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## CHAPTER 9 – SPECIAL PROGRAMS.

Several special elements or programs fall under the program umbrella of the CERP Master Recreation Plan (MRP). These elements are integral aspects of the larger perspective that have been stated by the public, sponsor or are required by regulation, rule or laws. They are listed and described below in more detail so a better understanding of their significance and fit into the regional planning perspective may be better understood for application at the project delivery team level. The special programs include:

ETHNOGRAPHIC STUDY REPORT

CERP GUIDANCE MEMORANDUM (CGM)

ORV/ATV POLICY OVERVIEW OUTLINE

### 9.1. ETHNOGRAPHIC STUDY REPORT.

The Ethnographic Study and Evaluation of Associated Properties of the Gladesman Culture, by New South Associates (Contractor), May 2009, reviewed the CERP study area for potential Traditional Cultural Properties (TCPs) eligible for the National Register of Historic Places (NRHP) under the National Historic Preservation Act of 1966, as amended. TCPs are a tangible resource associated with the beliefs or practices of the study group that are over 50 years old with its integrity intact. The goal of the report was to identify places within the ethnographic study area that are of continuing cultural significance to the Gladesmen culture, and to determine if there are any TCPs. Future CERP planning would consider the effects of proposed projects on Gladesmen access to significant resources. The report is an overview of the CERP study area based on previous literature review and informant interviews conducted during the course of the fieldwork. See **Appendix I – Volume I, Ethnographic Study Report** for more detailed information.

#### 9.1.1. Ethnographic Study Report Study Area.

The study area included all or portions of the following southern Florida counties: Broward, Charlotte, Collier, Glades, Hendry, Highlands, Lee, Martin, Miami-Dade, Monroe, Okeechobee, Osceola, Palm Beach, Polk and St. Lucie. 33 interviews and one written interview were conducted and 13 properties were evaluated for consideration to be nominated to the National Register of Historic Places (NRHPs) as potential TCPs. These properties are located throughout the CERP study area and are classified into three resource group types: commercial properties, non-commercial properties and waterways and roadways. Of the 13 properties, the Contractor recommends five as being potentially eligible to the NRHP as TCPs. The five considered eligible to meet the criteria for TCPs are: Mack's Fish Camp, Airboat Association of Florida, Everglades Conservation & Sportsman's Club, Fisheating Creek WMA and the Loop Road. Monroe Station, an NRHP listed property, was evaluated as a TCP and oral accounts suggest that this property holds strong significance for Gladesman. The Contractor recommends that the

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NRHP nominations be expanded to include this context and to expand its period of significance. However, there is insufficient information to make a determination on the four properties. Five of the 13 sites did not meet the criteria due to their age or lack of cultural significance. Four Gladesmen-associated resources were not evaluated due to lack of access to the properties.

### 9.1.2. Gladesmen Places of Significance.

The Contractor's report laid the groundwork for understanding the contemporary Gladesmen culture. The report builds upon previous works and adds to the body of knowledge about Gladesmen, places significant to them, their beliefs and their culture. Recognition of Gladesmen significant cultural locations and their knowledge will aid future studies to adequately describe and assess potential affects of proposed CERP projects.

**Table 9.1.3. Summary of Recommendations.**

Site Number and Historic Name	Location	Type and Date	Recommendation
CR01083 Everglades Rod & Gun Club	Everglades City, Collier County	Building, Foundation ca. 1864; Current lodge-late 19 <sup>th</sup> -early 20 <sup>th</sup> century	NR significance not demonstrated
PO07201 Camp Mack River Resort	14900 Camp Mack Road Lake Wales, FL	Historic Commercial Fishing Camp Ca. 1928; 1940	NR significance not demonstrated
DA11448 Mack's Fish Camp	Broward & Dade Counties – Bank of Miami Canal	Historic fish camp: resource group dating to 1940s	Eligible
CR01082 Trails' Lake Campground	Tamiami Trail/Big Cypress Preserve	Historic Campground; resource group under 50 yrs old, Ca. 1961	Reevaluate when 50 yrs old
DA 6768 Airboat Assoc. of Florida	40904 Tamiami Trail Dade County	Private Air Boat Club	Eligible
DA11449 Duck Camp#2	Water Mgmt Area 3, Dade County	Former airboat camp of Gov. Claude Kirk (over 50 yrs old)	NR significance not demonstrated
CR01084 Everglades Conservation & Sportsman's Club	50940 Loop Rd, Ochopee, FL Collier County	Historic Sportsman's Club	Eligible
Site MO1919 Pinecrest	Collier County	Former Community 1918	NR significance not demonstrated
Site CR00677 Monroe Station	Junction of Tamiami Trail & Loop Rd. Monroe County	Former Way Station 1928	Recommend adding to NRHP to reflect Gladesman significance
Site GL00440 Fisheating Creek WMA	Highlands & Collier Counties	Historic (Natural) Linear Resource	Eligible
Site DA06984 Site CR01086 SITE MO01920	Collier, Dade, Monroe Counties	26-mi road served as main access pt for airboat and swamp buggies; contains remains of	Eligible

