.

RESPONSE: Park managers and the public want to find the right balance of maintaining the unique, wilderness qualities of the park while providing for appropriate on-the-water information for mariners. However, signage is not the only answer, as places like along the inter-coastal waterway (ICW) are well-marked with a USCG-approved marking system, yet tremendous sea grass damage can be found on all sides of the ICW. Channel / access routes which are marked better potentially attract more and bigger boats, which could create more unsafe conditions and increase resource damage in the shallow-water estuary.

Too many signs would also mar the landscape, adversely impact the resources and visitor experiences, and be expensive to maintain. Since the park's establishment and as further discussed in park management documents over the years, both park managers and the public want to maintain the "wild" backcountry conditions and experiences.

An effective combination of education, appropriately marked channel/access routes, and strategic shallow-water zoning is the strategy the park and public will pursue to enhance protection and enjoyment of the Florida Bay and other marine areas in the park. This multi-pronged approach relies on the least intrusive methods, best management practices, boater education programs, and technologies like GPS and satellite to mark the different management zones as described in the plan. The park will also reach out to willing partners and volunteer groups that want to help maintain and improve the navigation systems used throughout the life of the plan.

The park also strives to balance concerns regarding the effect of signage on the wilderness character of Florida Bay, while also addressing concerns that a lack of signage may endanger park visitors and staff, as well as increase the potential for unintentional damage to benthic resources from improper boating. Markers will be minimal and strategically placed, consistent with the

intentions of the wilderness designation, but also sufficient to convey necessary information. The park will work carefully to strike the right balance between enough signage to communicate what is needed, without compromising the scenic and wild qualities of the area. The park is always trying to improve the safety of park visitors and staff, and feels that the boater education program and tools to communicate information will help alleviate many human safety and conflict issues that were raised by commenters.

The National Park Service recognizes that we all need to do a better job—the park, park users, and partners—to do our part to help protect the resources of the park. Intentionally or not, some have been irresponsible and have harmed park resources. This plan recognizes that by working together, we can protect park resources and improve visitor experience and safety. The advisory committee will make recommendations to park managers on how to effectively enact restrictive areas and mark channel/access routes, and an adaptive management approach will allow the park to continue to revisit and revise the marker system. The National Park Service hopes that park users will recognize the greater good this plan is attempting to achieve despite any additional restrictions or regulations on certain park activities.

Process of GMP and Public Involvement

CONCERN: Commenters, from a variety of organizations, suggested that one or more public advisory groups of stakeholders be established. Who would be on these advisory groups and the areas they would focus on differed in the suggestions, however the sentiment of having local public and agency involvement was consistent throughout. Generally, comments believe that an advisory group would present suggestions, incorporate research, and ultimately make recommendations on how Everglades NP is managed. Many of the commenters believe

that this level of involvement would ensure that access to the park would remain intact in a way that reflects what public taxpayers and locals want. (Commenters include Florida Keys Fishing Guide Association, Bonefish & Tarpon Trust, NPCA, Florida Department of Environmental Protection, and Conservancy of Southwest Florida, Audubon Florida).

RESPONSE: Establishing stakeholder-based advisory committee for the park's marine and shallow-water resources would serve many important functions and be a critical voice to help park managers make decisions related to GMP implementation, assessments and refinements, over time. The park is firmly committed to establishing the committee and getting it functional as soon as possible. This will ensure expert views that can collectively consider all relevant information will be brought up in a timely manner to address issues, resolve problems or take advantage of opportunities. During the Draft GMP public review process, many individuals and organizations have expressed interest in being considered for the committee. At the appropriate time, each of these parties will be contacted and there will be additional outreach to identify potential members of, and the method for officially submitting requests for committee consideration.

CONCERN: Commenters remarked on the length of the Draft GMP, and how its large volume made it impossible for them to read and comment on the plan. Other commenters were disappointed in how long the process of the GMP has taken, and do not believe that initial public input was included in the draft.

RESPONSE: The National Park Service acknowledges that size of the plan and the length of time it has taken to produce are less than ideal. Since it is a long-range plan, one that hasn't been revised changed in over 30 years, covering a large, complex park with the amount of information required for an environmental impact statement necessitates a very extensive document. The GMP has taken much longer than anticipated due to revisions and reassessments at several key stages in the

planning process, primarily the need to start and incorporate the East Everglades Wilderness Study into the GMP in 2006 based on a change in NPS policy, the reevaluation of the marine area alternatives in 2009 based on substantial public input, and the guidance from the NPS Director in 2011 to reevaluate the approach to managing vulnerable, developed coastal areas like Flamingo, due to sea level rise and storm surge threats.

CONCERN: Commenters expressed the belief that the local angler and guiding groups have important knowledge of and are invested in Everglades NP. For this reason, commenters believe their voices should be strongly considered rather than non-local or research-based individuals or groups. Broadly speaking, commenters want the park to be accessible for fishing and other recreating, and worry that without a strong voice of anglers and guides being involved in decisions at Everglades NP, such access may be denied. Commenters also believe years of this type of input have been ignored by the park, particularly with how elements of the previous Alternative E were ineffectually incorporated into the Preferred Alternative.

RESPONSE: The park appreciates the involvement and support of the local angling community. Their voices have been important to developing the GMP and will be even more vital during plan implementation. The advisory committee, which many anglers have offered to participate in, will ensure an ongoing partnership between park managers and stakeholders.

Resource Protection and Threatened and Endangered Species

CONCERN: Commenters expressed general support for protection of cultural and natural resources in the park. Supporting details include wanting to make sure the area is preserved for future generations; urging the park to allocate more funds and staff time to a more robust resource protection program; and urging for general protection of the

cultural resources and plants and animals of the Everglades, including threatened and endangered species.

Some commenters provided management suggestions for how best to protect resources. These suggestions included, but are not limited to, restoration efforts, increased nonnative invasive species management, continued research on resources, partnership opportunities, reduction of speed limits in the park, better preservation and exhibition of artifacts, increasing cataloging efforts, and improving selected historic sites.

RESPONSE: Protection of park resources is an important issue to the National Park Service and the staff of Everglades NP. The National Park Service is committed to protecting the park's natural and cultural resources. The National Park Service appreciates the commenters' review of the document, and support and suggestion for continued and increased resource management. Management suggestions will be considered by the park internally and as part of daily activities as well as future implementation level plans.

CONCERN: Commenters expressed their belief that motorized boats are not the cause of observed damage to seagrass beds. Alternative causes of damage suggested include cyclical seagrass die-off, poor water quality and industrial runoff, natural ecosystem processes, or unknown causes. Some commenters suggested continued research to better understand seagrass die-off.

RESPONSE: The National Park Service recognizes that there are multiple factors that contribute to the health of the seagrass, and the park is committed to addressing them. Propeller scars and human-caused resource damage in seagrass beds have been documented in the park, and are in direct conflict with NPS and park laws and policies, and are one of the key major contributing factors. It is our goal that through education, and proper signage and markings, and strategic zoning, boaters can be made aware of

shallow seagrass bed areas and will operate their boats in a manner that causes no further damage.

CONCERN: Commenters supported the enhancement of water quality and flow in the park, and pointed to adverse impacts due to urban development and industrial runoff, and the resulting algal blooms, salinity issues, and heavy metal pollutants. Commenters point out that the algal blooms have been detrimental to the fisheries in the park. Suggestions were made for increased research to be performed on water quality in the park and for NPS land ownership to be expanded.

