

Chapter 19: Relationships with Cultural Communities

Native Americans

As described in chapter 1, at the end of the Third Seminole War in 1858, some 100 to 150 Indians remained in South Florida. The U.S. signed no peace treaty with the remaining Seminoles and merely suffered them to remain in the area without according them any reservation land. For some decades, the Seminoles were able to range relatively freely in South Florida.⁸⁷⁵ They typically established temporary camps on hammocks, moving seasonally to the pinelands to hunt and deeper into the Everglades to fish and take birds for plumes and alligators for hides. Mostly they plied their cypress canoes on the lakes, rivers, and sloughs, as well as the canals made by prehistoric Indians. In addition to the food they got from hunting and fishing, the Indians raised hogs, corn, pumpkins, sugar cane, and other crops. In the winter and early spring, groups of Seminoles brought alligator hides, plumes, and pelts to trading posts at Fort Myers, Everglades City, Chokoloskee, Fort Lauderdale, Miami, and Bill Brown's store. Brown's store was for a time located at the site of present-day Immokalee and later at Boat Landing, 30 miles to the southeast in the Big Cypress Swamp. The Seminoles largely avoided any other contact with whites, seeking to maintain their traditional lives on land that no one else wanted. Religious groups and the U.S. Office of Indian Affairs made sporadic attempts to Christianize the Indians and persuade them to settle on permanent homesteads, but had no success.⁸⁷⁶

When the Florida East Coast Railroad reached Miami in 1896 and the state's drainage work got going early in the twentieth century, the Seminoles found it harder to keep to their traditional ways. Federal laws limited the plume trade, and drainage lowered water levels, making it much harder to navigate by canoe and greatly reducing game populations. The Indians also faced more competition for game from white hunters. The federal government began to purchase or set aside acreage for reservations, including the Dania (now Hollywood) Reservation in Broward County and the nucleus of the Big Cypress Reservation in Hendry County. For the most part, the Seminoles declined to move to the reservation land. In 1917, the Florida legislature established a Seminole reservation on 99,200 acres in Monroe County, running from

⁸⁷⁵ Until the 1950s, all Florida Indians generally were referred to as Seminoles. As described later in the chapter, the Miccosukee Tribe of Indians of Florida in 1962 obtained recognition as a separate tribe.

⁸⁷⁶ James W. Covington, "Federal and State Relations with the Florida Seminoles, 1975-1901," *Tequesta* 32 (1977):17-27. In 1947, the Office of Indian Affairs was renamed the Bureau of Indian Affairs.

Lostmans River to Shark River (figure 4-1). The act provided that the land was “for the perpetual use and benefit of the Indians,” and the state intended eventually to turn this reservation over to the federal government to administer. Seminoles used the Monroe County reservation for hunting and fishing, but it contained little high ground suitable for crops or permanent residences. Already by the 1910s, some Seminoles had been hired by tourist attractions in Miami, being paid to set up camps where visitors could observe them and buy their craft items. With the completion of the Tamiami Trail in 1928, a number of Seminole families moved their camps from the Big Cypress Swamp to the trail, where they could make a living from the tourist trade. The Indians charged an admission fee for entry into their villages along the trail; sold dolls, baskets, and patchwork clothing; and entertained visitors with alligator wrestling. Some males also served as guides for hunters.⁸⁷⁷

The Impact of the Proposed Park on Indians

When the Everglades National Park Association began lobbying for a national park in the Everglades in the late 1920s, it was immediately apparent that a park would have a major impact on the Seminoles. The park’s proposed boundary included the state reservation in Monroe County and the sites of a number of Indian camps on both sides of the Tamiami Trail (figure 19-1, Seminole camp on Tamiami Trail, 1927). The acreage within the proposed park had been prime hunting ground for the Seminoles for more than 100 years, and hunting was not considered an appropriate use in national parks. Early on, the NPS, the Office of Indian Affairs, and state officials decided that the Monroe County reservation could be replaced by a comparable tract of state land in Broward and Palm Beach Counties. This replacement tract was similar to the Monroe acreage, flooded much of the year and mostly unsuitable for agriculture. There is no evidence that the Indians were consulted on this swap of reservation land.⁸⁷⁸

Ernest Coe and other Florida park proponents thought that the park would greatly benefit the Indians. Coe believed that game animals, protected from hunting inside the park, would rapidly expand in numbers and then spill over into the adjacent, newly established reservation. Coe confidently predicted that this offered the Seminoles “a constant future supply of game.” In addition, he believed the park would provide many opportunities for Indians to work as canoe guides and to sell their craft items. Coe wrote “what could be more tempting . . . than a trip . . . through one of these

⁸⁷⁷ Executive Order 1379, “Seminole Reserves, Florida,” June 28, 1911; James W. Covington, “Florida Seminoles: 1900-1920,” *Florida Historical Quarterly* 53/2 (1974):181-197; Laws of Florida – 1917, Chapter 7310 (No. 52); James W. Covington, “Trail Indians of Florida,” *Florida Historical Quarterly* 58/1 (1979):37-40.

⁸⁷⁸ Dir. Cammerer to Elbert E. Burlew, Mar. 13, 1934, NARA II, RG 79, NPS CCF, box 903.



Figure 19-1. Seminole camp on the Tamiami Canal, 1927

jungle waterways sitting in the bow of a dugout canoe guided by a Seminole, who fits so perfectly into the picture?” Coe was no doubt sincere in his desire to help the Seminole, although his language suggests he saw them more as romantic landscape features than anything else. He also had a knack for seizing upon any possible argument that might promote the park’s prospects. Interior officials picked up these same themes. In a radio address, Assistant Secretary Oscar L. Chapman was at pains to “assure all friends of the Seminoles that this tribe will not suffer through the establishment of the Everglades National Park. Rather, it will be a boon to these Indians.”⁸⁷⁹

Some prominent Floridians and federal legislators were less confident that the interests of the Seminoles would be protected. Mrs. Minnie Moore-Wilson, long a champion of the Seminoles and author of an early book on them, said: “Do insist that no plans for a national park be considered that do not recognize the rights of the Seminole Indian to abide within the ancient strongholds of his race.” In the debate on the Everglades park bill, Congressman René DeRouen (D-Louisiana) stated “by passing this bill we are giving them [the Seminole Indians] a home, and [putting them] in a position to live there, where they should live.” As enacted, the 1934 authorizing legislature protected “the existing rights” of the Seminoles as long as they did not conflict with the park’s purpose.⁸⁸⁰ Following the park’s establishment, the meaning of these existing rights was open to considerable debate within the NPS.

⁸⁷⁹ Ernest F. Coe to Henry R. Cloud, Field Representative, Office of Indian Affairs, Dec. 8, 1931, NARA II, RG 79, NPS CCF, box 234; Excerpt from radio address, Apr. 1, 1934, Gov. Sholtz papers, box 40. Coe’s game argument had already proven false in the 1930s; prey animals sense where they are protected and tend not to wander beyond the sanctuary boundaries.

⁸⁸⁰ “Recognize Rights of Seminole in Creation of National Park, Urge of Indians’ Benefactor,” *Florida Times-Union*, June 2, 1929; Cong. Rec. H9494 (1934).