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Loop Road (CR 94)		historic structures, etc. Ca. 1920	
Site CR1085 Turner River Rd Complex	Collier County, Big Cypress Preserve	Includes Turner River Rd, Upper & Lower Wagon Wheel Roads & Birden Rd, Ca. 1950s	NR significance not demonstrated
Site DA6510 (formerly Site DA6765) Tamiami Trail (US 41)	Dade County	Historic trail/road 1928	NR significance not demonstrated

Source: New South Associates, Gladesman/Swamp Folk Culture Report, May 2009.

**Table 9.1.3. Summary of Recommendations** provides a summary of identified resources and the results of the TCP evaluation. Results suggest that five locations that are over 50 years old meet the definition of a traditional cultural property as defined in the National Register 38 (Parker and King, 1990).

### 9.1.3. Ethnographic Study Report Recommendations.

The Contractor recommends the Corps and SFWMD consider preparing or contributing to a NFHP multiple properties submission for Gladesmen-associated resources. These sites range from historic roads to commercial establishments to private sportsmen’s clubs to private camps to TCPs and are best understood as parts of the whole. As such, the multiple property submission appears to be the most practical approach to capture the variety of resources that may be NRHP eligible. Additional research is needed to meet the TCP criteria. The study has identified value placed on the resources by Gladesmen, but more site specific information is needed to develop a stronger case for TCP nominations.

The Gladesmen/Swamp Folk Culture is evidenced in the knowledge, capabilities and practices of those who identify strongly with the unique environment of southern Florida. These Gladesmen maintain strong ties of identity with the region, both at the individual and group level. A Gladesmen is a member of a rural folk culture that has a shared identity characterized by a strong sense of community based on unique cultural, behavioral and ideological ties to the Everglades (southern Florida) environment. While the Gladesmen of today may not depend on the natural resources of the Everglades ecosystem for subsistence, they do depend on it to fulfill a variety of social needs related to hunting, fishing, recreation, contemplation, family time and camaraderie.

### 9.1.4. Social Effects to Gladesmen Culture.

It is appropriate to discuss aspects of resource use and potential impacts that CERP may have on Gladesmen Culture. Unrestricted access to back country areas is of primary importance to Gladesmen, who are especially concerned about maintaining the interconnectivity of different subareas of southern Florida. They are also concerned with preserving the natural setting. Many interviewees (e.g., Powell 2008) take exception to the perceived Federal Government position that “traditional uses (airboating, swamp buggies, hunting) are inconsistent with the purpose of the “Restoration project.” Instead, Gladesmen point to the construction of rock roads that stop water flow as much more

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harmful to restoration efforts than maintaining the rustic byways that have existed and been utilized for decades.

### 9.1.6. Section 106 of the National Historic Preservation Act – PDT Compliance.

The National Register of Historic Places (NRHP) contains a broad range of historic property types that reflect the diversity of the nation's history and culture. Buildings, structures, and sites; historic districts; landscapes; and individual objects can be included in the Register if they meet the criteria specified in the National Register's Criteria for Evaluation (36 CFR 60.4). Such properties, usually over 50 years old, reflect many kinds of significance in architecture, history, archaeology, engineering, and culture.

Under Section 106 of the NHPA, no federal funds can be used to construct projects that would impact significant cultural resources. All CERP planning that may impact significant cultural resources should include a qualified Corps of Engineers environmental staff member that can evaluate and determine if any potential impacts may occur and what may need to be planned to avoid, minimize or mitigate those resources.