RESPONSE: Park managers acknowledge the importance of improved water quality and increased freshwater flows to the health and sustainability of the park. Substantial NPS resources, and those of other federal, state and local agencies, are devoted primarily to ecosystem restoration matters and those efforts will continue to be an emphasis in managing the park. Ongoing and recently completed components of Everglades restoration projects (e.g., 1-mile Tamiami Trail Bridge, C-111 Spreader Canal – Phase 1) are improving the delivery and management of water for the park’s freshwater and marine areas.

CONCERN: One commenter suggested the park develop fisheries regulations that are more independent of state regulations (such as a catch- and- release fishery for snook and redfish) in order to allow to provide for the health of those fisheries.

RESPONSE: Park managers anticipate that a follow up effort to the GMP will address fisheries management in the park in a more specific way, focusing on ways to support native fish populations and habitats. This could include strategies and regulations that are consistent with or depart from those of the state of Florida, depending on the goals and objectives for fisheries resources in the park.

Current regulations of park fisheries that mirror State regulations appear to provide

protection for most recreationally fished species based on angler reported catch rates. If declines in fisheries are recorded, such as the decline in snook following the 2010 cold snap, temporary closures or additional limits would be considered. Any changes considered would be coordinated with FWC.

CONCERN: Commenters suggested that the park should consider the environmental hazards and resource detriments from the disrepair and hazardous port-a-potties of the current and proposed expanded backcountry campsites. One commenter suggested that the backcountry campsites be entirely pack-in pack-out, and users should bring their own portable toilet in order to protect park resources.

RESPONSE: The National Park Service appreciates the suggested management actions. Strategies to protect resources, including water quality, are described in the “Desired Conditions and Strategies” section of the plan. Outside the more broad level of this planning effort, the park will continue to look at how to reduce impacts to park resources from visitor use.

CONCERN: Commenters expressed support for the protection of manatees, marine turtles, and the smalltooth sawfish through the proposed motorized boat restrictions. The FWC and the USFWS support the Preferred Alternative as it relates to manatees and marine turtles. NPCA supports the creation of PTZs around Gopher Creek and Turner River and the creation of a non-motorized alternative wilderness waterway, both for the protection of the manatee.

CONCERN: Commenters expressed support for the protection of manatees through the development of a manatee management plan. The Conservancy of Southwest Florida commented that if a resource protection plan, as identified in the preferred alternative, is to be developed, they request that the park provide more detailed information in the GMP regarding the breadth and stringency of

protection provided for the manatee under the resource protection plan.

RESPONSE: One of the most important aspects of the GMP is providing long-term direction for proactive management of marine resources of the park, including threatened and endangered species such as manatees, five species of sea turtles and the smalltooth sawfish. Through the strategies identified in the preferred alternative for protecting resource conditions and managing boating activities, multiple beneficial effects to these species and their habitats are anticipated. This comprehensive approach is deemed to be the most efficient and effective way to address the wide range of resource management and visitor use activities confronting the park in the coming decades. For this reason, the development of what is called in the GMP the “Boating Safety and Resource Protection Plan” has been identified as a more effective way to protect threatened and endangered species and other important resources in the park, rather than addressing issues in a narrower way (e.g., developing separate management plans for manatees, boat use, etc.). At Gopher Creek, the existing idle speed, no-wake designation would remain, as in alternative 1 while additional study of the Gopher Creek area is undertaken. The park is committed to better understanding the resource conditions and opportunities in the Gopher Creek area, which will be a focus of the Boater Safety and Resource Protection Plan. The emphasis of this plan would be to address important issues related to boat use and management in the park that goes into details beyond what is described in the GMP. In practical terms, this will allow for more focused, site-specific study and solutions, with involvement of the advisory committee and other stakeholders that takes advantage of local knowledge and expertise and allows for refinement on a more frequent, as-needed basis. Emphasis would be placed on protection of resources and ensuring safety (for visitors and for wildlife) in park waters. The Boating Safety and Resource Protection Plan would examine the best ways to facilitate transit and access while protecting park

wilderness resources, threatened and endangered species (e.g., manatees, sea turtles), other wildlife (marine life and birds), and enhancing visitor experiences and safety (i.e., fine-tuning channel/access route and ingress/egress network in the park, strategic use of idle- or slow-speed areas).

CONCERN: Commenters, including Audubon Florida and the NPCA, support designation of the current Wildlife Protection Area (WPA) of northeastern Florida Bay as a closed to the public ‘research natural area’ or ‘special protection zone’ to serve as a baseline region for long-term ecological monitoring and restoration studies. These commenters argue that making this existing closure permanent would not result in any additional restriction in use.

CONCERN: Commenters expressed their lack of support for the WPA, stating that the closure was originally intended to be temporary, the closure is no longer necessary due to the increase in the crocodile population, and that opening the WPA in a scientifically responsible manner would allow for additional visitor opportunities.

RESPONSE: Commenters had a range of suggestions including the importance of maintaining the WPA as a closed, highly protected area to various options that allow some amount of public use. The National Park Service has further considered whether full closure of the sanctuary should remain or if there are reasonable and responsible options for re-opening some or all of the sanctuary to the public. Based on the vulnerability of its seagrass beds and its status as a critical monitoring and research area, the park has concluded that the current restrictions under the Special Protection Zone to Little Madeira Bay and its associated creeks and ponds would continue in the revised preferred alternative in Chapter 2 of the final GMP/EIS.

Joe Bay has similar value for restoration assessment but requires a lower level of scientific effort relative to Little Madeira Bay. The seagrass beds in Joe Bay are a focus of this

assessment and where they exist (much of the bottom is rocky or has thin sediments), they are vulnerable to propeller scarring. This is particularly true in eastern Joe Bay, which provides the only access points into the bay. Manatees also frequent this bay. Also, given its rocky nature and since little details are known about the bathymetry/contours of the bottom of Joe Bay, allowing public use of the area with motor boats would create additional safety and property risks. Given these concerns and the difficulty of patrolling this remote region for combustion engine or pole-and-troll compliance, the revised preferred alternative continues the motor boat restriction in Joe Bay through application of the Backcountry Zone to this area. Under the revised preferred alternative paddle-craft would be allowed access to Joe Bay, and fishing would be catch-and-release only (with catch reporting requirements). The upstream creeks and bays of Joe Bay would remain closed under the Special Protection Zone.

Use of Joe Bay would be monitored carefully, especially with respect to visitor use and fishing pressure. A deeper area in eastern Trout Lake may serve as a potential location for installation of several mooring balls to accommodate visitors traveling by motor boat and desiring to secure their boat and explore Joe Bay with canoes or kayaks.

This opening could be considered a test for a five-year period and subsequent re-evaluation. Part of this test would be inclusion of citizen-based monitoring science, with detailed fishing information.

Joe Bay would remain an active place for scientific study. Motorized access by researchers would be allowed to facilitate acquisition of critical data. Fishing by researchers would not be allowed during research activities or with research vessels. Access by researchers should conform to the purpose of the sanctuary, which is to minimize human impact on the numerous species that use the area. The park would develop a program to provide for identification of research boats that are permitted to enter

Crocodile Sanctuary in order to decrease confusion and increase understanding of permitted access to the area among visitors to Florida Bay.

CONCERN: The FWC recommended that Miami blue butterfly be included for detailed analysis in the Final GMP. The Miami blue butterfly was not retained for detailed analysis because reintroduction attempts in 2004 failed and they are believed to be extirpated from the park. The FWC argues that though previous reintroduction efforts have failed, they may still be reintroduced in the future.

CONCERN: The FWC recommended that discussion of the least tern usage of park areas be included in the GMP. While not a federally listed species, the least tern is listed by the state of Florida as Threatened. The least tern used to nest on island(s) in Florida Bay and likely still forage and roost in Florida Bay. There are many rooftop colonies of least terns in the Keys which do use Florida Bay for foraging.

