

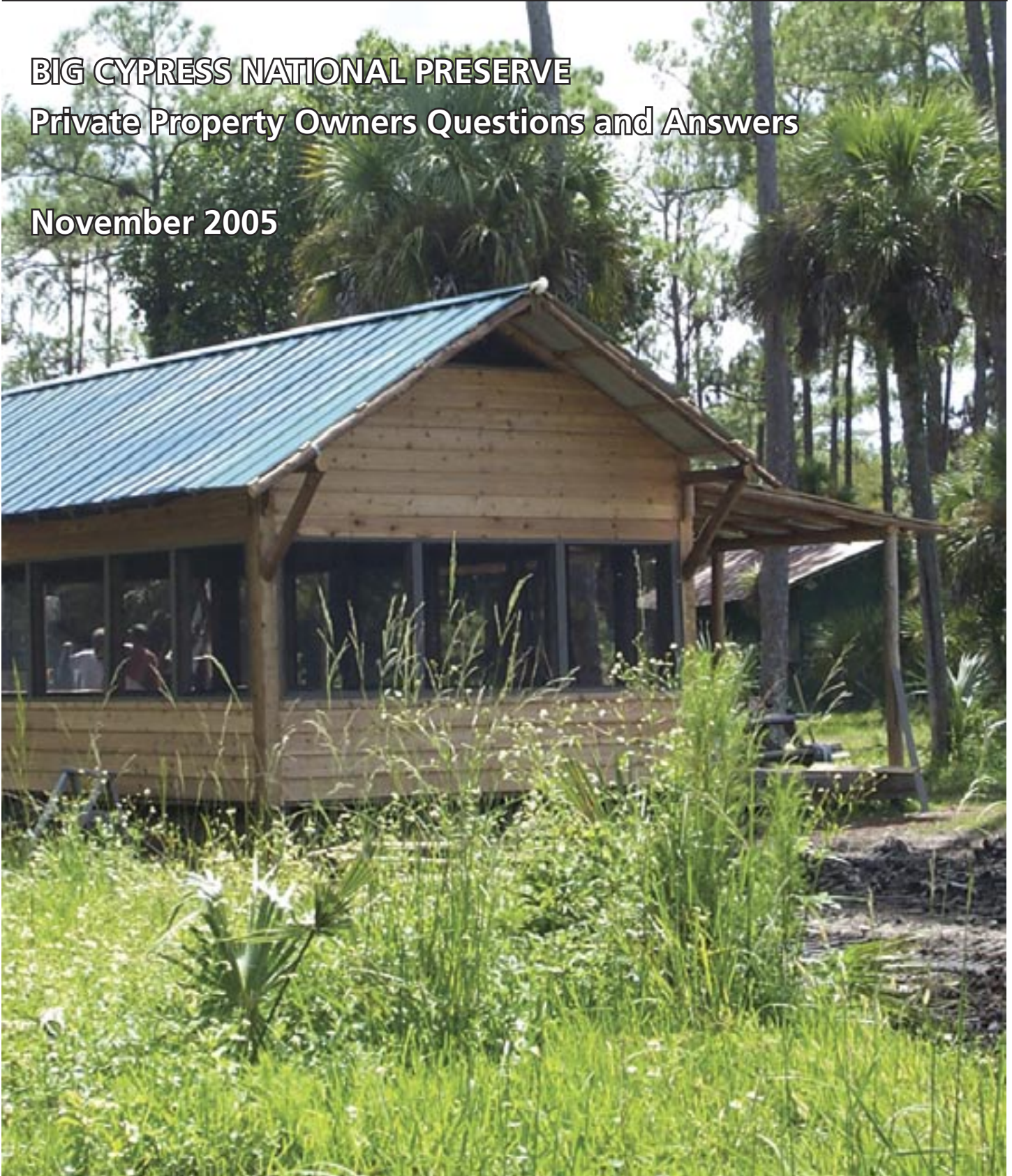
National Park Service  
U. S. Department of the Interior



Big Cypress National Preserve  
Ochopee, FL

# BIG CYPRESS NATIONAL PRESERVE Private Property Owners Questions and Answers

November 2005



**BIG CYPRESS NATIONAL PRESERVE**  
**Private Property Owners Questions & Answers**  
**November 2005**

The following are commonly asked questions regarding the ownership of private property within the boundaries of Big Cypress National Preserve. We have organized the questions and answers in an easy to follow format. Wherever possible, we have tried to answer the questions with a minimum of “government speak”.