Ascertaining what Florida Indians thought about the prospect of a national park in the Everglades in the 1930s is very difficult. Few Seminoles were fluent in English, and all statements attributed to them are filtered through whites' notions of what Indians could be expected to say and ought to sound like. Deaconess Harriet Bedell ministered to the Indians for 30 years and may have understood their position as well as any outsider. In 1936, she wrote Ernest Coe:

Neither I nor the Indians are against it [the park]. As I told you, I am not telling the Indians what to do. I cannot do this but in talking with them they tell me they will be glad to help in any way but are not willing to move from their present villages and they will fight against going on a reservation. They are opposed to the park crossing the Tamiami Trail. They think it should end at Pincrest, south of the Trail.⁸⁸¹

When the Florida cabinet in 1937 was preparing to formally abrogate the Monroe County reservation and replace it with one in Broward County, a council of elders from the Big Cypress and Tamiami Trail camps protested against any idea of moving them to the new reservation. They seemed less concerned about losing the Monroe County reservation, which they mainly used to hunt and fish, than being able to stay in their existing camps farther north in the Big Cypress and along the Tamiami Trail. Because enforcement of game laws in Monroe County was virtually nonexistent in the 1930s, the formal elimination of the reservation there likely did not interfere with hunting by Indians (or whites).⁸⁸²

At the time that Everglades National Park was authorized, federal Indian policy was undergoing major changes. President Roosevelt's reform-minded commissioner of Indian Affairs, John C. Collier, took advantage of the New Deal relief agencies, like the WPA and the CCC, to give Indians work. In 1934, he helped pass the Indian Reorganization Act.⁸⁸³ The act's thrust was to give tribes more control over their land and business activities and end the previous government policy of converting communal tribal land to individual ownership. Collier and his boss, Secretary of the Interior Harold Ickes, took a particular interest in the Indians of Florida. Under Collier, the existing Big Cypress Reservation was expanded and a new reservation, the Brighton Reservation, was established in Glades County, northwest of Lake Okeechobee. Ickes and Collier met with a group of about 160 Seminoles in West Palm Beach in March 1935. The West Palm Beach Chamber of Commerce organized this event, which was described in the press as a "pow-wow" and featured a "Seminole sun dance." The Indians offered terms of a proposed peace treaty with the federal government. After this

881 Harriet M. Bedell to Ernest F. Coe, Apr. 21, 1936, CP, EVER 13803.

882 "War Talk Sweeps Glades as Indians Protest Removal," *Miami Tribune*, Apr. 11, 1937.

883 Also known as the Wheeler-Howard Act.

meeting, Ickes told a radio audience “Everglades National Park would contribute also to the economic and social rehabilitation of the Seminole Indians, for whose welfare I have a great concern.”⁸⁸⁴

The reaction of Seminoles from the Big Cypress country to the visit of Ickes and Collier underscored how little Washington officials understood the linguistic, geographic, and cultural complexities among Florida Indians. The great majority of the Indians who met with the secretary were from the area around Lake Okeechobee. Big Cypress/Everglades area Indians, who were not invited to West Palm Beach, branded the event a “fake” and a “burlesque.” With the assistance of W. Stanley Hanson, a Mikasuki-speaking white employee of the Office of Indian Affairs, they drafted a petition to Congress, the Secretary of the Interior, and state officials. Signed by Cory Osceola, William McKinley Osceola, Richard Osceola, Charlie Billie, Josie Billie, and Chestnut Billie, the petition declared that the Big Cypress Indians had no interest in a treaty with, or aid from, the national government. They wished to live “as our fathers lived . . . free from the ever-changing and hindering policies of the white man.” Although lumped together as Seminoles by whites, the Lake Okeechobee area Indians and Big Cypress Indians lived differently and in many cases spoke mutually unintelligible languages (figure 19-2, a Miccosukee in a cypress canoe). The Big Cypress Indians predominantly spoke Mikasuki, a Hitchiti dialect. Some of the Indians living around the lake spoke Mikasuki; others spoke Muskogee. During the New Deal, the Office of Indian Affairs promoted large cattle raising operations on the Brighton and Big Cypress Reservations. The nonreservation Big Cypress Indians stuck to their traditional lifeways and had no interest in large-scale, market-oriented enterprises like stock raising. This divergence in economic activity served to accentuate the cultural differences between the two groups.⁸⁸⁵

NPS-Indian Relations Following Establishment

The park’s establishment in 1947 forced the NPS to give more thought to the future of the Indians living in and near it. At the time, Indians appear to have maintained few camps deep inside the park. Dan Beard reported that Jimmie Tommy had a camp about five miles south of the end of the Humble Oil Road (present-day Shark Valley Road), John Jumper a “temporary” camp near the headwaters of Shark River, and Jim Tiger and William McKinley Osceola had camps on the south side of Tamiami Trail.

884 Harry A. Kersey Jr., *The Florida Seminoles and the New Deal* (Boca Raton: Florida Atlantic University Press, 1989), xi-xii, 75-78; “Secretary Ickes Reveals Program to Aid Seminoles,” *Palm Beach Post*, Mar. 19, 1935; “Seminoles Present Peace Pact Details,” *Miami Herald*, Apr. 4, 1935; DOI press release, Mar. 31, 1935, CP, EVER 22302.

885 “Seminoles May Get New Lands in Everglades,” *Florida Times-Union*, Mar. 24, 1935; “Seminole Pact at Palm Beach Called a ‘Fake,’” *Miami Daily News*, Mar. 23, 1935.



Figure 19-2. A Miccosukee in a cypress canoe

In later decades, members of the Miccosukee Tribe stated that they had more than the two camps within the “central areas” of the park mentioned by Beard and that the NPS pressured them to abandon them. This claim is hard to evaluate, because the only contemporary documentation is from the NPS.⁸⁸⁶

First as manager of the wildlife refuge and then park superintendent, Beard worked with Kenneth Marmon, superintendent of the Seminole Agency in Florida, to contact Indians in the area. In May 1947, Beard met with John Jumper, Jim Tiger, and William McKinley Osceola. Then and later, he told Tiger and Osceola they could remain in their camps along the trail, and Jumper agreed to relocate to a new camp along the trail, completing the move by October 1947. Although the NPS announced no policy on the matter, it allowed the Indian camps within the park along the south side of the Tamiami Trail to remain. In the park’s early years, the NPS moved cautiously, aware that Congress had protected the existing rights of the Seminoles when

⁸⁸⁶ Daniel B. Beard to James Silver, FWS, May 30, 1947, NARA II, RG 79, NPS CCF, box 901; Statements of Tribal Chairman Billy Cypress and Tribal General Counsel Dexter Lehtinen, *Hearing Before the Committee on National Parks and Public Lands of the Committee on Resources, House of Representatives*, Sept. 25, 1997, No. 105-65, 29-32.

the park was created, but unsure of just what that entailed. Additionally, it was clear that the Indians living along the Tamiami Trail would vigorously resist any attempt to move them. In 1949, Beard believed there might be one or two “overnight” camps still being maintained deeper within the park. The NPS did insist that hunting and frogging in the park by Seminoles (and all others) cease. Available records indicate that illegal hunting by whites was a far greater problem in the early years than hunting by Indians.⁸⁸⁷

Beard and his successor Warren Hamilton reported having mostly good relations with neighboring Indians through the 1950s. Beard described his May 1947 meeting as “entirely cordial.” In March 1957, Beard and three other park staff were invited to meet in a chickee with more than a dozen Indians at a “hidden” village. They spent an afternoon exchanging views on NPS philosophies and Indian philosophies. Bill Doctor, who acted as translator, reported that the Indians liked what they heard. Oral tradition among the Miccosukees paints a different picture of the relationship. That tradition describes Beard telling the Indians at an early meeting that he was going “drive you pickaninnies” out of the park.”⁸⁸⁸ It is impossible at this remove to know just what Beard told the Seminoles. It is significant that some 60 years later, it is this threat and language that the Indians remember.

Interpreting the Native American Presence

As the NPS began planning an interpretive program for the park, Superintendent Beard considered including some “Seminoles culture exhibits.” From the beginning, the Service focused its interpretive program on the natural environment. The Service seems never to have given serious consideration to Ernest Coe’s idea of employing colorful Indian guides, although some Miccosukees expressed an interest. Superintendent Beard thought it would remain a minor emphasis, but believed that “complete avoidance of the Seminole in the [interpretive] program . . . seems unwise to me.” He briefly floated the idea of retaining the camps of John Jumper or Jimmie Tommie as historical exhibits, with dugout canoes, pumpkin gardens, and even “clothes hung up to dry.” This idea was soon dropped, probably because of the difficulty and potential

⁸⁸⁷ Kenneth A. Marmon, Supt., Seminole Agency, to Daniel B. Beard, Apr. 24, 1947, Daniel B. Beard to James Silver, RD, FWS, May 30, 1947, NARA II, RG 79, NPS CCF, box 901; Daniel Beard to RDR1, Oct. 8, 1947. NARA Ph, RG 79, 79-58A-360, box 7.