CONCERN: The U.S. Army Corps of Engineers recommended that the Cape Sable seaside sparrow be included for detailed analysis in the GMP. They support this recommendation by stating that most of the designated Critical Habitat occurs within park boundaries (as noted in the GMP). The species is highly endangered and threats other than those listed in chapter 4, table 10 exist for the species, including python predation, invasion of woody and exotic vegetation into critical habitat, sea level rise (particularly in the southern areas of sub-population A). The USACE asks how the park plans on addressing these issues and what efforts the park plans on undertaking to promote increases in species population as CERP is implemented and in light of climate change/sea level rise.

RESPONSE: Everglades NP and the National Park Service are committed to monitoring and protecting listed species populations. Within the GMP, the mitigation measures common to all action alternatives section of chapter 2

addresses this topic. Under the specific category of special status species, the GMP outlines strategies that would be taken to protect such species before and during any construction activities and management actions. This section describes key mitigation measures, including conducting surveys for rare, threatened, and endangered species, that serve to protect these species. The mitigation measures relating to vegetation and wildlife would also benefit protected species at the park. The management strategies and goals found in the GMP aim to improve the natural conditions of Everglades NP so that the ecological integrity of the park is improved (see desired conditions for natural resources and biological diversity in chapter 1 of the GMP for details). This work to protect and enhance species and their habitats will broadly support the reestablishment of species once found in the park.

Concerning the specific species that commenters would like to have added to the impact analysis section of the plan, the GMP is not designed to include such specific analysis. In order to complement, but not repeat other efforts, the GMP does not address restoration or exotic species management projects in detail. Rather, this entire plan was developed considering large-scale restoration efforts that are underway for the Everglades ecosystem.

Table 10: “Federally Listed Endangered, Threatened, and Candidate Species of Everglades National Park” was updated to reflect changes in the listing of the Miami blue butterfly, and includes reasons for dismissing the butterfly from detailed analysis. These reasons include that the butterfly is believed to be extirpated from the park and that none of the actions proposed in the GMP are expected to adversely affect the butterfly recovery or potential habitat within the park. While the GMP does not include prescriptive measures regarding the Miami blue butterfly, in Chapter 1 of the plan, within the desired conditions for wildlife section, there is guidance to support future activities for reintroduction or other species’ management. Language was added describing that despite

the fact that the Miami blue butterfly is believed to be extirpated from the park, there remains potential for it to become established in the future within the park. Reintroduction of the Miami blue butterfly would be done as a separate decision making and planning analysis process consistent with NPS policies and desired conditions for wildlife in Everglades NP.

Least terns are present in the park, but at present, the National Park Service does not conduct routine surveys; consequently, the National Park Service doesn’t know the status of least terns in detail. Protection measures described in the GMP which would reduce disturbance on or near Florida Bay islands and other marine/coastal habitat protection would help to better protect least terns.

Additional information regarding the Cape Sable seaside sparrow and its designated critical habitat has been added to Table 10: “Federally Listed Endangered, Threatened, and Candidate Species of Everglades National Park”. This table also includes information about threats to the species from habitat change. Substantial resources have been invested in research and management of the Cape Sable seaside sparrow, and specific fire management measures have benefitted them. The park and other agencies conduct regular evaluations of the species, threats to it, and effects of potential future management, including hydrologic restoration. As part of GMP implementation, coordination with monitoring and related assessment activities would be ongoing to understand population conditions and help address factors that may be affecting the populations. Actions and strategies that are contained within the GMP that could affect the sparrow would be monitored and adaptive management would be applied, as needed to fulfill goals in the GMP. However, it is not anticipated that actions proposed in the alternatives of the GMP would affect this species or its critical habitat, so the species was not carried through for full analysis.

CONCERN: One commenter suggested that park has violated the Code of Federal Regulations, the Rivers and Harbors Act, the Clean Water Act, and the Wilderness Act through the dredging of channel/access routes from motorized boat use.

RESPONSE: The park is going through the process of creating a GMP for the expressed purposes of establishing and articulating a management philosophy and framework for decisions making and problem solving at Everglades NP. Part of this plan includes a preferred alternative that sets out to protect park resources. The preferred alternative includes PTZs (Pole and Troll Zones) and PTIs (Pole/Troll/Idle Zones) with specific locations for practical and reasonable motor boat access through the bay. The park is seeking to utilize these zones to reduce frequency and magnitude of benthic community damage that occurs in Florida Bay. This same process has been successfully established and administered in the Snake Bight area within the bay.

This direction is consistent with the park's 1978 Final Wilderness Recommendation/ Environmental Statement which said, "In lieu of establishing marine waters as wilderness, the National Park Service will restrict use as necessary to protect visitors as well as the park's marine flora and wildlife. Markers will be emplaced to warn boaters to avoid shallow areas where they might become stranded as the tide goes out. Such management techniques should substantially reduce the damage caused by disturbance of bottom sediments and turtlegrass flats as a result of motorboat propellers."

Some benthic damage that is clearly recognizable as a longstanding problem is unintentionally done by uninformed users within the bay while other damage is done by boaters with vast experience. As described in the plan, the park will establish a mandatory boater education program (with a permit) as part of a good stewardship and responsible use strategy. Additional implementation strategies for protecting the resource include

zoning, signage, enforcement, a stakeholder advisory committee, and timely adaptive management. All of these items are crucial in working together to protect the resource while continuing to allow access to the resource and will be advanced with the fees collected for the boater education and permit program.

A high-priority GMP implementation project is development of a "Boater Safety and Resource Protection Plan". This plan would address boating in marine waters of Florida Bay, the Gulf Coast, and Ten Thousand Islands in more detail regarding visitor safety and resource protection. The plan would evaluate how to further avoid/minimize boat on boat collisions, boat on wildlife collisions, groundings, and other impacts on the sea bottom, which is federally-designated wilderness. The plan would study in more detail the Florida Bay channel/access routes shown on the "NPS Preferred Alternative" map and make more detailed decisions about how/if channel/access routes would be marked and accessed. This plan would be developed with public input and would be updated regularly.

That said, the park acknowledges that damage has occurred in the past and continues today due to the complex, extremely shallow nature of the resources, coupled with less than ideal maintenance of navigational markers and signs, especially given the importance of the park as a world-renowned boating and fishing destination. Park managers will coordinate and seek advice from the U.S. Attorney's Office, Department of Interior Solicitor's Office, United States Coast Guard, and others to comply with applicable laws and institute procedures to more effectively fulfill the park's mission.

CONCERN: The EPA commented regarding changes in FDEP water quality rules to incorporate in the document.

RESPONSE: Everglades NP and the National Park Service are committed to monitoring and protecting water quality and abiding by water

quality rules and regulations, and additional information has been added to the mitigation measures common to all alternatives for water resources to reflect this commitment.

Adherence to all applicable laws and policies is assumed within the structure of the GMP, even if not explicitly stated. The GMP effort is a general planning effort that works in tandem with other more detailed and more specific implementation plans as anticipated over the next 20 to 30 years. Restoration efforts at the park are ongoing and dynamic and the NPS will continue to work on water quality issues via more site-specific development and implementation plans that are directly related to streams, lakes, estuaries and downstream protection. In addition, the National Park Service will continue to consult on future actions that may be conducted under the general framework described in the water resources and wetlands desired conditions section of the GMP. Additional consultation will occur as necessary to ensure that future actions are not likely to adversely affect the resources. All site-specific development and implementation plans will adhere to FDEP water quality rules and guidance.