After reviewing this document, you may have additional questions. If we don’t have the answer, we will research your question for you and contact you as soon as we have the answer. At right, is a list of key people that you may contact to seek further information.

**Private Ownership of Land within Big Cypress National Preserve**

The private ownership of land was authorized when Big Cypress was established by Congress in 1974 (Public Law 93-440) and expanded in 1988 (Addition Act, Public Law 100-301). These laws provided that within certain guidelines, individuals can own and retain private improved property. We have established a “good neighbor” approach to relations with landowners. The good neighbor approach is one of mutuality; i.e. we recognize, respect, and will defend your right to own property according to the law. On the other hand, you have a responsibility to abide by local, state, and federal regulations.

We hope the following Questions and Answers will be helpful to you.

**List of Contacts for Private Property Owners**

<u>Big Cypress National Preserve Official Website:</u>		www.nps.gov/bicy
<u>Applications for Exempt Property Status</u>		
Management Assistant Christine Clark	(239) 695-2000	Big Cypress National Preserve 33100 Tamiami Trail, East Ochopee, Florida 34141
<u>Purchasing or Selling land</u>		
Land Acquisition Officer James R. Ward	(800) 344-6038 Local (239) 261-4477	National Park Service Land Acquisition Project Office 2900 S. Horseshoe Drive Naples, Florida 34104
<u>Permits to Cross Closed or Restricted Federal Lands</u>		
Office of the Chief Ranger Cynthia Hamm (Office Assistant)	(239) 695-1117	Big Cypress National Preserve 33100 Tamiami Trail, East Ochopee, Florida 34141
<u>Permitting</u>		
<u>Collier County</u>		
Building and Environmental Permitting	(239) 643-8400	Collier County Government 2800 N. Horseshoe Drive Naples, Florida 34104
Public Health Unit Environmental Health and Engineering (Septic Systems)	(239) 643-8499	Collier County Government Public Health Unit P.O. Box 428 Naples, Florida 34104
Website: www.co.collier.fl.us		
<u>Monroe County</u>		
Planning and Environmental Resources (Upper Keys)	(305) 852-7100	Ellis Building 888000 Overseas Highway Plantation Key, Florida 33070
Website: www.monroecounty-fl.gov		
<u>Miami –Dade County</u>		
Department of Environmental Resources Management (DERM)	(305) 372-6789	DERM 33 SW 2nd Avenue Miami, Florida 33130
Website: www.miamidade.gov/derm		
<u>Area of Critical State Concern</u>		
Florida Department of Community Affairs Green Swamp Field Office	(941) 534-7290	Bureau of State Planning Florida D.C.A. 155 E. Summerlin Street Bartow, Florida 33830
<u>Hunting or Off Road Vehicle use in the Preserve</u>		
Oasis Visitor Center Big Cypress National Preserve	(239) 695-1201 (239) 695-1205	Big Cypress National Preserve 52105 Tamiami Trail, East Ochopee, Florida 34141
<u>Burning permits and Fire Management</u>		
Kevin Walsh Fire Management Officer	(239) 695-2000	Big Cypress National Preserve 33100 Tamiami Trail, East Ochopee, Florida 34141

## The Basics

### Q #1 What is Big Cypress National Preserve (BICY)?

A Big Cypress National Preserve is a unit of the national park system. The Preserve was established in 1974, as the nation's first National Preserve. The Preserve allows a number of activities not typically found in other units of the system.

