

EXHIBIT 13

**Final Recreational Off-Road Vehicle Management Plan
Supplemental Environmental Impact Statement**

BIG CYPRESS

National Preserve • Florida

An off-road vehicle permit would be issued for vehicles meeting the specifications and permitting process requirements described in this plan. The vehicle permit would be issued through a random drawing, as described below.

An ORV operator's permit would be required for all individuals who operated any ORV in the preserve. The permit would be issued only after the operator met the requirements described in the "ORV Operator Permit" section. The ORV operator's permit would be required both for recreational ORV users and for private property owners who hold special use permits to access their property using an ORV.

All backcountry users, including ORV users, hikers, and boaters, would be required to obtain a free backcountry use permit for each trip. These permits would be available from rangers and from dispensers at major access points, trailheads, check stations, and visitor facilities. A comprehensive assessment of backcountry use would be made based on data collected from this permit. The results would be incorporated, on an ongoing basis as part of the adaptive management approach, into the recreational management of the preserve to ensure the quality of the visitor experience.

Private landowners would be issued a free special use permit to allow reasonable access to and from their private property. A description of this permit is provided below in the section entitled "Special Use Permit for Private Property Owners."

Fees

The recreational off-road vehicle permit would cost \$50.00 per year. ORV inspections, ORV operator's permits, and backcountry use permits would be free.

Funds generated from the vehicle permits would be applied toward such costs as permit printing, administration of the drawing, education program materials, and operating the ORV permit system. While the cost of the permit is supposed to offset the cost of the ORV management program, the fee would actually pay only a small portion of the program costs.

Off-Road Vehicle Permit

Number of Vehicle Permits. The National Park Service would issue no more than 2,000 recreational off-road vehicle permits per year. This number was established in the Big Cypress National Preserve general management plan and environmental impact statement preferred alternative (NPS 1991), and was the basis for formal consultation and the biological opinion prepared by the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act. The record of decision for the general management plan and environmental impact statement modified the permit ceiling to 2,500 permits annually, but consultation with the USFWS was never reinitiated on this issue. This oversight was pointed out by public comment on the draft ORV management plan and environmental impact statement. Therefore, the proposed action would return the permit ceiling to 2,000, which would comply with the USFWS biological opinion.

As the proposed action was implemented, the vehicle permit program could be revised. The bases for changes could include research results, practical knowledge gained from the implementation of the plan, and safety concerns. Changes could include, but would not be limited to

SECTION 1.5 CLOSURES AND PUBLIC USE LIMITS

The following areas are closed or restricted as indicated below. Additional locations may be closed or restricted by the posting of appropriate signs or markers:

(a)(1)(a)

-All National Park Service (NPS) lands located in what is referred to as the Addition Lands are closed to hunting and the use of off-road vehicles (ORV) until designated as open by the Superintendent.

-All NPS lands marked as closed or restricted on the Interim Off-Road Vehicle Map dated October 22, 2001 (Appendix "D") are closed to use by motorized vehicles. Private property owners of record will be issued and must possess a Special Use Access Permit to travel across closed federal lands to their property. The permit will designate the route from a designated Access Point.

- Bear Island - ORV use is restricted to designated trails only (Appendix C).
- Turner River and Corn Dance Unit - All prairies are closed to ORV Travel (prairies are defined as mostly treeless areas that are dominated by grasses and/or grass like plants).
- U.S. Highway 41 Buffer - Travel in all areas within one mile north of U.S. Highway 41 is prohibited, except when traveling to or from a designated Access Point in a southerly or northerly direction.
- Wagon Wheel Area - The area south of lower and upper Wagon Wheel Road and west of Turner River Road is closed to ORV use.
- Stairsteps Unit
 - Zone 1 - permanently closed to all ORV use.
 - Zone 2 - closed to all ORV use until trails are designated.
 - Zone 3 - closed to all ORV use until trails are designated.
 - Zone 4 - southeast corner of the zone is designated as the Cape Sable seaside sparrow protection and restoration area and is closed to all motorized vehicles (Appendix F).
 - Zone 4 - Airboat use only. Use restricted to designated trails (Appendix F).

(a)(1)(b) The motorized vessel commonly referred to as the "Go Devil" is prohibited on all wetland areas in the Preserve except for manmade canals, Halfway Creek, New River and their tributaries.

(a)(1)(c) The Turner River north and south of Highway 41 is closed to motorized vessels and airboats.

(a)(1)(d) The Big Cypress Visitor Center and Headquarters parking areas are closed to overnight

parking.

