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NATIONAL PARKS OF FLORIDA

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY, AND HUMAN RESOURCES

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

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NATIONAL PARKS OF FLORIDA

WEDNESDAY, JANUARY 11, 2006

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY,
AND HUMAN RESOURCES,
COMMITTEE ON GOVERNMENT REFORM,
Miami, FL.

The subcommittee met, pursuant to notice, at 2:05 p.m., at Miami City Hall in Coconut Grove, Miami, FL, Hon. Mark E. Souder (chairman of the subcommittee) presiding.

Present: Representatives Souder and Ros-Lehtinen.

Staff present: Marc Wheat, staff director; Jim Kaiser, counsel; Mark Pfundstein, professional staff member; and Malia Holst, clerk.

Mr. SOUDER. If we could have order, I'm going to go ahead and start the hearing.

Good afternoon, the subcommittee will come to order.

Thank you for joining us today. This is the eighth in a series of hearings focusing on the critical issues facing the National Park Service. I would like to welcome the Members of Congress who have joined us today, my wonderful colleague from the State of Florida, and those who care deeply about the national parks.

Thus far, we've not only had a Washington hearing, we've had field hearings in Gettysburg, Boston, Seattle, San Francisco, Honolulu, Grand Canyon, Flagstaff, we have one scheduled in February for Atlanta. We'll have one in Anchorage in August, and we don't have the date set yet for the Indiana Dunes and the Chicago area, and we may do one in the Rockies. The point here is to try to do them regionally around the country, see what things are different in each region, and which things are the same. This is, by far, the most comprehensive series of hearings that has ever been done in the National Park Service. There are, obviously, the Resources Committee and the National Parks Subcommittee, of which I spent probably about, I think, the last 6 years up until this year when I took leave to go back to education, actually, in 2005. We do occasional oversight, but there you are dealing with the day-to-day alterations to land, new heritage areas, different debates, and once in a while you may do a thing on demonstration fees or that, but you don't do a comprehensive oversight and analysis. And, that's really the purpose of the Government Reform Committee, which existed actually before the authorizing committees.

Historically, Congress always had appropriations committees and the next group was the oversight, and then the third thing was the authorizing. It was a somewhat rocky start to get these hearings

done, because the Government Reform Committee has never done anything before in the parks and resources area. So, everybody who thought it was solely their jurisdiction was not thrilled with these hearings. The administration thought that this would be a constant push for more money. The different subcommittees were concerned about jurisdiction, but as we worked through, basically, hey, that's what we do in Government Reform. Last year we were probably most famous for Mark McGuire saying to our committee that he didn't want to talk about the past, which, of course, in an oversight committee that's what we do, is we talk about the past to try to set up about the future, where if you look at the process, Congress spends the money. If you look at it, say, in education, Education Committee would set the policy and the authorizing, fund it through the Appropriations Education Subcommittee, and then the Government Reform from Education would do oversight.

So, every cycle our committee predominantly focuses, because we do authorizing and oversight, on narcotics, and have spent much of this week in Florida on that issue. But because we have a broad range, and we can't ever do complete oversight over anything, the chairman has wide discretion working with the ranking member to choose what areas that you want to do oversight on.

For example, the departments that we have oversight over would be anything with narcotics, which overlaps heavily into homeland security, because we are the primary border subcommittee, but we also have Health and Human Services, HHS, Education, HUD, Justice, and we one other one, it's basically 70 percent of the budget that—and then I traded Commerce to get Park Service. In addition, we have the White House Oversight on Faith-Based and other White House operations, so it's wide ranging. And, I chose this cycle that I wanted to focus on the Park Service. I think with the 100th birthday coming up that it's important that we look at this like we did Mission 66 prior to 1966 for the 50th birthday, and say where is the Park Service headed? What do we do? What do we want it to look like in the 100th birthday, and what do we want it to look like for future generations after the 100th birthday. And, whenever you have these huge timing periods, like the anniversaries, it's a time when you do reanalysis to look at this.

This hearing will focus on the parks of Florida. In most of these we highlight one, like the Grand Canyon, but then do that region. Last year, millions of Americans visited the State of Florida and millions more live here. Many of these people visit any of the 10 National Park Service units located here. These sites are historic, cultural, and natural, and all make unique contributions to the Park Service.

Florida is the home of the first permanent European settlement in the continental United States. This story is preserved at the Castillo de San Marcos in St. Augustine, which I visited earlier this week.

Perhaps the best known of the Florida's units is Everglades National Park. This park protects unique ecosystems, endangered species, and water quality in south Florida. Importantly, the Everglades are in a state of renewal and restoration. This restoration has been controversial and expensive, but can teach us much about preservation, environmental impairment, and restoration.

When the Republicans took over in 1994, the year that I came in, due to the leadership of the south Florida delegation they got, basically, Speaker Gingrich became interested in this and really initiated kind of an awareness more than had ever been in the U.S. Congress, broad-based, that we needed to address this whole question of population growth and the uniqueness of water.

West of the Mississippi in the Resources Committee that is what you debate all the time, is water; basically, who gets what percentage of the Colorado River, and how can they move it, and can they steal some of the Great Lakes water because they don't have enough out of the Colorado River. That's, basically, what the Resources Committee does. If they are not talking about forest fires, they are talking about water.

But, east of the Mississippi we don't talk about it as much, except down here in Florida where this is a kind of where you took a whole State that used to be wet, and now have built it heavily, and what does that do to the ecosystem of the State of Florida, and how does Florida resolve this.

A critical part of the parks of south Florida is environmental preservation. Of particular importance is the conservation of unique coral formations. These reefs provide homes, not only to unique wildlife, but also support human existence through water purification and protection from the ocean's fury.

The National Park Service is facing many challenges and problems. Management and funding are of constant concern to all park units. Underneath these problems are problems special to each park unit. In Florida, environmental degradation is of particular concern.

As we have frequently seen over the last few years, Florida sits directly in the path of hurricanes. These storms disrupt the day-to-day living of Florida's citizens and the balance of nature. Although hurricanes are themselves natural phenomena, they can and do destroy nature's delicate balance. They also damage Park Service assets which conserve the ecology of Florida and facilitate visits to these exceptional areas. Restoration and rehabilitation of park facilities in the face of recurring hurricanes is certainly a daunting task that will not end, but perhaps can be improved as we learn more about nature and hurricanes.

I would like to welcome Congresswoman Ileana Ros-Lehtinen to this hearing. Although she is not a member of this subcommittee, she is a member of the full Committee on Government Reform, and one of the more senior members. I think we are probably two of the five or six most senior members on the committee, she more senior than I. Congresswoman Ros-Lehtinen is a strong advocate for Florida and for the national parks.

On our first panel, I'd like welcome to Sherri Fields, chief of the Natural Resources Division of the Southeast Region of the National Park Service. She will be joined during the question time by Superintendents Karen Gustin of Big Cypress National Preserve, Dan Kimball from the Everglades National Park, and Mark Lewis from the Biscayne National Park.

Our second panel will be Nathaniel Reed with the National Park Conversation Association and also Dexter Lehtinen with the South Florida Ecosystem Restoration Task Force.

I also want to point out that you don't see that many field hearings working without the minority member, but we have a very bipartisan approach, which a lot of times people think all we do in Congress is fight, but, in fact, we work together on a number of issues. And Elijah Cummings is the ranking member on this subcommittee, and almost everything we do on narcotics, everything we do on parks, has been bipartisan, and it requires the minority and the majority to be working together to be able to do these type of field hearings, which we've done around the country, and we've been able to do that even in the continued and difficult atmosphere in Washington. But it's very important in the legacy of the National Park Service that we try to maintain as much as possible a bipartisan support base, so that the Park Service survives no matter which party takes control, and no matter which branch of which party takes control, it has to be something that can survive through multiple generations and changes in the political system.

With that, I'd like to yield to my friend and colleague, Ms. Ileana Ros-Lehtinen.

[The prepared statement of Hon. Mark E. Souder follows:]

Opening Statement
Chairman Mark Souder

"National Parks of Florida"

Subcommittee on Criminal Justice, Drug Policy, and Human Resources
Committee on Government Reform

January 11, 2006

Good afternoon and thank you for joining us today. This is the eighth in a series of hearings focusing on the critical issues facing the National Park Service. I would like to welcome the Members of Congress who have joined us today, and who care deeply about the National Parks.

This hearing will focus on the Parks of Florida. Each year, millions of Americans visit the state of Florida; millions more live here. Many of these people visit any of the ten National Park Service units located here. These sites are historic, cultural, and natural; all make unique contributions to the Park Service.

Florida is the home of the first permanent European settlement in the continental United States. This story is preserved at Castillo de San Marcos in St. Augustine.

Perhaps the best known of Florida's units is Everglades National Park. This park protects unique ecosystems, endangered species, and water quality in South Florida. Importantly, the Everglades are in a state of renewal and restoration. This restoration has been controversial and expensive, but can teach us much about preservation, environmental impairment, and restoration.

A critical part of the parks of South Florida is environmental preservation. Of particular importance is the conservation of unique coral formations. These reefs provide homes not only to unique wildlife, but also support human existence through water purification and protection from the ocean's fury.

The National Park Service is facing many challenges and problems. Management and funding are of constant concern to all park units. Underneath these issues are problems special to each park unit. In Florida, environmental degradation is of particular concern.

As we have seen frequently over the last few years, Florida sits directly in path of hurricanes. These storms disrupt the day to day living of Florida's citizens and the balance of nature. Although hurricanes are themselves natural phenomena, they can and

do destroy nature's delicate balance. They also damage park service assets which conserve the ecology of Florida and facilitate visits to these exceptional areas. Restoration and rehabilitation of park facilities in the face of recurring hurricanes is certainly a daunting task that will not end, but perhaps can be improved as we learn more about nature and hurricanes.

I would like to welcome Congresswoman Ileana Ros-Lehtinen to this hearing. Although not a Member of this Subcommittee, she is a Member of the full Government Reform Committee. Congresswoman Ros-Lehtinen is a strong advocate for Florida and for the National Parks.

On our first panel, I would like to welcome Sherri Fields, Chief of the Natural Resources Division of the Southeast Region of the National Park Service. She will be joined during the question time by Superintendents Karen Gustin of Big Cypress National Preserve, Dan Kimball from Everglades National Park, and Mark Lewis from Biscayne National Park.

Our second panel will be Nathaniel Reed with the National Park Conservation Association; also, Dexter Lehtinen with the South Florida Ecosystem Restoration Task Force. Welcome to all of you.

Ms. ROS-LEHTINEN. Thank you so much, Mark, and I thank you and your wonderful hard work down here. The Park Service is a very important part of our daily life in all of Florida, and especially south Florida, and not just for tourists, but native Miamians enjoy the beauty of our parks as well. And, I'm so delighted that you've asked the superintendents and the different officials from the National Park Services to testify today, Sherri Fields, Karen Gustin, Dan Kimball, Mark Lewis, representing Everglades National Park, Biscayne National Park, etc.

And, this hearing is very important, because we've had a very difficult hurricane season. As you pointed out, it's a natural phenomenon, but it's had a devastating impact, and no area of south Florida has been immune from the impact, certainly not the parks themselves.

I'm blessed to have Biscayne National Park and Dry Tortugas National Parks in my congressional district, and my colleague, Mario Diaz, is blessed to have Everglades National Park in his congressional district. So, a lot of us share the common problems that the parks are facing with continued use and making sure that we can keep our natural resources for the enjoyment of mankind, as well as for the beauty that it has for the tourists who come down here.

I've got, almost 70 miles west of Key West lies a cluster of seven islands composed of coral reefs and sand called the Dry Tortugas, and I know that you will be visiting this area shortly, along with the surrounding shoals and waters they make up what is called the Dry Tortugas National Park. The area is known for its famous birds and marine life, and this is certainly a pristine national park. It's got exquisite reefs, abundant sea life, and impressive numbers of birds, and it's one of our greatest natural treasures, but it needs mankind to make sure that we can keep these areas as pristine as possible, yet allow folks to use these treasures as well. I don't think that park should be run like by a librarian who hates it when somebody comes into the library to take a book off the shelf, because then it disturbs the order of the books on the shelf. National parks are to be enjoyed by all of us as well, and we've got to find that balance so that they can be open and enjoyed by everyone.

And, as we know, and you pointed out, Mr. Chairman, in your opening statement, the National Park Service had its founding in 1916. It's grown substantially, and it's caused an escalation and a demand of its resources, and we need to work together to determine how we can best address the needs of the National Park Service, especially here in south Florida. Our national parks in our area are facing many challenges, the hurricane season that I mentioned had an especially devastating impact on our parks. For example, in Everglades National Park one of the world's greatest natural resources, it draws thousands of visitors annually, it's critical that visitors have access to all areas of the park. The Flamingo Lodge suffered great damage from our hurricanes, and I hope that the National Park Service plans to rebuild the Flamingo Lodge so that it can be used by our community and visitors alike.

The Everglades is one of the most precious and abundant fish and wildlife preserves in the United States, and protection of this unique habitat has been a national priority, and we take great

pride being in south Florida saying that we've got this beautiful treasure right in our backyard.

So, I want to thank you, Mr. Chairman, for holding this timely hearing, for coming down here and being able to experience it yourself, for examining the crucial issues that we are facing, such as the preservation, and the maintenance, and the law enforcement, and homeland security aspects of national parks as well, and I look forward to the testimony of the superintendents and the distinguished panel of witnesses, and welcome the opportunity to work together with you, Mr. Chairman, and your staff, and other members of the subcommittee to ensure that our national parks are properly preserved and maintained so that we can enjoy them for my daughter's generation.

Thank you.

Mr. SOUDER. Thank you very much.

Before we hear testimony, we need to take care of some procedural matters. First, I ask unanimous consent that all Members have 5 legislative days to submit written statements and questions for the hearing record, that the answers to written questions provided by the witnesses also be included in the record.

Without objection, it is so ordered.

Second, I ask unanimous consent that all exhibits, documents and other materials referred to by Members and witnesses may be included in the hearing record, and that all Members be permitted to revise and extend their remarks.

Without objection, it is so ordered.

Finally, I ask unanimous consent that all Members present be permitted to participate in the hearing.

Without objection, it is so ordered.

Our first panel, if you would come forward, is Sherri Fields, Chief of Natural Resources Division, Southeast Region of the National Park Service. She will be accompanied by Karen Gustin, superintendent of Big Cypress National Preserve, Dan Kimball, superintendent of Everglades National Park, and Mark Lewis, superintendent of Biscayne National Park.

And, if you could all come up, I'll actually need to swear you in. Normally, this isn't a big deal, but we do this as an oversight committee, Raphael Palmeiro found it can be a big deal, hopefully, we won't have to do any of that. If you'd raise your right hands.

[Witnesses sworn.]

Mr. SOUDER. Let the record show that each of the witnesses responded in the affirmative, and I understand that Sherri will be giving—Ms. Fields will be giving the testimony, and then the others will be available for questions.

The rest of you can sit now, if you want, during the testimony, and then as we get into questioning we'll do that.

Ms. Fields.

STATEMENT OF SHERRI FIELDS, CHIEF, NATURAL RESOURCES DIVISION, SOUTHEAST REGION, NATIONAL PARK SERVICE

Ms. FIELDS. Great, thank you, Mr. Chairman. I really appreciate this opportunity to appear before you today, to discuss some key

issues facing the national parks here in Florida, with particular focus on the cost of restoring natural landscapes.

I will take the next few minutes to present a few short remarks, while providing a more complete written testimony for the record.

First, on behalf of the National Park Service, I would like to acknowledge and thank Congress for its continuing support of our parks and programs in the Southeast Region, as well as the entire National Park System.

With me today are Karen Gustin, superintendent of Big Cypress National Preserve, Dan Kimball, superintendent of Everglades National Park and Dry Tortugas National Park, and Mark Lewis, superintendent of Biscayne National Park. They will be happy to answer any specific questions about their parks at the conclusion of my testimony.

The State of Florida is home to 11 units of the National Park System, including Fort Caroline and DeSoto National Memorials, Canaveral and Gov Island National Seashores, Castillo de San Marcos and Fort Matanzas National Monuments, and the Timucuan Ecological and Historic Preserve.

Here in south Florida, we manage the three largest, and arguably most ecologically significant areas in the State. Everglades National Park, the largest remaining sub-tropical wilderness in the United States, Biscayne National Park, the largest marine park in the National Park System, and Big Cypress National Preserve, the first national preserve in the National Park System. Approximately 70 miles west of Key West, FL is Dry Tortugas, a cluster of seven islands surrounding shoals and waters, and which includes Fort Jefferson, one of the largest coastal forts ever built.

In 2004, Park Service units in Florida welcomed more than 9 million visitors, who generated millions of dollars in economic benefits to surrounding communities. The Park Service respects the responsibilities entrusted to us by the American people, and our focus remains fixed on protecting these places for the enjoyment of present and future generations.

As is the case throughout the National Park System, parks in Florida are funded from several different sources, to help carry out their important missions. Congress appropriated more than $31.5 million for the operation of the national parks of Florida in fiscal year 2005. This is an increase of 6 percent from 2004.

In addition to these base funds, many units receive cyclic maintenance funds, and some construction and land acquisition funds designated for individual parks in annual appropriations bills. Parks also collect concession fees, transportation fees and recreation fees. For fiscal year 2005, Florida parks received over $3.3 million from the 80 percent portion of the recreation fees that individual parks retain, which were used for projects that benefit visitors.

In addition, Florida parks receive a great deal of financial and in-kind support from cooperating associations, fringe groups and other partnership entities.

I would now like to touch on some significant initiatives and issues of great importance to our parks here in south Florida.

The Everglades National Park Protection and Expansion Act of 1989 authorized the addition of over 109,000 acres of the northeast Shark River slew to the park. The act directed the Army Corps of

Engineers to improve water deliveries to Everglades National Park and to the extent practicable take steps to restore the natural hydrologic conditions and the biological abundance and diversity of the park.

Through fiscal year 2005, the project received $191 million in Park Service construction funds and $100 million from the Land and Water Conservation Fund, for the purpose of acquiring the East Everglades addition to Everglades National Park, and to implement the Modified Water Deliveries Project. All but 500 acres have been acquired, and several components of the project have been completed.

For fiscal year 2006, the Congress appropriated an additional $60 million to the Park Service and the Corps to carry out the modified Water Deliveries Project.

In 2000, Congress passed the Comprehensive Everglades Restoration Plan [CERP], a State and Federal partnership that is estimated to cost $12 billion and take several decades to complete. The six to eight project components comprising CERP are intended to provide benefits for the natural eco system, while also providing for urban and agricultural uses.

To date, the State and Federal Governments have established the legal assurances in the form of a binding and enforceable agreement, as well as programmatic regulations to ensure that appropriate quantities of water that are produced by CERP are set aside by the State of Florida and dedicated and managed for the restoration of the Everglades Natural System.

Last year, the State of Florida announced its initiative to accelerate elements of the CERP and commit the funding necessary to plan, design and construct these projects. This evidence of the State's commitment of more than $1.5 billion provides the opportunity to jump start the restoration plan agenda and is a major boost for Everglades restoration.

While south Florida eco system restoration will provide for long-term benefits to the quantity, timing and quality of water flowing through the system, shorter term efforts are also underway to address the single greatest threat to native plant communities at our parks, non-native, invasive plants. For example, at Everglades National Park and Big Cypress National Preserve there are approximately 1,000 plant species recorded. Of these, more than 200 species are exotic invasives. With the generous funds appropriated by Congress for our Exotic Plant Management Teams, we have been able to forge an attack on species such as melaluca, old world climbing fern, resilient pepper, and Australian pine.

Recognizing that invasive species cross geographic and jurisdictional boundaries, collaborative efforts among Federal, Tribal, State and local entities, and willing private landowners, can be highly effective in managing a shared problem. The partnership between the Park Service and the State Department of Environmental Protection is an example of how collaboration and leveraging of funds can result in significant strides toward addressing this issue.

From 2000 to 2005, the State has nearly matched dollar for dollar Park Service funds to treat invasive plants and over 398,000 acres of park lands.

There are a number of other natural resource challenges facing our parks, which I do not have time to address, but they include the restoration of seagrass beds and coral reefs damaged by vessel groundings at Biscayne, protecting wetlands and managing for off-road vehicle use at Big Cypress, and managing the recently implemented research natural area at Dry Tortugas.

Finally, Mr. Chairman, it is apparent that the devastation caused by the two most destructive hurricane seasons in recent memory has been imprinted in the minds of millions of Americans. The national parks of Florida were also severely impacted by those storms. The high winds and storm surge resulted in damage to piers, historic structures, park facilities, staff residences, lodges, cabins, vegetation, trails, wildlife species and coral reefs.

Though the parks are actively working to address damages from the hurricanes, we are still undergoing natural resource damage assessments. In some cases, the full and cumulative extent of damage and needed restoration costs will not be known until the additional damage assessments are completed.

In conclusion, we are deeply committed to protecting the places in our care and ensuring quality visitor experiences for present and future generations. We deeply appreciate the support parks have received from you and from Congress. Thank you for the opportunity to be here today. We will be happy to respond to any questions you or other Members may have.

[The prepared statement of Ms. Fields follows:]

STATEMENT OF SHERRI FIELDS, CHIEF, NATURAL RESOURCES DIVISION, SOUTHEAST REGION, NATIONAL PARK SERVICE, U. S. DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES, OF THE HOUSE GOVERNMENT REFORM COMMITTEE, AT AN OVERSIGHT HEARING CONCERNING THE NATIONAL PARKS OF FLORIDA.

JANUARY 11, 2006

Mr. Chairman, thank you for the opportunity to appear before you to discuss key issues facing national parks in Florida, with particular focus on the costs of restoring natural landscapes. We are pleased to welcome you to Miami.

First, on behalf of the National Park Service (NPS), I would like to acknowledge and thank Congress for its continuing support of our parks and programs in the Southeast Region, particularly the NPS areas of Florida, as well as the entire National Park System. With me today are Karen Gustin, Superintendent of Big Cypress National Preserve, Dan Kimball, Superintendent of Everglades National Park, and Mark Lewis, Superintendent of Biscayne National Park. They will be happy to answer any specific questions about their parks.

The State of Florida is home to 11 units of the National Park System, including Fort Caroline and De Soto National Memorials, Canaveral and Gulf Islands National Seashores, Castillo de San Marcos and Fort Matanzas National Monuments, and the Timucuan Ecological and Historic Preserve.

Here in South Florida we manage the three largest and arguably most ecologically significant NPS areas in the State: Everglades National Park, the largest remaining subtropical wilderness in the United States; Biscayne National Park, the largest marine park in the National Park System; and Big Cypress National Preserve, the first national preserve in the National Park System.

Approximately 70 miles west of Key West, Florida, is Dry Tortugas National Park, a cluster of seven islands, which is composed of coral reefs, sand, and surrounding shoals and waters, and which includes Fort Jefferson, one of the largest coastal forts built.

In 2004, NPS units in Florida welcomed more than nine million visitors who generated millions of dollars in economic benefits to surrounding communities. The NPS respects the responsibilities entrusted to us by the American people, and our focus remains fixed on protecting these places for the enjoyment of present and future generations.

Congress appropriated more than $31.5 million for the operation of the National Parks of Florida in Fiscal Year (FY) 2005, an increase of about 6 percent from FY 2004. In addition to park base funding, other funding sources included $668,700 for cyclic maintenance projects and $887,344 for repair/rehabilitation projects.

As is the case throughout the National Park System, parks in Florida are funded from several different sources, in addition to their operating budgets, to help carry out their mission. Many receive cyclic maintenance funds distributed by the regional office, and some have construction and land acquisition funds designated for individual parks in annual appropriations bills. Parks also collect concessions fees, transportation fees, and recreation fees. For FY 2005, Florida parks received about $3,367,000 from the 80 percent portion of recreation fees that individual parks retain, which will be used for projects that benefit visitors. In addition, Florida parks have been given a great deal of financial and in-kind support from cooperating associations, friends' groups, and other partnership entities.