### Q #2 What agency administers the Preserve?

A The National Park Service (NPS), a bureau of the Department of the Interior, has day-to-day authority and responsibility on Federal park lands. The headquarters for the Preserve are located on US Highway 41 in Ochopee. The physical address (and mailing address as well) is:

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

### Q #3 How large is the Preserve?

A The original Preserve was 574,000 acres. In April 1988, Congress passed the Big Cypress National Preserve Addition Act increasing the authorized acreage. The Preserve now totals 720,000 acres.

### Q #4 Why was the Preserve established?

A The Preserve was established to "... assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the public enjoyment thereof" (Public Law 93-440, 1974).

### Q #5 How was the Preserve established?

A In the late 1960s, construction of a major airport began in the eastern portion of what is now the Preserve. This facility, commonly referred to as the "Jetport", prompted hunters, off road vehicle (ORV) enthusiasts, property owners, and environmentalists to come together as partners to work for the protection of the area. Their efforts were

successful, and through the efforts of United States Senator Lawton Chiles and other representatives, Congress created the Big Cypress National Preserve by passing Public Law 93-440 in 1974.

### Q #6 What is the national significance of the Preserve?

A The Preserve protects some of the last native landscapes

of south Florida. The watershed is also protected, providing a clean water source which is critical to the commercial and sport fisheries in the Gulf of Mexico. The protection of this area also allows you and future generations to enjoy hunting, ORV activities, and other forms of outdoor recreation. This is especially important since much of the east and west coast of Florida is quickly being developed.

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## Public and Private Property Ownership

### Q #7 What are some types of activities and uses that are allowed in the Preserve?

A Visitor and property uses include hunting, ORV, oil and gas extraction, biking, fishing, hiking, camping, and other recreational activities.

### Q #8 What are the Addition Lands?

A The Addition includes lands added to the Preserve in 1988. They are generally located east of Highway 29 for approximately one mile, and the lands north and south of Interstate 75 in the northeast portion of the Preserve. The Addition Lands total 146,000 acres.

### Q #9 Is some of this land owned by the Collier companies?

A The Collier companies owned approximately 85,000 acres of the 146,000 in the Addition. They exchanged this acreage for a parcel of surplus federal land in Phoenix Arizona. This is known as the Arizona Florida Land Exchange.

### Q #10 What is the status of the Land Exchange?

A The Federal government assumed ownership and management of these lands on December 18, 1996.



A view of Big Cypress Swamp.

**Q #11 What does being a landowner in the Preserve mean to me?**

**A** You have a unique situation as a property owner in the Preserve. Under certain criteria, you can continue to keep your improved property forever, and it is unlikely there will ever be any more development next to your property.

**Q #12 What do the terms “frontcountry” and “backcountry” mean when used in relation to private property?**

**A** In regard to private property, the term frontcountry means all improved property that receives or is capable of receiving public utility service and is accessible with a two-wheel drive street-legal vehicle via state, county, or privately maintained road. A backcountry property does not receive public utility service, is not accessible via a state, county, or private maintained road, and must be accessed by foot, aircraft, or ORV.

**Q #13 You mentioned earlier a “Good Neighbor” policy. What does that mean?**

**A** It means we want to work with you to solve problems.

**Q #14 If I own unimproved land (no residences on the property) within the boundaries, can I continue to own the land in the unimproved condition?**

**A** No, only an owner of “improved property” may keep his/her property in perpetuity (ref. Q #15). This property would be deemed unimproved and eventually would be acquired by the NPS.

**Q #15 How will acquisition of unimproved land occur?**

**A** The acquisition of unimproved land will be performed by the Land Acquisition Project Office in Naples, Florida. They will negotiate with the property owner(s) based on appraised value.

**Q #16 What do you mean by improved property?**

**A** By law, the term “improved property” refers to two situations:

- First, improved property means a detached, single-family dwelling which was constructed before November 23, 1971 in the original Preserve, and before January 1, 1986 in the Addition. The dwelling must be used for noncommercial, residential purposes. In addition to the residential structure and any other accessory structures deemed necessary, you can own up to three acres on which these improvements are situated provided such improvements and land are within the same ownership. An example of this type of improved property would include some of the single-family residences that are located along the Tamiami Trail or in Section 16 of the Addition. We refer to this type of exemption as an “i” (“single i”) exemption.

