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PROPOSED BIG CYPRESS RESERVE, FLORIDA

GOVERNMENT

DOCUMENTS

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KANSAS STATE UNIVERSITY

HEARINGS

BEFORE THE

SUBCOMMITTEE ON
NATIONAL PARKS AND RECREATION

OF THE

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

FIRST SESSION

ON

H.R. 46 and H.R. 4866

TO AUTHORIZE THE ACQUISITION OF THE BIG CYPRESS
NATIONAL FRESH WATER RESERVE IN THE STATE OF
FLORIDA, AND FOR OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C.

MAY 10 AND 11, 1973

Serial No. 93-17

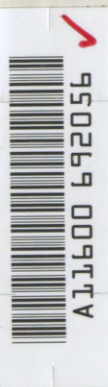
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WASHINGTON : 1973

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NOTE.—The chairman of the full committee is an ex officio voting member of this subcommittee. The first listed minority member is counterpart to the subcommittee chairman.

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PROPOSED BIG CYPRESS RESERVE, FLA.

THURSDAY, MAY 10, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:07 a.m., in room 1324, Longworth House Office Building, Hon. Roy A. Taylor (chairman of the subcommittee) presiding.

Mr. TAYLOR. The Subcommittee on National Parks and Recreation will convene. The Subcommittee on National Parks and Recreation meets today to consider H.R. 46, by Representative Haley and other members of the Florida congressional delegation, and H.R. 4866, by Representative Saylor and other Members.

Both of these bills provide for the establishment of Big Cypress National Fresh Water Reserve in the State of Florida. As everyone knows, this is not a new issue. During the last Congress, several members of the subcommittee conducted field hearings at the request of our chairman, Mr. Haley, in Fort Myers, in Florida. We also inspected the area. Later, we heard testimony in Washington, but time did not permit further action.

A great deal of money is involved in this legislation, somewhere between \$150 million and \$175 million. In light of the present budget situation, one of the most serious questions we face is, where will the money come from if the area is authorized? I know that all of the members of the subcommittee will want to know if the administration plans to fund this project promptly, if it is authorized, or if it merely wants another "paper park" authorized but not funded. We will want to know if this is another "urgent" Gateway or Golden Gate situation which loses its urgency when it comes time for the Office of Management and Budget to put its money where its recommendations are.

Needless to say, we are very disappointed with the President's budget for fiscal year 1974. As I advised the Subcommittee on Interior Department Appropriations earlier this week, I think it is extremely unfortunate that the President's budget does not include one dollar of new money for any Federal recreation land acquisitions.

Now, it is one thing to talk about parks for the people, and it is another thing to provide the money to create parks for the people. It is not fair to the landowners to cloud their titles with authorizations that are not going to be funded. It is not fair to communities to hamper their plans for orderly growth and development because of unfunded Federal projects. And it is not fair to the American people who rely on the Congress and the President to protect and preserve our Nation's most valuable natural assets once they are authorized.

I am sure that no one will say that the Big Cypress area is unimportant. We all recognize its inherent values as a part of the watershed nourishing the northwestern portion of the Everglades National Park. The real issue is what, if anything, should be done by the Federal Government to protect and preserve this portion of the watershed.

I want to emphasize that, in the minds of the committee, this is not a closed issue. I am sure I speak for other members of the subcommittee when I say that we want to hear all points of view before any decisions are made. We are interested in knowing the position of each witness and why the witness believes the arguments of merit. We will be as fair, objective, and reasonable as possible, as we consider this proposal.

Now, time, as I stated will be very limited, since we have a great many witnesses. All statements will be placed in the record in full, and I hope the witnesses will summarize their position briefly.

Unless there is objection, the following items will be placed in the record at this point: H.R. 46, by Representative Haley, et al.; H.R. 4866, by Representative Saylor, et al.; the executive communication dated February 15, 1973, and the departmental report dated May 9, 1973.

Hearing no objection, so ordered.

[The material follows:]

[H.R. 46, 93d Cong., 1st sess.]

A BILL To authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds—

(a) the unique natural environment of the Big Cypress area of southwestern Florida should be protected from further development which would significantly and adversely affect its ecology;

(b) the Big Cypress is a fragile area, ecologically interlocked with Everglades National Park and the continued viability of Everglades National Park and certain of the estuarine fisheries of south Florida are directly dependent upon fresh water of adequate quality and volume from the Big Cypress area; and

(c) appropriate measures must be taken by the United States and the State of Florida to assure the conservation of fresh water from the Big Cypress area.

It is accordingly, the purpose of this Act to provide for the protection of the Big Cypress area and for appropriate uses thereof through cooperative action by the Federal Government and the State of Florida.

SEC. 2. In order to effectuate the purpose of this Act the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, lands, waters, and interests therein within the area generally depicted on the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida", numbered BC-91,001, and dated November 1971, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary may from time to time make minor revisions in the boundaries of the area by publication of a revised map or other boundary description in the Federal Register, and he may acquire property within the revised boundaries in accordance with the provisions of this section: *Provided*, That the boundaries of the area may not encompass more than five hundred and forty-seven thousand acres of privately owned land. Property owned by the State of Florida or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, Federal property within the boundaries of the area may, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without a transfer of funds.

SEC. 3. (a) The owner of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for non-commercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition less the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(b) As used in this Act, the term "improved property" means a detached, one-family dwelling, construction of which was begun before November 23, 1971, which is used for noncommercial residential purposes, together with not to exceed three acres of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

SEC. 4. The area within the boundaries depicted on the map referred to in section 2, or as such boundaries may be revised, shall be known as the Big Cypress National Fresh Water Reserve, and it shall be administered by the Secretary in accordance with the laws applicable to the national park system, and in a manner consistent with the findings and purposes of this Act. The Secretary is authorized to enter into an agreement with the State of Florida, or any political subdivision thereof having jurisdiction over the lands, waters, and interests therein within the reserve, pursuant to which such State or political subdivision may agree to manage and administer any property acquired by the Secretary pursuant to this Act for the purpose of protecting the unique natural environment of the Big Cypress area. Any such agreement shall contain provisions which, as applied to the area within the reserve, will limit or control the use of the lands and waters therein for the purposes of motorized access exploration for and extraction of oil, gas, and other minerals, grazing, draining, or constructing works to alter the natural water courses, agriculture, hunting, fishing, and trapping, new construction of any kind, and such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act: *Provided, however,* That the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the reserve in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, or trapping may be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, the Secretary may authorize members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida to continue their usual and customary use and occupancy of Federal lands and waters within the reserve, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonies.

SEC. 6. Notwithstanding any other provision of law, before entering into any contract for the provision of revenue-producing visitor services, the Secretary shall provide those members of the Miccosukee and Seminole Indian Tribes who on January 1, 1972, were engaged in the provision of similar services, a reasonable opportunity to continue providing such services within the reserve in accordance with such terms and conditions as he may by agreement, hereby authorized, provide.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$156,000,000 for the acquisition of lands and interests therein.

[H.R. 4866, 93d Cong., 1st sess.]

A BILL To authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Congress finds—

(a) the unique natural environment of the Big Cypress area of southwestern Florida should be protected from further development which would significantly and adversely affect its ecology;

(b) the Big Cypress is a fragile area, ecologically interlocked with Everglades National Park, and the continued viability of Everglades National Park and certain of the estuarine fisheries of south Florida are directly dependent upon fresh water of adequate quality and volume from the Big Cypress area; and

(c) appropriate measures must be taken by the United States and the State of Florida to assure the conservation of fresh water from the Big Cypress area.

It is, accordingly, the purpose of this Act to provide for the protection of the Big Cypress area and for appropriate uses thereof through cooperative action by the Federal Government and the State of Florida.

Sec. 2. In order to effectuate the purpose of this Act the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, lands, waters, and interests therein within the area generally depicted on the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida", numbered BC-91,001, dated November 1971, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary may from time to time make minor revisions in the boundaries of the area by publication of a revised map or other boundary description in the Federal Register, and he may acquire property within the revised boundaries in accordance with the provisions of this section: *Provided*, That the boundaries of the area may not encompass more than five hundred and twenty-two thousand acres of privately owned land. Property owned by the State of Florida or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, Federal property within the boundaries of the area may, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without a transfer of funds.

Sec. 3. (a) The owner of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition less the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(b) As used in this Act the term "improved property" means a detached, one-family dwelling, construction of which was begun before November 23, 1971, which is used for non-commercial residential purposes, together with not to exceed three acres of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

Sec. 4. The area within the boundaries depicted on the map referred to in section 2, or as such boundaries may be revised, shall be known as the Big Cypress National Fresh Water Reserve, and it shall be administered by the Secretary in accordance with the laws applicable to the national park system, and in a manner consistent with the findings and purposes of this Act. The Secretary is authorized to enter into an agreement with the State of Florida, or any political subdivision thereof having jurisdiction over the lands, waters,

and interests therein within the reserve, pursuant to which such State or political subdivision may agree to manage and administer any property acquired by the Secretary pursuant to this Act for the purpose of protecting the unique natural environment of the Big Cypress area. Any such agreement shall contain provisions which, as applied to the area within the reserve, will limit or control the use of the lands and waters therein for the purposes of motorized access, exploration for and extraction of oil, gas, and other minerals, grazing, draining, or constructing works to alter the natural water courses, agriculture, hunting, fishing, and trapping, new construction of any kind, and such other uses as the Secretary determines must be limited or controlled in order to carry out the purpose of this Act: *Provided, however*, That the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the reserve in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, or trapping may be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, the Secretary may authorize members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida to continue their usual and customary use and occupancy of Federal lands and waters within the reserve, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials.

SEC. 6. Notwithstanding any other provision of law, before entering into any contract for the provision of revenue-producing visitor services, the Secretary shall provide those members of the Miccosukee and Seminole Indian Tribes who on January 1, 1972, were engaged in the provision of similar services, a reasonable opportunity to continue providing such services within the reserve in accordance with such terms and conditions as he may by agreement, hereby authorized, provide.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$156,000,000 for the acquisition of lands and interests therein.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 15, 1973.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of a bill "To authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida, and for other purposes", to which the President refers in his Environment and Natural Resources State of the Union Message transmitted to you today.

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill authorizes the Secretary of the Interior to acquire lands, waters, and interests therein within an area depicted on a map on file with the Department. The area to be acquired, consisting of not to exceed 522,000 acres of private land and approximately 48,000 acres of publicly owned land, is to be known as the Big Cypress National Fresh Water Reserve.

The reserve is to be administered by the Secretary of the Interior in accordance with the laws applicable to the National Park System. However, the bill authorizes the Secretary to enter into an agreement with the State of Florida or a local government, pursuant to which it may manage and administer the lands acquired for the reserve, subject to the provisions and limitations of the bill. The Secretary is directed to permit hunting, fishing, and trapping within the reserve in accordance with applicable State and Federal laws. Section 5 of the bill authorizes the appropriation of such sums as may be necessary, but not to exceed \$156 million for the acquisition of lands and interests therein.

Everglades National Park, authorized in 1934, represents one of the most unique ecosystems in the world. The biological values of the park however depend on fresh water supplies, and considerably more than half of the 1,400,533 acres within the authorized boundaries is dependent upon the Big Cypress for its supply of fresh water.

A vital factor in the Big Cypress-Everglades ecosystem is the almost inter-ceptible slope of the land. This results in exceedingly slow drainage, which extends the "wet months" well beyond the period of actual rainfall. A water level change of only a few inches oftentimes affects thousands of acres, and can seriously disrupt the food chain on which the larger animals in the park depend.

The Big Cypress Watershed serves as a natural water storage area, and supplements the man-made storage areas in conservation areas one, two, and three, that are considered vital for the protection of an adequate fresh water supply for south Florida.

Aside from its water supply benefits, Big Cypress is a highly significant resource in itself. The Big Cypress is a wilderness of slough, tree islands (or hammocks), and bay and cypress heads. Cypress dominates, and gives the area its name. Large portions of Big Cypress have so far experienced little man-made disturbance. Nearly all the wildlife species native to semitropical Florida are contained within the watershed. Big Cypress provides important feeding, nesting, and wintering areas, as well as a resting place for migrating birds. Acquisition of the Big Cypress Swamp would preserve important habitat for at least nine species of wildlife determined by the Secretary of the Interior to be threatened with extinction. To species that have far wider ranges, Big Cypress, along with the adjacent Everglades National Park, serves as a stronghold or retreat.

We urge the Congress to take early and favorable action to authorize the Big Cypress National Fresh Water Reserve, as proposed herein.

A draft of an environmental impact statement, prepared in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, was forwarded to your Committee during the 92d Congress, by letter dated February 4, 1972.

The Office of Management and Budget has advised that the enactment of the enclosed bill would be in accord with the Administration's program.

Sincerely yours,

ROGERS C. B. MORTON,
Secretary of the Interior.

Enclosures.

A BILL To authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds—

(a) the unique natural environment of the Big Cypress area of southwestern Florida should be protected from further development which would significantly and adversely affect its ecology;

(b) the Big Cypress is a fragile area, ecologically interlocked with Everglades National Park and the continued viability of Everglades National Park and certain of the estuarine fisheries of south Florida are directly dependent upon fresh water of adequate quality and volume from the Big Cypress area; and

(c) appropriate measures must be taken by the United States and the State of Florida to assure the conservation of fresh water from the Big Cypress area.

It is, accordingly, the purpose of this Act to provide for the protection of the Big Cypress area and for appropriate uses thereof through cooperative action by the Federal Government and the State of Florida.

SEC. 2. In order to effectuate the purpose of this Act the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, lands, waters, and interests therein within the area generally depicted on the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida", numbered BC-91.001, and dated November 1971, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary may from time to time make minor revisions in the boundaries of the area by publication of a revised map or other boundary description in the *Federal Register*, and he may acquire property within the revised boundaries in accordance with the provisions of this section: *Provided*, That the boundaries of the

area may not encompass more than 522,000 acres of privately owned land. Property owned by the State of Florida or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, Federal property within the boundaries of the area may, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without a transfer of funds.

SEC. 3. (a) The owner of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition less the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(b) As used in this Act the term "improved property" means a detached, one-family dwelling, construction of which was begun before November 23, 1971, which is used for noncommercial residential purposes, together with not to exceed three acres of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

SEC. 4. The area within the boundaries depicted on the map referred to in section 2, or as such boundaries may be revised, shall be known as the Big Cypress National Fresh Water Reserve, and it shall be administered by the Secretary in accordance with the laws applicable to the National Park System, and in a manner consistent with the findings and purposes of this Act. The Secretary is authorized to enter into an agreement with the State of Florida, or any political subdivision thereof having jurisdiction over the lands, waters, and interests therein within the reserve, pursuant to which such State or political subdivision may agree to manage and administer any property acquired by the Secretary pursuant to this Act for the purpose of protecting the unique natural environment of the Big Cypress area. Any such agreement shall contain provisions which, as applied to the area within the reserve, will limit or control the use of the lands and waters therein for the purpose of motorized access, exploration for and extraction of oil, gas, and other minerals, grazing, draining or constructing works to alter the natural water courses, agriculture, hunting, fishing, and trapping, new construction of any kind, and such other uses as the Secretary determines must be limited or controlled in order to carry out the purpose of this Act; *Provided, however*, that the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the reserve in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, or trapping may be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, the Secretary may authorize members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida to continue their usual and customary use and occupancy of Federal lands and waters within the reserve, including hunting, fishing and trapping on a subsistence basis and traditional tribal ceremonials.

SEC. 6. Notwithstanding any other provision of law, before entering into any contract for the provision of revenue-producing visitor services, the Secretary shall provide those members of the Miccosukee and Seminole Indian Tribes who

on January 1, 1972, were engaged in the provision of similar services, a reasonable opportunity to continue providing such services within the reserve in accordance with such terms and conditions as he may by agreement, hereby authorize, provide.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$156,000,000 for the acquisition of lands and interests therein.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 9, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your Committee's request for the views of this Department on H.R. 46, a bill "To authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida, and for other purposes."

We recommend enactment of H.R. 46, if amended as suggested below, or of H.R. 4866, the Administration's bill to authorize acquisition of the Big Cypress National Fresh Water Reserve, to which the President referred in his State of the Union Message on Natural Resources and the Environment of February 15, 1973.

H.R. 46 would authorize the Secretary of the Interior to acquire lands, waters, and interests therein within an area depicted on a map on file with the Department. The area is to be known as the Big Cypress National Fresh Water Reserve, and is to be administered by the Secretary of the Interior, in accordance with the laws applicable to the National Park System. The bill would authorize the Secretary to enter into an agreement with the State of Florida or a local government, pursuant to which that government might manage and administer the lands acquired for the reserve, subject to the provisions and limitations of the bill. The Secretary is directed to permit hunting, fishing, and trapping within the reserve in accordance with applicable State and Federal laws. Section 5 of the bill authorizes the appropriation of such sums as may be necessary to carry out the provisions of the Act, but not to exceed \$156 million for the acquisition of lands and interests therein.

H.R. 46 is identical to the Administration's Big Cypress proposal of the 92d Congress. The only difference between H.R. 4866, the Administration's present bill, and H.R. 46 or the Administration's bill in the 92d Congress is a technical change made to refine acreage limitations. The legislation proposed to the 92d Congress contemplated acquisition of not to exceed 547,000 acres of private land and approximately 37,000 acres of publicly owned land. Since that time, the National Park Service has obtained more detailed maps of the area involved in the Big Cypress proposal and has recalculated the acreage within the Big Cypress boundaries.

The proposal to the 93d Congress has been revised to reflect the National Park Service's refined estimates—522,000 acres of private land, and approximately 48,000 acres of publicly owned land.

The reduction in cost which could result from acquiring fewer acres of private land has been almost offset by the inflation which has occurred in the value of private lands since the proposal was sent to the Congress in February 1972. Therefore no change has been made in the Administration's present bill from the original land cost figure of \$156 million.

We would suggest that H.R. 46 be amended as follows to incorporate the revised acreage figures: revise line 1 of page 3 to read "not encompass more than five hundred and twenty-two thou-".

We urge the Congress to take early and favorable action on either H.R. 4866 or H.R. 46, if amended, to authorize the Big Cypress National Fresh Water Reserve. We believe the biological values of Everglades National Park depend on continued availability to the park of the fresh water supplies of Big Cypress. Big Cypress Watershed further serves as a natural water storage area and supplements the man-made storage areas that are considered vital for the protection of an adequate fresh water supply for south Florida. Finally, aside from its water supply benefits, Big Cypress is a highly significant resource in itself. It provides important feeding, nesting, and wintering areas, as well as a resting place for migrating birds. Acquisition of the Big Cypress Swamp would

preserve important habitat for a number of species of wildlife in danger of extinction. To other species that have a wider range, the Big Cypress, along with the Everglades National Park, serves as a valuable stronghold or retreat.

The Office of Management and Budget has advised that the enactment of H.R. 4866 or an identical bill would be in accord with the program of the President.

Sincerely yours,

LAURENCE E. LYNN, JR.,
Assistant Secretary of the Interior.

Mr. TAYLOR. I might state that the two bills are almost identical, varying only in regard to the number of acres involved.

Now, the chairman of our full committee, Mr. Haley, has shown a great amount of interest in this proposal. He is the author of one of the bills, H.R. 46. I would be happy to yield to him at this time.

Mr. HALEY. Thank you, Mr. Chairman.

Of course, as you know, I have been interested in this project for some time. As you state, we have held hearings in Florida, and in the last session, here in Washington. I hope as you indicated, we can move forward on this project.

There is no need, as you stated, to authorize the projects and not get them funded. There is no point in authorizing them and letting them lie on the table, so to speak, for many years. That does not accomplish anything.

I think we have, in Florida, a very critical situation in preserving and saving the Everglades National Park, which, of course, came to the Federal Government with a \$2 million amount of money from the State of Florida, plus almost all of the acreage of land. So the Everglades National Park, one of the most vital things in Florida, has cost the Federal Government very little money.

As you say, this proposed acquisition is going to cost money. I think it is well worth it. I am not one of the Members who likes to spend the taxpayers money, any more than I like to spend my own.

Mr. Chairman, as you said, we have a good many witnesses. I would ask unanimous consent to file a written statement for inclusion in the record.

Mr. TAYLOR. Absent objection, the statement will be made a part of the record.

[The prepared statement of Representative Haley follows:]

STATEMENT OF HON. JAMES A. HALEY, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF FLORIDA

Mr. Chairman and members of this subcommittee, before you today is a bill I was joined in introducing by Florida's entire congressional delegation because it is of the utmost importance to the livelihood of the Everglades National Park and the environment of south Florida. This legislation, H.R. 46, would protect from development a large portion of what is known as the Big Cypress Watershed located north of and adjacent to the northwestern section of the park.

As the chairman and the other members of this subcommittee know, this subcommittee has favorably reported bills I have introduced in the past, in conjunction with my friend and great statesman, the late Senator Spessard L. Holland of Florida, to purchase the remaining privately owned lands within the Everglades National Park boundaries. But, as land developers' interest in building homes in the Big Cypress and our understanding of the ecology of this unique area increased, it became apparent that if we are to preserve the park, a large segment of the Big Cypress will also have to be preserved.

The only feasible way to develop an area in the Big Cypress which is, in part, under water during certain months of the year, is to dig canals to speed the runoff. If the Big Cypress were to be so developed, the sheet flow of water across

the watershed would be diverted from its natural course which supplies the Everglades National Park with approximately 50% of the surface water it receives each year. This would have disastrous effects on at least the northwestern corner of the park and an incalculable effect on the rest of the park and the entire environment of south Florida.

One of the great benefits of the Big Cypress is that it is such a large land mass and is so flat that rain and surface waters in the area just trickle over the land at a slow rate thereby conserving what water is there, recharging the underground aquifers, and purifying itself as it flows. Even with the increased study of the environment, our ecologists still cannot predict accurately the effects on ecology of man's tampering with it unreasonably. I do not believe the majority of Floridians want to take the chance of tampering with this sub-tropical watershed area nor do they believe there is cause to do so.

To protect the Big Cypress is going to cost a lot of money—at today's land values, possibly \$170 million. Members of this subcommittee know how I oppose open ended and unnecessary spending by the congress. But, in the case of the Big Cypress, I sincerely believe that history will show preserving this large area to be one of the most significant acts by this subcommittee in preserving for the enjoyment of these present and future generations a part of the United States which is still very much a natural area.

I was glad to see the administration change its position on funding this legislation, so that we can now expect financial support for this bill rather than having just one more authorized program with no money to carry it out. In this regard, I would like to commend the governor of our state who has made clear his recognition of the importance of the Big Cypress by proposing that the state commit \$40 million of its projected surplus toward the acquisition of the Big Cypress. Hopefully, the state legislature will affirm his stand on this matter in the near future.

Mr. Chairman, hearings have been held on Big Cypress legislation in Florida and in Washington by the Senate Interior Committee. And, your subcommittee has been interested enough in this matter also to have held hearings in Florida and here in the Capital. A full record has been established on the legislation, which I urge you to act upon so that it can be sent to our other colleagues in the well of the House. I strongly endorse this bill to you and request that favorable action be taken on it very soon.

Mr. HALEY. I would like, at this time, to introduce the dean of our delegation. Unfortunately, the Governor of Florida, who has a representative here and is vitally interested in this project cannot be with us today. The legislature is now in session in Tallahassee, and the Governor felt, maybe justly so, that he should be there today rather than here. I hope his judgment is good, because it normally has been. So, Mr. Chairman, with your permission, I would like to present to the committee, the dean of our delegation, the Honorable Bob Sikes.

I might say that Bob has been interested in many projects in Florida, and he has been the chief sponsor of legislation for seashores and beaches. All the things that are beneficial to Florida, have been of interest to Bob. He is not one of these Johnny-come-latelies for the environment. He has been concerned and interested in it for years, and his action has indicated that.

So with your permission, Mr. Chairman, I would like to introduce Congressman Sikes.

Mr. TAYLOR. We welcome the dean of the Florida delegation before our subcommittee. I just listened to him, and he made a very fine speech on the House floor a few minutes ago.

Mr. KAZEN. I not only listened to him, I voted with him.

Mr. TAYLOR. Well, I might state I voted with him also. We were the minority.

Mr. HALEY. Both of you may have been wrong.

Mr. SIKES. I express my appreciation for these kind words.

Mr. TAYLOR. Without objection, a copy of Congressman Sikes' statement will be made a part of the record at this point. And in the absence of objection, to speed things up, a copy of all statements of all witnesses will be made a part of the record immediately when they are called, then they can summarize it as they see fit.

[The prepared statement of Congressman Sikes follows:]

STATEMENT OF HON. ROBERT L. F. SIKES, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman: I appreciate the opportunity of appearing before your distinguished Committee today in support of H.R. 46, a bill which I am co-sponsoring along with all members of the Florida Congressional Delegation to authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida. This legislation is an outgrowth of the Big Cypress Watershed study report and other investigations pointing out the need to protect this important watershed.

The Big Cypress Watershed is one of the most unique ecological systems in the State of Florida. It is a natural water conservation area which provides more than half of the surface flow water for the Everglades National Park. This water is vital to the continued existence of the Everglades which have already been recognized as a significant natural treasure by the government and which we are committed to preserve. Equally as important, this area serves as a reservoir which helps maintain the delicate fresh water-salt water balance of the mangrove forests and rich estuaries of the Gulf Coast. This area is a sports fisherman's paradise and it provides nutrients, breeding grounds, and shelter for the juveniles of several commercially very valuable fisheries in the Gulf. This includes an \$8 million per year shrimp industry. This whole region is highly dependent upon the delicate balance between fresh and salt water. Again, the surface flow of water from Big Cypress is essential.

In addition to surface flow, Big Cypress also recharges ground water supplies. Southern Florida is dependent upon ground water for its drinking water. Again the situation is delicate. If the aquifers are depleted too severely, salt water will intrude and they will be contaminated for water supply. Big Cypress plays an extremely valuable role of recharging groundwater. Development of too much of Southern Florida's wetlands could conceivably destroy the fresh water supplies that make that development possible.

The recreation possibilities of the Big Cypress are impressive and there is little question that we must protect those natural sanctuaries still available to us. It serves as one of the last refuges for a number of endangered species, including the Florida panther and the Southern bald eagle. In addition to wildlife, the tropical flora and fauna of the area is unparalleled in the mainland United States. For the average urban dweller on the Eastern seaboard, it is one of the few remaining places in the Eastern half of the country where one can experience such a feeling of wilderness in a relatively undisturbed natural environment.

At the present time, this area is very vulnerable to the unwise use by man. The Big Cypress Swamp area is owned individually by about 21,000 private ownership interests. Unfortunately, we tend to focus on the short-term gains of development for progress and realize too late the greater long-term benefits of wise planning. This legislation is a responsible attempt to guarantee the preservation of the Big Cypress Swamp which is vital to the preservation and development of the State of Florida and I urge the Committee's favorable consideration of it.

STATEMENT OF HON. ROBERT L. F. SIKES, A REPRESENTATIVE IN CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF THE STATE OF FLORIDA

Mr. SIKES. Thank you very much, Mr. Chairman, and may I express my appreciation not only for the opportunity to appear here, but for the very important work of this subcommittee and this committee in prior years. I have firsthand information on that, because this committee was essential to the approval of the Gulf Islands National

Seashores, which I consider one of the most important legislative works that I have been associated with.

Mr. TAYLOR. Let me state I agree with the gentleman on that, and we appreciate his help and cooperation as we worked on the project.

Mr. SIKES. I am very happy to appear, particularly with my very distinguished colleague, the chairman of the committee. We in Florida are very proud of Jim Haley, just as the Congress is proud of him. Our Nation is appreciative for his long and very fine career and his outstanding works in the Congress. He appears in the record as James E. Haley, and that causes some confusion, because there are a lot of people in and out of this committee who think his initials should be N.F. N.F. for No Foolishness Haley. [General laughter.]

I appear and appreciate the opportunity to appear before this distinguished committee in support of a bill to authorize acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida.

This is one of the most unique ecological systems anywhere. It is a natural water conservation area that provides more than half the surface flow water for the Everglades National Park. This water is vital to the continued existence of the Everglades, which already have been recognized as a significant natural treasure by the Government and by the Congress, and which we are committed to preserve.

The Big Cypress also recharges ground water supply, something essential to central Florida, which is largely dependent on ground water for its drinking water.

The recreation possibilities of Big Cypress are impressive. There is little question that we must protect those natural sanctuaries that still are available to us. They are disappearing all too rapidly. Big Cypress serves as one of the last refuges for a number of endangered species, including the Florida panther, the southern bald eagle; in addition to wildlife and marine life, the tropical flora and fauna of the area is unparalleled in the mainland United States. For the average urban dweller on the eastern seaboard, it is one of the few remaining places where one can experience such a feeling of wilderness in a relatively undisturbed natural environment.

At the present time, the area is very vulnerable to unwise use by man. The Big Cypress Swamp is owned individually by about 21,000 private ownership interests. Unfortunately, we tend to focus on the short-term gains of development for progress and realize too late the greater long-term benefits of wise planning. This legislation is a responsible attempt to guarantee the preservation of the Big Cypress, which is essential to the preservation and development of our State and a great asset to the Nation.

I urge the committee's favorable consideration. I realize it is a very costly undertaking. It is not going to get any cheaper. We need this for posterity.

Mr. Chairman, that completes my statement. I submit also a statement by our distinguished colleague, Mr. Rogers, who is conducting a hearing in his own committee and could not be with us.

Mr. TAYLOR. In the absence of objection, a copy of Mr. Rogers' statement will be placed in the record, after the other Florida Congressmen who have testified. (See p. 29.)

We commend Congressman Sikes on a very fine statement.

Mr. Sikes, the bills before us authorize the acquisition of this area,

more than 500,000 acres. Now, is it your thinking that this is the proper approach in solving this problem?

Mr. SIKES. I am convinced it is the proper approach. It will be a very large land acquisition, yes; it will be costly, yes. But I think generations hence will bless us if we go ahead with this needed acquisition.

Mr. TAYLOR. Now, in the interest of time, we will observe the 5-minute rule, explicitly. I will be happy to yield to any member who desires to be recognized.

Does anyone wish to ask a question of this witness?

[No response.]

Mr. TAYLOR. Well, thank you very much, Mr. Sikes.

Mr. SIKES. Thank you, Mr. Chairman and members of the committee.

Mr. TAYLOR. L. A. Bafalis.

Congressman Bafalis, I believe that most of this area is in your district?

Mr. BAFALIS. That is right, Mr. Chairman.

[The prepared statement of Congressman Bafalis follows:]

STATEMENT OF HON. L. A. "SKIP" BAFALIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman and Members of the Subcommittee, I am delighted to appear before you today to enorse H.R. 46 and H.R. 4866, bills to authorize the Big Cypress National Fresh Water Reserve in the State of Florida. It is with particular pleasure and interest that I do so, because 75 percent of the Reserve is in Collier County, one of the counties which I have the privilege to represent. Of the remaining 25 percent, 20 percent is in Monroe County, and 5 percent in Dade County within the districts of my colleagues, Mr. Fascell and Mr. Pepper, H.R. 46 has been sponsored by the entire Florida delegation, however, either one of the two bills before you will achieve the objectives of preserving Big Cypress while increasing the protection for Everglades National Park.

Although 75% of the Reserve is in Collier County, virtually the entire nursery for Florida's famous pink shrimp is in the estuaries in Everglades National Park. These estuaries are dependent on the freshwater runoff from Big Cypress and the Everglades. The shrimp are harvested at the Dry Tortugas in the Gulf of Mexico, and in the vicinity of Sanibel Island near Naples. Those taken at Sanibel spawn in the estuaries that draw their fresh water and nutrients exclusively from Big Cypress. The 1970 shrimp dockside value, in Collier County, was over \$8 million. It is my understanding that this becomes part of a complex of related goods and services that multiply the value of the shrimp by as much as a factor of 10. Without assigning a value to sport fighting, which we can expect to be high, the commercial fish catch for Collier County is about \$1 million a year. When we consider the increased tourism one of Florida's largest sources of income, we feel that Big Cypress can offer more in the long run to residents of Collier County and the State of Florida than would ever be realized from the development of Big Cypress. We have reached the time when development is no longer thought to be absolutely necessary for continued progress. Instead, there are other important factors which must be considered.

Quality of environment is a phrase often used in such discussions, and it is precisely the one which fits this situation. The quality will be inexorably changed by development in Big Cypress. Canals will carry the surface waters away as rapidly as possible in time of high water, and in time of low water, the canals will lower the water table and change the surface vegetation. With changed habitat, the wildlife will be greatly reduced and the rare and endangered species will disappear forever. The very reason many residents have settled in Collier County will have been destroyed. It will be a classical example of robbing Peter and paying Paul. For while the fresh water aquifer in Big Cypress, on which the west coast of Florida will become increasingly dependent, will have already been devastated by drainage and development, the truly choice developable lands along the Coast will suffer from lack of fresh water and some may never be developed. I am convinced the best value will come from using the Big Cypress as a fresh water reserve with controlled public recreational use.

Given proper management, the ecosystem of Big Cypress will provide hunting, fishing and other recreational opportunities.

The demand for recreational opportunities is increasing and, as you gentlemen well know, is not local or regional but covers the entire nation. And its growth is timed logically, not coincidentally, with the increased public interest in the environment. Here is an opportunity to preserve an extraordinary natural feature, while making great beneficial use of it. It's having one's cake and eating it too!

The State of Florida, in the last decade, has not only become increasingly concerned about the quality of life but is constructively attacking environmental problems. It recently passed legislation for the protection of the estuaries, severely limiting dredge and fill operations, and setting high liability limits for oil spills. These are a few examples, but perhaps, the action most indicative of the State's concern, is its willingness to spend \$40 million to start an acquisition program in the Big Cypress. In view of the inflationary trends in land prices, this will serve to purchase those acreages where development has started or is likely to start.

I have dwelled on the benefits to my District and my State but the Big Cypress as a National Fresh Water Reserve will belong to everyone, especially as it related to Everglades National Park. Everglades National Park is a unique park. It preserves a major part of the River of Grass—a sight found nowhere else in this world. Its mangrove forests are found nowhere else in the United States and are among the largest in the world. It provides nesting and feeding grounds for millions of birds, it is one of the last habitats of the crocodile and other rare and endangered species in the United States. It was established as a water wilderness for all generations. The acquisition of the Big Cypress Reserve—along with the requirements of P.L. 91-282—will assure that the park will receive the annual and seasonal supplies of water without which it will die. Big Cypress is an important source of this water. Big Cypress and the Everglades are interlocked—neither can survive without the other.

Big Cypress is worthy of preservation in its own right. Although parts of the Big Cypress have been logged, a considerable number of huge cypress remain and the dwarf cypress, which really are responsible for the name, are prevalent.

Many species of orchids, including some found nowhere else, scores of species of ferns and many varieties of palms including the royal palm grow there; hammocks alternate with open prairie and deeper sloughs. The wide variety of plant life is a response to only light differences in elevations—because of the flat terrain and the heavy seasonal rainfall, a few inches difference in elevation results in a completely different habitat. Deer and alligators thrive there, the endangered Florida panther and Everglades mink, the playful otter, several kinds of squirrels, an occasional bear and many other animals may be seen. Birds of many species, including the wood ibis, roseate spoonbill, bald eagle and the Everglades kite, live or feed here.

STATEMENT OF HON. L. A. BAFALIS, A REPRESENTATIVE IN CONGRESS FROM THE 10TH CONGRESSIONAL DISTRICT OF THE STATE OF FLORIDA

MR. BAFALIS. Mr. Chairman and members of the subcommittee, I am delighted to appear before you today to endorse H.R. 46 and H.R. 4866, bills to authorize the Big Cypress National Fresh Water Reserve in the State of Florida.