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### **9.2. CERP GUIDANCE MEMORANDUM (CGM).**

#### 9.2.1. Background.

The CGM for Recreation and Public Use Planning for CERP has been an ongoing endeavor for many years. The Corps of Engineers recreation planning guidance and the SFWMD stewardship management procedures of the CERP project lands are being integrated into the document. Before a draft CGM can be included in the MRP, the MRP PM must present to the CERP Design Committee Team (DCT), who reviews the draft document, make comments and approves the document. The Recreation and Public Use Planning for CERP CGM, once approved by the DCT, will be included in the MRP as an appendix (see **Appendix J - CGM for Recreation and Public Use Planning for CERP**).

### 9.3. ORV/ATV POLICY OVERVIEW SUMMARY.

The following summary outline has been compiled from research, personal interviews and workshop information on Off Road Vehicle (ORV)/All Terrain Vehicle (ATV) policies pertinent to the CERP study area. Policies from federal, state and municipal entities have been collected and outlines provided for CERP planning purposes. Federal, state, and local ORV/ATV policies may affect CERP recreation planning. These policies are influx. Recommend the land management agency be involved when planning recreation where ORV use may be an issue. ORV use on CERP project lands face specific challenges to be individually addresses, project by project. The Sponsor has specific ORV language to guide recreation management on SFWMD lands (see 9.3.5.1.).

#### 9.3.1. Department of the Interior

##### 9.3.1.1. US Fish and Wildlife Service (“<http://www.fws.gov/>”).

- Currently allows ORV use on some of its properties on named and numbered roads during non-hunting periods.
- ATVs are permitted only on trails designated by ATV signs and marked with yellow paint from September 6, 2008 - January 31, 2009. (Refuge closed to ATV use except during these dates).
- ATV engine size is restricted to 700cc displacement, a width of 63” or less, tire centerline lug depth of one (1) inch or less, ATV flotation type tire with 12 pounds of tire pressure or less and classified as an ATV by the manufacturer.
- The maximum legal speed for any land vehicle is 35 mph.
- ATV’s are allowed on unmarked levees and field roads in the North Sanctuary from September 6 - October 31, 2008.
- ATV’s are allowed only for wildlife dependent activities.
- ATV’s are not allowed on any improved road open to conventional vehicles.
- Both Arthur R. Marshall Loxahatchee National Wildlife Refuge and Florida Panther NWR do not allow off-roads vehicles on their lands.

##### 9.3.1.2. National Park Service. Final Recreational Off-Road Vehicle Management Plan Supplemental Environmental Impact Statement: Big Cypress National Preserve “<http://www.nps.gov/bicy/planyourvisit/orv-use.htm>.”

9.3.1.2.1. NPS Organic Act. The NPS Organic Act allows for the use of off-road vehicles, but stipulates that this use will be controlled in a manner that does not impair the resources of the preserve.

9.3.1.2.2. The legislative history of the preserve states that "While the use of all-terrain vehicles must be carefully regulated by the secretary (of the interior) to protect the natural wildlife and wilderness values of the preserve, the bill does not prohibit their use along designated roads and trails" (U.S. House of Representatives, 1973; U.S. Senate, 1974).

9.3.1.2.3. Proposed NPS Action Plan states that ORVs would be allowed only on

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designated trails and would depart only from designated access points. Sensitive areas would be closed immediately to all ORV traffic, including all marl prairies, specific Bear Island Unit trails, zone 1 of the Stairsteps Unit, and Cape Sable seaside sparrow habitat in the Stairsteps unit. Temporal closures would be instituted including restriction of ORV traffic between the hours of 10:00 p.m. and 5:00 a.m., a 60-day seasonal closure, as well as closures triggered by high or low water levels.

Three permits would be required to operate an ORV in the preserve including a vehicle permit (\$50.00), an ORV operator's permit (free), and a daily use backcountry permit (free). Up to 2,000 annual permits would be issued by random draw. A mandatory education course would be required to obtain an ORV operator's permit. Vehicles must meet specifications. Impacts of ORV use would be monitored and management actions would be taken as necessary, based on monitoring results. Areas impacted by ORV use would be restored. Research would be conducted to support ORV management within the preserve.