- A second type of improved property can be any other building for which construction began before November 23, 1971 in the original Preserve, and January 1, 1986 in the Addition. This building must have been constructed and used in accordance with all applicable State and local laws and ordinances. The Secretary of the Interior is to designate an acreage that is reasonably necessary for the continued enjoyment and use of the building in the same manner and to the same extent as existed on November 23, 1971 or January 1, 1986 as the case may be. An example of this type of improved property would be a commercial campground. Hunting camps that are located legally within the Preserve and are weekend retreats also fall into this category. We refer to this type of exemption as an “ii” (double i) exemption.



Gator in the swamp. Photo courtesy of Al Sunshine.

**Q #17** If my property meets the definition of “improved”, can I continue to own it?

**A** Yes, if you choose. In effect, the owner of an improved property has the same rights of a property owner outside of the Preserve. For example, you can sell or lease the property or will it to your beneficiary. However, after a qualifying improvement is determined, if the property becomes used in a manner that is deemed “detrimental to the purposes of the Preserve,” the qualified status can be removed and the land acquired by the NPS (ref. Q #33).

**Q #18** When you defined improved property, you indicated that the property must be “in use”. What does that mean?

**A** In regard to an “i” improved property, the term means that it has to be in use continuously, within the intention of the legislation, from October 11, 1974 for the original Preserve, and April 29, 1988, for the Addition lands, to the present. For a building to be “in use” under the “ii” section, the nature of the use must be considered. For example, if a building is used as a temporary or occasional residence, use might be sporadic.

**Q #19** Is there a procedure to find out whether the NPS will consider my property as “improved” under the legislative criteria?

**A** Yes. As a part of the land acquisition program, the NPS keeps a record of qualifying improved properties. If you want to find out if your property is qualified, you may request instructions and an application from the NPS so you can begin the process. At the time you apply, you should provide supporting documentation that shows the property has been owned and occupied, or began construction of, a one family dwelling or other building before November 23, 1971, for the property within the original Preserve or January 1, 1986 for property within the Addition. NPS staff are also ready to take your phone calls or meet with you to help you through the process.



Early buggy in the backcountry.

**Q #20** To whom do I submit my exempt property application and documentation?

**A** We recommend you submit your application by certified mail to:

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

ATTN: C. Clark, Management Assistant

**Q #21** What kind of supporting documentation will I need to provide to help you make a determination of my status?

**A** Good supporting documentation in order of preference will include copies of:

- Affidavits
- County Certificate of Occupancy
- County Building and Septic System Permits
- Florida Homestead Exemption
- For commercial operations:  
County Business License  
Incorporation documents  
Insurance papers, etc
- Dated aerial photography showing structures existing prior to 11/23/71 or 1/1/86
- County Property Appraiser’s tax records
- Warranty Deed (with legal description)
- Abstract of title/title insurance
- Any other documentation which shows continuous use
- Dated, general photographs (e.g. house construction, family outings, etc)

**Q #22** After I submit my application, what happens next?

**A** We will review your application as quickly as possible. If we need additional supporting information, we will contact you. We will not make a negative determination on your request without first giving you an opportunity to submit more information. If your request is disapproved, we will inform you in writing. If approved, you will be specifically told under which property definition you qualify, either “i” or “ii”. The NPS would then consider you the owner of an “improved” property.

**Q #23 What if I own an improved property and want to enjoy it until I pass away, can the government still buy it?**

**A** Yes. You can enter into an arrangement with the NPS whereby you (and other co-owners) can sell your property now, receive payment from the government, and retain the right to use the property for a definitive term of not more than 25 years or for a term ending at the death of the owner or the death of his/her spouse, whichever is later. As an example, you and your spouse decide to sell your home and acreage to the government and want to retain a 25 year use and occupancy of the property. You are paid the value of the property, less a determined amount to use the property for 25 years. At the end of the 25 years, you can no longer occupy the property and it reverts to the NPS. Use and occupancy terms can be any number of years, up to and including 25 years or a term for life.