It is with particular pleasure and interest that I do so, because, as the chairman has just mentioned, 75 percent of the reserve is in Collier County, one of the counties which I have the privilege to represent. Of the remaining 25 percent, 20 percent is in Monroe County, and 5 percent in Dade County, within the districts of my colleagues, Mr. Fascell and Mr. Pepper.

H.R. 46, which was introduced by Chairman Haley, has been sponsored by the entire Florida delegation. However, either one of the two bills before you will achieve the basic objectives of preserving Big

Cypress while increasing the protection for the Everglades National Park.

Although 75 percent of the reserve area is in Collier County, virtually the entire nursery for Florida's famous pink shrimp is in the estuaries of the Everglades National Park. These estuaries are dependent on the freshwater runoff from Big Cypress and the Everglades. The shrimp are harvested offshore in Dry Tortugas in the Gulf of Mexico, and in the vicinity of Sanibel Island near Naples. Those taken at Sanibel spawn in the estuaries that draw their fresh water and nutrients exclusively from Big Cypress.

The 1970 shrimp dockside value in Collier County alone was over \$8 million. It is my understanding that that \$8 million becomes part of a complex of related goods and services that multiply the value of shrimp by as much as a factor of 10. Without assigning a value to sport fishing, which we can expect to be high in this general area, the commercial fish catch for Collier County is about \$1 million a year.

When we consider the increased tourism, one of Florida's largest sources of income, we feel that Big Cypress can offer more in the long run to residents of Collier County and the State of Florida than would ever be realized from the development of Big Cypress for commercial purposes. We have reached the time, I believe, when development is no longer thought to be absolutely necessary for continued progress. Instead, there are other important factors which must be considered.

Quality of environment is a phrase used often in such discussions, and it is precisely the one which fits this particular situation. The quality will be inexorably changed by development in Big Cypress. Canals will carry the surface waters away as rapidly as possible in time of high water; and in time of low water, the canals will lower the water table and change the surface vegetation. With changed habitat, the wildlife will be greatly reduced, and the rare and endangered species will disappear forever.

The very reason many residents have settled in Collier County will have been destroyed. It will be a classical example of robbing Peter and paying Paul. For while this freshwater aquifer in Big Cypress, for which the west coast of Florida will become increasingly dependent—and I might mention, Mr. Chairman, I represent four of those counties on the west coast of Florida that would be greatly affected by this—will have already been devastated by drainage and development, the truly choice developable lands along the gulf coast will suffer from lack of freshwater and some may never be developed. I am convinced the best value will come from using the Big Cypress as a freshwater reserve with controlled public recreational use. Given proper management, the ecosystem of Big Cypress will provide hunting, fishing, and other recreational opportunities.

The demand for recreational opportunities is increasing and, as you gentlemen well know, it is not local or regional, but covers the entire Nation. Its growth is timed logically, and not coincidentally, with the increased public interest in the environment. I think this is an opportunity to preserve an extraordinary natural feature, while making great beneficial use of it. It is having one's cake and eating it also.

The State of Florida in the last decade—and I am very proud of my State in this regard—has not only become increasingly concerned about the quality of life, but it is constructively attacking environ-

ment. It recently passed legislation for the protection of the estuaries, severely limiting dredge and fill operations and setting high liability limits for oilspills. These are a few examples. But perhaps the action most indicative of the State's concern—and I think this is very important for the committee to consider—is its willingness to spend \$40 million to start an acquisition program in the Big Cypress. In view of the inflationary trends in land prices, this will serve to purchase those acreages where development has started or is likely to start very shortly.

I have dwelled on the benefits to my district and my State, but the Big Cypress as a national fresh water reserve will belong to everyone, especially as it relates to Everglades National Park. Everglades National Park is a unique park. It preserves a major part of the River of Grass, a sight found nowhere else in the world. Its mangrove forests are found nowhere else in the United States and are among the largest in the world. It provides nesting and feeding ground for millions of birds. It is one of the last habitats of the crocodile and other rare and endangered species in the United States. It was established as a water wilderness for all generations.

The acquisition of the Big Cypress Reserve, along with requirements of Public Law 91-282, will assure that the park will receive the annual and seasonal supplies of water without which it will die. Big Cypress is an important source of this water. Big Cypress and the Everglades are interlocked. Neither can survive without the other.

Big Cypress is worthy of preservation in its own right. Although parts of the Big Cypress have been logged, a considerable number of huge cypress remain and the dwarf cypress, which really are responsible for the name, are prevalent.

Many species of orchids, including some found nowhere else, scores of species of ferns and many varieties of palms, including the royal palm, grow there. Hemlocks alternate with open prairie and deeper sloughs. The wide variety of plantlife is a response to only light differences in elevations—you will hear some more discussion on that, I am sure, during testimony. The elevation generally runs from 1 foot to 20 feet. In comparison to mountainous or hilly areas in other parts of the Nation, this is a very slight difference in elevation. Because of the flat terrain and the heavy seasonal rainfall, a few inches difference in elevation results in a completely different habitat. Deer and alligators thrive there; the endangered Florida panther and Everglades mink, the playful otter, several kinds of squirrels, an occasional bear, and many other animals may be seen. Birds of many species, including the wood ibis, roseate spoonbill, bald eagle and the everglade kite, live or feed there.

Governor Askew's announcement that he will seek \$40 million in State funds to commence the purchase of Big Cypress was very heartening. It is a measure of Florida's concern for Big Cypress. The authority that the Governor intends to use is based on identifying lands critical to the well-being of the State's environment. This, I think, is an alarm bell. Big Cypress is in danger from development, and if Big Cypress is in danger, so must be the Everglades National Park. Florida's \$40 million will noticeably assist the Federal programs.

Gentlemen, I might also mention that there are concerns that the

public officials in Collier County have regarding this legislation. One of them, obviously, is the loss of ad valorem tax dollars from the acquisition. About one-third of Collier County is involved in the Big Cypress. The tax assessor has estimated a tax loss of some \$400,000 to \$500,000 per year. It has been suggested that an amendment might be offered to this bill which would, for a period of 5 years, on a reducing basis, while the tax base in other areas is broadening, give some compensation to Collier County.

Mr. TAYLOR. Now, do you mean the Federal Government gives some compensation to the county?

Mr. BAFALIS. Yes, sir. There are those in Collier County who feel that this acquisition by the Federal Government taking the land off the tax rolls will have an immediate financial impact. If, say, for the first year, \$400,000 or \$500,000, 80 percent for the next year, reducing down for a period of 5 years, while the county has the chance to absorb the increase of tax base, additional taxation—

Mr. TAYLOR. Well, this has come up in connection with several parks, and the committee's attitude has usually been, no.

Mr. BAFALIS. I understand. However, I am not sure, Mr. Chairman—

Mr. TAYLOR. In other words, if the members approve it, this will probably be the most costly park that we have ever created.

Mr. BAFALIS. That is my very point, Mr. Chairman. But we are taking one-third of the land area of this county off the tax roll, and it is going to create a major problem. I only mentioned that I would appreciate the committee at least looking into this aspect of it, because there is a very definite problem in the county with this acquisition.

Secondly—

Mr. SEIBERLING. Would the gentleman yield?

Mr. BAFALIS. I would be happy to yield.

Mr. SEIBERLING. My understanding is, even if we approved this it would not be all acquired at one fell swoop, I would think it would be acquired in phases which would have the same effect as your gradual adjustment.

Mr. BAFALIS. Well, it was my understanding, sir, that there was going to be an attempt made to acquire it at one time. If, on the other hand, it is acquired in sections, I think the gentleman's point is well taken.

Mr. TAYLOR. And there is some improved property in the area which owners would have a right to retain.

Mr. BAFALIS. That was the second comment I was going to make, Mr. Chairman. On the improved areas—I think it is very important that those people who are now living on the property not be dispossessed and be allowed to continue living there, even though we stop any future development. I do not think we can take those people out of their homes and remove them from the land.

Mr. TAYLOR. Does that complete your statement?

Mr. BAFALIS. Yes, sir, it does.

Mr. TAYLOR. I believe that you, too, would agree with Congressman Sikes that the best approach is through acquisition of fee simple title. You ruled out zoning and scenic easement and land use planning with the State as an effective way of solving this problem?

Mr. BAFALIS. Well, I think the bill, as presented by Chairman Haley, is a bill that has all the safeguards that are necessary.

Mr. TAYLOR. I assume that you are not going to want the subcommittee to act on this legislation if there is no foreseeable likelihood that the necessary funds will be available for the acquisition program to begin. Is that correct?

Mr. BAFALIS. I would like to see the committee take positive action. Hopefully, if that is done, we may be able to work down at Pennsylvania Avenue for some funding.

Mr. TAYLOR. You would not get much satisfaction from us just creating a park on paper, if there is not going to be any land acquisition in the foreseeable future?

Mr. BAFALIS. It is my understanding, Mr. Chairman, that by the actions taken by Governor Askew and the possible action by the Florida Legislature which is now in session to appropriate some \$40 million from the current surplus we have in Florida—that if that is done, the executive branch in Washington may look more favorably on the funding of this particular project.

Mr. TAYLOR. I am hoping it will look more favorably on funding this one than on several of the others that we have already authorized on their recommendation.

Mr. BAFALIS. Of course, I have a particular interest in this one, as does Chairman Haley, but I have been told that there is a good possibility that we will get funding if Florida does its part. That was the reason, as I understand, that Mr. Haley and the Governor worked together on this legislation to present it to the Florida Legislature.

Mr. TAYLOR. Does the gentleman from Florida have any questions?

Mr. HALEY. No, Mr. Chairman, I do not have any questions. I want to thank my colleague for coming here and making a very fine statement.

The fact that the Governor of Florida wants to participate on a statewide basis, so to speak, to provide \$40 million of State funds, I think indicates that the Governor of Florida and the people of Florida are quite disturbed about the constant running of bulldozers in this part of the State. We want to preserve it for future generations. In my opinion it is one of the things that is absolutely necessary in order to protect our great State.

Mr. BAFALIS. Mr. Chairman, if I might add one thing to what Congressman Haley has said with regard to development and bulldozers. There have been predictions within the 10th Congressional District, which I represent, that growth during the next decade will be close to an additional 800,000 people. About 65 percent of that will be along the lower west coast of Florida, the area that is directly affected and supported by water that comes out of the Big Cypress. So that gives you some idea of what we are facing if we do not preserve this area.

Mr. TAYLOR. Do any other members of the committee desire recognition for questions?

Mr. KAZEN. Mr. Chairman?

Mr. TAYLOR. The gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I was not fortunate enough to go with the subcommittee when they held hearings in this area last year, but I would just ask my colleague this question. What is the attitude of the county government on the acquisition of this property?

Mr. BAFALIS. Well, I believe there will be a resolution presented

today from Collier County and the Commission on two of the points which I mentioned. Number one, of course, ad valorem tax loss, additionally the concern that those people who are now living on the property will be allowed to remain there; and third, the county will present its position that it would like to see the Big Cypress acquired together, all at one time, immediately. But I think there is going to be testimony from a representative of Collier County on that position—I think that, basically, states their position on this matter. They do favor the acquisition, with those safeguards.

Mr. KAZEN. Are the safeguards contained in the bill? As far as the tendency—

Mr. BAFALIS. Yes, sir, I think in that regard they are. As far as the ad valorem tax, of course, the question was brought up before, if this is bought in parcels, whether or not we will be able to absorb because of the increase of the tax base, due to the rapid growth, this loss of income. Not knowing how it is going to be acquired at this point—and I am sure the county commissioners of Collier County do not know how it is going to be acquired—there is concern as to whether, immediately, they are going to look at a \$400,000 tax loss.

Mr. KAZEN. Well, of course, we do not know how it is going to be acquired, and we will not know until after the bill is passed.

Mr. BAFALIS. I understand that.

Mr. KAZEN. And they must face all alternatives, because it can go either way.

Mr. BAFALIS. This is not a large county, and \$400,000 to \$500,000 is a great deal of money to them.

Mr. KAZEN. I can understand their position. Certainly, we have been faced with that problem in many other projects. They do not intend to come in and ask for rebate—

Mr. BAFALIS. Not to my knowledge.

Mr. KAZEN [continuing]. For loss of revenues.

Mr. BAFALIS. But, again, there is a representative here from Collier County, and I think it would be best that he answer those specific questions.

Mr. KAZEN. I am sorry. I did not know this, because on the list of witnesses I have—

Mr. BAFALIS. I think he is on your agenda. I talked to him before testifying.

Mr. KAZEN. There is no name here with a title from any—county. He had not submitted his name ahead of time.

No, those questions will be better directed at the representative of the county.

Mr. BAFALIS. I believe so, sir.

Mr. TAYLOR. The gentleman from Kansas has a question.

Mr. SKUBITZ. It is nice to have you with us here today.

Mr. BAFALIS. Thank you.

Mr. SKUBITZ. I was interested in one of your comments, Mr. Congressman. You say that the Big Cypress and the Everglades cannot survive without each other. If we should authorize the Big Cypress project, can it survive, or are we just taking the first step? Is there another step down the road that will be necessary?

Mr. BAFALIS. Well, of course, I am not a technician in this area, but I have been advised by—

Mr. SKUBITZ. I realize this, but I just wondered what your opinion was.

Mr. BAFALIS. I have been advised by the Department of the Interior that the progress and the ability of the Everglades National Park to survive is very much dependent on the Big Cypress. They tell me that, if this acquisition does go through because of the dependency on each other, that we are going to be able to preserve both areas, and we are not going to need to do further things. There may have to be some correction of existing water flow that comes under a road that is known as Alligator Alley which traverses the entire area from Naples to Fort Lauderdale.

But there is some thought now in making that part of the interstate system. They will be able to correct that water flow. This would not affect this committee directly. But I think, if that is done and this area is acquired, that we are going to be able to solve the problems that are facing us now regarding adequate water supply for the future.

Mr. SKUBITZ. If you were to open up the area for recreation, for fishing, hunting, and boating, would that destroy the park?

Mr. BAFALIS. No, sir; it would not. Have you ever been to the Big Cypress?

Mr. SKUBITZ. Yes, I have.

Mr. BAFALIS. Well, you understand the natural beauty of what is there.

No; we do not think so, as long as there are proper rules and regulations governing its operation.

Mr. SKUBITZ. Thank you, sir.

Mr. BAFALIS. And we think that all America ought to be able to utilize what we have been given by nature.

Mr. TAYLOR. The gentleman from Ohio.

Mr. SEIBERLING. Well, have you, or has someone, to your knowledge, checked to see whether it is physically possible for the Park Service, once they have received the money, to acquire this whole property within the space of even a couple of years?

Mr. BAFALIS. Well, of course, you are asking a legal question, sir.

Mr. SEIBERLING. Well, it is not just a legal question. It is a practical question of going around, making appraisals, and negotiating with each property owner. How many property owners are there in this area? How many separate parcels are there?

Mr. BAFALIS. As I understand it, there are about 21,000, somewhere in that neighborhood. There are conflicting figures on this, sir.

Mr. SEIBERLING. Whether there are 21,000 or 35,000, my experience with this type of problem would indicate that it will take years, even if all the money were voted, for the Park Service to simply go through the process of acquiring title.

If that is the case, then it seems to me that there would be adequate time for the local government to adjust its tax base.

Mr. BAFALIS. It may well be, sir. But what I started to say is, that was a legal question, in the sense that I do not know how long it is going to take for condemnation proceedings, appraisals, and that type of thing. I think you are eminently correct and that it is not going to be done overnight, and there are going to be controversies.

I might point out that many of the landowners, whether it is 21,000 or 35,000, the title is held in various ways, and it is very hard to really

determine the ownership in some cases. Many of them—most of them, the vast majority of them do not live in the Big Cypress area, nor do they even live in Florida. Much of that land has been sold nationally, internationally, through land sales. There are, by comparison, very few people residing there. But I am sure there are going to be some major legal problems.

Mr. SEIBERLING. Well, I am not referring to the legal problems, but simply that the local county government ought to be informed that, in the nature of things, their tax base is not going to be jerked out from under them overnight.

Mr. BAFALIS. No, sir, but there is a great deal of it that can be acquired immediately, exclusive of those parcels. There are some very large tracts involved. That is going to take a considerable amount of money; and even if half could be acquired immediately, we are talking about \$250,000 off the tax rolls, \$200,000 to \$250,000. The other part is going to be slow, but a good part of it would be acquired immediately without any real problem.

Mr. SEIBERLING. Thank you.

Mr. TAYLOR. Any other questions?

Let me just state that we now owe about \$328.5 million for parks already authorized. They are presently unfunded and the Land and Water Conservation Fund money, which should have been spent this year, has not been requested by the President. The administration is not recommending the use of this fund in the 1974 budget—there is not one new dollar for any Federal land acquisition programs.

Now, if you are going to show the administration that your park is going to be funded, you are ahead of everybody else.

Mr. BAFALIS. Mr. Chairman, I wish I could give you those assurances, but I will say to you that because of Florida's willingness to appropriate \$40 million for a project that really is a Federal project, I have been led to believe that the administration looks very favorably upon that action, if it finally becomes law in Florida, and that, because of that action, we may get some funding for it, as I stated before.

Mr. TAYLOR. Well, I think that is the most favorable aspect of the entire matter. It is an unusual action on the part of the State, but its willingness to share the burden is greatly appreciated.

Mr. BAFALIS. Well, we feel that concerned about this particular policy.

Mr. TAYLOR. If we authorize it and it is not funded, you are still in trouble. If we put it ahead of all the others, you are going to be in trouble. As a matter of fact, if we get on the House floor and say that, your bill will not pass; because we have got numerous other Congressmen who have projects that have already been approved during the last 10 years that have not been funded.

Mr. BAFALIS. I have great faith in Chairman Haley.

Mr. TAYLOR. Did the gentleman from Utah seek recognition?

Mr. OWENS. Yes; I was going to ask one question of the gentleman.

What are the local situations there which have led to the difference of 25,000 acres in the two proposals?

Mr. BAFALIS. I do not believe I can answer your question, sir, but I am sure someone here can. As I understand it, there was some thought given—I am not sure this answer is absolutely correct—to buying larger parcels that would involve less acquisition problems. The question was asked by the previous gentleman.

In the two bills, what is being acquired is a little different, in order not to be involved in the same number of landowners, buying more land from one person than from 10 or 15 different people.

Mr. OWENS. You do not know if this smaller bill, the one that the gentleman from Pennsylvania has proposed—do you think that limits the number, though, of private landowners affected?

Mr. BAFALIS. I think what it does is allow them to buy acreage with less landowners involved, less legal problems, which eventually, of course, will mean less acquisition costs because of what would be involved.

Mr. Haley may be in a better position to answer that, regarding the difference in the two bills, but I think they are basically the same, with the exception of the numbers of property owners that were involved.

Mr. OWENS. The gentleman might be interested in a piece of legislation I have to provide for an in lieu of taxes payment in counties which are required to provide social services to areas owned by the Federal Government. I have counties that have up to 91 percent complete Federal ownership in my district.

Mr. BAFALIS. I am sure Collier County will be very happy to hear that.

Mr. OWENS. I will be in touch with the gentleman in that regard. Thank you, Mr. Chairman.

Mr. TAYLOR. Thank you, Congressman Bafalis.

Mr. BAFALIS. Thank you, Mr. Chairman.

Mr. TAYLOR. The next witness is Congressman Dante Fascell.

We welcome you back before this subcommittee. You were here concerning Biscayne Bay and some of the other projects.

Mr. FASCELL. Thank you, Mr. Chairman.

Mr. TAYLOR. Now, your entire statement will be placed in the record and you may make such comments as you see fit.

[The prepared statement of Congressman Fascell follows:]

STATEMENT OF HON. DANTE B. FASCELL, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF FLORIDA

Mr. Chairman, I appreciate this opportunity to appear before you in support of H.R. 46, and I commend you for holding these hearings. The Committee's leadership in this issue is particularly commendable in light of the apparently contradictory position taken by the Administration. I applaud your decision to move ahead on the Big Cypress proposal even though the Administration has refused to commit the funds necessary for land acquisition. Your recognition of the urgency of this matter is vital.

I am proud to be a cosponsor, together with all the Members of the Florida Congressional Delegation, including the distinguished Chairman of the Interior and Insular Affairs Committee, Congressman Haley, of the bill to authorize the acquisition of the Big Cypress will be in addition of major importance to the Federal recreation land system and is one of the best steps the Congress can make to demonstrate its dedication to the preservation and protection of the nation's natural resources.

This proposal has the strong support of Florida State officials. In fact, the State has already taken steps to insure that the Big Cypress are will be preserved. Governor Reubin Askew has acted decisively in recommending that the State of Florida commit \$40 million toward the purchase of lands within the proposed Big Cypress National Fresh Water Reserve, and, further, the Governor has already urged the State Legislature to appropriate the the necessary funds.

The Big Cypress Swamp plays a key role in the ecology and hydrology of South Florida, and passage of this proposal will guarantee that it will continue to do so. Federal acquisition of this property will not restrict the recreation

use of this semitropical region. Furthermore, it will insure fair treatment for landowners as well as for the Indians who have traditionally occupied the area.

The availability of water is vital to life and is the best means for analyzing natural resources problems. This is especially true for South Florida. With its abundant rainfall, the ecosystems of South Florida are extremely delicate, and that delicacy is closely tied to water flow patterns. The Big Cypress Swamp is an integral part of these patterns. One South Florida's water situation is so complex is because of the presence of salt water which threatens to contaminate fresh water supplies if they are mismanaged. Even more important is the low, flat profile of the region.

The ecology of South Florida is totally dominated by the sheet flow of water from Lake Okeechobee southward down the almost imperceptible slope to the Gulf of Mexico. This is a truly unique situation, and the constant presence of water is the factor which accounts for the region's tropic-like vegetation far north of the tropics. It is this sheet flow of water which is the river of grass, the everglades.

Everglades National Park is without question one of America's greatest natural treasures. There is no equal or even similar ecosystem anywhere in the United States. The showy long-legged wading birds; the fantastic variety of orchids and other epiphytic flowers; and the general diversity and abundance of flora and fauna are a truly fantastic and irreplaceable resource. The awesome feeling of wilderness that is experienced in the Everglades is unlike that of any other natural area.

The Congress recognized this extraordinary resource in 1934 with the authorization of Everglades National Park. It was not until 1947, however, that enough land had been acquired to open the Park, and this left out portions of the Big Cypress Watershed that had been planned for inclusion. National Park status did not of itself fully protect the Everglades because of the great interdependence created by the water flow patterns in South Florida.

Although the Everglades does get abundant rainfall and 80 percent of its water supply does come from this rainfall, it is still very dependent upon water coming from the north by sheet flow. This water keeps coming after the rainy season has ended, and is fundamental to the peculiar ecosystem that is the Everglades. Roughly half of this outside water comes from the Big Cypress Watershed.

The area of mangrove forests and rich estuaries of South Florida's Gulf Coast is another unusual and valuable ecosystem which lies just to the west of Big Cypress. This area is a sport fisherman's paradise and provides nutrients, breeding grounds, and shelter for the young species of several commercially valuable fisheries in the Gulf. This whole region is highly dependent upon the delicate balance between fresh and salt water. Again, the surface flow of water from Big Cypress is essential. Disturb Big Cypress sufficiently and you would also cause great disturbance to the estuaries and mangroves.

In addition to surface flow, Big Cypress also recharges ground water supplies. South Florida is dependent upon ground water for its drinking water. Again, the situation is delicate. If the aquifers are depleted too severely, salt water will intrude and they will be contaminated for water supply. As many wetlands do, Big Cypress plays an extremely valuable role of recharging groundwater. Development of too much of South Florida's wetlands could conceivably destroy the fresh water supplies that make such development possible.

This legislation is of national significance. Big Cypress itself harbors many endangered species, contains beautiful and unusual habitats, provides recreation to people from all over the country, and conveys a feeling of wilderness which is fast disappearing throughout our nation.

The acquisition of the Big Cypress is absolutely essential to the survival and maintenance of the Everglades, the mangrove forests and rich estuaries of the Gulf Coast, and to the aquifers which provide water to heavily populated South Florida.

The Governor and the people of the State of Florida have clearly demonstrated their backing for this vital legislation and have shown great initiative in their efforts to save an area which is unique in all of North America.

We in the Congress have an opportunity to assist in the preservation of the Big Cypress Swamp area and to insure that this region remains natural and unspoiled.

Mr. Chairman, I urge rapid and favorable action be taken on H.R. 46.

Thank you.

STATEMENT OF HON. DANTE B. FASCELL, A REPRESENTATIVE IN
CONGRESS FROM THE 15TH CONGRESSIONAL DISTRICT OF THE
STATE OF FLORIDA

Mr. FASCELL. I thank the chairman, and first of all, I pay respects to our distinguished chairman of the full committee, Mr. Haley. I have worked with him a long time. His initials are really "WTMCF." I served with him in the Florida legislature on the appropriations committee. Always Jim Haley's first question was: Where's The Money Coming From? He has not changed a bit. His percentages have gone a little higher; it used to be cut 25 percent; it is now cut 50 percent.

Mr. TAYLOR. The amount of money he is seeking is a little bigger figure, now, too.

Mr. FASCELL. But Jim has had a lifetime of dedicated public service, and those of us in Florida know him to be a very fair man and a very courageous man. We are proud of his chairmanship on this full committee.

Mr. Chairman of the subcommittee, I want to thank you for your interest in the problems of Florida. Your holding these hearings today by your subcommittee on a matter of this importance indicates your leadership in this whole area.

The frame of reference which the chairman has laid down in his statements and his questions so far tells the story better than anybody else can tell it. Yet this committee, under all of the difficulties that we have faced in this country over all the years in trying to set up a national park system and to effect a conservation policy that is meaningful for our country has managed some way to overcome all of the impossible hurdles it faces.

I have concurred wholeheartedly with the committee's reluctance to continue to authorize without funding. We are so far behind now. But, Mr. Chairman, we have to live with that fact. It is a fact. It has been an accumulation over a period of time, either for lack of wisdom or lack of whatever. This subcommittee and this full committee have taken leadership in trying to overcome that problem with the Land and Water Conservation Fund and other methods, to devise a way that is fair for the country, fair for the property owners, and establishes a national policy.

I think we have to keep fighting that battle constantly. The fact that this administration has not been able to place a priority on conservation and has impounded previously appropriated funds and has not allocated a single dollar for the program, does not mean that we ought not to have programs that deserve high priority. Because if we adopted that attitude in the scale of priorities, we could lose every investment that we have made so far. I do not think you can exclude the park system out of our way of life in this country. It is an integral part. I do not think you can give it a zero valuation in priority.

I think that is impossible. Something is going to have to give, something is going to have change. If that is true—

Mr. TAYLOR. I might state for the gentleman, the reason I made the comments I have is that I agree. Something has to change, and something has to give, and I want the public and the press and the people and the conservationists of this Nation to know what is holding up our support of this.

Mr. FASCELL. Mr. Chairman, I recognize the reason you are doing that, and what we are saying here is that we have to look at this issue right in the face; analyze it as carefully as we can; and use the best judgment that we have regardless of what the politics may be. That means, then, in the scale of priorities, where are we? And that is what this committee has to look at, as I see it, in terms of this project.

Sure, we have authorized projects that have not been funded and may never get funded. So in the scale of priorities then, where is this one. That I have to leave to the experts, Mr. Chairman. I cannot answer that for you because, frankly, I am prejudiced. I am from an area where we believe we need this, and that is the reason I support it, and why I have cosponsored the bill. But the experts are going to have to tell you about the ecological need, in terms of a priority, as against other projects that have either been authorized or are now in the process of trying to get authorized.

All I can say about that is this: If my memory serves me correctly, we are preparing to pay for a mistake that was made in the early 1900's, when we considered the Everglades National Park, in the first instance, as a national asset. At that time all of the land north of the Trail was included in the original estimates. Then for one reason or another—and everything is a compromise—that land was excluded.

This committee was instrumental in reaching a final adjustment on the boundaries of the Everglades National Park in the 1950's. I do not remember the date now. So that is some of the background.

Now, we are paying for that in terms of more people who are there and a greater need, ecologically and hydrologically. That is a new factor, Mr. Chairman, which is of great importance in Florida. I do not recall the exact date of the hydrological studies, but they are available to you.

But everyone looks at Florida, where we have more fresh water lakes than any State in the Union; we have more fresh water availability than any State in the Union. We also have one of the greatest percentage population growths and corresponding water need of any State in the Union, and what happens?

Our hydrological studies say that we will be out of fresh water, as I recall it, before the year 2000. Now, the national cost of serving and the State cost of serving all of those millions of people who surround both sides of that back country which is in the pending bill is something to be considered. The experts will have to testify about that. I cannot. But I know this. Trying to provide water some other way for millions of people is going to be one whale of an expensive solution, if you can do it at all. We need to take a look at that now.

I am saying all of these things, Mr. Chairman, because it seems to me they impinge on the question of priority, and that is the only way you can look at this project. If it does not have a priority, then it does not belong to be authorized. So the ecological and hydrological values are matters on which experts will have to testify in this committee beyond any doubt so as to establish the priority. That leaves the funding question—I am not for paper parks, Mr. Chairman. I think it is unfair to our national policy. It is manifestly unfair to the property owners. If we need this project then we have to make a clear fight to get it funded.

The Governor and the State of Florida have stepped in with \$40 million. I think that is outstanding. I do not know of another case on

record anywhere where that has been done, but that certainly manifests determination as far as the State of Florida is concerned in the assignment of its priority on this issue.

The Federal Government, it seems to me, has a greater responsibility. The question is however, who will put the bell on the cat that is in obtaining a firm funding commitment from this administration. I am not a novice at this, Mr. Chairman, because with this committee's help, we did something with respect to another project that has never been done in the history of the country. With the Department of the Interior, the Bureau of the Budget, the administration, this committee and the Senate Committee, we reached an agreement on not only authorization, but funding within a specific period of time to complete a project. As far as I know, that project, Biscayne National Monument is still on schedule. That was a pretty big project too, although not anything like this one. It seems to me that the priority is here. We are dealing with the lives and property of not only the property owners within this preserve, but also of residents on both sides of it who are going to live to enjoy it, we hope, to use the water from it, and to preserve a great national asset, the Everglades National Park.

Mr. Chairman, it will be said that there is a lot of land already in other preserves in Florida, and that is true. There is no question about that, you just look at the map and you can see that. But back country is absolutely essential to an urban area and we have a megalopolis on both sides of this property that we are talking about and including the Everglades National Park. How vital is that to the urban areas that already exist? Well, I would say it is immeasurable. When you add the expected growth to it, it is absolutely essential. If there is no reason except the need for open spaces, you would have to have it, it seems to me, because it is central to the quality of life that we are talking about, and that could be an additional reason, if we needed one. Certainly, I would vote for the preserve on that basis if there was any question about either the ecological or hydrological values.

We are talking about the personal values to the individuals, to the millions of people who are involved in this area. Mr. Chairman, after this land north of Tamiami Trail was excluded from the Everglades National Park boundaries, we tried every way to get the water supply necessary to be sure that we would have preservation of the Everglades National Park as a national asset. That was a solid judgment: it has been vindicated many times, both in terms of local benefits and in national benefits. But when we had the flood of 1947—I can't remember the exact dates, I traveled in a motorboat out Flagler Street, one of Miami's principal streets, in 4 to 6 feet of water. The Federal Government stepped in with the State of Florida and created one of the largest water control projects in the history of man, a 17-county area called the Central and Southern Florida Flood Control District. You will see those areas marked on your maps, conservation areas 1, 2, and 3. When we got to a point in that project where we thought that the works of man had so disturbed the balances with respect to the water needs of the Everglades National Park, we tried to correct that. Nobody was sure—at least I was not—maybe the experts were—how to get more water into the Everglades National Park. But with the Federal Government, the Corps of Engineers, and the Appropriations Committees, we put in special programs to get

more water out of Lake Okeechobee, through canals, out of the conservation areas, into the Everglades National Park.

That was done; it exists. There is a capability; it can be improved. But as I understand what the experts are saying, that is still not sufficient; that is not going to insure the water needs of the ENP. I am convinced more than ever that every day that goes by we get in worse shape with respect to freshwater here in Florida. We are going to reach a crunch too soon that will be impossible for us to resolve.

And so, Mr. Chairman, for all of those reasons, I urge your favorable action. I know it is not an easy decision for this committee; it never is when you are talking about federalizing private property. The committee, in all of my experience, has been very openminded, extremely fair, and it has made an excellent record. I am sure that in this case it will be no exception; the record will even be better. The experts are prepared to testify in detail on all of the thousands of questions which you will have that I cannot answer.

Then, I know you will have to reach a hard decision with respect to funding. I would lend my efforts, Mr. Chairman, in any way I can with respect to funding, but I will tell you from experience that what it takes is an agreement with the executive departments, Office of Management and Budget, the Appropriations Committee, and the authorizing committees, all at the same time. That is the only way I know that it can be done. I think it ought to be done in this case and we ought to try to reach a reasonable time frame within which this can be done so that the Government, the property owners, and everybody will know exactly what to expect. There should be no doubt that the money will be made available in a reasonable time for adequate compensation of all the properties.

Thank you, Mr. Chairman.

Mr. TAYLOR. I might state, Mr. Fascell, that you have been making about the same speech I have been making about the need to carry through on fund-use projects.

Congress established a Land and Water Conservation Fund of \$300 million a year from nontax sources. Much of it comes from offshore oil leases, to be used to acquire needed recreational lands, part of it is spent at the State level, part of it at the Federal level. This money was fully utilized for a couple of years and great progress was being made, then suddenly this year it has been frozen. There is no recommendation for appropriation this year. That is the thing that I am opposing in my remarks.

Now, I recognize that Big Cypress has considerable merit. I have been down there more than once and I have traveled over much of it. I thought Gulf Islands had merit, I thought Biscayne Bay had merit, and I think Florida Frontier Rivers in Congressman Bennett's district has merit. It is hard to put one in higher priority than another. We have created many new areas. All of them have been recommended by the Department, approved by Congress, and signed into law by the President. All of them, I think, have merit, but now we need to get moving on the job of acquiring the land.

Any questions of Congressman Fascell?

Mr. STEELMAN. I have got one, Mr. Chairman.

Mr. TAYLOR. The gentleman from Texas.

Mr. STEELMAN. I have not had the occasion to go. This is my first term in Congress, and I regret that I have not. But I have great respect

for the opinions of my other colleagues here who are familiar with the project, and I certainly will support this project.

One question I have. We have a project in Texas, the Big Thicket, which is similar in one sense—the clear and present danger there is that the timber companies are cutting at the rate of about 50 acres a day; so that is the reason why we have got to move on that one—that it may not be there if we do not move quickly.

Is the clear and present danger here that the developers are moving in with bulldozers and so forth to try to develop this area?

MR. FASCELL. I will say to the distinguished gentleman that land in Florida is extremely valuable and volatile, and this land is valuable land. There is not any question about it. There is considerable high land, some of it as high as 18 feet, I understand. All clearly can be developed one way or another. We have even made land where there was not any in Florida and built cities on it, you know, so the answer is yes. That is valuable land that can be developed, and land in Florida, despite all the problems we are having is increasing in value. There is no question about that.

I have been saying for 20 years all you need to do is move to Florida and buy some land, and you eventually make some money. And obviously, that is the reason the property owners, have bought this land. Some because they live there and love it do not want to give it up, and others because it is a darn good piece of land for an investment.

MR. STEELMAN. Well, is there any development taking place in the area now?