CONCERN: Florida Power and Light submitted comments asserting that the draft plan: (a) fails to recognize adequately the valid existing property rights of Florida Power and Light in the East Everglades; (b) fails to recognize the purpose and need for the FPL land exchange authorized by Congress; (c) includes an erroneous determination of wilderness eligibility in the East Everglades, and (d) sets unrealistic desired future conditions for viewsheds, soundscapes, and night skies in the East Everglades, as these conditions would not be readily achievable in parts of the park bordering developed areas.

RESPONSE: The National Park Service recognizes that FPL holds valid existing property rights in a 7.4-mile long corridor through the East Everglades. A previous NPS finding that the FPL corridor (and other private property in the East Everglades) is incompatible with long term restoration of water flows in Shark River Slough is merely an

acknowledgement that NPS cannot restore flows into the park over private lands. Nothing about this acknowledgement constitutes a taking of private property, or a threat to do so. The National Park Service is presently exploring alternatives for acquiring the FPL corridor, including the land exchange authorized by Congress. These alternatives are being assessed in a separate planning document and environmental impact statement. As for the wilderness eligibility of the East Everglades, the National Park Service recognizes that this area has seen more human impacts than most other areas of the park. However, *NPS Management Policies 2006* expressly provide that human-impacted lands may be considered eligible for wilderness designation if the effects of human activities inside the park are substantially unnoticeable or if the wilderness character of such lands could be maintained or restored through appropriate management actions. In the parts of the East Everglades that the National Park Service has found eligible for wilderness designation, the impacts of human activities are either substantially unnoticeable, or they could be mitigated or eliminated by appropriate management actions. Finally, the desired future conditions in the plan recognize that achieving these conditions will be easier in some parts of the park than others. The plan specifically acknowledges that the National Park Service will need to work with park neighbors to maintain or enhance the condition of park viewsheds, soundscapes, and night skies. This will be particularly true in developed areas bordering the East Everglades Addition.

Socioeconomics

CONCERN: Commenters are concerned that the socioeconomic section of the GMP underestimates the adverse effect of proposed alternatives on the local and regional economy. One commenter expressed concern with the assumption made that ecotourism would compensate for the economic impact to fishing guides and related businesses. The commenter questioned the validity of this

assumption. Other commenters expressed concern that an economic study was either not done for the GMP or not enough discussion on the long-term economic effects were included.

CONCERN: Commenters expressed concern on the ripple effects that the alternatives would have on the local economy including but not limited to mechanic shops, guides, lodging, restaurants, marinas and other business catering to boaters and recreational fishermen. One commenter believes that real estate prices in the Keys may be impacted by the proposals of the GMP. Another commenter offered as an example a study done by the U.S. Fish & Wildlife Service that estimated that over \$516 million were spent on saltwater fishing in the park.

CONCERN: The Florida Keys Commercial Fisherman's Association requested that the NPS consider the economic impacts to the commercial fishing industry, which is the second largest employer in Monroe County. The Florida Keys Commercial Fishermen's Association asks the park to give serious consideration to protecting the livelihoods of professional fishing guides that make their living in the park by licensing programs that would allow professional fishing guides greater access than the general public, requiring education program and proficiency test on navigation and skill set.

CONCERN: Commenters are concerned that the extensive PTZs would make it difficult for guides to run profitable companies as it would take too long and be too exhaustive to bring customers into good fishing grounds. Other commenters stated the same worry over economic impacts to those who fish in Everglades NP but who are not guides. Commenters contest that the proposed PTZs punish guides and others knowledgeable to Everglades NP for damage that is being caused by non-local or inexperienced boaters.

RESPONSE: In response to the first comment that the adverse economic impact of the GMP alternatives is underestimated, the analysis for

each alternative contains an acknowledgment of the potential adverse economic effects on concessions operations at Flamingo and on businesses in the Florida Keys (see Chapter 5, Environmental Consequences, Socioeconomic Environment), while at the same time noting the potential for long-term improvements in natural resource and wilderness conditions in Florida Bay. These improvements would enhance economic conditions for the Flamingo concessioner, other businesses operating in the area, and in the Florida Keys by creating a healthier, more sustainable ecosystem and a higher quality sport fishery.

No conclusion regarding the net economic contributions of ecotourism as compared to sport fishing are reported. The DEIS does report an anticipated long-term net increase in overall visitor spending by Park visitors (see Chapter 5, Environmental Consequences, Socioeconomic Environment), however, such increases would be related primarily to visitation increases on the "mainland" portion of the Park that are independent of the changes in sport fishing.

The mission of the NPS and Everglades National Park is to provide long-term resource protection while managing visitor use to provide for quality recreation opportunities and visitor enjoyment. The current draft does not address the levels of visitor use in specific areas of the park or by types/groups of users in quantitative terms. In part, the latter reflects the absence of reliable estimates about recreational boating and sport fishing use in Florida Bay (see Chapter 4, Affected Environment, Visitor Use). Available studies regarding economic contributions of fishing typically apply to much broader geographic areas, typically including off-shore fishing in southern Florida. Nevertheless, the Park recognizes the importance of recreational fishing in Florida Bay to the Florida Keys economy. While sustaining that economy is not an explicit objective of the GMP, sustaining recreational opportunities within the park, including recreational fishing, is such an objective. The NPS is advancing a

program and strategies in the preferred alternative that would best support ecosystem health and quality visitor experiences.

As it relates to Florida Bay, the proposed management strategies emphasize policies and actions providing long-term protection of natural resources, including the health and quality of the sport fishery. Although elements of the proposed management strategies such as the PTZs may result in some individual users and guides/outfitters adapting their use patterns or dropping out altogether, with potential economic implications for individuals and the local economy, those elements of the local economy linked to fishing and boating are better supported in the long-term by a healthy ecosystem that includes seagrass recovery and restoration, a higher quality sport fishery, and a variety of boating experiences in Florida Bay. A higher quality fishing experience will not only translate into a more lucrative environment for guides, but will provide economic benefits to Keys residents. (A number of economic studies show that a substantial portion of the economic effects of fishing are derived from area residents versus visitors. [Leeworthy and Wiley 1997; Fedler 2009 and 2013]) The final EIS also emphasizes that implementation of the PTZs would allow the park to adapt their implementation based on observed results. These results, based on strategic monitoring efforts would be accomplished in coordination with the NPS-stakeholder advisory committee, which would include subject matter experts in Florida Bay resource protection and recreational opportunities.

Note that commercial fishing per se is not permitted in the park. Sport fishing employing the use of professional guides is permitted, however, NPS policy does not allow establishment of preferential access of one user group versus another to park resources. Improving the long-term ecological health of the Bay and fishery is the best way to support the livelihoods of professional fishing guides. Finally, as fishing can occur when boats are stationary or when being poled or trolling at very slow speeds, visitors can actually fish

during passage through channel/access routes, pole/troll zones, or pole/troll/idle zones, and at least in part offset any adverse impact resulting from longer travel times.

Demand associated with population growth and the finite availability of buildable land and infrastructure in the Keys are critical elements of the Keys real estate sector and overall economy, as much or more so as the amenity, natural resource and ecosystem resource services available in the park. As noted in the affected environment, more than half of the total personal income of Monroe County residents is derived from investments, social security and other retirement-type incomes, and local tourism-related industries operate in areas extending well beyond the park boundary which would not be affected by park management decisions. Thus, the net effect of park management actions would likely be limited in the context of the overall economy.

Boater Education

CONCERN: Commenters expressed a variety of ideas concerning the boater education program proposed in the action alternatives of the GMP. These included, but were not limited to, support and lack of support for the program; recommendations for coordination and consistency of the program with other agencies and organizations; concern that boaters in Florida would need to gain multiple licenses or permits for areas within different jurisdictions; clarification regarding rules, time commitment, cost, and implementation of the program; and suggestions that the program only apply to inexperienced park users, motor boats, or be voluntary.

