

APPENDIX B: WILDERNESS ELIGIBILITY DETERMINATION



United States Department of the Interior


NATIONAL PARK SERVICE

Big Cypress National Preserve
33100 Tamiami Trail East
Ochopee, Florida 34141-1000



IN REPLY REFER TO:
L48 (BICY-S)

April 20, 2010

To: Jonathan Jarvis, Director
Thru: David Vela, Southeast Regional Director
From: Pedro Ramos, Superintendent 
Re: BICY Addition Wilderness Eligibility Assessment

Per Public Law 100-301 and NPS *Management Policies 2006* 6.2.1, Big Cypress National Preserve has completed a wilderness eligibility assessment for the 147,000 acres of the Addition.

An internal wilderness eligibility assessment was completed in 2006 by the Preserve. This assessment was included in the *Draft General Management Plan/Wilderness Study/Off-Road Vehicle Management Plan/Environmental Impact Statement* (GMP/EIS) released to the public in 2009. Based on the public input received, staff consideration, and consultation with WASO, SERO, DSC, and EQD, a revised wilderness eligibility assessment has been prepared.

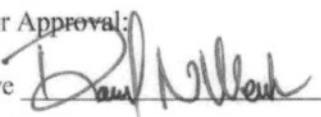
Of the 147,000 acres assessed, 71,263 acres meet the wilderness eligibility criteria in the Wilderness Act of 1964 and NPS *Management Policies 2006* 6.2.1.1 and 6.2.1.2 and are eligible for wilderness designation.

With your approval, this eligibility assessment will be used as part of the wilderness study accompanying the final GMP/EIS.

Southeast Regional Director Concurrence:

Agree  Disagree _____ Date 4-20-10

For Director Approval:

Approve  Disapprove _____ Date 5/12/2010

Wilderness Eligibility Assessment - April 2010

Big Cypress National Preserve Addition



INTRODUCTION

This wilderness eligibility assessment has been prepared in accordance with legislative and policy mandates requiring an assessment of the wilderness eligibility of all lands administered by the National Park Service. 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 the Wilderness Act of 1964 (Public Law 88-577), the Big Cypress National Preserve Addition Act (Public Law 100-301), and NPS Management Policies 6.2.1.

The eligibility assessment represents a combination of the eligibility assessment report completed in 2006 and the revised eligibility assessment completed in 2010. The 2010 eligibility assessment was undertaken as a result of comments received from the public, organizations, and agencies on the *Draft General Management Plan/Wilderness Study/Off-Road Vehicle Management Plan/Environmental Impact Statement*. Wilderness eligibility determinations were made by analyzing each area relative to the wilderness criteria in the Wilderness Act of 1964 and the primary eligibility criteria in NPS Management Policies 6.2.1, with consideration for the criteria in 6.2.1.2.

WILDERNESS CRITERIA

The following criteria were used to evaluate all lands in the Big Cypress 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 untrammelled 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.