**Q #24 How much of my improved property will I be able to keep?**

**A** If your property is exempt under the “i” designation, i.e. a detached, single-family dwelling, you may own up to three acres of land on which these improvements are situated provided such improvements and lands are in the same ownership. If your property qualifies under the “ii” designation, i.e. any other building, you may keep enough land that is reasonably necessary for the continued enjoyment and use of the building in the same manner and the same extent as existed on November 23, 1971 or January 1, 1986. The exact amount of acreage is not established in law. You must demonstrate that you need a certain amount of land to continue your enjoyment.

**Q #25 What happens if I own 10 acres and on the land is my permanent residence, a barn or a large shed, and three other out-buildings?**

**A** When application for consideration as an improved property has been accepted, the Big Cypress National Preserve will inform you in

writing as to the amount of acreage which accompanies the improvement. For “i” properties, this may be up to three acres. For “ii” properties, it will depend upon the use. In this example, the NPS would likely establish three acres for your use and the remaining seven would be acquired. Thereafter, the Naples Acquisition Project Office would contact you to enter into negotiations with you for the acquisition of that part of your property which will not accompany the improvement.

**Q #26 How does the NPS determine the value of my land?**

**A** The value of your property is determined after a fair market appraisal is conducted by a certified appraiser. This appraisal is paid for by the NPS.

**Q #27 What if I don’t agree with the price the government is offering and think my land is worth more money?**

**A** The NPS will continue to negotiate in good faith. If negotiations fail, the government has no alternative except to proceed with condemnation.

**Q #28 If you purchase my improved property, will I receive relocation expenses?**

**A** Possibly. In 1970, Congress enacted the Uniform Relocation Assistance and Real Property Acquisition Policies Act. During

the property acquisition process, a representative will explain the program and advise you of any benefits you may be entitled to.

**Q #29 If I decide to sell my property to the NPS, who do I contact?**

**A** The NPS has a Land Acquisition Project Office in Naples, Florida. The address is:

Land Acquisition Project Office  
2900 Horseshoe Drive, South, Suite 100  
Naples, Florida 34104

See the box on the front page for other key personnel to contact.

**Q #30 What will happen if I own an “improved property” and do not use it for a few years?**

**A** You are required to continuously use the property in the same manner and to the same extent as existed on November 23, 1971 or January 1, 1986. If the property falls into disrepair and is clearly abandoned, the NPS will no longer consider it as meeting the legislative criteria.

**Q #31 If I own an “improved property”, can I make improvements on the structures?**

**A** Yes, but only to a certain extent. If, for example, you had a three-bedroom home and wanted to add a fourth bedroom, that would



be acceptable. If you want to tear down a hunting camp and construct a residence that would be used for full-time occupancy, that would be unacceptable.

**Q #32 If my property has met the legislative criteria for a single-family dwelling (“i”), can I operate a buggy or airboat guide service from my home?**

**A** No, this would be a conversion of use from a “i” to a “ii”. You cannot use an “i” property for commercial purposes.

**Q #33 Does the NPS have any legal jurisdiction over my property?**

**A** The NPS has no statutory jurisdiction on your property. However, the status of your property is influenced by the legislation that created the preserve and addition which stipulates that these properties may be exempt from acquisition so long as the property is not threatened with or subject to a use that is detrimental to the purposes of the preserve. The Land Protection Plan (1991) describes how those uses can be compatible with the purposes of the preserve. As with all private landowners in the State of Florida, you are required to comply with all Federal, State, and local laws and ordinances. (Updated 5/31/06)

**Q #34 What are some situations that would be considered detrimental to the purpose of the Preserve? (ref Q #16)**

**A** If you are not in compliance with State law concerning the disposal of human waste, this could be considered detrimental to the water quality of the Preserve. Another example would be repeated violations of the state burning laws, or Preserve policies.