(a)(1)(e) During the bald eagle nesting period, October 1 to May 15, the area extending 1500 feet outward from the designated nest tree is closed to public use. Signs will designate the closed area.

(a)(1)(f) The areas 1/2 mile from and around the Miccosukee religious sites, commonly known as the Snakedance site, south of Highway 41, and the Corndance site, north of Hwy 41, are closed to public use. This closure does not preclude the National Park Service from carrying out normal operational responsibilities.

(a)(1)(g) Fishing is prohibited in the canal on the north side of Highway 41 in front of the Big Cypress Visitor Center, for a distance of 200 yards east and west, as measured from the midpoint of the front door of the building.

(a)(1)(h) Fishing is prohibited in the Turner River Canal from the bridge on U.S. Highway 41 to 1/10-mile north.

(a)(1)(i) The headquarters residential and surrounding administrative area is closed to public use (Appendix A). The developed area north of and associated with the Big Cypress Visitor Center (Appendix B), Trail Center, and Loop Road operations and residence area is closed to the general public except for legitimate business reasons. The headquarters administration offices and parking areas are open to the public during regular business hours for legitimate business purposes.

(a)(1)(j) The Eleven-Mile Road is closed except to use by the following authorized vehicles: petroleum-industry vehicles; vehicles of persons hired to carry out the activities essential to oil exploration and production; government vehicles, vehicles/ORVs of mineral owners whose lands are in active exploration or production. Access by vehicles of mineral owners shall be limited to activities directly associated with pursuing or protecting mineral interests. Off-road vehicles may cross the Eleven Mile Road at one of three designated locations. Authorized vehicles using the Eleven Mile Road must use citizen band radios at designated intervals. Pedestrians may cross the road at any time, but may not walk along the road.

(a)(1)(k) The area within 1600 feet of campgrounds, the Oasis Visitor Center and administrative complex, Ochopee headquarters area, the Environmental Education Field Use Area on Birdon Road, Loop Road Ranger Station, and the Environmental Education Center and trail on the Loop Road, are closed to hunting. All weapons within these safety zones must be unloaded. The boundary of each safety zone will be marked by signs with text similar to SAFETY ZONE, SHOOTING, HUNTING, LOADED WEAPONS PROHIBITED.

(a)(1)(l) The Bear Island Unit is open to ORV use only on trails designated by NPS on maps (Appendix "C"), except for the following: grazing lessees and their employees (when actually working with cattle and range management) may travel off-road with permission of the superintendent.

(a)(1)(m) Motor vehicle access into the Bear Island Unit from State Road 29 by the Bear Island Road, is prohibited except by the following vehicles authorized by special use permit: petroleum-industry vehicles; vehicles of persons hired to carry out the activities essential to oil exploration and production; government vehicles; vehicles of mineral owners whose lands are in active exploration or production; grazing lessees and their employees; public utilities providing service within the unit and exempt property owners. Such access shall be limited to activities directly associated with pursuing or protecting their specific interests.

(a)(1)(n) Swimming at the campground borrow pits is prohibited.

(a)(1)(o) Any area that has been burned by a human caused fire, excluding a Preserve planned prescribed fire, will be closed to all hunting for a period determined by the Superintendent.

(a)(1)(p) Only non-motorized boats or electric powered boats are permitted in Preserve borrow pits.

(a)(1)(q) The use of motorized vessels commonly referred to as personal watercraft or "jet skis" are prohibited on all Preserve waters.

(a)(2)(a) All backcountry users, including ORV users, hunters, hikers, bicyclist and boaters must possess a backcountry use permit when in the backcountry. Backcountry is defined as any area in the Preserve that is 1/2 mile, or farther, from a state, county, or NPS designated highway or road established for the purpose of general public travel.

(a)(2)(b) Off-road vehicles must have a valid ORV permit and inspection sticker affixed in the proper location as follows:

- Airboats: ORV permits on the outside surface of the port rudder. Inspection stickers on the outside surface of the steering bar.
- Swamp Buggies: ORV permits on the driver's side of the buggy near the firewall, on the side of the engine hood, or on the buggy frame by the firewall. Inspection stickers on the steering column or in close proximity.
- All Terrain Cycles (ATC): ORV permits on the front fender. Inspection stickers on the center of the steering mechanism.
- Street Legal 4x4: ORV permits on the driver's side of the front window or on the front bumper. Inspection stickers on the inside side-edge of the driver's side center post.

(a)(2)(c) The following types of ORVs are prohibited: (1) any vehicles with tracks; (2) any

wheeled buggies or street legal 4x4's with tires having less than nine inches on the ground; (3) all terrain vehicles with front tires having less than seven inches on the ground and rear tires having less than nine inches on the ground.