9.3.1.2.4. Everglades National Park (“www.nps.gov”) manages ORV in the following manner.

- Provide protection for threatened, endangered and other protected species (e.g., state-listed species) and their habitats, and minimize impacts related to ORV and other uses as required by laws and policies, such as the Endangered Species Act, the Migratory Bird Treaty Act, and NPS laws and management policies,
- Manage ORV use to allow for a variety of appropriate visitor use experiences,
- Minimize conflicts between ORV use and other uses,
- Ensure that ORV operators are informed about the rules and regulations regarding ORV use at the park.

9.3.2. Department of the Army.

9.3.2.1. Title 32: National Defense. Part 656—Installations, Use of Off-Road Vehicles on Army Land Section 656.5.Policies.

- All land and water areas will be closed to recreational use of ORVs except areas and trails determined suitable and specifically designated
- If installation commander determines that ORV use is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat, or cultural historic resources, he shall immediately prohibit that type of ORV and if necessary close such designated sites,
- Each ORV shall be considered separately taking into account its potential environmental impact.

9.3.2.2. Corps of Engineers Guidance.

- EP 1130-2-550 11/15/1996: ORVs should not be operated in a reckless manner, in excess of safe speed limits, or in a manner likely to cause excessive damage or disturbance of the land, wildlife, or vegetative resources,
- Title 36 Rules and Regulations Governing Public Use of Water Resources development Projects Administered by the Chief of Engineers includes the following:

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- This section pertains to all vehicles, including, but not limited to, automobiles, trucks, motorcycles, mini-bikes, snowmobiles, dune buggies, all-terrain vehicles, and trailers, campers, bicycles, or any other such equipment,
- Vehicles shall not be parked in violation of posted restrictions and regulations, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property or environmental feature. Vehicles so parked are subject to removal and impoundment at the owner's expense,
- The operation and/or parking of a vehicle off authorized roadways is prohibited except at locations and times designated by the District Commander. Taking any vehicle through, around or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier is prohibited,
- Vehicles shall be operated in accordance with posted restrictions and regulations,
- No person shall operate any vehicle in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature,
- At designated recreation areas, vehicles shall be used only to enter or leave the area or individual sites or facilities unless otherwise posted,
- Except as authorized by the District Commander, no person shall operate any motorized vehicle without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust,
- Vehicles shall be operated in accordance with applicable Federal, state and local laws, which shall be regulated by authorized enforcement officials as prescribed in Sec. 327.26.

### 9.3.3. Department of Agriculture.

#### 9.3.3.1. Federal Register Volume 70 Number 216 Rules and Regulations 11/09/2005 states:

- Inappropriate to prohibit ORV use within a buffer zone surrounding wilderness areas,
- Department favors providing local officials with discretion to designate which roads, trails and areas acceptable for ORV use to provide access to users that is environmentally sustainable over the long term, but if these decisions affect threatened or endangered species the US Fish and Wildlife Service must be consulted,
- Anticipates developing national standard for ORV noise levels in future rule making,
- Cross-country use of bicycles and horses is permitted,
- Responsible officials may include limited use of ORVs within a distance of designated use within specified time limits for the purposes of big game retrieval or camping,
- Section 212.52(b)(2): governs temporary emergency closures based on a determination of considerable adverse effects,

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- 261.10(a): trail construction without a written authorization from the Forest Service is prohibited.

### 9.3.3.2. USDA Forest Service.

- Rule 212.52(b) Temporary emergency closures: If the responsible official determines that motor vehicle use on a national forest system road or trail is directly causing or will directly cause considerable adverse effects on public safety or soil, vegetation, wildlife, wildlife habitat, or cultural or historic resources associated with that area, the responsible official shall immediately close that area to motor vehicle use until the official determines that such adverse effects have been mitigated or eliminated and that measures have been implemented to prevent future recurrence,
- Cross-country travel is prohibited with either motorized vehicles or bicycles through the national forests,
- Within restricted areas, travel by motorized vehicles and bicycles will be permitted only on designated roads and trails specified for their use,
- ATVs and other unlicensed motorized vehicles are prohibited on National Forest System Numbered Roads. 36 CFR 261.54(d),
- It is prohibited to possess or use ATVs or unregistered motor vehicles off National Forest System Roads from 1 1/2 hour after sunset to 1 1/2 hour before sunrise. 36 CFR 261.56.