Everglades Restoration

The Everglades National Park Protection and Expansion Act of 1989 authorized the addition of 109,600 acres of the Northeast Shark River Slough to the Park. The Act directed the U.S. Army Corps of Engineers (Corps) to improve water deliveries to Everglades National Park and, to the extent practicable, take steps to restore the natural hydrologic conditions and the biological abundance and diversity of the Park. Through fiscal year 2005, the project received $191 million in NPS construction funds and $100 million from the Land and Water Conservation Fund for the purpose of acquiring the East Everglades Addition to Everglades National Park and to implement the Modified Water Deliveries Project. All but 500 acres have been acquired and several components of the Modified Water Deliveries Project have been completed. For fiscal year 2006, the Congress appropriated an additional $60 million to the NPS and the Corps to carry out the Modified Water Deliveries Project, which has an estimated completion date of 2009 subject to the selection of a final design plan for the Tamiami Trail component of the project.

In 2000, Congress passed the Comprehensive Everglades Restoration Plan (CERP), a State and federal partnership that is estimated to cost $15 billion and take several decades to complete. The 68 project components comprising CERP are intended to provide benefits for the natural ecosystem while also providing for urban and agricultural uses. To date, the State and federal governments have established the legal assurances in the form of a binding and enforceable agreement, as well as programmatic regulations, to ensure that appropriate quantities of water that are produced by CERP are set aside by the State of Florida and dedicated and managed for the restoration of the Everglades natural system. Additionally, the agencies have established an independent scientific panel, chaired by the National Academy of Sciences, to report biennially to the Congress on the restoration success of CERP. The agencies have also proposed interim goals by which to measure restoration success and have developed technical guidance to implement CERP.

Also, the Corps and the South Florida Water Management District have initiated more detailed project planning on a number of plan components, including several near Everglades and Biscayne National Parks, and the State of Florida is providing up-front funding in the form of its *Acceler8* initiative for several of the largest water storage components. That initiative is a major boost for Everglades restoration which reaffirms the commitment of the Federal, State, and local partnership to revitalize the ecosystem. The Everglades National Park South Florida Natural Resources Center is coordinating NPS involvement in this interagency effort. Utilizing additions to the park's base in FY 2001 and 2002, new science staff has been hired to support enhanced

NPS participation in these new restoration responsibilities. More specifically, NPS science staff is participating in interagency teams to develop, model, and evaluate alternatives and to recommend environmentally preferred plans.

Last year, the State of Florida announced its initiative to accelerate elements of the CERP and commit the funding necessary to plan, design, and construct these projects. This evidence of the State's commitment of more than $1.5 billion provides the opportunity to "jump start" the Restoration Plan agenda.

If all the restoration projects are implemented, Everglades National Park and other protected natural areas in South Florida could be transformed from some of the most threatened units in the National Park System to restored and unique areas of a healthy South Florida. For example, at Biscayne National Park, the promise of increased quantity, timing, and quality of fresh water being restored to Biscayne Bay provides hope for the restoration of the diversity and abundance of this wonderful underwater ecosystem and this critically important fishery.

Other Landscape Restoration Efforts

Non-native exotic plants are the single greatest natural resource threat to the native plant communities of Everglades National Park. There are approximately 1,000 plant species recorded in the park. Of these, more than 200 species are exotic. Overall, these species are estimated to affect approximately 200,000-250,000 acres of the park.

In order to address the threat posed by exotics, Everglades National Park's Exotic Vegetation Management Program requested and received funds from several State and federal sources for the treatment of invasive exotic plants. In FY 2005, more than 110,000 acres of affected parklands in Everglades National Park were treated and controlled.

A special landscape restoration project has been ongoing since 1989 in the Hole-in-the-Donut area of Everglades National Park. This area, originally a wetland, was farmed from 1918 until 1975. When farming ceased, the area became dominated by the non-native tree commonly known as Brazilian pepper. County wetland mitigation bank funds are being used to restore the area to a marl prairie wetland vegetative community with its associated wildlife. Total estimated project costs are more than $100 million. All costs have been obtained from non-NPS appropriated funds through cooperative agreement with Miami-Dade County. To date, 4,047 acres have been treated; about 65% of the total of 6,250 acres. Environmental monitoring activities, also supported through cooperative funds, are documenting recovery stages and success rates, as well as wildlife re-uses of the area.

Research Natural Area

In July 2001, the NPS approved a General Management Plan Amendment for Dry Tortugas National Park. The amendment established a 46-square-mile Research Natural Area that will be open only to non-consumptive uses. The prohibition of all fishing in the Research Natural Area, for fish stock replenishment purposes, complements the already existing Tortugas Ecological Reserve, a part of the Florida Keys National Marine Sanctuary. The park has begun the early

stages of developing an implementation plan to include placing boundary and mooring buoys, scoping the terms for concession contracted services, creating a new fee system, and other required rule-making procedures. Also, a management agreement has been executed between the State of Florida and the Secretary of the Interior to ensure that the submerged lands within Dry Tortugas National Park will be managed in accordance with the laws, regulations, and policies applicable to the NPS.

Impacts of Illegal Immigrants

Encounters with illegal immigrants seeking to land without authorization on U.S. territory have posed challenges for the NPS since the early 1960's. NPS supply vessels traveling to and from the Dry Tortugas National Park have encountered and have had to detain boats carrying illegal immigrants. Illegal immigrants also are landing and hiding on keys within Dry Tortugas National Park, with over 600 people arriving between January and June during 2005. Some of these areas are ecologically sensitive areas that are permanently or periodically closed or limited to the public for resource management purposes, such as turtle or bird nesting. For example, Loggerhead Key, the largest key in the park, has an established carrying capacity of 24 visitors per day to ensure restoration of native vegetation. The activities of illegal immigrants in these ecologically sensitive areas make enforcement of these closures and limitations and, ultimately, the protection of the resources more difficult to achieve.

Off-Road-Vehicle (ORV) Plan

Restoration of landscape resources within Big Cypress National Preserve will be implemented and heavily dependent on completion of the Big Cypress Off-Road-Vehicle (ORV) Plan. The ORV Plan, adopted in 2001, provides protection for critical habitat through the establishment of a network of designated ORV trails. At an estimated cost of approximately $19 million, the plan establishes 400 miles of stabilized trails that will protect fragile wetland vegetation communities and lessen disturbances to area wildlife while providing recreation and access to backcountry destinations for visitors and private property in-holders.

Ongoing restoration projects include sites such as Patton's Pit, a former salvage yard and service station that will be converted to wetlands for the benefit of fish, wildlife, and aquatic vegetation. Site remediation plans included the removal of potentially hazardous materials such as old fuel tanks, unmarked containers of unknown substances, and various automobile parts. A borrow pit found at the site will be partially backfilled with on-site fill material that was excavated from the pit. Abandoned oil pads and access roads that predate the establishment of the preserve are being considered as potential mitigation sites in an effort to restore the natural hydrologic character and function of wetlands in the vicinity of these sites.

Coral Reef Restoration

Underwater landscape damage in Biscayne National Park is often the direct result of more than 200 annual vessel groundings in Biscayne National Park, most of which occur on fragile sea grass beds. Fortunately, few groundings occur on the even more fragile coral reefs. The park

has restored a number of heavily damaged sea grass meadows, and this has significantly contributed to the improvement of sea grass restoration technology.

Although many different technologies for coral reef restoration have been tried, success has been meager and difficult to quantify. The inability to satisfactorily restore damaged coral reefs is due in large part to limited understanding of coral reef ecology. The park will continue to pursue restoration of damaged reef tracts and has developed coral reef nurseries to assist in those efforts.

Hurricanes Dennis, Rita, Katrina & Wilma

Mr. Chairman, by now the devastation caused by the two most destructive hurricane seasons in recent memory has been imprinted in the minds of millions of Americans. The National Parks of Florida were also severely impacted by those storms. In addition to damage to landscapes and seascapes, facilities at Everglades, Big Cypress, Dry Tortugas, Biscayne, and Gulf Islands were also damaged.

Everglades and Dry Tortugas National Parks were hit hard by Category 3 Hurricane Wilma, which passed over the area on October 24, 2005, causing high winds and storm surge. At the time, both parks were also still in the process of recovering from significant damage from Hurricane Katrina, which had passed through in late August.

The Dry Tortugas received damage that was similar in nature and scale to that experienced during Hurricane Charley in 2004, including damage to the finger piers, the moat wall, and upper brick work at the fort. Many trees were downed, and damage to some staff quarters was sustained. Shifting sands have changed the configuration of some of the islands and channels adjacent to Garden Key.

Everglades damage was most severe in the Flamingo area. This area experienced very high winds and an eight-foot storm surge which deposited eight to ten inches of mud over much of the in-shore area. Facilities, staff residences, and utilities were damaged or destroyed. The lodge and cabins at Flamingo sustained significant damage and are not in a habitable condition. Efforts are underway to reopen portions of Flamingo for day use visitor services and to allow front and backcountry camping this season.

At Biscayne National Park, natural resources were heavily impacted beginning with Hurricane Dennis in August and culminating with Hurricane Wilma in late October. On the islands, the slow recovery from the vegetative damage of Hurricane Andrew was significantly reversed by the repeated hurricanes. Although trails have now been reopened, salt spray from the storms has killed much of the leafy cover, slowing recovery.

Amidst this rash of hurricanes, elevated water temperatures in August triggered a significant coral bleaching event, which continued through November. All of the branching corals, the primary reef builders, were heavily damaged by the hurricane, and their mortality was increased by the trauma of the bleaching event. The hurricanes pushed many lobster traps onto the reef increasing the level of storm damage by abrasion, smothering and filling voids used by fish, lobsters, and other invertebrates. Plans are being developed to remove the debris, but our limited

understanding of the underwater environment forces us to rely on natural processes for the vast majority of recovery processes within the reef tracts.

At Big Cypress National Preserve, the 2005 hurricane season will be recorded as the most destructive season since Hurricane Andrew in 1992, affecting the ecology, wildlife, cultural, and economic well-being of the region. Following an unusually active rainy season, hurricane winds and elevated water levels resulting from Hurricanes Rita and Wilma exacerbated existing problems created from near-record high-water levels. The cumulative effect of rain and high winds proved to be damaging to endangered species, plant communities, cultural resources, and recreational conditions within the preserve. Immediate attention was devoted to a condition assessment following Hurricane Wilma, and a full assessment and remediation program for natural resource damages will be required, including a comprehensive assessment of invasive exotic plant and animal species, damage to threatened and endangered species such as the red-cockaded woodpecker, damage to cultural sites, and damage to important hardwood hammocks.

Big Cypress National Preserve has identified several landscape restoration projects that can be initiated prior to the completion of the full condition assessment. Specific projects include: (1) treatment of exotics along the Loop Road following mowing and removal of brush, an activity that can spread or worsen infestations; (2) treatment and removal of Brazilian pepper from hammocks and pine flatwoods throughout the preserve; (3) an assessment of the types of changes to vegetative communities that have occurred as a result of Hurricane Wilma, which would cover mapping software and hardware as well as aerial and ground surveys; (4) an impact assessment and follow-up monitoring of rare plant species in upland communities with mitigation measures if necessary; and (5) a survey of the northern portion of the preserve to determine the extent of the spread of Old World Climbing Fern, due to wind generated spore dispersal.

In conclusion, we are deeply committed to protecting the places in our care and ensuring quality visitor experiences for present and future generations. We deeply appreciate the support parks have received from Congress and from the American people. Thank you for the opportunity to be here today. I would be happy to respond to any questions you or other members of the subcommittee may have.

Mr. SOUDER. First, what I would like to do is start with some general—and we may followup with staff as far as particular dates so we can have some comparison between the regions, but if you could give us, by park in your zone, the full-time equivalent, the FTEs of the employees you had in, I will say, 2000, 2003, 2005, but the ideal thing will be to match up with what I've requested at other hearings, so we may change those dates slightly.

Part of our challenge here is, Congress, basically, is making the fundamental decision of how much we fund the Park Service, along with each administration. But, we need to know what tradeoffs we are making, and one of those things is to get a handle on what's happening in the staffing question.

A second part of that is, if you could show us the—I don't know how else to say this, but we can work with staff and your office, the regular dollars you receive in the budget, in other words, what is southeast, what are your 10 parks getting, is it increasing, declining, going with inflation? We are roughly doing 3 percent on the Park Service, they are getting around 3, not counting the plus up for the Everglades Project. And, we'll have to figure out how we put something like that back in, because clearly it's coming into your zone, but one of the fundamentals is, is it coming into your zone, and how much of that comes out of your regular budget, how much of that was actually new money, and the only way for us to tell that is to get some kind of, what's your baseline operations, and then what do we put in when we add a unit? Because one of the things we do all the time in Congress is we vote for a new heritage area, we vote for a new park, we vote for an extension for a park, without calculating or being told, quite frankly, what that means in tradeoffs if we are not increasing the dollars by an equivalent amount when we do that.

And, the only way we can do that for our report is get some of the baseline data, so that then we can try to analyze and try to tell region by region what tradeoffs we are making, because clearly we have to make tradeoffs. We are making tradeoffs in Medicare. We are making tradeoffs in Social Security, and child abuse support we are making tradeoffs, and what type of things, weapon systems and everything else, there's some of that in the Park Service too, but the goal of this report is to kind of document some of that tradeoff that we don't really—we haven't really done an oversight study on before. The tradeoffs have been done inside the administration.

Another broad question, have you had agents transferred out of your parks for homeland security purposes, or do you tend to get agents transferred to your zone?

Maybe each of the superintendents could come up, and if you don't have a district wide, maybe you could each say about your three parks at least. Have you had—when homeland security pressures became kind of greatest after September 11th, and then in not counting—I'm going to ask separate hurricane questions, if you could start maybe with the Everglades.

Mr. KIMBALL. Thank you, Mr. Chairman, and I'm very pleased to be here today, thank you for holding this hearing.

My understanding is that your different, Code Orange, Code Red, whatever, that actually Everglades National Park, we did not per-

manently transfer any rangers to homeland security or any other Federal entity.

That being said, we did send rangers from Everglades to various locations around the country to provide enhanced levels of security.

Mr. SOUDER. Is that happening on a regular, ongoing basis, or that just happened right after September 11th?

Mr. KIMBALL. I think—that was before I got to Everglades, but as far as I know there were certain—I would presume if we went to an elevated code, a threat level, that, in fact, they would draw upon Everglades law enforcement, fully commissioned law enforcement rangers, who would, in fact, then go to Washington or other locations with the Park Service or other locations.

Mr. LEWIS. All of the parks were asked to provide law enforcement protection rangers, commissioned rangers, that were sent to dams, to icon parks, to places both within and without of the National Park Service, and that lasted over a period of about a year and a half or 2 years.

During that time, it was not uncommon for a park that, just say as an example, may have had eight or nine law enforcement commission rangers on staff, may have two of those rangers out of the park for a month at a time.

Mr. SOUDER. And, that happened at Key Biscayne, too?

Mr. LEWIS. I have been at Biscayne National Park for a total of about 4 months, so I can't answer your question directly. It did occur at the park that I was at prior to this.

Mr. SOUDER. Which was?

Mr. LEWIS. Horseshoe Bend National Military Park, also in the Southeast Region.

Ms. GUSTIN. Thank you, Mr. Chairman.

I've been at Big Cypress for about 8 months, and so I don't know exactly what the situation was at Big Cypress after September 11th, but prior to that I was at Pictured Rocks National Lakeshore up on Lake Superior, and we had law enforcement commission rangers that would rotate out to these icon parks, like the Archer, Independence Dam recreation areas for a period of about 3 weeks, and that did last for about year and a half to 2 years. And, we had probably one person gone on a fairly regular basis during that time from our current—from the staff that we had.

Mr. SOUDER. In any of your three parks, when we go to a higher standard, are anything particular targets there that are increased? Have you identified in your parks, yes, hydrology, water systems are at risk and, therefore, you need to also put ranger protection on those sites?

Mr. KIMBALL. I don't believe Everglades or Dry Tortugas National Parks are identified as icon parks that would warrant additional security measures, Mr. Chairman.

Ms. GUSTIN. That would—same for Big Cypress.

Mr. LEWIS. And, the same for Biscayne National Park.

Mr. SOUDER. And, if you could check, we'll let the record stand that—what would be helpful, if you could each provide for the record, so we can have a base here, how many law enforcement rangers you have at your park, and if you can get some idea on the standard how many were transferred, because one of the key questions here, is how do we—should there be a separate homeland se-

curity allocation given the icons and the Park Service, much like we do with highways and the Park Service, because of demands in the system that are put on the system?

Also, presumably, maybe Mr. Kimball you could say, what does the law enforcement ranger do at the Everglades National Park?

Mr. KIMBALL. A wide range of activities, everything from standard law enforcement to patrolling our park road, to patrolling out on Florida Bay looking for resource violations, in some cases dealing with resource issues, a full, wide range of things, perhaps, meeting visitors and doing interpretation, and possibly responding to an alert from a visitor that a python has been cited.

So, it's fairly safe to say that while some things might be able to be reduced in function, law enforcement rangers are not something that's easily automated.

Mr. SOUDER. I'm sorry, easily automated?

Mr. KIMBALL. No.

Mr. SOUDER. In other words, as far as protecting panthers, protecting whether people are poaching, protecting campers, requires a person.

Mr. KIMBALL. Yeah, they provide a full range of services for the Park Service, and they have extensive training, and most of—a large number of our law enforcement rangers, because of the distance from a hospital or emergency technicians, are medical technicians, EMTs.

Mr. SOUDER. So, when you have refugees come in to the Dry Tortugas, are those law enforcement rangers that would handle that?

Mr. KIMBALL. Yes. We do work with the U.S. Coast Guard and Homeland Security. When they land at the fort, it's really an all-hands drill. I would be happy to explain the process, and we can talk about that when we are going out to the fort on Friday, but it is a security matter, it is a homeland security matter when they arrive at the fort, dry foot, and at that point we maintain security and either have the U.S. Coast Guard come and pick them up, or we, in fact, bring our boat out some time to take them back to authorities in Key West.

Mr. SOUDER. So, roughly, how many law enforcement rangers do you have?

Mr. KIMBALL. We have five law enforcement rangers at Dry Tortugas National Park, with a total staff of 13.

Mr. SOUDER. And, Everglades?

Mr. KIMBALL. Law enforcement?

Mr. SOUDER. Yes.

Mr. KIMBALL. We have a total of 28, and we have an allocation of 33, so at this point we have five unfunded law enforcement rangers.

Mr. SOUDER. So, you are already down five to six, and if you had the two of nine ratio you conceivably could have had as many as six gone at the highest levels of elevation after September 11th from Everglades, and possibly another one from Dry Tortugas.

Mr. KIMBALL. Possibly. We can go back and look to see how many, in fact, what the draw was.

Mr. SOUDER. My question is that how—is it safe to say that your pressures on law enforcement haven't decreased at Everglades Park?

Mr. KIMBALL. Our law enforcement needs assessment and our V wrap shows a requirement of 52 law enforcement rangers. Obviously, we are not at that level. We are looking at a lot of other ways of getting assistance, and I'd be happy to explain some of those things that do provide assistance and additional law enforcement rangers with some additional sources of funding.

Mr. SOUDER. It would be very helpful if you could provide that for the record.

Mr. KIMBALL. I'd be happy to.

Mr. SOUDER. So we would have that, because one of the questions is, when you are multi-tasked to protect increasing—in many cases increasing numbers of visitors, plus the resources, plus the wildlife, which would be part of the resources, and then rangers are taken away, and if the demand is increasing, but the number of people are reducing, the question is, what tradeoff are we making?

And, in fact, you know, what is the effect? Are visitors less safe? Have you had a resource reduction, increase in poaching? What, in fact, happens when we reduce that, or, in fact, have we overestimated the number of rangers we need? That's the tradeoff.

Do either of you have any comments on the rangers and on your resources, that discussion? Would you say that your law enforcement need has declined?

Mr. LEWIS. Our need has declined?

Mr. SOUDER. Yeah.

Ms. GUSTIN. The need?

Mr. LEWIS. I would not say that our need has declined. At Biscayne National Park, the park covers 173,000 acres, most of that is over water. And, if we were at full staff with our protection staff we would have seven people.

When you consider people being on blue days, and people being on, you know, vacations every now and then, and training, that's pretty short staffed. Right now we've got five positions, two of those that are filled, two of those positions are not filled, and we are in the process of trying to fill those now.

Mr. SOUDER. Are your positions law enforcement mostly focused on protecting coral or wildlife, or on people who are there?

Mr. LEWIS. Quite honestly, we spend most of our time right now dealing with people. We find it difficult to really get out on the reefs, where we would like to be. One of the reasons that the park was established, of course, was because of the beautiful coral reefs which make up about 33 miles of the park. We spend so much time dealing with people issues that we don't get out and spend a lot of time on resource protection.

Now, we do have other staff members who are not commissioned rangers, who do spend time doing resource management programs, archeological programs, and things of that nature, but to answer your question, we are not over staffed.

Mr. SOUDER. Ms. Gustin, we stopped coming across from the west side at the visitor center on Big Cypress a few hours ago.

Ms. GUSTIN. Right, good.

Mr. SOUDER. Are those—that's comparatively new in the system, visitor center?

Ms. GUSTIN. The Oasis Visitor Center?

Mr. SOUDER. Yes.

Ms. GUSTIN. No, that's been around for quite a while.

Mr. SOUDER. OK. Now, what about, have you expanded facilities there? Are you getting more visitors? How is Big Cypress evolving?

Ms. GUSTIN. Right. We have a permanent law enforcement staff currently of about eight law enforcement rangers. That includes our chief ranger who is the program manager for the division. And then, we have three unfunded positions.

And, similar to Everglades and Biscayne, our rangers do a wide variety of functions, from road patrol, to campground patrol, to wildlife violations, and spend a lot of time dealing with people, of course.

And, to answer your first question, I would not say our need is decreasing. We get about a half a million visitors a year into Big Cypress, and our total acres is 730,000 acres. Out of those 730,000 acres, we have approximately 150,000 that are part of a new part of the park called the Addition, that was acquired in 1988, and that will offer us a new challenge as far as managing from a resource protection and law enforcement standpoint is concerned.

So, our needs are increasing, I think probably every park would say the same.

Mr. SOUDER. OK.

Before following up with some more questions I'll yield to my colleague.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman.

Thank you, all of you, for being here today.

I had a few questions. Regarding the Coral Reef Restoration Project at Biscayne National Park, Ms. Fields' testimony says, "Although many different technologies for coral reef restoration have been tried, success has been meager and difficult to quantify. The inability to satisfactorily restore damaged coral reefs is due in large part to limited understanding of coral reef ecology." I wanted to get more background about why we would have such limited understanding. It seems that so much has been written, and explored and studied about coral reef, our understanding of coral reef ecology. What knowledge do we need that would——

Mr. LEWIS. I am guessing Sherri wants me to field this one.

Ms. ROS-LEHTINEN. Do we need a Jacques Gusteau?

Mr. LEWIS. An example, coral bleaching is an event that's been taking place over the last 10 to 12 years at an increased rate. We don't know why it occurs. We've got a lot of antidotal evidence of some of the characteristics of the sea that are occurring when coral bleaching occurs, but we honestly don't know. It's probably some combination of related to temperature, of ultra violet radiation, of, you know, a number of different things, pollution.

We do know, and I know you are an avid water enthusiast, you may have been in the water over the reefs in the park. You can swim along and there will be reef sections that are absolutely gorgeous, beautiful, and then right beside it there will be a piece of reef that's just bleached out white. It might have a shell sitting on

top of a piece of brain coral and you pick up that shell and what had been shielded from the sunlight isn't bleached out.

There's just, to be honest with you, yeah, there has been a lot of study going on over the last 50 years about reefs, but there's just so much that we don't understand. Part of our process, or one of our programs of revitalizing damaged reef areas, includes going out when there's been a grounding and we have reef damaged and destroyed, going out and actually picking up pieces of reef that are very small, that probably would never grow again, and we take them into a nursery and we're trying to grow them so that we can actually use those pieces once they've grown larger to restore other damaged areas.