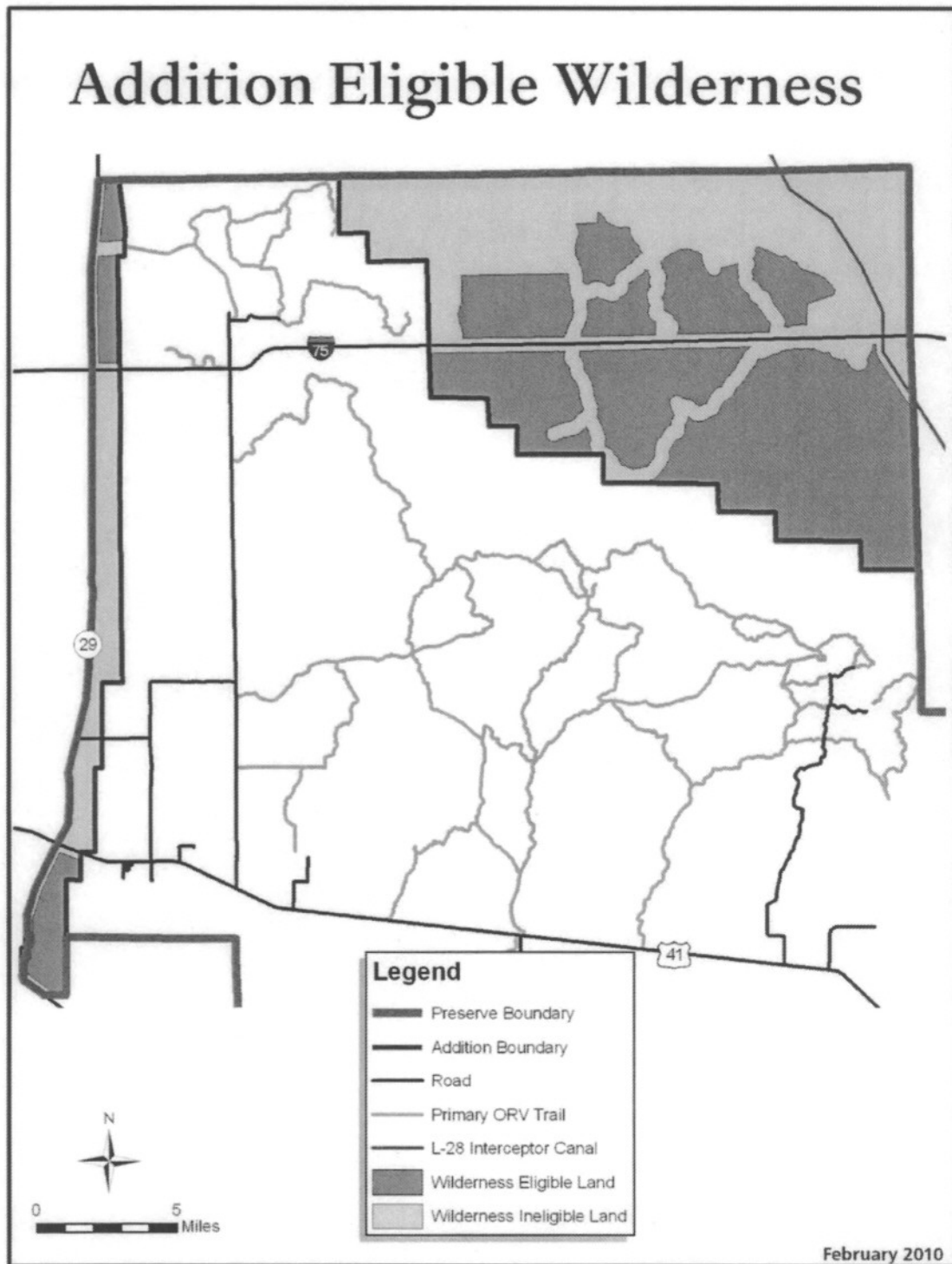
- The area generally appears to have been affected primarily by the forces of nature, with the imprint of humans' work substantially unnoticeable.
- The area is protected and managed so as to preserve its natural conditions.
- If needed restoration techniques and resulting impacts would be inconsistent with wilderness eligibility, then the area to be restored would not be wilderness eligible for purposes of this assessment.

ASSUMPTIONS

- The participants' definition of what was considered an example of a "substantial imprint of humans' work" included roads, trails, or other areas that were created by man and used significantly over time that would require substantial human intervention to restore.
- Whether the imprint of humans' work is substantially unnoticeable was reviewed from the perspective of a land manager and not a common visitor. Man's past work is, in many cases, substantially noticeable to a land manager, but may not be to the common visitor.
- The wilderness eligibility criteria were only applied to the Addition; areas in the original Preserve were not included as part of this analysis.
- If needed long-term restoration techniques would be inconsistent with wilderness eligibility, then the area to be restored would not be wilderness eligible.

FINDINGS

Of the 147,000 acres assessed, 71,263 acres were determined to be eligible for wilderness designation. See the map on the next page. For a more detailed presentation of the eligibility analysis and findings, please refer to the maps on pages 11 and 12.



Northeast Addition

Not Eligible for Wilderness Designation (North of I-75)

(#16) **I-75 Right-of-Way (ROW):** Quarter-mile (400 meters)¹ on either side of the actual ROW so as to include all past disturbances from highway engineering, construction and maintenance as well as continued motorized use and access for infrastructure maintenance. The area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#17, #18) **L-28 Interceptor Canal:** Quarter-mile (400 meters) on either side of the actual ROW so as to include all past disturbances from canal engineering, construction and maintenance activities. The area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#25, #24, #32) **Bundschu, Nobles and Jones Grades:** Quarter-mile (400 meters) on either side of the actual grade; includes the areas that have been altered or disturbed by unconventional techniques used to create roads and grades and resulted in sidecast debris. Other human disturbances such as borrow pits are present. The southern section of Jones Grade includes additional evidence of past human disturbance. These areas do not retain their primeval character, they bear the noticeable imprint of humans' work, and they do not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#34) **Grades East of Jones Grade:** Quarter-mile (400 meters) on either side of the actual grade; raised grades; significant imprint of humans. The area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

¹ See description and rationale for "non-wilderness corridors" on pages 9-10. All corridors have been established as a total width of ½ mile.

