

March 30, 2021

The Honorable Debra Haaland
Secretary of Interior
U.S. Department of the Interior
1849 C St. NW
Washington, D.C. 20240

Dear Secretary Haaland,

America's first national preserve, part of the National Park system — Big Cypress National Preserve — is under imminent threat from oil development.¹ **We ask that you deny Burnett Oil Company, Inc.'s requests to drill for oil in the Preserve.** The proposed oil extraction activities would be detrimental to the Preserve's purposes and impair the Preserve for the enjoyment of future generations.² New oil development in the Everglades would also be inconsistent with President Biden's initiatives to combat the climate crisis; protect public health; conserve our lands, waters, and biodiversity; and deliver environmental justice.

Congress created Big Cypress National Preserve to conserve and protect the "natural, scenic, hydrologic, floral and faunal, and recreational values" of the Big Cypress watershed and to provide for its enhancement and public enjoyment.³ The Preserve is an invaluable part of the Greater Everglades ecosystem, and home to threatened and endangered species like the Florida panther and Florida bonneted bat. It provides approximately 40% of Everglades National Park's water and recharges underlying aquifers. The Preserve is also home to a great number of cultural and archaeological resources and is utilized by the Miccosukee Tribe of Indians of Florida and Seminole Tribe of Florida for customary and traditional uses.

Yet the Preserve is threatened by new oil drilling. The Burnett Oil Company, Inc. is proposing a new oil well (Nobles Grade) south of Interstate 75 and the construction of an access road near a

¹ Burnett Oil Company, Inc. has submitted two applications to the Florida Department of Environmental Protection seeking Clean Water Act § 404 permits to fill in wetlands in Big Cypress National Preserve for oil well pads and access roads (Application Nos.: 323836-004 and 397879-002). It has also submitted related materials to obtain operating permits from the National Park Service, but the Service has not yet released this information to the public.

² 36 C.F.R. § 9.30(a) governing activities concerning non-federally owned oil and gas within National Park System units requires activities to be "conducted in a manner consistent with the purposes for which" the unit was created, "to prevent or minimize damage to the environment and other resource values," and to ensure the unit is "left unimpaired for the enjoyment of future generations."

³ Pub. L. 93-440, § 1, 88 Stat. 1258 (Oct. 11, 1974), 16 U.S.C. § 690f(a), An Act to Establish Big Cypress National Preserve, as Amended by P.L. 100-301, The Big Cypress National Preserve Addition Act.

major entrance to the Preserve and the Florida National Scenic Trail. Another oil well, (Tamiami) is proposed less than 500 meters from Miccosukee Tribal Lands.⁴ Both proposed well sites are located in wetlands and primary Florida panther habitat. These proposed oil wells and their associated land clearing, equipment storage, wetlands filling, hydrologic alterations, staging areas, access roads, drilling rigs, storage tanks, fuel tanks, water wells, disposal wells, reserve pits, grading, erosion, sedimentation, and potential oil spills— on their face— would be detrimental to the explicit purposes of the Preserve.⁵

Moreover, the additional greenhouse gas emissions that would result from the oil development is an immediate threat to the Everglades, which is already grappling with climate change related sea-level rise. The Preserve currently acts as a critical carbon sink, and degradation due to oil extraction would weaken this natural first line of defense against rising seas and hurricanes.

Notably, Burnett Oil Company already caused extensive damage during its first phase of oil exploration within a 110-square mile area.⁶ It has not yet completed the required mitigation or monitoring required by its National Park Service access permit.⁷ This is only the first of four planned phases of oil exploration. Once complete, all four phases would encompass 366 square miles, or one-third of the Preserve, which is larger than some national parks, such as Shenandoah, Zion, and Biscayne.

While the enabling statute for Big Cypress contemplates the exploration and extraction of oil, it also prohibits threatened uses that would be detrimental to the purposes of the Preserve.⁸ The damage caused by the first phase of oil exploration demonstrates that the Service cannot approve any oil drilling applications while assuring the Preserve’s “natural and ecological integrity in perpetuity.”⁹

⁴ See White House, *Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships* (January 26, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/>.

⁵ Congress created the Preserve to “assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed” and to provide for its *enhancement and public enjoyment*. P.L. 93-440, An Act to Establish Big Cypress National Preserve, as Amended by P.L. 100-301, The Big Cypress National Preserve Addition Act (emphasis added).

⁶ <https://www.nrdc.org/sites/default/files/letter-oil-drilling-big-cypress-20210203.pdf>.

⁷ See *id.*

⁸ *Id.* at § (1)(c).

⁹ 16 U.S.C. § 698i(a).