MR. FASCELL. Yes, sir.

MR. TAYLOR. The gentleman from Kansas has a question.

MR. SKUBITZ. One question, Mr. Fascell. I would recognize you are not an expert in this field, but I would like to express—

MR. FASCELL. Thank you, Mr. Skubitz. [General laughter.]

MR. SKUBITZ. I stated that badly. Do you feel that purchase or the authorization of Big Cypress would be the answer and guarantee the survival of both Big Cypress area and the Everglades?

MR. FASCELL. Mr. Skubitz, I cannot guarantee anything.

MR. SKUBITZ. I ask the question to obtain your opinion on the record.

MR. FASCELL. I certainly do believe it.

MR. TAYLOR. Well, thank you a lot, Congressman Fascell.

MR. FASCELL. Mr. Chairman, thank you very much.

MR. TAYLOR. Congressman Bill Chappell.

MR. CHAPPELL. Mr. Chairman, I would be ill-advised to try to add to anything my colleagues have said before, to preempt the act that just took place ahead of me. [General laughter.]

Let me simply add my support for the project, and I will simply submit for the record my statement. I know you have lots of other witnesses.

MR. TAYLOR. Well, your statement will be placed in the record at this point. I do know of your interest in this matter, and we will confer with you as we go along and try to help find the right answer.

[The prepared statement of Congressman Bill Chappell follows:]

STATEMENT OF HON. BILL CHAPPELL, A REPRESENTATIVE FROM THE STATE OF FLORIDA

Mr. Chairman, I am delighted to appear here today to again voice my very strong support of legislation to authorize the acquisition of the Big Cypress

National Fresh Water Reserve in Florida. I add my support to that of Congressman Sikes and the distinguished chairman of this full committee, my good friend and colleague, Congressman Jim Haley, each of whom have worked tirelessly to make this proposal a reality. The presence here this morning of representatives of Governor Reubin Askew and the entire Florida delegation is further testimony to the profound interest of the people of Florida in this legislation.

Florida is now the fastest growing state in the nation, with an influx of some 30,000 new residents monthly. It is vital to the very future of Florida that we preserve areas such as the Big Cypress so that the fresh water supply as well as the estuarine areas so necessary to our fisheries in South Florida are protected.

As a natural habitat for wildlife, fish and scenic beauty, the Big Cypress Swamp stands as one of our last monuments of wilderness. The future generations of Americans need to have this undisturbed haven to visit, just as we and the generations before us have enjoyed it. At the same time, we want to make sure that the Miccosukee and Seminole Tribes located in South Florida are not disturbed.

Mr. Chairman, as one of the co-sponsors of H.R. 46, I respectfully urge your consideration of this legislation on a timely basis. You may be assured of my help on the Appropriations Committee in order that we may proceed to preserve and protect the Big Cypress area.

Mr. TAYLOR. Any other statements submitted by Representatives in Congress will be placed in the record at this place, unless there is an objection.

[The prepared statements of Representatives Paul Rogers, William Lehman, Charles E. Bennett, J. Herbert Burke, C. W. Bill Young, Lou Frey, and Bill Gunter follow:]

STATEMENT OF HON. PAUL ROGERS, A REPRESENTATIVE IN CONGRESS, FROM THE
STATE OF FLORIDA

Mr. Chairman, it is certainly a pleasure to have the opportunity to appear before this Committee today to testify in behalf of legislation introduced by the Florida Congressional Delegation. This bill, H.R. 46, would provide the authority for the Federal Government to acquire the Big Cypress National Fresh Water Reserve.

The Big Cypress Watershed is certainly one of the most unique ecological systems in the State of Florida if not the Nation. It is a natural water conservation area which provides more than half of the surface flow water for the Everglades National Park. This water is vital to the continued existence of the Everglades which have already been recognized as a significant natural treasure by the government and which we are committed to preserving. Equally as important, this area serves as a reservoir which helps maintain the delicate fresh water-salt water balance of the mangrove forests and rich estuaries of the Gulf Coast. These brackish nutrient laden waters support substantial sport and commercial fisheries upon which the likelihood of many Gulf Coast Communities depend.

These fisheries include an \$8 million dollar a year shrimp fishing industry. In addition, this water recharges the aquifers which are the source of fresh water supplies for many communities in the lower Florida peninsula. To appreciate the importance of recharging these aquifers, we need only look back to the period of extreme drought during 1971 when many of the aquifers in South Florida were threatened by extensive salt water intrusion, and the State was faced with which an imminent water supply crisis. Adequate supplies of fresh water will continue to be one of the most critical problems in Florida's future, and we cannot afford to lose a major source of this scarce commodity.

Although the Big Cypress is a valuable part of the delicate water balance in South Florida, it is at the same time a unique and beautiful ecological system as well. As one of the few relatively undisturbed areas which remain in Florida, the Big Cypress is home to seventeen rare or endangered animal species including several wading birds and the much pursued Florida alligator. This area together with the Everglades, is the only area in the United States which is covered with tropic-like vegetation, and abounds with many varieties of exotic plant life including seven species of orchids which are found nowhere else in the world.

Because of this rare environmental setting, the Big Cypress has great potential as a recreational area. Hunting, fishing, camping and bird watching are but a few of the uses for which this area is ideally suited. In addition to the wildlife, the tropical flora and fauna of the area is unparalleled in the mainland United States. For the average urban dweller on the Eastern seaboard, it is one of the few remaining places in the Eastern half of the country where one can experience such a feeling of wilderness in a relatively undisturbed natural environment.

No less significant than the value of the Big Cypress as a watershed and as a natural wilderness, is the importance of this area to the lifestyle of the Miccosukee and Seminole Indians who inhabited this area long before the arrival of Europeans in North America. The lives of these Indians are as dependent on the natural environment of the Big Cypress as is the continued existence of the endangered species who make their homes in this area.

There are a number of provisions in the delegation bill which are designed to meet the special needs of this area and its inhabitants. Section 5 provides for the continuation of hunting, fishing and trapping in the area subject to certain restrictions which may become necessary. It also provides for the continued use of this land by the Miccosukee and Seminole Indian tribes, and in Section 6 provides for continued opportunity for these tribes to provide any revenue producing visitor services which they had previously provided. It would further provide that owners of improved property may retain occupancy of this property for up to 25 years or until the death of the owner or his spouse whichever is later.

In November of 1971 President Nixon committed this administration to preserving the Big Cypress in a statement from the White House. While the delegation bill may differ slightly from the administration proposal, the intent of the legislation is the same, to preserve the Big Cypress Watershed.

Mr. Chairman, with the conditions just mentioned, the delegation bill would provide for the fee-simple acquisition of this truly unique area but would at the same time protect the rights of those who lives would be affected adversely by this acquisition. I know that this Committee appreciates those singular qualities of the Big Cypress especially after the Committee's earlier visit to the area, and I appreciate the opportunity to appear before the Committee to express any views on this legislation.

STATEMENT OF HON. WILLIAM LEHMAN, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF FLORIDA

Mr. Chairman and members of the Subcommittee, I wish to commend you for taking up this important piece of legislation in such a timely fashion. Each day that acquisition of the Big Cypress is put off means that the ultimate price of acquiring this property will be higher.

I am a cosponsor of the bill introduced by your Committee Chairman, Mr. Haley, to authorize appropriations for the purchase of this land. As you know, a maximum of \$156 million would be authorized for that purpose.

There are several reasons why this particular area is so valuable. First, the Big Cypress watershed provides a home for several endangered species, such as the Southern bald eagle, the roseate spoonbill, the Florida panther and the Everglades mink. In a time when natural habitats for these creatures grow fewer, the existence of these species in that natural habitat becomes increasingly precious.

Second, the Big Cypress acts as a fresh water supply for the Everglades National Park. The importance of this cannot be over-emphasized. Accelerated development of the area could prove to be fatal to the quality of the Everglades. The Big Cypress watershed provides fifty-six percent of the surface water which enters the system of the park from outside its boundaries.

Third, the natural environment of the Big Cypress has the potential for unmatched recreational opportunities within a reasonable distance of the population centers of South and Central Florida.

I would like to note here that President Nixon also recognizes the significance of the Big Cypress. While no funds for acquisition were provided in his budget request, nevertheless I believe it would be clearly fiscally irresponsible to put off acquiring this property whose market value will undoubtedly increase even more as time goes on.

The State of Florida alone cannot supply all the financial resources necessary to preserve this land. Last November, Florida passed a bond issue approving \$240 million for the purchase of environmentally endangered lands throughout the State. I don't believe it would be fair for us to expect Florida to direct all of its resources to a single project. Furthermore, since the Big Cypress is so intimately tied into the Everglades, it would seem that the Federal government should also shoulder some of the financial burden.

For the record, I would like to include an editorial which appeared in the *Miami Herald* on February 24, 1973 which addressed itself to this issue:

"So vital is Southwest Florida's Big Cypress Swamp to the total wellbeing of the state that its preservation is a popular political issue. Without the Big Cypress, for one thing, Everglades National Park would languish and much of it would die, for half its outside water supply would be cut off.

"The Nixon Administration seized on the swamp as an issue and made many friends with it. One of the President's daughters even put on boots and joined a tour to explore the mysteries of the swamp deep and dark, remote and hauntingly beautiful. As recently as last week, President Nixon was urging, in his environmental message to Congress, that it become a national fresh water preserve to "preserve the wilderness and its inhabitants."

"But this week Congress learned to its dismay that there is no money in the President's budget for purchase and will not be for the next 18 months at least. With no definite spending timetable, Congress is not likely to approve a bill designating the 547,000 acres as a fresh water reserve and authorizing its purchase. Estimated cost already has risen from \$156 to \$170 million.

"The freeze on funding is part of the President's move to cut federal spending, which generally has received public support because it has shut down on some programs which obviously were wasteful and ineffective. But to delay the purchase of a publicly vital, irreplaceable watershed is another matter. In the long run money would be lost rather than saved. Should the project never be funded, the loss would be far greater than could ever be measured in dollars.

"The Big Cypress purchase remains a popular issue. Everybody appears to be for it except those among the 20,000 property owners who bought the swamp for speculation. The Big Cypress emergency points up, again, the need for long-range solutions to the now critical national problem of land use. We do not need this land for people. It should be left the way God made it, fit neither for dwelling nor for farming but vital to the total life cycle of man, as a place for fresh water to stand and to flow and to nurture the necessary environment for marine life.

"The Big Cypress crisis raises important questions on our national destiny. Must every scrap of land and water be converted into a salable commodity for the benefit of real estate speculators? Must we scrape every mountain, fill every stream, build on every sand dune and beach and drain every swamp?

"There still is plenty of high ground for people to live on. The only persons who would benefit from the development of the Big Cypress would be a comparative handful of land speculators. The rest of us would be all the poorer.

"The only solution is immediate purchase. No other would be sufficiently swift or sure. In time this state and nation are bound to develop sensible land use laws. But the Big Cypress can't wait for them. Only President Nixon and the Congress can save it, the President by guaranteeing the funds and Congress by authorizing the appropriation."

In closing, I would like to urge this Subcommittee to give this proposal careful consideration. To wait any longer is only to encourage land developers to invest more money in development, which consequently will inflate the cost of acquiring this land. An article appearing in the *Naples Daily News* quotes an officer of the East Collier County Land Owners' Improvement Committee as saying, "The good rock fill of this vast area will gross \$40,000 or more per acre, yielding a profit of \$15,000 or more per acre." If we hold off, the American taxpayers will have to pay for our delay.

STATEMENT OF HON. CHARLES E. BENNETT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

I very much appreciate this opportunity to testify on H.R. 46, a bill to authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida. I am a cosponsor of this important legislation along with every member of the Florida Delegation. I cosponsored identical legislation in the 93rd Congress and testified on it before this subcommittee on September 26, of last year.

The Big Cypress National Fresh Water Reserve in South Florida provides an excellent opportunity for the federal government to work with the State of Florida and with interested citizens in an effort to preserve an important natural resource and to help insure a healthy environment for the people of South Florida. The Big Cypress today provides 55% of the water that flows into the Everglades. The Jetport Advisory Board wrote in its report on the Everglades:

"As a source of fresh water and essential nutrient supply to the estuaries of the Everglades National Park and the Ten Thousand Islands, Big Cypress Watershed is the key to survival of the far-reaching recreational and commercial fishing enterprises that depend upon those estuaries."

The loss of the delicate natural balance would go still further. I again quote from the report by the Jetport Advisory Board:

"The Big Cypress Watershed serves as a natural water conservation area, recharging the aquifer from which rapidly growing neighboring communities will draw much of their fresh water. Deprived of such recharge, the aquifer would be vulnerable to damaging salt water intrusion."

In addition to the human needs which the Big Cypress Watershed satisfies, there are also many types of flora and fauna and animal communities which thrive in the Big Cypress. It is a highly complex, very fragile ecosystem kept in balance by a unique watershed flow, southward, down the almost imperceptible two inch per mile slope from Lake Okeechobee to the Gulf of Mexico.

Big Cypress serves as one of the last refuges for a number of endangered species, including the Florida panthers, the Everglades' mink and the southern bald eagle. There are stands of cypress trees, hardwood hammocks, forests of pine and various kinds of palm. In the United States, the Big Cypress is a unique area which must be preserved. It could be carelessly exploited by a few or preserved for all. But if the area were to be developed, the damage would spread to the Big Cypress trees and the eagles and to many citizens in the Southern area of our state.

I am informed that the Interior Department has agreed to provide funds for the acquisition of the Big Cypress in the FY75 budget. Governor Askew of Florida, has conferred with the President and is now asking cooperatively for state funds for acquisition. The Big Cypress National Fresh Water Reserve is well on its way to becoming a reality. I hope this committee will act quickly on the enabling legislation so that this matter can be brought before the House for approval at the earliest date possible.

STATEMENT OF HON. J. HERBERT BURKE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman, as a staunch and persistent advocate of legislation to authorize the acquisition of the Big Cypress National Fresh Water Reserve, I am most pleased to have the opportunity of once more speaking out in support of legislation I have sponsored providing for this.

With each passing year, open land along the eastern seaboard becomes more and more sparse. This is particularly true in the State of Florida. Natural beauty that once was regarded as a birth right of all citizens, must carefully be protected or it will vanish forever as the structures of civilization slowly change the face of the land, replacing trees and fields with homes and office buildings.

South Florida is one of the fastest growing areas in the United States, and this growth is the greatest single danger to the Big Cypress Swamp. If we do nothing in a short time there will be no Big Cypress Swamp to worry about.

On March 29th Governor Reubin Askew announced that he will ask the Florida Legislature to appropriate \$40 million as Florida's share of the total cost of acquiring Big Cypress Swamp. At the same time President Nixon agreed to release funds to acquire the swamp as soon as Congress authorizes it.

The Big Cypress watershed is of great importance to South Florida. All available hydrologic and biologic data indicates that serious and irreversible harm can easily be done to the watershed and the systems that depend on it, if we fail to act favorably on this legislation. Further, since the systems are dependent upon an undisturbed sheet flow of water from the Big Cypress include Everglades National Park, its highly productive estuarine areas, and the Ten Thousand Islands, we are also deciding the fate of these areas as well.

We must act now while the opportunity is at hand to assure that our children and grandchildren have the right to natural beauty of the Big Cypress, the

Everglades with all the exotic and unique flora and fauna found therein. To do less in the light of the knowledge we possess with regard to the value of this area would be equivalent to telling our children and grandchildren that we couldn't care less about the quality of life that will exist in the future.

STATEMENT OF HON. C. W. BILL YOUNG, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF FLORIDA

Mr. Chairman, I appreciate the opportunity to speak in behalf of H.R. 46, which I cosponsored with other members of the Florida delegation to establish the Big Cypress National Fresh Water Reserve in the southern part of our home state.

The Big Cypress is a vital natural resource that must be preserved not only for its rare beauty, vegetation and wildlife but also because it supplies the fresh water needed to preserve the Everglades National Park for our rapidly growing Gulf Coast communities.

President Nixon has repeatedly reaffirmed his support for this reserve, and legislation was submitted on February 6, 1972, to authorize the acquisition of Big Cypress. Both Houses of the 92nd Congress held hearings, but no legislation was enacted.

Stressing the importance the people of Florida have placed on safeguarding this area with its wide variety of subtropical flora and fauna, Florida's Governor Askew on March 30th offered \$40-million in state funds to help the federal government get started in establishing the 570,000-acre reserve.

This offer was contingent upon Congressional enactment of proposed legislation and the authorization of \$156-million to acquire privately owned property in Big Cypress.

Failure to enact this needed legislation would be a breach of faith with Florida, and could spell the inevitable destruction of the Everglades National Park, one of the most important and popular assets in our national park system.

The eastern half of the Everglades has been threatened by loss of its water supply by a flood control project on its borders and as a result of urban expansion westward from Miami.

The western part of the park depends on Big Cypress for its surface water inflow, and with an estimated 21,000 individual ownerships in Big Cypress, the area is threatened by potential development.

The watershed also is critical as the source of domestic supplies of fresh water to Florida's southwest coastal cities. In addition, creation of the preserve will save the ancestral home of the Miccosukee and Seminole tribes of Indians who have inhabited the region for centuries.

H.R. 46 permits hunting, fishing and trapping in Big Cypress subject to state and federal regulations, and under certain conditions private owners can retain use and occupancy of improved properties in the preserve for 25 years of life.

Encompassing about 912 square miles, Big Cypress is by far the largest unit proposed by President Nixon for addition to the National Park System—and certainly one of the most important.

STATEMENT OF HON. LOU FREY, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF FLORIDA

Mister Chairman, I urge this subcommittee to take favorable and immediate action on legislation creating the Big Cypress National Fresh Water Reserve in the State of Florida.

In this day of population encroachment on recreational lands, this day of pollution and decreasing water reserves, it is heartening to find a piece of legislation which promises to establish a sanctuary for flora and fauna while taking a big step toward protecting our diminishing water reserves.

As members of this Subcommittee are well aware, the Big Cypress area is a watershed which provides needed water not only for the Everglades National Park but for mankind.

The uniqueness of the Big Cypress is recognized by ecologists, hydrologists, environmentalists and I trust, by Members of Congress.

It is worth noting that this wild but delicate area in south Florida is the only area mentioned by the President in his State of the Union address dealing with the environment on February 15.

The President reiterated the administration's commitment to acquire the land and the people of Florida support that commitment.

I believe the Congress should now show its willingness to save Big Cypress for future generations.

We must not allow this area to be destroyed by residential and commercial builders, but must act with urgency to pass legislation which will enable the area to be acquired and preserved.

STATEMENT OF HON. BILL GUNTER, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF FLORIDA

I appreciate having this opportunity to express my complete support for H.R. 46, which provides for the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida.

This was the first legislative proposal I cosponsored as a freshman Congressman because the need for positive action on this matter is very important to the State of Florida. We in Florida over the past few years have recognized the need for preserving the beautiful natural resources that make Florida so attractive to the thousands of people who move and travel there every year. Many of our citizens successfully fought exploitation of the Everglades and careless offshore drilling of the beautiful Florida coast. With the rapid expansion of Florida's population, there is an urgent need to protect our environment from continued dredging and exploitation by unwitting or unscrupulous developers.

The Big Cypress Acquisition is by no means an isolated move by a few Florida Congressmen. Rather it is another step by those of us who represent the people of Florida—and the people have given us the message they want expressed in Washington. That message is "save our state and its natural beauty." I implore this committee to heed this message.

As you know, this area is ecologically interlocked with the Florida Everglades. I believe we must act quickly to acquire this land and recognize that acquisition is the only answer. Already the owners are putting in extra roads daily to claim property improvement, thus raising the price the government will have to pay.

It is clear that we cannot accomplish what we desire through a land use policy while leaving the land in the hands of private owners. The control needed to preserve the area would keep the owners of the land from exercising their natural incidents of ownership and result in either disregard for the policy or for all practical purposes depriving the owners of their land without compensation.

The final point reflecting the commitment of Floridians to this project is the fact that the state has already agreed to provide \$40,000,000 toward the acquisition of the Big Cypress. This is an unprecedented move, and I urge the Committee to act quickly to reinforce the commitment of the State of Florida. I urge the speedy passage of H.R. 46.

Mr. TAYLOR. In addition, we have a statement from Senator Lawton Chiles. In the absence of objection, it will be included in the record at this place.

[The statement follows:]

STATEMENT OF HON. LAWTON CHILES, A U.S. SENATOR FROM THE STATE OF FLORIDA

Mr. Chairman, in 1971 I studied various alternatives to protect the beautiful and vital Big Cypress area of Florida. I came to the conclusion that direct acquisition was the most straightforward, fair approach and the most complete way of protecting this key link to the survival of Everglades National Park. On February 6, 1973 I reintroduced, along with Senator Jackson, an acquisition bill.

Mr. Chairman, the Big Cypress is worth protecting in itself. Its role in supplying over one-half of the flow of ground water into western portions of the park makes the Big Cypress an absolute link in the park's future. Direct acquisition seems the best way and, in fact, the only right way to protect the rights of owners in the area. There are, as you know, some people who actually live in the proposed acquisition area. These people, many of whom have sold their homes in the city and moved into a permanent residence in the Big Cypress, deserve to be protected. There may be, in addition, a small handful of commercial establishments in the area which I feel should also retain some rights also subject to proper regulation by the Secretary. And there are a few sportsmen who

have longstanding camps who could be included. These sportsmen agree that no further changes should be made in Big Cypress and I want to see the area remain in its present state. In fact, most agree it is not the existing uses of this area that are the problem. The real danger lies in any proposed new uses.

There is language in the bill along the lines of giving a term in years or a life estate in these holdings for the owner, his wife, or children as long as the property is being utilized in a consistent way according to the Secretary's rules and the fair market value for his holdings less the rights he retains. It goes without saying that the owner of property has a right to just compensation for his property and if he cannot agree on this compensation, he would be entitled to a jury trial in a Federal district court.

The State of Florida wants to make its contribution to the protection of the area through possible future management of the acquired lands and possibly sharing a part of the acquisition costs. In fact, the Governor has asked the State Legislature, which is now in session, to make funds available in the amount of \$40 million as the State's contribution to the project, to be used to purchase land adjacent to the Interstate highway which runs through the Big Cypress. The land thus purchased would be an "expanded" right-of-way and would provide protection against commercial development. By offering a major portion of its own resources to assist the Federal Government, the State of Florida is certainly making a very positive effort to show its good faith and desire to see that the area is adequately protected.

The Big Cypress watershed can remain a viable natural resource or it can be carelessly exploited for the immediate gain of a few—which will result in an enduring disaster to many.

As an entity in itself, considered apart from its surroundings, Big Cypress watershed is a distinctive community of highly diverse plant and animal life. As a source of fresh water and essential nutrient supply to the estuaries of Everglades National Park and the Ten Thousand Islands, Big Cypress Watershed is the key to survival of the far-reaching recreational and commercial fishing and shrimping enterprises that depend upon those estuaries. In fact, the entire food-chain relationship that supports a major segment of Everglades National Park's plant and animal communities depends on maintaining the continuing flow of Big Cypress water.

And yet the Big Cypress is jeopardized by the pressure for progress based on sometimes well-intended, but too often ill-planned development. Inevitably the destiny of the Big Cypress is closely interwoven with the enormous and widespread array of living and inanimate things. Within its boundaries, its natural assets can provide an unending procession of rewarding human experiences and great scientific benefit. But the fate of this watershed hangs in precarious balance. In its unusual diversity and wealth of its natural resources, in the far-reaching effects of the uses to which it is put by man, and in its profound vulnerability to unwise uses, the Big Cypress has the potential for becoming a textbook or classic example of ecological ruin.

I strongly feel we must not allow this area to become an ecological ruin. Direct acquisition will again put this Congress on record as dedicated to the protection of our environment. Purchase of this area is necessary before man has inflicted permanent damage.

Mr. TAYLOR. Governor Askew of Florida, as has been stated, could not be here today. We have a governmental assistant who will present the Governor's statement. Mr. Jay Landers.

STATEMENT OF GOV. REUBIN ASKEW, OF FLORIDA, PRESENTED BY JAY LANDERS, GOVERNMENTAL ASSISTANT

Mr. LANDERS. Thank you, Mr. Chairman, members of the committee. I am Jay Landers, representing Governor Askew. The Governor wanted and intended to be here today, and yesterday afternoon decided that pressing needs with the Florida Legislature dictated that he remain in Tallahassee.

In Florida our legislature meets for 2 months during the year, and usually the legislature does most of its work in the last 2 or 3 weeks; and a number of very important programs that the Gov-

ernor is supporting this year, crucial votes this week; and he just felt it was absolutely necessary for him to stay in Tallahassee.

I would like to deliver the Governor's statement on his behalf.

Mr. TAYLOR. Absent objection, a copy of the Governor's statement will be placed in the record at this point, and the witness may proceed. [The prepared statement of Gov. Reubin Askew follows:]

STATEMENT OF HON. REUBIN ASKEW, GOVERNOR, STATE OF FLORIDA

Mr. Chairman, Members of the Committee, I am Jay Landers representing Governor Askew. The Governor wanted and intended to be here today, but yesterday afternoon he decided that pressing needs with the Florida Legislature dictated that he remain in Tallahassee. I would like to present the Governor's statement on his behalf:

More than a year ago, I testified before the Senate Subcommittee on Parks and Recreation.

I urged the Congress at that time to help us conserve a part of Florida and a part of America which is unique and beautiful and rare.

"Time," I said, "and the pressures for development are running against the saving of the Big Cypress."

That was more than a year ago. Today I find myself once again urging Congressional approval of legislation to save what must be regarded as a monument to life itself. Once again I feel compelled to speak on behalf of the Big Cypress Watershed of South Florida.

As you know, the saving of this precious area from the forces of development has now become a national environmental issue, and for good reason.

This area is essential to the continued viability of the Everglades National Park; essential to the health of adjacent estuarine areas that support abundant sport and commercial fishing; essential as a future fresh water supply for Southwest Florida; essential as a recreation area; and essential as a unique ecosystem that deserves protection in its own right.

The basic question before us today should not be whether to save the Big Cypress . . . but rather how to save it. Many alternatives have been considered by all the levels of government, as well as by private citizens and conservation groups. The consensus, from the President on down, is that public acquisition is necessary to properly protect the area while treating landowners fairly.

The mere obtaining of easements would be insufficient. Easements, to be effective, would have to prohibit further construction, ditching, draining and timbercutting; restrict access, and possibly restrict mining and oil and gas prospecting and production.

Such easements would cost almost as much as outright purchase, yet the public would not be able to use the land.

Accordingly, I believe acquisition, subject to the continued use and occupancy rights set forth in the bill, would be preferable to easements.

The Department of the Interior has estimated the cost of acquisition at \$156 million.

I recognize the problem this creates for you in establishing the Nation's fiscal priorities. But I hope, in reaching your decision, you will understand that Florida's commitment to this cause is not merely rhetorical.

We mean business.

Our Attorney General has filed law suits to prevent drainage in the Gum Slough area.

We have reached agreement with the GAC Corporation on acquisition of areas within the Fakahatchee Strand. Oil drilling in the Big Cypress Watershed has been stringently regulated through an advisory committee of scientists, conservationists, and petroleum experts. Collier County, in which most of the Big Cypress acquisition area lies, has placed a moratorium on building after declaration by the Federal Government or State Government that it is going to purchase such land.

And, our State Division of Planning is working on the designation of the Watershed as an area of critical state concern.

These efforts have helped to slow and delay the assault on the Big Cypress.

But, they have not, will not, indeed they cannot, stop that assault.

Air strips, motels, travel trailer parks, and rock mines continue to invade the area, and land developers continue to carve up the Big Cypress and sell land at an alarming rate.

Right now, within a few miles of Ochopee on the Tamiami Trail, 1¼ acre lots are selling for \$2500.

Land is a limited commodity and more and more people are conscious of this. As America becomes more affluent, there is a greater demand by urban citizens for second homes. The Big Cypress is feeling this demand and everyday we delay, more destruction occurs, and the land prices increase.

I was therefore disappointed to learn that President Nixon, although a strong supporter of acquisition of the Big Cypress, would not request any funds for it from the Land and Water Conservation Fund until fiscal year 1975.

I understand the President's budget problems but it is hard for me to fathom why he would not allocate money from this trust fund with its guaranteed sources of revenue. Nevertheless, that is the President's decision and apparently we must live with it unless the Congress overrides him.

My office has had extensive negotiations with the Nixon Administration, however, and we agreed that should the State make \$40 million available to begin the initial acquisition of the Big Cypress, the Federal Government would assume the remaining cost and complete the project.

And so, I come before you today to say that I am doing everything within my power to guarantee that \$40 million of state money will be made available to begin acquiring the Big Cypress Watershed immediately.

Authorization to spend this money can be granted either by the State Legislature or the State Cabinet. There is very strong support for this measure in both of these bodies and I am most confident that the money will be made available.

This amount is by far the most the State has ever spent on any single acquisition and it is not too far from the total the State has spent in its history for acquiring lands for recreation and parks. I would be most surprised if any other state has ever made this kind of offer to the Federal Government. Because we offer this money, it is imperative, even if federal funding is not available this year, that a bill authorizing acquisition be passed. Once this is accomplished, then the federal powers of eminent domain can be used to acquire this land. The State of Florida does not have this power. A bill to grant such powers is in the State Legislature but its future is uncertain.

I would like to emphasize that by far the main reason for preserving the Big Cypress is protection of Everglades National Park. The sheetflow of water which drains southerly into the western part of the Park is essential to maintaining that natural system. Disruption of such systems is amply demonstrated by the Faka Union Canal, built a number of years ago by a large Florida development company. This canal has drained billions of gallons of fresh water from the western Big Cypress into the estuary and causes lower water tables and damages those estuarine resources.

We cannot afford that kind of development and drainage in the heart of the Big Cypress. It would be disastrous if not fatal to Everglades National Park and the coastal fisheries.

One point that has been little emphasized and probably never well understood is that the Big Cypress and Everglades National Park is all one ecosystem which should have been acquired and protected at the same time. It was not and now it is apparent that part of Everglades National Park will die if the Big Cypress is not protected. Both of these interdependent areas can and must be saved.

Back in the Thirties and Forties, the State of Florida took the initiative to preserve the everglades. It contributed \$2 million and over 850,000 acres of land and water toward establishing the Park. This has been an investment for all Americans and has been enjoyed by visitors from all other the country. Last year there were 1.3 million visitors to Everglades National Park. Park officials estimate that during the winter months, 70 to 80 percent of the visitors were from out-of-state and during the summer months, 60 to 70 percent were from out-of-state. Everglades National Park is truly a national park.

So just as decades ago the State of Florida took the initiative to protect the vast everglades, we now want to finish that job to ensure that this great South Florida ecosystem is preserved once and for all. Everglades National Park and the Big Cypress are an investment for all Americans. We believe we are doing our part and we ask your help.

Mr. LANDERS. You have the Governor's statement. What I will try to do is try to go through it without reading it verbatim, but hit on what we believe will be the most important parts of it.

The Governor has appeared in Washington once before to testify on this legislation, and he intended to come today. Members of his staff had testified in Florida, in Fort Myers and Miami, regarding this legislation.

You have heard today many reasons why this legislation is necessary, and I will not go into those other than to say that from all of those that have studied this situation and who have become knowledgeable, have agreed that acquisition is the necessary means of protecting this area. And this consensus has been reached from the President on down.

We believe that acquiring partial interest in land or easements would not be sufficient to properly protect the area; that they would cost almost as much as acquiring the fee interest. And in that instance, the public would not be able to use the land.

The Governor recognizes that the cost involved in this is a large cost, and he also recognizes that the problem this creates for you in establishing the Nation's fiscal priorities. But he did want you to know that Florida's commitment to this is just not rhetorical, and that Florida has done a great number of things to try to protect this area.

Within the Gum Slough area that was mentioned earlier, the Attorney General has filed lawsuits to prevent this drainage. Within the Fakahatchee Strand, which is not in the proposed acquisition area but is an important part of the Big Cypress, the State has an agreement with a large development corporation to acquire key areas within the Fakahatchee. Oil drilling within this area has continued, but has been stringently regulated through an advisory committee of scientists, conservationists, petroleum experts.

Collier County—the gentleman from Collier County will speak to it later today—this is the area in which most of the Big Cypress acquisition area lies—has placed a moratorium on zoning changes in the area, and has placed a moratorium on building after declaration by the Federal Government or the State government that it is going to purchase the land.

And also, our State division of planning is working on the designation of this area as an area of critical State concern.

Last year in the Florida Legislature, Florida passed what is acknowledged by many people around the country as the best package of State environmental legislation around the country—a number of very important, very fine acts in dealing with land use and planning, and water use also. We have an oil spill act that was just recently upheld by the U.S. Supreme Court; and this is probably the most stringent State act in the country.

So Florida has taken the initiative in every way possible to try to protect its environment, and in particular, the Big Cypress; and these efforts have helped to delay the assault on the Big Cypress, but they have not and they cannot stop the assault. Development does continue in the Big Cypress.

Last Saturday I spent the entire day down in the Big Cypress, and I was talking with a gentleman who was selling land down there. He was selling 1¼-acre lots for about \$2,500 apiece. And I asked him if

the land sales had picked up recently, and he said yes, in the last 6 months there had been—they had noticed a much greater demand for acquiring land in the area. And this was a gentleman who was selling land.

Mr. TAYLOR. Let me add just a note there. Our experience has invariably been that when we create a park—when people know a park will be there—that is what happens. Farm property will be cut up into small tracts and sold off in lots. Some sales are genuine; some are, perhaps, fictitious; but they tend to create some evidence of values to be used in court.

Mr. LANDERS. Well, this is happening very rapidly within this area now.

Mr. TAYLOR. That is the reason that the paying process should not drag or lag too far behind the authorizing process.

Mr. LANDERS. Yes, sir.

President Nixon has supported acquisition of Big Cypress, but as you mentioned a number of times this morning, is not going to request any funds for acquisition until fiscal year 1975. The Governor agrees with your position. He finds it difficult to understand why the President is doing this, having supported acquisition; and the fact that this is a trust fund would be a guaranteed source of revenue. But nevertheless, this is the President's decision, and apparently we must live with it unless Congress overrides him.

Because of this the Governor entered into extensive negotiations with the Nixon administration, and has agreed that should the State make \$40 million available to begin initial acquisition of Big Cypress, that the Federal Government would then assume the remaining cost and complete the project.

Mr. TAYLOR. Let me just throw in a word here. I have read your statement, and I had noticed that particular comment. Now, if the Nixon administration can enter into such an agreement, it would appear that you do not need an act of Congress.

[General laughter.]

Mr. LANDERS. Well, I noticed that in the statement, and I agree that should be changed.

So the Governor is doing everything within his power to make this \$40 million available.

Now, there is a bill in the Florida legislature right now that does a number of things in protecting the Big Cypress and also has within it the authorization to spend \$40 million of State money for acquiring the Big Cypress. Now, this can be done, either through an appropriation from the State legislature or through our State bonding program.

Last year the people of Florida voted by a 70 percent majority to allow \$240 million of State bonds to be spent to acquire land; so this money could either come out of bonds, or it could come from State appropriations from general revenue.

The \$40 million is by far the most the State has ever spent on any single acquisition. It is not too far from the total, the entire total, the State has spent in its history in acquiring lands for recreational parks. I think that total is about \$48 million, so \$40 million that the State is offering is a very significant sum for the State. And to our knowledge, no other State has ever made any offer that comes anywhere close to this.

But because we offer this money, we feel that Federal funding, even if it is not available this year, that a bill authorizing acquisition should be passed this year; and that once this is accomplished, the Federal powers of eminent domain can be used to acquire this land.