**Q #35 I want to purchase an inholding and it has a large amount of trash, old buggy parts, etc. What are the camp cleanup requirements?**

**A** We recommend that before purchasing the property, you require the owner to clean up and remove all the solid waste from the property. If you purchase the property as is, then you are responsible for the cleanup according to county standards.

**Q #36 What are some of the State and county laws that I have to comply with?**

**A** You are required to comply with the State and County permitting processes when you want to make changes or improvements. You must also comply with public health regulations with regard to sanitation, the Florida Division of Forestry for burning regulations, and the Florida Fish and Wildlife Conservation Commission for hunting/fishing rules and regulations.

**Q #37 Are there any other agencies that have authority in the Preserve?**

**A** Yes, the Preserve is located within the Big Cypress Area of Critical State Concern, and all land within the Preserve boundary is part of the Big Cypress Type 1 Wildlife



Airboat in Zone 4 of the Stairsteps Unit.

Management Area. The Preserve undertakes active consultation with the Florida Department of Community Affairs, the Florida Fish and Wildlife Conservation Commission, and the South Florida Water Management District to ensure compliance with the rules and regulations of these agencies

**Q #38 Dealing with all these agencies seems rather cumbersome. Can you offer some advice?**

**A** Yes. We recommend that if you have any questions regarding what activities are permitted, you contact us. We will answer your questions or refer you to the appropriate agency.

**Q #39 Are there any restrictions regarding access to my property?**

**A** Access to back country properties is allowed only at designated trailheads and on designated trails. Generally, property owners of backcountry camps must request a permit to cross closed or restricted Federal lands through the office of the Chief Ranger at the Preserve. The Chief Ranger’s office will issue you a Special Use Permit to access your private property by a designated route (determined together by property owner and Ranger’s office) using a swamp buggy, airboat, or ATV. This permit also allows you to transport unloaded weapons and physically restrained dogs to and from your property. The NPS does have the authority in emergency situations to temporarily restrict your access. For example, during a wildfire, we could restrict access to a specific area of the Preserve for public safety reasons.

**Q #40 Can I maintain the off road vehicle trail to my property?**

**A** Yes, it is reasonable to allow for the removal of low-hanging vegetation and downfall from across established ORV trails. The filling of wetlands to improve the trail to your property is not acceptable.

**Q #41 I own property in the Section 16 area of the Northeast Addition (a.k.a. Looneyville) and have traditionally accessed my property via I-75 and the L-28 interceptor canal levee road. Will I be able to do that in the future?**

**A** Currently, access via I-75 is planned to be for recreational purposes only. When I-75 was being planned, the Florida Department of Transportation (FDOT) acquired all known rights of access off of I-75. The South Florida Water Management District controls most of the L-28 levee. The SFWMD and FDOT are currently working to address this complicated legal question.

**Q #42 What are the requirements to operate an ORV in the Preserve?**

**A** The NPS issues ORV permits at the Oasis Visitor Center. You may purchase a permit to use your vehicle in the original Preserve, but the Addition Lands are closed to recreational ORV use. You may request specific information on ORV permits and regulations from the Oasis Visitor Center, the Chief Ranger's Office, or from the Big Cypress National Preserve website.

**Q #43 Is the Plantation Island development near Everglades City within the boundaries of the Preserve?**

**A** No, but the Preserve borders the community on the north, south, east, and west.

## Other Commonly Asked Questions

**Q #44 What type of recreational access is planned for the I-75 corridor?**

**A** Recreational access from I-75 will be addressed in the Addition Lands General Management Plan. A newsletter will be published in the fall of 2005 detailing the draft alternatives for management of the Addition Lands, and soliciting comment from the public on the alternatives.

**Q #45 What agency is responsible for establishing Preserve hunting regulations?**

**A** The Preserve provides primary enforcement of hunting activities under Federal and State rules and regulations. As the Preserve is a State Wildlife



Hunting is one of the special recreational uses allowed for within the preserve. Photo courtesy of Florida Fish and Wildlife Conservation Commission.