We support President Biden’s campaign promise of “banning new oil and gas permitting on public lands and waters,”¹⁰ and the President’s forward-looking climate initiatives, including any analysis of “potential climate and other impacts associated with oil and gas activities on public lands.”¹¹ Oil drilling inside a National Park unit like Big Cypress National Preserve conflicts with the Interior Department and National Park Service’s stewardship responsibilities. Protecting the Preserve from oil drilling would better serve President Biden’s goal of conserving at least 30 percent of our lands and waters by 2030.¹²

The Preserve is a vital part of the Everglades and must not be further degraded if we are to ensure our extensive investments in Everglades restoration will result in success. **Please deny Burnett Oil Company’s applications to drill for oil in Big Cypress National Preserve.**

We sincerely appreciate your efforts, Secretary Haaland, to steward the public lands and waters of this country. We are grateful for your time and consideration.

Thank you,



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On behalf of the 107 undersigned organizations:

¹⁰ <https://joebiden.com/climate-plan/#>.

¹¹ The White House, *Executive Order on Tackling the Climate Crisis at Home and Abroad*, Section 208 (January 27, 2021) section 208.

¹² *Id.* section 216.

100 Thousand Poets for Change
1000 Friends of Florida
350 New Orleans
350 South Florida
Advocates for Clean & Clear Waterways
Alliance for Climate Education (ACE)
Apalachee Audubon Society
Aquatics for Life
Audubon Everglades
Audubon of Southwest Florida
Bay and Reef Company of the Florida Keys
Bear Warriors United
Calusa Waterkeeper
Cat Chase Media
Catalyst Miami
Center for Biological Diversity
Central Florida Climate Action
Coalition on the Environment and Jewish Life
Conservancy of Southwest Florida
Cypress Cove Landkeepers, Inc.
Debris Free Oceans
Democratic Environmental Caucus of Florida - Hillsborough County
Ding Darling Wildlife Society
Duval Audubon Society
Earth Action, Inc.
Earth Ethics, Inc.
Earthjustice
Earthworks
Endangered Species Coalition
Environment America
Environment Florida
Environmental Confederation of Southwest Florida
Environmental Protection Information Center-EPIC
Farmworker Association of Florida

Florida Bay Forever
Florida Chapter of the International Dark Sky Association
Florida Conservation Voters
Florida Council of Churches
Florida Keys Environmental Fund, Inc.
Florida Native Plant Society
Florida Oceanographic Society
Florida Silver Haired Legislature, Inc.
Florida Turtle Conservation Trust
Florida Veterans for Common Sense, Inc.
Food & Water Watch
Foundation for Florida Environmental Protection
Friends of ARM Lox NWR
Friends of the Earth
Friends of the Everglades
Georgia Interfaith Power and Light
Goodwin Company - Fine Antique Wood Since 1976
Great Old Broads for Wilderness
Hands Across the Sand
Healthy Gulf
Hispanic Access Foundation
Independent Party of Florida
International Dark Sky Association Florida Chapter
Kissimmee Waterkeeper
Lake Worth Waterkeeper
Last Stand
League of United Latin American Citizens
League of Women Voters of Florida
Louisiana Bucket Brigade
ManaSota-88, Inc.
Martin County Conservation Alliance
Miakka Community Club
Miami Climate Alliance
Miami Pine Rocklands Coalition

Mid-Pinellas Coalition of Neighborhood Associations
Mid-Pinellas Coalition of Neighborhood Associations
Mountain Lion Foundation
National Ocean Protection Coalition
National Parks Conservation Association
National Wildlife Refuge Association
Natural Resources Defense Council
Nature Coast Conservation
NC WARN
North Broward Democratic Club
Northeastern Minnesotans for Wilderness
Ocean Conservancy
One Protest
Our Santa Fe River, Inc.
Peace River Audubon Society
People for Protecting Peace River
Physicians for Social Responsibility, Florida
Physicians for Social Responsibility, Iowa
Physicians for Social Responsibility, Pennsylvania
Post Partisan Environmental Caucus of Florida
Preserve Our Wildlife Organization
Progress Florida
Progressive Democrats of America, Florida Chapter
Reef Relief
Responsible Growth Management Coalition of Southwest Florida
ReThink Energy Florida
Sanibel-Captiva Conservation Foundation
Save the Manatee Club
Sierra Club
Soil and Water Conservation
South Florida Audubon Society
South Florida Wildlands Association
Stone Crab Alliance
Surfrider FSU

The Amphibian Foundation
The Institute for Regional Conservation
Tropical Audubon Society
Turtle Island Restoration Network
University of Tampa College Democrats
Waterkeeper Alliance