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Testimony on “Florida Everglades Restoration: What are the Priorities”
October 31, 2011

Dear Mr. Chairman and Members of the Subcommittee:

My name is Rick Dantzler. I have been invited to testify today on behalf of the Northern Everglades Alliance, a newly-formed alliance of concerned citizens committed to protecting the ranching and outdoor heritage of the Northern Everglades. We are property owners, ranchers, anglers, hunters, conservationists, outdoor enthusiasts and businesspeople working together to protect the ranching and agricultural landscapes of this important area. I co-chair the Northern Everglades Alliance with Mike Adams, a rancher from St. Lucie County. The Alliance fully endorses the vision and goals of the proposed Northern Everglades National Wildlife Refuge and Conservation Area.

I was elected to the Florida House of Representatives when I was 26. I served there for eight years and was then elected to the Florida Senate. I served in the Senate for nearly eight years but resigned to run for the office of governor of Florida in 1998, ultimately becoming the Democratic nominee for Lieutenant Governor and joining the ticket of Buddy MacKay. I was involuntarily retired from elected public service after that election and went into private law practice full-time. That’s a euphemistic way of saying we lost.

While in the Senate I chaired the Committee on Natural Resources and Conservation for several years and sponsored the Everglades Forever Act, a law that focused primarily on water quality. At the time, the Everglades Forever Act represented the largest restoration effort of its kind in history. It was not an easy bill to pass and it wasn’t universally loved, but nearly everyone has grown to embrace it and sees it as a huge step forward in the effort to restore the Everglades.

In my private practice I’ve represented property owners in the C-139 Basin, a 169,000-acre watershed west and south of Lake Okeechobee. Water leaving the Basin enters the Everglades so I’ve had to deal with permitting and regulation and taxation aimed at restoring the Everglades on behalf of clients. I’ve seen restoration of the Everglades from the standpoint of the regulated, and frankly the regulation has seemed a bit overwhelming at times and my clients have grown frustrated. For the most part, though, it has been collaborative with the permitting authorities and we have survived.

I mention this because I want you to know that I’ve seen the issue of Everglades restoration from the standpoint of an elected official wanting the do the right thing for the resource, completely aware of the limits of public resources and responsibility not to over-tax or over-regulate. I’ve also seen what it’s like for property owners to deal with these good intentions, and how difficult it can be. I had a ranching client who, partly

because he had become so concerned about how difficult compliance with Everglades regulation was going to be, sold his 22,000-acre ranch to the state. The point is I have experience in these matters from all relevant viewpoints and don't take positions on restoration lightly or in a vacuum.

You are asking fair questions about spending priorities and Everglades restoration. My opinion, perhaps it is shared by members of this committee, is that government at every level has over-promised, and we are at a point where some of these promises are going to have to be balanced with other needs and scaled back in many situations. That isn't just politics; I believe the American people understand it and are ready for it.

So how should policy makers proceed in the face of this new paradigm, and what does it mean for us today? I have two thoughts, one based on logic and the other based on a personal opinion that gets to the question of what government is supposed to do and who or what should it first help.

Logically, it makes the most sense to spend on those projects that have already received funding but are not finished, and for which the initial investment would be lost if funding is not continued. Don't lose the benefit of a project by not finishing it. However, I also believe we must look at the entire Everglades system and determine what offers the best hope of fixing it and not just treat the symptoms of the problem. If a blockage in one's heart was causing poor circulation in the extremities, the doctor wouldn't treat the problem by massaging the toes and hands but by removing the blockage.

It's the same way with the Everglades, a system that begins in Orlando and ends all the way in Florida Bay. It's important that we get far enough upstream that we aren't just treating the symptoms of an ill system. Frankly, this isn't exactly how we've done it with Everglades restoration although I'm not sure we could have done it any differently, as I'll explain below.

Responding to federal litigation, the state passed the Everglades Forever Act in 1994, the first of several significant state and federal legislative efforts in the 1990s to undo some of the damage that was nearly a century in the making. Had it not been for the litigation, a good argument could be made that it would have been better to start farther north in the Everglades system, acknowledging, of course, that Kissimmee River restoration began decades ago. Perhaps it would have been better to start in Orlando and work our way down instead of first focusing on removing phosphorous from contributors closest to the Everglades proper, as the Everglades Forever Act did.

To fully understand this reasoning it is important to recognize how severely and intentionally the Everglades system has been altered by Man.

Beginning in 1905, Governor Napoleon Bonaparte began building what he called the "Empire of the Everglades," a canal building program in the Everglades to drain the

land, creating dry areas for housing and agriculture. After several hurricanes in the 1920s put much of South Florida underwater, the digging began in earnest, and when the federal government jumped in, so much of the Everglades was drained that nearly five million Floridians now live on what used to be the Everglades and 700,000 acres of agriculture lie between Lake Okeechobee and what remains of the Glades.