Right now these powers do not exist in the State of Florida. There is legislation to this effect in the State legislature, and we are hopeful that it will be passed; but its future right now is uncertain.

The Governor wanted to emphasize that the main reason for preserving the Big Cypress is the protection of the Everglades National Park. The sheetflow of water that goes into the western part of the park is necessary to maintain that national system. There is a large canal that was built to the west of this area a number of years ago by a large development company, by the Faka Union Co. It has drained billions of gallons of freshwater into the estuary areas and resulted in damage to the estuary areas, and caused lower water tables in the area. This is the type of thing we cannot afford to have happen within the Big Cypress.

One point that Congressman Fascell made, which is extremely important and one which probably has not been emphasized enough, is that the Big Cypress and Everglades National Park is all one ecosystem and should have been acquired all at the same time. It has not been, and the development within the area has been minimal in the last number of years, but has stepped up significantly in the past few years.

And something like a jetport comes along that really focuses attention on it and really points out the need, and shows the dependency of these two areas upon each other. So now we are coming back to the Federal Government and saying that we need to get the rest of this ecosystem and protect it.

But back in the thirties and forties, Florida, along with the Federal Government, took the initiative to preserve the Everglades and contributed \$2 million, as well as over 850,000 acres of land and water toward establishing a park. The park had last year over a million visitors, and a majority of those visitors were from out of State. So the park is truly a national park. It serves citizens from all over the United States, rather than just in the State of Florida.

So just as a decade ago the State of Florida took the initiative to protect the Everglades, we now want to finish that job to insure that this great south Florida ecosystem is preserved once and for all.

The Everglades National Park and Big Cypress are an investment for all Americans. We believe we are doing our part, and we ask your help.

Mr. TAYLOR. We thank you for a good statement, and I want to commend the State of Florida for its willingness to cooperate with the Federal Government to help solve this important problem.

The State of Florida has shown that attitude before. The Everglades National Park was donated by the State and interested citizens to the Federal Government. That is the primary reason you have this park today.

I am proud of the fact that my home State of North Carolina donated the first national seashore, Cape Hatteras, to the Federal Government. And the States of North Carolina and Tennessee donated the Great Smoky Mountains National Parklands to the Federal Government. I think this is a healthy, active operation.

Now, I am going to ask you, is the \$40 million commitment firm? In the prepared statement the Governor says, "I am most confident that the money will be made available." Can we depend on having that \$40 million available?

Mr. LANDERS. Well, as Congressman Fascell said earlier, you cannot guarantee anything. But there is a great deal of support in the State of Florida for this.

The Governor and cabinet sitting as an executive board and the department of natural resources in the State of Florida is the body that makes the decision on how the State bonds will be spent. They have gone on record twice endorsing acquisition of the Big Cypress; so if we go the bond route, it appears almost certain that they would go \$40 million for this.

In the legislature, there is great support in the legislature, and the house subcommittee met yesterday on the Big Cypress bill and passed it unanimously. This was a bill that authorizes the \$40 million expenditure of State funds. So everything so far—there has been a unanimous expression of support among State leaders for this.

Mr. TAYLOR. All right. Now, if you use bond money, action of the legislature will not be necessary.

Mr. LANDERS. That is correct, because the legislature authorized the referendum, and the people voted it by 70 percent.

Mr. TAYLOR. The State cabinet could approve it, and the Governor could act with that approval.

Mr. LANDERS. That is correct. So we have two possible sources of revenue. The Governor would prefer that the \$40 million come from the general revenue, because in the surplus of the State there is a several hundred dollar surplus in State funds, and the Governor would prefer that it come from this.

Mr. TAYLOR. Are there any conditions presently imposed by the Government concerning this commitment?

Mr. LANDERS. No, sir. There are not.

Mr. TAYLOR. You would not have objection, then, if we placed the provision in the bill stating that the act would become effective when the State makes its money available?

Mr. LANDERS. No, sir.

Mr. TAYLOR. I think that would help move it through Congress.

Mr. LANDERS. That is fine. If you think that would help, we have no objection to that; because Florida is committed to doing this.

Mr. TAYLOR. Any other questions?

Mr. SKUBITZ. Was it the Nixon administration that agreed that you were to put in \$40 million? Suppose the Congress were to put up \$60 million? Do you think that you would get that amount enacted?

Mr. LANDERS. I think so.

Mr. TAYLOR. Thank you very much, sir.

Mr. LANDERS. Thank you, sir.

Mr. TAYLOR. You represented the Governor well.

Mr. LANDERS. Thank you, sir.

[EDITOR'S NOTE.—Subsequent to the completion of the hearings, the Governor addressed the following letter and enclosure to Representative James Haley, chairman of the committee.]

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 29, 1973.

HON. ROY A. TAYLOR,
*Chairman, Subcommittee on National Parks and Recreation,
Washington, D.C.*

DEAR ROY: I am attaching a copy of a letter I have received from Governor Askew setting out the actions which the State of Florida has taken to protect and preserve the Big Cypress Area. Also enclosed is a copy of the Big Cypress Conservation Act and a copy of the resolution adopted by the Governor and his Cabinet sitting as the Administration Commission, the Department of Natural Resources.

It seems to me that these actions by the State are strong indications of the State's determination to protect this area. It is my hope that, with the show of good faith on the part of the State, we might be able to move the legislation before our Committee.

Sincerely,

JAMES A. HALEY, *Chairman.*

STATE OF FLORIDA,
June 28, 1973.

HON. JAMES H. HALEY, M.C.,
*U.S. House of Representatives,
Washington, D.C.*

DEAR JIM: The Big Cypress Conservation Act of 1973 was passed by the Florida Legislature and I signed it into law on June 7. A copy of the Act, which takes effect July 1, 1973, is enclosed.

This new legislation accomplishes two major purposes toward the protection and preservation of the Big Cypress area. First, it designates the Big Cypress as an "area of critical state concern," which will permit certain regulatory measures to be imposed on privately-owned lands pursuant to the 1972 Florida Environmental Land and Water Management Act. Second, it authorizes the State to initiate a substantial land acquisition program in the Big Cypress area and requires that \$40 million from available funds be set aside for this purpose. The strength of the Legislature's commitment to preserve the Big Cypress is evidenced by the fact that for the first time it has authorized the use of eminent domain power for a land acquisition project of this type.

Both the Florida Department of Administration and the Florida Department of Natural Resources—which have jurisdiction in the regulatory and the land acquisition efforts, respectively—are carrying out their responsibilities as expeditiously as possible. The Act provides that definitive boundaries and proposed regulations for the Big Cypress area be submitted by mid-December; we anticipate no problem in meeting this target date. Concurrently, a special task force will be established with funds earmarked by the Act to undertake the \$40 million land acquisition program.

A court hearing has been set for July 6 on the validation of Florida's environmental conservation and outdoor recreation bond issue. If the outcome is favorable, as expected, we should be able to offer the first bonds for sale in August. Should the validation of the bonds be delayed, the Legislature in its appropriations bill has provided for \$10 million from the State Highway Trust Fund to be available on July 2 to begin acquisition of Big Cypress lands. This \$10 million is to be paid back to the Highway Trust Fund from the environmental bond issue approved overwhelmingly by the voters of Florida last November. Also, the Department of the Interior has indicated before your committee that it will endeavor to use its advance contract authority in fiscal year 1974 should federal legislation authorizing acquisition be passed. If all goes as planned, we should have the land acquisition program well underway by the end of 1973.

Other indications of the State's strong concern about this area include litigation to prevent drainage in the Gum Slough area of the Big Cypress, an agreement with GAC Corporation for acquisition of the Fakahatchee Strand, and passage by the Governor and Cabinet of a resolution supporting acquisition of the Big Cypress. A copy of the resolution is enclosed.

It should be obvious from my comments that the State of Florida is firmly and substantially committed to the lasting protection of the environmentally crucial Big Cypress Watershed. Our commitment in this extensive venture is without precedent in the long history of cooperative State-Federal natural

resource projects. We are now looking to the Federal Government to assume its proper share of the responsibility for protecting this vital watershed which is essential to preserving Everglades National Park.

Florida is fortunate and proud to have you in a position of environmental leadership in the United States Congress. With your chairmanship of the House Interior and Insular Affairs Committee and with support from the rest of our Florida Congressional delegation, I am confident that authorizing legislation for the federal Big Cypress project will come soon. I pledge the continuing assistance and cooperation of the State of Florida and trust you will call whenever I might help.

With kindest personal regards,
Sincerely,

REUBIN ASKEW, *Governor.*

Enclosure.

RESOLUTION

Whereas, education is the single most responsibility of state government, and Whereas, the ultimate solution to the ecological crisis must begin and be nurtured in the schools of Florida and the United States, and

Whereas, the Big Cypress Watershed offers the potential of becoming Florida's, and the nation's, largest and most meaningful living laboratory for school children and adults, and

Whereas, the Big Cypress Watershed is a complex aquatic ecosystem that supports a subtropical biota unique in the United States, including endangered species, and

Whereas, the Big Cypress Watershed is a vital and critical key to the survival of the Everglades National Park by providing fifty-six percent of the surface water which enters the life systems of the park from outside its boundaries, and

Whereas, the Big Cypress Watershed in its natural state could be the key to effective water management for the growing southwest Florida coastal communities, as the vast holdings of the Central and Southern Florida Flood Control District now serve the southeast coast, and

Whereas, the Big Cypress Watershed provides water of a quality and quantity that is of crucial importance to the estuarine dependent commercial and sport fisheries of southwest Florida, and

Whereas, the Big Cypress is the ancestral home of the Miccosukee and the Seminole tribes whose lives and culture are bound up in the natural history of the area, and

Whereas, this same natural environment provides latent and unmatched recreational opportunities within a reasonable drive of most population centers of south and central Florida, and

Whereas, the Big Cypress Watershed can remain a viable natural resource or it can be carelessly exploited for the immediate gain of the few—to the enduring disaster of us all, and

Whereas, the Everglades, the other principal watershed of South Florida stands today as the classic example of short term vis-a-vis long term cost with its peat fires, water quality deterioration and Kissimmee River restoration plans. Now, therefore be it

Resolved, That the Big Cypress Watershed shall not fall victim to the disarticulation that has been the fate of its sister system.

That the failure of the federal administration to meet its commitment to the Big Cypress be not the end of this great educational, aquatic, aesthetic and recreational resource of Florida and of the nation,

That the Governor and Cabinet of this great state, sitting as the Administration Commission, the Department of Natural Resources, and the Trustees of the Internal Improvement Trust Fund, do find that the Big Cypress Watershed is an area of crucial state concern and respectfully request the President of the United States to reconsider the decision to delay the acquisition of this vital biological, educational, cultural, and environmental area.

We further respectfully request all members of the Florida congressional delegation to fully support every effort to obtain and protect the Big Cypress Watershed.

We finally respectfully request the 1973 session of the Florida Legislature to enact such laws as is deemed proper to save this crucial area of essential environmental habitat for the future generations of Floridians for all time.

DATED this 7th day of March, 1973.

REUBIN O'D. ASKEW
Governor.

RICHARD (Dick) STONE
Secretary of State.

ROBERT L. SHEVIN
Attorney General.

FRED O. DICKINSON, Jr.
Comptroller.

THOMAS D. O'MALLEY
Treasurer.

FLOYD T. CHRISTIAN
Commissioner of Education.

DOYLE CONNER
Commissioner of Agriculture.

ENGROSSED

A bill to be entitled "An act relating to the Big Cypress Area" including the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, and the land and water areas contiguous thereto; creating section 380.055 Florida Statutes, designating the Big Cypress Area as an area of critical state concern; providing that the Big Cypress Area is exempt from specified provisions of the Florida Environmental Land and Water Management Act of 1972; providing definitions; providing procedures; authorizing the acquisition of land and water areas within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, with forty million dollars in state funds; authorizing the donation and conveyance of title in areas so acquired together with unencumbered funds remaining from the forty million dollars set aside for acquisition to the federal government, contingent upon action by Congress; providing definitions; providing for the exercise of the power of eminent domain within the Big Cypress Area; providing an appropriation for the department of natural resources; providing for presentation of Indian rights; providing severability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida :

SECTION 1. Short title.—This act shall be known and may be cited as "The Big Cypress Conservation Act of 1973."

Sec. 2. Section 380.055, Florida Statutes, is created to read :

380.055 Big Cypress Area.—

(1) It is the intent of the legislature to conserve and protect the natural resources and scenic beauty of the Big Cypress Area of Florida. It is the finding of the legislature that the Big Cypress Area is an area containing and having a significant impact upon environmental and natural resources of regional and statewide importance, and that designation of the area as an area of critical state concern is desirable and necessary to accomplish the purposes of "The Florida Environmental Land and Water Management Act of 1972," and to implement Section 7 of Article II of the state constitution.

(2) The Big Cypress Area, defined as provided in this subsection, is hereby designated as an area of critical state concern.

(a) The term "Big Cypress Area" means the area generally depicted on the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida," numbered BC-91,001 and dated November 1971, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior, Washington, D.C., and in the office of the trustees of the internal improvement trust fund, Tallahassee, which is the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, together with such contiguous land and water areas as are ecologically linked with the Everglades National Park, certain of the estuarine fisheries of south Florida, or the fresh water aquifer of south Florida, whose definitive boundaries shall be set in the following manner: Within one hundred twenty days following the effective date of this act, the state land planning agency shall recommend definitive boundaries for the Big Cypress Area to the administration commission, after giving notice to all local governments and regional planning agencies which include within their boundaries any part of the area proposed to be included in

the Big Cypress Area and holding such hearings as the state land planning agency deems appropriate. Within forty-five days following receipt of the recommended boundaries, the administration commission shall adopt, modify or reject the recommendation and shall by rule establish the boundaries of the area defined as the Big Cypress Area.

(b) The provisions of subsections (5), (6), (7), (8), (10), (11), (12), (14), and (17) of section 380.05 and subsection (9) of section 380.09, Florida Statutes, shall not apply to the Big Cypress Area. All other provisions of this chapter shall apply to the Big Cypress Area. Any provision of this chapter to the contrary notwithstanding, the state land planning agency has the exclusive right, and its duty shall be, to submit recommended land development regulations applicable to the Big Cypress Area to the administration commission concurrent with the boundaries recommended pursuant to paragraph (a) of this subsection. The administration commission shall either reject the recommendation as tendered or adopt the same by rule with or without modification. The commission shall specify the extent to which regulations adopted pursuant to this act supersede local land development regulations.

SEC. 3. Acquisition of Big Cypress National Fresh Water Reserve.—

(1) It is the intent of the legislature to provide the means to accomplish an agreement between the state of Florida and the government of the United States, whereby the state will contribute towards the cost of a program of acquisition of land and water areas and related rights and interests within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida. It is the intent of the legislature that the governor and the cabinet begin immediately an acquisition program within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, on behalf of the state pending action by the government of the United States in the Big Cypress area.

(2) The governor and cabinet shall set aside from the proceeds of the full faith and credit bonds authorized by the "Land Conservation Act of 1972," or from other funds authorized, appropriated or allocated for the acquisition of environmentally endangered lands, or from both sources, forty million dollars for acquisition of the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, or portions thereof.

(3) The governor and the cabinet are empowered to acquire land and water areas within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, in order to conserve and protect the natural resources and scenic beauty therein and, subject to enactment by Congress of authorization and appropriation necessary to acquire with federal funds the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, to donate and convey title in land and water areas so acquired or currently owned by the state to the government of the United States or its agency together with any unencumbered funds remaining from the forty million dollars set aside for acquisition of the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, pursuant to this act. In making such acquisitions, the governor and the cabinet shall give priority to those land and water areas within the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida, which are essential to the integrity of the environment, the destruction of which would cause irreparable damage to the Everglades National Park, the estuarine fisheries of south Florida, or the underlying fresh water aquifer.

(4) There is hereby appropriated from the general revenues of the state the sum of ninety-four thousand dollars to the department of natural resources for necessary and incidental expenses related to the planning, negotiation and execution of a land acquisition program for the conservation and protection of the area proposed as the Federal Big Cypress National Fresh Water Reserve, Florida.

(5) It is the finding of the legislature that the Big Cypress Area, as a water storage and recharge area, is an integral part of the water resources of any water management district of which the Big Cypress Area is or may be a part. It is the legislative intent that there be close cooperation and coordination of efforts between the water management district and the department of natural resources in carrying out the intents and purposes of this act. The governor and cabinet as head of the department of natural resources are authorized to delegate to the water management district, or to a board therein, any power authorized in this act to be exercised by the department, and the district or basin is authorized to accept the powers delegated to it and shall have the power and duty to carry out the intents and purposes of this act to the fullest extent possible within its capabilities and its resources.

SEC. 4. Eminent domain within Big Cypress Area.—The governor and the cabinet as the head of the department of natural resources are empowered and authorized to acquire by the exercise of the power of eminent domain any land or water areas, related resources and property, and any and all rights, title and interest in such land or water areas, related resources and other property, lying within the boundaries of the Big Cypress Area. The legislature finds that the exercise of the power of eminent domain within the Big Cypress Area to accomplish the purposes of this act is necessary and for a public purpose.

SEC. 5. Indian rights.—Notwithstanding any provision of this act to the contrary, members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida may continue their usual and customary use and occupancy of lands and waters within the Big Cypress Area, including hunting, fishing and trapping on a subsistence basis and traditional tribal ceremonies. Nothing in this act shall be construed to deny or impair, or authorize the denial or impairment, of any rights granted by or pursuant to Chapter 285, Florida Statutes, relative to Indian Reservation and Affairs and the lands of the Seminole Tribe of Florida and of the Miccosukee Tribe of Indians of Florida as described in Section 285.061 (1), Florida Statutes, shall be excluded from the Big Cypress Area as defined in this act.

SEC. 6. Severability.—If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions of this act which are declared severable.

SEC. 7. This act shall take effect July 1, 1973.

MR. TAYLOR. I want to call Mr. Harmon Turner, county manager of Collier County, in order that he may present a resolution adopted by the board of commissioners.

STATEMENT OF HARMON TURNER, COUNTY MANAGER, COLLIER COUNTY, FLA.

MR. TURNER. Mr. Chairman, members of the committee, I am Harmon Turner, county manager for Collier County. I have appeared before several of these hearings, and we have left statements at those hearings which we feel give some of the information regarding the Big Cypress—it is called Big Cypress—and regarding the amount of water off the Big Cypress that goes into the Everglades National Park; regarding the amount of the Everglades National Park that is affected by this water; and several other things that we feel are of interest.

And I would be glad to give the secretary a copy of that so you would have it in your record.

I am here today for the purpose of representing the board of county commissioners; and I am reading a resolution that they prepared for a public hearing that was held in Naples by the State of Florida. This resolution was written for that hearing.

I might point out that even though we have attended several meetings, and even though almost all of this property that is talked about is in Collier County, we have never had a meeting in Collier County except with the State. We have never been given any official notice of even this meeting, and therefore, we did not have time to write a resolution for this meeting today. So I am using the resolution that was presented to the State at their public hearing.

MR. TAYLOR. Well, the publication was handled by the press, and the committee responded to all individuals who wrote in and requested that they be notified of the hearings or who requested to testify.

Now, absent objection a copy of this resolution will be made a part of the record at this point.

[The material referred to follows:]

Whereas, the voters of the State of Florida approved the expenditure of \$200 million for the purchase of environmentally endangered land and

Whereas, such purchase has been effectively endorsed by the legislature of the State of Florida,

Whereas, the highest administrative officials of our State have determined it is suitable to expend \$40 million to purchase acreage in the area known as the Big Cypress, and

Whereas, the board of county commissioners of Collier County, Fla., do support these actions by the electorate, the legislature, the Governor, and his cabinet, and

Whereas, dwellings exist in such area, and

Whereas, private persons have personal investments in such lands and pay ad valorem taxes thereupon, and

Whereas, such lands south of Alligator Alley, east of State road 29 currently provide ad valorem tax revenues to Collier County, Fla., in an approximate amount of \$1.15 per acre which tax upon the some 461,000 acres of land therein presently amounts to a total tax revenue of some \$534,000 per annum. Now, therefore, be it

Resolved by the board of county commissioners of Collier County in public meeting assembled this 18th day of April 1973, as follows:

1. That this board wholeheartedly endorses the purchase of these lands by the State of Florida and joins with State officials in their encouragement of additional purchases by the Government of the United States.

2. That funding be obtained adequate for the purchase of these lands and to provide payment to the owners thereof when such lands are removed from the tax rolls of Collier County, Fla.

3. That existing dwellings be allowed to remain for the life of the current owner and not to exceed 21 years, or for such shorter period determined at the option of such owner if the construction of such dwelling was officially permitted under the zoning laws, ordinances and regulations of the State of Florida and Collier County.

4. That Collier County be compensated for ad valorem taxes lost as a direct result of such purchase at the rate of 80 percent for the year following removal of such lands from the tax rolls such percentage to be reduced to 60 percent, 40 percent, 20 percent and to 0 percent in the succeeding years.

Be it further recognized and resolved by the board of county commissioners that Collier County has placed a moratorium upon zoning changes in this area in the interest of public welfare and the board of county commissioners of Collier County, Fla., further resolves that it shall place a moratorium on building after declaration by the Government of the State of Florida or the United States that it is going to purchase such lands.

Mr. TURNER. This is signed by the chairman of the board of county commissioners, attested by the clerk, Margaret Scott, and approved as to form by the county attorney.

I would like to, if I may, point out one or two things of questions that have been asked.

Mr. TAYLOR. Could you do it quickly?

Mr. TURNER. Yes, sir.

Mr. TAYLOR. Now, you were not on our witness list, and I called you up because you are very much involved as a public official.

Mr. TURNER. Well, the question was asked regarding why this should be paid immediately instead of over a period of time. Our answer to that is we feel that the people that own this are citizens, a lot of them are citizens of Collier County. They own land there. Some of them are not speculative. Some of them are actually people that own the property for the purpose of using it.

So we feel that if they are going to have to give up the privileges of using that land, they should be paid for it.

Mr. TAYLOR. Well, you would apply that to every park in the Nation, would you not?

Mr. TURNER. I sure would, to the Everglades National Park, too, which has been some 25 years in paying off the——

Mr. TAYLOR. Could you give us a figure as to your total tax assessment in the county?

Mr. TURNER. Total assessment?

Mr. TAYLOR. Yes, tax assessment.

Mr. TURNER. Well, the assessment of the county is, this past year, about \$500 million; but it will go over \$1 billion this year, we have been notified.

Mr. TAYLOR. The assessment is over \$500 million?

Mr. TURNER. That is not the taxes. That is the——

Mr. TAYLOR. I mean the tax evaluation, as assessed. Now, what is the tax assessment of the property in this proposed area?

Mr. TURNER. I do not have the actual assessment in this proposed area, but we did get the figures from the tax assessor stating that we did receive approximately \$534,000 per annum.

Mr. TAYLOR. What I am getting at is what percent of your tax base would actually be lost?

Mr. TURNER. Possibly 10 percent. I cannot give you an exact figure on that.

Mr. TAYLOR. Well, after you get back home would you write us a letter giving us the answers to these questions. We would like to know your total tax assessment for the county and the assessed value of the property in the proposed Big Cypress Reserve. This will give us the percentage—which is a matter of calculation—of your tax base that is being lost.

Mr. TURNER. Yes, sir.

Mr. TAYLOR. Thank you.

[The information referred to follows:]

BOARD OF COUNTY COMMISSIONERS,
COLLIER COUNTY,
Naples, Fla., May 25, 1973.

HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Subcommittee on National Parks and Recreation,
Washington, D.C.

GENTLEMEN: At the hearing on May 10-11, 1973, on the "Big Cypress" in Collier County (H.R. 46 and H.R. 4866), I was present and read a resolution of the Board of County Commissioners of Collier County. This resolution stated that the Board of County Commissioners was in favor of Federal and State purchase of this property but did request that certain things be done if it is purchased.

One of these is that Collier County should receive compensation for ad valorem taxes that will be lost as a direct result of such purchase. This compensation should be at a rate of 80% the first year after the property is removed from the tax roll, with the percentage reducing annually to 60%, 40%, 20%, and to 0% in succeeding years.

At that time you requested that I send you additional information on the tax returns from the area in question and how they relate to the county as a whole. It is difficult to give this as an exact figure because a definite boundary of the purchase area has not been provided. However, we do have a sketch showing the general area. Based on this sketch, I will furnish information that I have received from the Tax Assessor.

The Tax Assessor has provided me with an estimate of the 1973 tax roll for Collier County of approximately \$1,200,000,000, with the purchase area being \$95,000,000 or approximately 8% of the total assessed valuation of the county.

I know that at that hearing the comment was made that the Federal Gov-

ernment probably would not be able to make this payment to Collier County because it had not been the practice to do this in the past. However, it is my understanding that in some instances this has been done, and I believe the Tennessee Valley Authority is an example.

I note that one statement made at the hearing—I believe by Dr. Ted La Roe—said that Collier County would actually lose only approximately \$100,000 annually in taxes because of the services that would not have to be provided for that areas. Among those mentioned by him were savings to the school department and sheriff's department. I have checked with these people and have been informed by them that there will be no savings because there cannot be any reduction in services provided to that area. As long as people live on their property, which is supposed to be 25 years, the school system will have to provide services for the children. The Sheriff says that this will still be a part of Collier County and therefore his department will be required to continue the same services as are being provided at the present time.

The Tax Collector and the Tax Assessor say that there may be a saving of as much as \$10,000 a year to them, but there surely can be no more than that. This would represent primarily the mailing of notices, tax bills, etc.

I have been given some additional information that may be of interest to your Committee. This is on sales in the Big Cypress area in the past year. One set of sheets shows purchases by the Nature Conservancy and what they paid for various parcels. The other enclosure is from the Tax Assessor and shows 1,918 sales made from July 1971 to June 1972 with the sales prices. This is not the total sales made in that area but is a sampling just to give some idea as to what the property is selling for. In fact, the Assessor used these figures as one factor considered in placing the assessed valuation on the property.

It was a pleasure to appear before your Committee, and I sincerely appreciated the opportunity. I am also happy to be able to furnish you with this additional information that you asked for.

Very truly yours,

W. H. TURNER, P. E.,
County Manager.

SALES FROM JULY 1971 THROUGH JUNE 1972, NO ACCESS TO ANY PARCELS—1,918 TOTAL SALES

Sale price	Percent
Less than \$100.....	0.002086— 0.21
\$100 to \$149.....	.027633— 2.76
\$150 to \$199.....	.147028— 14.70
\$200 to \$249.....	.085506— 8.55
\$250 to \$299.....	.028154— 2.82
\$300 to \$399.....	.210115— 21.01
\$400 to \$499.....	.132430— 13.24
\$500 to \$599.....	.055266— 5.538
\$600 to \$999.....	.263295— 26.33
Over \$1,000.....	.048488— 4.85
Total.....	1.000001 \$100.00

Note: Range in sales—\$50 per acre to \$2,320 per acre.

Township 52, Range 34, Section 30, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The Natural Conservancy, Naples, Fla.

July 20, 1972, OR 466-714, W/D, \$1,000.

From: De Roy Tyler, Et ux.

Township 51, Range 26, Section 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The Nature Conservancy, 1800 Kent St., Suite 800, Arlington, Va.

Aug. 28, 1972, OR 473-800, W/D, \$32,000.

From: Preston Belvin III, Et ux.

Township 52, Range 30, Section 15, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ & N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

The Nature Conservancy, 1800 North Kent St., Suite 800, Arlington, Va.

July 5, 1972, OR 462-2, W/D, \$2,379.

From: Fletcher G. Lumpkin, Et ux, et al.

Township 51, Range 33, Section 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31-52-34 & S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30-52-34.

The Nature Conservancy, 1800 North Kent St., Suite 800, Arlington, Va.

July 13, 1972, OR 464-534, W/D, \$6,000.

From: Collier Acres, Inc.

Township 5, Range 33, Section 9, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ & S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

SE $\frac{1}{4}$ Section 8-51-33.

The Nature Conservancy, 1800 N. Kent St., Arlington, Va.

July 12, 1972, OR 464-115, W/D, \$1,800.

From: Ross Acres Corp.

Township 52, Range 33, Section 18, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The Nature Conservancy, 1800 N. Kent St., Arlington, Va.

July 13, 1972, OR 464-533, W/D, \$900.

From: Stone Development Corp.

Township 50, Range 31, Section 2, S 330' N 1880' of E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$.

The Nature Conservancy, Inc., 1800 N. Kent St., Suite 800, Arlington, Va.

July 5, 1972, OR 462-154, W/D, \$1,700.

From: Pines Parkway Land Corp.

Township 51, Range 31, Section 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The Nature Conservancy, Suite 800, 1800 N. Kent St., Arlington, Va.

June 28, 1972, OR 460-569, W/D, \$1,900.

From: Arthur Rosenthal, TR.

Township 51, Range 33, Section 21, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The Nature Conservancy, 1800 North Kent St., Arlington, Va.

May 30, 1972, OR 455-256, W/D, \$2,000.

From: Lawrence T. Zagar.

Township 52, Range 30, Section 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ & N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

The Nature Conservancy, 1800 North Kent St., Suite 800, Arlington, Va.

July 5, 1972, OR 462-1, W/D, \$2,200.

From: Fletcher Glenn Lumpkin, Et ux, et al.

Mr. HALEY. Just one question, Mr. Chairman.

Mr. TAYLOR. Mr. Haley.

Mr. HALEY. If it is written into this bill that the people who have improved property may continue to live on it for 25 years or life expectancy, whichever comes first; in other words, if, after 25 years they would be under notice that they had to do something or at the death of the present owner, what would be the attitude then of the commissioners of Collier County.

You see, what I am getting at, Mr. Turner, is this. As I recall it, in the Everglades National Park such a provision or proviso was put in the acquisition legislation that if you had a house or improved property, you could live there during your lifetime or 25 years, whichever one came first; and at the end of that time, the Federal Government then could go in and purchase your property. Would that assist you in your taxing situation?

Mr. TURNER. It probably would, except that very few of the, or a very small percentage of the acreage does have people living on it. The large percentage of the acreage is actually vacant land.

Mr. HALEY. I am well aware of the fact, Mr. Turner, that a good bit of this land has been purchased in the last few years, looking towards the Federal Government coming in here and acquiring that property. I have lived in Florida for 48 years and am familiar with this part of the State and it seems to me like just a short time ago this land did not have too much value.

Mr. TURNER. Well, I would like to comment on that, sir. I have been in Collier County since 1934. I have been over most of this land personally; not just two or three visits, I have lived there. Most of the acreage, or most of the land that was purchased by the people that now own it and some since then, purchased it before we had any idea that the Government was figuring on buying this land. There are some that

have purchased since then, but the big number, of course, purchased prior to the information on the purchase of the land by the Federal or State government.

Mr. HALEY. Well, then, you are familiar with the land. What would be your estimate of the amount of acreage that people are really living on? I am talking about those who have built a home or something.

It is a very small percentage, is it not?

Mr. TURNER. It is a very small percentage of the whole area. Yes, sir.

I would like to comment that we do not know the exact area that is being proposed. We have seen several of these maps. We have seen several of the descriptions. Our statement here says that area south of Alligator Alley and east of State Road 29.

I noticed on the map here that some of it is shown as going north of Alligator Alley. I have also heard comment of going west of State Road 29; but it is not included in our figures here.

Mr. HALEY. That is all, Mr. Chairman.

Mr. TAYLOR. Any questions?

[No response.]

Mr. TAYLOR. Thank you very much, Mr. Turner.

Alice Wainwright, coordinator, Tropical Audubon Society, Inc.

Mrs. Wainwright, we welcome you to our subcommittee. I remember seeing you when we were in Miami.

Mrs. WAINWRIGHT. It was our pleasure to welcome you there, sir.

Mr. TAYLOR. Thank you.

STATEMENT OF MRS. JOHN T. WAINWRIGHT, PRESIDENT EMERITUS, TROPICAL AUDUBON SOCIETY

Mrs. WAINWRIGHT. Mr. Chairman, members of the subcommittee, my name is Mrs. John Wainwright, I am representing the Tropical Audubon Society of Miami, one of the largest Audubon societies in the country, with a membership of approximately 3,500 people. I am also representing the other Audubon societies in southeast Florida, from Palm Beach through the Florida Keys.

We thank you for this opportunity to appear in support of H.R. 45 authorizing the acquisition of the Big Cypress National Fresh Water Reserve.

We are most appreciative of the efforts of the chairman of the committee of the whole, Mr. Haley, on behalf of this bill and for the support of the entire Florida congressional delegation. Also, we commend Governor Askew for his recommendation to the Florida Legislature that \$40 million of State funds be allocated for the purchase of lands within the proposed fresh water national reserve.

We are mindful of the fact that your committee has spent a great deal of time and effort in evaluating the provisions of the bill and in visiting the area.

One of the principal objectives of the Audubon Society is the preservation of wildlife, but in these times we are involved in the protection of the total environment, not just for wildlife but for man himself.

Freshwater is the key to man's very existence in our semitropical area. Millions of dollars of Federal funds have been spent in efforts

to conserve our freshwater supplies. We urge you to complete the task by approving the acquisition of Big Cypress, which is a vital watershed for the western portion of Everglades National Park and a water resource for the expanding cities of the lower west coast of Florida.

If the Big Cypress proposed reserve is not acquired, the land undoubtedly will be drained and developed. Because of the physical nature of this area, land regulations would not be a practical method of preserving that portion of Big Cypress Swamp. If the area is not acquired, not only would the ecology of a large part of Everglades Park be destroyed, but a water crisis would be precipitated which, in the words of a well known biologist, Mr. Arthur Marshall, "Would bring south Florida to its knees."

As Congressman Fascell described earlier, and as other people have mentioned, it was most unfortunate that land along the north border of the Everglades Park, north of U.S. 41, the Tamiami Trail, was not acquired when the Everglades Park was established.

In this way, the park, Everglades Park, was created without the supporting watershed upon which the western portion of the park depends. The area affected by the sheetflow of water from Big Cypress covers 322,123 acres, and includes one-half of the gulf coast estuaries lying within the park boundaries. However, it is not simply the size of this area that is significant; indeed, it is the high productivity of these estuaries which serve as a nursery grounds for marine life such as shrimps, crabs, and fish. These estuaries are so productive because the freshwater flowing in from Big Cypress triggers certain biological reactions.

The attendance records of Everglades National Park reveal the increasing national interest in outdoor recreation and nature study. In 1948 the park had 7,482 visitors; in 1973 the number was 1,773,000 visitors. Most of these visitors are tourists, and they are an important factor in south Florida economy.

According to the Miami-Dade Chamber of Commerce, park visitors spent over \$16 million locally in 1970 for food, lodging, and supplies. This figure, of course would be a great deal higher today because of increased park attendance and inflation.

The wildlife of Everglades Park are considered by scientists—and that of Big Cypress—as one big ecosystem. The area shelters 17 species of wildlife classified as rare or endangered species. Included are several species that are typical of south Florida such as the alligator and several species of rare birds, the woodstork, and the colorful roseate spoonbill.

Of tremendous importance is the role played by the park and Big Cypress in providing feeding grounds, nesting sites, and watering areas, as well as a place for birds to rest in their large migrations to and from Central and South America.

The recreational potential of Big Cypress cannot be overstated. As the urban areas of south Florida grow, so does the demand for recreational facilities. The Big Cypress is popularly used for boating, fishing, camping, and other outdoor activities. These recreational values can be more fully developed and protected under governmental management.