Management Area, Preserve staff consult with the Florida Fish and Wildlife Conservation Commission when considering Federal regulatory changes. Compliance with both FFWCC and NPS regulations is required. Both the FFWCC and NPS employ law enforcement personnel to enforce rules and regulations.

**Q #46 Is the NPS anti-hunting?**

**A** No. The NPS recognizes that hunting is a legal and authorized activity in the Preserve. Congress did give the NPS the authority to enforce limits and controls upon hunting activity when it is necessary. For example, in 1995, the NPS and the Florida Fish and Wildlife Conservation Commission cooperatively limited ORV use and hunting due to unprecedented high water levels. The public use limit was lifted when environmental conditions returned to normal. In another example, we closed the Preserve south of Highway 41 after Hurricane Andrew. The vegetative cover in that area had been stripped from trees and shrubs by the high winds, making it difficult for wildlife to find shelter. The area was reopened for the 1992 general gun season when biologists determined that adequate vegetative cover existed.

**Q #47 Will the Addition Lands become part of the Wildlife Management Area (WMA)?**

**A** Perhaps. The Preserve is required to complete studies and prepare use plans before opening these lands to hunting. As these documents are completed, the Preserve may ask that the area be added to the WMA.

**Q #48 What agency is responsible for fire control in the Preserve?**

**A** The NPS has primary responsibility for wildland fire suppression and prevention efforts within the Preserve boundary. The NPS and the Florida Division of Forestry have entered into a cooperative agreement that authorizes the NPS to take initial suppression action on private lands within the Preserve. The agreement also allows NPS fire employees to take initial



action outside the boundary on fires that threaten Federal lands.

**Q #49 I want to burn the land around my home in the late winter in order to protect my structures from a forest fire. Will I still be able to do this?**

**A** Yes, but you will be required to obtain a burn permit from the Florida Division of Forestry. The Preserve Fire Management Office will procure one for you as a courtesy and to avoid unnecessary responses of firefighters to permitted fires. The contact phone number is at the end of this document, in Appendix 1.

**Q #50 What happens if you deny me a permit or I don't obtain one and burn anyway?**

**A** You will be in violation of Florida's Open Burning regulations and subject to prosecution by the state. If the NPS initiates a fire response to your property and determines that you have not obtained a permit, you can be liable for all expenses related to that response. Additionally, if you are found to repeatedly violate these regulations, you may put your exempt status in jeopardy (ref. Q #16 and #33).

**Q #51 Can I have an open campfire on my property?**

**A** Yes, for warming or recreational purposes. No permit is required to have a campfire. During periods of extreme high fire danger, the Superintendent can prohibit any type of fire. Any temporary ban on fires within the Preserve will be coordinated with the Florida Division of Forestry.

**Q #52 Can I burn trash or debris on my private property?**

**A** Yes, and Florida State law has established trash burning compliance requirements. You may burn yard waste (leaves, shrub trimmings, grass clippings, brush and palm fronds only – not land clearing or tree cutting debris or household paper products) without authorization only if:

1. You have checked with your local fire department to insure there are no local or county ordinances which prohibit such burning.

2. You meet the set-backs listed below.

3. Fire is in a noncombustible container or in a pile under 8 feet in diameter on ground cleared of combustible material.

4. Fire is attended at all times.

5. Fire is started after 9 a.m. and out 1 hour before sunset.

6. Adequate fire extinguishing equipment is available at all times.

7. Smoke is not a hazard or nuisance.

The fire must be at least 50 feet from any residence on the property and a minimum of 25 feet from woodlands or brush. We recommend you contact the Preserve fire management office and discuss any planned burning activity. Remember, you are responsible for any fire that escapes from your property.

**Q #53 Who provides emergency fire, law enforcement and medical services to property owners in the Addition Lands?**

**A** The Addition Lands are all within the jurisdiction

#### **A Note About Hurricane Clean –Up**

In the Preserve's enabling legislation, Sec 3 (b) (i) and (ii) state that "an improved property building must have been constructed and used in accordance with all applicable state and local laws and ordinances."