### 9.3.3.3. National Resource Conservation Service (To Be Determined – TBD)

### 9.3.4. Executive Orders (“www.naturaltrails.org”).

#### 9.3.4.1. Executive Order 11644: control the use of ORVs to protect the resources of the land, promote safety, and minimize conflicts amongst land users

- Applies to public land: under custody of Secretary of Interior, Agriculture, and Defense, and the “Land Between the Lakes” (with the exception of Indian land),
- Designates zones of use permitting ORV activity to minimize damage to the environment.

#### 9.3.4.2. Executive Order 11989: Directs federal landowners to close land of ORVs where there use will cause considerable adverse effects to the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources

### 9.3.5. State Of Florida. (Florida Statute. 316.2123 was revised to allow counties to designate certain unpaved roadways where ATVs can be operated; Florida counties continue to request exemptions.)

#### 9.3.5.1. South Florida Water Management District.

- Water Resources Advisory Commission Workshop June 16, 2008 (“https://my.sfwmd.gov”), “Ongoing subject discussion may affect current ORV/ATV policies.”

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- On lands where Off-Road-Vehicle (ORV) access was a traditional and legal use, is consistent with any and all applicable laws, statutes, ordinances, rules and regulations, including those of the managing agency, and is not in conflict with hydrological and ecological restoration goals, such ORV access should be considered as a possible future managed use in the Comprehensive Everglades Restoration Plan, Master Recreation Plan. Ongoing subject discussions may affect current policies.
- Rule 40E-7.525(1): The operation of licensed and unlicensed vehicles on District land is prohibited with the following exception: District lands are open to licensed vehicles on designated named and numbered roads only unless otherwise authorized.
- Rule 40E-7.525(6): The operation of unlicensed swamp buggies, tracked vehicles, off-road motorcycles or motocross motorcycles, or any other type of motorized vehicle on District lands is prohibited unless otherwise approved by an Event Authorization.
- Article IV. Public Recreational Access and Use Sec. 140-75. Recreational Use Plans (“<http://www.sfwmd.gov>”), Off road vehicles may be allowed in specific areas, for defined purposes, when specifically authorized. Off-road vehicles, including airboats, all-terrain vehicles, swamp buggies and other motorized recreational vehicles, shall be allowed only where it is deemed compatible with adjacent land use and other users. Off-road vehicle use shall not cause serious harm to nor interfere with ecosystem restoration or operations and maintenance activities.

9.3.5.2. Florida Fish and Wildlife Conservation Commission, Dec 2007 Draft ORV Policy (“[http://www.myfwc.com/docs/CommissionMeetings/2007\\_Dec\\_ORVPolicy4C3.pdf](http://www.myfwc.com/docs/CommissionMeetings/2007_Dec_ORVPolicy4C3.pdf)”).

“(FWC)...currently do(es) not have a comprehensive policy to guide staff recommendations regarding the use of these vehicles on our management area system.” Management guidelines would include: 1) set capacity limits, 2) require revocable permits for all users, 3) monitor impacts and take management actions as needed, 4) work with public in design and management of Draft ORV Policy.

It is the policy of the FWC to only allow ORV use on public conservation lands managed by FWC when such use complies with all of the following criteria:

- ORV use is for nature-based recreation compatible with the FWC mission including hunting and wildlife viewing,
- ORV use will not irreparably degrade or damage habitats,
- ORV use will not diminish the populations or diversity of wildlife or the plant communities they depend upon,
- ORV use is compatible with land management activities,
- ORV use will not diminish existing outdoor recreation experiences,
- ORV use is conducted in a manner consistent with purposes for acquisition,

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- ORV use can be conducted safely and responsibly, to preclude activities such as riding at unsafe speeds, jumping obstacles or operating the vehicle in a manner that creates “mud bogs” or damages roads and trails beyond normal wear,
- Users with severe mobility impairments are provided special permits in accordance with agency rule.

### 9.3.5.3. Florida Department of Environmental Protection

(“<http://www.dep.state.fl.us/parks/>”) Contact: Patty Cross 850-245-2992).