So, we are doing a number of different things, but we have not had a great deal of success, quite honestly.

Ms. ROS-LEHTINEN. Thank you.

We have such a great educational facility in the University of Miami Rosenstiel School. Does the Park Service partner with any educational institutions to try to get that background, because I know it is here in Ms. Fields' testimony about the hurricane damage. She says, "Our limited understanding of the underwater environment forces us to rely on natural processes for the vast majority of recovery processes within the reef tracks." So again, that lack of understanding, there are great educational facilities.

Mr. LEWIS. We have a number of relationships with the universities, with NOAA, their National Marine Fisheries Section, with different Park Service units, with the Coral Reef Task Force. We've got relationships with tons of people, we truly do, and all of us are working together to try to come to grips on this, and be able to be more effective in our Resource Restoration Projects.

Ms. ROS-LEHTINEN. Thank you, Mr. Lewis.

On the issue of hurricanes, and the impact that it's had on so many of our parks, Biscayne National Park, Ms. Fields' testimony said, "Although trails have now been reopened, salt spray from the storms has killed much of the leafy cover, slowing recovery." When do you expect full recovery, if at all, from this devastating season, and what can we expect from the next hurricane season, and is there anything that the National Park Service can do to protect these habitats from future wreckage?

Mr. LEWIS. One of the challenges that we face is finding funding sources to do the type of monitoring that we want to do and need to do to. I mean, we can go out to Elliott Key, you can go out to Elliott Key tomorrow, and if you walk on our ocean-side boardwalk, well, first of all, you won't be able to, walk on the trail because the boardwalk is not there anymore from the hurricane, but you'll see a great number, a great percentage of the vegetation out on the island is turning brown, and grey, and the leaves are going to drop. What the degree of chill is going to be, we don't know, so we are in the process of doing monitoring, but we are also in the process of hunting for the funding to enable us to do that better.

Ms. ROS-LEHTINEN. Thank you, and just one more. Thank you, Mr. Chairman, for the time. In Ms. Fields' testimony she says, "Everglades' damage was most severe in the Flamingo area, the lodge and cabins at Flamingo sustained significant damage and are not in habitable condition. Efforts are underway to reopen portions of

Flamingo for day use visitor services and to allow front and back cut-through camping this season." And, what are these efforts, and what is in line to fully—what is the time line to fully open the lodge?

Mr. KIMBALL. We are going on a step-by-step process at Flamingo. You've read accounts, we got hit by Katrina in August, and then on October 24th we got hit by Wilma, again, with severe winds, and in the case of the first, with Katrina we had a storm surge in the 3 to 4 foot range, and with Wilma we not only had the winds, we also had a storm surge up to 6, 7, 8 feet in places, including a Florida Bay marl mud that covered pretty much all of Flamingo.

We have, I understand from our facility manager that just as of yesterday we've got full power back to Flamingo. Our process there is to, as I said, go step by step. The first order of business is getting day use operations in place. We've had the White Water Bay open, where boats could launch and go up the Buttonwood Canal and go to the north.

We have a problem with the Florida Bay Marina. We have an area that at low tide is as little as 6 inches of water, so we have scoped out a dredging project, which we have scoped out and are ready to go ahead with. And, we are also working with the concessionaire in terms of a day use operation to open up the marina store, and also to provide fuel.

The pumps were inundated with Katrina. Luckily, we did not replace them quickly, because they also got inundated with Wilma, but they are going to have to be replaced, and it's a very intricate permitting process to get pumps that are right on a sea wall.

So, we are trying to get our day use operations up as soon as possible, also open the camp ground.

Now, the question on Flamingo is a more complicated one. I'm sure you've seen some of the articles in the paper. I want to make it real clear, we have not made any decisions on closing, and you probably saw statements from Fran Mainella, our director, we are still going through the process. At this point, we are going to be looking at a lot of different alternatives. We have leadership coming from Washington and Atlanta to visit the park in February to start to look at a process to develop a plan for Flamingo.

Flamingo, at this point, is in our General Management Plan, which is going to be completed in 2009. We've made a decision to carefully look at pulling Flamingo out of the plan and doing a fast track, a site plan, to evaluate exactly what Flamingo should look like.

I think we all know that Flamingo, it is our only overnight accommodations in Everglades National Park. I've heard others say, and I'll use it here, it's part of the fabric of Everglades National Park, so I think we'll proceed that way in terms of looking at exactly what Flamingo should look like.

We are very concerned about reconstructing as is, because the development is at grade. At points it's just 3 feet above sea level. It does not comply with the Monroe County Code, and as one of our employees said in a newspaper interview, "It's throwing good money after bad." We are thinking if we are going to develop a facility down there it should be hurricane resistant on the second

floor type development, but as you know, by developing things on a—building things on a second floor are very expensive.

So, we are looking and exploring the opportunities to possibly enter into a joint venture with a private interest, and the National Park Service, and we've also gotten many, many phone calls in the last month of private individuals in the south Dade area, and also across the country, that are very interested in contributing their own funds to rebuild Flamingo.

Ms. ROS-LEHTINEN. Thank you.

Mr. Chairman, just one last question. Thank you for your time.

Out of Everglades National Park, Biscayne National Park, Big Cypress, and Dry Tortugas National Park, what areas in those parks are currently closed to the public; which areas that are now closed will be open to the public; and are there any areas that will not be opened to the public ever because of the fragility of the area?

Mr. KIMBALL. Are you saying—asking because of the hurricane?

Ms. ROS-LEHTINEN. No, just in general, just so that, I have the philosophy, and I hope that the Park Service does too, that parks are to be enjoyed by the public, and not be that fussy librarian that doesn't want to get that book out of the shelf and get it out of order.

Mr. KIMBALL. Right.

Ms. ROS-LEHTINEN. And, I hope that you believe that the parks should be enjoyed as well, and I'm wondering if that is your philosophy, and are there any areas that are currently closed that will be open? Are there some areas that because of the nature of the ecology they would suffer as a result of contact with man, and will remain closed to the public?

Mr. KIMBALL. If I might, we are dealing with a number of these issues in our General Management Plan. There are some very, very limited areas within Everglades National Park that are closed, principally for protection of sensitive wildlife species, particularly, on the Keys. There are certain areas in Dry Tortugas National Park, because of the incredible bird assemblage in the park, that are, in fact, closed to visitor use, but they are basically sensitive wildlife areas.

Everglades is a very large place, 1.5 million acres, almost 1.4 million of that is wilderness area, but there are very few areas that are closed. There are some areas right now, because of the hurricanes, that we do not permit, day use is permitted, but overnight use is not permitted, because we have lost porta-potties, for example.

Ms. ROS-LEHTINEN. That's not related to the hurricane, so tell me that again.

Mr. KIMBALL. There are some keys, we'd be happy to get you a list. We have—there are some keys in Florida bay, for example, that are, in fact, closed because of sensitive wildlife areas, and we'd be happy to get those to you.

In many cases, those have been closed for quite some time. There is a new area, called Carl Ross Key, that was, in fact, recently closed because of hurricanes and effects on the Rosset Spoon Belt.

Ms. ROS-LEHTINEN. Thank you very much.

Thank you, Mr. Chairman.

Mr. SOUDER. Thanks.

I wanted to followup a little further on the Flamingo Lodge area. Has it been hit by previous hurricanes? I mean, to get hit twice here, is that extremely unusual, never before?

Mr. KIMBALL. There is a history of hurricanes at Flamingo. I think the last major hurricane that hit there, and I'm pretty new down here, I guess——

Mr. SOUDER. You can provide it for the record.

Mr. KIMBALL [continuing]. We'd be happy to do that, in 1960 Hurricane Donna hit it very hard and had a storm surge that I think was as much as 10 feet.

Mr. SOUDER. Because it would be good to see the history of this in kind of a risk assessment question.

Flamingo Lodge, having only been there a number of years ago, is not kind of one of the—it's part of the fabric of the system, and the only place you can stay, but it was not necessarily the model of visitation services.

Mr. KIMBALL. Correct.

Mr. SOUDER. Maybe a model for the mosquito repellant people.

And, it had, arguably, one of the worst visitor centers I've ever visited in the entire National Park Service.

Now, there were already plans underway, 4 or 5 years ago, to look at addressing the question of Flamingo Lodge and the visitor center. Was there a timetable that's now been adjusted, or where were we at in that process before these hurricanes hit?

Mr. KIMBALL. Mr. Chairman, there was a site plan that was developed in the late 1990's. The sense was that we, I guess 3 years ago, started a General Management Plan process, and Flamingo would be considered in that General Management Plan, and a lot of the issues that you just brought up were going to be considered, in a general way, in the General Management Plan, but then would be followed up with a development concept plan and a site plan.

Mr. SOUDER. Did the hurricanes hit Big Cypress or Biscayne? Did it do much damage in your parks as well?

Ms. GUSTIN. Yeah. One advantage I have is, I'm on the west side of Florida, so I don't get hit quite as often as Biscayne and Everglades do, but Wilma did do a number to Big Cypress.

And, the majority of our damage was done in the back country. It was very widespread, and we had significant damage to vegetation, with downed trees over hundreds of miles of trails, that took about 6 to 8 weeks to actually clear and open to the public.

And, we had roof damage to buildings, and utility systems damaged, as well as communication problems, for a good 3 to 4 weeks after she hit us.

And so, it was very widespread, very spread out, so we didn't have a focal point like Flamingo, fortunately, but we had a lot of very widespread damage throughout the whole preserve.

Mr. LEWIS. And, Biscayne National Park, again, much more fortunate than Everglades National Park, we did have extensive damage to vegetation. We had parts of roofs that were lost. We had screened rooms that were lost. We had damage to boardwalks. We had damage to the boating docks where we tie up our government boats.

All in all, we were somewhere in the neighborhood of $1 million worth of damages, which is a whole lot better than some parks have been.

Mr. SOUDER. And, could you provide for the record if there's any history in the past of how frequently this occurred since 1960?

Mr. LEWIS. Hurricane Andrew did a huge number, of course, on the homestead, South Dade County, back in 1992, and did a huge number on Biscayne National Park at the same time.

This year has been the first year of any real significance since Andrew.

Mr. SOUDER. Let me ask Mr. Kimball, and it would also relate somewhat to Big Cypress, in Louisiana there's been a gradual change with the channeling and increase in brackish water, and less protection for the city of New Orleans, and this was an issue multiple years prior to Katrina. Is that happening in the Everglades, do you see the sea water moving into the system, and what is that doing in the hydrology mix in the park, and how this might even relate directly to the Flamingo area?

Mr. KIMBALL. We've been monitoring increases in sea level in Florida Bay, and we've gone to the Rosenstiel School of Marine Sciences and other places, and what the scientists tell us is that we could be looking at as much as a foot of sea level rise in Florida Bay over the next 100 years. Now, I realize there are some projections that are above that, some projections are below that, we are using that as a planning number, and it really has an effect on kind of what kind of infrastructure we are looking at, particularly, in the Flamingo area.

Mr. SOUDER. Can you see that you are losing feet per year now with the small rises, because in Louisiana they were dredging and diking, and trying to preserve the bayous and the fish and wildlife areas already, prior to Katrina.

Mr. LEWIS. We are seeing some changes down there. I can't say that it's directly related to this sea level rise that we've been hearing about.

Mr. SOUDER. May I ask you about your boats. One thing that's really apparent when you come across, it's one of the constant questions we have, visitation, and then in-holdings, and Native American groups, are most operations licensed? Can you explain a little bit to me how Florida differs with—clearly, many of them were Native American, both at Big Cypress, I think more probably than Everglades, but between the two of you could you deal with that question?

Ms. GUSTIN. I'll go.

Mr. SOUDER. Sure.

Ms. GUSTIN. We do have commercial air boat operations outside of Big Cypress, predominantly, by the public. We are currently going through what we call a Commercial Services Plan to evaluate the need for commercial services at Big Cypress, which could potentially include air boats.

Right now, we do not have any licensed or permitted commercial air boat operations in Big Cypress. Now, we do have private air boat operations, but not commercial.

We plan on having those commercial services——

Mr. SOUDER. What do you mean by the difference between private and commercial?

Ms. GUSTIN. If you had an air boat and wanted to come to Big Cypress, you could go do it.

Mr. SOUDER. It would be like horseback riding or something.

Ms. GUSTIN. Right.

If you had a business and wanted to conduct——

Mr. SOUDER. If you can horseback ride in Big Cypress.

Ms. GUSTIN. You can.

Mr. SOUDER. OK.

Ms. GUSTIN. If you had a commercial air boat service that you wanted to charge people for, currently we do not have that type of service in Big Cypress.

Mr. SOUDER. So, the ones that you see advertised along the way——

Ms. GUSTIN. Those are all outside the boundary of Big Cypress.

Mr. SOUDER [continuing]. At the east/west boundaries?

Ms. GUSTIN. Yes, the west boundary we have a couple of big operators, and on the east side we have about four, well, we don't, on the east side there are about four or five big operators.

Mr. SOUDER. And, they can't go in to the National Preserve?

Ms. GUSTIN. On a commercial basis, no, but private individuals can operate air boats in certain sections of Big Cypress.

Mr. KIMBALL. In Everglades National Park, air boating is permitted in one area, the area that Ms. Fields talked about, the East Everglades, the 109,000 that was brought into the park in 1989. There are two forms of—use can take two forms, one are private air boaters, and the law says that private air boaters who are, in fact, air boating in the East Everglades on January 1, 1989 can continue for their lifetime. OK, it's a life estate.

In terms of commercial air boat tour operations, the 1989 act says that if you had a commercial air boat tour operation on that date, in January 1989, you can continue your operation, and the Secretary of the Interior is authorized to enter into concession contracts with those operators.

We are in the process, right now they are operating, our best information is there's about 300,000 visitors that are coming into Everglades National Park. They are operating, they do own private land there, they are right along Tamiami Trail, you've probably seen them, they are operating within the park. They do not have any kind of incidental business use permit or a commercial use authorization.

At this point, we are in the process of going through an interim concession contract process. In fact, we are doing an environmental assessment to get them under some form of concession contract.

Now, that being said, we are also looking within our General Management Plan about the appropriateness of commercial air boat tour operations in the East Everglades area of Everglades National Park within the GMP, and we'll be making a decision about that 2008–2009 period.

Mr. SOUDER. Do any of your parks collect demonstration fees?

Mr. KIMBALL. Yes.

Ms. GUSTIN. Yes.

Mr. SOUDER. And, how do you do that, at the Flamingo area in Everglades?

Mr. KIMBALL. We collect fees at our entrance station, just west of Homestead, and also at the Shark Valley, we have a tram operation that collects fees there.

Mr. LEWIS. At Biscayne National Park, the only fees we collect are our camping fees at our two camp grounds.

Ms. GUSTIN. And, we have two camp grounds that we currently collect fees for at Big Cypress.

Mr. SOUDER. And, at Everglades, what percentage of the people would you say coming into the park pay a fee?

Mr. KIMBALL. That is hard for us to estimate at this point. Our visitation is 1.2 million visitors. Actually, in the mid 1970's it was 1.7. It's gone down significantly. We are looking at why that's happened.

We are in the process of figuring out exactly different ways of counting visitors, for example, we get a considerable amount of use on Florida Bay, we do not count operators or visitors to Florida Bay.

I guess, Mr. Chairman, I can look into it and talk to some of our staff, in terms of exactly what percentage that 1.2 million represents in terms of total visitation to Everglades National Park.

Mr. SOUDER. 1.2 million are the number of people who paid the fee?

Mr. KIMBALL. That's correct, the ones that come through our entrance stations at Shark Valley and at our main entrance west of Homestead.

Mr. SOUDER. Do you have an idea of how many of those are regional within 100 miles?

Mr. KIMBALL. I don't know if we've done a survey of visitors. I'd certainly be happy to look into that.

Mr. SOUDER. If you have any data on that, that would be helpful, in either of your parks, too, because this is an interesting question as we look at where the points on these demonstration fees are, what usage mix, as we try to find a way for low-income families to have it covered.

Mr. KIMBALL. We do have many, many foreign visitors to Everglades National Park.

Mr. SOUDER. One thing I meant to ask on the hurricanes, you were referring to the two that came up to Everglades, I believe you said there have been eight that have hit Dry Tortugas?

Mr. KIMBALL. Uh-huh, some peripherally, some glancing blows, others direct hits, like Charlie in 1984—2004, excuse me.

Mr. SOUDER. Is that a typical pattern that as many as three to four times as many will hit that park system?

Mr. KIMBALL. No, I think everything we see from the National Hurricane Center is that we are going into a pattern of increased frequency and possibly intensity of hurricanes, and I think we are all watching Max Mayfield at the Hurricane Center to see what he has to say about that, but he, basically says we are moving into kind of a natural, the natural cycle of increased, a pattern of increased frequency of hurricanes.

Mr. SOUDER. Ms. Fields, between you and Mr. Kimball, can you—I know he's a hydrology expert, but could you talk to me a

little bit about water? You mentioned in your testimony the amount of dollars that Congress has put in, the long-term plan for billions. Where would you say we are on that plan? Does the Park Service have a fixed amount that's dedicated to this in your annual planning? Are we ahead or behind that schedule?

Obviously, I know there's been huge debates about whether the original plan was the best plan, how it should be changed, and those things have huge impacts on this, and there's a hot political development issue in Florida as well. But, could you kind of tell me from the Park Service perspective. Where do you think we are on the restoration question and funding cycle?

Ms. FIELDS. Is this related to CERP?

Mr. SOUDER. Yes, basically.

Ms. FIELDS. Yeah, I will defer to Mr. Kimball on that.

Mr. KIMBALL. You just mentioned—I'm so glad you brought up the issue of south Florida ecosystem restoration, because it's so important to the health and vibrancy of Everglades National Park.

The most important project for Everglades National Park is the Modified Water Deliveries Project. It is not a CERP project. It was authorized in 1989 by the same act that created the east Everglades area of the park.

We have been working with the Corps of Engineers for some 16 years to get this project in place, and I think over the last couple years we've made some great progress, in terms of the 8½ square mile area, an area that was built to the west of the protective levy, in terms of providing flood protection to that area.

We've also worked hard with our partners, including the State of Florida and the Corps of Engineers, in terms of identifying exactly what should happen on Tamiami Trail. In fact, there's a general reevaluation report and a final EIS that's being considered by the Corps of Engineers right now in Washington, in fact, this week. That is, as I said, the most critical project to Everglades, the restoration of flows to Everglades National Park.

Going to your question in terms of funding, the project now has had quite a history. It is now a $400 million project, and with funding in 2006, with an additional $60 million, we are now—we funded, with the help of Congress, $250 million events, so we still have $150 million to go, but I would say for the record we have made incredible progress. We are zeroing in on a project that we hope will be completed in 2009.

In terms of the other—there are a number of other foundational projects for CERP, the C–111 project that's advancing with the detention areas along the eastern boundary of the park, to keep, as we bring water in from the north to provide a hydrologic barrier to keep this water in the park. There are also the 68 CERP projects, Comprehensive Everglades Restoration Plan projects, and I think you probably know that the State of Florida has advanced a number of projects that they call Accelerate. I'm very supportive of those projects. It's with State money, and they are moving forward with those projects.

Everglades National Park was fortunate to get over, I think the total is close to $9 million, to fund 40 positions in our science program, to carefully look at those projects, to look at assurances and performance measures.

We are also carefully looking at those Accelerate projects, to make sure that they deliver the environmental benefits that we expect in the park. So, I think we are making some great headway. We have a long ways to go. You know this is a 35 year effort, but I think we are making some wonderful progress.

Mr. SOUDER. Is Big Cypress at all involved in this?

Ms. GUSTIN. Yeah, we have a much smaller number of projects going, between three and six different projects, that are related to resource monitoring, specific to water quality and vegetation, but we are involved in the process.

Mr. LEWIS. As is, Biscayne National Park, a lot of people don't realize just how essential the flow, the restoration of fresh water flow into Biscayne Bay is. Biscayne Bay is very dependent on an appropriate mix of fresh water and salt water, and over the last 20 or 30 years there has been a greatly reduced flow of fresh water into the bay. And, our hopes are that the restoration project, when finished, will help restore the Biscayne Bay to much more like it was 50 and 60 years ago.

Mr. SOUDER. Thank you.

Do you have any additional questions?

Ms. ROS-LEHTINEN. Yes, thank you.

I wanted to get your comments about the publication put out by the National Parks Conservation Association. I've been proud to work with them for a number of years, and they point out, "Additional rangers are needed in marine parks, such as Dry Tortugas and Biscayne in Florida, to prevent illegal fishing and coral poaching, and enforce boating safety and navigation laws. In 2002, National Park Service Director Fran Mainella told Congress that poaching, over fishing, improper fishing, boating and diving practices were among the activities that contribute to degradation of some of the fragile marine ecosystems."

How have you been working with the organizations like the National Parks Conservation Association to make sure that the illegal fishing and coral poaching is a little more under control?

Mr. LEWIS. I'll take a stab at this one.

We've been working pretty closely with National Parks and Conservation—National Parks and Conservation——

Ms. ROS-LEHTINEN. Association.

Mr. LEWIS [continuing]. Association, thank you, in analyzing the threat that the park faces and in posing potential resolutions of those threats.

We've also been working pretty diligently with the State Fish and Wildlife Conservation Commission in developing a fisheries management plan that will help us both deal with fishing pressures and with boating pressures.

We have worked with groups like the South Florida Trust, which is an associate of the National Parks Foundation, in publishing educational materials in different languages, in Spanish, and Creole, as well as in English, on safe boating.

We are in the process, as we speak, of working on a mooring buoy program, to expand, hopefully, we will expand the program in the park.

So, we are working with a number of different agencies and private organizations, in a variety of different ways to protect the resources.

Ms. ROS-LEHTINEN. Yes, sir.

Mr. KIMBALL. We have been working with NPCA in really two ways. One is, you may have seen it, they recently did a State of Florida Bay Report, that I thought was an excellent report, that laid out the challenges we face in Florida Bay, just not only from a resource standpoint, but from an impact standpoint in terms of making sure that boaters understand how complicated and sensitive the resource is out there. So, we've really been working with them on the State of Florida Bay Report, that I think provides a great platform as we move forward.

A more tangible effort we've engaged in with NPCA, NPCA was able to hook up with an anonymous donor, and they made a donation to the park, a handsome donation I might add, where we were able to hire a number of law enforcement rangers, also get some better boats, and also some better educational material, and also an education coordinator that will directly help us in our management of Florida Bay.

Ms. ROS-LEHTINEN. Thank you.

And, in reason No. 7 that the Association gives to invest in our national parks, they talk about invasive species that are overrunning our parks, and they cite the Everglades National Park, in that park non-native boa constrictors and Burmese pythons have invaded the waterways, invasive melaluca, Australian pine, Brazilian pepper plants are overtaking native mangroves in Cypress, while fishermen lament the decline of native large mouth bass which are losing nesting habits to exotic fish from Africa. How much headway have we made with these invasive species that are overrunning the Park Service?

Mr. KIMBALL. If you think about Everglades ecosystem restoration, I look at it is kind of three pillars. One pillar is getting the water, with quantity, quality, time and distribution. Another one is making sure the habitat is right, to make sure that we take care of the exotics, whether they be vegetation or aquatic species. And, the third pillar is compatibility with the built environment, in other words, we know we need to restore Everglades, but we need to make sure that the Everglades restoration provides for necessary flood protection and water supply for our neighbors, and that's a very important part of it.

If I can go back to that second pillar, we have quite a robust program within Everglades National Park, and as Ms. Fields talked about in her introductory remarks, working with the State of Florida, and with some exotic plant management team that works within the region, to start to get a handle on this problem. We worked very hard, in terms of Brazilian pepper, and melaluca, and Australian pine, and we are making good headway.