(#31) Trail Connecting Jones and Nobles Grades: Quarter-mile (400 meters) on either side of the actual trail; trail has been significantly used; humans' work is substantially noticeable when on the ground and other man-made items are visible adjacent to the trail; motorized use would continue; the area is not untrammelled by humans and does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#30, #28) One-mile Strip North of Pipeline: the pipeline ROW width is 50 feet and runs west to east across the northern area of the northeast Addition. The area to the north of the ROW has been disturbed by past construction and maintenance activity. Many trails bisect this area; adjacent land management impinges on its primitive character. As a result, the area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#33) East of L-28 and North of I-75: this area has been substantially altered by man --hydrology and prior human land uses.

(#27) Storelli Property: substantially altered (roads, houses); boundaries are based on property lines in the absence of any major topographic features; does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#26) Big Cypress Sanctuary: substantially altered by man (roads, houses); boundaries based on property lines in the absence of any major topographic features; does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#35) West and South of Sanctuary: camps are present; adjacent to trail/road that serves exempt properties. The area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#23) Area not practicable to be managed as wilderness; adjacent to other motorized corridors/areas deemed ineligible; does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#7) Man's work is substantially noticeable. A rectangular strip of past disturbance, probably an old bulldozed property line, exists in the vicinity of Nobles Ranch. The areas north to the pipeline and west and east are also disturbed. An old agricultural ditch is present and a man-made pit is visible on the east side of Nobles Grade.

(#6) This area includes old, abandoned agricultural fields that have and will be actively restored/maintained and intentionally manipulated with motorized equipment to achieve desired resource conditions. Exotic vegetation, including the root mat, has been removed. Original pine trees have been cut; pine trees may be planted. Remnants of ditch and dike agricultural techniques are present, although old ditches have been filled in. The southern boundary is an old fence line that runs west to east. Trails have been significantly used. The area is not untrammelled by humans and humans' work is substantially noticeable when on the ground; motorized use would continue.

(#29) This area does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation; past disturbance and bisecting trails present.

(#5) As a result of adjacent Bundschu Grade and its corridor, this area is not of a shape that could be practicably managed as wilderness.

Not Eligible for Wilderness Designation (South of I-75)

(#20) This area is not of sufficient size and shape to practicably manage as wilderness.

(#21) This area does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation; is not of sufficient size and shape to practicably manage as wilderness.

(#22) Quarter-mile (400 meters) corridor on either side of existing trails; trails have been significantly used; portions of the trail are a former oil and gas road; humans' work is substantially noticeable when on the ground and other man-made items are visible adjacent to the trail; motorized use would continue. The area is not untrammelled by humans and does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

Eligible for Wilderness Designation

(#8, #10) **Areas East of Nobles Grade:** large, wild areas with minor imprints of man. Natural processes and conditions prevail. The areas are of sufficient size to preserve in an unimpaired condition.

(#9) **Kissimmee Billy Strand and Adjacent Areas:** a remote area devoid of trails. Natural processes dominate and man's imprint is substantially unnoticeable. Outstanding opportunities for solitude or a primitive and unconfined type of recreation exist.

(#11, #12) **East of Grades and North of I-75:** large, wild areas with minimal imprints of man. Natural processes and conditions prevail. The areas are of sufficient size to preserve in an unimpaired condition.

(#13) **Mullet Slough West:** a remote area largely devoid of trails and adjacent to wildlands with no ORV impacts. Natural processes dominate and man's imprint is substantially unnoticeable. Outstanding opportunities for solitude or a primitive and unconfined type of recreation exist.

(#14) **Mullet Slough Central:** a large block of contiguous, primeval, undeveloped habitat that has been primarily affected by the forces of nature and where natural processes dominate. The area is of sufficient size to preserve in an unimpaired condition. Man's imprint is substantially unnoticeable, and the area offers outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#15) **Mullet Slough East:** a large block of contiguous, primeval, undeveloped habitat that has been primarily affected by the forces of nature and where natural processes dominate. The area is of sufficient size to preserve in an unimpaired condition. Man's imprint is substantially unnoticeable, and the area offers outstanding opportunities for solitude or a primitive and unconfined type of recreation.

Western Addition

Not Eligible for Wilderness Designation (North of I-75)

(#36) **SR 29 ROW:** Quarter-mile (400 meters) to the east of the actual ROW; includes past disturbance from road construction, including the canal and borrow pits. The area is not untrammelled

by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#36) **I-75 ROW: Quarter-mile** (400 meters) on the north side of the actual ROW so as to include all past disturbances from highway engineering, construction and maintenance as well as continued motorized use and access for infrastructure maintenance. The area is not untrammelled by humans, it does not retain its primeval character, it bears the noticeable imprint of humans' work, and it does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#36) **Bear Island Grade: Quarter-mile** (400 meters) on either side of the actual ROW so as to include all past disturbances from construction and maintenance as well as continued motorized use.