- Roads of all of Florida state parks are part of the state highway system and are subject to all state regulations and laws pertaining to highways and their use
- All vehicles are required to be licensed to use on state roads
- Draft 2007 Statewide Comprehensive Outdoor Recreation Plan
- Statewide, nearly 180 miles of additional trails will be needed to by 2020 just to maintain current levels of service. All regions have considerable needs for additional OHV trail mileage.
- T. Mark Schmidt Off-Highway Vehicle Safety and Recreation Act (Section 261.20, Florida Statutes) in 2002 declared that managed areas and facilities for OHV riding on state lands are compatible with the state’s overall recreation plan and goals for multiple-use management.
- More lands need to be designated for OHV riding and additional facilities provided to adequately meet public demand.
- Statue 316.2123: operation of OHV on public roads or streets of this state is not permitted with the exception of unpaved roads with a speed limit of 35 mph or less,
- Counties can exempt themselves from this stature by public vote,
- Unpaved roads in parks tend to be service roads which are not available to the Public.

### 9.3.5.4. Florida Department of Forestry (“[www.fl-dof.com](http://www.fl-dof.com)”). Division of Forestry Off Highway Vehicles (OHVs) permits are required for each Off-Highway Motorcycles (OHMs) and ATVs operating on state forests:

- Any OHVs operating on public lands must be titled, as required under Ch. 317, F.S., through the Florida Department of Highway Safety and Motor Vehicles. To secure an OHV permit an applicant must have proof of title. OHVs from out of state may be exempt from this requirement, provided the state of origin does not require titling and/or registration of OHVs,
- OHV operators under the age of 16 are required to have direct adult supervision,
- Effective July 1, 2008, a person who has not attained 16 years of age must have in his or her possession certification of the satisfactory completion of an approved OHV safety course in this state or another jurisdiction,
- OHVs must be hauled or trailered to designated staging areas. OHVs must be ridden from the staging areas in low gear and only at walking speed,
- OHVs must remain on designated roads/trails. Any person found violating these rules is subject to fine, expulsion, revocation of permit, and/or impoundment of OHV,

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- Unlicensed vehicles that do not meet the definition for ATVs or OHMs are prohibited,
- Hours of operation are 8:00 am to one half hour before sunset. During hunting season only, licensed hunters with a valid permit may operate their OHVs from one hour before sunrise until one hour after sunset,
- All OHVs are required to have working exhaust systems and USDA (Forest Service) approved spark arrestors. Sound levels will be limited to 96 decibels in the A-scale [dB(A)],
- All riders must wear Florida Department of Transportation approved protective headgear designed for OHVs. All riders under the age of 16 must wear eye protection and boots, long pants, long sleeves, gloves. Eye protection is recommended for all participants,
- All roads have a maximum speed of 30 mph. No person shall drive any vehicle on managed lands at a speed greater than is reasonable and prudent under existing conditions or in such a manner that disregards the actual and potential hazards. OHVs are required to obey all traffic and information signs.

### 9.3.6. Florida County ORV Policies.

#### 9.3.6.1. Miami-Dade County

(“[http://www.miamidade.gov/parks/parks/milton\\_thompson.asp](http://www.miamidade.gov/parks/parks/milton_thompson.asp)”).

- Currently ORV use only allowed in Milton Thompson Park,
- ORV users under 16 are required to take a training course and must be supervised by adult,
- ORVs shall be equipped with a silencer or other device which limits sound emissions,
- Whoever damages public lands by the use of a motor vehicle is guilty of a misdemeanor of the second degree,
- Damage shall include, but is not limited to, injury to or destruction of trees, flora, sand dunes or other environmentally sensitive land, roads, trails, drainage systems or natural water courses or sources, wildlife resources, fences or gates, or crops or cultivated land,
- Any person who operates a motor vehicle on lands owned by the state or its agency shall be civilly liable for the actual damage to the lands by reason of his or her wrongful act, which damages may be recovered by suit and, when collected, shall go to the state or its agency to be used to restore or replace the damaged property.

#### 9.3.6.2. Broward County (contact Martin Gross, Parks and Recreation)

- “ORV use not allowed in county parks” personnel communication.

#### 9.3.6.3. St. Lucie County (contact: Steve Fousek, St. Lucie Public Works Department)

- In ordinance No. 06-051 Board of Commissioners voted to be exempt from Section 316.2123,
- “To permit the use of ATVs on the County’s unpaved roads would be unsafe, and would lead to accidents, rollovers, serious injury, and death”,

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- “Thereby prohibiting the operation of ATVs on county paved or unpaved roadways”.