We also have a project in the park called Hole in the Donut, that's 6,200 acres of Brazilian pepper, and we've been working with Miami Dade County and the National Park Foundation to figure out ways, we've actually removed Brazilian pepper off 4,200 acres of that.

So, we are chipping away at the problem.

In terms of some of the exotic animals, I'm sure many of you have seen the pictures that seem to be everywhere about the pythons that we are dealing with in Everglades National Park. We've worked on, we're working on a number of programs there, one of which is kind of a don't let it loose campaign, to let people know when they buy a python that they ought to think about ultimately if they can keep it in their aquarium forever. I don't know if there's a python rescue around, but we are working on that.

We are also trying to learn more about where they go in the park. We don't know very much about pythons. We know they like to hang out on canals, on levees, but we are trying to right now find out where they go so we can do a trapping program, and ultimately try to eradicate pythons from Everglades National Park.

Ms. ROS-LEHTINEN. Thank you.

Ms. GUSTIN. May I add something regarding exotics?

Ms. ROS-LEHTINEN. Yes, thank you.

Ms. GUSTIN. I think we deal with the same species that Everglades does, as far as trying to eradicate Brazilian pepper and melaluca, etc. Related to the hurricane, though, because this hurricane was so strong, it destroyed or heavily impacted a lot of the hardwood hammock areas, and really opened up a lot of vegetation areas that were previously closed or had a higher level of a canopy. And, the thought is that, this year and next year it will take a while for those canopy areas, or those vegetative areas, to recover, and they will be a prime ground for exotics to start landing and spreading their seeds and growing.

So, related to the hurricane, it's going to be a year or two before we really do understand the impact of the hurricane on the spread of exotics. So, that's a concern from a natural resource perspective.

Ms. ROS-LEHTINEN. Well, Mark and I consider liberals to be invasive species, and we haven't figured out a way to get rid of them either.

Thank you, Mr. Chairman.

Mr. SOUDER. I was going to say, enough news stories about pythons may explain your drop in visitation, if you get enough of that.

Mr. LEWIS. We'll look into a regression equation for that.

Mr. SOUDER. Are there, I believe it was out in Utah, cottonwoods, are any of these particular invasive species water suckers, in other words, take a disproportionate of water compared to others that are also altering the water balance, and do you target that first, given the nature of your parks?

Mr. LEWIS. That's why the Melaluca plant was planted here, was to drain the Everglades, to suck up the water out of the Everglades, and one of the reasons it's such a huge problem here is because it does such up a tremendous amount of water that would otherwise be available for other natural resources.

Mr. SOUDER. Does that become a target when you are prioritizing invasive species because of that?

Ms. GUSTIN. Yes.

Mr. SOUDER. I wanted to ask one followup question on the large donation you said you had to the park. Did that come through an Everglades foundation that you have?

Mr. KIMBALL. Yes, it actually was a donation through the South Florida National Parks Trust, which is an affiliate group of the National Park Foundation. It's a group that was established about 3 years ago, to assist Everglades National Park with both fundraising and friend raising here in south Florida.

Mr. SOUDER. So, it does, not only functions like types of things, like nature conservancy, where they may buy a piece of land to preserve transfer over, it also does operating?

Mr. KIMBALL. It does not, it does not function as a land trust. They do not hold land. They raise money, assist the park, as I said, in friend raising, but then also go out and do fundraising activities to assist the park.

Mr. SOUDER. The best example that we've had thus far is Friends of Acadia, the Rockefeller's built, they bought the trail system, and also gave them a donation to operate that. Have you had—what was unusual, and what I heard you say was, is it actually helped pay for rangers.

Mr. KIMBALL. That's correct.

Mr. SOUDER. Which is one of the concerns we've had, is that if the Park Service doesn't adequately fund many donors don't want to get into covering operating things that they think the taxpayers ought to be operating. You've kind of hinted that was a cross zone thing. I'm interested in a little bit more information on that.

Mr. KIMBALL. This particular donor was specifically concerned about putting rangers on the water, law enforcement rangers, to make contacts with fishermen and others that are using Florida Bay to enforce a wide range of regulations at the park.

And, as I understand, this is the first time that a donor specifically wanted to support a law enforcement function in a national park.

Mr. SOUDER. And, was there a trust set up to pay for that long term? Was that like a 2-year funding project? How does that work?

Mr. KIMBALL. We received the first year funding, we are hoping on the second, and we're told that if we perform that there would hopefully be a third.

Mr. SOUDER. Thank you.

Each one of these hearing books, each one of these hearings will be an actual little book on that region. Is there anything you want to add here at the close, and we may add a few followup things for that, as well. I want to have a little more in depth on the coral question, because that's unique to your area, also how the water systems and the coral impact the whole Keys structure, southeast Florida and southern Florida, because that's something we won't face anywhere else, just like out in Hawaii with the volcanos the day before we held our hearing, the park fell into the ocean. It was, what, like 45 acres, I think, fell into the ocean with the visitor station and everything else, and we don't have that problem in a lot of parks either, and trying to figure out the regional challenges. One here is that your whole coral structure of the Keys and the water interrelationship is very unique at this scale, and it would be helpful to get some of that, anything you would think that if somebody picks this book up and says, here's what is unique about this section of the country in the Park Service, and we have a chal-

lenge, help us fill out a little bit the documents we put in and other info.

Anything else you'd like to add?

Mr. LEWIS. What I would like to do, if it would meet your purposes, would be to provide a short summary of the knowledge of the resources and the threats facing the resources, and we would provide that to the committee.

Mr. SOUDER. That would be very helpful.

Mr. LEWIS. OK.

Mr. SOUDER. Thank you very much for your participation. I appreciate you coming out today and fielding the questions, and we'll be following up through Ms. Fields and the individual parks.

Thank you very much.

Ms. GUSTIN. Thank you.

Mr. KIMBALL. Thank you.

Mr. KIMBALL. Thank you.

Mr. SOUDER. The second panel, if you could come forward, is Nathaniel Reed, Member of the National Council for NPCA, the National Parks Conservation Association, and Dexter Lehtinen, senior member of the South Florida Ecosystem Restoration Task Force.

Mr. REED. How would you like to handle this, Mr. Chairman?

Mr. SOUDER. I need to swear you both in first. If you'd each raise your right hand.

[Witnesses sworn.]

Mr. SOUDER. Let the record show that each of our witnesses responded in the affirmative.

Thank you very much for being here today. NPCA has been critical in helping us talk through this hearing and have been very helpful in providing data. Your full statement will be inserted in the record, feel free to go through as much of this as you want.

STATEMENTS OF NATHANIEL REED, MEMBER OF NATIONAL COUNCIL, NATIONAL PARKS CONSERVATION ASSOCIATION; AND DEXTER LEHTINEN, SENIOR MEMBER, SOUTH FLORIDA ECOSYSTEM RESTORATION TASK FORCE

STATEMENT OF NATHANIEL REED

Mr. REED. Mr. Chairman, I am really pleased that you are here, and I'm simply delighted that Congresswoman Ros-Lehtinen is here as well.

I want to take a moment aside, we are in a building that has a great attachment to me. My uncle, my mother's brother, was one of the founders of Pan American World Airlines, and this building, this room, was headquarters of Pan Am in the 1920's and became a vital part of Pan American World Airlines in 1933, with the advent of the aircraft that is somewhere on the wall, right up there, the first Martin Aircraft. And from just outside these doors the Amphibius flew to Cuba, the Carribean, and later to Central and South America, right from here. This was the headquarters, and this is where the passengers came and embarked on the airplane. That's such a short time ago, relatively, and think what it is we now fly all over the world.

Mr. SOUDER. Thanks, it is a great, it's a wonderful building.

Mr. REED. It's just a marvelous feeling.

I want to say how pleased I am that the three superintendents were here, and I want you to know that they are three of our most distinguished members of the National Park Service team. We are really fortunate that Fran has sent us three really exceptional human beings and managers.

I want to introduce somebody, Lloyd Miller, sitting beside me. Lloyd Miller's career has been extraordinary, in the sense that he opposed, he formed a group opposed to building a huge petro chemical concern on the banks of Biscayne Bay, led with Dante Fascell the effort to make Biscayne Bay first a National Preserve, and then in the Nixon years we made it into, extended its boundaries and it became a National Park. He opposed, when I was Secretary of the Department of Environmental Regulation, Florida Power & Light's plans to build a huge nuclear power plant, which was built, but they were going to put their effluent, their heated effluent, in the Bay and boil the bay. And, I challenged that, refused to give that permit.

I'm going to go back to my text now, Mr. Chairman.

I had the honor and privilege of serving six Florida Governors in a variety of positions, including Environmental Advisor and Founder of what is now known as the Department of Environmental Protection. I had the rare opportunity to serve as the Assistant Secretary of the Department of Interior for Fish, Wildlife and National Parks, from 1971 to 1977. During this period, the National Park Service and the Park System was one of my main fascinations and challenges.

I have been a member of the Board of Trustees of the National Park and Conservation Association, and I am currently a member of the NPCA's National Council.

As you know, since 1919, the non-partisan National Parks and Conservation Association has been the leading voice of the American people in protecting and enhancing our National Park System for present and future generations. Today, we have 300,000 members nationwide, who visit and care deeply about the future of our national parks.

My fascinations with the Park System, the system is unique in the world. I have visited the great East and South African Park Systems that are famous for the magic of great animal herds and the diversity of habitats, but I have witnessed extraordinary wildlife and breathtaking scenery in America's national parks, but wildlife and scenic majesty are but a small part of our National Park System. We have preserved as a Nation the best of our history, the system is unique, there is no other like it.

In a recent poll of American adults by Harris Interactive, the National Park Service was rated the most popular of all government agencies and services. It is an example of the mis-aligned priorities in Washington that we are consistently struggling to protect this goldmine from a lack of proper funding and adequate staffing levels, political gamesmanship, and, frankly, absent congressional oversight, ultimately driving out talented and experienced staff.

Your oversight is long overdue. The problems of the national parks and the National Park Service have been growing unchecked for too long.

This fall I visited Liberty Island and Ellis Island, and it reminded me of when then Director George Hartsog and I had visited Ellis Island together in 1973. We were so impressed by the history of the center of American immigration, yet dumbfounded by the deterioration that had occurred since the site had been abandoned. I begged and received permission from President Nixon, and the two congressional appropriations committees, to begin to stabilize the main building.

I don't know whether you knew Congressman Sid Yates. He was chairman of Appropriations. I took him there in 1975. His father had come through the Great Hall as an immigrant. I'll never forget Sid weeping, weeping, and I thought of him this fall when I went through. I've forgotten what the percentage is of Americans, the legacy of Americans that came through the Great Hall is, but it's a staggering figure, and it is the most glorious site now.

The combination of taxpayers' funds and private donations has recreated a national site of great historical importance. This is another aside, I joined a group of Afro American children from a high school. I joined a group of 16 young Hasitic students from a synagogue. I joined two groups from, I would say, very yuppy high schools in upper State Connecticut that had been driven down by buses. There was no difference in those groups, in their total fascination of what the importance of Ellis Island was to America. It was an eerie and marvelous feeling, Mr. Chairman, of identity.

Despite the valiant efforts of public/private partnership whose dollars support parks, inadequate funding continues to plague all parts of the system and erodes the foundation of some of our hard-earned trust.

You asked an awfully good question about Friends of the Acadia. I'm a member, my summer home is across the bay from Acadia in Winter Harbor, and I've been a member of Friends for many, many years. I helped to establish the Yosemite Foundation, was on the board and one of the founding members of the Yellowstone Foundation, and on this board down here as well as a founding member, it's called the South Florida National Park Trust. Those trusts and foundations raised money for desperately needed projects within their parks that Congress does not appropriate. It doesn't buy land, it doesn't get involved in litigation. It does things that should be done, but the money from Congress isn't there.

Here in Florida, you can look at Biscayne Bay, or the Everglades, for evidence of underfunding. I happen to fish in Biscayne Bay six times a year, so I know it like the back of my hand. I was Assistant Secretary when we expanded its boundaries to the north. It is an amazing underwater park that's part of the third largest coral reef system in the world. But, unfortunately, Biscayne Bay's budget has increased by just 2 percent since 2001. According to NPCA's recently released State of the Parks Report on Biscayne, this funding shortfall has significant consequences for the park. Biscayne's coral reef is in trouble, fish populations are declining, and fresh water flows, which the superintendent bravely mentioned, critical to the health of the regional ecosystem, are changing.

The reason I say bravely, it's sort of the untold story that we are close to losing that fresh water supply that's been promised by the Corps of Engineers to refresh Biscayne Bay. It's a crisis that's in

the works right now. I sent a letter to the Assistant Secretary of the Army this morning on that subject, and I'm afraid we are going to have a terrible confrontation if the plans of the Corps of Engineers are ignored by the State of Florida and the water resources that should be going to Biscayne are not utilized.

The park is primarily a marine park, which means that it's under-staffed ranger force is hard pressed to deal effectively with illegal immigration and smuggling issues. According to a 2003 rating by the Fraternal Order of Police, Biscayne is the sixth most dangerous park for law enforcement officers. That's not a great place to be.

At Everglades National Park, the operating budget increases over the last 5 years have not kept pace with inflation or other escalating costs for the park. As a result, the park faces a lack of research scientists and law enforcement personnel.

In 2005, Everglades National Park had a total of only 12 full-time law enforcement rangers to patrol 444,790 acres of Florida Bay. I just was on Florida Bay Saturday and Sunday, and it was freezing, but I've got to tell you, it's still one of the most magical places on the face of this Earth. The islands the superintendent mentioned to Congresswoman Ros-Lehtinen that shouldn't be touched are principally bird rookeries. There were thousands and thousands of white birds, grey egrets, American egrets, grey herons, white pelicans, little whites, little blues, snowies, all huddled like I should have been in the 50 degree temperature. Hopefully, they are going to breed.

According to the most recent law enforcement needs assessment completed in 2003 by Everglades National Park, there's a 30 percent shortfall in the number of rangers needed to adequately staff the park. Dan knows this. I fish there on the west side from the 10,000 islands down frequently. It's the most popular fall snook fishing area in Florida. It's possible to catch 50 small snook a day with a fly rod, may almost be too good. You are ruined for the rest of the year.

And then I come back in January, my guide got blown out in the hurricane, so I haven't come back this year, but we fish after very cold weather, giant snook move in from the Gulf and lie up in water that's shallower than that to get solar heat, and they'll take a fly at day three, four or five, as their metabolism begins to establish, and I'm talking about big fish, I'm talking about fish from 20 to 35 pounds. And, I don't come back from Everglades City and Chokoloskee, I don't drive back to my home 3 hours without thanking God that I was involved in the acquisition of the Big Cypress, and without being so proud of America and Americans for protecting something as magnificent as the Big Cypress is, and how it connects with Everglades. I've walked all over it, been in the swamps, pushed alligators and cottonmouth moccasins aside, I've got to tell you, it just brings chills to me that I was involved with an administration that cared and with a Congress that cared to protect these areas.

The funding issues at Everglades also threaten the protection and enhancement of the Everglades, one of the most significant and magnificent ecosystems in the world. The problems include too much water during very wet periods, and too few places to store

it when there is a drought. We are in a wet period right now, we don't know what to do with it, we have just been sending it out to sea, out to St. Lucy on the east, out to Caloosahatche on the west. We've ruined two estuaries and drowned the Latorio Marsh in Okeechobee. It's a scandal of major proportions.

We can go into the blame game of who did it. Obviously, the hurricanes, four hurricanes have added billions of gallons of water into Lake Okeechobee, but to give you an example of misuse, we have sent over 800 billion gallons of water, polluted water, to the estuaries in this past year, this past year, 800 billion gallons of water which we could use when it is dry.

Our State's rapidly growing population, and lack of Federal funding for land acquisition, threaten the ability of the NPS to assure that our south Florida parks are buffered and restored.

Now, make no bones about it. The continuing problems of gross agricultural pollution threaten Lake Okeechobee, the heart of the Everglades system, and the park's headwaters.

I'm involved with the Everglades restoration issue 7 days a week. It's my fascination. While the problems are numerous, the Comprehensive Everglades Restoration Plan passed by Congress by almost a unanimous vote proposes to alleviate them through a unique Federal/State partnership. While the vote passed the Congress by overwhelming margins, the Corps planners frankly are tied up in bureaucratic knots, and have yet to complete a single CERP-related project.

Part of the problem, Mr. Chairman, are new rules and regulations, and during the reform movement that's going on in the Congress to try to reform the Corps of Engineers, a frightening prospect. Part of it is acquiring the right people to man the jobs in Jacksonville at the district office. Part of the problem is eight hurricanes in the past 3½ years.

The combination of all those has delayed every project that Congress authorized, and we are now 5 years into it, and we don't have a single project to go forward to the Congress for appropriations.

The Governor, tired of waiting for the Corps to overcome real and perceived obstacles, created a program known as Excel 8, financed by $1.5 billion of Florida taxpayers' funds to jumpstart the process. Frankly, some of the major Excel 8 projects have major environmental problems that must be settled regarding, not only the objectives of the proposed projects, but who the beneficiaries are supposed to be.

It is my opinion that the primary purpose of the Federal Government's role in CERP is the restoration of federally managed lands, that is, Biscayne National Park, Everglades National Park, and the Big Cypress. Unfortunately, as the Everglades awaits further congressional action and administration support, land values continue to skyrocket, development pressures increase, and major opportunities to acquire lands that are critical to the restoration of south Florida's national parks are lost.

Frankly, I have been frustrated by the lack of congressional oversight and the lack of consistent funding to deal with all the problems facing Florida's national parks, so I ask repetitive, where is the congressional accountability for funding and restoration of our south Florida national parks?

Only after 15 years, we finally see some real Federal funding for one of the Everglades restoration projects, thank God for it, $60 million for the restoration of flows through the Everglades into Florida Bay. If it wasn't for the dedicated efforts of Congressman Clay Shaw, and by the way I spoke to his wife Emily this morning, he is resting comfortably, he is home, he feels strong, he's going to make a perfect recovery from his lung operation.

David Hobson and Senators Bill Nelson and Mel Martinez, and a special friend, John Warner, Senator Warner, who helped enormously this year, in getting the mix-up between the two Appropriations Committees straightened out so that the money did flow to the ModWaters Program. I don't know whether you are aware of that, but the two Appropriations Committees had conflicts in their bills, and neither one wanted to give way. Senator Warner was willing—was able to get the Senate staff to change their language and we moved forward.

More congressional oversight and funding is still needed to ensure that we get the water right, in order to protect our south Florida parks for future generations. The verdict is still out.

I leave you, Mr. Chairman, with a sense of genuine gratitude that you have taken time to investigate the shortcomings and financing of the National Park System, the service, and the impact on recruiting the once broad-ranged, highly trained and motivated Park staff, now becoming frustrated by a lack of adequate funding, political gamesmanship, and a sense that the problems are insoluble.

I'm on the last legs of my life's journey, and I'm determined that my attention will continue to be focused on the incredible problems that your subcommittee is studying. Your recommendations can make the difference in the enhancement, if not the survival, of one of America's greatest gifts, not only to our citizens, but to the world.

I wish you courage. I wish you foresight, but especially courage, as you conclude your hearings and render your report to the Congress and the administration.

Thank you, sir, for the opportunity to appear before you.

[The prepared statement of Mr. Reed follows:]

NATIONAL PARKS CONSERVATION ASSOCIATION

Protecting Parks for Future Generations

Testimony of
Nathaniel Pryor Reed

National Council
National Parks Conservation Association

Re: "National Parks of Florida"

before the
Subcommittee on Criminal Justice, Drug Policy and Human Resources
of the House Government Reform Committee
U.S. House of Representatives

January 11, 2006

Chairman Souder, it is a privilege to be here today as we examine some of the serious challenges facing America's national parks. I want to thank you for holding these important hearings, and in particular, for visiting Florida to discuss the future of the parks here in this state.

My name is Nathaniel Pryor Reed, and I am here testifying as a member of the National Council for the National Parks Conservation Association (NPCA). Since 1919, the nonpartisan National Parks Conservation Association has been the leading voice of the American people in protecting and enhancing our National Park System for present and future generations. Today we have more than 300,000 members nationwide who visit and care deeply about our national parks.

I served as assistant secretary of the U.S. Department of the Interior for Fish, Wildlife and Parks in the Nixon and Ford administrations, and I have had the honor and privilege of serving six Florida governors in numerous positions, including Special Assistant to Governor Claude Kirk for the Environment (1967-1971). I have also been a member of the Governing Board of the South Florida Water Management District for many years. I helped found 1,000 Friends of Florida, serving as both president and chairman of the organization. In addition to my position with NPCA, I currently serve on the boards of the Everglades Foundation, the

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Atlantic Salmon Federation, and the National Geographic Society. I reside in Hobe Sound, Florida and have been involved with Everglades advocacy and restoration efforts for more than 45 years. I served for many years as Vice Chairman of both the National Audubon Society and the Nature Conservancy.

Florida Park Funding At a Glance

Americans strongly support our national parks. A Harris poll released last month found that national parks topped the list of federal government services with the strongest public support (85%), ahead of even Social Security. Unfortunately, while there is a strong public support for the parks, this has not translated to a corresponding level of sustainable federal funding.

The funding challenge facing Florida's 11 national park units are comparable to those across the system's 388 units. The budgets of Florida's national parks today (FY 2006) are only five percent higher than they were three years ago (FY 2003), and are not keeping pace with inflation and other demands placed on the parks, such as the costs associated with repairing hurricane damage. Furthermore, an across-the-board cut of one percent to all federal programs was recently enacted by Congress to pay for the final FY 2006 appropriations measures and will further harm the parks.

While Florida's national parks did receive an average increase of 3.9 percent between FY 2004 and FY 2005, this barely kept pace with inflation. The following year (FY 2006) the base-operating budget increases averaged only 2.0 percent, resulting in a real decline of 1.1 percent when compared to the rate of inflation (3.1 percent). Individual park units, such as Big Cypress National Preserve, face a budget that is only 2.9 percent higher than it was three years ago, woefully inadequate to protect the park's natural and cultural resources.

Providing sufficient funding for the protection of Florida's national parks is important to the state both ecologically and economically. Florida's national parks not only provide important recreational opportunities for local residents and visitors of south Florida, but also boost the region's economy. In 2003, a conservative estimate of 490,000 visitors to Biscayne National Park spent approximately$23.3 million and supported 426 jobs in the local economy.

Other research has shown an estimated $12 billion of output (income, tax revenue) directly related to Biscayne Bay's recreation, commercial fishing, and shipping. In October 2005, the *Miami Herald* reported that the total economic value of commercial fishing in Florida is $1.2 billion a year, while recreational fishing expenditures are $8.3 billion (including everything from food, lodging, bait, charter, equipment and gas). The fish nurseries of Biscayne and Everglades national parks play a large role in this economic engine.

The Poor State of Florida's National Parks

NPCA's Center for State of the Parks program began assessing the condition of natural and cultural resources in the parks six years ago. Two recent assessments of Biscayne National Park and Florida Bay found that the parks' natural and cultural resources suffer largely as a result of funding and staffing shortfalls.

Biscayne National Park

Biscayne protects part of the third-largest coral reef system in the world and the longest stretch of mangrove forest remaining on Florida's east coast, providing habitat and nursery grounds for most of the region's important commercial and recreational fish. Biscayne is home to at least 16 threatened or endangered wildlife species. The park also houses an abundance of historic structures and archaeological resources, including at least 44 shipwrecks, telling of the people who visited or lived in the region before the park was established.

Unfortunately, Biscayne's base budget has increased by just 2 percent in absolute dollars since 2001. This funding shortfall has had significant consequences for the park. Biscayne's coral reef is in trouble; fish populations are declining; and the quantity, quality, timing, and distribution of fresh water flows—critical to the health of regional ecosystem—are changing. Compounding these problems are development pressures, a result of Biscayne National Park being the closest national park to the burgeoning Miami-Dade County metropolitan region. The

park is primarily a marine park, which brings additional challenges such as illegal immigration and smuggling. These conditions, combined with visitation levels that have increased about 56 percent since 1993, create challenges for Biscayne's limited law enforcement staff. According to a 2003 rating by the National Park Rangers Lodge of the Fraternal Order of Police, Biscayne is the sixth-most dangerous park for law enforcement rangers.