The acquisition of that portion of the Big Cypress within the boundaries of the area designated as the proposed Big Cypress National

Water Reserve is supported by the Dade County Commission, and a copy of the resolution is attached. And as we have heard testimony earlier today, the acquisition is supported by the Collier County Commission, with other statements in their resolution.

In summary, we believe that the Big Cypress must be preserved to protect the water supply for the park and for people, to provide recreation, and to safeguard its priceless wildlife and resources.

Lands in the Big Cypress are now being drained and developed. Each day the damage to the environment of this unique area increases. We therefore, request that this bill be given prompt attention before what we are seeking to save is irretrievably lost.

Mr. TAYLOR. Thank you, Mrs. Wainwright.

I judge that you would support H.R. 46, or H.R. 4866 as written, without changes.

Mrs. WAINWRIGHT. Yes, correct, Mr. Chairman. We did not have a copy of Mr. Saylor's bill when we prepared this statement sometime in advance.

Mr. TAYLOR. I understand they are identical, except Mr. Saylor's bill would permit a maximum acreage slightly larger than the other one.

Mrs. WAINWRIGHT. Yes; we support both bills.

Mr. TAYLOR. Do you favor making Big Cypress Area available for recreation use generally?

Mrs. WAINWRIGHT. Very definitely, Mr. Chairman. And I think it would be beneficial to have it under governmental control, because now it is impossible to regulate the recreation that goes on there, and there is a good deal of damage to the environment by use of airboats and swamp buggies, and things of that sort. If it is controlled by a Government entity, they can lay out routes, set out certain definite specific recreation areas.

Mr. TAYLOR. Any questions?

Mr. HALEY. Yes, Mr. Chairman.

Mr. TAYLOR. The gentleman from Florida.

Mr. HALEY. Mrs. Wainwright, the Congress permits residents of these areas to retain a life estate for 25 years or life at the owner's option. When the purchase is made, the right is reserved by the owners, so that costs do not go up after the expiration of the term. Would you favor such a provision?

Mrs. WAINWRIGHT. Yes, Mr. Haley. I think it is a fair, equitable provision.

Mr. HALEY. Well, of course, that is what we had in the Everglades National Park. It worked out very, very nicely.

Mrs. WAINWRIGHT. Yes. And I think you also have it in the Cape Cod National Seashore.

Mr. HALEY. That is correct.

Mrs. WAINWRIGHT. Right.

Mr. HALEY. Mr. Chairman, the young lady has several schedules and appendix and so forth here. I ask unanimous consent that they also be included in her statement, so that we will have the statement in full.

Mr. TAYLOR. In the absence of objection, these attachments will be turned over to counsel and be placed either in the record or in the file.

One of them is the resolution of the Collier County commissioners which has already been made a part of the record (see p. 47).

[The information referred to follows:]

STATEMENT OF MRS. JOHN T. WAINWRIGHT, PRESIDENT EMERITUS, TROPICAL AUDUBON SOCIETY

Mr. Chairman and members of the Subcommittee, my name is Mrs. John T. Wainwright, and I am representing the Tropical Audubon Society of Miami, one of the largest Audubon Societies in the country, a membership of approximately 3,500 persons. I am also representing the other Audubon Societies in southeast Florida, from Palm Beach through the Florida Keys.

We thank you for this opportunity to appear in support of H.R. 46 authorizing the acquisition of the Big Cypress National Fresh Water Reserve.

We are most appreciative of the efforts of Congressman Haley on behalf of this bill and for the support of the entire Florida Congressional delegation. Also, we commend Governor Askew for his recommendation to the Florida Legislature that \$40,000,000 of state funds be allocated for the purchase of lands within the Big Cypress proposed natural fresh water reserve, such lands and unspent funds to be donated to the federal government upon the enactment of legislation authorizing and appropriating funds for federal acquisition.

We are mindful of the fact that your Committee has spent a great deal of time and effort in evaluating the provisions of the bill and visiting the site.

One of the principal objectives of the Audubon Society is the preservation of wildlife but in these times we are involved in the protection of the total environment, not just for wildlife but for man himself.

Fresh water is the key to man's very existence in our semitropical area. Millions of dollars of federal funds have been spent in efforts to conserve our fresh water supplies. We urge you to complete the task by approving the acquisition of Big Cypress which is a vital watershed for the western portion of Everglades National Park and a water resource for the expanding cities of the lower west coast of Florida.

If the Big Cypress proposed reserve is not acquired, the land undoubtedly will be drained and developed. Because of the physical nature of this area, land regulations would not be a practical method of preserving that portion of Big Cypress Swamp. If the area is not acquired, not only would the ecology of a large part of Everglades Park be destroyed, but a water crisis would be precipitated which, in the words of a well known biologist, Mr. Arthur Marshall, "would bring south Florida to its knees."¹ As the populations of the cities along the lower west coast increase, it will be necessary for such municipalities to draw upon the water resources of Big Cypress. Recently the City of Naples imposed water hookup restrictions on most construction projects because its own well-fields couldn't meet the demand.

An important national significance of this bill is the protection it affords the water supply of Everglades National Park, that unique ecological wonderland. There is no other Everglades anywhere in the world; this priceless environment must be saved for the benefit of all the people of the United States.

As you well know, the lands within the proposed reserve were scheduled for inclusion in the 1934 plan for the Everglades National Park. Along came the depression and lands north of U.S. 41, the Tamiami Trail, were not bought, thus the park was created without the supporting watershed upon which the western portion of the park depends. The area in the park affected by the sheet flow of water from Big Cypress covers 322,123² acres and includes one half of the Gulf Coast estuaries lying within the park boundaries. However, it is not simply the size of this area that is significant, indeed it is the high productivity of these estuaries which serve as a nursery grounds for marine life such as shrimp, crabs and fish. These estuaries are so productive because the fresh water flowing in from Big Cypress triggers certain biological reactions. The monetary value of this resource has been estimated at \$30,000,000³ annually, this figure representing income developed from commercial and sport fishing. The importance of these estuaries to national food production cannot be overemphasized.

The attendance records of Everglades National Park reveal the increasing national interest in outdoor recreation and nature study. In 1948 the park had 7,482 visitors, in 1973 the number was 1,773,302.⁴ The visitors, the majority of whom are tourists, are an important factor in south Florida's economy. According to the Miami-Dade Chamber of Commerce, park visitors spent over \$16,000,000

locally in 1970 for food, lodging and supplies; this figure, of course, would be a great deal higher today because of increased park attendance and inflation.

The wildlife of Everglades Park are generally considered by scientists to be one ecosystem. The area shelters 17 species of wildlife classified as rare or endangered species.⁵ Included are several species that are typical of south Florida, the alligator and several species of rare birds such as the woodstork and the colorful roseate spoonbill. Of tremendous importance is the role played by the park and Big Cypress in providing feeding grounds, nesting sites and watering areas for birds as well as a place for birds to rest in their large migrations to and from Central and South America. As stated in the Department of Interior's *Environmental Statement* concerning the Big Cypress, issued in February of 1972, "Nowhere outside the tropics are epiphytes or air plants which include orchids, bromeliads and some ferns, found in such profusion and variety. Species of orchids found nowhere else in the world grow in the area."

The recreational potential of the Big Cypress cannot be overstated. As the urban areas of south Florida grow, so does the demand for recreational facilities. The Big Cypress is popularly used for boating, fishing, camping and other outdoor activities. These recreational values can be more fully developed and protected under governmental management.

The acquisition of that portion of the Big Cypress within the boundaries of the area designated as the proposed Big Cypress National Fresh Water Reserve is supported by the Collier County Board of County Commissioners and the Metropolitan Dade County Board of County Commissioners, copies of the resolutions of these two Boards being attached hereto.

In summary, we believe that the Big Cypress must be preserved—to protect the water supply for the park and for people—to provide recreation and to safeguard its priceless wildlife and marine resources.

Lands in the Big Cypress are now being drained and developed. Each day the damage to the environment of this unique area increases. We therefore request that this bill be given prompt attention before what we are seeking to save is irretrievably lost.

APPENDIX A

REFERENCES

1. Statement of Mr. Arthur R. Marshall, Director, Center for Urban Studies, University of Miami.
2. Information furnished upon request from office of the Superintendent, Everglades National Park.
3. Florida Department of Natural Resources.
4. These figures were furnished upon request by the administration office of Everglades National Park.
5. *Environmental Statement, Proposed Big Cypress National Fresh Water Reserve, Florida*, February, 1972.

Appendix B—Visitation records of Everglades National Park

Year:	Number of visitors	Year—Continued	Number of visitors
1948 -----	7, 482	1962 -----	626, 106
1949 -----	94, 927	1963 -----	669, 232
1950 -----	123, 405	1964 -----	792, 631
1951 -----	142, 971	1965 -----	977, 643
1952 -----	168, 621	1966 -----	1, 017, 067
1953 -----	206, 772	1967 -----	1, 098, 287
1954 -----	218, 044	1968 -----	1, 251, 453
1955 -----	247, 092	1969 -----	1, 187, 235
1956 -----	266, 960	1970 -----	1, 273, 466
1957 -----	344, 723	1971 -----	1, 293, 484
1958 -----	443, 265	1972 -----	1, 773, 302
1959 -----	500, 193		
1960 -----	579, 215		
1961 -----	566, 771		
		Total visitors-----	15, 870, 347

APPENDIX C

Not on Agenda Item No. 7(g) (3) 5-1-73.

RESOLUTION NO. R-505-73

Resolution establishing Dade County policy supporting Federal acquisition to preserve a portion of the Big Cypress Watershed which is necessary for the protection of Everglades National Park and the water resources of South Florida.

Whereas the United States Department of Interior has determined through exhaustive study that the preservation of a portion of the Big Cypress Watershed is necessary to the protection of Everglades National Park and the water resources of South Florida; and

Whereas the United States Geological Survey has determined that the Big Cypress Watershed provides Everglades National Park with approximately 56% of all water entering it from outside sources; and

Whereas evaluations by the Department of Interior has resulted in the knowledge that the quality, quantity, and the timing of water supplied to Everglades National Park by the Big Cypress Watershed must be preserved if the Everglades Ecosystem and its wildlife are to survive; and

Whereas preservation of the Big Cypress Watershed would serve to promote, protect and enhance recreational opportunities and the quality of life for the people of South Florida; and

Whereas the findings of the Department of Interior further reveal that the Mangrove Dominated Estuarine Zone along much of the Gulf Coast would for all present economic and ecologic purposes cease to exist without the seasonal fresh-water runoff provided by the Big Cypress Watershed; and

Whereas development within the Big Cypress Watershed presents an imminent threat to the continued existence, the vital ecological systems of the Big Cypress Watershed which include the natural flow of fresh water to Everglades National Park, and the estuaries of Florida's Gulf Coast; and

Whereas continued private and commercial development destructive to the Big Cypress Watershed will ultimately result in extensive economic loss through the elimination of resources necessary to the maintenance of South Florida's tourist trade, and the fishing industry, both sport and commercial; and

Whereas the Department of Interior and the Florida Department of Natural Resources have determined after extensive study that acquisition of approximately 522,000 acres of the Big Cypress Watershed, located in "Sub-area C" as defined by the United States Geological Survey, constitutes the minimum government action required to adequately protect the aforementioned resources and beneficial natural conditions.

Now, therefore, be it resolved by the Board of County Commissioners of Dade County, Florida:

Section 1. That it shall be the policy of this Board to endorse and support acquisition of the aforementioned portion of "Sub-area C" in the Big Cypress Watershed for preservation by the federal government as the "Big Cypress National Fresh Water Reserve".

Section 2. That Metropolitan Dade County pledges its full cooperation and support to do all things reasonably necessary in aid of the implementation of this policy.

The foregoing resolution was offered by Commissioner Harvey Ruvin, who moved its adoption. The motion was seconded by Commissioner Edward C. Fogg, III, and upon being put to a vote, the vote was as follows:

Harry P. Cain, absent; Mike Calhoun, aye; Edward C. Fogg, III, aye; Mrs. Stanley (Joyce) Goldberg, aye; Edward T. Graham, aye; Beverly B. Phillips, aye; Harvey Ruvin, aye; Edward T. Stephenson, absent; and John B. Orr, Jr., aye.

The Mayor thereupon declared the resolution duly passed and adopted this 1st day of May, 1973.

DADE COUNTY FLORIDA,
BY ITS BOARD OF
COUNTY COMMISSIONERS,
RICHARD P. BRINKER, Clerk.

Approved by County Attorney as to form and legal sufficiency. SS.

MEMORANDUM

APRIL 27, 1973.

To : Honorable Mayor and Members, Board of County Commissioners.

From : Stuart Simon, County Attorney.

Subject : Not on Agenda Item No. 7(g) (3).

The attached resolution was requested by Commissioner Harvey Ruvin.¹STUART SIMON, *County Attorney.*

Mrs. WAINWRIGHT. And the other is the Dade County resolution.

Mr. TAYLOR. Well, thank you, Mrs. Wainwright. Your statement makes a lot of sense.

Mrs. WAINWRIGHT. Thank you, Mr. Chairman.

Mr. TAYLOR. James G. Pace, president, Landowner's Conservation and Protective Association.

Mr. Pace, you represent several of the landowners, do you not?

Mr. PACE. About 2,250. Yes, sir.

Mr. TAYLOR. They are not all here, but some of them are, are they not?

Mr. PACE. Well, some of the people here are members of our organization, but not all of them. Some of them have very special problems that they want to speak about that will not come under the purview by my presentation.

Mr. TAYLOR. Would you like to have some of those just to join you there and let them make their short statement?

Mr. PACE. No, sir. They would rather appear individually.

Mr. TAYLOR. Well, in the interest of time, I do not want them to be remaking the same speech you make.

Mr. PACE. They will not be doing that, sir.

Mr. TAYLOR. So long as they present new and different material, fine.

Mr. PACE. There is such a wide area to be covered over there, to bring facts to you. We are not here to cry on your shoulder. We are here to bring you facts that I do not believe have been brought to you. And there is a wide area of facts there that it would be unfair for me to try to present to your their facts, you see, or all the facts; because I would be taking too much time.

Mr. TAYLOR. You may proceed.

[The prepared statement of Mr. James G. Pace follows:]

LANDOWNER'S CONSERVATION AND

PROTECTIVE ASSOCIATION,

North Miami Beach, Fla., May 3, 1973.

To : House Interior and Insular Affairs Committee

Subcommittee on National Parks and Recreation

Re HR 46, HR 4866 and S 920 to authorize Federal Acquisition of Big Cypress.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: I am James G. Pace, President of Landowner's Conservation & Protective Association, a non-profit corporation existing under the laws of the State of Florida. I am also a lawyer, having been a member of the Florida Bar since 1936. I am a realtor and experienced builder and a land appraiser for more than twenty years.

Our organization has approximately 2,250 members, all owners of land in the so-called Big Cypress Area. We have members in 48 states and Puerto Rico. This is not exactly a local issue. Practically every Congressman in the House of Representatives will be concerned with the effect of this bill on his or her constituents.

It is not our purpose today to cry on your backs. We are here to bring you facts about this whopping big parcel of land. Whether it be 547,000 acres or 585,000 acres, it amounts to more than 850 square miles. The state of Rhode Island has 1,214 square miles.

¹ Resolution is found on p. 47.

This area is gleefully and enthusiastically referred to as a magnificent swamp. The facts are, that it is not a swamp. We submit to you a contour map prepared by the U.S. Geodetic and Survey Department, upon which we have imposed a portion of the proposed taking. We regret that we have been unable to secure an official map showing approximately the western twelve to fourteen miles of the property contained in this bill. This contour map shows that the elevation of the land in the northern part in the vicinity of Alligator Alley is from fifteen to eighteen feet in elevation above mean sea level. At Tamiami Trail, (U.S. 41) it is around six or seven feet. You will notice that just east of the Dade County line on U.S. 41, at 40 Mile Bend, there is an erratic line running north and south. That is what is generally called the Skoggeeloggie Divide. The water on the east runs into the Atlantic and the water on the west runs southwest into the Gulf of Mexico. It does not take a civil engineer to determine that water runs downhill unless it is retained by dike or similar obstruction. Therefore, it would take a dike approximately twelve feet in height along U.S. 41 to prevent water from running into the Gulf of Mexico before it could get to any substantial part of the Everglades National Park.

The lines on the east side of the divide are very far apart. This designates that the land is flat and will very probably retain water for a long time. This land happens to be in the Central and Southern Florida Flood Control District and is a part of Conservation Area 3. You will further note that the lands on the west side of the divide and inside the boundaries of the proposed taking are fairly close together, indicating a more distinct variance in elevation and that the water will drain along the areas of the lines that are nearest to each other. You will also observe in the Alligator Alley area that the flat land is not included in the proposed taking.

NOTE:—Before any land can be taken for a public use in state or federal courts, it is necessary to establish a need for the land. If the property is being taken for water conservation, we call to your attention the water conservation areas numbers 1, 2 and 3 as shown on the map before you. These areas contain approximately 868,000 acres. This area is fed by Lake Okeechobee, one of the largest of all inland lakes in the United States; approximately 450,000 acres. This amounts to 703 square miles more or less. If the property is being taken for a recreation area or a wildlife conservation area; or water storage, then we call your attention to the Everglades National Park which contains approximately 1,463,000 acres; plus miscellaneous parks such as Islandia Monument, 94,000 acres; the Corkscrew Swamp and miscellaneous park areas in the Naples-Fort Myers area, amounting to approximately 50,000 acres; we now have another 2,500 square miles, more or less, and there goes one-half of the State of Connecticut which is 5,009 square miles.

ALTERNATIVE:—As another alternative, if the property is taken for a water storage area to preserve the Everglades National Park, and if there is a need for such storage, then this can be accomplished by building a water storage area on the park property within the present boundaries of the Everglades National Park, beginning at the 40 Mile Bend on U.S. 41 as shown on the area maps which are before you, build a dike 12 feet in height, 50 feet in width at the base, 20 miles in length from north to south; then eastward 10 miles; then back north to U.S. 41; then east along the south side of the highway 10 miles to the point of beginning. This rectangular storage area would have partitioned dikes parallel with the highway every two miles in order to adjust the depth and the amount of water to be stored. These dikes could be equipped with flood gates or with low level pumps that would release the water into the National Park when needed and in the amount needed. Water would be fed into this storage area during the wet season from surplus in the Conservation Area and by back-pumping the water from the various canals that now discharge into the ocean. Some of these pumps are already a part of the plan of the Central and South Florida Flood Control District.

Some slip-stick engineer may tell us that this area will not hold water, that it will seep through the porous rock and come up again on the other side. This can be taken care of by constructing parallel dikes. The rock taken from the second dike will be placed in the canal which created the first dike. The material will be compacted from a depth of approximately 20 feet.

The waterhead will never be more than six or seven feet inside the storage area. Therefore, it will not create sufficient pressure to cause seepage below the 20 foot depth. This storage area can be built for approximately \$25,000,000 as compared with an estimate of \$300,000,000, the cost of acquiring the land within the proposed taking as set out in the bill.

This water storage area can act as a refuge for water oriented wildlife; also as an approach area for the new Jetport location to serve Dade, Broward and Collier Counties. A provision to this effect could be included in the Appropriation Bill. The members of our association ask you to come down and see for yourselves. Put your engineers to work. Check the simple facts that any untrained individual with good horse sense can understand. Permit this land to put some beef and groceries on our table so that it won't be necessary for us to eat wild deer, wild ducks and wild turkey every day. The people of South Florida really enjoy beef, pork and corn on the cob. 540,000 acres will grow a lot of it and the people of the United States may just need every bit of it in the near future.

We would like to bring to your attention this statement of the Director of the Environmental Advisory Committee of Florida as reported by the Naples News;* also testimony of E. R. Brownell,* one of our engineer members; our statement on the economic impact of removing the area from the economy of South Florida over a ten year period; report in depth of the Central and South Florida Flood Control District;* report of the U.S. Fisheries as to the effect of the water level on shrimp over a period of twenty years;* the personal philosophy of the man presently occupying the office of Governor of Florida and miscellaneous matters which we attach. [Ed. note: the attachments marked with an asterisk have been placed in the committee files.]

Respectfully submitted,

LANDOWNER'S CONSERVATION & PROTECTIVE ASSOCIATION,
JAMES G. PACE, *President*.

P.S.—We also bring to your attention that the maximum area of the proposed water storage, being a fraction of the area of the proposed watershed, would reduce the loss of the storage water by evaporation since 60 to 70 per cent of the rainfall is lost by evaporation.

LANDOWNER'S CONSERVATION &
PROTECTIVE ASSOCIATION,
North Miami Beach, Fla.

PROPOSES AN ALTERNATIVE SOLUTION TO THE SO-CALLED "BIG CYPRESS WATERSHED"

Proposed taking of Big Cypress

1. The Senate and the Congress has a bill to acquire approximately 540,000 acres of land owned by approximately 35,000 separate landowners; which land lies South of State Road 84, also known as Alligator Alley and would take in most of the land east of State Road 29; west of Conservation Area #3 and south to the boundaries of the Everglades National Park. (see map attached.)

2. One of these Bills is S-2465 sponsored by Senators Jackson and Chiles. The other is Bill S-3139, the Administration Bill introduced at the request of President Nixon—The Nixon Bill proposes to pay for the land over a period of Ten (10) years.

3. The announced reason for taking over this vast expanse of lands is to provide a watershed to protect the Everglades National Park to the south.

4. Secretary of The Interior, claims that the cost of the land will be one hundred fifty-seven million dollars (\$157,000,000.), and the Nixon bill restricts the payment to this amount. Landowners claim the cost will be more than three hundred million dollars (\$300,000,000.), based on today's costs. If spread over ten years, it could be six hundred million dollars (\$600,000,000.).

Alternate suggestion

"The park department can build its own water conservation area on land that it already owns to give the national park a positive water source."

1. *Where.*—Take an area ten miles wide, twenty miles deep, beginning at Dade-Monroe County line where the National Park boundary joins the Florida Flood Control Water Conservation Area on U.S. 41, (also known as Tamiami Trail.)

and extend eastward. Construct a water conservation area for the Park that will provide water for the Park during the dry season when much of the wildlife is destroyed by fire and thirst; as occurred in the summer and fall of 1971. The Park already owns this land.

2. *What.*—A shallow reservoir to store the water that would otherwise be discharged into the sea during the periods of high water. Then release this water as it is needed to supplement the flow that will be received from the Conservation Areas No. 1, No. 2, and No. 3 as well as the flow that will be available from the 540,000 acres of the Big Cypress, which flow should be diminished very little by development of this land for cattle and agricultural uses.

This Water Conservation Area would also provide a refuge for alligator and other alleged threatened water-oriented species, against the ravages of draught, fire, etc.

3. *How.*—The "National Park Water Conservation Area" would be constructed from the spoil taken from parallel canals, to a height of approximately twelve feet; a base of approximately fifty feet in width. This dike would enclose the Conservation Area on four sides and would have flood gates on the east side and on the south side, spaced approximately every two miles as determined by the engineer, which gates would control the amount of water to be released and where it would be released. There would be division or staging dikes parallel to U.S. 41 every four miles. This would divide the Conservation Area into five sections in order to prevent loss of water by evaporation and unnecessary seepage. Each division dike or staging dike would have flood gates which would feed from one section to the other as required by the water engineer.

Should the engineers determine that there would be a loss of a substantial amount of water through seepage under the perimeter dikes, a second canal could be constructed a short distance inside the outside perimeter dike. A portion of the spoil from this canal could be placed in the first canal and compacted, thus sealing the perimeter dike against underground seepage.

4. *Cost of the project.*—We are advised by competent engineers and contractors that the cost of this type construction should be less than \$30.00 per lineal foot for the perimeter dikes, plus the flood gates at approximately \$50,000 each. There would be approximately ninety (90) miles of dikes at a cost of \$30.00 per lineal foot amounting to \$14,256,000. Eighteen (18) flood gates would amount to \$900,000.00, a total cost of \$15,156,000.00. Should compaction be required, this should be accomplished for less than \$5,000,000. Add to this base an additional \$3,500,000.00 for engineering and governmental waste, and we arrive at a maximum figure of \$25,000,000.00 which is less than 10% of the proposed acquisition costs of Big Cypress land.

Economic impact of proposed watershed lands: (10 year period)

For estimating purposes we have divided the land into three categories:

	<i>Acres</i>
(1) Fallow or timber-----	360,000
(2) Cattle -----	120,000
(3) Vegetables and similar produce-----	60,000
1. Estimated cost of Cypress Watershed land-----	\$300,000,000
Maintenance @ \$1,000,000. per yr.—10 years-----	10,000,000
2. Loss in school and ad valorem taxes, a.—10 years at present average rate @ 20 mills-----	60,000,000

Owners

3. Loss of income from one-third of land as productive farm land— 180,000 acres \$300 per acre for 60,000 acres of farm pro- duce -----	18,000,000
\$10 per acre for 120,000 acres of cattle-----	1,200,000
10 years-----	192,000,000

Shippers and packers

4. Sale value of farm produce on one-third of productive land— 60,000 acres @ \$800 per acre-----	480,000,000
4a. Cattle from 120, acres @ \$35 per acre-----	42,000,000

Labor

5. Labor earnings in farm produce on one-third of productive land—60,000 acres @ \$200 per acre-----	Acres \$120,000,000
5a. Labor in Cattle production—120,000 acres @ \$5 per acre-----	6,000,000
Total-----	1,200,000,000
Cost of U.S. Government in income tax-----	

NOTE.—These figures compiled from U.S. Agriculture report as a base. They are our estimate. They do not take into consideration unknown factors; nor inflation; nor increased demand for food. They do not take into consideration that more than 35,000 owners will lose their land and will be forced to buy other land and that the law of supply and demand will inflate the price.

Purchase Price is based on comparable sales at present Jetport site; plus road frontage, improvements, damage to remainder, special use property, business loss, surveys, legal expense, appraisals, administration.

Some facts about the Everglades:

1. The Everglades National Park obtains 80% of its water from rainfall. According to U.S. Geodetic survey, it obtains approximately 9% from the three large State owned Conservation Areas north of U.S. 41, known as Areas 1, 2, and 3. It could possibly obtain 9% of its water from the so-called Big Cypress Watershed. This water flows southwesterly and quickly moves to the sea. However, all of the measurements to arrive at this percentage were made from gauges at culverts and bridges on U.S. 41. This is approximately 20 miles in some areas, away from the Park and the engineers have not taken into account the water loss by evaporation and transpiration before it reaches the Park boundary.

2. The elevation of the land in the so-called Big Cypress Area is from fifteen to eighteen feet at its northern end and between six and seven feet at the Tamiami Trail; a distance of approximately 24 miles. For Florida, this is downhill. The only way that water can be prevented from running downhill is to dike it and contain it. Therefore, if Big Cypress Water is to be used to nourish the Everglades National Park, it must be diked and preserved.

3. The water flow in the Big Cypress Area on the West side of the Skogologee Divide drains primarily to the southwest whereas the water flowing on the east side of the Divide drains southeasterly and into the area known as The Shark River Valley. This is the area that furnishes most of the water to the essential parts of the Park.

4. In the dry season, which is generally from November until May, this area dries out and is subject to fire which not only burns the vegetation, wildlife and wildlife cover, but also burns into the peat soil covering most all of this area. In 1971 many hundreds of thousands of acres were burned and the wildlife was destroyed. *It is well to note that very few cultivated pasture lands were destroyed by these devastating fires.*

5. Farmland below the Frost Belt is becoming very scarce. The Frost Belt is just south of Lake Okeechobee. Food for people of the world should take precedence over many lesser considerations.

5a. The South Florida Flood Control District reports that there is an abundance of water for South Florida if properly preserved and distributed. Please refer to "In Depth Report" attached.

5b. *SHRIMP*—The amount of rainfall *does not* affect the shrimp yield appreciably. Charts prepared from U.S. Fisheries figures indicate increased yields after dry seasons. Average yield from five dry years are more than 5,000 Metric tons over average of wet years. See chart attached.

6. South Florida has three conservation areas beginning south of Lake Okeechobee and extending to U.S. 41, (Tamiami Trail) containing approximately 868,000 acres; plus 500,000 acres in Lake Okeechobee. This vast acreage added to the present area of The Everglades National Park, 1,463,000 acres, plus 94,000 acres for Islandia monument, makes an area of more than 4,500 square miles; as compared to the State of Delaware of 2,057 square miles; the State of Rhode Island of 1,214 square miles; the State of Connecticut of 5,009 square miles; and the State of Massachusetts of 8,257 square miles. It equals one-third Connecticut, (1,738 square miles); all of Delaware, (2,057); all of Rhode Island, (1,214);

and that doesn't include Parks like Pennycamp, Collier, Corkscrew, etc. It means we have *no* need for *more*. The law provides that a need must be shown before there can be a taking of private lands.

7. *Oil.*—The Big Cypress Area of Florida is a major oil production area. A substantial amount of drilling and exploration is taking place on State lands. The oil companies may find it quite inconvenient to deal with 35,000 separate owners in that particular area. It is quite possible that they would find it much easier to deal with the United States Government through some of its various agencies.

Maybe this bill should be called the Big Cypress oil shed.

Recommendations

1. That this hearing be adjourned until the study now underway and paid for to the tune of over \$1,000,000 can be completed and studied by this committee.

2. That this Bill be amended to provide for the construction of the Water Conservation area in the Everglades National Park.

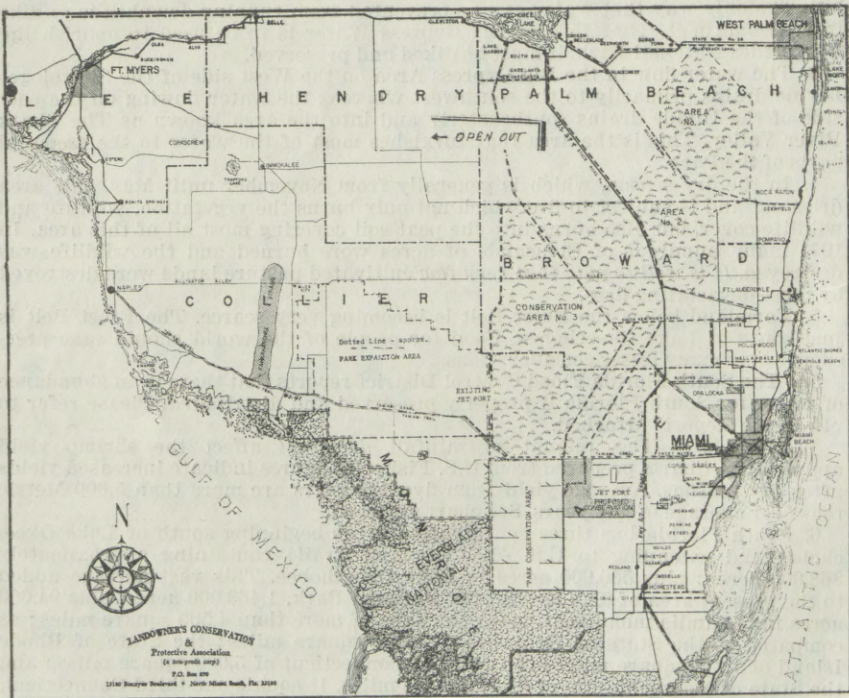
3. That Government engineers be ordered to study the feasibility of constructing and operating such a facility—including its pro and con effects on the ecology of the park.

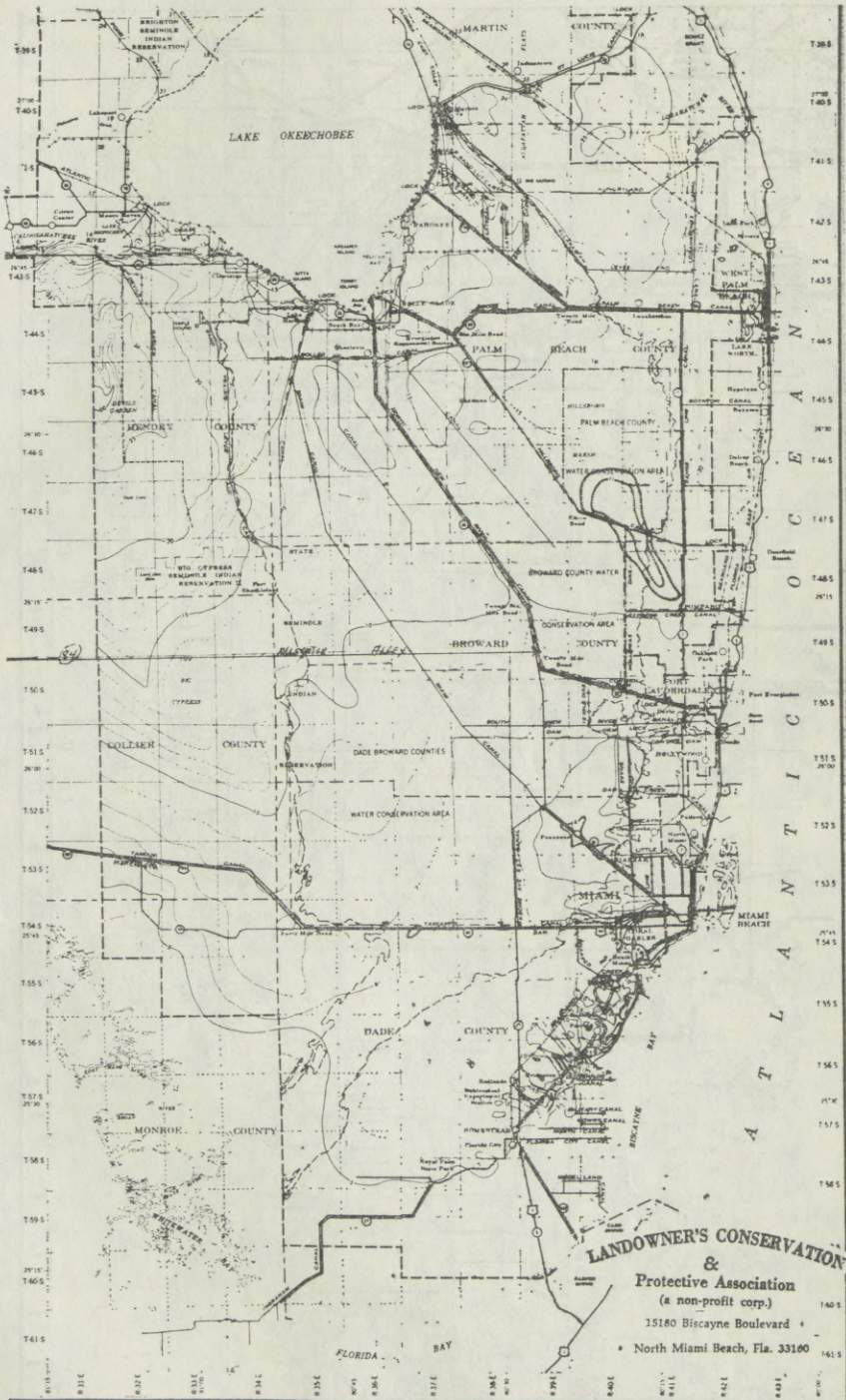
4. That the U.S. Government refrain from creating a Hari Kari on the economy and future food production in the south Florida area.