(a)(2)(d) Expired ORV permits and inspection stickers must be removed from ORVs.

(a)(2)(e) Reserved

(a)(2)(f) ORV use is prohibited throughout the preserve between the hours of 10:00 p.m. and 5:00a.m. Landowners, and their guest traveling immediately with them, may travel during these hours if they have a Special Use Access Permit in their possession.

(a)(2)(g) Permitted Off-Road Vehicle use varies by Unit or Zone. The following restrictions apply to all ORV use.

- Bear Island Unit – Swamp Buggies, ATC's and street legal four-wheel drive vehicles are permitted on designated trails only. Permitted ORVs must enter the unit at designated Access Point 1 or 1A.
- Turner River Unit and Corn Dance Unit – Swamp Buggies and ATC's are permitted. Airboats and street legal 4x4's are prohibited. Permitted ORVs must enter the units from designated Access Points 2, 3, 4, 5, 6, 8, 9, 10, and 10A.
- Stairsteps Unit Zone 4 - Airboats are permitted on designated trails only. All other motorized vessels or vehicles are prohibited. Permitted airboats must launch from and return to designated Access Point 14 or 15. Designated trail width is 100 feet. Airboats may travel 50 feet from the centerline of the marked trail. A straight-line path from trail marker to the next closest trail marker will determine the centerline.

(a)(2)(h) Off-road vehicles are prohibited from operating on public roadways within the jurisdiction of the Preserve, with the following exceptions:

- Off-road vehicle use in campgrounds and parking areas is restricted to travel on roadways from parking areas or campsites being used by the operator, to adjacent designated off-road vehicle Access Points, for the purpose of accessing backcountry travel and return.
- Off-road vehicles may be operated from Burns Lake Campground on the public road that travels east approximately ½ mile and then north to backcountry Access Point 5, for the purpose of accessing backcountry travel and return.

(a)(2)(i) All off-road vehicle operators must meet the following requirements:

- Must possess a valid state driver's license, or possess a valid driver learner's permit and be accompanied (on a separate ORV if using an ATC) by a licensed adult, 18 years or older, who also possesses an ORV operator's permit. The learner's permit operator must stay within 100' of the adult operator.
- Must possess an ORV operator's permit. This permit must be presented to law enforcement officers on request.

(a)(2)(j) Speed limits for ORVs are as follows:

- 30 miles per hour for airboats

- 15 miles per hour for wheeled vehicles

(a)(2)(k) Off-road vehicles must meet the following specifications:

Wheeled Vehicles

- Can not exceed 8.0 feet in total width, including tires.
- Must have a muffler in good working condition and in constant operation.
- Tires on all buggies and street legal must have a minimum of 9 inches of tread face.
- Tires on all ATC's must have a minimum tread face of 7 inches in the front and 9 inches in the rear.
- Wheeled vehicles must have three or more tires.
- Any device used to push aside, shear off, or otherwise damage vegetation is prohibited.

Airboats

- -Airboat hull length can not exceed 14 feet.
- -Airboat width can not exceed 8 feet.

(a)(2)(l) Consumption of alcohol on an ORV or an airboat is prohibited. Possessing an open container of alcohol on an ORV or airboat is prohibited, unless the alcohol receptacle is stored in such a manner as to prevent its easy access or use.

(a)(2)(m) Any person hunting or accompanying another person hunting any game during the muzzle loading and general gun season shall wear at least 500 square inches of daylight fluorescent orange material above the waistline as an outer garment. This is not required when hunting waterfowl or turkey or during an archery only season or in an archery only unit

SECTION 1.6 PERMITS

(c) In accordance with 36 CFR 1.7(b) and as required by 1.6 (c), the following activities require a permit under the discretionary authority of the Superintendent:

- Access permit for Bear Island road
- Any construction on Federal property
- Burn permit
- Business operations
- Collecting (research specimen)
- Commercial filming (still, video, and movie)
- Display of commercial notices or advertisements
- NPS ORV permit
- NPS ORV Operator's Permit
- Public assemblies (Appendix A, B, E)
- Sale or distribution of printed matter
- Scattering of human ashes from cremation
- Special events
- Backcountry permit
- Special Use Access Permit for Private land owners (access/dogs/guns)

SECTION 2.1 PRESERVATION OF NATURAL, CULTURAL, AND ARCHEOLOGICAL RESOURCES

- (a)(1) Citrus fruits and bananas may be collected for personal consumption.
- (a)(4) Only dead wood lying on the ground may be collected as fuel for campfires within the Preserve. This wood can not be removed from the preserve.
- (c) (2) (i.)(a) Taking frogs for sale is prohibited.
(b) Frogs may be taken by gigs only.
(c) The daily bag limit for frogs is one five-gallon bucket per vessel or individual. The possession limit is 18 lbs. of dressed frog legs.