⁸⁸⁸ Daniel B. Beard to James Silver, RD, FWS, May 30, 1947, NARA II, RG 79, NPS CCF, box 901; Daniel Beard to RDR1, Oct. 8, 1947. NARA Ph, RG 79, 79-58A-360, box 7; SMR, Mar. 1957; Supt. Kimball, personal communication, Oct. 30, 2013. Present at the 1957 meeting were Beard, the asst. supt., the asst. park naturalist, the Tamiami District ranger, medicine men Ingraham Billy, Frank Charlie, and Jimmy Billy, and council members Willy Jim, John Fu, Henry Billy, Wilson Doctor, Jack Cloy, Tom Buster, Frank Jimmy, Jimmy Doctor, Albert Osceola, Concho Billy, and Billy Doctor.

resource damage involved in bringing visitors to the camps. Throughout his superintendency, Beard remained interested in the idea of a Seminole museum or Seminole camp exhibit, preferably along the Tamiami Trail. Park managers understood that “quite a number of the hammocks in the Tamiami area” contained evidence of past Seminole occupancy, and thus Shark Valley emerged as a logical spot for interpreting Seminole history and culture. The park’s 1979 Master Plan restated the goal of using a visitor center at Shark Valley to “introduce visitors to Indian culture.” NPS management moved away from the idea of a Seminole camp as an exhibit out of distaste for the idea of displaying living Indians to visitors. Congress never funded a major visitor center at Shark Valley, and the park therefore did not mount a permanent exhibit on Seminole culture. The Seminole presence was briefly mentioned in the exhibits at Flamingo. Overall, it seems that the Indians were not very comfortable with the idea of the NPS interpreting their culture. In 1983, the Miccosukee Tribe opened its own Miccosukee Museum of Natural and Tribal History on the Tamiami Trail. The park also included an exhibit on Miccosukee life in the Ernest Coe Visitor Center, which opened in late 1996 (see chapter 20).⁸⁸⁹

U.S. Indian Policy in the 1950s

U.S. policy toward Native Americans was again changing after World War II. In 1947, the Office of Indian Affairs within Interior became the Bureau of Indian Affairs (BIA), and Congress set up the Indian Claims Commission, allowing tribes to seek compensation for past wrongs. In 1950, twelve reservation Seminoles hired attorneys to file a \$50,000,000 claim against the federal government. Additionally, in the 1950s, under President Eisenhower and a conservative Congress, the BIA moved to limit or end its responsibilities to many tribes, including Florida Seminoles. The mostly Mikasuki-speaking Indians living along the Tamiami Trail and in camps in the Big Cypress were disturbed by these developments. These individuals were more interested in gaining land than monetary damages. In addition, they believed that the reservation Indians, with their horse and cattle operations and closer contact with whites, did not understand them and could not adequately represent them. As the interests of the reservation Indians and Big Cypress/Everglades Indians diverged in the 1950s, both groups moved to achieve official federal government recognition. By 1954, many of the nonreservation Big Cypress Indians had set up their own council, the “General

⁸⁸⁹ Kenneth Marmon, Supt, Seminole Agency, to Daniel Beard, Apr. 24, 1947, NARA II, RG 79, NPS CCF, box 901; Supt. Beard to Dir., May 11, 1948, NARA Ph, RG 79, 79-58-360, box 7; Refuge Mgr. Beard to RDR1, May 8, 1947, Supt. Hamilton to RDR1, Dec. 23, 1958, NARA Ph, RG 79, 79-67-A-1022; Acting Supt., ENP, to RDR1, May 27, 1958, NARA Ph, RG 79, 79-66-A-661, box 7; NPS, *Everglades National Park Master Plan*, 1979; “Indian Life at One with Nature in the Everglades,” *Atlanta Journal-Constitution*, Jan. 9, 2005; Sandy Dayhoff, personal communication, Nov. 8, 2013.

Council of the Mikasuki Tribe of Seminole Indians.” Leaders in this effort were Ingraham Billie, Buffalo Tiger, George Osceola, and Jimmie Billie. As described below, this ultimately resulted in the 1962 federal recognition of the Miccosukee Tribe of Indians of Florida. The tribe adopted the Miccosukee spelling to avoid confusion with the language that they spoke, generally spelled Mikasuki.⁸⁹⁰

Federal and state officials were slow to grasp that the Miccosukee contingent represented a sizable minority of Florida Indians. The Indian Claims Commission continued to insist that the reservation Indians who filed the 1950 monetary claim represented all Florida Indians. In March 1954, two groups of reservation Indians and a group representing Miccosukee interests went to Washington to protest against the proposed end of federal aid. The Miccosukee leaders George Osceola, Jimmy Billie, and Buffalo Tiger presented a “Buckskin Declaration” to a representative of President Eisenhower, asking that a federal representative come to Florida and that their separate status be recognized. With help from the Florida congressional delegation, the Florida Indians managed to hold on to their three federally administered reservations and their federal aid. In August 1957, the federal government recognized the Seminole Tribe of Florida, consisting of Indians from the three federal reservations and a few others. The government and Seminole tribal leaders invited the Indians who self-identified as Miccosukee to become members, but they declined. This left almost all the Miccosukee living in homes on land that they did not own.⁸⁹¹

In September 1958, Miccosukee leaders made a “final offer” to settle their claims with the state and national governments. Most of their requests were directed at the state, but they also wanted the right to frog commercially in Everglades National Park, and fish, camp, and cut timber for their own noncommercial use. Park Superintendent Warren Hamilton expressed surprise at these requests, observing that only one Miccosukee, Jimmy Tiger, had ever asked to frog or farm in the interior of the park. NPS Director Conrad Wirth saw these as requests for “special privileges” and declined to grant them, stating that NPS policy would be applied equally to all. To bolster their case for federal recognition, the Miccosukee mounted a sophisticated public relations campaign. In 1959, the tribe invited 36 leaders representing 100,000 American Indians to a conference at a camp on the Tamiami Trail. The assembled leaders talked about seeking recognition from the United Nations if the U.S. government was unresponsive. The same year, a Miccosukee delegation met with Fidel Castro in Havana. Buffalo

890 Covington, “Trail Indians,” 41-45.

891 Covington, “Trail Indians,” 43-48; Harry Kersey, *An Assumption of Sovereignty: Social and Political Transformations Among the Florida Seminole, 1953-1979* (Lincoln: University of Nebraska Press, 1996), 195-196.