Why is this relevant? Because water quantity is just as big of an issue as water quality, and anything Congress can do to return altered landscapes to a more natural state and help protect areas not yet altered will assist in satisfying Florida's water supply needs. For generations we've been of the opinion that standing water is bad, yet we now know that the draining of standing water is probably the single most damaging thing ever done to Florida's environment. The northern portion of the Everglades system along the Kissimmee River Basin and the agricultural areas north of Lake Okeechobee provide important water storage areas for the larger Everglades system. Especially in South Florida where the competition for water between people, agriculture and the environment is keen, storing water upstream will increase the water pie and help avoid "water wars."

I wish to address specifically the question of what government should do and who it should first help in the face of diminishing revenues, as posed earlier. These are my viewpoints, not the views of the Northern Everglades Alliance, but they come from decades of being engaged in public policy.

I first look at whom and what can help itself. Government's responsibility is to create equal opportunity, not equal outcome, for everyone. The environment and the flora and fauna within it can't help themselves in the face of Man, and the history of Florida is Man trying to pound the natural systems into submission. Occasionally Nature strikes back in the form of a hurricane or flood, but for the most part the natural systems of Florida have been the losers in this battle.

A redeeming feature of Mankind, though, is our ability to learn and evolve in our thinking. I don't think the same way I did when I was younger, and I'm sure you don't either. In Florida, we know that an economy built on ever-expanding asphalt and concrete is long-term death. Paving over our best farmland and altering our ecosystems to the point where they quit working is folly, yet it continues because that's the way we've always done it.

We need your help in doing it differently in the Northern Everglades.

We need your help in preserving working, agricultural landscapes of sufficient scale that agriculture maintains a critical mass that allows commercial agriculture to be viable. Otherwise farmers and ranchers become hobbyists, and that costs jobs and a way of life.

We need your help in keeping select parcels from being impacted at all. Some areas are so special and critical to the public that the public should own them.

And it is all of these things that the Everglades Headwaters Refuge and Conservation Area project is intended to do. Properly balanced with the ongoing work in the southern portion of the system, the conservation of the Northern Everglades will ensure long-term benefits for the entire Everglades System at a fraction of the cost.

As indicated earlier, the Northern Everglades Alliance endorses the vision and goals as articulated by the U.S. Fish and Wildlife Service in the Draft Land Protection Plan/Environmental Assessment for the Proposed Establishment of the Everglades Headwaters National Wildlife Refuge and Conservation Area. Let me be clear however. The Northern Everglades Alliance is endorsing only the vision and goals of the Draft LPP/Draft EA, and not every word or concept in it. Through public meetings and comments submitted during the public comment period, we are working with the U.S. Fish and Wildlife Service to further refine the document. However, we are convinced that it offers the best and perhaps last hope of saving what remains of “Old Florida” in this part of our state. In our view, we have no choice but to support it if we wish to protect and preserve a way of life that has sustained our part of Florida for generations.

We have seen other parts of Florida grow and develop in ways that are not sustainable, and in the process lose the specialness of their landscapes. We do not want that to happen in the Kissimmee River Valley. We wish to preserve the heritage of our region, and in the process protect the jobs that go along with commercial agriculture and outdoor pursuits.

We understand that for agriculture to be viable it must have critical mass. We understand that for there to be fish to catch and animals to hunt there must be sufficient water and land to support sustainable populations. We understand that for those engaged in nature study there must be enough undeveloped land for ecosystems to function. And most important, we understand that for our state to flourish there must be water of sufficient quality and quantity. The Everglades Headwaters National Wildlife Refuge and Conservation Area would go a long way towards achieving these necessities.

We are particularly pleased with the emphasis on the purchase of conservation easements. As part of the effort to preserve and protect our heritage, certainly there are parcels that belong in public ownership in fee simple, but conservation easements allow continued farming and ranching, soften the blow to local governments over the loss of ad valorem tax revenue, free the government of land management responsibilities, and protect ecosystems from development.

We also appreciate that only willing property owners may participate in this program, and that no funds will be used to condemn property. This is good because we are also supporters of private property rights.

Finally, we see wisdom in establishing the partnership between the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission. Surely by co-designating the area as a National Wildlife Refuge and a state Wildlife Management Area it will lead to additional hunting and fishing opportunities for the public.

For these and other reasons, we support the proposal in concept, and look forward to working with the U.S. Fish and Wildlife Service to flesh out the details. For many of us, our families have been here for generations, and we wish to have a Florida that our descendants may enjoy in similar fashion. Frankly, if this effort is successful we would hope that it would be replicated in other parts of our state because it is just a matter of time before we experience growth pressures again. The economic downturn, with all of its heartaches, has given us a chance to catch our breath and develop a plan to protect our heritage.

Respectfully submitted,

Rick Dantzer