NPCA's comprehensive resource assessment rated overall conditions of Biscayne's known natural resources 58 out of 100, which is a "poor" score. Overall conditions of the park's known cultural resources rated only 48 out of a possible 100, also indicating "poor" conditions.

Funding and staffing shortfalls make it difficult to properly protect the park's resources. One telling example of the funding shortfalls is that there is only one curator managing the museum collections of Biscayne National Park, Big Cypress National Preserve, Dry Tortugas National Park, and Everglades National Park. These collections include more than 4.5 million items; 93 percent of Biscayne's more than 700,000 items are not catalogued and inaccessible to visitors and researchers.

Florida Bay

Approximately one-third of Everglades National Park's 1.5 million acres encompasses a special place called Florida Bay, a marine lagoon that is home to the most significant breeding grounds for wading birds in North America. Florida Bay provides habitat for a diverse collection of marine animals, including numerous federally listed threatened and endangered species, and is part of the largest preserved mangrove system in the Western Hemisphere. The Bay is also a world-class destination for recreational anglers, and the park supports habitats and nurseries for commercial fishing in the waters bordering Florida Bay.

Operating budget deficiencies create challenges at Everglades that hamper its ability to enforce necessary regulations in Florida Bay and protect park resources. The park's operating budget has increased an average of approximately three percent each year for the past five years—far from keeping pace with increased costs. This had led to significant staffing shortages in key areas, such as science and law enforcement.

For instance, in 2005, Everglades National Park had a total of only 12 full-time law enforcement rangers to patrol the 444,790-acre Florida Bay. According to the most recent law enforcement needs assessment (completed in 2003) by Everglades National Park, there is a 30 percent shortfall in the total number of rangers needed to adequately staff the park. Without adequate numbers of law enforcement personnel, the park is unable to effectively prevent illegal poaching and trespassing on closed islands, illegal entry into backcountry area by boats that violate no-motor or no-entry restrictions, and damage to shallow underwater communities that occur from groundings. In conjunction with an increase in law enforcement personnel, Everglades National Park needs to have the means to better educate park visitors about appropriate activities and safe boating in Florida Bay's challenging waters.

Protection is Easier and Less Costly than Restoration: Lessons from America's Everglades

America's Everglades are a clear example of the need to err on the side of preservation of our natural resources. Mistakes we have made in the past demonstrate that if we do not prioritize the protection of our national treasures when we have the chance, we are likely to face much more costly and difficult restoration scenarios in the future. In the Everglades, we are learning that successful restoration requires sustained financial commitment, as well as results-oriented leadership. Authorized only five years ago, Everglades restoration is already hindered by delay and a lack of funding. Today's Congress should avoid repeating the mistakes of the past by approving the critical projects and the necessary funding that will reverse the damage of so many years of misguided management and help protect the national parks of South Florida by giving the restoration process the resources, oversight, and priority it requires to be successful.

Wetland drainage projects for urban and agricultural development have altered the hydrology of the Everglades ecosystem and the entire South Florida landscape. While the Comprehensive Everglades Restoration Plan (CERP) is designed to create a more natural hydrologic condition in south Florida, chronic implementation delays subject the region to continued degradation.

When Congress authorized CERP in 2000, it launched the largest ecosystem restoration program in history and codified a unique state-federal implementation partnership. Congress must provide adequate funding to fulfill the federal government's role in that partnership. The federal investment in CERP is focused on the restoration and preservation of the parks, refuges and other federal lands in the region and Americans expect this investment to be protected. Providing adequate funding for the Park Service to participate in these activities is critical. Unfortunately, what we have seen since the Congressional authorization of the CERP in 2000 is that the federal government's role has substantially diminished, particularly with respect to the appropriations of sufficient funding and authorization of the first few projects. I urge the Committee to focus attention on the need for a renewed and reinvigorated commitment on the part of the federal government to provide dollars and leadership for restoration.

Adequate Funding and Congressional Leadership Are Required for Smart Decisions in the Everglades

Congress must provide leadership and funding to ensure that decisions are results-oriented and that the right decisions are made now rather than later. A perceived lack of Congressional attention and priority can doom a program like Everglades restoration to equivocation, delay, and expedient but ineffective decision-making. A good example of this phenomenon is unfolding within a specific restoration project critical to restoring Everglades National Park.

For lack of funding, the Administration is now focused on substituting a bargain approach in place of the best approach to the "Modified Water Deliveries Project" (ModWaters), a project that would restore sheet flow to the Everglades. For example, 11 miles of the Tamiami Trail (U.S. 41), which acts as a dam across the center of the Everglades, will be altered as part of ModWaters. The best long-term approach to these modifications is to elevate this stretch of highway to an 11-mile bridge or Skyway, removing it entirely as an impediment to sheet flow. Yet, this skyway alternative is no longer being considered as an option for this project because of an anticipated lack of available funding. Congress could change this dynamic by resolving to fund the best solution to Tamiami Trail now, as opposed to funding a

partial fix that may require more costly retrofitting in the future. The Administration is proposing an approach for Tamiami Trail which will cost half as much as the Skyway, but will produce less than half the benefits to the Park and the entire Everglades.

NPCA believes that the best available science should be used to guide restoration efforts so that maximum protection for park resources is achieved. NPCA further believes significant funding is critical to meet this effort. This year, Congress met the president's request for the largest appropriation to date for ModWaters ($60 million) and I and NPCA thank you for that. However, in order to meet the intended goals of restoring America's Everglades, more funding is needed for this and other projects. Today, we urge the Park Service and the Army Corps of Engineers to make the best choice and choose the Skyway and we ask this Committee and all of Congress to guarantee adequate funding for the Skyway. This represents long-term and permanent benefits for the park and the entire Everglades ecosystem.

Congressional Leadership is critical to protecting federal resources

Oversight of Everglades restoration projects is a critical element to ensuring the parks receive the promised benefits. For example, the modifications to the C-111 canal, as proposed in 1994, required a swap of increasingly rare marl prairie lands from Everglades National Park for more common wetlands owned by the State of Florida. The purpose of this land swap is to create buffer areas that will maintain water levels in the wetlands of the park while providing the required flood protection for the agricultural areas to the east.

Unfortunately, these buffer areas may be used to further impair the resources of the park by increasing flood protection benefits through delivering potentially polluted storm water directly into the park. The appropriate oversight is needed to ensure that C-111 funding, including the national park land provided for this project, will be used for the benefit of the park and the assets of the Everglades.

Project delays often result in significant cost overruns, especially in massive undertakings like Everglades restoration. Unfortunately, authorization for the first two restoration projects, Indian River Lagoon and Picayune Strand, still await Congressional action. Without Congressional authorization of these projects, funding them will become a moot point,

as will the restoration of the south Florida National Parks. By increasing Congressional oversight and attention to Everglades restoration now, Congress can put the plan back on schedule and on budget.

The bureaucracy of the Corps' processes compounds the delay of these two projects as well as the entire restoration plan. Congress needs to focus its attention on modernizing the Corps so that the agency can fulfill its responsibility to the Everglades restoration effort and efficiently implement environmentally sound projects that will meet the greater Everglades ecosystem's needs.

Federal appropriations to fund these and other critical projects, particularly those authorized in the Water Resources Development Act of 2000 (WRDA 2000), should be increased to allow for the advancement of project planning and implementation.

Hurricanes Cause Extensive, Expensive Damage in National Parks

In 2004, Hurricanes Charley, Frances, Ivan, and Jeanne dominated the headlines. Florida's national parks were hit hard by the hurricanes, with hurricane Charley causing extensive damage to Dry Tortugas National Park in August. Later, Hurricane Ivan caused $30 million in damages at Gulf Islands National Seashore in Florida and Mississippi—washing out several miles of roads, flooding historic buildings, a visitor center, and parking lots, and destroying pavilions. In addition to infrastructure damage, storms can wipe out fragile habitat for protected species, damage that is not easy to put a price tag on. Hurricanes Frances and Jeanne wiped out nearly 1,400 sea turtle nests at Florida's Canaveral National Seashore (one of the few beaches in the eastern United States where the turtles can safely lay eggs), and affected fragile dunes that are home to several endangered species such as the gopher tortoise.

In 2005, tropical storms Arlene and Cindy, and hurricanes Dennis, Katrina, Rita, and Wilma severely affected national parks in Florida and along the Gulf Coast. Dry Tortugas National Park was impacted by heavy winds and storm surge that damaged docks, knocked out a portion of the seawall, destroyed a historic cannon, and damaged the park's communication, water collection, and electrical services.

Everglades National Park was also hit hard, when a five-foot storm surge caused significant damage to the concessions marina, boat fleet, employee housing, and government vehicles, and forced the closure of the entire Flamingo complex; some portions may never reopen. The estimated damage to the park from the hurricane is $7.6 million. A recent *Miami Herald* editorial exemplified the local frustration and reduced tourism dollars that a permanently closed Flamingo lodge would have on Everglades National Park. Other areas of the park experienced heavy flooding, such as Shark Valley, where the tram was taken out of service and portions of the roadway had to be closed.

Lastly, Gulf Islands National Seashore, which hadn't recovered from Hurricane Ivan in 2004, received extensive damage in 2005. Large portions of the park's Florida and Mississippi districts were closed due to the devastation brought by Hurricane Katrina, including barrier islands, visitors centers, and campgrounds. For some portions of the park there is still no estimated opening date.

NPCA's 2005 report, *Faded Glory: Top 10 reasons to reinvest in America's National Park Heritage,* raised the issue about whether national parks have adequate funding and staffing to prepare for and recover from weather emergencies. The Park Service's fiscal year 2004 budget included only $3 million to address emergency needs in the parks, which proved woefully inadequate considering the Park Service's own estimates that the 2004 storm damages exceeded $50 million system-wide. The total Park Service damage and response costs (exclusive of Federal Highway Administration funding needs and natural resource restoration needs) from 2005 storms were estimated at approximately $67 million.

While Congress and the Administration provided $48.9 million for cleanup and repairs in affected areas of the National Park System in 2004, such funds were not readily available to the parks in 2005. The Department of the Interior was originally slated to receive $38 million to cover construction costs associated with hurricanes Katrina and Rita, but the administration's rescission request to Congress cut $34 million in construction funding that was already allocated to the Park Service. As a result, it is a real possibility that necessary park construction will not be funded. For example, projects to rebuild washed out docks, visitor centers, and historic sites may be delayed or eliminated.

When examining hurricane impacts on our parks it is also important to remember the backdrop of the Park Service's current fiscal realities. The Park Service currently has a deferred maintenance backlog that is estimated to be between $4.5 billion and $9.7 billion and an operating shortfall in excess of $600 million annually. And like many other federal agencies, the Park Service does not adequately budget for natural disaster contingencies. Therefore, much of the storm clean-up costs come at the expense of other needs in an already-tight budget, since supplemental disaster appropriations by Congress rarely address the full menu of restoring costs.

Hurricanes also compound the problems associated with staff shortfalls. In addition to shuffling staff internally, staff from other parks, often superintendents and law enforcement personnel, are commonly re-assigned to help with hurricane disaster relief in affected parks. This leaves a void at their home parks where staff are already stretched thin, and in essence has a domino effect, creating a strain on those parks that are loaning their staff, sometimes for lengthy periods of time. In one example, a drug bust in Sequoia and Kings Canyon National Park had to be conducted without the chief ranger and other key staff who were out on detail for hurricane relief efforts in the Gulf region. The Park Service's funding shortages, coupled with staffing shortfalls, makes the impact of hurricane season all the more damaging and extends the impact long after a storm passes.

Congress and the administration need to take the appropriate actions to address the needs of damaged parks. They should adequately budget for natural disaster and consistently reimburse the Park Service for necessary repairs resulting from the frequent acts of nature that besiege our parks. If not addressed promptly, the effect of the storms will compound the ever-growing backlog facing our magnificent parks. This creates a situation where everyone loses. The parks can't complete their mission to protect the great cultural and natural resources for future generations. And the American people lose out on their right to visit and enjoy their parks in a manner in which they have rightfully come to expect.

Invasive Species Overrun Parks

In October of 2005, Everglades National Park was the subject of international media attention for an unusual reason: An invasive 13-foot Burmese python exploded after attempting

to eat an American alligator, a native to the Everglades. This is a shocking example of the severe problem caused by invasive, exotic species in Florida's national parks. While this occurrence was unusual, invasive species in the parks are not.

The introduction of exotic animals and plants into south Florida began in the late 1800s and has escalated ever since. Originally introduced as pets, food sources, ornamentals, or as biological controls, invasive species have become extremely difficult to eradicate.

In Florida there are more than 60 species of invasive, non-native plants that have altered native plant communities and caused ecological damage; the three most prevalent in south Florida are malaleuca, Australian pine, and Brazilian pepper plants. These plants threaten the native cypress trees and mangroves found in Florida's national parks.

In addition to exotic plants threatening park resources, non-native mammals also cause problems in Florida's national parks. Feral hogs are found in Everglades and Biscayne national parks. These hogs threaten native wildlife and alter the forest habitat. Additionally, non-native amphibians, reptiles, and fish also threaten the natural habitat and native animals found in Florida's parks. The invasion of exotic fish from Africa and South America, for example, is causing the decline in the populations of popular native sport fish, such as the largemouth bass.

In December 2004, *Smithsonian* magazine reported "several thousand foreign plant and animal species have colonized the United States. All told, invasive species cost the nation upwards of $140 billion a year."

A commitment to resource protection in the parks is crucial in order to save the native landscapes that make the parks so distinctive. To this end, we encourage the Administration and Congress to continue, and increase financial support for the Park Service's *Natural Resource Challenge*.

The Natural Resource Challenge was established in 1999 to strengthen funding for natural resource management in the parks, and today, provides funding for research and control of invasive species, among other important projects. Unfortunately, the Natural Resource Challenge, like many aspects of the Park Service's budget, is significantly under funded. In Fiscal Year 2002, the program received $20 million; in Fiscal Year 2005, this amount was reduced to only $5 million. We strongly support the National Parks Centennial Act, which includes increased funding for the Natural Resource Challenge.

The Role of Partnerships in Park Preservation

Increasing federal funding for our national parks is critical to the long term health and success of "the greatest idea our country ever had." If used to supplement federal appropriations, private funding can play an important role in improving our parks.

One example of a successful partnership is that of the South Florida National Parks Trust, a project of the National Park Foundation, which was founded to "improve the quality of life in South Florida by supporting the national parks that define our landscape and enrich our culture—Everglades National Park, Biscayne National Park and Dry Tortugas National Park in the Florida Keys."

The Trust has provided support for several key park projects, among them: the production of more than 25,000 maps of Biscayne National Park to educate boaters on how to safely navigate the park waters, and the purchasing of channel markers for Florida Bay to help guide boaters in Everglades National Park and protect the bay's critical habitat. The Trust has also enabled thousands of school children to explore the Everglades and Biscayne Bay during field trips and overnight camping excursions.

As budgets have tightened, parks have become increasingly reliant on such private philanthropy. Cutbacks in funding for Everglades National Park's education program would have denied thousands of visitors the opportunity to enjoy educational ranger-led programs, if not for funding from the Trust. It is disconcerting that the park has been forced to rely on the Trust to provide the necessary funds for its environmental education, which is arguably one of the national park's most important roles—educating our future generations about their world.

In another example, the Trust is helping underwrite an effort to save and restore the Civil War-era cannons at Fort Jefferson in Dry Tortugas National Park. Unfortunately, recent budget allocations have been insufficient to provide Dry Tortugas with the necessary funding to support a full-time dedicated cultural resource specialist. Again, Congress and the Administration have not matched the investment made by the private sector.

I am very worried that the private sector will start to see itself as supplanting, rather than supplementing, funding for our parks. This could easily be interpreted by the public as a signal of a lack of support for our parks by our political leaders. As a result, those philanthropists could retreat and pull back their funding. Partnerships are very valuable relationships based upon trust and a belief on the part of many in the community that the parks unique cultural and natural resources will be preserved and protected. Not demonstrating a real and ongoing financial commitment to our national parks risks losing some of that hard-earned trust. If we are to be successful, we must work cooperatively to protect and enhance our national parks for this and future generations.

Land Acquisition is Critical to Park Preservation

Development and urban sprawl have long been identified as a threat to national parks in Florida. One way to address the threat of development is to establish a buffer between the park and adjacent development to provide safe ground for wildlife, for instance. But across the park system, and in Florida in particular, many park restoration and protection projects intended to help ensure a park's integrity are threatened by a lack of funding for land acquisition.

This year, Congress provided merely $45 million to the National Park Service for federal land acquisition, approximately $10 million less than was provided the previous year. This shortfall comes at a time when the Park Service shows a Land and Water Conservation Fund (LWCF) acquisition backlog for in holdings at Big Cypress, Biscayne, Everglades, and Gulf Islands National Seashore at over $138 million. In addition, the in holding backlog at Virgin Islands National Park alone is nearly $50 million.

While the federal commitment to land acquisition has significantly decreased in recent years, the need has not. Within the past decade, state and local officials have initiated major land acquisition programs, including the Florida Save Our Rivers (SOR) program and Miami-Dade County's Environmentally Endangered Lands (EEL) program. These programs have identified lands adjacent to park boundaries as environmentally important lands to acquire.

The Comprehensive Everglades Restoration Project Land Acquisition Needs

The integrity of the Comprehensive Everglades Restoration Project (CERP) rests in very large part on the ability to acquire the land necessary to implement project components. Unfortunately, as the Everglades awaits further Congressional action and Administration support, land values skyrocket; development pressures increase, and major opportunities to acquire lands that are critical to the restoration of South Florida's national parks are lost. Currently, two CERP projects (C-111 Spreader Canal and the Biscayne Bay Coastal Wetlands) that will benefit Biscayne and Everglades national parks are critically dependent on the Land and Water Conservation Fund (LWCF) and other means of funding. The C-111 Spreader Canal project will provide the single most significant restoration benefit for Florida Bay of any CERP project, yet its success is threatened by a lack of funding for land acquisition. The purpose of the project is to remove the canal primarily responsible for disrupting freshwater flows through Manatee Bay and Barnes Sound to Florida Bay, while maintaining flood protection for agricultural and urban areas.

An additional objective is to rehydrate the coastal wetlands between Everglades and Biscayne national parks by "spreading" the water more naturally to reestablish wetlands in the "Southern Glades" and "Model Lands" of southern Miami-Dade County, and to push the saltwater intrusion line back toward Florida Bay. The original project proposed to acquire over 12,000 acres of land, mostly existing wetlands. This project is included in the originally authorized projects of WRDA 2000, but has lingered with the delays of ModWaters.

Last year, I was pleased to learn that Governor Jeb Bush included this entire project in his "Acceler8" plan—a plan intended to infuse Everglades restoration with a burst of funding at the start—particularly because the Congressional dollars have been slow to materialize. Unfortunately, just last month, it became public that the state's proposed plan no longer includes backfilling this destructive canal and that the new spreader canal's alignment would not restore as many acres of wetlands, all for one main reason: no money to acquire land. The state proposes to reduce the benefits of this project because of a lack of money to buy land, and will not await the Army Corps of Engineers' process to determine the best plan.

As a former member of the South Florida Water Management District Governing Board, I understand the financial limitations of the agency and therefore do not place all of the blame for this decision on them. The problem also lies with the bureaucracy of the Corp's internal evaluation, which requires long overdue changes. Action is needed immediately or the Corps will lose the opportunity to apply their new tactics for environmentally sound projects.

With increased funding and oversight for this project from the federal government, we could be assured of the success of this project. However, without the land purchases needed, water quality treatment will be eliminated, the extent of wetland restoration will be reduced and Florida Bay will continue to suffer. This outcome is unacceptable.

Given that the C-111 Spreader Canal project will provide Florida Bay with the most benefits of any CERP project, the federal government should provide funding for the National Park Service to acquire the land. Congress could propose to acquire these lands as it did for the East Everglades Expansion Area by including it into Everglades National Park, by creating a new National Park unit, or making it a state wildlife management area. As the primary purpose of the federal government's role in this process is the restoration of federal-managed lands, Congress bears the responsibility to ensure that the original goals of the project are met. The Administration should be calling upon Congress to fulfill its promise to restore America's Everglades.

Biscayne Bay Coastal Wetlands Could Restore Biscayne National Park

Development pressures in Miami-Dade County also threaten the success of the "Biscayne Bay Coastal Wetlands" (BBCW) project. This land acquisition dilemma will prove detrimental to the resources of Biscayne National Park without action by Congress.

NPCA's 2006 State of the Parks assessment of Biscayne National Park highlights the critical need for the success of the BBCW project, which would divert canal flow through coastal marshes and creeks and help re-establish productive nursery habitat along the shoreline; stabilize a persistent estuarine zone, and reduce abrupt freshwater discharges that damage fish and other invertebrates in the Bay.

The report also details the historical context of lost land and encroaching development as the single largest threat to the restoration of the park and Bay. Over 13,000 acres of land (estimated at over $50 million) were slated to be purchased for this project to provide storage and treatment for water that would be redistributed across the coastal wetlands and flow more naturally into the Bay. Another 30,000 acres of land, mostly existing wetlands, would realize increased benefits from this and the C-111 Spreader Canal projects, in concert with other county and state programs seeking to purchase these lands.

Regrettably, a permit has been granted to one of the nation's largest developers for a 500-acre development to be constructed in the footprint of the BBCW project. Without an increased level of participation by the federal agencies and the necessary land acquisition funds to accompany that activity, restoration efforts are stalled and threatened.

Funds Needed to Keep Virgin Islands National Park Intact

Not too far away from Florida is Virgin Islands National Park (VIIS) in the Caribbean. This park consists of approximately 10,000 acres, of which 2,000 acres are non-federal land in holdings. One such in holding, the 441-acre Maho Bay Estate Parcel, was recently divided into 11 interests as part of an inheritance. If Congress doesn't provide funding, the property stands to be taken over entirely by a developer, which would divide the national park permanently.

For lack of funding, the Park Service has only three of the 11 pieces of property, or interests, in the 441-acre estate. A land trust was able to acquire one parcel. A developer acquired six of the parcels, and has approached the Park Service and the private land trust and encouraged them to sell their holdings. There is great concern on the island that aggressive development could occur on the Maho Bay estate, which would divide the park in half and compromise public access to the Maho Bay beach area. Without adequate land acquisition funding, special places like Virgin Islands National Park may not exist for our children to enjoy.

Timucuan: A Model of Success

Congress can help to preserve our national parks. U.S. Representative Ander Crenshaw secured land acquisition funding that expanded the boundary of the Timucuan Ecological and Historic Preserve to include 8.5 acres of culturally and historically significant land in Nassau County, Florida.

Timucuan has within its boundaries federal, state and city parklands, as well as land owned by more than 300 private landowners. The congressionally authorized and funded expansion of the Preserve's boundary included an 8.5 acre parcel of land adjacent to American Beach, which, when purchased by a prominent African-American businessman in 1932, was the only racially integrated beach in Florida, and one of the few in the Nation. American Beach has been designated by the Florida Commission on African-American History as a site on the Florida Black Heritage Trail. In 2004, the Amelia Island Plantation arranged to donate the land adjacent to American Beach to the Park Service. The property was not currently within the congressionally authorized boundary of the Timucuan Ecological and Historic Preserve so Representative Crenshaw's legislation expanded the boundary of the Preserve to include these donated lands.

While this is a great step forward for Timucuan, this park was fortunate to have the ear of a supportive, interested, and influential member of Congress. Unfortunately, many parks across the country do not have this luxury and are not receiving the necessary funds for critical land acquisition—affecting the protection of our heritage and our American stories.

Management Policy Revisions Should Be Abandoned

Preservation is about more than funding the needs in our parks; it is also about managing our national heritage with the interest of future generations in mind. The much-publicized rewrite of the National Park Service's management policies could undermine this effort. Individually and cumulatively, these contemplated changes would alter the Park Service's interpretation of its mission and of the fundamental purpose of the National Park System.