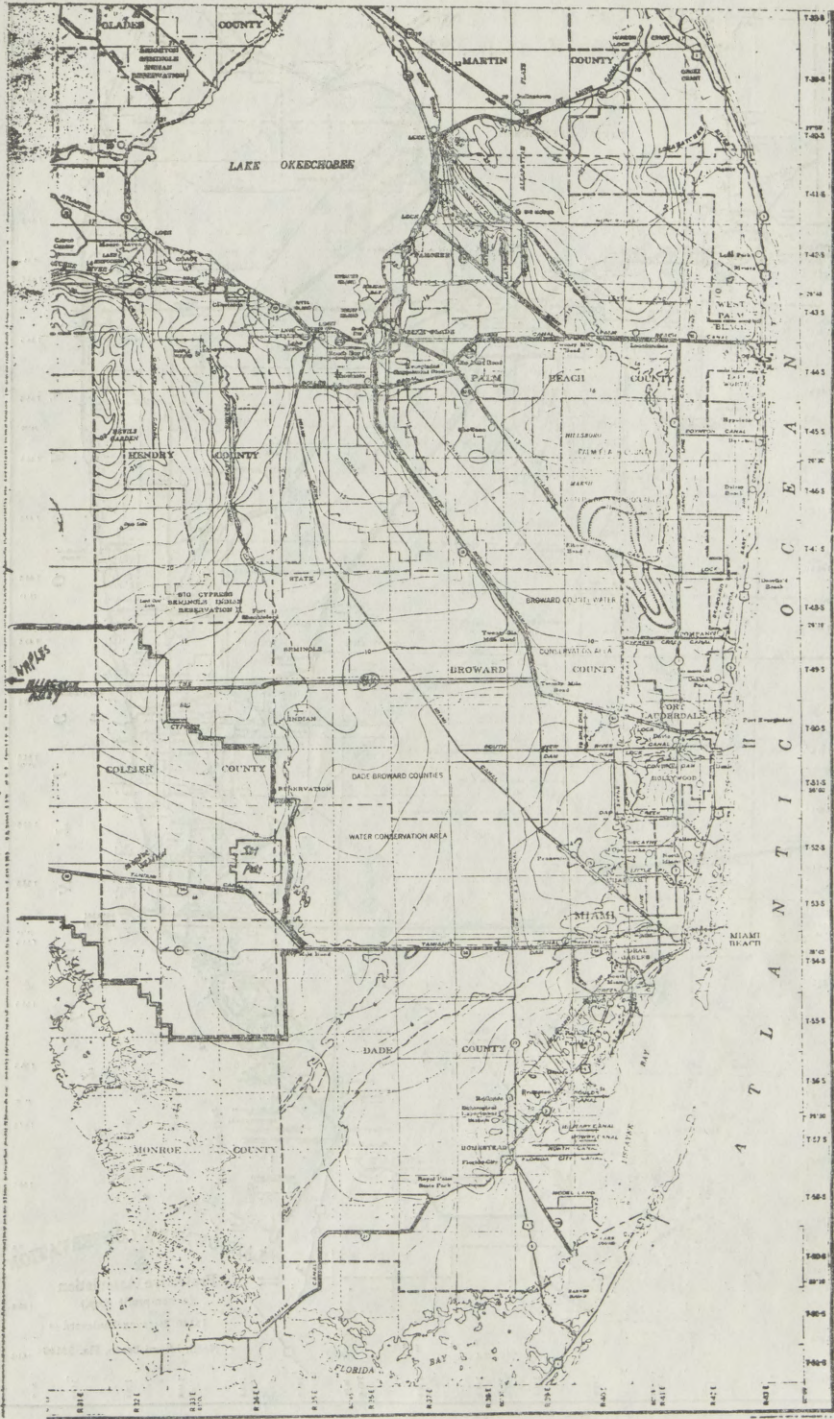
5. That the Senate and Congress not inject a loaded dose of additional national debt to our present fiscal red ink.

6. That the U.S. Government pay for the land it has already taken before taking another 540,000 acres that it won't pay for. Our Government should not take land without full compensation—now or at any time. Government is as Government does.

Thank you.







**STATEMENT OF JAMES G. PACE, PRESIDENT, LANDOWNER'S
CONSERVATION AND PROTECTIVE ASSOCIATION**

Mr. PACE. My name is James G. Pace, and I am president of the Landowner's Conservation and Protective Association. This is a non-profit Florida corporation, and we are dedicated to the conservation of the natural assets of our State, and the natural resources of our State. But we are also dedicated to the protection of property rights of our members, and of all the citizens of Florida, which we are afraid are about to be trod on a little here.

Now, I want to present to you today, as I have just stated, facts; and then we want to explain the facts. But we do not want to be like the country preacher. We do not want to back off later and put in the rousement.

Now, we do not have any rousements, and we believe that this has proceeded thus far under a little hysteria that if we do not grab this thing now, it is going to be gone forever.

Now, it is a little hard to—I would like for each member, if they do not have—I have in the back of my presentation a map. There are two maps. And we do not have an adequate map here that I could show you. And if anyone does not have one with the two maps on it, the larger map being a contour map to show the elevation of this property; and I have some larger copies here that may be better to read.

Now, as I walked in here, I picked up the statement of Rogers Morton, the Secretary, concerning this matter; and on about the third or fourth paragraph he designated a statement in there that this land was flat, and it had no perceptible variation in elevation.

Now, I am sure that this map was prepared by some of his staff, but it seems like the matter of unreliability of staff has filtered down as far as Mr. Morton's office. So I would like to refer you—I have taken on this large map here—on this contour map which is put out by the Geodetic Survey, it takes in most of the park.

Now, we have been unable to find a map that takes in the west, about 12 miles of it. And if you are able to read a contour map, the closer the lines are shows the steeper the elevation. And we have superimposed the area of the park as appeared in the notice that was sent out by this committee, and we have also drawn in Alligator Alley that goes through the area that does not show on the maps that are available.

Now, if you will notice in there you have got 15 and 16 feet of elevation at the Alley, and in less than 18 miles you hit Tamiami Trail with a 6-foot elevation, and from there on out to the bay is another 4 or 5 miles, and you are down to nothing.

So our fact to bring to you is that this is a downhill situation, and especially so in the State of Florida; because the International University now is located on land that has less than 7-foot elevation. It is a center of the southwest area population. It is on Tamiami Trail. It used to be the old Tamiami Airport, if any of you have ever been there; and it is some 15, 18 miles from the ocean. And in case you all do not know it, years ago I used to go duck hunting in that area.

Now, we have got a matter of water control; and this is what you are going to have to have, gentlemen, on this area if you ever expect to make a watershed out of it, a water conservation area, or anything else. You are going to have to build dams alongside Tamiami Trail to

keep that water from running across the trail and into the Gulf of Mexico at a good clip; because there is no law that you can say that this water will not run downhill. It has just got to run downhill.

Now, I was impressed by Mr. Fascell's statement to you of the type of land that is out there. Now, this land in the first place is not a swamp. It is good, productive farmland. Now, it has not been used as farmland because we have not used up our surplus farmland in the Miami area yet. But that land, gentlemen, is going very fast in the wake of urban development in the Miami area, and we are going to have to move out our bean and corn-on-the-cob land into this section.

And I say to you that the most important thing that we are going to have before this Nation within a very short time is where are we going to get the beef to put on the table, and the corn on the cob, and the green beans to eat.

Now, that is more important, I think, than the matter of setting this forth as an addition to the parks that we already have.

Now, I ask you to turn your attention to the map that you have up here, or to this map, or to both of the maps that I have before you, gentlemen; and I want you to look at the amount of land that we already have set aside for public use. And you will see the conservation areas over on the right-hand side, areas 1, 2, and 3, that, gentlemen, is 868,000 acres, which is almost as big as the State of Delaware.

Now, right above that we have one of the largest fresh water lakes, inland lake, in the United States, and that is Lake Okeechobee; and it covers 450,000 acres or 445,000, depending on the level.

Now, right below that we have the Everglades National Park of 1,460,000 acres.

Now, you put all of those together, together with Mr. Fascell's monument, Biscayne Monument, and we have an area bigger than Rhode Island, Delaware, and a third of Connecticut.

Now comes the question if you are going to take land for public purpose, even the courts have got to make a ruling that it is needed for public purposes; and if we need swamp-inundated areas and so forth, you have got 868,000 acres. And if the alligators cannot crawl over that dike and get in that side, they do not have a good smell for water. And the same thing goes for the spoonbills. If they cannot fly the 5 miles to get over from this area that you want to take and get over into the water conservation area to get all the fish in the world they would want, then they are a species that is not going to survive anyhow.

Now, in the rest of your birdlife, and your endangered species, and your Cypress Heads, and so on and so forth, are in great abundance down in the Everglades National Park area that you already have.

With relation to that park, which is for the public, the only way the public can see any part of that park is one little road that trickles through there on which you can see, maybe, a half a mile on each side, and another little road that trickles down from Tamiami Trail that you can go down 6 miles to a fire tower and stand up and look at some of the Everglades National Park.

Now, they will not permit you—the park regulations will not permit an airboat to get in it, which is the only way you can get in when there is water on it, or swamp buggy to go in it. There is no other way to get in, and you cannot hike it; because that area is a swamp, and there is no doubt about it.

Now, we say what have you got better. And I want to bring to you right at the first part of this thing what we do have better. Now, we have a proposal that you can store the water for this national park, if you want to feed the water to it.

Let me backtrack just a little bit. If you will see a black line running through about the middle of that map there, that is what they call about the area of Oscogology Divide; and I have it on this map here, and it is a little squiggely line that goes just about at the edge of the park and on up. And that divide is just as pronounced as the Continental Divide is out in Colorado.

And the water from the west side of that thing runs into the gulf, and the water from the east side runs into the Atlantic, but it runs more south.

Now, the area that you are proposing to take, all of that water runs directly, positively, and without any doubt southwest and runs right square into the gulf before it gets to 8, 10 percent of the park, and then it only has about 2 or 3 miles to go, and it is downhill. And I just showed you, on there the elevation map, and that there is a drop of 6 feet almost from a trail down there, and it is only about 4 or 5 miles.

Now, we say to you that if you want to put water into the park—and this is the purpose for which this bill is being passed, so they say; they keep shifting around the purposes, but let's nail down one or two of them.

Now, you see that little green spot on your map that is going up between the—would you point to it, please—just to the right of the taking and below Tamiami Trail. Right there, right in there, gentlemen, is a piece of land that is owned by the park and it holds water well. And we say to you that for \$25 million—not \$300 million, which it is going to cost to buy this land over here; and do not let anybody kid you that you are going to get it for \$150 million or \$170 million. It is going to cost \$300 million. I am a land appraiser, as well as an attorney as a background; and I can assure you by the time you get through with your legal fees, and your court costs, and your appraisers, and your surveyors, and so forth, you are going to knock the lid off of \$300 million, and that is if you do it now. And if you spread it out over time, it could run as high as \$600 million.

Now, we propose that you take this \$25 million and that you build a dike on the west side, right along that brown line, down to the bottom of the brown line. We say right down the boundary of the park, right down the boundary of the park, gentlemen. This is about 20 miles. This is 10 miles over here. It is really about 17 miles, but we suggest coming down a little bit further to about here and go over this way 10 miles back up to Tamiami Trail, across this way, and down this way. And let that area be cross-diked every 2 miles parallel with the trail so that you can store a certain amount of water, depending on the flow. If you have a whole lot, store a whole lot. When you are down low, run it into the area where it will not overly evaporate. It is the evaporation that we are losing the water from—the evaporation and the runoff.

Now, with that matter diked around this way, and your paralled dikes, you put flood control gates there or just low level pumps which are very cheap to operate; and you can feed the water to your park as it is needed, and as the park says it is needed, instead of having a

hassle every year between the State, the Corps of Engineers, and so on about how much water you are going to turn loose to them.

So I say that for that thing you will have—do not let it run on out to the ocean. Put it in that area right there. Put it in that area; and for this amount of money you can do the job of preserving the Everglades National Park, if it needs being preserved. It has gone on for many years without having it, but you have a head of water. You have got 868,000 acres of a head of water, and this other area will not be a head of water unless you put it in it. And it is good land, and we need it for corn and beef and pork.

I know we are getting pretty close to lunchtime, gentlemen, and I have a lot more to say on this thing. And I have attached to my statement—our engineer, Mr. Brownell, who appeared before the Senate committee, and he has surveyed every portion of this property. He has surveyed the entire national park. And he has told you in there about the divide and where the water runs to. And I went over there and made a check of that thing from an airplane. I have been flying airplanes since 1937, and I know every piece of that land out there.

Now, there are three areas, three little areas, that are swamp. Now, the rest of it is not. The Fakahatchee Strand there, and the right over to the right of it a little bit, that strip in there is—I forget what they call it now—Bay Slough or something—but that area is a swamp, and then down low, below the loop road, it is what is called the Robert's Lake Strand. That is about 2 or 3 miles wide and about 6 or 8 miles long, and that is a pier thing. That is where they took little Julie Eisenhower to show her off in the picture.

Now, below that they have got a little piece of Gum Slough that is not a swamp; it is a mere drainage. Now, if you want to buy those things, there is your park. Buy that. Make a park out of it. And let the Governor buy it if he wants to. And then if the Governor wants to buy it, they do not need your money for a thing like that.

And I do not believe that your cooperative deal with the State, as you claim, is ever going to work in the first place.

Now, I am going to quit. And I just want to show a comparison map to you one time. This is the stuff we already have, plus Lake Okeechobee, which does not show up. All of the stuff we have—you have not left us much in south Florida, and we need it. And the people here—

Mr. SKUBITZ. Where is the reservoir that you refer to located? Where on the map that you have presented?

Mr. PACE. Yes, sir. This is a reservoir, and my proposed reservoir is right here, sir, in this little green spot. And you do not have to buy it. You already own it. It belongs to the park.

Mr. SKUBITZ. The corps conservation area?

Mr. PACE. No, sir. The conservation areas are here, sir. Let me show you, sir. This is conservation area No. 1, and this goes right up into the sugarcane belt. All of this up here is sugarcane. And this conservation area No. 1 takes the water by this canal out of Lake Okeechobee to adjust the level and feeds down into here.

Conservation area No. 2 is down below it, adjoins down below; and then that feeds—that is right above Fort Lauderdale. And they have a pumping station right here, sir, from the South River in Fort Lauderdale, and they pump their water, instead of letting it run off into the ocean, back into this conservation area.

Mr. SKUBITZ. Where is No. 3?

Mr. PACE. No. 3 is this great big area here.

Mr. SKUBITZ. Very well.

Now, where is the reservoir that you are talking about?

Mr. PACE. Right here, sir. Right below it. Attached to it. In other words, we say to you instead of dumping four times the amount of water we ever use into the ocean and then letting it go, that we pump it back into these reservoirs, back into the conservation area, and let it come down in there as you need it. And we will put either a pump or floodgate, and they have them already there. They have floodgates already here. There are three of them within this area.

We need a higher ridge across here to retain the water, you understand, because it only seeks its level, and it would be the level that we have up here less the variations in elevation. And so we say pump it down to here, and this would be the bottom. They open the floodgates; the water runs right down here into the park, because the water runs south at that area. It does not run south anywhere else. They open the gate over on this side—we are just right on the divide—you open the gate on this side, and the water runs southwest and it feeds your park.

Now, we may get some slipstick or slide rule engineers here that say this land will not hold water, but there is a way to do it; and I have set it out in our paper before you. And that is to dig parallel dikes, parallel dikes, and take the fill—this is all solid rock—remember, gentlemen, this is coral rock that compacts into a solid base, and that is what all of our roads are made of, our concrete blocks and everything else—compact that rock in the ditch that you dug out of the first one, down to a depth of 20 feet, and the water will not go down, come up on the other side; but you realize you do not have enough pressure to push down that high. It does not take a scientist to know that water, if it has a trough, will go down and seek its own level.

But this will not go down. You do not have more than 8 feet—I mean 6 feet—at any time on a head, and so therefore it will not go down much more than 6 feet and 20 feet will do the whole thing.

And you will preserve that water, and run off the surplus. When you do not know where to put it, that is where you put it. We have a lot of times—we do not know where to put all the water.

We have, in case you do not know, 60 inches of rainfall down there in that area you want to take 60 inches a year. Now, how are we going to have a desert. How are we going to have a complete water failure when we get rainfall enough to support this thing. How Colorado would like to have some of this, and Texas that gets about 18 inches or 20 most of the time.

Thank you, gentlemen.

I ask you to take a little time and see some of the things I was not able to say, and please listen to the other people that have a very important message to you.

Mr. TAYLOR. Has your proposal to store water been studied by any engineers?

Mr. PACE. I do not know, sir. Yes, it has been studied, not in that particular place. But it was not only studied, but it has been done, sir, right across the street, just as far as from here from me to you. It is being stored over there right now, and that is the water conservation area. It works very good. It maintains our head of water; and I do not think that we have any problem with water.

It is the water wastage that we have. This is our problem. It is not a matter of having—

Mr. TAYLOR. Now, if we are going to pass this bill, do you have any specific amendments that you propose, in addition to your storage plan?

Mr. PACE. Yes, sir. I do have one amendment. We are trying to lock horns with this thing, not only for the new location of the new airport, that they say they must move the jetport from its present place out there. And we have suggested that directly east of this water storage place would be the place for the airport.

And it has been recommended, with this provision, or subject to this provision, that it may be illegal to have an overfly over this park area in order to reach there. All our landings are east and west in south Florida. Our prevailing winds are east and southeast. And we would like something put in this bill that says the airplanes may fly over it in order to reach their airport.

And I might tell you that we have also recommended—and it is under consideration—that this jetport be tied in with the Miami International Jetport with our monorail or high speed overhead transportation, and that Fort Lauderdale be tied in with it, and Palm Beach, and then down to Homestead, which is the lower part on the map in there; so that they can park their cars in the airport there, get their tickets, get on, deliver them right to the airplane without causing the congestion that will be caused by a regional airport that is supposed to serve three counties.

Mr. TAYLOR. Well, you are getting far beyond the jurisdiction of this committee.

Mr. PACE. It is much beyond the jurisdiction, but I say to you, sir, that the thing is like the fingers this way. Once thing helps the other, and I am sure that this committee would be happy to give us a little help along there, because we need it.

Mr. TAYLOR. Well, thank you.

Mr. SKUBITZ. Mr. Pace, one question. This proposal, this alternative proposal that you are recommending, has that been studied in any degree by any engineers.

Mr. PACE. Yes, sir.

Mr. SKUBITZ. Has it been drawn up or proposed by engineers?

Mr. PACE. No, sir. We do not have that much money, sir.

Mr. SKUBITZ. Then who drew up this plan?

Mr. PACE. We have two engineers. We have the fellow Brownell, which I have his qualifications and so on, and so forth in there; and we also have Kundy and Associates. Mr. Kundy was the county engineer for some—

Mr. SKUBITZ. Did Mr. Kundy propose this, or is this your proposal?

Mr. PACE. This is my proposal checked by Mr. Kundy.

Mr. SKUBITZ. And you are an engineer?

Mr. PACE. No, sir. I do not propose that to be an engineering program.

Mr. SKUBITZ. But you are an engineer?

Mr. PACE. No. I am not an engineer. I am a real estate man, a lawyer, and an appraiser. I would like to be an engineer, but I am not.

[General laughter.]

Mr. PACE. But let me say one thing to you, sir. I checked this not only with the engineer, but I checked it with the contractor that built

all of those dikes, that make the conservation areas, you see, or made most of them. And I got from him the cost and how this thing should be done, and checked it back and forth.

Now, if you are going to do it, send your Army Engineers down, let them check it. Send your U.S. Engineers down. This is what I say. And we say to you, come down, look. Look for yourself. We can take you all through that land there, Big Cypress area that you propose to take right now, most of it in a pickup truck. Now, it gets wet during the rainy season, but right now and for a period, say, basically 6, 8 months during the year—

Mr. SKUBITZ. You have answered my question.

Mr. PACE [continuing]. That is good farmland.

Mr. TAYLOR. Well, thank you, Mr. Pace.

Lonnie L. Williamson.

[The prepared statement of Mr. Lonnie L. Williamson follows:]

STATEMENT OF LONNIE L. WILLIAMSON, WILDLIFE MANAGEMENT INSTITUTE

Mr. Chairman: I am Lonnie L. Williamson, editor of the Outdoor News Bulletin for the Wildlife Management Institute, with headquarters in Washington, D.C. The Institute's program has been devoted to the restoration and improved management of renewable natural resources in the public interest for more than 60 years.

The Institute supports the goal of H.R. 46 and H.R. 4866 to acquire and manage the Big Cypress area in southern Florida. We are keenly aware that proper management of Big Cypress is the key to maintaining the unique qualities of Everglades National Park. Without the flow of fresh water from Big Cypress into the park, its valuable features of plant and animal diversity would diminish. Any investment, therefore, is not solely to benefit Big Cypress and add new land to the National Park System, it is also additional insurance toward perpetuating the remaining natural Everglades ecosystem.

The urgent need for legislation to protect Big Cypress and the Everglades exemplifies a situation which arises as a result of arbitrarily blocking off an area for specific designation without considering the all-important aspects of ecosystem functioning. The park is but one part of a much larger natural system which includes the Big Cypress drainage. This interrelationship clearly points out the limitations of imaginary boundary lines to preserve any area. Real conservation is something more encompassing than a lock on the door. It must involve consideration of entire systems instead of component parts.

In our opinion, acquisition would provide the most security and administrative leeway to manage Big Cypress. Through public ownership, all the public values of both areas can be protected and enhanced.

The intent of section 5 in both bills to permit fishing, hunting, and trapping on the proposed area is also commendable and consistent with most NPS recreation area Acts. Big Cypress is one of the most popular areas for sportsmen and naturalists in southern Florida. The fish and wildlife values are important both to residents and non-residents alike. Considerable economic benefits to the region result from the use of these resources.

We recommend, however, that the Committee favorably report a bill without the "fish and wildlife management" clause that has caused so much difficulty and misunderstanding in the past. This wording is contrary to the state's recognized authority to manage resident fish and wildlife. Its inclusion in this proposal is not crucial, and, there is no point in alienating persons and groups that otherwise would be supporters.

Acts authorizing National Park Service administered national recreation areas have not been consistent on this point. Some of them contain the "fish and wildlife management" clause, and some do not. The Cape Cod Act (1961), the Point Reyes Act (1962), and the Sleeping Bear Dunes Lakeshore Act (1970), do not contain this language. Acts authorizing other National Park Service areas—Assateague Island (1965), Apostle Islands (1970), and the Gulf Islands (1971), have the clause. None of the Acts establishing national recreation areas administered by the U.S. Forest Service contain the "fish and wildlife management" clause.

As a matter of policy, the Institute believes that authorizing Acts for national recreation areas administered by both National Park Service and U.S. Forest Service should *not* contain the "fish and wildlife management" clause. This position is consistent with the policy established in the Department of Interior during the administration of Secretary Hickel regarding federal and state responsibilities for fish and wildlife resources. Congress could be most helpful in understanding the logic behind this prevailing Interior Department policy and in helping to sustain it.

STATEMENT OF LONNIE L. WILLIAMSON, EDITOR, OUTDOOR NEWS BULLETIN

Mr. WILLIAMSON. Thank you, Mr. Chairman.

I am Lonnie L. Williamson, editor of the Outdoor News Bulletin for the Wildlife Management Institute. The institute supports both bills before the committee today to acquire and manage the Big Cypress area in southern Florida for several reasons that you already heard several times before. The intent of section 5 in both bills to permit fishing, hunting, and trapping on proposed areas also is commendable and consistent with most National Park Service recreation acts.

We recommend, however, that the committee favorably report a bill without the fishing, wildlife management clause that has caused so much difficulty and misunderstanding in the past.

This wording is contrary to the State's recognized authority to manage resident fish and wildlife. Its inclusion in this proposal is not crucial, and there is no point in alienating persons and groups that otherwise would be supporters.

Acts authorizing National Park Services administered national recreation areas have not been consistent on this point. Some of them contain the fish and wildlife management clause, and some do not.

None of the acts establishing national recreation areas administered by the U.S. Forest Service contain the clause.

As a matter of policy, the institute believes the authorizing acts for national recreation areas administered by the services should not contain that clause.

Congress could be most helpful in understanding the logic behind this prevailing Interior Department policy that was originally brought forth by Secretary Hickel regarding Federal-State authority over resident wildlife. And functionally, it is not really important in our opinion, but it does serve to irritate state wildlife agencies who see it as another loss of additional authority over resident wildlife.

Thank you very much.

Mr. TAYLOR. We thank you very much for your statement. This matter of management of fish and wildlife has been a matter of controversy before our committee on several occasions.

Let me say that Secretary Rogers C. B. Morton will be our first witness when we reconvene at 2 p.m.

The House is now in session, and a vote has just started, so the subcommittee will soon recess. Since important amendments will be considered later this afternoon, we may not be able to stay in session very long to hear very many witnesses, but we will do the best that we can. The subcommittee will stand in recess until 2 p.m.

[Whereupon, the hearing recessed at 12:13 p.m., to be reconvened at 2 p.m. the same day.]

AFTERNOON SESSION

Mr. TAYLOR. The Subcommittee on National Parks and Recreation will come to order. Our first witness this afternoon is Secretary Morton. Hopefully, we will have some more members of the committee here in just a few minutes.

While we are waiting for these other committee members to arrive, I would like to call Mr. R. G. Henningsen.

I understand you will need about 5 minutes?

Mr. HENNINGSEN. It might take a few minutes longer than that, so if we do not have the rest of the committee here, I will proceed.

Mr. TAYLOR. Proceed with your statement.

**STATEMENT OF R. G. HENNINGSEN, SPORTS & PROPERTY OWNERS
ASSOCIATION, BIG CYPRESS, FLA.**

Mr. HENNINGSEN. Gentlemen, thank you for hearing me out of my turn.

My name is R. G. Henningsen and I am a resident of the Big Cypress. I am making a particular point at this time, to qualify myself so there will be no doubt in the minds of anyone for the authority I assume for myself in the presentation I am prepared to make.

My home is located in section 18, township 51, range 33E, or, to be more precise, $12\frac{3}{4}$ miles north of the Tamiami Trail, U.S. 41, and 8 miles south of what is now called Alligator Alley. This is as close to the center of the proposed acquisition area as one can get.

I am a licensed guide in the State of Florida, and as such, I have walked or driven over this entire area at one time or another in the past 20 years. I do believe I am well qualified to speak on this area, more so than most people with degrees on ecology and proponents of this bill who have never set foot in this country.

Gentlemen, I am here before you at my own expense, but I must inform you I speak for a group of people numbered approximately 300 who feel the same as I. The people I speak for at this hearing have expressed their feelings to me face to face, by this I mean personally and not by a show of hands or any organizational backing of any group.

The area in question again this year is basically the same as last year. Last year we were able to show enough evidence to change a few minds and this acquisition was not acted upon.

Now we are back again rehashing the same theories put forth by the same people and we hope we can do as well this time, because I think some of us have come better prepared.

At this time, sir, I would like to pass around a few pictures—I was prepared to show some slides, but I understand we are short on time—that will show this area. These pictures depict the area in the center of this area. They are taken at different times of the year. They are pictures of my home, of my airstrip, of the country as it actually is. They also show that there is water when you have rain, because you will notice the picture of the only lake in the whole area other than Robert's Lake Strand, which is south of the trail and this is north of the trail, and you will see water in that lake. When the water is at the shoreline of that lake, the water is high.

You will also notice the rest of the land surrounding that is completely covered with pine, palmetto, but very little cypress.

It has been injected into this hearing before that this area is a watershed that feeds most of the Everglades National Park. I will guarantee anyone in this room at this time that not one drop of water in the area north of the Tamiami Trail from approximately 1 mile north of the trail all the way up Alligator Alley ever reaches the Everglades National Park.

Mr. Chairman, I wish to present to this committee a rather new concept of the subject area. Of the 35,000 landowners, a certain percentage will always be developers. The vast majority of these landowners are not developers because of the simple fact they own an average of less than 15 acres of land each.

The State of Florida and all the bills I have read say the landowner will be paid the fair market price for any of his land acquired, yet to this day not one person has been able to say what this price will be. One cannot put a monetary value for the hard work expended in 20 years of a man's lifetime.

Along these lines, and along this type of thing, I am making a proposal. I have been asked to appear in Collier County before the Collier County Planning Commission to discuss this aspect with them.

If the Federal Government or the State of Florida wishes to establish a fund in escrow for the purchase of the land from those wishing to sell because they cannot develop, we would be 100 percent behind this approach. Bearing in mind those of us who wish to keep this land compatible with the ecology and use it in a compatible manner, be permitted to do so in perpetuity—I hope that is the word. They should also be allowed to sell their land to anyone else who wishes to continue along these lines.

In other words, gentlemen, when you tell me at the end of my lifetime, by the end of my son's lifetime, that this land has to go to the Government, you are definitely stepping on my toes and you are going to get a fight from now on, and you are going to get it from a lot more people than just me.

Mr. HALEY. Mr. Chairman, where did the gentleman get the idea that the Federal Government at the end of your lifetime is going to walk in here and take over the land?

Mr. HENNINGSEN. That is what it says in some of the bills that I have read, sir.

Mr. HALEY. The Federal Government, if they are taking the land, they are going to pay you the fair market value for the land.

Mr. HENNINGSEN. Sir, respectfully, no one has ever been able to tell me what the fair market price of a piece of land is 13 miles from the nearest road. If you could, I would be very pleased to hear it, sir.

Mr. HALEY. Well, there are ways to determine that. You have got appraisers, you have got people who want to sell land, fair market value—whenever you get off on the idea here that the Federal Government or the government of the State of Florida is going to walk in and throw you out and take your land, you just are completely out of the ball park.

Mr. HENNINGSEN. Let me inject this.

I do not want to give the wrong impression on what I am trying to say. The limitations on the funding in the multiplication on the

acreage involved does not permit the people to pay me what is considered to be the fair market price of the land that far in the interior. There is no way you can take up the land along the roads that cost the high prices and leave an equal amount for me if you divided it out. There is nothing I have got that is for sale.

Mr. TAYLOR. You understand that the law would provide that you will get paid the fair market value of the land and you will be paid for relocation costs.

Mr. HENNINGSEN. All right. We will continue. I cannot argue the point, because I do not know. Like I say, I have never heard a price; I do not think anyone in this room has ever heard a fair price, and I do not know what—

Mr. TAYLOR. Well, in all of these areas, the land values have to be determined by definite appraisals after the area is created. They are valued as of the time that we are ready to pay out the money. Land values change and they usually increase. That is one reason I have been contending that we should buy quickly if we are going to buy.

Mr. HENNINGSEN. Sir, would I be out of line in saying that the values that are being used at this moment to sell land in the interior of this area, and I mean the very vast interior that I am talking about and they are \$400 to \$500 an acre, I do not know of any land that you can buy for less than \$400 to \$500 an acre, and I live there.

Now if anyone in this room can show me any land for less money than that, I will seriously consider purchasing it myself.

Mr. TAYLOR. Go ahead and conclude your statement.

Mr. HENNINGSEN. Thank you.

In Collier County in 1938, there were saw mills operating within the area designated as the Big Cypress Swamp. Every one of these saw mills was engaged in the logging and milling of pine timber. Some years later during World War II, the Lead Tidewater Cypress Co. began logging in the Fakahatchee Strand. The Fakahatchee Strand is not within the takeover area, but it is estimated that this company logged approximately 330 million fbm (board feet) of cypress mainly from the Fakahatchee Strand, and from an area immediately joining it to the west.

All of this cypress timber was logged from the western half of Collier County. None of it came from the area east of Road 29.

In addition, approximately 50 million fbm of cypress timber was logged by others from widely separated cypress strands in Collier County, making a total of approximately 380 million fbm of cypress timber cut and removed from Collier County, practically all of it coming from the western half of the county.

The logging of pine timber continued from 1966, during which time more than 400 million fbm of pine timber was logged and removed from the so-called Big Cypress Swamp. It is indeed unusual circumstances that a cypress swamp could produce more pine than cypress.

Mr. TAYLOR. What are you reading from? I do not find it in the statement that I have.

Mr. HENNINGSEN. I am reading from a little departure that was not able to be brought out before because the gentleman was not to appear and it pertains very much to this area since everyone continues to think of it as a water storage area.

Mr. TAYLOR. Well, as I followed you, I believe you read your entire statement. The attachment will be turned over to counsel and will be placed in the file.

Mr. HENNINGSSEN. Thank you.

Mr. TAYLOR. Any questions? You finished the other statement?

Mr. HENNINGSSEN. Yes. The other statement, I believe, carries on. It is just an inclusion of my statement before the Senate hearing last year and that is there on the second page and I presume it will be included in the record.

Mr. TAYLOR. Are there any questions of Mr. Henningsen?

Mr. HALEY. Thank you, Mr. Chairman.

Mr. Henningsen—

Mr. HENNINGSSEN. Yes.

Mr. HALEY [continuing]. Where do you get the figure of 35,000 landowners?

Mr. HENNINGSSEN. From the tax records of Collier County, Monroe County, land sales people who have not completed sales contracts that people are purchasing land on a contract basis. These figures are not recorded in the tax offices, so our figures of 35,000 landowners are vaster than the 21,000 that is put before you.

If you need a verification of these figures, we have a gentleman in the audience that I think can summarize that. He has already spoken, but I am sure he would be glad—it is a county manager of Collier County.

Mr. HALEY. We can get the information. I just wondered where these figures came from. That is all I asked you.

You say they come from the public records of Collier County.

Mr. HENNINGSSEN. Yes, sir.

Mr. HALEY. Monroe County?

Mr. HENNINGSSEN. Yes, sir.

Joe Cotton Realty, other land companies—which I do not agree with, by the way, but they are there in public records, sir.

Mr. TAYLOR. Well, thank you, Mr. Henningsen.

Mr. HENNINGSSEN. Thank you, Mr. Chairman.

Mr. SEIBERLING. Could I ask a question?

Mr. TAYLOR. The gentleman from Ohio has a question. Just a minute, Mr. Henningsen.

Mr. SEIBERLING. Mr. Henningsen, why do you oppose this park being created?

Mr. HENNINGSSEN. Because I believe this land can be utilized by the people who own it. I believe that we have enough park in the Everglades National Park that people cannot go in, sir.

Mr. SEIBERLING. I am sure it can be utilized, but that is not really the question. The question is whether it should be.

Mr. HENNINGSSEN. You are asking me whether this land should be utilized, or should not be utilized?

Mr. SEIBERLING. The question we are confronted with is whether it could be utilized or left in its natural state.

Mr. HENNINGSSEN. Well, sir, any time you are denying, I believe, the citizens of this country the right to utilize land that they have owned and purchased, as long as they want to use it along with your compatible lines in ecology—we have no objections to restricting the development in this country; we are all for it. We want this country to remain

exactly as it is. I am not here as a developer, I am against the development, and these people now, I speak against them just as hard as I speak here for private ownership of this land.

Mr. SEIBERLING. Well, would they be willing to convey to the National Park Service or some suitable body like that a deed restriction in perpetuity that the land could never be developed?

Mr. HENNINGSSEN. Yes, sir. My group would be glad to do that.

Another reason I bring this up, it has been injected in this hearing that swamp buggies and air boats do a detriment to the ecology of this area, but nothing has been brought in of the governmental agencies that have torn this area completely apart with their rock plows and bulldozers during the fire season, and this damage is irreparable.

Mr. SEIBERLING. Well, thank you. I just wanted to clarify what your position was, and I appreciate it very much.

Mr. HENNINGSSEN. Thank you.

Mr. TAYLOR. Thank you very much.

Our next witness is Hon. Rogers C. B. Morton, Secretary of the Interior.

Secretary MORTON. Thank you, sir.

Mr. HALEY. Mr. Chairman.

Mr. TAYLOR. The gentleman from Florida.

Mr. HALEY. Let me welcome the distinguished former member of this committee to appear before this committee. I notice that he is looking very healthy. We are glad to have him back and participating in Government where he is doing a good job.

I notice also that he has an aide that we hated to lose and I am glad to have him with us, too.