The Preserve's Land Protection Plan (LPP) goes on to clarify:

1. Ordinances such as county zoning and building regulations must be met. While recognizing these existing laws sometimes or usually have not been enforced, this section is clear and unambiguous with no discretion afforded the Secretary by statute or legislative intent to waive compliance. Therefore the landowner must demonstrate his compliance with these ordinances.

2. Use into the future must comply with county zoning, building, and health codes and standards.

The LPP also goes on to provide examples of appropriate and inappropriate activities on "improved property" (now called qualified exempt properties):

Basically, the status quo as in November 1971 or January 1986 for the Addition, insofar as property usage and development are concerned, is to be maintained.

It goes on to list appropriate activities and those that would be considered detrimental to the Preserve (See p 17-18 of LPP).

"Existing structures may be razed and replaced as long as the new structure is designed to serve the same purpose as its predecessor and occupies essentially the same site. Replacements which require or would incur additional environmental changes would not be appropriate; e.g. dredge activities, expansion of sewage or water systems, placing fill on unfilled/undisturbed portions of a tract."

and finally,

"An owner of "improved property" who is considering a significant modification to his property is urged to contact the Superintendent about the planned expansion to insure it will be considered an appropriate use. Owners of "improved property" must also conform with all state and county zoning and building codes and regulations in making modifications to their property." (see above)

of Collier County. The Collier County Sheriff's Office provides law enforcement. The Ochopee Fire Control District provides structural fire response and the Collier County EMS in Everglades City responds to emergencies. The NPS will respond to any wildfire within the Preserve. NPS law enforcement rangers may assist Collier County law enforcement personnel when requested.

**Q #54 Can I frog in the Preserve?**

**A** Yes. Recreational frogging is allowed throughout the year. Frogs may only be taken by the use of gigs, and there are limits to the amount of frogs that may be taken in one day. Frogs may not be taken for commercial purposes. Specific information on frogging regulations is available from the Oasis Visitor Center, the Chief Ranger's Office, or from the Big Cypress National Preserve website.

**Q #55 Do I need a permit to use a generator, pump, or chain saw on my property?**

**A** No, but a permit is required when using a pump or generator in the non-developed areas of the Preserve. The permits are free and available from the Chief Ranger's Office or at the Oasis Visitor Center. The use of a chainsaw on your property is allowed, but not on lands owned by the government.

**Q #56 Is a private property owner allowed to take a weapon or dog to his/her property outside of hunting season?**

**A** Yes, a property owner will be issued a free special use permit to transport dogs and weapons across government property during non-hunting periods (ref Q #38).

**Q #57 I own a hunting camp in the Addition Lands, and the only way I can get to it is by an ORV. Am I allowed to**

**go to my property?**

**A** Yes. You can request and will be provided with a Special Use Permit which will allow you to travel across Preserve lands to your property (ref. Q #38). Once you are at your property, you cannot operate your vehicle in the Addition for recreational purposes.

**Q #58 When will the Addition Lands be open to hunting?**

**A** Hunting will not be allowed in the Addition Lands until the completion of the Addition Lands General Management Plan (GMP) and a Hunting Management Plan. Currently, the GMP is projected to be completed in 2008. The NPS is looking into the possibility of preparing a hunting plan concurrently with the GMP so that the two plans can be completed at approximately the same time.

**Q #59 Will I be able to use my ORV in the Addition while the area is closed to hunting?**

**A** Landowners in the Addition Lands can access their properties by ORV through special use permits (ref. Q #57). However, recreational ORV use in the Addition will not be allowed until the completion of the Addition Lands GMP and a Recreational ORV Management Plan for the Addition. Also, before ORV's can be allowed in the Addition Lands, appropriate access points from I-75 will have to be constructed.

**Q #60 Who is responsible for fence maintenance along I-75?**

**A** The Florida Department of Transportation has maintenance and repair responsibilities for the I-75 corridor, including the fence along the right-of-way. Access through the fence at any location other than current access locations without a permit from the FDOT would be a violation of regulations.



Fire plays a vital role within pineland habitats. Photo courtesy of Ralph Arwood.