Tiger later commented that only after the media coverage of these events were his phone calls to state and federal officials returned.⁸⁹²

The Miccosukee Become a Federally Recognized Tribe

In late 1961, a group of Miccosukee leaders met at Jimmie Tiger's camp to draw up a tribal constitution. On January 11, 1962, the Secretary of the Interior formally recognized the Miccosukee Tribe of Indians of Florida, separate and distinct from the Seminole Tribe. A few dozen Florida Indians, most living near Naples, declined to join either tribe and are sometimes known as traditional Seminoles or independent Seminoles. A key player in the campaign to achieve federal recognition was Buffalo Tiger, who served as tribal chairman from 1961 to 1985. With the Miccosukees having achieved federal recognition and the water control structures of the Central and Southern Florida Project nearing completion, the state and federal governments acted to regularize relations with the tribe and provide them with facilities. The state divided the reservation created in 1937 in Broward and Palm Beach Counties, assigning the northern 28,000 acres to the Seminoles and the southern 76,000 acres to the Miccosukees. Most of the acreage given to the Miccosukee lay within WCA 3. Florida also ultimately granted the Miccosukee a perpetual lease on an additional 189,000 acres in WCA 3. In 1962, the state ceded three small parcels on the north side of the Tamiami Trail to the tribe. The tribe constructed a restaurant and a gas station/convenience store on these tracts. Also in 1962, the Department of the Interior for the first time officially recognized the Miccosukee settlements on park land. The director of the NPS and the commissioner of Indian affairs signed a special use permit (SUP) covering a five-and-one-half-mile-long strip on the south side of the Tamiami Trail, where Miccosukee families had been living since the late 1920s.⁸⁹³

This Miccosukee Reserved Area consisted of a tract some 500 feet wide running from just west of the park's Shark Valley developed area to the point where the park boundary turned south from the Loop Road (figure 19-3, Miccosukee Reserved Area). The initial SUP was only a page and one-half and not very detailed. It specified that:

892 Commissioner, BIA, to Dir., NPS, Oct. 6, 1958, Supt. to RDR1, Nov. 3, 1958, Dir., NPS, to Commissioner, BIA, Nov. 14, 1958, NARA Ph, RG 79, 79-067-1-1022, box 83; Covington, "Trail Indians," 51-52; Buffalo Tiger and Harry A. Kersey Jr., *Buffalo Tiger: A Life in the Everglades* (Lincoln: University of Nebraska Press, 2002), 88-90.

893 Covington, "Trail Indians," 54; Kersey, *An Assumption*, 195-197; Dir. Wirth to SOI, Aug. 21, 1962, NARA II, RG 48, Office of the SOI, CCF, box 327; Buffalo Tiger and Kersey, 90-95.

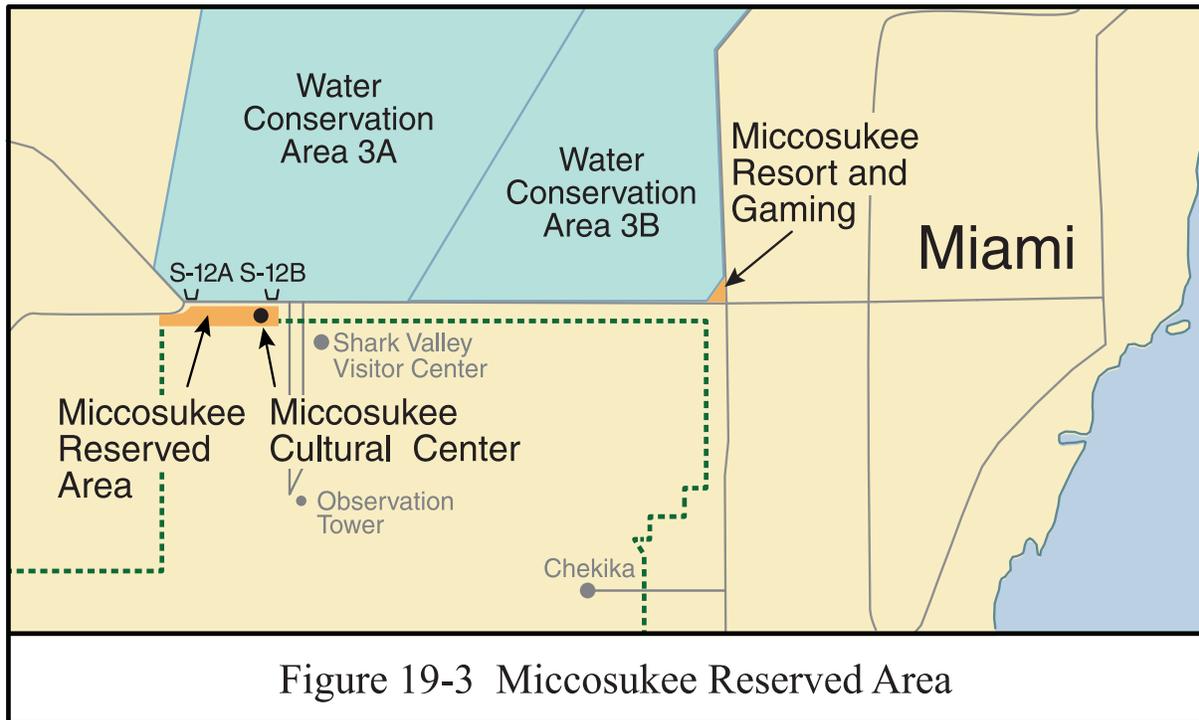


Figure 19-3 Miccosukee Reserved Area

The lands will be for the use of the Bureau of Indian Affairs to provide places for the Seminole [sic – this was corrected to Miccosukee in later versions] Indians to live, make and sell handicrafts, and for such administrative and educational facilities as the Bureau of Indian Affairs may require.

The entire Miccosukee SUP area was wetland, so constructing any structure required first filling some part of the wet prairie to create a pad as a foundation. The SUP contained two loosely worded provisions meant to regulate building: “[A]ll improvements will be so designed as to be in harmony with the scenic values of the Park” and “No construction activity, dredging or filling will be carried on which will interfere with the free flow of water from the north through or over Park lands.” The SUP, however, did not require advance approval by the NPS of construction activity.⁸⁹⁴

The tribe developed an administrative center at the eastern end of the reserved area, with housing activity mostly farther west. Before 1962, most Miccosukee children did not attend school. The BIA put up a temporary school building in December 1962, with an initial enrollment of 19 children. A permanent two-room school with a cafeteria opened in September 1965. Later additions to the administrative area included a

⁸⁹⁴ Use Permit, Aug. 29, 1962, NARA II, RG 48, Office of the SOI, CCF, box 327. Two years later, the park reluctantly agreed to grant a second special use permit to the Miccosukee to bury tribal members on a hammock within the park. RDSE to Supt., July 9, 1964, NARA Ph, RG 79, 79-69-5662, box 11.

tribal headquarters, and a community building with a gymnasium. In 1971, the Miccosukee became one of the first recognized tribes to establish a tribal corporation and assume control of all the programs and services previously provided by the BIA. From this point, a federal agent was no longer assigned to the tribe. The Florida Indian Claims Settlement Act of 1982 (P.L. 97-399) ratified the agreement between the tribe and the state of Florida on land claims. It also provided for the Broward reservation and the restaurant and gas station parcels to become federal reservation land, held in trust by the secretary of the interior for the Miccosukee.⁸⁹⁵

Shortly after the tribe took responsibility for its own operations, the NPS moved to establish a new SUP for the reserved area, with the tribe rather than the BIA as the other signatory. The new permit covered the period from January 1973 to January 2014. Park managers now better understood the implications of having the reserved area between the flow-way structures of WCA 3 and the northwest Shark Slough; they sought to ensure that development in the area not adversely affect water deliveries needed by the park. The new SUP therefore required prior approval from the NPS for any “construction, dredging or filling . . . that will affect the water quality or interfere with the free flow of water from the North through or over the park lands.” Further, the tribe agreed to provide the park superintendent with “all plans and specifications” for any construction that it planned and to give the NPS “a detailed description” of a project’s impacts on “air and water quality, scenic and aesthetic features, historical and archeological features, and wildlife.” The intent of the new SUP was to give the NPS more input into decisions on development in the reserved area that potentially affected park resources. Although more comprehensive, the permit lacked specificity on what form tribal submittals to the park should take, the time period for park consideration of submittals, and the consequences of failure by either side to abide by the permit’s terms.⁸⁹⁶

Evolution of the Park’s Relationship with the Tribe

Up to the 1980s, park management’s relationships with the tribe appear to have been largely amicable, at least on the surface. The tribe has had its own police force since the middle 1970s, and park rangers and Miccosukee police routinely cooperate, under the terms of a memorandum of understanding. Park and tribal fire management teams also work together. The park included the tribal school in its environmental education program, and park staff assisted with crowd control and other needs for

⁸⁹⁵ Miccosukee Tribe of Indians of Florida, “The Miccosukee Tribe of Indians of Florida,” n.d. [1976?], EVER 56572, ser. II; Covington, “Trail Indians”; *Miccosukee Tribe of Indians of Florida v. State of Florida and Florida Department of Transportation, et al.*, Docket No. 6285–Civ–Paine.

