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Dear Rolf,

The remarks below were prepared as an 'action alert' from South Florida Wildlands Association (SFWA). We are submitting them here as our response to the draft decision to allow alligator hunting in the Arthur R. Marshall Loxahatchee National Wildlife Refuge for the first time in its 61 year history. SFWA opposes this decision and believes that the refuge should reach the conclusion that hunting alligators in the Loxahatchee is incompatible with the purpose and function that the refuge plays in our community. Known internationally as a place to view alligators – and visited by hundreds of thousands yearly for that express purpose - it is clearly not a place to kill the species for sport. The number of gators killed initially nor the time and location of the hunt is not the main issue. Those can easily be changed over time. It is the activity itself that should not receive a compatibility determination from the refuge manager.

We would also like to touch on a few points that were brought out in the Environmental Assessment (EA) that we did not treat in our original comments. First, the FWS is well aware that the population of alligators in the refuge is not "overcrowded" – and sport hunting is not required to keep the population "in check." That was the impression of many in the community and was in fact voiced by many of the attendees who spoke in favor of an alligator hunt at the recent public meeting. Staff and consultants made no effort to correct those remarks and to educate the public as to the actual status of the alligator in the refuge with its own scientific findings. From the EA:

Analyses for both the L-39 and L-40 transects indicate that populations in nearly all size groups were stable over the period of record. The one exception is the sub-adult size category (3–6 ft.) in the L-40, in which the data suggests there has been a significant decline from pre-harvest levels (1999) by established method standards ($p < 0.15$). However, the population as a whole (1–14 ft.) appears stable ($p > 0.15$). It is not expected that the proposed alligator hunt will further impact the sub-adult size category as hunters will be restricted to harvesting animals greater than 5 ft. in length and only limited access to the L-40 canal is allowed for alligator hunting.

In other words the population can be described at best as "stable" – but given the decreased detection of alligators less than 5 feet, the population can also be described as "in decline". Clearly less smaller gators can lead in the future to less larger gators. The

research presented in our comments below speculates that this decline can well be due to changed hydrological conditions in the Greater Everglades.

This is a recent press release (October, 19, 2012) from the South Florida Water Management District which discusses the dry season rainfall in south Florida and presents data to show that “less than average” has become the “new normal” for our region.

http://www.sfwmd.gov/portal/page/portal/xrepository/sfwmd_repository_pdf/nr_2012_10_19_nws_dryseason.pdf

See excerpt here:

West Palm Beach, FL — South Florida is forecast to experience one of the few dry seasons with near-average rainfall in the past 14 years, officials announced today at a joint briefing by the South Florida Water Management District (SFWMD) and the National Weather Service (NWS). With water levels currently above average in key areas, the region will likely not see the drought conditions or the water supply challenges of previous years.

“Water managers like to see water levels at their highest safe levels going into the dry season to protect water supplies,” said Susan Sylvester, SFWMD Chief of the Water Control Operations Bureau. “While we still have the potential for significant rainfall this wet season, an average dry season should prevent the water supply concerns of the past several years.”

Only two South Florida dry seasons, 1998-1999 and 2003-2004, have actually been about average in the past 14 years, with two above average and 10 below average dry seasons.

Coupled with ever increasing demand for water from south Florida’s growing human population and the long term outlook for the alligator – and the hydrologic conditions which sustain it - might well be problematic.

The EA describes this as the proper response the refuge could take in response to the noted decline:

All or parts of the Refuge may be closed to hunting at any time if necessary for public safety, to provide wildlife sanctuary, or for biological, habitat management, and administrative reasons to include hydrological conditions of the marsh or trends showing a decline in alligator populations.

We also noted in both our spoken comments and below that while alligator hunting is not currently allowed in the refuge, the alligators which utilize the refuge are already being hunted on adjacent state Alligator Management Units (AMU). There is no need to extend this activity to the refuge itself. See excerpt below:

In 2007, the SFWMD initiated an alligator hunt in a portion of STA-1W, a manmade filter marsh adjacent to the northwestern portion of the Refuge that was designed to improve the quality of water prior to being delivered to the Refuge. A second hunt area within STA-1W was opened in 2009 (STA-

1W South). Alligators are very numerous in STA-1W. A 2007 survey indicated a population estimate of 11,938 alligators over six feet (per comm. with Harry Dutton, FWC, 2011) due to the large number of canals, levees, and shallow areas providing favorable foraging and basking habitat, although nesting has not been observed. Due to the proximity to the Refuge and lack of nesting within STA-1W, it is likely that the majority of the alligators in the STA migrate from the Refuge. There is also a recreational alligator hunt in WCA-2 to the south.