(36#) **North Side of I-75/SR 29 Interchange Triangle:** includes past disturbance from engineering, construction, and maintenance, including the canal; continued motorized use.

(36#) **Private Land:** plus 50-foot buffer around property lines due to previous disturbance; falls within the $\frac{1}{4}$ mile of the SR 29 and I-75 ROW.

Not Eligible for Wilderness Designation (Between I-75 and U.S. 41)

(#3) Areas of past human disturbance and private property exist. Humans' work is noticeable. When areas of past disturbance are removed from eligibility, the remaining lands become very fragmented and management as wilderness is not practicable. The ability of a land manager or visitor to determine when he/she was in or out of an eligible area would be very limited.

The disturbances listed below contribute to the finding that area #3 is not eligible.

Note: many disturbances below fall within $\frac{1}{4}$ -mile of the SR 29, I-75, and U.S. 41 ROW.

- **I-75 ROW:** Quarter-mile (400 meters) south of the actual ROW so as to include all past disturbances from highway engineering, construction and maintenance as well as continued motorized use and access for infrastructure maintenance.

- **SR 29 ROW:** Quarter-mile (400 meters) to the east of the actual ROW includes past disturbance from road construction, including the canal and borrow pits.
- **U.S. 41 ROW:** Quarter-mile (400 meters) north of the actual ROW so as to include all past disturbances from highway engineering, construction and maintenance as well as continued motorized use and access for infrastructure maintenance.
- **South Side of I-75/SR 29 Interchange Triangle:** includes past disturbance from engineering, construction, and maintenance, including the canal; continued motorized use.
- An old agricultural area lies southeast of the I-75/SR 29 junction. Furrows are prominent and substantially noticeable; vegetation differs from adjacent natural areas, and soil chemistry has been altered due to past agricultural activity.
- Other areas of past human agricultural activity and disturbance exist within this strip of land, and humans' work is noticeable. Vegetation in disturbed areas differs from adjacent natural areas.
- **Tram North of Deep Lake:** past disturbance due to construction and use.
- **Lower Wagonwheel Road ROW:** plus 50 feet on both sides due to disturbance from construction and continued use.
- **Private Land:** plus 50-foot buffer around property lines due to previous disturbance.

Not Eligible for Wilderness Designation (South of U.S. 41)

Note: most disturbances below fall within the $\frac{1}{4}$ mile of the SR 29 and U.S. 41 ROW.

(#37) **SR 29 ROW:** Quarter-mile (400 meters) to the east of the actual ROW includes past disturbance from road construction, including the canal and borrow pits; does not offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

(#37) **U.S. 41 ROW:** Quarter-mile (400 meters) south of the actual ROW so as to include all past disturbances from highway engineering, construction and maintenance as well as continued motorized use and access for infrastructure maintenance. This distance allows for opportunities for solitude and primitive recreation.

(#37) **Municipal Boundary and Edge of Lake Placid:** Used regularly by Everglades City; human use; practical boundary for wilderness management.

(#37) **Private Land:** plus 50-foot buffer around property lines due to previous disturbance.

(#37) **LCEC Power Substation:** private property, developed.

(#37) **Everglades City Chamber of Commerce:** dredged and filled; encumbered with leases.

Plantation Island Subdivision and Access Road: private property; outside of BICY boundary.

Eligible for Wilderness Designation

(#1, #2, #4) sensitive and wild natural areas without trails and primarily affected by the forces of nature; adjacent to designated wilderness in Everglades National Park. The areas are undeveloped and offer outstanding opportunities for solitude or a primitive and unconfined type of recreation.

Width of Non-Wilderness Corridors along Roads, Trails, and Canals

The non-wilderness corridor width was established as 1/2 mile (or 1/4 mile from the centerline of established roads, trails, and canals). This exclusion area was established to accommodate environmental protection and safety considerations, such as for fire management, exotic/invasive plant and animal control, hunting and retrieval of game, and traditional uses including the gathering of native materials.