⁸⁹⁶ Special Use Permit, Everglades National Park and Miccosukee Tribe of Indians of Florida, Jan. 1973, EVER 56572, ser. II.

special tribal events. Assessing the relationship in 1978, Superintendent John Good believed that “the general atmosphere has been respectful and mutually considerate.” Most tribal members had low incomes and lived in modest chickees or manufactured houses, which had limited impact on the environment. In the 1970s, it was estimated that Florida Indians on average earned one-half what whites did. In the main, park operations and Miccosukee life went on in two separate, adjacent spheres.⁸⁹⁷

Increased revenues from the tribe’s Tamiami Trail restaurant and service station and more importantly from gaming operations brought a number of changes. The tribe opened a bingo parlor seating 2,000 at the corner of the Tamiami Trail and Krome Avenue (known as “Dade Corners”) in September 1990. The tribe has steadily expanded that operation, adding gaming machines and poker tables (figure 19-4, Miccosukee resort at Dade Corners). In June 1999, it opened an elaborate resort complex



at the site, featuring 300 hotel rooms, an indoor pool, high-quality dining, a spa, and an 1,800-seat arena for live and pay-per-view events. The Miccosukee also operate a profitable service station/rest stop on I-75 where it runs through their Broward County reservation. This economic activity substantially increased the income of tribal members. The data are confidential, but estimates of yearly payments to members have run as high as

Figure 19-4. Miccosukee resort at Dade Corners, 2012

⁸⁹⁷ Supt. Good to RDSE, Mar. 29, 1978, Supt. Ring to Judith L. McCluney, Jan. 31, 1997, EVER 56572, ser. II; “Crisis in Red and White,” *Miami Herald*, Dec. 31, 1972; Memorandum of Understanding between NPS and Miccosukee Tribe of Indians of Florida, Mar. 16, 1990, EVER 22965. A hint of underlying tensions in the relationship can be found in a 1966 incident. The SMR for Dec. 1966 notes that children of NPS staff at the Tamiami Ranger Station had developed hookworm, attributed to Miccosukee dogs that roamed freely in the area. The report noted “the Miccosukee health problems are now the Park Service health problems.”

\$61,000. As the tribe's wealth grew, members looked to build larger, modern homes in the reserved area.⁸⁹⁸

The Housing Issue

In 1990, the tribe moved forward with plans to build 45 additional houses in the reserved area, affecting a little more than 13 acres. The location of the reserved area just south of flood control structures 12-A and 12-B made this proposed development of great concern to the park. Water released from WCA 3A via these floodways passes across the Miccosukee lands before entering northwestern Shark Slough. Building 45 houses and their associated septic fields had the potential to affect the flow of surface water reaching the park and its quality. The tribe began building foundation pads for the new houses without notifying the park of its intentions, as required by the SUP, and without obtaining a permit from the U.S. Army Corps of Engineers, required under section 404 of the Clean Water Act. The NPS, the Corps, and state agencies worked with the tribe to obtain the necessary permit, and construction proceeded. As part of the mitigation for filling in wetlands for housing, the tribe agreed to prepare a comprehensive land use plan for the reserved area. In the wake of this incident, NPS managers grew increasingly concerned that the tribe was treating the reserved area as sovereign tribal land and ignoring its obligations under the SUP. Rather than deal with piecemeal construction activity, the Service wanted to see a professionally prepared comprehensive land use plan that would give it a better idea of the cumulative impacts of construction activity.⁸⁹⁹

By 1993, the tribe was ready to construct more houses. It submitted a conceptual use plan to NPS that contained schematic drawings for 49 new houses. Park managers judged the plan inadequate, but were slow to communicate their concerns to tribal officials. In part, this was because they were preoccupied with recovery efforts following Hurricane Andrew. A number of key park personnel who had worked closely with the tribe left after Andrew, and the loss of these established relationships was felt. Eager to build better houses, the tribe in March 1994 informed the NPS of its intention to seek a section 404 permit for new housing. In late April, it applied to the Corps for a permit for 65 houses strung out along the Loop Road west of existing residential development. The NPS informed the Corps that it had not approved any additional housing in the reserved area and asked that the permit be denied. Still looking to get

898 "Miccosukee Tribe Banking on Bingo," *Miami Herald*, Sep. 27, 1990; "From Everglades Defender to Developer, Tribe is Stepping Out," *Los Angeles Times*, June 3, 1999; "Glittering Resort Shows Miccosukee Transformation," *Atlanta Journal-Constitution*, June 13, 1999; "IRS Investigates Tribe over Gambling Profits," *South Florida Sun-Sentinel*, June 29, 2010.

899 SAR, 1990; Deputy Assoc. Solicitor David Watts to Deputy Solicitor, DOI, June 20, 1996, Supt. Ring to Judith L. McCluney, Jan. 31, 1997, EVER 56572, ser. II.

an acceptable comprehensive land use plan, the park in October 1994 sent the tribe information on preparing such a plan.⁹⁰⁰

Convinced that the park was unnecessarily delaying its housing plans, the tribe in 1994 filed suit in federal court asking that the Everglades superintendent be ordered to approve the tribe's construction plans. Former U.S. attorney Dexter Lehtinen had become the tribe's counsel in 1992 and would remain in that role until May 2010. Lehtinen and Billy Cypress, who was tribal chairman from 1987 to 2009, increasingly used lawsuits to further the tribe's interests. For its part, the park continued to press the tribe for a comprehensive land use plan. The judge overseeing the housing lawsuit directed the NPS to speed up its review process, and the park in June 1996 produced an environmental assessment with its preferred layout for 95 new residences. To reduce the impact on water flow, the park's plan called for 30 houses along the Loop Road, with the remainder scattered in already-developed areas. The tribe found this configuration unacceptable. In October 1996, Secretary of the Interior Babbitt intervened, resulting in an agreement that allowed for the construction of the 30 houses along the Loop Road. The suit over the remaining houses continued.⁹⁰¹

Housing was not the only issue that strained relations between the tribe and the park in this period. The Miccosukee had long been unhappy about the maintenance of high water levels in WCA 3, much of which was their reservation land or leased to them by the state. The high water limited the tribe's use of the land, degraded tree islands and other natural features, and killed many deer. Heavy rains hit South Florida in fall 1994, including those associated with Tropical Storm Gordon. To alleviate flooding in the WCA and the reserved area, the tribe requested that the S-12 and S-333 water control structures along the southern boundary of WCA 3 be opened and vegetation behind the structures be cut. The Corps, the SFWMD, and the park agreed to some limited flood-reduction measures, but the park opposed the major steps requested by the tribe. The NPS believed opening the S-12s would unnaturally raise water levels in the western Shark Slough, threatening the habitat of the Cape Sable seaside sparrow, and that vegetation cutting would speed the flow of unwanted nutrients into the park. On March 16, 1995, the tribe brought suit in federal court against Interior, the Corps, and the SFWMD alleging that agency actions constituted a breach of trust and violated the tribe's constitutional rights. In addition to the agencies, NPS superintendent Richard Ring was sued in his individual capacity in what is known as a Bivens action. Because of his determined efforts to protect the park's values and hold the tribe to the terms of the SUP, Ring became a particular target for the Miccosukees' accumulated

⁹⁰⁰ Elaine Hall, interview by author, June 28, 2012.