The 2001 edition of the Park Service's Management Policies gave a very detailed and clear articulation of how to interpret the 1916 Organic Act's mandate "to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same unimpaired for the enjoyment of future generations." In contrast, the new draft significantly muddies the waters, and has the effect of letting each manager judge for him/herself whether a particular use or form of enjoyment is appropriate or not, and will or won't cause impairment, without the clear guidance that the 2001 edition of Management Policies provide.

By all accounts, including the aforementioned Harris poll and even Park Service-commissioned visitor surveys, the hundreds of millions of people who visit the parks annually enjoy these parks. But the proposed changes to the Management Policies would make it more difficult for park managers to prohibit some types of damaging uses. The changes lower the standard by which appropriate uses are judged, by adding a variety of qualifiers, modifiers, and vague, fuzzy guidelines to what were previously much more clear guidelines for judging appropriateness.

We question the urgency with which the Department of the Interior has been pursuing these extensive modifications to the management policies of the Park Service, which were last modified only five years ago.

Over the past 25 years, the Park Service's fundamental management policies have been revised only twice: in 1988 during the Regan Administration and in 2001 at the end of the Clinton Administration. Both versions underwent extensive professional review and were issued to the public for comment for extended periods, and both were identical in their interpretation of the meaning of the key language in the Organic Act.

For those narrow subjects that the Administration has asserted were not addressed in the 2001 edition (homeland security, cell towers, succession planning, etc,) the issuance of specific Director's Orders is the operative process already in place to address any need. Re-writing the entire set of policies is completely unnecessary.

For these reasons, NPCA strongly opposes, and urges the Department of the Interior to abandon, the proposed management policies rewrite.

With the Park Service so strapped for resources at this time, it should only be required to engage in such a process, with significant fiscal and policy ramifications, if it is absolutely necessary. What is needed is for the broad constituency of interests that are engaged with the National Park Service, including recreation and tourism industries, gateway communities, conservation and preservation organizations, and American citizens, to step up their support for their national parks as they are, and as they are intended to be: Preserved unimpaired for future generations to enjoy.

Special interests must give way to the national interest if the national parks are to flourish in the future.

Management Policy Changes Could Undermine Everglades Restoration Efforts

As America invests in Everglades restoration, it invests in our future, demonstrating that we can act to save the natural systems that sustain us, allowing human beings and ecosystems to thrive side by side for generations. This progress must be sustained. The Park Service is mandated to manage park resources to protect and enhance them for those future generations.

Unfortunately, the proposed changes to the Management Policies may have the effect of undoing the hard-fought, yet necessary, benefits to these federal lands. By introducing terms such as "mitigation" of impacts to these policies, the Park Service potentially creates future scenarios where we find ourselves cleaning up damage done rather than avoiding it in the first place. The need for Everglades restoration teaches us that this philosophy costs too much.

In all fairness to the federal taxpayer, we must consider the obligations the federal government has to preserving our national treasures. Of critical importance to Everglades restoration is the improved quantity, quality, timing and distribution of water flows through the ecosystem. Competing interests for water supply for the burgeoning population in south Florida may force the hands of State water managers to find additional resources for those needs. While Everglades restoration is intended to increase the total available water supply, the changes to the Water Rights section of the Management Policies could weaken the park's position by requiring them to "cooperate," which could force park managers to compromise with state officials, rather

than to "protect" the resources' needs for water supply. After having spent such significant amounts of money to revitalize a dying ecosystem, such changes would be destructive.

As identified previously, invasive species are a major threat to the restoration and maintenance of natural conditions within south Florida's national parks. Slight word changes to the existing Management Policies would potentially allow the devastating invasions of Australian pine or Brazilian pepper trees to become acceptable. With the continued infestation of these invasive species, other wildlife populations would continue to decline, at the same time as we are implementing radical changes to improve the conditions through Everglades restoration.

Conclusion

In ten years, we will be celebrating the 100th birthday of the National Park System. What better way to celebrate than to make a strong commitment to our national treasures and invest in their future today. The national parks here in Florida, and across the country, inspire and educate millions of visitors every year. The parks protect our nation's most prized natural and cultural assets. We must provide the dedicated men and women of the Park Service the resources the need to protect our national heritage. Thank you Mr. Chairman for your commitment to do just that. I am happy to answer any questions.

NATIONAL PARKS CONSERVATION ASSOCIATION
Protecting Parks for Future Generations

Florida National Parks Operations

NPS Unit	FY 2003 Enacted $	FY 2004 Enacted $	FY 2005 Estimate $	Increase FY 04-FY 05	% Increase	FY 2006 Request $	Increase FY 05-FY 06	% Increase	Change FY 03-FY 06	% Change
Big Cypress National Preserve	5,272	5,243	5,338	95	1.8	5,431	93	1.7	159	2.9
Biscayne National Park	3,456	3,434	3,531	97	2.7	3,594	63	1.8	138	3.8
Canaveral National Seashore	2,219	2,212	2,411	199	8.3	2,411	0	0	192	8
Castillo de San Marcos National Monument & Fort Matanzas National Monument	1,416	1,413	1,483	70	4.7	1,512	29	1.9	96	6.3
De Soto National Memorial	473	487	500	13	2.6	508	8	1.6	35	6.9
Dry Tortugas National Park	1,286	1,276	1,311	35	2.7	1,349	38	2.8	63	4.7
Everglades National Park	13,860	14,038	15,086	1,048	6.9	15,528	442	2.8	1,668	11
Fort Caroline National Memorial & Timucuan Ecological and Historic Preserve	1,860	1,775	1,824	49	2.7	1,877	53	2.8	17	1
Gulf Islands National Seashore	5,965	5,939	6,105	166	2.7	6,289	184	2.9	324	5.2
TOT					3.9			2.0		5.5

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Mr. SOUDER. Thank you very much for your testimony.

We'll now go to Mr. Lehtinen. I know the Congresswoman had another event, that's one of the disadvantages of being in her home district. You can probably get anything you need to her in another forum.

STATEMENT OF DEXTER LEHTINEN

Mr. LEHTINEN. Thank you.

Of course, I have the longer written comments submitted. I'd like to just focus on some observations I've developed over the years from serving in the State House/State Senate, U.S. Attorney, and then as the longest serving member of the South Florida Ecosystem Restoration Task Force.

Among others, I do represent the Miccosukee Tribe of Indians of Florida, whose Everglades lands recognized by congressional act are north of Tamiami Trail, north, but contiguous to, Everglades National Park, and which by congressional statute were guaranteed to the Indians to be preserved in their natural state.

It is the belief of the tribe and many others that commitment by Congress is not being met, that the Everglades north of Tamiami Trail is discriminated against, and does not receive the same recognition that south of Tamiami Trail does.

My remarks are twofold. One would be some very specific comments about south Florida park management, and then some comments about Everglades restoration.

What we need, perhaps, throughout the country, but especially with south Florida park management, and Superintendent Kimball and the others are actually making a real effort to change this bureaucratic approach, but we need the Park Service to be more people oriented, as well as take a broader ecosystem-wide approach beyond their own ownership lands.

Especially in south Florida, where we have an international airport and a large urban area, and people coming from around the world so close to a million acres, if you think about it you don't really have that in many places in the country, we need to make a greater effort to get those people to visit Everglades National Park in an ecosystem consistent protection way, and that would mean, for example, rebuilding Flamingo, and rebuilding it on the congressional directive to do so, and, of course, funding it because of the cost that would be involved. But, if we don't have people visit our parks, and recognize what's the really treasure, Everglades National Park doesn't stand out, you know, it doesn't have the mountains and snow covered peaks, you have to visit a little bit to really come to understand it, and it's self defeating in the long run if we don't have people visit the parks.

An example of this is another recommendation is to reopen the Chekika Springs area. It's in the middle of Everglades National Park, very close to our urban areas, accessible from S.W. 168 Street. It's marked on all of Everglades National Park's tourist literature as a camp site and as a picnic area. My brother and I used to hunt there when it was known as Mineral Springs in the 1950's and 1960's. It became Chekika State Park, named for the Indian leader who was killed there in one of the last of the U.S. Army/Native American battles in south Florida. And, as Chekika State

Park we could visit it, turned over to Everglades National Park in the early 1990's as part of the Park Expansion Act, and almost immediately closed by Everglades National Park.

And, I haven't been able to go there for 14 years. Superintendent Kimball tells me they are working on it, he hasn't been superintendent that long, and I believe him, that he wants to reopen it, but it was closed due to a hurricane in 1992, and has stayed closed ever since, and many of us in south Florida have just thought, what kind of message does that send, that we'd have been better off keeping it as a State park than in turning it over to the National Park, because all else being equal we think of the national parks as—I don't want to insult out State parks, but, you know, better management, higher priority, more important.

That's not true with Adirondack State Park, you know, in New York State and so forth, but that was our thinking. Most of us think we shouldn't have turned it over to Everglades National Park, we should have just kept it as a State enclave, and then we'd have access to it. I do think Dan is going to make an effort in that regard, to get Chekika open. It's a real sore point with some members of the public that could easily be solved, while it does take some money. But, other than money it could be solved.

I'd like to note that another thing that happened there, you know, when Chekika was turned over, and the park expansion area condemned several houses, houses like this that were condemned from private owners as inconsistent with the ecosystem of the National Park were actually then reoccupied by the Park Service, and Park Service employees live in them, and they are used sometimes as, I think one is a fire station, and that's something that's hard for a member of the public to understand, that they are kicked out because they are inconsistent with the National Park, but then it ends up being home for National Park employees.

Another point would be, Big Cypress, as Mr. Reed said, is a real gem. That was a real political achievement when it was declared a National Preserve. Exactly why it's a called a preserve instead of a park, you know, some limitations on the mineral rights or something like that. That's a little beyond me, I haven't studied it, but one of the points that I make as a member of the public is that you fight those political battles and you achieve a political accommodation. We did that with the Modified Water Deliveries Act in 1989, and with Big Cypress National Preserve.

The Big Cypress National Preserve enabling legislation assures that the Preserve will be maintained, but it does guarantee certain public access to it, and the perception of hunters and others is that access has gradually eroded improperly and that the eventual goal is to exclude them from it.

Now, I'm not talking about ATVs and those kinds of things should be in there. I think the Preserve has every right to use all of the regulations necessary to preserve the Preserve, small p and capital P, but there is a sense that the general orientation of the Park Service is always toward moving people out of park use. So, I don't make that accusation as much as I say that is an area that will be looked at a great deal by the public, both to maintain and honor the enabling legislation. That is to say, whatever the enabling legislation, what deal was cut there, let's not have a what's

mine is mine and what's yours is negotiable kind of approach. Let's honor that enabling legislation and, ultimately, preserve the Preserve under that way.

Another issue that there will be a lot of future publicity about deals with the Florida panther. Actually, the Florida panther that is either no longer in existence or will no longer be in existence within 10 years, the fact is the Florida panther was going into extinction due to natural breeding conditions. So, the Texas cougar was brought in and cross bred with the Florida panther, and that cat that now exists is less nocturnal and more aggressive than the Florida panther was, and it poses a threat to human beings. Cougars in the west have, when we were there 2 years ago on a visit in California, a camper was killed by a cougar, joggers have been killed by cougars. The current Florida cougar, the DNA different cat that's traveling under the name Florida panther, has been seen and observed electronically, at least Panther 124 that has a collar on it, goes into National Park Service camp grounds while there are campers there, and there was a plan developed under the Endangered Species Act that if these cats, 124 did it three times, you know, if they did it once you'd try to environally sensitize it, encourage it, you know, teach it not to come in there. But, if it ended up coming three times into the backyards of residents, you know, where there are small children, dogs, you know, out west the pattern is the cougar eats the dog first and then goes after people later, that if it happened three times it would be captively caught and bred, not executed, but moved and then after it—because it's got two cubs, pretty old cubs now with it that are not collared, but when the cougar violated that rule about 10 times they just abandoned that rule and have another rule, which is, eminent danger.

And, residents in that area, some of whom are Miccosukee Indians, but most of whom are not Miccosukee Indians, will shoot that cougar, or Florida panther 124, or their kids won't be able to defend themselves and they'll be injured or killed, and either way that's bad for the Endangered Species Act, to say the least. We need a proactive approach instead of the ideological idea, OK, we want to save the panther, but the fact is, that Florida panther is gone. I mean, every biologist says the Florida panther either no longer exists or those few adults that remain will not exist within 10 years.

We are not saying don't try to save it with a cross breed, don't have, you know, like this new animal, but one has to not allow the bureaucratic imperative where as a Government official you are supposed to be like on the side of the animal, be blinded, blind you to the fact that it's not the same animal, it doesn't have the same DNA, it's bred with a western cougar, and that produces different behavior patterns and some real fears on the part of the people who live in the loop road area.

I don't view this kind of testimony as much as hostile to the Endangered Species Act as favorable. In other words, the way you are going to protect this act is by reaching accommodations, you know, is by balancing the human and the animal factors, but without that balancing we are going to end up with a prosecution in Federal Court for shooting a cougar that a jury is not going to convict on,

because, you know, they are going to think you are entitled to protect your kids and that it isn't a Florida panther anyway.

With regard to restoration, let me just say this. It's a broad topic. The dilemma in restoration is that all of us want to recognize the incredible progress of restoration. We've made a lot of progress. We are making a lot of progress in water quality, especially up north, especially as a result of litigation that has brought the State in line with respect to creating storm water treatment areas that protect for water quality.

But, with respect to water quantity, that is to say hydro period, we have some real problems, and one of them is that Federal agencies do not take an ecosystem-wide view. The largest remaining part of the fresh water Florida Everglades, the Margery Stoneman Douglas River of grass is outside of Everglades National Park. Everglades National Park, all of it, is worth saving, but a substantial part of it is Florida Bay, well worth saving, but not fresh water Florida Everglades.

The marine estuarian elements of Everglades National Park are well worth saving, but they are not the fresh water Florida Everglades. The fresh water Margery Stoneman Douglass slews are in the northern part of Everglades National Park, and the largest part of the remaining Florida Everglades is in tribal land and north up to the Everglades agricultural area that Mr. Reed indicated was a problem source of pollution, and in the Loxahatchee National Wildlife Refuge. That's the largest part of the Everglades. What we need is an approach that treats all of the Everglades equally, and I believe that's the mandate of the Water Resources Development Act 2000 CERP Comprehensive Everglades Restoration Plan.

However, one of the questions, since you had spoken of earlier, I was going to throw in there, you were asking about personnel, those of us on the Task Force, the non-governmental, Federal Governmental members, have always wondered how much of this restoration money is actually funding Department of Interior personnel costs. I mean, most people think it goes to doing something on the ground, it goes to a project, but a lot of it seemingly goes to personnel costs, and we've never had that answer. Mr. Kimball is forthright and says something like he got 40 additional positions in the Park, but it would be defying the logic of organizational management to believe that 40 additional Park employees are going to focus their attention on how to save the entire Everglades, most of which is not in the park.

It's the same problem you had in the Vietnam War. You assigned Army officers to a civilian development project, and they might do a good job, but it doesn't get them their command time, their officer efficiency report doesn't come from another Army officer. I mean, we have serious problems in having the Federal agencies analyze the entire Everglades.

The best current example is the so-called interim plans that have been adopted for the Cape Sable Seaside Sparrow in the western Everglades National Park, the western side, where the S12 structures are, just before you hit Big Cypress. Just figure you go west, and before you hit Big Cypress, south of Tamiami Trail there is the sub-population A of the Cape Sable Seaside Sparrow, so named be-

cause it was found in Cape Sable. Its declared habitat is nowhere near that part of the park, and it was never found there until it got blown there or moved there, and it's not a declared habitat.

The least number of birds were there, Sub-pop A had 25 singing males, they multiplied by 16. We have disputes about that, but that was their number.

Starting in 1998, they said Endangered Species Act, an act in which the Government is the prosecutor, judge and jury, if you are not the decisionmaker, if you are not an agency official in the ESA you lose, that's the way the ESA works, Government wins, outside people lose.

The determination was made that water had to be kept lower south of Tamiami Trail, a move away from the surf-adopted Natural System Model. This is the model submitted to Congress that said this is, we are going to restore the Everglades, according to NSM, Natural System Model, we want lower waters in the park south of the trail, higher waters north of the trail. We get those by blocking the 12 structures that let water through Tamiami Trail, lower on the south, higher on the north, all in the name of restoration.

The current position is, we cannot move toward restoration goals, because the Endangered Species Act won't let us do it. The point is, the Everglades has been altered, we all say, by man-made action. To return to its natural condition means that something that moved, you know, altered environments are not dead environments, they are different environments, something moves in, you know, that wasn't there naturally. Well, when you start to restore, for example, you have certain trees grow up in an altered environment, and when you restore water flow the first thing you start to see is those trees die. And, if you stand there in a time-lapse photography, you might say we are really doing a lot of damage because this nice green area is now looking brown. Well, that's natural, we are getting it back to what it was.

Well, there's birds moved in to low water, and we are being told we can't go to natural levels of water because of the bird. In the meantime, the undeclared habitat in the south is protected, the declared habitat is the snail kite north of Tamiami Trail is being flooded with loss of tree islands according to the Corps of Engineers at the rate of more than eight tree islands a year, and more than 246 acres a year due to the flooding. Tree islands, as you might guess, I don't think I would need to explain it, but tree islands are these areas that create the real diversity in the Everglades. I mean, that's where you have some of your smaller mammals and, you know, your alligators come on and eat some rats, and whatever happens there, you know, and that's where you get your diversity. That's what all the scientists say, if you go to no tree islands then you have a very non-diverse, non-natural Everglades. We've lost more than almost half of the tree islands since the Central and South Florida Project went into existence, this is a U.S. Government figure, and since this new 1998 block the water to save this Cape Sable's 25 singing males we've lost more than eight tree islands a year north of the trail, and 246 acres.

Now, if that were Federal property, and not State Everglades or Indian land, it would be called a crisis. But, Tamiami Trail is the

boundary line, so it's not of concern much to the Federal Government.

We have, in fact, this plan adopted in 1998 that was supposed to save the Cape Sable Seaside Sparrow, now has found no Cape Sable Seaside Sparrows, or one Cape Sable Seaside Sparrow, meaning a 90 percent reduction.

Now, in high school science fair classes you say, here's a condition, here's my hypothesis, if I block this water my birds are going to prosper, and then your chart goes the other way, down to no birds at all, you have to say my hypothesis was wrong, to get by your high school science fair project, but you don't have to say that when you are Federal scientists, because you own the scientific process. You just say, so what.

I mean, that's the problem we have there. We are being moved away from restoration goals by a lack of system-wide approach. We can say—they can say the Endangered Species Act forces them to do it, but the fact of the matter is, if they wanted to do something else they'd say the Endangered Species Act forces us to let the water through because the snail kite is being killed north of Tamiami Trail. You just pick your bird, that's what you do, the way the Endangered Species Act works now.

A second and third area related are Modified Water Deliveries adopted in 1989, supposed to be done in 1996, the plan as approved by Congress adopted the act in 1989, the General Design Memorandum approved in 1992 by Congress and the Corps submitted it. The Park Service didn't like that plan. It wanted to condemn more than 500 residents on the edge of the park outside of the park expansion area, where the act said they will be protected. Two different plans to do that were found unlawful in court, and eventually Congress let them have 20 percent of those residents and protected the other 80.

In the meantime, that failure to adopt that plan means you can't move the water over through N.E. Shark River Slew, and you are still backing water up into Water Conservation Area 3, doing serious damage to the historic Everglades, and you have the following circumstance now, the amount of water that ModWaters was supposed to move, and that's a pre-CERP project, and in 2000 Congress said they want that pre-CERP project done before we do the CERP reconnecting projects, and you can't raise Tamiami Trail, word of 2000 says you cannot raise Tamiami Trail until you finish ModWaters. Well, that legislation doesn't mean too much to us in the field. We now have adopted a model, we being the Federal team here, that moves, not only twice the amount of water that ModWaters called for, but moves more water than CERP calls for, in order to justify building two bridges on Tamiami Trail, which word of 2000 says you can't do.

Don Young from Alaska already sent them a letter, said it's unlawful, you can't do it without congressional authorization. They are going to adopt that proposal anyway, drop it in your lap, and say you wreck the Everglades if you won't spend the money, which is now four and five times the original projection of the ModWaters Project.

The Indian tribe and others of us look at this and say, long-term goals are fine, but when you are always making a deal and then

breaking that deal in order to slide in your personalized view of what's better for the Everglades, like let's move more than CERP authorized water, twice ModWaters authorized water, under the label ModWaters, what you do is, you just stop the projects, you slow them down, you cause serious problems in the northern part of the Everglades.

Now, this is the part of Everglades restoration that concern us. In a longer-term view, we'd list all the successes, as Mr. Reed has. There are successes. This is worth funding. The only dilemma someone like I have in criticizing restoration, and I've done this many times, is going to Washington and saying, look, what we want you to do is more oversight, we want you to get control, but what we don't want you to do is divert these funds. Everglades restoration is worth it, the fact that we have some problems and disagreements in implementing it should not lead to the conclusion, well, let's cut that off and dump it in, you know, some project in Wyoming.

And, some of us are reluctant to criticize the failed elements of Everglades restoration, or the difficult elements, because we are afraid, you know, it will be used as ammunition against restoration overall.

I like to think that won't happen, that the overall value of restoration, and even the disagreements between elements here, I mean, we think the Cape Sable Seaside Sparrow is a scandal, but the fact of the matter is, if that thing gets worked out, and we'll be hands in hands with the people who we think messed that up radically, I mean, you know, we each have our viewpoints. We argue they are wrong, they say we are wrong, that's all within a team that wants to see the Everglades restored, and we want you to keep spending the money, just put some strings on it that assure you that it's being spent the way you want it to be spent, but don't reach the conclusion that it's not worthy to fund these projects, because the fact of the matter is, I think you have in south Florida about as good a national and international interest, and at least a, what do you call those projects, when you call them a local—well no, I mean, you know, a project that has no real national value, I mean, this, the only arguments down here are not over its national value, it's just over how to do it. And, when you are arguing over how to do it, that's a worthy argument no matter which side you are on.

Appreciate your time, and you've been here quite a while, I would not have predicted it, that you'd be here so long.

Thank you very much.

[The prepared statement of Mr. Lehtinen follows:]

NATIONAL PARKS AND SOUTH FLORIDA

Testimony Before the Subcommittee on Criminal Justice, Drug Policy and Human Resources

By Dexter Lehtinen
January 11, 2005

My name is Dexter Lehtinen. I serve on the South Florida Ecosystem Restoration Task Force. I previously served as a Florida State Representative and State Senator. I also served as U.S. Attorney for the Southern District of Florida, where in 1988 I filed the "Everglades lawsuit" against the State of Florida for violations of water quality in Everglades National Park and Loxahatchee National Wildlife Refuge. This lawsuit is widely perceived as the centerpiece of efforts to improve water quality essential for Everglades restoration, and is till active. I currently represent the Miccosukee Tribe of Indians of Florida in their quest for Everglades protection.

My remarks and observations will cover two general areas: (I) Problems in NPS management of our South Florida National Parks/Preserves (Everglades National Park, or "ENP"; Biscayne National Park, or "BNP"; and Big Cypress National Preserve, or "BCNP"), which may have parallels nationwide; and (II) Problems in Everglades Restoration.

I. PROBLEMS IN LOCAL NPS MANAGEMENT: NEED FOR PEOPLE ORIENTATION AND ECOSYSTEM-WIDE APPROACHES

The NPS track record in South Florida shows a need for greater people orientation and broader ecosystem-wide approaches in Park/Preserve management. While recently-appointed Everglades Superintendent Dan Kimball appears to be trying to move in this

direction, the problems go deeper than personality, being rooted in bureaucratic biases and imperatives.