RESPONSE: The boater education program is one of the key implementation priorities following the completion of the Final GMP. The National Park Service feels strongly that this program is important to help boaters avoid harming shallow sea bottom, seagrass, and wildlife, and operate watercraft in a manner that respects other users and

promotes personal safety. This program is integral to the successful protection of park resources. Further details about the content, cost, and implementation of the plan will be developed following the completion and adoption of the Final GMP; all comments regarding the program will be taken into consideration during the development of the program. Further refinements, over time, would include involvement by the advisory committee.

Where possible, the National Park Service will coordinate with other agencies and organizations to implement an effective program, but hopes to begin the program as soon as possible following the completion of the Final GMP. As stated in the GMP, the education program would take advantage of the lessons learned from the NPCA-led Eco-mariner program, with a broad-range of program partners. The National Park Service will provide opportunities for other agencies and organizations to be involved and provide input regarding the program, including striving towards further consistency with other similar overlapping education programs and implementing cost saving measures through partnerships.

As stated in the GMP, operators of all boats using park waters would be required to receive boater education, which could be tailored based on type of use and craft and/or type of trip. The education course would be made as widely accessible and convenient as possible (including on the internet, smart phone or tablet apps, etc.). While the National Park Service recognizes that some level of time commitment will be necessary for boaters to obtain a permit to boat in the park, overall, this program will not be overly burdensome to users. If the program was only implemented on a voluntary basis, the park feels that it would not yield effective results. Over time, the program would be further refined to reach intended audiences, and potentially expanded to provide additional information on important topics as identified by park managers, the advisory committee and public.

CONCERN: Commenters believe the proposed boater education permit system contradicts Florida State law and that other agencies, the Florida Fish and Wildlife Conservation Commission, are currently in charge of required boater education. Commenters do not think that the National Park Service should be involved in boater education programs because programs and requirements are already in place.

RESPONSE: The State of Florida and Everglades NP have been in communication about the boater education program. Not only does the National Park Service legally have the right to implement and enforce such a program, but the state of Florida supports the program and has been encouraging as the park carefully considered it. Where possible, the National Park Service will coordinate with other agencies and organizations to implement an effective program, but hopes to begin the program as soon as possible following the completion of the Final GMP. While other education programs do exist, the park strongly believes that this park-specific program is needed to increase safety, resource protection and stewardship within Everglades NP. It is possible that over time, that other marine parks and protected areas could adopt/integrate elements of this boater education program to cover similar/adjacent areas in South Florida (and perhaps elsewhere) to broaden the use of the program. This would increase the benefits of the program, help establish a more seamless network of parks and protected areas, and more efficiently manage boating activity for people that visit multiple destinations (i.e., minimize the need to take multiple courses, pay potentially multiple fees, etc.).

Wilderness

CONCERN: Commenters expressed support for the wilderness proposal in the wilderness study portion of the document. Reasons cited included permanent protection of wilderness character in the East Everglades Addition and additional opportunities for primitive

recreation. Others, however, expressed opposition to the proposal. Reasons for objecting included the perceived limitation to access that a wilderness proposal would have on park visitors; the lack of suitability of the proposed wilderness area due to past and present human use (such as farming, bulldozing, hunting, leftover debris, invasive plants and animals); the amount of development within and surrounding the proposed wilderness area; and possible interference in achieving ecosystem restoration goals in the East Everglades.

RESPONSE: By policy, the National Park Service must evaluate additions to existing national park units for their eligibility for inclusion in the national wilderness preservation system. Those lands that meet the primary eligibility criteria are eligible for further study, and for possible future designation as wilderness by Congress. It should be noted that lands need not be completely pristine to be eligible for wilderness designation. *NPS Management Policies 2006* specifically provide that “[l]and that have been logged, farmed, grazed, mined, or otherwise used in ways not involving extensive development or alteration of the landscape may also be considered eligible for wilderness designation if, at the time of assessment, the effects of these activities are substantially unnoticeable or their wilderness character could be maintained or restored through appropriate management actions.” See *NPS Management Policies 2006* section 6.2.1.2.

The revised preferred alternative in chapter 2 and the revised wilderness proposal in chapter 3 of the final GMP/EIS refine the wilderness proposal by recognizing that the ongoing ecosystem restoration work in much of the East Everglades Addition would result in degradation of wilderness character in various locations during the period when restoration activities are occurring. The revised preferred alternative identifies these areas within the East Everglades Addition where more non-conforming ecosystem restoration activities are likely to continue, and proposes them as

potential wilderness. Over time, the long-term wilderness character of these areas would be restored and the level and intensity of nonconforming uses, including airboats, helicopters and other motorized or mechanized equipment, would be expected to decline. At that point these areas would be converted to designated wilderness, assuming Congress has acted to include them in the National Wilderness Preservation System.

The land proposed for wilderness designation in the revised preferred alternative in chapter 2 and the revised wilderness proposal in chapter 3 of the final GMP/EIS is adjacent to and similar in character to the Marjory Stoneman Douglas (MSD) Wilderness. Additionally, the National Park Service anticipates that ecosystem restoration activities and the associated non-conforming uses in this area would be less intensive and less intrusive on the area’s wilderness character, similar to what has occurred and continues to take place in the MSD Wilderness. The revised preferred alternative in chapter 2 and the revised wilderness proposal in chapter 3 of the final GMP/EIS, recognizes these characteristics by identifying this area as proposed wilderness.

CONCERN: Commenters expressed support for the maximum amount of wilderness in the East Everglades Addition (per Alternative 4) and the discontinuation of commercial airboat operations. These commenters expressed concern for the protection of historic artifacts, high quality wetlands, sensitive wood stork habitat, water quality and natural flow, manatees, and soundscapes. Some commenters cited the 1989 Everglades National Park Protection and Expansion Act and suggest that airboats should be limited to designated routes only, as required by the 1989 Act, and that no-motor access should be provided in the Shark River Slough.

RESPONSE: The preferred alternative seeks to strike a balance to ensure natural, cultural, and wilderness protection, while providing for public use and enjoyment. This approach derives from the 1989 Everglades National

Park Protection and Expansion Act, which directs the National Park Service to manage the East Everglades to maintain its ecological integrity, while at the same time specifically authorizing the National Park Service to enter into concession contracts with eligible commercial airboat operators and provide for limited, continued use by eligible private airboat operators. This dual emphasis reflects the intent of Congress to provide opportunities for the public to get “into” the resource to understand, appreciate, and support its protection and restoration. While it is true that continuation of commercial airboat operations will have some impacts to natural and cultural resources in the East Everglades, the National Park Service has concluded that, on balance, these impacts are outweighed by the benefits of providing the public with opportunities to experience, appreciate, and learn about the Everglades environment. Under the preferred alternative, airboat travel in the East Everglades will take place on designated routes only. This requirement would apply to both commercial airboat operators and holders of individual airboat permits. Designation of these routes and airboat management, as well as establishing enhanced opportunities for paddling access, would be high priority implementation actions following GMP completion.

CONCERN: Commenters objected to the proposed designation of wilderness in the East Everglades Addition on the ground that it would make future management activities more difficult, including but not limited to exotic plant and animal control activities, ongoing and planned Everglades restoration projects, listed species management efforts, fire suppression, and scientific research. Florida Power & Light Company, expressed concern that identifying lands under their ownership as proposed potential wilderness interferes with existing private property rights.