⁹⁰¹ *Miccosukee Tribe of Indians v. the United States*, No. 94-CIV; Miccosukee Tribal Suits and Actions to Delay the Restoration, n.d. [late 1999], EVER 56572, ser. II; "U.S. Approves Tribal Housing in Everglades; Disagreement Remains on More Construction," *Washington Post*, Oct. 27, 1996.

grievances. After extensive discovery proceedings and hearings, the court eventually ruled in favor of the defendants.⁹⁰²

The Miccosukee Reserved Area Act of 1998

The dispute over housing played out alongside the controversy over flooding of tribal lands. Believing that the NPS was determined to keep the tribe from exercising full sovereignty over its ancestral lands, the Miccosukee sought federal legislation to conclusively establish their rights in the reserved area. Tribal counsel Dexter Lehtinen was married to Florida Congresswoman Ileana Ros-Lehtinen, and ultimately this connection helped to achieve legislation favorable to the tribe. In September 1996, Florida Representatives Alcee Hastings, Carrie Meek, Lincoln Diaz-Balart, and Dan Miller introduced a bill amending the 1934 act establishing the park. Offered near the end of the second session of the 104th Congress, this bill largely represented a statement of intent and had little chance of passage. The bill would have given full reservation status to the SUP area and eliminated the need for NPS approval of construction activity. In September 1997, the House Subcommittee on National Parks and Public Lands convened a hearing on the SUP area, which ultimately resulted in the passage of the 1998 Miccosukee Reserved Area Act. In opening the hearing, Subcommittee Chair James V. Hansen (R-Utah) expressed his hope that a frank discussion would lead to a solution reconciling the tribe's development needs with the park's mission of protecting natural resources.⁹⁰³

At the hearing, the tribe and the NPS presented their positions. Reflecting many decades of frustration, Chairman Cypress flatly stated that "the NPS works as an agent of our destruction." He accused high Interior officials of threatening to evict the Miccosukee when the permit expired in 2014. Cypress asked that the tribe be "guaranteed rights of self-government [in the reserved area] . . . without paternalistic and misguided Park Service employees telling them what's good for them." Deputy Interior Solicitor Edward Cohen told the subcommittee members that the reserved area "is located immediately downstream of structures that deliver the Park's water from the north" and reminded members that the NPS needed "to balance development in

902 *Miccosukee Tribe of Indians of Florida v. United States*, No. 95-0532-CIV-Davis, 980 F. Supp. 448 (1997), http://www.leagle.com/xmlResult.aspx?page=4&xmldoc=19971428980F-Supp448_11360.xml&docbase=CSLWAR2-1986-2006&SizeDisp=7. In 1971, the U.S. Supreme Court in *Bivens v. Six Unknown Named Federal Agents* (403 U.S. 388) recognized a cause of action against federal officials as individuals for violations of constitutional rights.

903 H.R. 4199, "A Bill to Amend the Act Entitled An Act to Provide for the Establishment of the Everglades National Park," 104th cong., 2d sess., Sept. 26, 1996; *Hearing before the Subcommittee on National Parks and Public Lands of the Committee on Resources, House of Representatives Concerning the Miccosukee Tribe's Ongoing Negotiations with the National Park Service Regarding the Special Use Permit Area*, No. 105-65 (1997), 1.

the . . . permit area with the protection and perpetuation of Park resources.” He noted that discussions with the tribe leading to a legislated solution were under way and believed an acceptable solution was within reach.⁹⁰⁴

In November 1997, Congressman Hastings introduced a bill converting the special use area into the “Tamiami Indian Reservation.” Senator Connie Mack introduced an identical resolution in the Senate. This bill voided the special use permit and granted the Miccosukee tribe full sovereignty over the strip along the Tamiami Trail, enlarging it to 666 acres. The bill acknowledged that the tribe would need to obtain section 404 permits for construction activity from the Corps of Engineers, but contained no other language that safeguarded water flows and water quality. The NPS and a number of environmental groups opposed this bill, believing it left far too many issues unresolved. Of particular concern to the NPS was a reverter clause contained in the state’s original conveyance of the land embracing the Miccosukee strip to the federal government. The clause provided that the land would revert to the state if it ever ceased to be used as a national park. In its initial form, the bill declared the Tamiami Trail Reservation to be compatible with Everglades National Park, but did not specify that the reservation remained part of the park. Other areas of concern were the visual effect of development on the visitor experience at Shark Valley and the precedent that the act would establish. Of paramount importance to the NPS was getting language into the act that would allow it to prevent development in the reserved area that would impede surface water flow. Negotiations between Interior and tribal representatives continued into 1998. Deputy Interior Solicitor Edward Cohen, Park Deputy Superintendent Larry Belli and park Legal Affairs Specialist Elaine Hall were heavily involved in these talks. Superintendent Ring largely stayed in background because of the tribe’s attitude toward him.⁹⁰⁵

These talks between Interior and the tribe led to a rewritten bill that was signed into law October 30, 1998, as the Miccosukee Reserved Area Act. The act gave the tribe the authority to “govern its own affairs” within the Miccosukee Reserved Area (MRA), which was made 500 feet deeper, going from 333 to 666 acres. It also gained “the exclusive right to use and develop the MRA in perpetuity . . . for purposes of the administration, education, housing and cultural activities of the Tribe.” Congress specifically stipulated that the MRA remained part of Everglades National Park and included a number of provisions to ensure the protection of park values. The tribe was required to “prevent and abate any significant cumulative adverse environmental impact on the Park resulting from development or other activities within the MRA.”

904 *Hearing*, No. 105-65, 29, 31.

905 H.R. 3055, A Bill to Deem the Activities of the Miccosukee Tribe on the Tamiami Indian Reservation to Be Consistent with the Purposes of Everglades National Park, Nov. 13, 1997; S. 1419, Nov. 7, 1997; Asst. Sec. for Fish, Wildlife and Parks to Congressman James V. Hansen, May 5, 1998, EVER 56572, ser. II; Belli and Hall interviews.

The act clearly stated that the tribe would take no action within the MRA that would interfere with the “quantity, timing, or distribution” of water flows into the park. The tribe was to develop procedures for outside comment on actions that potentially affected the environment and to set water quality standards at least as restrictive as those for the park. The act imposed height limits on buildings within the MRA and required the tribe to consider the effects of any structure on the visual experience from the Shark Valley visitor area. The Corps of Engineers was required to consult with Interior before granting section 404 permits for the MRA. The NPS probably conceded more in the final text of the act than it would have liked, but the Miccosukee were widely seen as having suffered historically, and there was considerable pressure to accommodate their desires. The agency made sure that the language protecting water flows from WCA 3 across the MRA and into the park was part of the act. When the bill cleared the House, Congressman Hastings stated that it provided the Miccosukee “what we promised them when we passed the park bill in 1934.”⁹⁰⁶

Passage of the 1998 Miccosukee Reserved Area Act did not magically transform the park’s relationship with the tribe. Cooperation between park staff and the tribe on law enforcement matters and fire management continues to be strong. The major issues continue to be those involving development on the reserved area. It also seems that the tribe at times blames the NPS for action by other government agencies. High water levels in Water Conservation Area 3, for example, are chronically opposed by the tribe, but they are the result of decision by the Corps and the SFWMD, not the NPS. The preferred alternative in the park’s draft general management commits the Service to making the effort to work cooperatively with the tribe to coordinate educational and other efforts.⁹⁰⁷ Relations between the tribe and the park have improved somewhat in recent years, but the legacy of suspicion built up over decades has not disappeared.