SECTION 2.2 WILDLIFE PROTECTION

- (e) The Preserve is closed to the viewing of wildlife with an artificial light except that artificial lights may be used during frogging activities.

SECTION 2.10 CAMPING AND FOOD STORAGE

- (a)(1) The Volunteer-In-Parks campsites are closed to public use.
- (a)(2) Recreational vehicle camping and the use of camping trailers in the Preserve is restricted to the designated campgrounds: Bear Island (40 sites), Monument Lake (26 sites), Burns Lake (40 sites), Midway Lake (26 sites), Mitchell Landing (15 sites), and Pinecrest (10 sites). Maximum use and vehicle capacity permitted at a single campsite is 8 people, 1 camper unit, or two vehicles (only one of which can be an RV) per site. ORVs are not counted as vehicles for the purpose of this section.
- (a)(3) Except for the period and location indicated below, no camping gear can be left in the backcountry when the user is not actively camping and staying overnight at the campsite.

An individual may camp or leave camping gear unattended in backcountry areas of the Preserve, **except for Zone 4**, including the designated sites in the Bear Island campground, and the Gator Pit and Pink Jeep Trail campsites, for the length of the specific hunting season as follows:

1. Archery Season/Muzzle loading Season.
2. General Gun Season
3. Spring Turkey Season.

Individuals occupying a site may bring camping equipment onto the Preserve after 8:00 a.m. one day before the opening of the specific season and must remove camping equipment from the Preserve before 6:00 p.m. one day after the above stated season ends. On the Bear Island Unit property may be left unattended only at designated campsites. Individuals who leave their

camping equipment for longer than 24 hours must leave identification (name, address, telephone number) clearly visible with or on the camp gear.

(a)(4) Backcountry camping in the Bear Island Unit is permitted only at designated campsites (The Gator Pit, 9 sites and The Pink Jeep Trail, 9 sites).

(a)(5) In Zone 4: airboat users must camp in designated campsites only (1-17); backcountry camping is allowed in other areas of Zone 4 (except the seaside sparrow closure area) when access is gained by foot or non-motorized vessel, and the campsite is located at least 1/2 mile from the Loop road and 1/4 mile from any designated campsite or airboat trail; no personal property can be left in the backcountry (tents, grills, cookware, tables, bedding, etc.) anywhere in Zone 4 when the user is not actively camping and staying overnight at the campsite.

(a)(6) Tent camping is permitted in established campgrounds and in non-developed areas throughout the preserve, except as restricted in the Bear Island Unit and Zone 4. However, in non-developed areas such backcountry camping is prohibited within 1/2 mile of any developed area or established county or state roads.

(a)(7) Monument Lake; Tent camping only area: Camp site capacity is 6 people and 2 vehicles per site. All ORV traffic is prohibited within the designated camping area.

(a)(8) No person, party, or organization shall be permitted to camp in designated areas for more than the total maximum number of days (except in the Bear Island Unit and Zone 4) as follows:

January 1 to April 30, 10 days maximum
May 1 to December 31, 14 days maximum

Once the daily limit has been reached for each time period, no person, party, or organization may use another designated area for the remainder of that season.

(a)(9) No person shall be permitted to camp in the Preserve backcountry for more than 30 days total, per year.

(d) Food must be kept sealed in a vehicle or a camping unit constructed of solid non-pliable material, stored in a sealed plastic or metal container, or shall be suspended at least 10 feet above the ground. This restriction does not apply to food that is being transported, consumed, or prepared for consumption.

SECTION 2.13 FIRES

(a)(1) Attended small campfires are allowed at designated camping areas and backcountry campsites.

(b) All fires shall be completely extinguished prior to the user leaving the campsite.

SECTION 2.14 SANITATION AND REFUSE

(b) In non-developed land areas, all human body solid waste must be buried out of sight and more than 100' from a trail, water, or a campsite. If located on an island with a campsite, all human body solid waste should be buried out of sight as far from the core camp and landing site as possible, preferably 100' or farther, and as far away from the water line as reasonably possible. If at any of these locations there is a designated human body solid waste disposal site, it must be used for disposal of human body solid waste.