RESPONSE: Activities of the type described have been taking place in the East Everglades and in parts of the Marjory Stoneman Douglas

Wilderness for many years, and could continue even under wilderness designation as the park staff and partners continue to work on the critical needs of getting the water and ecosystem conditions restored. As mentioned above, the revised wilderness proposal in the final GMP/EIS has been refined to identify those areas within the East Everglades Addition where more intensive, and less-conforming ecosystem restoration activities are likely to continue, and proposes them as potential wilderness. The potential wilderness designation also recognizes that lands under private ownership would not be eligible for wilderness designation until those lands came into federal ownership. As stated in chapter 3, Wilderness designation does not extinguish valid existing private rights such as land or right-of-way ownership or valid mineral interests. Under NPS management policies, otherwise prohibited activities (e.g., the use of mechanized equipment) could continue if determined to be necessary, and if calculated to minimize impacts to the wilderness resource. The so-called “minimum requirement assessment (MRA) process” is a standard procedure used by the National Park Service and other federal land management agencies to determine whether a particular activity is necessary in wilderness, and if it is, to identify the appropriate tool to minimize impacts. This process has long been used for management activities in the Marjory Stoneman Douglas Wilderness in Everglades NP. Under the preferred alternative, this process would be extended to the East Everglades Addition.

CONCERN: The U.S. Army Corps of Engineers asked how the wilderness designation would affect potential management activities to improve designated critical habitat and promote increases in populations of endangered species. The Corps asked what the procedure is for deciding whether proposed management actions meet “minimum requirements.”

RESPONSE: Although the National Park Service anticipates that the described activities for managing special status species would

generally be less intensive in the proposed wilderness area in the revised wilderness proposal in chapter 3 of the final GMP/EIS, these activities would still generally be permissible in wilderness. NPS management policies provide that wilderness managers should seek to sustain the natural distribution, numbers, population, composition, and interaction of indigenous species. Management intervention can be undertaken to the extent necessary to correct past mistakes, the impacts of human use, and influences arising outside of the wilderness boundaries. However, such actions should only be attempted when the knowledge and tools exist to accomplish clearly articulated goals. See *NPS Management Policies 2006*, section 6.3.7. Determinations regarding the appropriate tools and methods to be used in wilderness would be made using the minimum requirements assessment process. Identification of the minimum requirement would be made as a recommendation by the park's wilderness committee to the superintendent using the Interagency Minimum Requirements Decision Guide. The superintendent is responsible for decisions regarding activities that take place in wilderness or wilderness-eligible areas of the park.

CONCERN: The FDEP and the FWC commented that they concur with the approach to include buffers in the East Everglades wilderness proposal, specifically, a strip along the park boundary south of Tamiami Trail, and the entire length of the eastern boundary of the East Everglades Addition. They indicated that these buffers would allow for natural resource management, maintenance and construction activities, and also for completion of restoration efforts in the region. They also suggested that the GMP address the existence or need for similar "buffer" strips in other areas of the park. In particular, the FDEP asked how the GMP would address construction, maintenance and operational activities for existing structures and features managed by other entities, such as the existing culverts along Tamiami Trail, the S-12

structures, and other structures along the C-111 Detention Area and Modified Water Delivery Features along the eastern boundary of the park. The department requested that the GMP consider these additional areas in its designation of buffer zones.

RESPONSE: The National Park Service cannot create new buffer zones in the existing Marjory Stoneman Douglas Wilderness (e.g., areas south of the S-12C and S-12D structures in the park). The wilderness boundary has been established by Congress and cannot be changed administratively. However, in instances where restoration work needs to take place in designated wilderness, that work can typically be accomplished after completion of a "minimum requirements analysis (MRA) process." The purpose of this process is to (a) document the need for work to take place in wilderness rather than in some other area, and (b) to identify the methods and tools that will be used to minimize adverse impacts on wilderness character.

Thus, construction, maintenance and operational activities for existing structures and features, including those managed by other entities, will be subject to the MRA process if the proposed work takes place in designated or proposed wilderness. In essence, the MRA process involves completing a form that describes why the project needs to take place in wilderness and identifies impact-minimizing methods and tools for the project. The form must be approved by the park superintendent.

The East Everglades buffer zones cover areas that were found not eligible for wilderness designation at the present time, due to existing development, to ongoing incompatible uses, or to conditions that are likely to persist indefinitely (see the findings of the wilderness eligibility assessment in appendix H in the draft EIS). The National Park Service has the authority to make this eligibility determination under its management policies.

CONCERN: One commenter expressed the view that the wilderness designation for

Whitewater Bay should include the water column, because the designation is insufficiently protective if it does not have regulations to restrict motorized boat traffic.

RESPONSE: Congress addressed the water column issue in 1978, in the original wilderness designation for Whitewater Bay and other marine/estuarine areas such as

Florida Bay. Due to several factors (such as the vast size of the park creating large inaccessible areas or potentially many unsafe situations), Congress determined that the bottom lands would be protected as wilderness but the water column and water surface would not (thereby allowing motor boating to occur in some manner in these areas of Everglades NP).

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GLOSSARY OF TERMS

Adaptive management: The Natural Resources Council defines adaptive management as

[A] decision process that promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. Careful monitoring of these outcomes both advances scientific understanding and helps adjust policies or operations as part of an iterative process. Adaptive management also recognizes the importance of natural variability in contributing to ecological resilience and productivity. It is not a “trial and error” process, but rather emphasizes learning while doing. Adaptive management does not represent an end in itself, but rather a means to more effective decisions and enhanced benefits. Its true measure is in how well it helps meet environmental, social, and economic goals; increases scientific knowledge; and reduces tensions among stakeholders.

Affected environment: Existing biological, physical, social, and economic conditions of an area that are subject to change, both directly and indirectly, as a result of a proposed human action.

Alternatives: Sets of management elements that represent a range of options for how, or whether to proceed with a proposed project. An environmental impact statement analyzes the potential environmental and social impacts of the range of alternatives presented.

Archeological resources: Historic and prehistoric deposits, sites, features, structure ruins, and anything of a cultural nature found

within, or removed from, an archeological site.

Area of potential effect: The geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The area of potential effect is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.

Benthic: Of, relating to, or occurring at the bottom of a body of water.

Best Management Practices: Effective, feasible (including technological, economic, and institutional considerations) conservation practices and land and water management measures that avoid or minimize adverse impacts to natural and cultural resources. BMPs may include schedules for activities, prohibitions, maintenance guidelines, and other management practices.

Biodiversity: Biodiversity, or biological diversity, is generally accepted to include genetic diversity within species, species diversity, and a full range of biological community types. The concept is that a landscape is healthy when it includes stable populations of native species that are well distributed across the landscape.

CEQ regulations: The Council on Environmental Quality (CEQ) was established by the National Environmental Policy Act (see NEPA) and given the responsibility for developing federal environmental policy and overseeing the implementation of the act by federal agencies.

Channel / Access Route: Refers to the traditional, longstanding method that has been used in the park to identify motorboat

transit corridors in Florida Bay, the Ten-thousand Islands and other backcountry marine waters of Everglades National Park for many decades. These corridors are described by many different terms – channels, passes, cuts, shallow-water trails, or other similar names. In the GMP the term “channel/access routes” refers to the set of boating corridors identified on the Preferred Alternative map that is designed for boating transit in the park’s marine and estuarine waters that protect important resources, and provide safe, high-quality visitor experiences. This is not to be confused with “channels” as defined by regulation and maintained by the United States Coast Guard for deep water boating corridors including those adjacent to and within Everglades National Park (e.g., Intracoastal Waterway, Flamingo Marina Channel).

Cultural landscape: “A geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.” There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes (Preservation Brief 36).

Cultural landscapes inventory: The Cultural Landscapes Inventory (CLI) is a database containing information on the historically significant landscapes within the national park system. This evaluated inventory identifies and documents each landscape’s location, size, physical development, condition, landscape characteristics, character-defining features, as well as other valuable information useful to park management.