Mr. TAYLOR. I, too, am glad to welcome Secretary Morton, we're glad to see you looking so well.

Secretary MORTON. Thank you very much. I feel healthier than I do wealthy, Mr. Chairman.

[General laughter.]

Mr. TAYLOR. We regret that we haven't more members here, but you understand the situation on the House floor. The competition is pretty rough.

Secretary MORTON. I am thoroughly familiar, sir, with the problem that you have. But not only am I glad to have this opportunity to meet with the committee, but on advice and counsel of you, Mr. Chairman, and the chairman of the full committee, I will be delighted to meet individually with any members of the committee to the extent of the time available, as this is a matter concerning which we have a very high priority.

Mr. Chairman, do you wish me to proceed with my statement?

Mr. TAYLOR. Go right ahead.

STATEMENT OF HON. ROGERS C. B. MORTON, SECRETARY, U.S. DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY NATHANIEL REED, ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS

Secretary MORTON. Mr. Chairman and members of the committee, I am delighted to appear before you this afternoon on behalf of the administration and in support of this landmark environmental legislation.

Preservation of Big Cypress is among the top priority legislative proposals of the administration. It was especially singled out by President Nixon in his message this year on the state of the environment. You will recall he said:

It is our great hope that we can create a reserve of Florida's Big Cypress Swamp in order to protect the outstanding wildlife in that area, preserve the water supply of Everglades National Park and provide the Nation with an outstanding recreation area. Prompt passage of Federal legislation would allow the Interior Department to forestall private and commercial development and inflationary pressure that will build up if we delay.

Let me add this. Delays are costly—not only in terms of their dollars, but more critically in our ability to halt the draglines from further ravaging this fragile land. While we ponder size and alternatives, Big Cypress is being parceled out as rapidly as the swamp peddlers can hack roads and airstrips in this wilderness to bring in their clients.

Governor Askew clearly signaled the magnitude of this threat when he proposed that the State of Florida spend \$40 million to commence buying critical areas within the Big Cypress. That magnificent offer is more than just a gesture, for this is not the first time the State of Florida has so acted. When Congress authorized Everglades National Park in 1934, it did not include an authorization for Federal funds for the purchase of lands, as such funds were not considered necessary. It was our distinguished colleague, the late Senator Spessard Holland, who as Governor of Florida set in motion the massive program that resulted in the donation of nearly 900,000 acres of State lands to create the park. And it was the same effort that caused some 35,000 acres of private lands to be donated. And, as if that was not enough, the State of Florida provided \$2 million, in cash, for land acquisition. Except for 4,400 acres acquired from the Farmers Home Administration because of farm foreclosures, no other Federal funds were available for land acquisitions until 1966. Since then Congress has appropriated some \$24 million to purchase the less than 100,000 acres remaining in private ownership, but in the interim, prices have risen astronomically. The available funds should be sufficient and the program is well underway, with more than half of the required acreage having been purchased.

Now, once again Florida leads the way. It has not forgotten the values of Everglades National Park and Big Cypress. The 1934 authorization for Everglades did include much of Big Cypress that subsequent legislation deleted.

How should one value an Everglades or a Big Cypress? Certainly not by totalling the dollars spent buying land or for development. If this were the way, then Yellowstone, which was taken almost entirely from the public domain and required practically no dollar outlay would be worth very little today. We can surely agree that a heritage is not valued in dollars, but rather in pride and pleasure, whether given or received, and in the intrinsic worth of something impalpable possessed by no one and yet by all. We can all take pride in saving the habitat of the endangered Cape Sable sparrow from the dragline, with the satisfaction of knowing that our generation is willing to make sacrifices for the intangibles; it measures our esteem for the quality of life we want for ourselves and our children.

We have, I feel, too long considered swamps incapable of providing a high quality recreational experience. Our biases give high marks to

seashore and forests, lakes and mountains, but we have seldom seriously considered the recreational experience available in swamps. We quickly mention bird watching as if some stigma might be attached, and pass too lightly over the prospects of nature study.

As the conventional recreational resources become less available or more crowded, new opportunities will have to be found. Big Cypress does not have to be found—it only requires protection. We have extolled its values as handmaiden to Everglades National Park. We have emphasized its importance as a water source for the west coast of Florida, its importance to the estuaries on the gulf, the fisheries and their value to sport and commercial fishermen. We've told you of the endangered species. In nearly every instance, it was Big Cypress helping something else, and its own values as a sanctuary, wilderness, scientific reserve, place of extraordinary subtropical beauty and recreation ground were seldom given proper recognition.

Just as the snows of winter close many parks to all but the hardiest visitor, seasonal floods in Big Cypress will sort the visitors into wets and dries. Hiking and wilderness camping are entirely feasible in the highlands, most of which emerge in the dry season, while sloughs and strands may provide access for some boaters year round. Hunting and fishing are already established. And, just as one finds recreational and educational opportunities in the popular terrestrial parks, comparable, and perhaps much broader, opportunities can be yielded by Big Cypress. Big Cypress compliments Everglades not only through its well-defined relationship, but because it can provide the hiking, camping, and exploring that are limited in Everglades to the few developed visitor areas. Big Cypress will serve the Nation well.

Can the survival of the Everglades National Park be guaranteed if Big Cypress is acquired? I am sure it will help, but I will guarantee that if the Big Cypress Swamp is not protected in its natural state—with its drainages unimpaired—Everglades National Park will change drastically. The park resources have changed in the past 25 years—I can think of no benefits, only losses. Some indexes show awesome losses. For example, the census of wood ibis has shown that the population of breeding pairs has diminished by 80 percent between 1940 and 1969 when the number stood at an estimated 10,000.

You may also ask whether Big Cypress can be protected in some manner other than by outright purchase. I don't know any other way. We have studied the alternatives, and all fail to do the job, or end up with full fee acquisition. We looked at zoning and at every conceivable combination of Federal-State-county arrangement, taken one, two, and three at a time. We looked for innovative legislation.

We considered new organizational units, such as trusteeships, and a public corporation. We tried easements but ended up needing a substantial part of the fee and the job of policeman. We considered Federal compensatory regulations but again saw the possibility of ending up with the fee. We considered a system of parkways and easements. We tried permutations of all these ideas. It came out the same each time. We finally put a blue ribbon panel to work on alternatives to straight-out acquisition but by the middle of the second day, all the participants reached the same conclusion: the only sure way is full fee acquisition. So, while the reports may show only six or seven

alternatives, the records will show three or four times that many were considered and rejected.

Our conclusion is that the Big Cypress should be acquired in fee. If you concur in the relationship between Big Cypress watershed and the Everglades National Park and determine it is in the national interest to protect the Nation's investment and the resources of the Everglades, then your decision, simply put, is on how to protect the Big Cypress Swamp.

At the present time, we anticipate substantial new 1975 funding for the land and water conservation fund, and I will make every effort to approach full funding for this important program. Assuming this occurs, we can move ahead aggressively in the land acquisition program for Big Cypress as well as for other national park and recreation areas authorized by the Congress and to continue the program of recreation grants to States to support the President's legacy of parks initiative.

May I add at this point that I feel that with the commitment of the State of Florida and with the prospect of full funding of the land and water conservation fund that we can begin to move forward very aggressively in the acquisition phase of this program.

To demonstrate the high priority we place on Big Cypress, we plan to use the advance contract authority contained in section 4 of Public Law 90-401 amending the Land and Water Conservation Fund Act, in fiscal 1974. Use of the contract authority will permit us to start to buy Big Cypress lands in fiscal 1974. These contractual obligations could then be liquidated with fiscal year 1975 appropriations.

With the help of the State of Florida, we have an opportunity to forge a new element in the Nation's system of parks. You can respond in the most positive way by approving H.R. 4866 or H.R. 46 if amended as suggested in our report to your committee, establishing Big Cypress National Fresh Water Reserve.

Mr. Chairman, I will be delighted to go into this in further detail and answer any questions that the committee might have.

Mr. TAYLOR. Thank you, Mr. Secretary, for your statement. You state that you will make every effort to approach full funding for this important program. What do you mean by "full funding"?

Secretary MORTON. What I mean is full funding of the Land and Water Conservation Fund. We have over the period of the last 5 years actually funded the Land and Water Conservation Fund at higher levels than it ever had been before, and I anticipate that by 1975 we will be back to full funding. Now, a lot of this will depend on actions by the Appropriations Committee of the Congress. It also, of course, will depend on determinations made by the Office of Management and Budget as to what the national priorities are, the general condition of the economy, the international situation, and so forth, but the plan is to move to full funding of the Land and Water Conservation Fund. It is from this program that acquisition of the Big Cypress would be funded. This would be in addition to the commitment already made by the State of Florida.

Mr. TAYLOR. You mentioned full funding in the past, and of course, that is not the situation this year, and if we follow the recommendations of the administration, that will not be the situation next year because you have recommended no new money for Federal parks.

Secretary MORTON. Well, we have got some money in the backlog. We have a \$59 million obligational program for the Park Service, I think, coming up in 1974 and a \$20 million carryover in the fund for the Park Service to 1975. I believe that those are the right figures for 1974: \$59 million plus a \$20 million carryover in the fund to 1975; and the plan is to move up to full funding in 1975.

The problem resulted from the effort to control Federal outlays and expenditures of approximately \$250 billion for fiscal 1973, in an effort to hold down inflationary forces and reduce the possibility of an increase in taxes. Congress itself, I think, will have to share in the determination of priorities as far as expenditures are concerned that will take place across the board in 1974 and 1975. Obviously if we operated on a "squeaking wheel" basis and every committee got everything it wanted and every program got everything it wanted, we would be out of the ballpark.

In fact, this year, instead of \$250 billion, we would have been up around \$280 billion. Our system of controlling expenditures and the relationship between the Executive and the Congress has to be perfected. I think we all realize that.

Mr. TAYLOR. But this program, it seems to me, has been on a sound basis. The \$300 million now has been in use for several years. There is around a \$300 million backlog now which we owe for areas we have already authorized, and your statement now on full funding applies to those areas just as it does to Big Cypress, is that right?

Secretary MORTON. I think you have got to use some priority judgment too, Mr. Chairman, on how you use your funds and how you use contract authority. Nothing would give me greater pleasure, of course, and I am sure the committee would feel the same way, than to wipe off the debt in terms of acquiring all the lands. I think there is a feeling that this administration has been remiss in not pursuing this, but if you look back our record of acquisition of these lands in recent years is excellent and in fact more money has been devoted to this than in previous years.

We are not going to be able to knock this in the head in one fell swoop. I would like to have \$1 billion.

Mr. TAYLOR. Well, the situation is that when the administration changed in 1968, a \$300 million fund was authorized. For the first year or two, the administration did not spend it all. They held some of it back. Then, you spent more than the \$300 million a year to try to catch up, but now it has been held back again.

Secretary MORTON. Well, one reason is that much of the Land and Water Conservation Fund is matching money and there has to be a partnership in its spending.

There is no question that we got into a financial bind as a result of this never-ending war, and there is no question that certain priorities within the whole domestic framework were changed not only by the administration, but by the Congress as well. In my opinion, this resulted in a slowing down of funding that should be allocated to parks, and let's say, to the whole area of conservation.

On the basis of preliminary studies, I feel that we have been through the bottom of that valley, and I look forward to reestablishing ourselves at a much healthier level in the 1974 and 1975 cycles.

Mr. TAYLOR. Well, I am glad to see you predicting a better day in

the 1975 budget, because it's a pretty miserable program for 1974. I am glad to hear you state that you are going to do everything you can do to bring it about. I hope you can convince the President to give this program real support with cash and not just words.

Secretary MORTON. That is right. One of our other problems, Mr. Chairman, is that we suddenly found that because of greatly increased use of the parks, that our operations and maintenance money was inadequate; we had to add \$30 million this year, \$35 million over the historical base. If we had not done that, those funds very well might have been used in the acquisition program, but to maintain standards in the parks, keep the visitor facilities properly maintained, and to operate the parks under a whole new workload system, it was necessary to use this \$35 million.

Mr. TAYLOR. Well, my time is about up, but I must say I don't understand that statement, since Land and Water Conservation Fund moneys cannot be used for operation and maintenance. I do have one more question.

Now, is this area more important in terms of priorities and funding than, say, the Gateway National Recreation Area which was strongly recommended by the administration a year or two ago; or Golden Gate National Recreation Area, which we were told was urgent; or the Buffalo National River; or Cumberland Island National Seashore, or indeed many of the others that you have recommended and that we have been proud to approve?

Secretary MORTON. Of course, this is a good question. My idea of the priorities and your idea of the priorities might coincide 100 percent, or be 1,000 miles apart. I do not know. But Buffalo River, which you mentioned, we have scheduled for \$11,158,000.

Let's see what other one you mentioned there.

Mr. TAYLOR. Cumberland Island.

Secretary MORTON. Cumberland Island was one. We owe \$9 million.

It is awfully difficult for me to sit here and determine the priorities and really answer that question. I think we just have to use some common sense.

If the State of Florida is willing to put up \$40 million, and if the Governor feels he has the backing—and I think he does—then, this is a commitment which it seems to me, should have a bearing on what the Federal priorities are. One thing different about Golden Gate and Cumberland Island and many other areas is that they are not threatened by development. The land in Golden Gate is not threatened to the extent that the land is threatened in Big Cypress. This, of course, has to be a factor. How you use, let's say, \$30, \$40, \$50, or \$100 million for a program that needs nearly \$1 billion, is a question of a short term strategy to get the most for your buck, and I think we have to proceed carefully. I am not going to be able to create dollars with a magic wand, but I would like to have \$1 billion to wipe out all inholdings, and carry out all the programs that Congress has authorized.

I have a lot of ideas to present to you for acquisition of new areas. I am sure people around here shudder a little bit at the very thought of that, but there are things we have to do in our time in this area. I feel sure we are going to have enough leverage so the total program will not slip back but will move ahead progressively.

Mr. TAYLOR. I hope you do not mean to suggest that the administration's priorities are based strictly on reacting to development threats at these areas. The gentleman from Florida.

Mr. HALEY. Thank you very much, Mr. Chairman.

Mr. Secretary, you have been over this Big Cypress several times, have you not?

Secretary MORTON. Yes, sir.

Mr. HALEY. You and your staff have studied all kinds of alternatives, have you not?

Secretary MORTON. Yes, we have. I do not know whether we studied every conceivable alternative, but we certainly studied every reasonable alternative that was presented.

Mr. HALEY. And you come up now and say that the only way that you can really do the job is to buy the land.

Is that right?

Secretary MORTON. I think that is a fair statement. Had we reached a state of maturity in terms of land use throughout the country some years ago, say at the middle of the sixties, and if the land use planning institutions had perfected methods for preserving sensitive areas, and we could be sure they worked, we might have a basis for going some other route. Without that historical basis and without those tried and proven methods, the only approach that I have enough confidence in to recommend to this Congress to insure preservation is acquisition in fee.

Mr. HALEY. Well, Mr. Secretary, normally the Congress permits residents of these areas to retain a life estate or 25 years, at the owner's option. When the purchase is made, then the right may be reserved by the owner so that the costs do not go up after the expiration of the term.

Now, would that solve some of our problems? We have heard a man talking here a little while ago about 20 years of labor and he is building a home and so forth.

Could there be some way that we could still protect the Everglades National Park and not disturb those people?

You recall that in the Everglades National Park we had that kind of a proposition, and just a few years ago Senator Holland and I got the additional money to buy the inholdings after the expiration of the 25 years.

Could that be done here?

Secretary MORTON. I think, without any question, Mr. Haley, Mr. Chairman, that it can be done. As you know, I was very instrumental in doing the same thing for Assateague National Seashore. There are certain natural values, particularly the water supply from the great drainage area of Big Cypress into the western portion of the Everglades National Park, that I think we must maintain as they exist today. With one or two minor exceptions, this is not incompatible with protection of those people who have developed either a residence or a good wholesome use of the area. These people should be protected for whatever time the Congress feels is proper. I do not think there is any question about that. I would be against the bill, and I would get awfully upset and nervous if this bill permitted Federal takeover without any protection of the rights of those people who live there and for whom Big Cypress has become a part of their lives.

Mr. HALEY. Well, that disturbs me, too, Mr. Secretary.

And I believe the first time that I talked with you I had the idea that probably we could purchase what I would call a flowage easement over some of these lands.

Now, of course, we acquire scenic right of ways and so forth in our rivers. You have explored that very carefully.

Secretary MORTON. Yes, sir. We do not believe easements would work. The watershed is too sensitive. It is sheet type drainage; the water moves slowly and is maybe only a few inches deep. It moves in a great horizontal sheet, and if you cut roads, dig ditches, divert this and destroy that, you will get into deep trouble. The water would move into concentrated areas like canals and would not be distributed downstream in a way that would benefit the Everglades.

I would like Secretary Reed, who is very familiar with this, to straighten the committee out, if I am inaccurate, but my concept of it, Mr. Chairman, is that any development whatsoever which results in ditching, diversion, changing the direction of flow, or concentrating water in some areas at the expense of other areas would be disastrous to using the Big Cypress as a fresh water reserve to supply the Everglades National Park.

Mr. HALEY. Mr. Secretary, would you explain to the committee exactly how this advance contract authority will work?

Secretary MORTON. I am going to have a person, Mr. Chairman, who is a little more familiar with the technical use of it to answer the question if I may.

Mr. Stewart.

Mr. STEWART. Yes, I am Philip Stewart, National Park Service. The advance contract authority would simply permit us to enter into contracts with landowners that would be liquidated in the following fiscal year. In other words, we could start negotiating a contract for the purchase of the land, to be paid for in fiscal year 1975.

Mr. HALEY. I see.

Now, you initially answered this, Mr. Secretary, when the chairman of the subcommittee was asking you these questions.

Would you specify precisely what your plan would be in this respect if this legislation is enacted. I want to know exactly what you would do this year, in fiscal year 1974, in fiscal year 1975 and thereafter.

Secretary MORTON. Specifically, what we would do would be related to how successfully we could use our contract authority and how fast we could move in the acquisition of land through the use of funds committed by the State of Florida.

I would hope that in 1974 we would use \$10 million worth of advance contract authority, but this would depend on how successfully we were using the funds committed by the State of Florida.

This is a complicated piece of real estate because the ownership pattern is very like Assateague, with some 25,000 property owners. How fast we can actually have individual buyer-seller negotiations result in options or contracts to sell depends on our skill and how available the owners are.

We found that the Assateague acquisitions moved along slowly for the first couple of years, then began to pick up momentum, and in about 2 years' time were going very well. I cannot say exactly what

percentage could be acquired, but I anticipate using the entire \$10 million of contract-authority and perhaps twice that from State funds in the 1974 cycle, and hopefully twice that in the 1975 cycle.

But that, again is——

Mr. HALEY. Kind of speculative, is it not?

Secretary MORTON. That is speculative, yes, sir. It is pretty hard to buy \$15 million worth of property a year when you are going to buy it in little parcels.

Mr. HALEY. Yes. I agree with you there.

How much has OMB cleared? Has it cleared anything?

Secretary MORTON. Yes. We have had long discussions with them, and I pretty well have an understanding with them on the 1975 cycle as far as funding the Land and Water Conservation Fund. They are fully aware of my intentions to use contract authority. We have cleared that. Our position here today is thoroughly understood, thoroughly cleared, and has the blessings of the President.

Mr. HALEY. When we pass this legislation, then, you are ready to perform.

Is that right?

Secretary MORTON. Yes; providing that we do not do something drastic and go back into Southeast Asia or Israel or something like that. If we have a normal period of time here, I am ready to perform. I am ready anyhow.

Mr. HALEY. Well, that is fine, Mr. Secretary. I am glad to hear it. Off the record.

[Discussion off the record.]

Mr. HALEY. Well, I think that is all I have got.

Mr. TAYLOR. The gentleman from Kansas.

Mr. HALEY. Just a minute.

All I want to say, Mr. Secretary, is that you sat here for several years with us. You have got good training, and I see you are putting it into good use down there on that Foggy Bottom.

Secretary MORTON. Thank you, sir.

Mr. TAYLOR. The gentleman from Kansas.

Mr. SKUBITZ. Thank you, Mr. Chairman.

First, Mr. Secretary, it is good to see you back.

Secretary MORTON. It is good to see you, Joe.

Mr. SKUBITZ. Mr. Secretary, you sat on this committee for years and you are familiar with the debates that took place, sometimes quite heated, over whether we should keep authorizing more projects and not having money available, and of course you have heard the chairman on that point. You have heard the chairman of the subcommittee on that matter.

What bothers all of us, really, is whether we should continue to keep authorizing more and more projects while we do not have the money available to buy lands.

But what troubles me is that here today money is available to go ahead with these projects, and yet my own administration is tying the money up.

Secretary MORTON. Well, I do not know what you mean by available.

Mr. SKUBITZ. We have money available in the Land and Water Conservation Fund. Money is coming in, and yet the funds have not been authorized for expenditure. It is about \$300 million a year.

Secretary MORTON. The problem is, of course, that the money is available on paper. I think there is \$79.4 million in the Land and Water Conservation Fund for the Park Service. We are only using \$59 million of it.

Mr. SKUBITZ. For what fiscal year, Mr. Secretary?

Secretary MORTON. 1974.

Mr. SKUBITZ. That is carryover money, is it not?

Secretary MORTON. That is right. But there is a difference between that money and the cash money that is available to support a green check. The problem is that we are spending money at a rate greater than we are taking in the revenues. If you are not going to increase the revenues through additional taxes you have to slow down the actual outlays or expenditures of money across the board. This is nothing unique to this administration.

The percent of total revenues impounded today is somewhat less than it was back in the fifties; it is just a question of availability of cash.

Mr. SKUBITZ. All of it does not come from taxes, Mr. Secretary. There is funding from offshore—

Secretary MORTON. Let us say total revenues.

Mr. SKUBITZ. The funds that come from offshore leasing and development.

Secretary MORTON. Well, we are one of the few departments outside of the Treasury, sir, that raise as much money from the sale of national assets such as offshore developments, and from user fees and so on, as we spend. Our revenues are about equal to our outlays in Interior, across the board.

But that is peanuts compared to the whole Federal budget. The Department's revenues are around \$2.4 billion, whereas expenditures of the Government are in the neighborhood of \$250 billion. So you get into an accounting problem.

Mr. SKUBITZ. I will not argue that point, Mr. Secretary. The fact is, this money is available and it is just frozen. We are not using it. Secretary MORTON. How do you unfreeze it, if you haven't got it?

Mr. SKUBITZ. Do we get money from the offshore leases?

Secretary MORTON. Oh, sure.

Mr. SKUBITZ. How much money comes from such operations, Mr. Secretary?

Secretary MORTON. Well, we just had a sale for about a billion dollars the other day.

Mr. SKUBITZ. How much will come into the Land and Water Conservation Fund?

Secretary MORTON. About \$300 million.

Mr. SKUBITZ. And about \$300 million of that will come in the year 1974, won't it, fiscal 1974?

Secretary MORTON. But it goes into the general fund. It does not go into the Land and Water Conservation Fund directly, but only on paper. All revenues to the Government go to the Treasury.

Mr. SKUBITZ. But it is earmarked for this program, is it not, and it cannot be spent for anything else?

Secretary MORTON. It cannot be spent for anything else, but it is not money. And if you only have \$100 and you have \$150 worth of bills, you have to be a miracle man to pay \$150.

Mr. SKUBITZ. But the money, presumably, is there for this purpose and cannot be used for anything else.

Secretary MORTON. It is for this purpose. I do not want to get into Federal accounting with you, because you probably know a lot more about it than I do.

Mr. SKUBITZ. I do not. I have never been—I was never able to understand it, under Kennedy, Johnson, or Mr. Nixon.

[General laughter.]

Secretary MORTON. Maybe you ought to be Secretary of the Treasury, because it sounds to me like you have a better feel for this than we do. We would like to spend it, too.

Mr. SKUBITZ. Thank you.

Mr. TAYLOR. Would the gentleman yield?

Mr. SKUBITZ. Yes.

Mr. TAYLOR. Mr. Secretary, what we want to say is, we are very disturbed. We have authorized project after project, and here you have a carryover of \$79 million in fiscal year 1974. It is earmarked money which could have been used this year to buy these national parklands, but was not. You are carrying that over to 1974 when you will have \$300 million again going into the fund, but the administration proposes to use only \$54 million of the carryover money that year and none of the new money. I must say I don't understand it when you say that the OCS revenues do not go into the Land and Water Conservation Fund directly.

Secretary MORTON. \$59 million.

Mr. TAYLOR. Now, you plan a carryover of \$20 million into 1975, even when you propose no new money for 1974. Under the Land and Water Conservation Fund there could be \$80 or \$90 million of new money put in. Under the law, the money has to be there. We are disturbed at the lack of progress. We feel that the administration is just not doing the job that the Congress authorized and directed.

Secretary MORTON. Well, I think you have two committees to be disturbed about. One is the Ways and Means Committee, for not providing a cash flow into the Government through higher taxes, if you want to go that way. That would provide an opportunity for the Government to meet its current obligations across the board.

The other one is our own Appropriations Committee, which appropriates within a legislative framework of budgetary levels that are agreed upon.

Mr. TAYLOR. If the gentleman would yield further, I would say that the main thing that disturbs me is the action of the President's Office of Management and Budget which has frozen the funds for this program. Not only has it not allowed the moneys appropriated to be spent, but it has refused to recommend normal appropriations in the coming fiscal year.

Secretary MORTON. I think your point is an academic one. If the authorization put these funds directly into the Land and Water Conservation Fund and did not incorporate them in the general revenues of the United States, so that they were not in any way connected with the U.S. Treasury, and we disbursed these moneys directly from the fund, this would be contrary to the statute that revenues be credited to the general funds.

If this statute was changed and the Congress decided that it would

run these as separate funds—these special funds—you would not have this problem. As things are now the problem is that the Government does not have sufficient funds to fully expend every one of many special funds, of which the Land and Water Conservation Fund is an example, at the authorized levels, all at the same time.

If the revenues came into the fund from the sources that they come from, the royalties and the sales and all the rest, rather than being part of the general revenues of the U.S. Government, and we disbursed that money separately, we would not have this situation. But the problem is that the Government as a whole, in order to meet its current obligations, its payroll and everything else, has to hold back and put money in reserve. It is not a good system, but that is the way it has developed over the years.

Mr. SKUBITZ. I notice in your testimony, Mr. Secretary, on page 5, you raised the question and then answer it yourself, "Can the survival of Everglades National Park be guaranteed if Big Cypress is not acquired?"

And your answer is: "I am sure it will help." And I am sure it will, too. But that does not quite go as far as I would like to go. We are being asked to spend \$150 million or \$170 million. We could buy Big Cypress area. But that is just going to help the situation. Can you now predict how much more it is going to take to get the entire job done?

Secretary MORTON. The only thing we can say is that what lies ahead of us is unknown. We exercise the best judgment, based on our experience, that we can, but I cannot guarantee anything. Only God can. If we had a series of hurricanes that devastated the Everglades National Park, it would be of no benefit to have this swamp or any other swamp.

Mr. SKUBITZ. Mr. Secretary, I am not asking for a guarantee of anything. But when you used the term "it will help," it sounds as if we will be doing a pretty good job if we will accomplish half of what may be eventually necessary.

Secretary MORTON. In man's adjustments to nature, I think I am a little inclined not to use superlatives.

Mr. SKUBITZ. I will grant you are not using them.

[General laughter.]

Mr. SKUBITZ. Do you know of any other areas that should be taken, or any other programs that might help?

Secretary MORTON. We are talking about the Everglades National Park?

Mr. SKUBITZ. Yes.

Secretary MORTON. Well, of course, we can dream, Congressman Skubitz. I guess it is we dreamers that move things forward, though a lot of times we have to stop and rest at the halfway house. I would like to change the boundaries but Congress itself began this starting in 1934. I believe some of the boundaries were even changed during my experience on the committee, and yours, of course. I do not have the history in front of me. While there are a lot of things that we would like to do, we have basically a great park.

It is complete, in respect to certain fundamental ecosystems that exist in the Everglades. It is servicing the public well; it is conserving a great area. I think the most important and highest priority for sustaining its values is the acquisition of Big Cypress. Otherwise, I would be here with some other proposal. This is the No. 1 thing.

After we get this we may later want to perfect the boundaries in response to development in the State of Florida, what the water problems are. We may have some things that will emerge that we will have to take a look at, in terms of further perfection of the whole program.

Mr. SKUBITZ. Is there not a considerable amount of construction work taking place south of Lake Okeechobee, Mr. Secretary?

Secretary MORTON. Yes. It would be a very valuable experience for you to visit this area and see what is happening in central Florida. The two coasts have been—the chairman knows much more about this than I do.

Mr. SKUBITZ. We visited the area, but what bothered me was the private construction work. Is that not going to affect the waterflow going down to the area, too?

Secretary MORTON. It will affect it, but we will get the most important part of it, and the effect will be relatively small compared with what it would be if we do not make a reservation of this watershed.

Mr. SKUBITZ. Do you know whether or not there are any plans for developing the Tamiami Trail into the four-way highway?

Secretary MORTON. I would like to defer to my colleague on the right who is a Floridian. For this question, the Governor of Florida would be a good authority.

Mr. REED. It is in the Governor's long-range plans, Mr. Skubitz. Alligator Alley is to be designated I-75—he has made that announcement—if DOT agrees, and depending on the outcome of possible litigation over that designation, way off in the future, he may wish to four-lane the Tamiami. But I think the designation of I-75 going through the northern part of the Big Cypress Swamp will take the pressure off the Big Cypress in many, many ways.

The Governor said, in his announcement on I-75, that he will allow no access from it into the Big Cypress, and that alone may cause a downward adjustment in land prices. It will certainly give us time, because it is going to stop access from the entire northern tier, and it is going to be a great benefit.

Mr. SKUBITZ. But of course, if that road is built, that too could affect the flow of water.

Mr. REED. But the road is already there. There is a two-lane road already there.

Mr. SKUBITZ. But if you get a four-lane road there, you bring on a bigger problem.

Mr. REED. I think I-75 can improve some of the flow problems created when Alligator Alley was built. I happen to have been opposed to the original road, and I think that there were mistakes in the engineering, but I think we know how to build a road nowadays to correct those mistakes.

I think the I-75 designation for Alligator Alley may be the best thing that ever happened. We can correct some of the drainage errors made in the past.

Mr. SKUBITZ. What water monitoring has taken place in this part of the area?

Secretary MORTON. Let me get Mr. Hartwell on that.

Mr. HARTWELL. I am sorry, I did not hear that.

Mr. SKUBITZ. Water monitoring.

Mr. HARTWELL. I am Jim Hartwell; I am a former USGS employee. I am now with the division of applied ecology at the University of Miami, and I am a hydrologist.

At the present time, the Geological Survey is measuring the flows that are occurring through Alligator Alley and through the Tamiami Trail. Flows are measured at all the bridges and culverts along the the Tamiami Trail in the area designated for acquisition.

Mr. SKUBITZ. What about insecticides in the water? Have you made any surveys to determine whether the water is being polluted, and is it serious pollution or not?

Mr. HARTWELL. There is some monitoring on a very small scale for insecticides and fertilizers in the water. Although it is an ongoing program, there is no analysis of day to day samples, or even week to week samples. As I recall, it is twice a year that samples are taken and analyzed except that at the numerous sites near the jetport the samples are taken 10-12 times a year.

Mr. SKUBITZ. Mr. Secretary, do you intend to buy the oil and mineral rights in this area?

Secretary MORTON. That should have been testified to, I must defer. Let me get you the answer to that, because this is more complicated than it would appear on the surface, and I will furnish a written answer to the committee on it.

[The material referred to follows:]

The National Park Service proposes to acquire full fee title to all tracts of land where the mineral rights are neither severed or held under an oil or gas lease.

Where the mineral rights are leased, the surface will be acquired subject to the mineral rights which will be subordinated to the Park Service environmental protection requirements.

Where the mineral rights are severed and not under lease, the National Park Service will acquire to the extent necessary to result in Federal ownership of at least 50 percent of the mineral title, thus assuring National Park Service control of the mineral estate.

Mr. SKUBITZ. Mr. Secretary, I would like to ask permission to submit other questions to the Secretary in order to have a record made on it and have the Secretary give us the answers.

Mr. TAYLOR. Absent objection, the questions and answers will be placed in the record at this point.

[EDITOR'S NOTE.—On May 14, 1973, Representative Joe Skubitz submitted numerous questions to the Secretary of the Interior. The questions and responses follow:]

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 4, 1973.

In reply refer to: L58-LOC, SCSO-S-51632.

Hon. JOE SKUBITZ,
House of Representatives, Washington, D.C.

DEAR MR. SKUBITZ: Thank you for your letter requesting additional information for the record of the May 10 hearing before the House Interior Subcommittee on National Parks and Recreation concerning H.R. 46 and H.R. 4866, the Big Cypress National Fresh Water Reserve proposal.

Your questions and the answers are as follows:

Question. 1. Are the current arrangements worked out for water flow from conservation areas 1, 2, and 3 adequate? If not, what changes do you propose?

Answer. Basically, yes. The Corps of Engineers, the Central and Southern Florida Flood Control District, and the National Park Service, cooperatively, are working out a detailed schedule of releases to the park.

Question. 2. Most of the fuss in the past has been over lack of sufficient quantities of water. What are the problems with water quality, and how serious are these? It has been said that pesticides and fertilizers entering the water may soon prove to constitute as big a threat as lack of sufficient water.

Answer. Lack of sufficient quantities of water will produce the most dramatic ecological response, but we are certainly concerned that the quality of water may be impaired if pollutants and excess nutrients are introduced. This Department's 1971 report by the Federal Water Quality Administration indicates that residential, agricultural, and commercial or industrial development has been at a low level within the proposed reserve, resulting in minimal effects on water quality. The halting of the construction of the jetport was a major factor in minimizing this effect. However, the report points out that such development may soon rapidly encroach upon the area and, if not curtailed or controlled, will result in alteration of drainages, increases in siltation, and degrading influences from pesticides, and domestic and commercial wastes. These burdens will change the ecosystem, and the process will be hastened by the lack of enough water that may occur from alteration of drainage patterns by such development.

Question. 3. The proposed title of this area appears to create a new type of area for the National Park System. As far as an administrative category for management, would it be considered as a "natural" area or a "recreation" area?

Answer. Big Cypress National Fresh Water Reserve will be managed to protect the water supplies and the habitats found in the swamp, and any recreational uses compatible with these objectives would be permitted. To the extent that it is consistent, it will be managed as a natural area.

Question. 4. Would recreational uses and development be as extensive as for other "recreation" category areas of the National Park System?

Answer. No, but this could change as the demand arises. We anticipate that 1.4 million people may visit the Big Cypress by the fifth year of operation. Most of these would be motorists, traveling on or stopping along the main roads. About 100,000 people per year are expected to be hunters, hikers, and others going into remote areas. For these users, only minimal developments are proposed. This would include a Park Ranger contact station, comfort station, and parking area at each of four locations. Maintenance-storage facilities would be provided.

Question. 5. In past proposals, the area has often been referred to as a Preserve, rather than a Reserve. Would the term Preserve be more accurate?

Answer. We think the differences are largely academic, and either term would be suitable. While we may think of preserving the ecosystem, we also think of reserving the water supply.

Question. 6. Do you plan to acquire oil and mineral rights? If so, how do the costs look here, and are these costs included in your total acquisition cost estimate of \$156,000,000?

Answer. The National Park Service proposes to acquire full fee title to all tracts of land where the mineral rights are neither severed nor held under an oil or gas lease.