It is likely that the artificial conditions of STA-1W favor the existence of prey species for the alligator – and therefore make it a good place for foraging - but do not provide the correct nesting habitat. However, it is clear that alligators in the Loxahatchee are already hunted and there is no purpose in extending the activity to the refuge itself considering the intense level of user conflict the draft decision is already generating.

Lastly we would like to draw staff's attention to this excerpt from a Sun-Sentinel article from August 27, 2012 - Loxahatchee refuge proposes alligator hunt - Plan likely to face opposition (David Fleshler).

Newton Cook, president of United Waterfowlers of Florida, said the Loxahatchee proposal came about as a way of winning support from hunters for the proposed Everglades Headwaters National Wildlife Refuge north of Lake Okeechobee, since past federal land acquisitions had squeezed out hunters.

If the above statement is accurate, then apparently the draft decision to allow an alligator hunt in the refuge has come about as part of “a deal”. There is much about the new Headwaters of the Everglades National Wildlife Refuge that is problematic and controversial. SFWA supported the idea of a new refuge in south Florida, but strongly felt that the expansion of the Florida Panther National Wildlife Refuge should have come first. However future management decisions regarding the Headwater's refuge should stand alone. The decision to determine whether alligator hunting in the Loxahatchee is compatible with its purpose or incompatible – the main decision before the refuge manner now – should be made on the basis of sound management principles only. It should not be “horse traded” for an outcome the Fish and Wildlife Service would like to achieve elsewhere.

Our original comments continue below:

Almost all who live in or regularly visit south Florida are familiar with the Loxahatchee National Wildlife Refuge. Commonly described as the “last remnant of the once vast northern Everglades ridge and slough landscape” this refuge truly lives up to its designation. East of the Lox is the South Florida Metropolitan Area (Miami, Broward and Palm Beach Counties), home to approximately 6 million residents and the largest metropolitan area in Florida. Rapid growth has made it the eighth largest metropolitan area in the United States. To the west lies the “Everglades Agricultural Area” and its 700,000 acres of sugar cane fields, irrigation and drainage ditches, locks, levees, pump stations and sugar mills. The West County Energy Center, south Florida's largest power plant, and one of the largest fossil fuel plants in the country, is the refuge's neighbor to the north.

See location map here. If you've ever heard the term "habitat fragmentation", this is what it looks like:

<http://goo.gl/maps/0QNjl>

The refuge brochure provides some numbers which demonstrates its importance to south Florida's wildlife. Biodiversity is rampant on this 144,000 acre piece of land with up to 257 species of birds, 23 mammals, 17 frogs, toads and amphibians, 18 turtles and lizards, and 23 species of snake. Fully 63 species of resident plants and animals in the refuge are federal or state listed as threatened, endangered, or species of special concern. "These species include wading birds such as the wood stork and Florida sandhill crane, raptors such as the Everglades snail kite and bald eagle, and other species including the eastern indigo snake and the tropical curley-grass fern."

But perhaps no animal personifies the Loxahatchee as much as its resident alligators. It is no coincidence that the iconic Florida gator got the cover of the refuge brochure described above to itself.

http://www.fws.gov/southeast/pubs/Loxahatchee_gen.pdf

Even the Comprehensive Conservation Plan written for the refuge in 2000 which recommended a future alligator hunt, acknowledges the importance of this species:

"The refuge is known for its easily observed population of alligators. This species probably brings more out-of-town visitors to the refuge than any other species."

The plan had this to say about other popular uses.

"Non-consumptive uses such as hiking, butterfly watching, birdwatching, nature photography and plant identification are enjoyed by approximately 304,000 people a year, and according to 1998 information, visitors come from as many as 38 foreign countries, the whole United States, as well as locally. An increase in non-consumptive uses is expected to grow quite rapidly due to increases in resident population growth, winter visitor population, and the awareness of the refuge's diverse habitats and the new/upgraded facilities for observing wildlife."