SECTION 2.15 PETS

(a)(1) Dogs and cats on leash, crated, or otherwise under physical constraint are permitted only within 50 feet of established front country roads and parking areas. Dogs and cats are prohibited on established trails, boardwalks, and in the backcountry, except that private landowners within the Preserve may transport dogs to their private property via a designated route as authorized by a Special Use Access Permit.

(a)(5) Visitors in the following areas will be responsible for disposing of excrement from their pets: all parking, picnic and camping areas, and the areas around the Big Cypress Visitor Center and Ochopee Headquarters. Excrement must be collected and disposed of in sealed containers or bags and placed into a designated garbage can.

(b) All dogs authorized by state regulations to be used in support of hunting activities (bird dogs and retrievers only) must carry identification tags or be tattooed. The identification shall include the owner's name and current address, or current telephone number.

(e) Preserve employees residing within park residential areas in accordance with the preserves Quarters Policy may retain pets. Pets must be restrained at all times and owners are subject to all applicable regulations.

SECTION 2.16 HORSES AND PACK ANIMALS

(b)(1) The use of horses or pack animals is permitted, except in developed areas such as visitor center parking areas, campgrounds, or picnic areas.

(b)(2) Stockowners must scatter all manure dropped at trailheads.

(b)(3) Stock shall only be fed weed free feed.

(b)(4) Riding horses on the Florida Trail is prohibited.

(g) Tying horses or pack animals to live trees or other plants is prohibited, if the tying causes damage to vegetation.

SECTION 2.20 SKATING, SKATEBOARDS, AND SIMILAR DEVICES

The use of roller skates, roller blades, skateboards, and other coasting vehicles by quarters occupants or their guests will be allowed in the Preserve residential areas. Visitors may use roller skates, roller blades, skateboards, and other coasting vehicles on Donna Drive and Seagrape Drive.

SECTION 2.21 SMOKING

(a) Smoking is prohibited in all public buildings, except in posted designated smoking areas. Smoking is prohibited within fifty (50) feet of the aircraft or automotive refueling pumps.

SECTION 2.22 PROPERTY

(a)(2) Visitors involved in extended backcountry use, e.g., hunting or hiking on the Florida Trail may leave their vehicles and applicable property unattended in the designated parking area south of the Big Cypress Visitor Center for longer than 24 hours.

(b) An individual may leave tree stands or similar devices unattended for the length of the specific hunting seasons as follows:

1. Archery /Muzzle Loading Season
2. General Gun Season
3. Spring Turkey Season

Individuals may bring this equipment into the Preserve after 8:00 a.m., one day before the opening of the specific season, and must remove the equipment from the Preserve before 6:00 p.m., one day after the above stated season ends. Individuals who leave equipment unattended must leave identification (name, address, phone number) clearly visible on the tree stand or similar device.

SECTION 2.35 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3) The consumption of alcoholic beverages by the public is prohibited within Headquarters offices, Big Cypress Visitor Center, and their respective parking areas.

SECTION 2.51 PUBLIC ASSEMBLIES AND MEETINGS

(e) The Big Cypress Visitor Center and Preserve Headquarters have designated locations for public assemblies as depicted in Appendix E.

SECTION 2.52 SALE OR DISTRIBUTION OF PRINTED MATTER

(e) The Big Cypress Visitor Center and Preserve Headquarters have designated locations for the

sale and distribution of printed matter as depicted in Appendix E.

SECTION 3.20 WATER SKIING

(a) Water skiing is prohibited.

SECTION 4.21 SPEED LIMITS

(b) The speed limits for the following areas are established as prescribed below or as posted on site:

Dona Drive - 25 mph

Seagrape Drive -25 mph

All Oil Roads - 35 mph daylight, 20 mph night time

Loop Road – 40 mph, 15 mph in curves, 15 mph in School Zone

SECTION 4.30 BICYCLES

The use of bicycles is allowed in all areas open to wheeled ORV travel, the Fire Prairie Trail, and the trail known as Noble's Grade located north of Interstate 75.

SECTION 7.86 BIG CYPRESS NATIONAL PRESERVE

The following provides further definition to terms or activities:

36 CFR 7.86(a)(1) provides definitions relating to motorized vehicles and off-road travel within the Preserve.

Clarification is provided on two areas unclear from the definitions: use of trailers with ORVs, and street legal vehicles eligible for ORV permits.

ATV and ORV trailers, when attached to an ORV, are considered part of the ORV. They do not require or receive a separate ORV permit, but must meet all state and federal regulations relating to ORVs and their usage. Camping or tent trailers are not included since their use is limited to designated areas (see Section 2.10 (a)).

Two-wheel drive street legal vehicles are not considered capable of routine off-road travel, as required by the regulations, and will not be issued ORV permits.