The continuing frustration of some Florida Indians with the presence of Everglades National Park in their ancestral domain was highlighted in a 2008 incident. On the morning of March 19 of that year, Cecil Osceola, unaffiliated with either the Miccosukee or Seminole tribes, arrived at the park’s Shark Valley entrance at the wheel of a large front loader. Osceola was wearing a traditional patchwork shirt and moccasins. He told rangers that he intended to start building a house in Shark Valley at 11 a.m., and showed them a document from 1960 that he said gave him the right to build there. After discussions with park rangers and two Miccosukee tribal police officers, Osceola agreed to talk with Superintendent Dan Kimball. The superintendent was contacted at a meeting at the South Florida Natural Resources Center and drove immediately

⁹⁰⁶ Miccosukee Reserved Area Act, P. L. 105-313; Ring interview; 144 Cong. Rec. H10588 (Oct. 12, 1998); Belli and Hall interviews.

⁹⁰⁷ *Draft GMP*, 73.

to Shark Valley. Osceola seems to have anticipated negotiations, since he brought his own chair with him. Kimball and Osceola spoke for some time. Osceola left when the superintendent agreed to personally look into the question and meet with him again. In a later meeting, Kimball showed him three sites in Big Cypress National Preserve where he could build, and Mr. Osceola accepted that solution. Dan Kimball concluded that getting along with park neighbors at times required a willingness “to just stick in there and keep talking.”⁹⁰⁸

White Residents

At the 1947 establishment of Everglades National Park, the NPS confronted a small white population within the park boundary that the agency believed was incompatible with administering the area for the nation’s benefit. A number of the residents were descendants of the pioneering families who moved to the area around 1900. Nearby residents were accustomed to hunting, trapping, and fishing virtually without restraint in the Everglades and adjacent waters. From the perspective of many local residents in the late 1940s into 1980s, the history of NPS management of the area largely unfolded as a story of losing one by one many of their customary uses. The NPS, on the other hand, had a mission to preserve the park as wilderness and protect its resources. The NPS embarked on a series of measures over the decades—displacing Flamingo residents, enforcing game laws, eliminating commercial fishing, ending agriculture in the Hole-in-the-Donut, expanding the park into the East Everglades—that left a legacy of bitterness among some South Florida residents. No community, however, has uniform opinions, and it should be remembered that other local residents supported the park’s protective measures.

The serious cultural divide that separated NPS professionals and many Everglades residents fairly jumps from the pages of agency documents from the 1940s and 1950s. NPS Chief of Development Thomas C. Vint described Flamingo as a “sea-coast slum” and its citizens as “human flotsam” (figure 19-5, a vanished way of life at Flamingo). Regional Director Allen noted:

Bit by bit we are removing from the national park area those troublesome characters who spearheaded the sabotage of the wildlife features. . . . Our men have gone to places like Flamingo and even more isolated shore line camps on the Gulf coast and day or night they have faced without fear characters who would need no motive to kill a man.⁹⁰⁹

⁹⁰⁸ “Native American Asserts Land Claim in Park,” printout from Inside NPS website, Mar. 2008; Kimball interview.

⁹⁰⁹ Supt. Beard to RDR1, Apr. 23, 1949, EVER 22965; RDR1 Thomas Allen to Dir. Drury, Aug. 16, 1950, NARA II, RG 79, NPS Dir. Recs., Drury, box 7.



Figure 19-5. A vanished way of life at Flamingo

NPS officials valued order, cleanliness, and strict adherence to the law. They had little understanding of the Everglades way of life, which was decidedly informal and relied on natural resources for subsistence and cash income, regardless of regulations made in remote places like Tallahassee or Washington, D.C. NPS authorities were slow to grasp that Everglades residents had their own understanding of the environment gained through years of living on the land, and that some of their practices, like burning uplands, actually were beneficial. Superintendent Beard was half-amused and half-appalled by Flamingo nicknames: “Boob” Weeks, “Barrelhead” House, “Cootie” Roberts, and others he was unwilling to commit to paper. In a 1952 article in *National Parks Magazine*, Beard acknowledged that Flamingo residents “knew something of plain, practical conservation,” but devoted more attention to other practices, such as distilling “aquadent,” a strong spirit made from sugarcane, and shooting white ibis, locally known as Chokoloskee chicken.⁹¹⁰

In the early decades, some local residents threatened park personnel, although no assaults ever occurred. Others harassed them in large and small ways. Superintendent Beard referred to airboatmen circl[ing] around our boats and practically thumb[ing]

⁹¹⁰ Daniel B. Beard, “Return of the Gill Net to Florida Bay,” *National Parks Magazine* 26/110 (July-Sep. 1952), 110-111, 130. Lloyd House got the nickname Barrelhead because he paid “cash on the barrelhead” for fish that others caught. James H. Parker, Narrative of James H. Parker Regarding Everglades National Park, Nov. 20, 1997, EVER-00886.

their noses at our feeble attempts of law enforcement.” In 1951, the park entrance gate and sign were destroyed, and the park plane was burned in its hangar in 1961.⁹¹¹ Fire Management Officer Rick Anderson, who grew up in the area, has spoken of the complicated relationship with the NPS presence:

These Park Service actions were seen as incursions onto our land, even though everybody knew full well that it wasn't ours. But it was our way of life, I think, that was being threatened. One thing that was really clear to us early on was that the rangers didn't know the backcountry anywhere near as well as we did. Being mischievous, as teenagers, we gave the rangers a pretty hard time. For example, if we found their boats tied up somewhere we would just untie them. [Limiting the mobility of the rangers] was helpful to other people that we knew who were doing other things in the backcountry of the Everglades. You can maybe see it as a great irony – or maybe coincidence - that I went to work for the same outfit that I “tortured.”⁹¹²

Farm operators and some migrant laborers protested when agriculture was ended in the Hole-in-the-Donut. Large-scale farming began there only in the mid-1950s with the use of rock-plowing. Scattered tomato farming was done as far back as the 1910s, but on limited acreage and only in relatively dry years. The end of agriculture affected a relative few; nevertheless, a reporter for the *South Dade News Leader* saw a pattern:

If Everglades National Park has its way, come June 30, “Donut Tomatoes” will pass into the obscurity already assigned by the park to such facets of human history in the area as buttonwood charcoal kilns, stilt-mounted fishermen's houses, Ingraham Highway, Royal Palm State Park and other vestiges of humanity in the park over the last 150 years.⁹¹³

The elimination of commercial fishing at the end of 1985 provoked considerable local anger, especially in Everglades City. The NPS believed that by giving six years' notice of the step it was allowing enough time for fishermen to make the transition to other livelihoods. Locals argued that they had no other viable occupations, and few were willing to move away to find work. Kenny Brown, a third generation Chokoloskee resident, observed, “Maybe this generation is supposed to move away, but we have roots set down. The Browns are buried here. Where are we supposed to go?” Buddy Roberts, who had been forced out of Flamingo, cited the promises about fishing made back in the 1930s. Later, some Everglades residents would claim they were somehow forced to deal drugs when commercial fishing was banned in the park. Undercutting

911 Supt. Beard to EVER staff, May 19, 1952, NARA Ph, RG 79, 79-58-A-360; SMR, June 1951.

912 Anderson interview.

913 “June 30—That's Deadline for ‘Donut’ Farming Halt,” *South Dade News Leader*, June 9, 1975.

that argument is the fact that residents got into the drug trade in 1978 or earlier, before the fishing ban was announced. Jack Morehead, superintendent at the time of the drug busts, noted that the fishermen's case for reopening commercial fishing in the park was seriously undermined when the extent of the drug activity among fishermen was revealed. Nonetheless, the fishing ban was seen by some as an example of NPS bad faith.⁹¹⁴

Another source of conflict arose in the 1980s when it became clear that an area of more than 100,000 acres on the northeast boundary of the park was critically important for maintaining water flows into the park. Known as the East Everglades, this area lay south of the Tamiami Trail and west of Krome Avenue. Local residents were accustomed to hunting in this area, using airboats and establishing camps on hammocks and other high ground. In the southeastern portion of the East Everglades, a number of individuals had built houses and established plant nurseries. This area west of the L-31N perimeter levee and just north of Southwest 168th Street was called the 8.5 Square Mile Area. As the NPS moved to get congressional approval to purchase most of the East Everglades and add it to the park, some locals again protested the demise of traditional uses of the land. One member of the Airboat Association of Florida wrote about a camp on Crandon Hammock that could accommodate up to 20 "rowdy rednecks" during hunting season:

Take a good look 'cause the camp will be destroyed by the National Park Service very soon. Even though man has utilized this hammock for centuries, the NPS has always maintained the erroneous notion that the "natural state" excludes humans.⁹¹⁵

The use of the term redneck in this post underscores how some locals felt they were looked down upon by the NPS, the South Florida Water Management District and other agencies.