South Florida Wildlands Association urges our supporters to contact the refuge by October 31st. Let them know that opening an alligator hunt in the Lox is completely incompatible with the role this refuge has played in our community for decades - a rare haven for wildlife and a place for humans to comfortably view that wildlife on miles of easily accessed walking and paddling trails. Here are a few points to consider:

1. Alligator hunting is readily available to those in Florida who wish to pursue the activity. According to the Florida Fish and Wildlife Conservation Commission (FWC), 5,126 permitted hunters accessed 68 "Alligator Management Units" (AMU's) spread throughout the state. Over 8,000 gators were harvested state-wide in 2011. In addition to the state managed AMUs, hunters can obtain individual county permits to take alligators within season from "any public waters" in that county - subject to a two gator per permit limit.
2. Ample opportunities for gator hunting in Palm Beach County already exist - and in close proximity to the refuge. Those areas include Lake Okeechobee, Stormwater

Treatment Area (STA) 1W, and Water Conservation Areas (WCA) 2 and 3 - all of which are connected to the refuge by canal. STA 1W and WCA 2 are actually adjacent to the refuge - it is therefore highly likely that alligators using the Loxahatchee are already hunted as they move from one management area to another.

3. According to the Florida Department of Environmental Protection's 2011 Florida Outdoor Recreation Participation Survey - wildlife viewing is the second most popular outdoor activity in the state with 49 percent of residents and 47 percent of tourists participating (not surprising, going to the beach was the number one activity for both groups). Considering that Florida has a resident population of over 19 million and more than 87 million visited the state in 2011, these are very big numbers. By contrast, FWC license numbers show that about 145,000 residents and 7,500 non-residents participated in hunting. As managers of one of the pre-eminent wildlife viewing areas in Florida, refuge staff should consider the contribution refuge visitation makes to quality of life and a tourist based economy of well over 60 billion dollars per year. Many users have expressed great distress over the proposed hunt.

4. As a functional ecosystem, the Everglades is nearly on life support. Development continues to pave over its wetlands, while demand for water from agricultural interests and ever-growing cities continues to consume and degrade the quality of its once abundant water. Although the alligator has bounced back from the brink of extinction (the state banned alligator hunting in 1962 before allowing limited hunting to resume in 1987) all is not well. A recent study by Mazzotti et al published in the scientific journal Wetlands (Estimating Trends in Alligator Populations from Nightlight Survey Data - 2011) found that smaller gators were becoming harder to detect during field research in the greater Everglades. The suspected reason were more frequent drought conditions and drawdowns of water which sustains the species and its aquatic prey. It should be noted that the Lox is not only a wildlife refuge, but does double duty as Water Conservation Area 1 - an important part of the local water delivery system. In June of 2011, just after the study was published, severe drought left the nearby City of West Palm Beach only weeks away from running out of its municipal water supply before the summer rains began.

5. The refuge has justified its proposed decision to allow an alligator hunt in this way -

“Historically, there has been no alligator hunt conducted on the Refuge; however, the Florida Fish and Wildlife Conservation Commission (FWC) have been managing state hunts for many years. During the Comprehensive Conservation Plan (CCP) process (1998-2000), there was public interest expressed in having the Refuge opened to alligator hunting as a recreational use. “

South Florida Wildlands Association believes that “public interest” from a particular user group is hardly justification for opening up alligator hunting in an area used for a completely different purpose by hundreds of thousands of residents and visitors. The user conflict the decision will generate was already on display at the public meeting held on the issue in September. It was covered by this local news story.

http://www.wptv.com/dpp/news/region_c_palm_beach_county/west_palm_beach/alligator-hunting-dispute-clash-over-proposed-loxahatchee-national-wildlife-refuge-gator-hunt

And while hunting can be an “authorized use” on National Wildlife Refuges in general, it is not by any means a “mandated use” on any particular refuge. Hundreds of refuges do

not allow hunting. For example the Lox's sister refuge to the west - the Florida Panther National Wildlife Refuge - has so far determined that the introduction of hunting into that refuge would not be compatible with its purpose - the protection of undisturbed habitat and maintaining available prey for the endangered Florida panther. Nor is hunting allowed on many other south Florida refuges - e.g. Crocodile Lake, Hobe Sound, Ding Darling - again for reasons of incompatibility.

The base condition of any National Wildlife Refuge is no hunting. To introduce alligator hunting to the Loxahatchee, the refuge manager will have to make a "determination of compatibility." As already noted, the Loxahatchee serves a national and world-wide community who visit an easily accessible location for the purpose of wildlife viewing. In particular, they come to view the Florida alligator - the species which would be the target of the proposed hunt. We do not believe that the hunting of alligators in the Loxahatchee - at any time or in any amount - is compatible with the critical role this refuge has played in our community for the past 61 years.

Sincerely,

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