Designated Wilderness: See later “Wilderness and Other Relevant Terms.”

Ecological restoration: Ecological restoration is the process of assisting the

recovery of an ecosystem that has been degraded, damaged, or destroyed.

Ecosystem: An ecosystem can be defined as a geographically identifiable area that encompasses unique physical and biological characteristics. It is the sum of the plant community, animal community, and environment in a particular region or habitat.

Eligible wilderness: See later “Wilderness and Other Relevant Terms.”

Emergent wetland: A wetland characterized by frequent or continual inundation dominated by herbaceous species of plants typically rooted underwater and emerging into air (e.g., cattails, rushes). The emergent wetland class is characterized by erect, rooted, herbaceous hydrophytes (e.g., cattails, rushes), excluding mosses and lichens. This vegetation is present for most of the growing season in most years. Perennial plants usually dominate these wetlands. All water regimes are included, except subtidal and irregularly exposed.

Environmental consequences: This section of an environmental impact statement describes the impacts a proposed action could have on resources. Direct, indirect, and cumulative impacts, both beneficial and adverse, are analyzed. The context, duration, and intensity of impacts are defined and quantified as much as possible.

Environmental impact statement (EIS): A public document required under the National Environmental Policy Act (NEPA) that identifies and analyzes actions that might affect the human and natural environment.

Environmentally preferable alternative: The environmentally preferable alternative is the alternative within the range of alternatives presented in a *Draft Environmental Impact Statement* that best promotes the national environmental policy expressed in the National Environmental Policy Act (section 101(b)). In general, this is the alternative causes the least damage to the

environment and best protects natural and cultural resources. In practice, one alternative may be more preferable for some environmental resources while another alternative may be preferable for other resources. (Director's Order 12 and Handbook).

Facilities: Buildings and the associated supporting infrastructure such as roads, trails, and utilities.

Floodplain: A nearly level alluvial plain that borders a stream or coastal shore and is subject to flooding unless protected artificially. A base floodplain, or 100-year floodplain, is an area that has a 1% chance of flooding in any given year and a 39% chance of flooding during a 50-year period.

Groundwater: All subsurface water (below soil/ground surface), distinct from surface water.

Historic building: For the purposes of the National Register of Historic Places, a building can be a house, barn, church, hotel, or similar construction, created principally to shelter human activity. "Building" may also refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Historic district: A historic district is an area which possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. To be eligible for the National Register of Historic Places, a district must be significant, as well as being an identifiable entity. It must be important for historical, architectural, archeological, engineering, or cultural values.

Historic property: A historic property is any prehistoric or historic building, site, district, structure, or object that is included in, or eligible for inclusion in, the National Register of Historic Places. Types of historic properties can include archeological sites,

historic cultural landscapes, and traditional cultural properties (listed as sites, buildings, or districts).

Historic site: A historic site is the location of significant event which can be prehistoric or historic in nature. It can represent activities or buildings (standing, ruined, or vanished). It is the location itself which is of historical interest in a historic site, and it possesses cultural or archeological value regardless of the value of any structures that currently exist on the location. Examples of sites include shipwrecks, battlefields, campsites, natural features, and rock shelters.

Historic structure: For the purposes of the National Register of Historic Places, the term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter. Examples of structures include bridges, gazebos, and highways.

Implementation plan: Implementation plans, which tier from programmatic plans (like a general management plan) focus on how to implement an activity or project needed to achieve a long-term goal. Implementation plans may direct specific projects as well as ongoing management activities or programs. They provide a more extensive level of detail and analysis than do general management plans. Implementation plans are required to undergo NEPA review.

Implementation project: Implementation projects are specific actions identified in an implementation plan.

Invasive nonnative species: Species of plants or wildlife that are not native to a particular area and that tend to spread, often interfering with natural biological systems.

Management zone: A geographical area for which management directions or prescriptions have been developed to determine what can and cannot occur in terms of resource management, visitor use,

access, facilities or development, and park operations.

Marine wilderness or submerged marine wilderness: See later “Wilderness and Other Relevant Terms.”

Mitigation: Activities that will avoid, reduce the severity of, or eliminate an adverse environmental impact.

National Environmental Policy Act: The federal act that requires the development of an environmental impact statement (EIS) for federal actions that might have substantial environmental, social, or other impacts.

National Park Service Management Policies: A policy is a guiding principle or procedure that sets the framework and provides direction for management decisions. National Park Service (NPS) policies are guided by and consistent with the Constitution, public laws, executive proclamations and orders, and regulations and directives from higher authorities. Policies translate these sources of guidance into cohesive directions. Policy direction may be general or specific. It may prescribe the process by which decisions are made, how an action is to be accomplished, or the results to be achieved. The primary source of NPS policy is the publication *NPS Management Policies 2006*. The policies contained therein are applicable servicewide. They reflect NPS management philosophy.

National Park Service Organic Act: In 1916 the National Park Service Organic Act established the National Park Service in order to “promote and regulate use of parks” and defined the purpose of the national parks as “to conserve the scenery and natural and historic objects and wild life therein and to provide for the enjoyment of the same in a manner and by such means as will leave them unimpaired for the enjoyment of future generations.” This law provides overall guidance for the management of Everglades National Park.

National Parks and Recreation Act: The 1978 law that establishes national parks, monuments, recreation areas, and other recreation lands under the jurisdiction of the Department of the Interior. This law continues to be amended as new lands are acquired or boundaries of existing lands are changed.

Natural processes: All processes such as hydrologic, geologic, and ecosystem that are not the result of human manipulation.

No-action alternative: The alternative in a plan that proposes to continue current management direction. “No action” means the proposed activity would not take place, and the resulting environmental effects from taking no action would be compared with the effects of permitting the proposed activity or an alternative activity to go forward.

Nonwilderness: See later “Wilderness and Other Relevant Terms.”

NPS preferred alternative: The NPS preferred alternative is the alternative within the range of alternatives presented in a draft environmental impact statement that the agency believes would best fulfill the purpose and need of the proposed action. Although the NPS preferred alternative is a different concept from the environmentally preferable alternative, they may also be one and the same for some environmental impact statements (Director’s Order 12 and Handbook).

On plane: As it refers to motorboats, on plane means the boat is moving fast enough that the hull is partially lifted from the water’s surface, so it skims across the water rather than plows through it. The boat bottom, then, is more parallel to the water level when it is on plane.

Particulate matter (PM-10 and PM-2.5): Fractions of particulate matter characterized by particles with diameters of 10 microns or less (PM-10) or 2.5 microns or less (PM-2.5). Such particles can be inhaled into the air

passages and the lungs and can cause adverse health effects. High levels of PM-2.5 are also associated with regional haze and visibility impairment.

Pelagic: Relating to or occurring or living in or frequenting the open ocean.

Potential wilderness: See “Wilderness and Other Relevant Terms.”

Pristine: Unaltered, unpolluted by humans.

Proposed wilderness: See “Wilderness and Other Relevant Terms.”

Public comment process: The public comment process is a formalized process required by the National Environmental Policy Act (NEPA) in which the National Park Service must publish a “Notice of Availability” in the *Federal Register* which provides public notice that a *Draft Environmental Impact Statement* and associated information, including scoping comments and supporting documentation, is available for public review and input pursuant to the Freedom of Information Act. In addition, the National Park Service must conduct formal public hearings on the Draft Environmental Impact Statement when required by statute or the Council on Environmental Quality NEPA regulations.