In the 8.5 Square Mile Area, a fight raged for more than two decades over the fate of the community (figure 19-6, "Flooding on the Way"). Many of the 600 plus East Everglades residents were of Cuban origin, and some charged they were the victims of ethnic discrimination. As resident Lorraine Valladares put it in a public meeting: "This is the only house my husband, who is Cuban, has. He had one in Cuba, but they took it. So are you going to take this one?" In the end, a compromise was reached where most of the community was protected with levees, while residents of the western portion were bought out so the land could be flooded.⁹¹⁶

⁹¹⁴ "Buddy Roberts: Fighting for His Homeland with National Park Service," *Miami News*, June 18, 1980; "Welcoming Mr. Matthiessen," *Miami Herald*, Nov. 8, 1997; "Renegade as Wild as the Glades," *Miami Herald*, June 18, 1995; Morehead interview.

⁹¹⁵ GatorDan, "Crandon Hammock," printout of a web post, 1990s, EVER-00955.

⁹¹⁶ Kirk Semple, "The Last Frontier," *Miami New Times*, Jan. 5-11, 1996.

Local attitudes toward the park have changed over time. Almost all of the displaced Flamingo residents are now dead, and the commercial fishing fight ended almost three decades ago. Time has somewhat softened the blows. As golf courses, condominiums, and shopping malls proliferate, more residents have come to believe that there was a value in setting aside Everglades National Park. Old-timers still laugh at some park efforts, but there may be more understanding. Rick Anderson has put it this way:

I do have an elderly uncle who asks “Is the government still paying you to set them palmettos on fire?” I say yes, they are. Then he says, “You know, we used to do that for free, but they called it a crime.” But, people know what’s going on with the map of Florida. It’s come to where Florida – the new Florida - has come up to the boundaries of their world.⁹¹⁷

Spanish Speakers

Since 1960, an influx of Spanish speakers has dramatically changed the demographics and cultural contours of South Florida. From 1960 to 2011, Miami-Dade County’s population of Hispanic origin grew from about 50,000 (5.3 percent) to 1.6 million (64.5 percent). The initial wave of immigration was from Cuba, but in recent decades there has been substantial immigration from Mexico and Central America and some from Puerto Rico and South America as well. Generalizations are perilous, but in the main, the new Spanish-speaking population had different traditions of park use and limited connections to Everglades National Park. Use of Everglades National Park by people of Hispanic origin has remained low. A visitor use survey conducted in 2008 showed that 7 percent of winter visitors and 5 percent of spring visitors were Hispanic. The questionnaire used in the survey was not distributed at the Chekika Day Use Area, which is heavily by locals of Hispanic background; Hispanics thus may have been undercounted. The South Florida Hispanic population is overwhelmingly urban, and many members may have concerns about safety in the unfamiliar terrain of the Everglades.⁹¹⁸

In recent decades the park has sought ways to engage this population. Given the political and economic power of citizens of Hispanic origin in many areas of Florida, support for park values will be important in achieving future goals, notably maintaining a commitment to Everglades restoration. Initial efforts focused on

⁹¹⁷ Anderson interview.

⁹¹⁸ U.S. Census Bureau, <http://quickfacts.census.gov/qfd/states/12/12086.html>; Finnerty interview; Eleonora Papadogiannaki, Nancy C. Holmes, Michael A. Schuett, and Steven J. Hollenhorst, *Everglades National Park Visitor Study, Winter and Spring 2008* (Moscow, Id.: University of Idaho Park Studies Unit, Nov. 2008), 17, <http://www.nps.gov/ever/parkmgmt/upload/EVER%20Visitor%20Study%202008.pdf>.



Flooding on the Way!

WHAT'S MORE IMPORTANT ? Water in your living room or the Cape Sable Seaside Sparrow ?

The Corps of Engineers and the Department of Interior have been working for several years to find a way to manage water in the Everglades so as to protect the habitat of the Cape Sable Seaside Sparrow (an endangered species) while still providing flood protection for the citizens of the area. Their differences were so great that a professional facilitator had to be called in to mediate between the two agencies. No local interests were allowed to participate.

Out of that mediation came a proposed Environmental Impact Statement that endorses a solution that will pump more water into South Miami-Dade County canal system. **That's BAD !** More water in the canals means less capacity to absorb and drain storm water and more likelihood that your homes and fields will be flooded — again and again and again.

The Corps will hold a public meeting in Homestead to discuss this issue. It will be held Monday, October 29, 2001 at 6:30 pm in the Cooperative Extension Office at 18710 SW 288th Street. If you are sick and tired of being flooded, it's time you tell the Corps, the Fish and Wildlife Service, the Department of Interior and the South Florida Water Management District that enough is enough!

**DADE COUNTY FARM BUREAU
1850 Old Dixie Highway
Homestead, Florida 33033
305-246-5514**

Figure 19-6. "Flooding on the Way"

translating park interpretive materials into Spanish and have since expanded to steps like the formation of the South Florida National Parks Trust (see chapter 22). The NPS has made a conscious effort to recruit leaders from the Hispanic Community for the trust's board of trustees. The 2007 reopening of the Chekika Day Use Area was another important step.⁹¹⁹

Haitians

South Florida is home to a sizable population of Haitian immigrants. In 2010, Miami-Dade County had 118,000 residents of Haitian origin and Broward County had 102,000. Little research seems to have been done on the attitudes of Haitian Americans toward national parks in general or Everglades National Park in particular. Another predominantly urban population, Haitians may share an unfamiliarity and uneasiness with the broad natural areas of the park. The park has translated a number of materials, including its Junior Ranger activities guide, into Haitian Creole.⁹²⁰

The 1996 Social Science Research Plan

Aware of the many issues posed by the large, growing, and diverse surrounding communities, Everglades and the other South Florida National Parks in the mid-1990s undertook a social science research plan. The plan was prepared by the NPS Social Science Program in cooperation with the Florida Atlantic University/Florida International University Joint Center for Environmental and Urban Problems. The plan's goals were to identify social science research needs, propose a research agenda and specific research projects, and advance a strategy, schedule, and budget for the projected research. In developing the plan, the team preparing it conducted six workshops attended by NPS managers, scientists, local officials, and interested citizens. Only 27 people participated in the three workshops that were open to the public. Research recommendations focused on obtaining substantially more information on park visitors, community and stakeholder populations, and the socioeconomic impacts of the parks. Everglades National Park was interested in gaining more data on foreign visitors and the park's visitor carrying capacity. The total cost of implementing the recommended

⁹¹⁹ Finnerty and Kimball interviews.

⁹²⁰ Center for the Study of Brooklyn, *Haitian Demographic Information*, Jan. 2010, http://www.brooklyn.cuny.edu/pub/departments/csb/documents/csb/Haitian_Demographic_Information.pdf

research was \$546,000 (\$789,000 in 2012 dollars). Little of the research suggested in the plan has been carried out to date.⁹²¹

⁹²¹ Gary E. Machlis, Jean E. McKendry, and Michele E. Correia, *A Social Science Plan for South Florida National Park Service Units* (N.p.: National Park Service, October 1996), <http://www.nature.nps.gov/socialscience/docs/archive/SFlorida.pdf>.