### 9.3.6.4. Palm Beach County (contact Tim Granowitz, Parks and Recreation).

- ORDINANCE NO. 2004-022: No person shall ride, drive or propel any bicycle, motorcycle, all-terrain vehicle (ATV), scooter, mini-bike or similar vehicle on any but the regular vehicle roads except for those areas designated for such a specified use. The designated bicycle trails shall be used only by pedestrians and bicycles and other vehicles propelled by human power. It is expressly provided that no vehicles, motorcycles, scooters, mini-bikes, or similar vehicles shall be ridden on the designated nature trails located within Palm Beach County parks. No person shall deviate from compliance with all applicable vehicle laws and regulations governing the operation of the above vehicles while on park property.

### 9.3.6.5. Lee County (contact: Cindy Carter, Parks and Recreation).

- Parks and Recreation Ordinance 06-2611.5 Unauthorized Motor Vehicle: No vehicle shall be operated on park property or on any area other than that area specifically designated for the use of such vehicle. Motor vehicles are prohibited on all beaches in Lee County. Violations of any of the provisions in this section shall submit the offending vehicle to removal at owner's risk and expense and to other penalties as provided by law. No person shall drive any vehicle on any road except the paved or graded park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director.

### 9.3.6.6. Collier County (contact: Barry Williams, Parks and Recreation).

- “No official ORV policy” personnel communication.

### 9.3.6.7. Lake Area (Contact: Gallus Quigley, Park Planner).

- “ORV use only allowed in Ocala National Forest on designated trails” personnel communication.

### 9.3.6.8. Martin County (contact: Charles Barrow, Parks and Recreation).

- No official ORV policy now,
- No ORV riding allowed in conservation areas,
- In the process of developing an ORV system, working on acquiring lands (abandoned citrus groves a possibility),
- “Martin County does not have an OHV policy, however, we are attempting to establish an OHV facility in western Martin County on some land acquired from the South Florida Water Management District. There have been some stumbling blocks thus far mostly from adjacent landowner who envision developing their lands and not caring to have an OHV park as a neighbor” Personal Communication.

### 9.3.6.9. Highlands County (contact Joanna Feickert, Parks and Recreation).

- ATV use not allowed.

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9.3.6.10. Glades County. A County ORV Policy is To Be Determined (TBD).

9.3.6.11. Hendry County (Phillip Pelletier 863-675-5347). TBD.

9.3.6.12. Monroe County (Left message for Townsley Schwab 305.289.2500 on 04-03-09; – NA 04-29-09). TBD

9.3.6.13. Okeechobee County (TBD).

9.3.7. OHV Site Evaluation Criteria *Walt Thomspen, Nature Conservancy*

A. Cutover site:

- Already disturbed,
- Few or no desirable species.

B. Low restoration potential:

- Costs outweigh benefits
- Highly impacted site

C. No Listed species or potential for movement into species range

D. Stable soils on level ground

E. Rider containment/Maintained thick vegetation

F. No archeological/historical resources present

G. Adequate acreage

- >50 acres for scramble area
- >600 acres for trail system

H. Parking and restrooms exist or could be easily installed

I. All-weather access

- No concerns about flooding

J. Minimum user conflicts with other groups

K. Adjacent landowner conflicts

L. 2 hour drive to other OHV sites

M. Habitat connectivity

- No regionally significant wildlife corridors on site

N. No significant wildlife disturbances (nesting sites, breeding sites, etc...)

9.3.8. Overview of OHV Parks *Wayne Briske, Florida OHV Recreation and Safety Committee*

A. Santa Rosa OHV Park

- owned by nature conservancy, not open yet

B. Appalachian National Forest

- OHV Trail Mileage: 56
- Motorcycle Only Trail Mileage: 57

C. Tates Hell State Forest

- 150 miles of designated OHV trails on existing forest roads
- First trail system developed under the T. Mark Schmidt Act

D. Osceola National Forest

- Approximately 200,000 acres

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- E. Baker County
  - Multi-use park, not open yet
- F. Mallory Swamp: closed during hunting season
- G. Ocala National Forest
  - Second largest national forest in Florida
  - Ocala Adventure Trail - 47 miles
  - Wandering Wiregrass - 16 miles
  - Four Wheel Drive Way - 81 miles
- H. Withlacoochee State Forest: third largest state forest in Florida
- I. Polk County
  - Not open yet
- J. Big Cypress
  - Not very contiguous to OHV use because only 2,000 total permits issued for all recreational uses