South Florida's national parks and preserves are unparalleled treasures whose uniqueness and value will be understood ultimately only if they are open for public viewing and enjoyment, consistent with preservation. Public support is essential, and we are so close to a large urban area and international airport that failure to lure the public to view these treasures is shortsighted at best and self-defeating at worst. Therefore, we to reverse the anti-people attitude by:

(A) Re-build Flamingo Lodge in Everglades NPS, destroyed by recent hurricanes. A humble yet family-friendly Flamingo Lodge, with modest fees and providing protections from mosquitoes and the elements, will more than pay for itself in the long run in terms of public support. Congress should mandate re-opening the Lodge, as NPS attitudes are such that often natural disasters are used as an excuse to avoid continuing public access. The closing of the Chekika springs area in ENP in 1992, ostensibly due to hurricane damage, is an example.

(B) Re-open the Chekika spring area in ENP, which was closed to the public in 1992. My brother and I hunted near "Mineral Springs" in the 1950s, which was later established as Chekika State Park (named for an Indian leader killed in one of the last battles with US soldiers). The State Park was turned over to Everglades National Park in the early 1990s as part of the Park Expansion Act of 1989 and almost immediately thereafter closed to the public. ENP claimed hurricane damage in 1992 caused a "temporary closure". Chekika

is closer and more accessible to the public than other parts of ENP (accessible on SW 168 St). What message does the NPS send to us as Floridians when we lost access to a historical site when we turned it over to the NPS, thinking we would be guaranteeing access?

You should also note that several homeowners were kicked out of their homes in the park expansion area around Chekika, only to have their homes then occupied by park employees and their families, who live there today. This favoritism of park employees over local residents should not be permitted. Likewise, the congressional resolution of ENP expansion, through the condemnation of more than 100,000 acres of private land in the park expansion area and the protection of a much smaller residential area (known as the 8.5 square mile area, as part of the modified "water deliveries component" of the act)) was transgressed by the NPS, which quickly sought the benefits of the expansion but refused to cooperate with the modified water deliveries components. This attitude of "what's mine is mine, and what's yours is negotiable", by the NPS toward neighboring residents, has created overriding mistrust.

(C) Preserve "Old Stiltsville" in Biscayne Bay through a public-private partnership. The historic stilt houses in the Biscayne Flats south of Key Biscayne, erected in the rum-running days of Prohibition, represent a slice of old Miami, which Biscayne Park tried to remove when private leases expired in the late 1990s. Thinking better of this ill-advised course after public and congressional opposition, BNP is now oriented toward their preservation but must be encouraged in this regard as normal difficulties in such an endeavor must be surmounted.

(D) Preserve reasonable access to Big Cypress. The establishment of Big Cypress NP was a significant step, achieved through political compromise with condemnation of many landowners and protections for hunters and other Big Cypress outdoors enthusiasts. These compromises do not threaten BCNPs natural environment, but many local residents feel that BCNP constantly tightens their access just because of bureaucratic imperatives to exclude people's reasonable use.

(E) Realistically Protect the Public and Miccosukee Indians in all programs to protect the Florida Panther. In an effort at preservation, Florida Panthers have been cross-bred with the related Texas Cougar, which many believe has produced a more aggressive animal. Pure Florida Panthers, more nocturnal and shy around people, were less of a threat to humans. Residents of the Loop Road area in BCNP (both Indians and non-Indians alike) are expressing concern that the NPS and Fish and Wildlife Service (FWS) are not recognizing the threat to their children. Panthers have been seen and tracked electronically in residential backyards, ,along roads, in campgrounds with people camping. Residents have threatened to shoot Panthers if NPS and FWS do not implement reasonable protection plans. Both personal injury of a child from a Panther or sanction of a citizen under the ESA for proactive self-defense would be a bad development, bringing the ESA itself and administrative agencies into disrepute.

These examples are selected ways for NPS and the department of the Interior to move more toward a pro-people orientation in South Florida. Now I will turn to considerations of Everglades restoration.

II. PROBLEMS IN EVERGLADES RESTORATION: FIDDLING WHILE THE EVERGLADES DIES

While I worked to protect the National Parks while I was U.S. Attorney, the Park Service is currently supporting actions that are leading away from restoration. Single species management, bad science, misplaced priorities, and delay might appear to benefit Everglades National Park in the short term, but are devastating for Everglades restoration.

1. The Park Service's Single Minded Approach Endangers Restoration and Disregards Science

Contrary to the belief of the National Park Service, the Everglades is comprised of more than just Everglades National Park. The health of Everglades National Park is directly tied to saving the rest of the Everglades. There is more freshwater Everglades to be saved outside of Everglades National Park and the Loxahatchee Wildlife Refuge than within the Park and the Refuge, but federal agencies discriminate against the state and Tribal Everglades, sacrificing the largest part of the remaining freshwater Everglades on account of the politics of the Parks. The Greater Everglades Ecosystem encompasses over two million acres of a precious resource with great international significance, yet the restoration of the Everglades, both inside and outside the Park is now being held hostage by selfish and shortsighted actions of the National Park Service.

The Miccosukee Tribe believes that "The River of Grass is a world of beauty and life . . . and the world and life of the Miccosukee." Houston Cypress, Miccosukee Tribal member. Yet, the Tribal Everglades, and its endangered species, are given secondary status and the National Park Service is leading the charge. Mark Twain stated: "Get your facts

first, then you can distort them as you please." The Park Service is a master at this, unfortunately, to the detriment of the only Everglades in the world. Congress is the latest recipient of such Park Service distortion. In 2002, the House Appropriations Committee directed the submission of a report on the current water management plan in the Everglades, the Interim Operational Plan (IOP), because it was concerned that IOP was not consistent with restoration goals. (H.R. 107-564). This report entitled "An Assessment of the Interim Operational Plan," was not delivered until May of 2005 and is cause for concern (as discussed below).

2. The Cape Sable Seaside Sparrow is not the only endangered species that exists within the Everglades

Beginning in 1998, the Department of Interior agencies forced the Corps of Engineers to take "short term" water management actions allegedly to protect the Cape Sable seaside sparrow. Tragically, these actions have not been "short term," nor have they helped the sparrow. More than seven years of "short term" water management actions have caused severe man-made flooding of Tribal Everglades in WCA 3A, a part of the Everglades north of Everglades National Park. In addition to being part of the Miccosukee's homeland, WCA 3A is the designated critical habitat for the endangered snail kite. While Everglades National Park encourages keeping the water in the area of the sparrow at unnaturally low (well below CERP levels), water levels in the Everglades north of Everglades National Park are being kept unnaturally high (above CERP levels). These levels are even above the previous high water levels that we are supposed to be reducing through restoration. The result has been a decline of 50% in the population of the

endangered snail kite during the years of IOP operation.

The sparrows, in the meantime, are NOT thriving as predicted by the Fish and Wildlife Service. These draconian water management actions have not helped sparrow subpopulation A, which is the subpopulation supposed to be helped by these actions. In fact, there were far more sparrows in subpopulation A eight years ago, before these new water management operations, than there are today. Yet in its Report to Congress, the Park Service has not been candid. The Report falsely states that the current water management operations resulted in lower average water levels and shorter hydroperiods in WCA 3A. The Report also fails to disclose that only one singing male was counted in subpopulation A in the 2004 sparrow breeding season. (The Park uses a formula of multiplying every singing male by 16 to estimate the number of birds). This is down from the 25 singing males counted when Fish and Wildlife Service became concerned in 1999 -- a 96% decline! There was also no evidence of a breeding population in the study area.

Yet, rather than give Congress the facts in the IOP Report that Congress demanded, the Everglades National Park Report claims that conditions were improved considerably for sparrows in Sup-population A from 2002 onwards. This in the face of an actual 96% decline in the sparrow population. It is apparent that the Park Service hopes that Congress never discovers that there was only one singing male left in these "improved" hydrological conditions in the 2004 survey.

Now, Everglades National Park has gone outside the study area in hunt of birds (re-defined the study area as larger). We urge you to not allow the Park to change its scientific

methods, merely to bolster its single species management. Now that it is clear that the unnatural drying out of subpopulation A habitat (part of the "short term" actions) has hurt, not helped, the once estuarine sparrow, the Park is scrambling to find support for its past actions. In any event, even if there was improvement to sparrows in the original study area (not what has happened in fact), this result would have to be balanced against the catastrophic flooding in the Tribe's homelands.

What about the snail kite, which the Everglades National Park Report says is a listed species most likely to be affected by IOP? The Report conveniently claims "information was incomplete or time was insufficient to include information on it." Yet, at the time the Report was submitted to Congress, Everglades National Park was aware that studies done for Fish and Wildlife Service showed that the snail kite populations declined 50% under the years of ISOP and IOP flooding operations. A 2004 Snail Kite Demography Annual Report prepared for the U.S. Fish and Wildlife Service predicts very high extinction probabilities in the next 50 years if survival and reproduction maintain the same rates as per the last 10 years. The snail kite population declined drastically in 2003, due to a continuing decline in nesting success and juvenile and adult survivorship. Yet, the interim plan, that was predicted to adversely impact 88,300 acres of designated snail kite critical habitat continues, with no relief in sight. And nowhere in the Park's report is there a description that the "adverse impact" is a drowning of one of the most treasured ecological resources of the Everglades, its tree islands. Nowhere is there a word that the "incidental take" of snail kites amounts to the systematic killing of this magnificent bird - all in order

to protect another species the Park Service deems more worthy and a portion of the Everglades only within the Park Boundaries.

Critical to restoration is the Modified Water Deliveries Project (passed in 1989), yet this is predicted to be completed in 2009, instead of the original completion date of 1997. Congress is rightfully concerned about whether IOP was consistent with the long delayed MWD and CSOP. The Everglades National Report attempts to show consistency. In reality, IOP is moving us further away from restoration goals. Finally, the Report incorrectly tells Congress MWD as part of CSOP will be implemented in 2006. MWD and CSOP are not scheduled to be implemented until at least 2009 or beyond.

In short, this single species management is bad for the Everglades ecosystem and demonstrates the hypocrisy of current management practices.

3. The Park Service Supports the Delay of Modified Water Deliveries, Which will Harm the Everglades and Everglades National Park

Perhaps the best example of an ongoing Everglades restoration problem is the failure to complete the Modified Water Deliveries Project (MWD), an essential projected authorized by Congress in 1989 to restore more natural flows to the Everglades and Everglades National Park. WRDA 2000 directed the agencies to finally complete the long delayed Modified Water Deliveries Project, providing that there would be no more funds for congressionally authorized CERP projects designed to restore the natural flow of the water through the central Everglades until MWD is completed. Rather than expedite the Pre-CERP Modified Water Deliveries Project, other non-Everglades CERP projects are now being pushed forward and MWD is delayed. MWD will benefit more than 900,000 acres

of Everglades wetlands (much north of ENP in historic tribal Everglades). Yet, during this delay, the interim water operation management program (IOP) in place is backing water up in the Everglades NORTH of Everglades National Park. These actions are causing excessive tree island loss and environmental damage to the largest expanse of sawgrass Everglades left in existence. The artificial damming of water north of Tamiami Trail has also contributed to high water in Lake Okeechobee and damaging releases to the St. Lucie and Caloosahatchee estuaries (the Atlantic and Gulf of Mexico sides of the Lake). Until the Modified Water Deliveries project is operational, the natural flow of water through the Everglades and Everglades National Park will not be restored, and the historic Everglades, no matter how progress is touted, will continue to be destroyed.

Replacing all the tree islands lost to flooding in WCA 3 would cost more than the entire $8.4 billion Restoration project. Since the Central and Southern Florida Project went into operation in the 1940s through 1995, WCA 3A has lost 45% of its tree islands and 61% of the tree island acreage. The U.S. Army Corps of Engineers has estimated that each year of delay of the MWD Project would result in the loss of an additional 8.4 tree islands and 246 acres per year in WCA 3 alone at an estimated restoration cost of $50,000 to $500, 000 per acre. (Final GRR/SEIS on the 8.5 Square Mile Area, Section 5.2.7, page 64 and Table 7.)

The loss to the Tribe's culture and way of life, and to the Everglades ecosystem valued by all Americans, is incalculable. Yet the Park Service supports plans, such as revisions to the Tamiami Trail component of the Modified Water Deliveries Project and single species mis-management, that move away from restoration and keep the bulk of the

harm on the Northern Everglades, outside of Everglades National Park. The people, birds and plants in the WCA's are given secondary treatment despite the fact that P.L. 101-229 authorizing Modified Waters says that construction of the project modifications "are justified by the environmental benefits to the Everglades ecosystem in general and the park in particular..."

4. Tamiami Trail and CSOP : Misplaced Priorities and Delay (A Tale of Two Bridges)

Under the Modified Water Deliveries mandate from Congress under PL 101-229, Tamiami Trail modifications were to be only a minor component. Yet, the Department of the Interior and National Park Service continue to delay the restoration of the dying Everglades by seeking to bridge Tamiami Trail under the Pre-CERP MWD.

The story of how a minor component became a major $159 million dollar boondoggle Recommended Plan, costing two times the entire cost of the originally authorized MWD Project, smacks of politics and trickery. A modeling trick used in the Final RGRR/SEIS was used to push for the bridge idea. Unhappy with MWD design volumes, the Park succeeded in getting the Corps to use a model for far more acre feet of water than Congress has authorized even for CERP (much less MWD). Not surprisingly, the Corps selected a Tamiami Trail two bridge alternative. The result is that the taxpayer will waste money on an unnecessary bridge for a Pre-CERP project, the cost of which has all ready escalated more than 300%.

The Federal objective for the MWD Project is to restore natural conditions to the

extent practicable, which in the 2003 GRR/SEIS was a projected (maximum) MWD flow of 4,000 cfs. through Tamiami Trail. Despite the fact that PL 101-229 directed the Secretary of the Army only to restore flows "to the extent practicable," and that WRDA 2000 prohibited the bridging of Tamiami Trail before MWD was implemented, DOI conspired to get a bridge based on greater volumes of water than even CERP allows. MWD was never intended to produce CERP volumes of water, let alone those that exceed CERP.

This inappropriate use of a model that allows for greater volumes of water than CERP to model water levels in parts of the Everglades outside of Everglades National Park (WCA 3B, L-29 canal) and to determine impacts to Tamiami Trail has resulted in the selection of an over-designed Recommended Plan that will cost at least 159 million dollars. This is almost twice the amount of the funds of 81 million dollars authorized for the entire MWD Project. The 4,000 cfs projected (maximum) MWD flow should be the federal objective. It is improper to over-design a project, and exceed project authorization, based on a future CERP that may never be authorized or built.

Instead, the Park pushed the use of the "west bookend" model as a boundary condition because it was the most environmentally aggressive plan that put the largest amount of water in North East Shark River Slough. In fact, the west bookend has been soundly criticized and rejected in the CSOP Advisory Team Process as not being within MWD project authority. It is unclear why the Corps would allow this unrestrained DOI model, which would create vast flooding in urban and agricultural areas, to be used for a project that is only supposed to restore more natural hydrological conditions "to the extent

practicable."

Indeed, by first pushing to buy the 8.5 square mile area that Congress directed to be protected (losing the push in the courts and in Congress) and now to bridge the Trail, DOI has delayed a pre-CERP project that was to be completed by 1997. MWD would benefit 900,000 acres of Everglades wetlands in the park WCA 3A and WCA 3B. Yet, the Park Service, apparently not satisfied with such benefits, continues to change the game (and the model) while the Everglades dies.

It is time that Congress hold the Park Service accountable by (1)making them prove the statements they provide in reports; and (2) making them follow their directives in PL 101-229 and WRDA 2000. CERP, and thus the Everglades as a whole, is a victim of this fiddling while the Everglades dies. The Miccosukee Tribe, whose members have called the Everglades home for centuries ask Congress to hold these agencies accountable for the damage they are causing and the projects they are delaying. Thank you.

The Miami Herald THURSDAY, JANUARY 20, 2000

The Everglades are drowning in their own tears

Dexter Lehtinen, a former U.S. attorney, filed the original Everglades lawsuit against the state and South Florida Water Management District and now represents the Miccosukee Indian Tribe.

DEXTER LEHTINEN

A tragedy is unfolding in the Florida Everglades. The heart of the Everglades — the 752 square miles of fresh-water Everglades prairie marsh, studded with tree islands and teeming in biodiversity, known as Water Conservation Area 3-A — is drowning. And once its tree islands are washed away and its biodiversity transformed into a dull monoculture, once the area is dead, it cannot be brought back to life.

In December 1999 a Florida Fish and Wildlife Conservation Commission representative concluded that the conservation area "has degraded more in the last five years than in the entire 40 years before." The threat comes from destructive, high-water levels due to closing the gates along Tamiami Trail and bad water-management policies.

Does anyone care? Will anyone act?

The legal responsibility for protecting this precious resource rests with several state agencies. Ideally the federal government should care as well. Therein lies another problem: The federal government doesn't care, because it doesn't own the conservation area, even though the Everglades within it and within Everglades National Park compose the "River of Grass."

The state agencies responsible for the conservation area include the governor and Cabinet sitting as trustees of the Internal Improvement Fund (it holds the legal title), the Fish and Wildlife Conservation Commission (it's responsible for managing wildlife resources) and the South Florida Water Management District (it's supposed to manage the water). But, in fact, the Central Everglades is an orphan, a beautiful child with unlimited potential but not worth the political trouble of fighting for.

No one expresses the belief that the conservation area isn't worth protecting. No one says that the Central Everglades should die. But all know that the current high-water levels will kill it, and no one will take

Does anyone care? Will anyone act?

responsibility for saving it.

We know, of course, that Water Conservation Area 3-A is not a living being, but from the air it appears so — a beautiful living creature struggling in a snare set by a twin sister, Everglades National Park.

Only a metaphor? Rain comes naturally in the Everglades ecosystem like tears; and rain, like tears, flows away naturally. But, if blocked, tears build to deadly levels. That's what's happening: The conservation area is drowning in its own tears.

There is no flood-protection, human-health or property-right reason for holding the water back. Officials simply have found that they can use the artificial barriers along Tamiami Trail to protect the park, requiring Conservation Area 3-A to absorb any natural events or conditions that they don't like.

The conservation area and park were once one, but that relationship is now denied and disavowed as if the conservation area were some distant, no-account relative. The Department of the Interior uses the bridges and gates along Tamiami Trail to hold water levels artificially low south of the trail in the park and artificially high north of the trail.

This is being done so that about 10 percent of a subspecies of a bird that moved into the artificially dry area (away from its 1977 officially declared "critical habitat") will not have to move again. Artificial, unnatural conditions are created in the name of "nature."

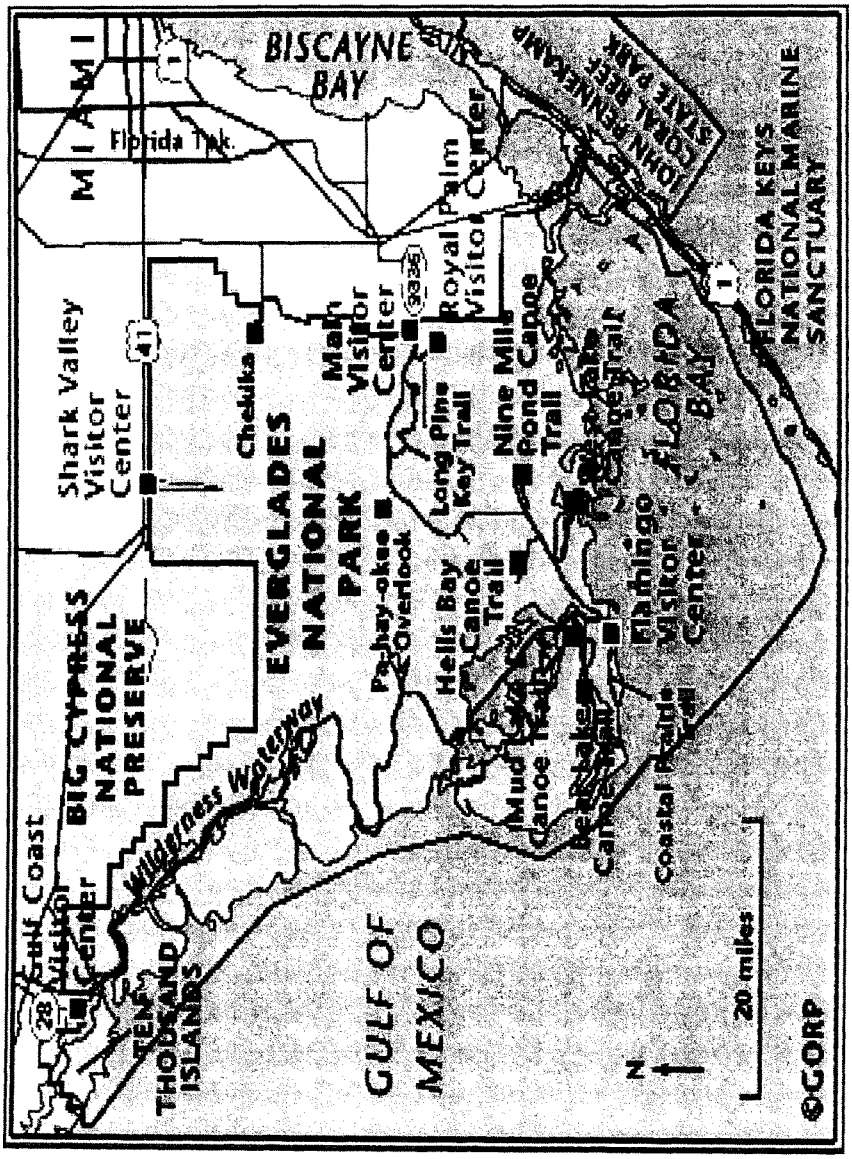
It wouldn't take much to save the Central Everglades: Just pull the plugs that block the flow of water, just open the drains, open the gates. The urban and agricultural areas to the east and west would not be harmed. In fact, flood protection would be improved because the water would flow through the Everglades naturally, where it belongs.

The Central Everglades needs a leader who, to paraphrase Abraham Lincoln describing the Mississippi, will enable "the mighty river to once again flow unvexed to the sea."