Public scoping process: Scoping is a formalized process used by the National Park Service to gather the public’s and other agencies’ ideas and concerns on a proposed action or project. A “Notice of Intent” is published in the *Federal Register* announcing the agency’s intent to prepare an environmental impact statement and a request for written public/other agency scoping comments to further define the goals and data needs for the project. In addition, although not required by the National Environmental Policy Act (NEPA) or the Council on Environmental Quality (CEQ) NEPA regulations, public scoping meetings may be held and integrated with any other early

planning meetings relating to the proposed project.

Recommended wilderness: See “Wilderness and Other Relevant Terms.”

Record of Decision: The public document describing the decision made on an alternative in an environmental impact statement.

Site hardening: Any development that creates an impervious ground surface. Usually used as a way to direct visitor use and reduce impacts to resources.

Social trails: A social trail is an informal, nondesignated trail between two locations. Social trails often result in trampling stresses to sensitive vegetation types.

Special status species: Species of plants and animals that receive special protection under state and/or federal laws. Also referred to as “listed species” or “endangered species.”

Submerged marine wilderness: See “Wilderness and Other Relevant Terms.”

Superintendent’s Compendium: Each park superintendent has discretionary authority to regulate or limit certain uses and/or require permits for specific activities within the boundaries of a national park.

Traditional cultural resource: Any site, structure, object, landscape, or natural resource feature assigned traditional, legendary, religious, subsistence, or other significance in the cultural system of a group traditionally associated with it.

Traditional cultural property: Traditional cultural resource that is eligible for or listed on the National Register of Historic Places as a historic property.

Treatment: Work carried out to achieve a historic preservation goal. The four primary treatments are *preservation*, *rehabilitation*,

restoration, and reconstruction (as stated in the *Secretary of the Interior's Standards for the Treatment of Historic Properties*).

User capacity: As it applies to parks, user capacity is the type and level of use that can be accommodated while sustaining the desired resource and social conditions based on the purpose and objectives of a park unit.

User: Visitors and employees in Everglades National Park.

Value analysis: An organized team effort directed at analyzing the functions of facilities, processes, systems, equipment, services, and supplies for the purpose of achieving essential functions at the lowest life-cycle cost with required performance, reliability, quality, consistency, and safety. Value methods can be applied at any stage of a project, with the potential savings greater the earlier in the planning and design process you begin to use the methods. Value planning, value analysis, and value engineering are the same basic process applied at different stages of a project.

Visitor experience: The perceptions, feelings, and reactions a park visitor has in relationship with the surrounding environment.

Visitor use: Refers to the types of recreation activities visitors participate in, numbers of people in an area, their behavior, the timing of use, and distribution of use within a given area.

Visitor use levels: Refers to the quantity or amount of use a specific area receives, or the amount of parkwide visitation on a daily, monthly or annual basis.

Wetland: Wetlands are defined by the U.S. Army Corps of Engineers (CFR, section 328.3[b], 1986) as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal

circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”

Wilderness Act of 1964: The Wilderness Act restricts development and activities to maintain certain places where wilderness conditions predominate.

Wilderness and Other Relevant Terms:

Wilderness: Areas protected by provisions of the Wilderness Act of 1964. These areas are characterized by a lack of human interference in natural processes; generally, there are no roads, structures, or installations, and the use of motorized equipment is not allowed. General references to the term wilderness can include the categories of eligible, marine, wilderness study, designated, potential, proposed, and recommended wilderness. Potential wilderness may be a subset of any of these five categories. See also chapter 3 in the “Summary of Uses, Developments, and Management Actions Permitted and Prohibited in Wilderness” section.

Eligible wilderness: Eligible wilderness are lands determined by the National Park Service to be eligible for inclusion in the national wilderness preservation system because the lands meet wilderness criteria as identified in the Wilderness Act.

Submerged marine wilderness: The submerged marine (marine waters) portion of the Marjory Stoneman Douglas Wilderness, approximately 530,000 acres in extent, is very unusual in that it includes the marine bottom (benthic surface), but not the water column or the water surface. This distinction, which generally allows motorboating on the water surface, was included in the original wilderness recommendation and was carried forward in Congress's designation.

Wilderness study: A study of areas eligible for wilderness designation. The

study typically evaluates lands and waters against the criteria outlined in the Wilderness Act of 1964. The findings of a wilderness study are forwarded to the director of the National Park Service, and sometimes are incorporated into a general management plan.

Designated wilderness: Designated wilderness are federal lands designated by Congress as a wilderness area and a component of the National Wilderness Preservation System. The National Park Service is required to manage these lands according to the Wilderness Act of 1964.

Nonwilderness: Areas that have not been designated for special protection under the Wilderness Act.

Potential wilderness: Lands that are surrounded by or adjacent to lands proposed for wilderness designation but that do not themselves qualify for immediate designation due to temporary nonconforming or incompatible conditions can be deemed “potential wilderness.” If so authorized by Congress,

these potential wilderness areas will become designated wilderness upon the secretary’s determination, published in the *Federal Register*, that they have finally met the qualifications for designation by the cessation or termination of the nonconforming use.

Proposed wilderness: Proposed wilderness is an area that has been studied by the National Park Service that has been submitted as a proposal for designation by a park or region to the director of the National Park Service but has not been approved by the Department of the Interior.

Recommended wilderness: Recommended wilderness is an area that has been studied and proposed by the National Park Service, recommended for wilderness designation by the secretary to the president, and then transmitted by the president to Congress. Once approved by the secretary, the area can be considered recommended wilderness for management purposes.

ACRONYMS AND ABBREVIATIONS

ABA	The Architectural Barriers Act	NAGPRA	Native American Graves Protection and Repatriation Act of 1990
CFR	Code of Federal Regulations	NEPA	National Environmental Policy Act
CEPP	Central Everglades Planning Project	NHPA	National Historic Preservation Act
CEQ	Council on Environmental Quality	NMFS	National Marine Fisheries Service
CERP	Comprehensive Everglades Restoration Plan	NOAA	National Oceanic and Atmospheric Administration
CSP	Concession Services Plan	NPS	National Park Service
dB	Decibel	NRHP	National Register of Historic Places
dBA	Decibel (on the “A-weighted” scale)	NWI	National Wetlands Inventory
DEIS	Draft Environmental Impact Statement	ONPS	Annual Operating Costs
EIS	Environmental Impact Statement	PCPI	Per Capita Personal Income
EPA	U.S. Environmental Protection Agency	PEPC	Planning, Environment, and Public Comment (NPS website)
ERTP	Everglades Restoration Transition Plan	PILT	Payment in Lieu of Taxes
FAA	Federal Aeronautics Administration	PM	Particulate Matter
FFWCC	Florida Fish and Wildlife	RV	Recreational Vehicle
FPL	Florida Power and Light	SFESO	South Florida Ecological Field Office of the U.S. Fish and Wildlife Service
FTE	Full-time Equivalent	SFCMC	South Florida Collections Management Center
FWC	Conservation Commission	SHPO	State Historic Preservation Office(r)
GIS	Geographic information system(s)	USACE	U.S. Army Corps of Engineers
GMP	General Management Plan	USC	United States Code
GPS	Global Positioning System	USFWS	U.S. Fish and Wildlife Service
kWh	Kilowatt Hour	USGS	U.S. Geological Survey
MWD	Modified Water Deliveries project		
NAAQS	National Ambient Air Quality Standards		

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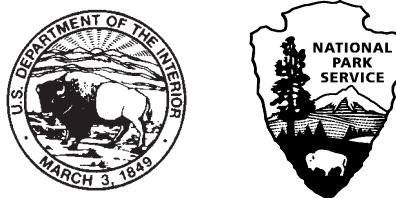
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As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.



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EVERGLADES NATIONAL PARK

FINAL GENERAL MANAGEMENT PLAN/EAST EVERGLADES
WILDERNESS STUDY/ENVIRONMENTAL IMPACT STATEMENT