For example, all constructed roads, trails, and canal embankments represent a change in elevation that provides an opportunity for non-native plant invasion. The road shoulder, even if represented by only inches in change from natural wetland grade, provides space above standing water for seeds to

APPENDIXES

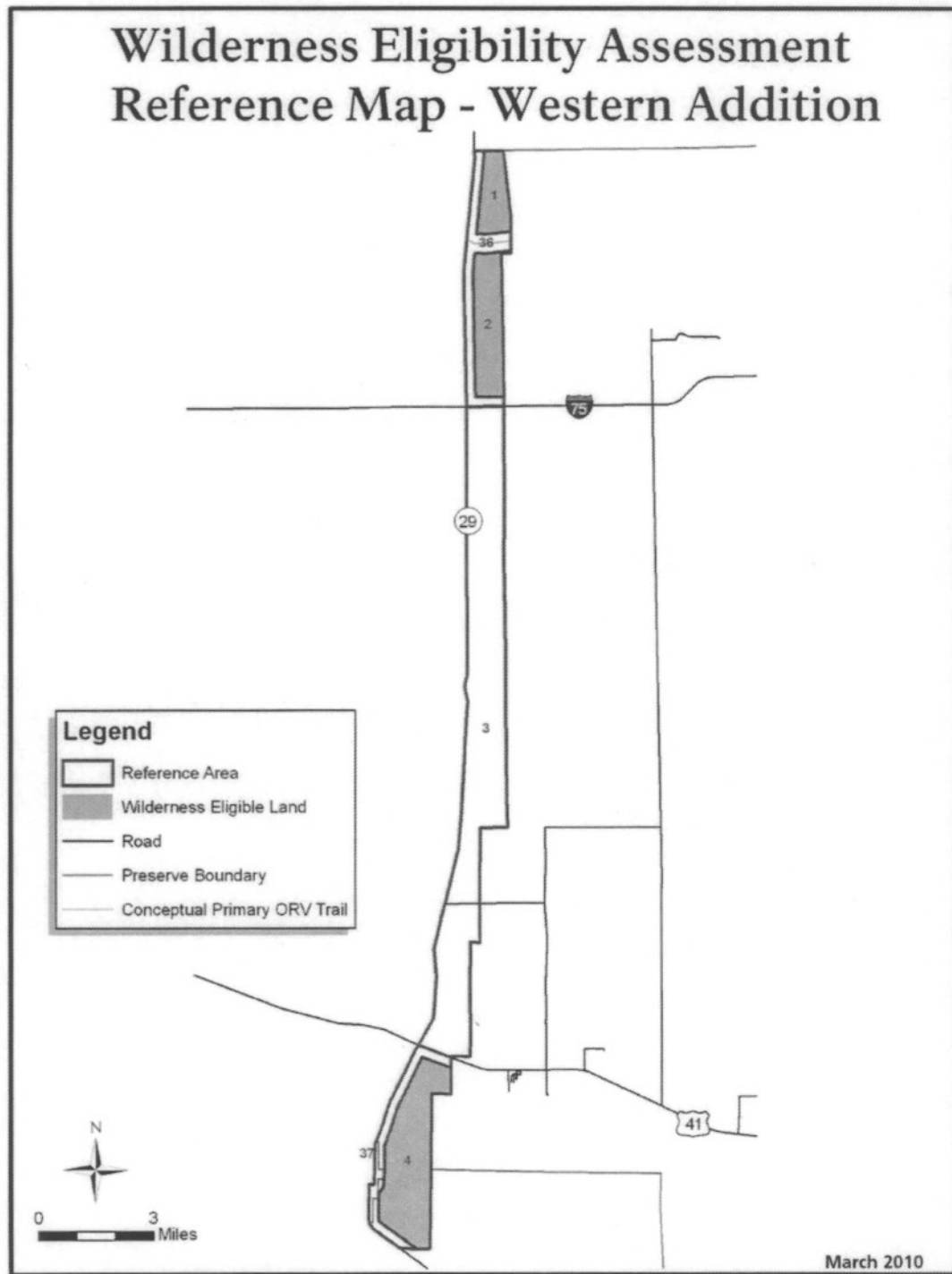
germinate if a source is nearby. Most exotic invasives become established more easily in disturbed areas such as raised road shoulders and other significant constructed features. Specific management techniques, including mechanical treatment, are required in these areas to maintain the ecological integrity of the Preserve.

Furthermore, the Preserve's enabling legislation (P.L. 100-301) at Sec. 4 (b) (8) discusses the Secretary's authority to develop rules and regulations necessary to limit or control use of the area with respect to a list of activities including "such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act: *Provided, That* the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act."

SUMMARY

The table below lists the reference areas and corresponding acreages for the eligible wilderness depicted in the reference maps on pages 11 and 12.

Reference Area No.	Acre
1	988
2	1,808
4	3,422
8	2,458
9	5,475
10	2,325
11	4,901
12	2,694
13	8,530
14	8,904
15	29,758
Total	71,263



Wilderness Eligibility Assessment Reference Map - Northeast Addition