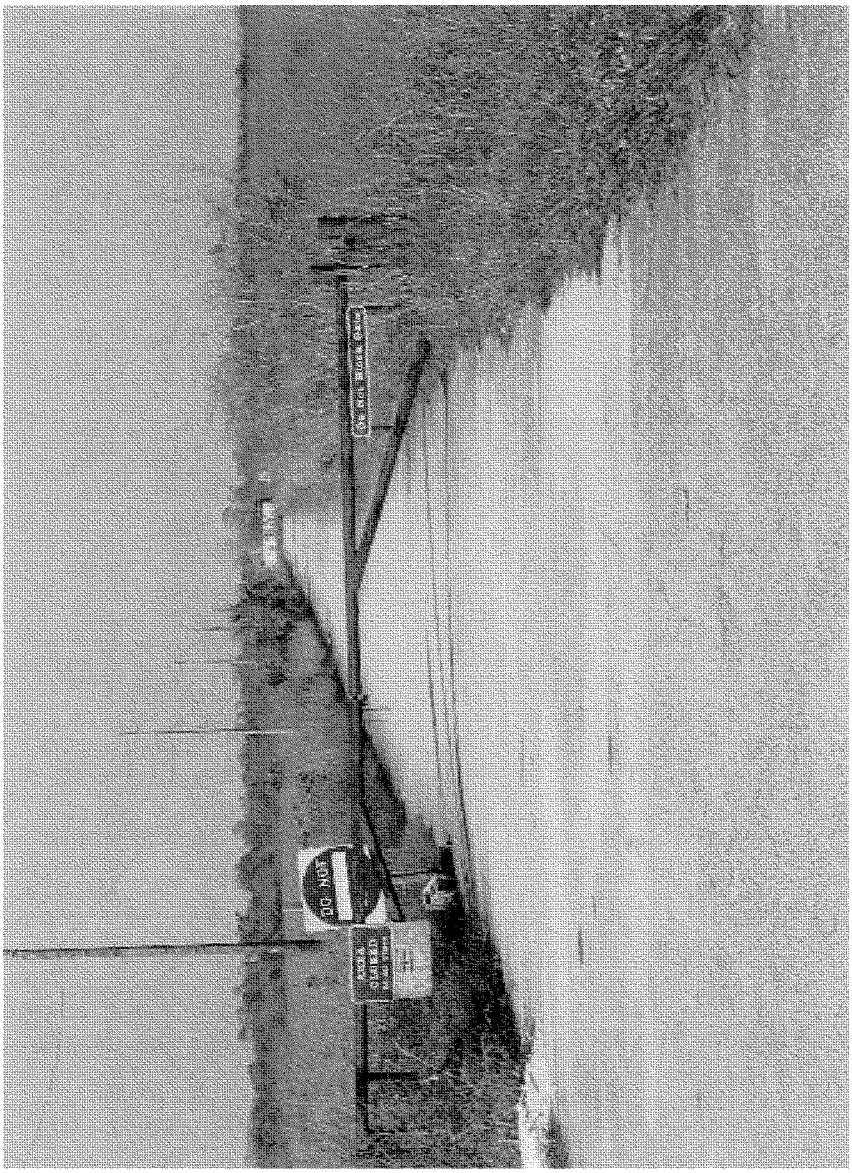
Mapping Everglades Ecosystems
EVERGLADES NATIONAL PARK
BIG CYPRESS NATIONAL PRESERVE
GULF OF MEXICO
ATLANTIC OCEAN
MIAMI
CAPE SABLE
FLORIDA BAY
CHEKIKA
Chekika Trail Loop
Shark Valley Visitor Center
Gulf Coast Visitor Center
Flamingo Visitor Center
Ernest F. Coe Visitor Center
Everglades National Parks
Key Everglades Visitor Center
Gulf Coast Visitor Center
Shark Valley Visitor Center
Ernest F. Coe Visitor Center
Flamingo Visitor Center

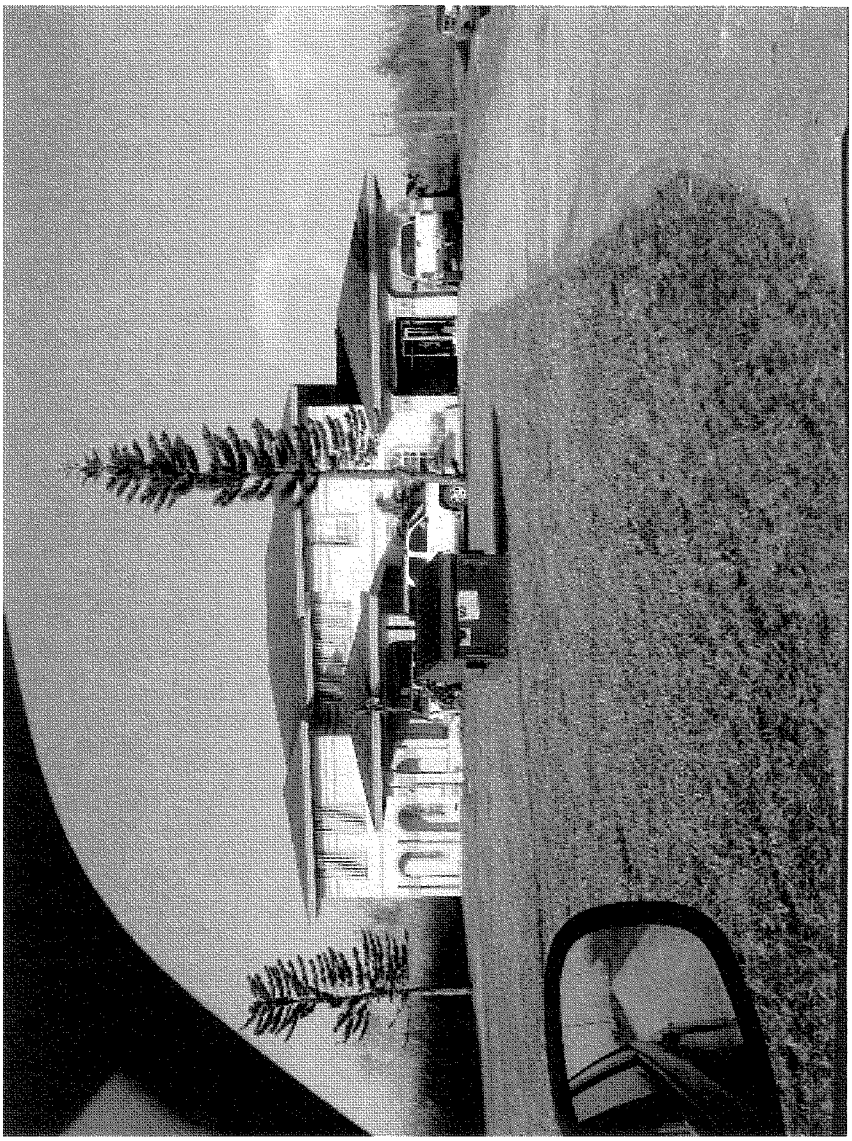
The National Park Service and South Florida

By Dexter Lehtinen


BISCAYNE BAY
MIAMI
Florida Tpk.
Shark Valley Visitor Center
Chekika
Main Visitor Center
Royal Palm Visitor Center
Long Pine Key Trail
Nine Mile Pond Canoe Trail
Pa-hay-okee Overlook
Hells Bay Canoe Trail
Flamingo Visitor Center
Coastal Prairie Trail
Gulf Coast Visitor Center
BIG CYPRESS NATIONAL PRESERVE
EVERGLADES NATIONAL PARK
Wilderness Waterway
TEN THOUSAND ISLANDS
GULF OF MEXICO
FLORIDA BAY
FLORIDA KEYS NATIONAL MARINE SANCTUARY
JOHN PENNEKAMP CORAL REEF STATE PARK
20 miles
N
©CORP


CHEKIKA
RECREATION
AREA
CLOSED
6 MILES


30 MPH



Changes in WCA-3 tree islands

Photo period	Number	Acres
1940	1041	22010
1995	577	8483
decrease	464	13527
% decrease	45%	61%

Mr. SOUDER. Well, thank you.

We have an agreement to leave this room in just a few minutes. I want to make a couple comments and ask just a couple questions.

First off, this wouldn't happen in Washington, we'd do this 5-minute rule and bang, you know, people come in and out, and you are called, and that's why I wanted to have a full statement, because it just doesn't happen in a record to have those kind of things. So, I think that Mr. Lehtinen has raised an illustration of one of the challenges we have in the National Park Service, and that is that things that happened, and Mr. Reed did a similar thing, things that happened outside the park are having bigger and bigger impacts on the parks, whether it's invasive species, whether it's—it was fascinating to talk about the salt water and the fresh water.

We vacation once a year over at Sanibal Island, and as we were coming down the West Coast the front page of the Fort Myers newspaper is about the overflow in Lake Okeechobee, going into the river, going into Fort Myers, which has apparently caused a whole bunch of dead fish over in Ding Darling, and is a mess over in Sanibal. In fact, what happens to this water? How do you manage the water? The north and south, this whole question of endangered species and shifting habitat, and in the Park Service once you get into the details and you are inside, my first exposure on the Parks Committee was, do you preserve the cyclorama at the Gettysburg Battlefield because it's a national historic structure sitting on the point of land where it is arguably part of the reason, if not the major reason, we have the Gettysburg Battlefield, which was the highland point and people were parking all over it, and what a mess to try to sort out, because is it the building or the historic structure? What happens in a park at Concord and Lexington, where we were looking at, should the battle road look like the battle, or what if you brought into the Park Service buildings from the 1840's and 1880's and represented their times in history, and then the trees are planted at Presidio and on this trail that weren't there, that, in effect, don't give you the historic feeling of the park. But, now people bike along them, and think it would be a travesty if you tore out the trees that are in the Gettysburg Battlefield, the peach orchard isn't in the right place, I mean there we made the decision to get it more like the battlefield. But, that hasn't been done on the battlefield road, and it hasn't been done at the Presidio.

These are tough choices when Federal laws run into Federal laws, and we have to have, in my opinion, to some degree what the Park Service is doing with core ops, in trying to identify what are the priorities within the parks, how do you decide what your core mission was, your secondary mission, it's a thing that private business has to do all the time, in that, how do we force these tradeoffs, and how do we have an open debate?

I can tell you how it is in Congress. The first thing is, each one of us are so overwhelmed in our own district, the idea of a fight in somebody else's district means you get your head down and you go, local guy, handle your local fight, then come to us. The problem is, what about if it crosses Members' districts, like in Florida, or it's a project of national significance, how much do you defer to

which local Congressman, when you are telling me this is going all the way up to, say, Foley and Weldon's district and coming all the way down through this district, how do you resolve something like that?

The usual House solution, by the way, isn't to let the Senate decide. We figure out how to meddle anyway. But, that was a good discussion for me to hear some of those kind of tradeoffs.

I do have a very particularized question, Mr. Reed. One of the things that has been very interesting in these hearings is to have people who have a national perspective for a number of years, that former park superintendents, people who have been in the different administrations, and to kind of get an overview of what we are facing now versus what you face, clearly, being efficient in wildlife and in multiple positions you've seen different challenges. You've suggested some of that. I'd be interested in hearing how you would better integrate, not only in the Park Service, but with the—I mean, we all know that the names, what's a preserve, what's a recreation area, we've become so confused inside the Park Service, but let's not even talk about just Park Service, how does this interrelate in a system with other Federal agencies, BLM, Army Corps, Fish and Wildlife, when clearly in the south Florida system they are completely integrated. And then also, if you could talk a little bit, it is extraordinary the amount of time and your personal life you've invested in starting things like Yosemite Fund, Friends of Acadia, and so on, how can we, because clearly the Federal Government alone, no matter how much we plus this up, isn't going to meet the needs of an expanding system, how can we get the next generation, and do you see this happening, of whether it's Hollywood money, music money, soft, kind of the high tech money, the computer type money, the new wealth in America, the kind of older establishment wealth looked at our natural lands, now many of the new people seem to think, well, the Federal Government is going to take over this, and they'll kind of run to the project of the moment, how can we get the romance of the parks back? How can we capture some of the new people, adopt different parks, how do we do this?

Mr. REED. That's a good question, Mr. Chairman.

At Acadia, besides the Rockefeller money, there was substantial grants from the heir of Campbell Soups, and other associates who had made more recent fortunes on the market or through innovative investments.

Secretary Babbitt was there a day when I joined him. The Park received a check for $12 million, entirely privately raised among the summer residents, northeast, southwest, and the Rockefeller dominion.

We started slowly at Yosemite, but I haven't got the figures anymore, but the figures of what it raises per year, Bill Lane, former publisher of Sunset Magazine, involved me, Bill was a great personal friend, former Ambassador, dynamic lover of national parks, and I'm sure he was at probably one of your hearings. If not, you should invite him to testify, even though he's in his late 80's, he is still a most dynamic supporter of the System and the Service.

Yellowstone, the same thing. Mike Finley was Superintendent, and he was desperate for funding, for a whole bunch of different

projects that wasn't going to be possible, and he put together a group from all over the country, plus an astonishing group of people just outside the park between the northern boundary and Bozeman, and at the south to Grand Titan and Jackson, and they are well underway. I'm no longer a member of the foundation, because I found it difficult to leave Florida twice a year to attend meetings. I'm beginning to rethink that one, and get to Yellowstone.

Everglades desperately needs an increase in funding for a whole bunch of different projects, which are not covered by Federal appropriations.

Yes, your question is good, how do we get the Gates', the "Gates'" of this world, to step forward with these vast fortunes that have been made in the last 25 years and take an interest in the National Park System?

I do think there's going to be a continuing responsibility, regardless of the pressures on the budget, for the Federal Government, for the Congress to step up, and honestly assume the mantle and responsibility of managing, and overseeing, and funding the National Park System.

1971 to 1977, my period, was a period where Rogers Morton was Secretary for four of those years, and came from the Congress, Congressman from the Eastern Shore of Maryland, the last Eastern Secretary of Interior, followed in rapid order by two more Western Secretaries who I served, and the overwhelming feeling in the Nixon/Ford administration was, expansion, save that land now or we'll lose it.

That certainly was true in Big Cypress, it was certainly true going through the Nixon/Ford administration, into the Carter administration, on the Alaska Lands Act, which basically the lands that were withdrawn by President Carter, those maps were drawn by my staff work in 1971 to 1977, we handed over to Secretary Andrews a complete set of maps and a complete set of EISs, and I would be very honored, I have one of the pens from President Carter when he signed the act, and I had the great privilege of working with Members of the House and Senate to see that act passed.

So, that was a period of growth, enormous growth. We probably could be criticized validly for understating the amount of money and manpower needed to manage the parks full time after acquisition or removal from National Forest or BLL lands, the creation of the new Park System. I accept that. We picked a basic number of manpower positions and costs to open the park initially and get planning underway.

I think the Congress knew perfectly well, the Appropriations Committee knew perfectly well, because I always responded faithfully. Mr. Secretary, are you going to need more manpower in years to come? And the answer was, yes. This is the minimum amount of manpower needed to open these places and protect them.

When you have your hearings in Alaska, you'll find that you've got a skeleton crew still on the land there, but in high-use parks, Yellowstone, Grand Teton, Yosemite, the Congress has known from day one that the needs for additional manpower were real.

Now, there were surprises all along the line. Former Assistant Secretary Stan, professor of ecology at University of Michigan, left

me a letter on my desk when I was confirmed in May 1971, I'm leaving you a bunch of problems. And, I promised to myself I wasn't going to do that to my successor, and I did it.

Among them was, timber companies that were ravishing the headwaters of Redwood Creek, and we were going to lose the Avenue of Tall Trees in Redwood Creek, which was one of the most expensive purchases in America's history. Nobody told me that the grizzly bears were still being fed garbage in Yellowstone National Park, and I would be on the front pages of the American newspapers for the next 5 years taking on the Craighead brothers, who were photogenic, biologists, well-known researchers in Yellowstone, and I had a liberal arts degree from a small college, community college in Hartford, CT, and even though I was supported by three of the greatest ecologists in America I had to destroy over 180 bears that could not survive in the wild, and who had become totally accustomed to eating human garbage. And, I had to ask the Appropriations Committee for millions of dollars to make every garbage can inside the park and outside the park in the Forest Service areas bear proof, so that bears could not continue to eat human garbage.

Dr. Starker Leopold of California Berkeley said, "Once a grizzly bear gets into human garbage it's exactly like mainlining one of the most powerful drugs in the world. He'll never forget the glorious good taste of human garbage, and he'll kill to get it."

One of the happiest moments of my life is to see that there are 525 grizzly bears in Yellowstone National Park, every corner of Yellowstone Park that we agreed upon in the 1970's, if they were filled with bears we could take the bear off the endangered species list. We've arrived at that, there are over 700 bears between the park and the National Forest lands. But, that was a cruel period in my life. Those are tough decisions.

My distinguished friend, Mr. Lehtinen, and I do not agree on the Cape Sable Sparrow, and I will furnish the Staff Director with my response, but I do agree, heartily agree, that our disagreements are minor compared to our agreement on the continued need for congressional oversight and support to restore the Everglades.

Boy, he made a powerful statement, and that's what I'd like to leave with you, is the vast majority of the people of this State, all congressional districts, every poll shows that the people of Florida are willing to spend, a Governor putting in a $1.5 billion, committing $1.5 billion, that's on top of $200 million a year for the last 4 years extra, to acquire lands and try to get this system straight. It is, the system is a mess.

Mr. Lehtinen is right, we've got too much water in the upper Everglades. Where is it coming from? It's coming from the agricultural area, the vast 500,000 acres of sugar cane, that every time it rains is pumped directly into the upper Everglades, it floods it, and we have no way to get it out except through the Modified—we might disagree, we do disagree, on whether the present Modified Water Delivery Plan is a better plan than the one originally proposed. Yes, we would have gained time had we done it his way, we are getting, in my opinion we are getting a better one by waiting. Congress has funded it. We are underway. We are digging out

there right now, the Corps at last is doing something in restoration.

We should be using Conservation Area 3B to get rid of a lot of water that's drowning the tree islands. I've been to the tree islands. I went with the representatives of the Miccosukee Tribe in airbus to those islands. I wept as a member of the Water Board. I served 14 years on the South Florida Water Management District Board. I didn't serve just 2 days a month, I often worked 11, 12 days a month. I know what damage has been done to the system.

But, I also have, perhaps, different ideas on how we can alleviate the problems that we face right now.

I need to get on the road, because I'm going to hit U.S. No. 1 and I–95 and the Turnpike at the height of the Florida maddest period of the day, which starts in about—started about an hour ago, but it will get worse. I just want to reiterate to you and the members of your staff the deep appreciation we all have in this room that you've undertaken this mission, and God bless you.

Mr. SOUDER. I want to thank both of you for your testimony. If you have any additional materials you want to give us, we may have some additional questions provided through print.

Thank you very much.

The subcommittee stands adjourned.

[Whereupon, at 4:30 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

Written testimony to the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources for the field hearing held January 11, 2006, concerning funding for the National Park Service

January 15, 2006

Chekikia National Park is just a few miles west of my home. Up until the park was closed in 1999 it was one of the most heavily used parks in Miami-Dade County. Chekikia is a lovely spot. It has a man made lake, a tropical hardwood hammock, picnic grounds and a camping area. Local people used the lake and picnic area every weekend. During the winter the campground was filled with the tents and trailers of out of state campers. School children had environmental studies classes at the park.

Unfortunately, the flooding that has resulted from a combination of the Corps failure the complete a small restoration project combined with agency incompetence has damaged the parks' septic system. The National Park Service says there is no money to repair the septic system and this lovely park has been closed to the public ever since. Also, this years' hurricanes damaged the historic Flamingo Lodge , the only hotel accommodations inside Everglades National Park. The National Park Service is saying that there is no money to repair it. How sad that the public is being forced out of one of our nations' greatest parks because of a lack of funding for repairs!

However, the NPS has plenty of money to waste on the Modified Water Delivery Project. This small but critical project was authorized and funded in 1992. It was intended to restore a natural flow of water from the state-owned central Everglades, under Tamiami Trail and into Everglades National Park. Although the Corps of Engineers was authorized to construct the project, the funding was authorized through the Department of the Interior. The entire project was supposed to cost $80 million and be completed by 1997. It is now 2006 and the project is nowhere near completion. Project costs have skyrocketed to over $400 million. We ask ourselves, "What has been accomplished with this money?"
Consider the following:
* One third of the 8.5 Square Mile Area, a small, minority farming community that Congress ordered protected as part of the project, is being acquired and destroyed. There is no hydrological or environmental advantage to this but ENP wants the land and the Corps is happy to oblige since it increases their funding. The original cost for protecting the entire community was $18 million. So far at least $300 million has been spent to destroy this community and 9 years of time has been wasted. Despite a Congressional directive to protect the remaining community, the involved agencies state that the remaining community's flooding "will not get any worse." Essentially the Corps has spent over $300 million to keep the conditions the same as they would have been if the agency had spent nothing.

* The Corps and ENP are now demanding hundreds of millions of dollars in additional federal funding to raise the Tamiami Trail in order to dramatically increase water discharges into the park. This project was not authorized under the original project authorization for the MWD Project and is against the express wishes of the Corps authorizing committee in the House. A report issued last year by the Committee On Transportation And Infrastructure states: "The

Committee also is concerned about recent attempts to expand the scope of the Modified Water Delivery Project. The CERP includes an additional project to raise the Tamiami Trail and provide even greater flows to the Everglades" (CERP is the Comprehensive Everglades Restoration Plan and is not funded through the DOI)

Not only has the Corps inability to complete the MWD Project dramatically bloated the budget for the project, not completing it has resulted in additional costs. Some of these additional costs have been funded through DOI appropriations.

* According to a jeopardy Biological Opinion issued by the Fish & Wildlife Service, the Cape Sable seaside sparrow is said to be on the brink of extinction because the MWD Project remains unfinished. In a FOIA request to the Corps from three years ago, the Corps stated it had spent $56 million on emergency actions to save the sparrow. $50 million of this was spent to pump water around in a circle. Much of this funding came from the MWD Project budget and thus from DOI appropriations. Dispite this expenditure sparrow numbers continue to decline. If the project had been completed on time this additional funding would not have been necessary.

* The DOI appropriations bill for 2002 contains the following language giving the state of Florida $20 million for the MWD Project; "$20,000,000 may be for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act.." Section 104 of this Act (PL 101-223) authorizes the MWD Project. As this project is totally federally funded it is unclear why the state of Florida would receive $20 million from the DOI for "project modifications" for the project. No state agency has ever constructed any portion of the project.

The costs, both monetary and environmental, of not completing the MWD Project have been enormous as well.

* Because the MWD Project has not been completed, water has been impounded north of the Tamiami Trail for years. This impounded water has destroyed over half of the tree islands in Water Conservation Area 3A. The deer are all drowned. Endangered species such as the wood stork and the Florida panther are being harmed. As mentioned above, the Cape Sable seaside sparrow is being driven to break of extinction, despite the Corps 'emergency actions' to save it.

* As water continues to be impounded north of ENP, Miami-Dade County continues to experience regular, preventable, countywide flooding. In a report issued by a Flooding Task Force, instituted by Miami-Dade County to find out why urban and agricultural areas that had never experienced flooding before were now flooding on a regular basis, the Task Force stated that not completing the MWD Project was a major factor in the countywide flooding. The impounded water in the central Everglades seeps east, raising groundwater levels as well as water levels in the canal system throughout the County. Because the groundwater is just inches under the surface, every heavy rainstorm carries the risk of countywide floods because there is no place for the rainwater to go. Since 1999 Miami-Dade County has had three major, countywide floods as well as other smaller, localized floods. FEMA paid the County $1 billion for flood related infrastructure damage from the floods in October 1999 and October 2000. The agricultural losses from 1999 to the present are over $1 billion. The amount of pay outs from

FEMA for this years' flooding are not yet available, nor is the amount paid out by the National Flood Insurance Program. Had the MWD Project been completed on time the flooding from these events would have been greatly reduced, if not eliminated. If water was free flowing overland into the park, through Shark River Slough and out into Whitewater Bay, there would have been much less impounded water seeping east, thus lowering the groundwater levels thoughout the County and restoring a natural groundwater level throughout the central Everglades.

In an effort to account for the millions of dollars in wasted appropriations the Inspector General's office for the DOI audited the MWD Project. The audit was completed in September 2005 but has yet to be released.

This years' DOI spending bill appropriated $25 million for the MWD Project on the condition that the Corps receive additional matching funds from it's own appropriations committee. Concerning this change in funding patterns the Committee On Transportation And Infrastructure report mentioned above states, "Committee notes that the Corps is not authorized to fund that project and opposes funding that project from the budget of the Corps of Engineers." However, Corps' 2006 appropriations bill contained money for the Corps for the MWD Project.

IN CONCLUSION:
The MWD Project was a simple, straightforward project designed to provide Everglades National Park with the seasonal, overland flow of water needed for ecosystem functioning. Since the project was approved and funded in 1992 project costs have risen at least 500% with no restoration being achieved. The MWD Project has turned into a black hole swallowing up federal funding and accomplishing nothing. Indeed, as state and federal agencies fight over how the project is the be completed and who is going to pay for it, the remaining Everglades teeters on the verge of ecological collapse and urban and agricultural areas of Miami-Dade County experience one devastating flood after another. National parks all over the country are falling apart for lack of funds to perform necessary maintenance while ENP and the Corps of Engineers waste hundreds of millions of dollars in federal funds and years of time to accomplish nothing.

Several large construction companies have expressed an interest in completing the MWD Project in exchange for the land the Corps has purchased inside the 8.5 Square Mile Area community. Their engineers state that the project can be completed in 4-6 months at no additional cost to the taxpayer!

Don't throw good money after bad-stop funding this useless project and hold the involved agencies responsible for their actions!

Thank you for the opportunity to present my written testimony.

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