Where the mineral rights are leased, the surface will be acquired subject to the mineral rights which will be subordinated to the National Park Service environmental protection requirements.

Where the mineral rights are severed and not under lease, the National Park Service will acquire to the extent necessary to result in Federal ownership of at least 50 percent of the mineral title, thus assuring National Park Service control of the mineral estate.

Question. 7. Do you plan to regulate the use of air boats and swamp buggies?

Answer. Travel through the swamp by air boats and swamp buggies will be permitted to continue although use in certain sensitive areas may have to be regulated to insure against impairment.

Question. 8. Do you plan to either build or remove any roads in the area? If roads are built, what precautions will you take regarding impedance of water flow?

Answer. There are no plans to remove any existing roads within the proposed reserve. If I-75 is built on the Alligator Alley alignment, reconstruction of the existing roadway will be required to greatly improve the flow of water across it that is now impeded by the few drainage openings along State Route 84. Drainage across existing access roads to the visitor facilities will be improved if needed.

Question 9. Will you permit the landing of aircraft in the Big Cypress?

Answer. Owners of improved lands, as these lands are defined by the legislation, who have constructed airstrips on their property may continue to use these airstrips until such time as the property is conveyed to the United States.

Question 10. How well do you feel that you have alligator poaching under control within the park?

Answer. There is very little evidence of alligator poaching in and around the park, with only a single indication of a professional poacher during the past 6 months. The probable reason for limited poaching is the difficulty in selling the skins as a result of Federal and State laws. All indications are that the park's alligator population is as high as it has been during the past 10 years.

Question 11. Will you protect alligators and other wildlife in Big Cypress to the same degree as within the park?

Answer. Alligators are protected as an endangered species under Federal and State laws, and thus will receive the same protection they now enjoy in Everglades National Park. H.R. 4866 provides that the Big Cypress National Fresh Water Reserve shall be administered in accordance with the laws applicable to the National Park System. To this extent wildlife within the reserve will be protected as it is in Everglades National Park. However, the legislation for Big Cypress provides that hunting, fishing, and trapping may be permitted within the reserve in accordance with applicable laws of the United States and the State of Florida. Thus, not all wildlife would receive the same degree of protection as within Everglades National Park.

Question 12. I understand that wilderness designation is being considered for proposal for much of Everglades Park, particularly in the contiguous northern sections. Does any part of Big Cypress have wilderness qualities, and should any part be studied for possible wilderness suitability?

Answer. Since the Big Cypress is not as yet a Federal area, it has not been evaluated for wilderness. This area contains significant undeveloped lands in a natural condition similar to other areas presently subject to wilderness review in the contiguous area of Everglades National Park. The purpose for establishment of the national fresh water reserve would be compatible with the objective of wilderness preservation. Therefore, wilderness study of these lands would be suitable and appropriate.

Question 13. What is the current status and outlook for the resolution of the Jet port facility which is within the Big Cypress proposal? What environmental safeguards are presently being taken to minimize the adverse impacts of the presently operating training facility?

Answer. On January 16, 1973, the Dade County Port Authority signed a 2-year extension of the Jetport Pact. The pact halted work at the original jetport site and provided for selection of a new site while authorizing the continuation of commercial training flights at the original site. Subsequently, the Dade County Commission did not reaffirm selection of an alternate site northwest of Miami. It authorized the County Manager to review all possible sites in south Florida, both inside and outside of Dade County. Another site has not yet been selected.

Concerning measures being taken to minimize adverse environmental impacts at the training airport, Departmental personnel continue to monitor the site to assure that no adverse changes are occurring which affect the ecosystems, and that there is compliance with the provisions of the Jetport Pact. These provisions include: (a) prohibiting construction of (1) further runways, (2) other facilities except as required for fire, rescue, and security purposes; (b) prohibiting improvement or extension of the existing runway and appurtenances; (c) prohibiting all repairs, maintenance, fueling, washing, or similar activities, and limiting storage of fuels, oils, and chemicals to amounts reasonably needed for emergencies; (d) prohibiting use of pesticides and fertilizers in or on the airport site except upon written consent of the United States; (e) prohibiting further drainage or alteration of natural water flow within the airport except upon written consent of the United States; (f) prohibiting disposal of petroleum, chemical, or solid wastes on or adjacent to the airport, and providing that sewage be collected and treated in a manner consistent with applicable water quality standards; and (g) requiring that employees at the airport be quartered elsewhere, except as necessary for emergency conditions and as required for security and fire protection.

Question 14. What is the current activity at the Jet port?

Answer. Operations since the jetport's opening have not exceeded 100,000 per year, and projections are that this level will probably not be exceeded for a number of years ahead.

Question 15. The land acquisition at Big Cypress looks as if it will be a big job. Will you staff up adequately to handle it without jeopardizing the work needed on other areas of the National Park System?

Answer. Yes, it is expected enough personnel will be provided to accomplish the land acquisition for the Big Cypress and continue to meet our programmed land acquisition needs for other areas of the National Park System.

Question 16. I have heard that the construction of the main park road to Flamingo has caused some adverse impacts on water flow. If this is so, what plans do you have to rectify this?

Answer. No significant adverse impact is known.

Question 17. Has there ever been, and is there now, any canal opening activity from the ocean waters, penetrating water courses into the Everglades Park, which is causing any damage to the natural park ecosystem?

Answer. In the 1920's several canals were dug in what is now Everglades National Park. Some have since been closed, and others remain open. The biological consequences of these canals have not fully been determined, and at present are not considered to be significant. In 1958, a remnant of one of the original canals was enlarged and extended by the National Park System to provide boat access from Florida Bay to Whitewater Bay. The biological and hydrologic effects of this canal have altered the local ecosystem, and remedial measures are under consideration.

Question 18. There has been growing concern over the years that administrative and some concession development within units of the National Park System be phased down, and placed outside the park boundaries where possible. What administrative development is proposed for Big Cypress which you feel must be placed inside the area, rather than on the outside periphery?

Answer. The developments now planned are located near the periphery of the proposed reserve, with the possible exception of the manager's headquarters at Monroe Station along the Tamiami Trail (U.S. 41). The developments are all to be situated at or immediately adjacent to existing roads or developed areas that will remain. There will be no new construction of facilities or roads within undeveloped areas of the Big Cypress.

We appreciate the opportunity to provide you with this information. If we can be of further assistance, please let us know.

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

Mr. SKUBITZ. Thank you, Mr. Secretary.

Mr. TAYLOR. The gentleman from Ohio.

Mr. SEIBERLING. Mr. Secretary, I did not have the pleasure of sitting on this committee when you were on it, but it certainly is a pleasure to see you here looking so hale and hearty.

Secretary MORTON. Thank you, sir.

Mr. SEIBERLING. I do not have too many questions. I take it from your discussion with the other members of the financial constraints that you are under that the fears, of the Collier County and other local authorities, of a sudden decline in their tax base are somewhat exaggerated.

Secretary MORTON. I think no matter how you cut it, the acquisition would be over a considerable length of time because of the number of property owners involved. I see the general growth in other areas of the county and development in the county offsetting pretty well any diminution that would take place as a result of taking this almost totally undeveloped land, off the tax rolls.

Mr. SEIBERLING. That was my reaction too, and I am interested to hear you confirm it.

I was interested in your discussion about these constraints and your point that we have to have a ceiling on expenditures, and of course the Congress may do just that, and it may actually be a lower ceiling than the total budget that the administration prepared, but there is also a good possibility that the Congress in its discretion may revise some of the priorities and cut some of the segments of the budget and raise others. I assume that if we succeeded in getting the Land and

Water Conservation Fund authorization and appropriation raised and some of the other related ones, that you would not object to that.

Secretary MORTON. Oh, no.

Of course, the priorities, as I see them are primarily in the area of my Department which I think is perfectly proper. I think that Congress is a great leveler in this, and I would hope that the Congress would address itself to the whole question of money management which results in an impoundment or reserve. Nobody likes to impound money. If you have an authorization for appropriations and then appropriations at a certain level, the natural desire of the Executive is to spend the money and do the job that has been agreed on and appropriated for. The difficulty is that when the inflow of cash does not come up to the current requirements of outflow, and you are sitting there with your dollars down, you have a problem of being selective as to where you spend and where you do not spend, even though the authorization and the appropriation exist.

It is embarrassing—not embarrassing so much for the administration as it is for the system.

Mr. SEIBERLING. Well, what I am saying is though that the administration, I assume, feels that they can spend \$268 billion next fiscal year and that—

Secretary MORTON. Providing that it comes in.

Mr. SEIBERLING. Well, the assumption is that it will come in, because otherwise the budget figure would have been lower, and assuming their estimate is correct, then it is not going to create more inflation or more deficit if we spend it on acquiring additional park lands than if we spend it on buying some more fighter planes, is that not true?

Secretary MORTON. That is absolutely correct.

Mr. SEIBERLING. So, my next question is, if we do appropriate more money than the budget calls for and yet we are still within the total spending ceiling, are you going to be in a position to spend that money or is OMB still going to say no?

Secretary MORTON. I think I would not be in a position to do anything unless the money can be released by a central authority. Every other Secretary will be in exactly the same boat—the housing people, the community development people, the Public Health Service and everybody else. Somewhere in this whole spectrum there has to be a central control. I think we have received our fair share as far as opportunities are concerned, and we will naturally fight for it, but I think our position is better on some things than it is on others. In this particular instance, because of the nature of this, the priority is pretty good.

Mr. SEIBERLING. Well, are you saying that even if we stay within the total amount of the administration's budget—\$268 billion—and assuming that revenues hold up as they were expected to do when the budget was prepared, that nevertheless, if we appropriate more money for your Department than the administration's budget calls for even though we reduce it in other Departments, that OMB will probably not let you spend it?

Secretary MORTON. It would be based on what contracts have been previously let and what obligations have been created. This is one of the difficulties, as some of the people who have been here quite a while, particularly those who have been working with the Appropriations

Committee realize, that when funds are appropriated let's say in fiscal year 1973, some of the contracts on which those funds will actually be spent may not materialize at anywhere near the appropriated dollar levels until 1974 or even 1975. It is not as though you wipe the slate clean at the end of each fiscal year.

Actually, the administration controls only about 20 percent of the outlays. The rest of them are pretty well and solidly fixed by previous contract.

Mr. SEIBERLING. Well, I understand that, but the same is true whatever Department the money goes to, is it not? You have a similar problem?

Secretary MORTON. Yes, but somewhere that all has to be put together and the amount of money that you have to spend in any fiscal period in terms of cash outlay has to be centrally controlled. You have to knuckle under to that.

Mr. SEIBERLING. Well is there any way that this Congress can write legislation to make it possible for you to spend more than what the OMB has budgeted?

Secretary MORTON. Well, I think that even in appropriations processes, where certain flexibilities exist, it would be very difficult to do. The authorization would have to be for an appropriation. Of course, the authorization would be reviewed and rehandled in the appropriations process, and there would obviously be a great deal of exchange and interchange between the Appropriations Committee and the Office of Management and Budget so that what we could do from a practical point of view would be fully understood by the committee before commitments are made.

I have been a great advocate of the legislative budget ceiling. I think if we had been appropriating, over the years, with an agreed on ceiling, we would not be in the bind we are; and the previous administration was in just as deeply as we are.

Mr. SEIBERLING. Well, I agree completely with that, and all I am trying to figure out is who has the last word on priorities within the ceiling, Congress or OMB?

I am beginning to get the feeling that it does not matter what the Congress does, the OMB is going to be the final—

Mr. RUPPE. Will the gentleman yield on that point?

Mr. SEIBERLING. Yes.

Mr. RUPPE. The Congress has never limited its appropriations to a spending ceiling. If we ever got around to establishing a spending ceiling and limited our appropriations to it, I think we might have a bigger stick than the one we have carried heretofore, and I believe at that point we could eliminate OMB.

Mr. SEIBERLING. I certainly agree, but I am not getting much light on the question of what happens if we do that, whether we or OMB are going to be the ones who decide what the money is going to be spent for.

Mr. RUPPE. If the gentleman would yield once more, in a lighter vein, I think that what we should do with the gentleman in front of us who has both a background in ecology and on the Ways and Means Committee is make him the head of the OMB.

[General laughter.]

Mr. SEIBERLING. I will tell you, he would get my vote.

I have no further questions, Mr. Chairman.

Mr. TAYLOR. The gentleman from Michigan?

Mr. RUPPE. Thank you, Mr. Chairman.

Mr. TAYLOR. The \$156 million that is authorized to be spent for the acquisition of this property, is this figure based on price levels today, or is it based on the assumption that we will take, or your Agency will take, 4, 5, 6 possibly 7 years or more to acquire the property?

I am questioning that the \$156 million is sort of what your average price is going to be looking at land values today and at the escalation of these values in the forthcoming years.

Secretary MORTON. A lot of study went into this.

This is a figure that has been developed over a good deal of time and, Congressman Ruppe, let me ask Secretary Reed whose area of responsibility deals with the methodology used, to answer the question, and if it does not fully satisfy both of us, well, we will get it to you in writing.

Mr. REED. We examined, Congressman Ruppe, some 4,000 sales within the area. We increased the value from \$156 million to \$170 million when we did not know at that time that the State of Florida was going to designate Alligator Alley as I-75. We felt that we were going to have continued erosion of the northern portion Big Cypress to developers due to access from Alligator Alley. Under the old bond issue that built Alligator Alley, access was assured to anybody every 2 miles. In 75, however, is going to be a no-access route.

Right now we are looking at the \$156 million figure again.

Mr. RUPPE. The \$156 million would be the price of that property at today's market if the legislation was passed now?

Mr. REED. That was our price last year. We might raise it somewhat for inflation right now, but I do not think we would put \$170 million on it.

Mr. RUPPE. Aren't land values rising down there 10 to 15 percent per year?

Mr. REED. I do not think it is that much in the Big Cypress. Mr. Stewart has been studying it, and we think the limitation on access from Alligator Alley is going to have a very sizable impact. If you cannot get into the northern part, it will hold the prices down. We did have a 10-year pay-out period figured in. We simply cannot cover this many properties—

Mr. RUPPE. When you say, Mr. Secretary, a 10-year pay-out period, are you referring to the fact that the figure cranks in the anticipated inflation?

Mr. REED. Yes.

Mr. RUPPE. Of the descending number of properties to be acquired during the 10-year period?

Mr. REED. Yes.

[EDITOR'S NOTE.—Following the hearings, the following communication on this issue was received by the subcommittee:]

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 21, 1973.

Hon. ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. TAYLOR: During the May 10 hearings by your Subcommittee on proposals for a Big Cypress National Fresh Water Reserve in Florida, Mr. Ruppe raised the question of what the total cost of the Reserve was going to be. I believe that in our response, we correctly outlined the general factors which we considered in reaching our cost estimate. I am taking this occasion to summarize again how we arrived at our cost figure, and to confirm that our cost estimate for acquisition of the Reserve by the Federal Government remains \$156 million.

As you know, our proposal to the 92d Congress in February 1972 contained an appropriation authorization of \$156 million. Since that time, the National Park Service has obtained more detailed maps of the area involved in the Big Cypress proposal and has recalculated the acreage within the Big Cypress boundaries. Our proposal has been revised to reflect the National Park Service's new estimates; specifically the private acreage to be acquired has been reduced by 25,000 acres, and the acreage figures on publicly owned land have been revised upward. The reduction in private acreage results in some reduction in cost, but this reduction has been almost offset by inflation in the value of private land which has occurred since the proposal was sent to Congress in February 1972. Thus the \$156 million figure is still an accurate one.

At one time, it appeared that planned construction of Interstate 75 through the proposed Reserve could result in substantial increases in land costs, perhaps to as high as \$170 million total cost. We have learned, however, that Interstate 75 access from Alligator Alley will be limited, and that there will be no access to Interstate 75 from the area within the proposed Reserve boundaries. We believe that under these circumstances, Interstate 75 will not have a significant impact on acquisition costs. The \$156 million cost figure, therefore, still remains our best estimate.

Our appraisers, when calculating acquisition costs, take into account inflation during the period of acquisition. Of course, they can only estimate the amount of inflation for a specific project, and changes in rates of inflation and other factors can make acquisition costs either higher or lower than estimated. The Administration's acquisition cost figure of \$156 million for Big Cypress includes our best estimate of increased costs owing to inflation over the projected period of acquisition.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

Secretary MORTON. Let me also add to this, Congressman Ruppe.

My experience on the full committee and on this subcommittee, on which it was my great privilege to serve, shows that over the general history of land acquisitions for parks and recreational purposes, we have tried to strike a figure that is reasonable and a figure that is right. We have tried to keep the Government's trading position sound, and to keep us in a strong negotiable position. We fully realize that the figures that appeared early on in authorization bills, as the chairman so well knows and the chairman of the full committee so well knows, are ballpark figures. They are the best estimates we have, and in some cases, we have been able to complete acquisition under that figure. More often than not, however, history will show that the acquisition cost was somewhat higher.

The more we deal with this subject, the more we debate on this subject, the more we discuss this subject, the more it seems to have a secondary effect of raising prices.

Mr. RUPPE. Once the acquisition of this property is authorized, are there any limitations or constraints imposed upon present property owners as to what they can do with their property or their dwellings?

Secretary MORTON. This is in the bill. There are arrangements for continued occupancy and use, and I am sure that these will include constraints on channelization, dredging, development of roads, and dragline activities which would adversely affect the water supply.

Mr. RUPPE. Will the acquisition of the Big Cypress solve the water quality and the water quantity problems now facing the Everglades Park, or are there still some existent problems with water supply, either today or perhaps in the near future due to development of Lake Okeechobee?

Secretary MORTON. As Secretary Reed can detail, there has been a general improvement due to a better relationship among the Corps of Engineers, the central and southern Florida flood control district, and the Everglades National Park over the years, which has resulted in an assured supply of water to the eastern half of the park. The chairman of the full committee is familiar with this program. The Big Cypress National Fresh Water Reserve will be a major step in preserving the water integrity, both quality and quantity, for the western half of the park.

Mr. RUPPE. Is this the final answer, or a guarantee of water quality and water quantity for a definite time in the future?

Secretary MORTON. No; I think we are moving in a final direction on this, Congressman Ruppe, on the whole question of water quality. I do not think you could say 10 years ago that we would be, but action taken by the State, and the general authority that EPA now has through Federal legislation, all indicate that we are on the way toward higher and better water quality. I think that this is the only solution, and that this guarantees—those are risky statements, and I would be inclined not to make them—but I feel that this is an essential and major step forward in the preservation of quality and quantity of water for the Everglades. The whole Everglades ecosystem is based on this water.

Mr. RUPPE. Would you care to speculate, or could you speculate at this time as to what Federal action might be required in the future to protect or further preserve the water supply and values in the Everglades?

Secretary MORTON. I think there would be an opportunity, Congressman Ruppe, to acquire through philanthropy, some properties we anticipate may also improve the water quality and watershed situation.

Let me say that I do not foresee any additional major Federal action being required to further preserve the water situation. Florida is beginning to work out, on a well-engineered and well-designed basis, the development of their water resources. The Corps of Engineers, who are major in the area, have come to realize that protecting the water quality and quantity that goes into the Everglades National Park as a result of their works, is very important.

So, I do not foresee any other major Federal action being required.

Mr. RUPPE. Thank you very much.

Mr. TAYLOR. The gentleman from Ohio, Mr. Regula.

Mr. REGULA. Thank you very much, Mr. Chairman.

Mr. Secretary, apparently the purchasing problems stem from a cash flow difficulty in obtaining them, and my question would be: Is the need to spread this over 10 years the result of lack of cash or is it a result of the inability to mechanically make the acquisition?

Secretary MORTON. I think it is some of both. Because of the nature of the ownership, and the pattern of ownership, it would be virtually impossible to buy it much quicker than that without setting up a tremendous acquisition organization which would, in itself have a dramatic effect on prices. When you are buying 20,000 pieces of property, or whatever the number is, you have to allow some time.

And then there are some other priorities. This is not the only area acquired. As Mr. Taylor brought out so well, we have a backlog of inholdings and other areas that we want to crank in. We cannot concentrate all our funds in one geographical area. We have two great Gateway Recreation Areas that we are anxious to get on with, and all the inholdings. A 10-year time frame, particularly if we can maintain the quality and the developmental status of the Big Cypress during that 10-year period, which we think we can do, seems to be very reasonable.

Mr. REGULA. Do you have a problem of accelerating land values of later-to-be-acquired properties as a result of your first acquisition?

Secretary MORTON. I think we do. However, I think it would perhaps be wise if we showed you some historical patterns that have existed in other acquisitions where we have had a good many property owners to deal with.

There have been times when people have said, "Well, I think I will get my money out of this and do something else with it because I am eventually going to have to, anyway." This creates a good buyer-seller atmosphere.

Mr. REGULA. You have the right of eminent domain in this particular instance?

Secretary MORTON. We would have the right of eminent domain. But it is a question of when to use that right and when not to, a question that this committee has wrestled with so often. I don't want to review what the policy of the committee has been, because I am sure you are familiar with that, but the general feeling is that if acquisition can be done without condemnation, we usually end up with a better situation.

Mr. REGULA. I understand, then, but you need that tool.

Secretary MORTON. Well, of course, the Federal Government in all instances has the right. The question is how it is to be used.

Mr. REGULA. Would the money that Florida proposes to spend in this project be coordinated in land acquisition with the Federal program?

Secretary MORTON. Absolutely. We would work right with them, and put together a single effort. Otherwise we might find ourselves bidding against ourselves.

Mr. REGULA. Their objective, I gather, is to acquire the most critical areas now to prevent some future degradation.

Secretary MORTON. Oh, that is true. Our mutual objective would be in that direction.

Mr. REGULA. The State would contemplate conveying title to the Federal Government. Is that correct?

Secretary MORTON. Yes.

Mr. REGULA. That is all.

Mr. TAYLOR. Just two quick questions.

At the oversight hearings, a spokesman for the Interior Department

stated that the Department would be unable to effectively spend more than \$70 million or \$80 million for land acquisition for National Park Service in 1 year.

Do you agree to that or does that apply?

Secretary MORTON. I believe the figure was \$80 million or \$90 million, Mr. Chairman.

Mr. TAYLOR. I was thinking \$70 million or \$80 million. I hope it is \$80 million or \$90 million.

Secretary MORTON. Well, I think it is. I will be very candid about this heavy expenditure. Under our present administrative and organizational setup, if there is pressure on the Department to spend money faster than its normal digestive system works, there seems to be—I have too much Scotch blood to want to come up here and defend any waste, so I would like to gear up to higher levels of expenditure very carefully.

I think the figure of whether it is \$80 million or \$90 million is certainly open to argument.

Mr. TAYLOR. Hopefully in 1975 and 1976 the impounded money will be released. When that new money is appropriated, you would have more than that per year.

Secretary MORTON. This is correct; and we would want to make sure that we were managing that opportunity in the best interests of the country.

Mr. TAYLOR. Just one more question.

Why do you choose to call this thing a national fresh water reserve rather than a national park or national reserve?

In other words, why do we have a new name?

Secretary MORTON. Well, George Hartzog called it that and I thought it was pretty good. I do not know. If you want to call it something else, I am not going to argue with you on that.

Mr. TAYLOR. That seems to fit it pretty well.

Secretary MORTON. That is like when you pour water on a baby and you call it Sam. If you want to pour water on this park and call it George, I am ready.

[Laughter.]

Mr. TAYLOR. Thank you for your testimony. Absent objection, any member of the committee may submit additional questions, in writing, to be Secretary. I would appreciate it then if you would furnish us an answer for the record.

Secretary MORTON. Thank you. We would be delighted, particularly in this exchange with Congressman Skubitz, to get any information to you and to answer any other questions you have.

Mr. TAYLOR. Thank you.

Now, we are going to adjourn in just a few minutes. We have a whole group of witnesses.

If some of you will not be able to come back tomorrow, or if you do not want to come back tomorrow, then you may take 3 minutes right now for your oral statement. We will put your written statement in the record and let you take 3 minutes to make an oral statement.

State your name. And, if you know your number on the witness list, give us that.

**STATEMENT OF ROBERT L. BURNETT, JR., LANDOWNER, EAST
COLLIER COUNTY, FLA.**

Mr. BURNETT. Yes, sir. My name is Robert F. Burnett, and I am a landowner in east Collier County.

Mr. TAYLOR. You are No. 13 on the list.

All right, you have 3 minutes.

Mr. BURNETT. Well, today I have just two little items to talk to you about, and I would like my complete statement to be entered into the record.

Mr. TAYLOR. Yes.

[The prepared statement of Mr. Burnett follows:]

STATEMENT OF ROBERT L. BURNETT, JR., MIAMI LAKES, FLA.

Gentlemen, my name is Robert L. Burnett, Jr., and I reside at 6731 Stone Haven Road, Miami Lakes, Florida 33014.

I have come here today to speak as a landowner owning 140 acres in East Collier County approximately six and one-half (6½) miles north of Tamiami Trail. I have a private "grass air-strip", a small cabin, a 12 x 44 ft. mobile home, and a shed to keep my generator and tools in. We live there approximately 110-days each year.

I wish these statements to be included into the record as to be the truth and believe the following questions asked should be thoroughly studied and answered.

Over the past several years my wife and I have been treated as criminals or peons by members of Conservation Groups and the Florida Wildlife Federation. We can only guess that it is because we are not hunters, and do not believe hunters and "squatters" should trespass all over this area shooting everything in sight, littering, raiding camps, and even setting fires. We are NATURE lovers, carry no guns, and wish to enjoy our life in the wilderness.

The so-called conservation organizations have been escorting members of State Agencies and the Interior Department over my private property to police any activities or any improvements which I make. Just several weeks ago a helicopter was dispatched from the Governor's office in Tallahassee, Fla. on a Sunday because of a complaint. The complaint that I was damaging the environment by lengthening my "grass airstrip" which has been approved by all the Environmental Boards of Collier County.

The "Constitution of the United States" and the "Constitution of Florida" gives me the right to acquire, to possess, and to protect my property. So I'm here to ask these questions:

1. Who gave the various Government Officials the Gestapo power to harass me as a landowner and my neighbors as well, by invading our privacy and continually checking by planes, helicopters, and running all over the land with 3-wheeled motorcycles to take pictures? I'm tired of cleaning up their litter of cigarette butts and empty film boxes in my shed. This is all uncalled for and a great waste of the taxpayers money.

2. I wish to ask by what authority the Florida Wildlife Federation has in dealing with "real estate"—trying to take another man's land from him for the purpose of being used by a selfish few?

3. Why is the President of the Florida Wildlife Federation allowed to print a newspaper stating many untrue facts in an open letter to President Nixon? For example, quote: "Piece-meal development is chopping up the area with landing strips, roads, and etc." Only one additional grass landing strip has been under construction this year. There are no new roads being built; but one old trail is being improved by filling potholes with rock and the President of the Florida Wildlife Federation travels this very trail himself several times a month to go to his camp as he has done for the past 20-years or more.

4. Another untrue statement quoted by the President of the Florida Wildlife Federation is quote: "tens of thousands of acres are burning at this time". (April) There are no fires burning. In March, 1973 approximately 8,000 acres burned and the Florida Forestry Division did an excellent job of bringing these fires under control. The only fire recently reported has been outside the Big Cypress area near Naples, Florida.

5. The President of the Florida Wildlife Federation seems to be a liar and a "mugwump" (one who acts as an independent especially in politics.) Facts and figures by expert studies and surveys are twisted and turned into untrue statements just to benefit those who don't own land or pay any property taxes. We are asking your help by giving this careful study.

6. The Florida Wildlife Federation and other conservationists and bird-watchers continually state that millions of people will suffer from lack of fresh water within a short period of time if corrective action is not taken. Also that the Everglades National Park will be damaged greatly from lack of water. Why doesn't this organization and others accept studies by the U.S. Geological Survey stating that only approximately nine (9) per cent of the water from the Big Cypress area benefits the park.

7. Why are so-called conservationists allowed to classify man as an animal and compare him to living in an animal world by stating quote "overpopulation leads to perverted behavior, murder, and finally disease and death." I resent being classified as an animal. I am a human being or man and have the constitutional right to defend myself, my family and property. If some people do act like animals in our society, isn't it because of their lack of moral upbringing and quality education?

8. Why are members of "conservation groups" considered experts on issues such as this and not a landowner who spends more time on his land exploring, studying, planting, improving, feeding and digging ponds for wildlife?

9. Why is this area continually called a "swamp"?

10. Why are the President's daughter and top Government officials only taken to the two areas truly classified as swamps known as "Roberts Lake Strand" and the "Fahkahatchee Strand" instead of the high pine land north of the Tamiami Trail?

11. Every household is already committed to paying \$10.44 a day—seven days a week for taxes. How much more must we be made to pay for such unnecessary acquisitions by our Government? When are all the people in the Everglades National Park going to be paid?

12. Why are National Organizations and outsiders such as the Chamber of Commerce allowed to interfere and pressure our Government into such deals as this? What do they hope to gain? Where are they getting their money? Approximately 2-years ago the Florida Wildlife Federation was almost bankrupt. How can they now afford to pay a \$20,000.00 yearly salary for an Executive Director, and a \$5,000.00 yearly salary for a secretary?

I conclude with these last statements. My land, which I live on approximately 110-days each year IS NOT a swamp! It is a mixture of pine, scrub cypress, and very small prairies. There is no abundance of wildlife. I have not seen a deer for over two years, no signs of turkey tracks or wild hogs. I feed some crows, red-winged black birds, and rice birds. There is one young opossum and one raccoon that eat scraps. No alligators.

I do not wish to be heavily taxed to pay for government acquisition of my own land. The land is needed by people to live on, to hunt on, to farm, and to use under the guidance of good zoning laws. I OPPOSE ANY GOVERNMENT ACQUISITION.

(Additional information placed in committee files.)

Mr. BURNETT. In the past 5 or 6 months I have been pegged by certain conservation groups, and here today I have heard my individual situation brought up as a developer. Well, I like to give you that definition of how I got to be a developer, if you would care to hear it.

Mr. TAYLOR. We will listen. That is not necessary to—

Mr. BURNETT. I do have an answer. You asked what is going on in development out there today and you did not get a very good answer. I know what is going on.

The word got pegged on me as a smalltime developer for the reason that I plowed up about 4 to 6 acres of ground on my property and knocked down a few Cypress trees and built me a little landing strip to land my airplane on, and all I did was to push up a little dirt and plant grass on it, and if this is a professional term for developer, I do not understand it.

And number two, I heard the word water flow two or three times today. In Collier County last week I was at a hearing pertaining to my airstrip in this area, and the question was asked to me about which way the water flowed. Well, I started to answer the question and I was overruled by the county attorney and he made the remark that I was not qualified to answer which way the water flowed.

Well, sir, that is true. Today on my property the water is 2 feet below the ground. I cannot see which way it is flowing. The water does not flow in this area. It may run through the canals or run through the ditches or run through the bridges, but we are getting pegged under the wrong impression in this area, and as far as this bill is concerned, I am opposed to it in its entirety. I am opposed even to the 3 acres that you are going to allow me to live on until I see the rules that you are going to make me live under.

That is all I have to say.

Mr. TAYLOR. Thank you, Mr. Burnett.

Does anyone else wish to take advantage of this opportunity to be heard?

What is your name and number?

Mr. HAYES. George Hayes, number 17.

Mr. TAYLOR. Number 17. All right.

[The prepared statement of Mr. George Hayes follows:]

STATEMENT OF GEORGE HAYES, OCHOPEE, FLA.

My name is George Hayes, homeowner in East Collier County, better known as the Big Cypress. Gentlemen, I am not here to discuss the technical reasons why you should not take over the Big Cypress, I will leave this part to my more qualified friends that are here today. I am here on behalf of my wife and I as homeowners. Gentlemen, so you may understand the way I feel about this whole situation, I would like for you to go back a few years with me. I was born in the state of Kentucky. At the age of five, I was admitted to the Kentucky Childrens Home in Lyndon, Ky. I was raised an orphan. At the age of 15, I left school and have been self supporting since then. At the age of 17, I joined the United States Navy, and was honorably discharged after serving 22 months. While in the service, stationed in Florida, I met a wonderful girl, who I married after leaving the service, and we settled in Florida to make our home. It being shortly after World War Two, jobs was scarce and pay was poor. I worked for 75 cents an hour to support the two of us. A year later we were blessed with our first child. We borrowed to make a down payment on a house. Five years after our son was born we were blessed with a daughter, and in order to support my family I worked two and three jobs close to 20 years. We moved from this house to a house in the country, where we thought it would be peaceful and quiet to raise our children. A few years after we moved there and after hunting in Collier County a number of years, we decided since we all liked the out of doors so well we would buy a small piece of property in East Collier County. With my wife and children we started to build a small house for weekends and holidays, or whenever we could get out there. Finally it got to the point where we could not go there and leave our home in Dade County. We came home one Sunday night after spending a weekend in Collier and found that someone had broken into our home and taken what we had worked so hard for, instead of working themselves. In the meantime our son had married, and left only my wife, Daughter and myself at home. So we decided to sell what we had in Dade County and move to our weekend home. we continued to build on to the house. Even before we had electric, every board was cut by hand. After being in our new home we built with our own sweat, blood and two hands, our daughter met a fine man in the Navy and they were married. That left the two of us and we thought this would always be our home. Gentlemen, we don't have much. You have people living on welfare today that live in better homes than ours, and are complaining and griping and asking for more. We are not asking you for anything, all we want is for you to let us

keep what is rightfully ours, that we worked so hard for. I am not an old man, but I am too far along to start all over. I know probably the first comment you will want to make is, we are not going to make you leave. Gentlemen, this is not good enough. What we have earned and it should be ours with no strings attached. Gentlemen, comes election time we turn on our TV. We see the men running for political offices going into factories, on sidewalks and in rural areas, shaking hands with the average worker. You tell them, give me your vote, put me in office and I'll help you because I know your needs. Gentlemen, I am one of the average people. I helped elect some of you men in office. Today for that reason I am asking you to help me to keep my home. My family and I are asking you to please not take everything we have worked for, by a simple stroke of a pen, to approve this bill. Gentlemen, most of you are family men, so before you make a decision, I ask you please stand in my shoes and look at it my way. On behalf of my wife and myself we Thank you.

STATEMENT OF GEORGE HAYES

Mr. HAYES. Well, gentlemen, since I am a truckdriver and not a politician or a preacher, I am not a very good speaker, but my name is George Hayes, homeowner in east Collier County, Fla., better known as the Big Cypress.

Gentleman, I am not here to discuss the technical reasons why you should not take the Big Cypress. I will leave this part to my more qualified friends that are here today. I am here on behalf of my wife and I, as homeowners.

Gentleman, so you may understand the way I feel about the whole situation, I would like for you to go back a few years with me. I was born in the State of Kentucky. At the age of 5 I was admitted to Kentucky Children's Home in Kentucky. I was raised an orphan. At the age of 15 I left school and I have been self-supporting ever since. At the age of 17 I enlisted in the U.S. Navy. After serving 22 months I was honorably discharged.

While stationed in Florida, I met a wonderful girl down there and we got married after I left the service. It being shortly after World War II, work was scarce and pay was low. I worked for 75 cents an hour to support the two of us. A year later we were blessed with our first child. We borrowed money to make a downpayment on a home. Five years after our son was born we was blessed with a daughter, and in order to support my family I worked two and three jobs for over 20 years.

This house, this first house that we bought, we moved from that house to a house in the country where we thought it would be peaceful and quiet to raise our children. A few years after we moved there, having hunted in Collier County a number of years, we decided, since we all liked the out of doors, we would buy a small piece of property in east Collier County.

With my wife and children we started to build a small house for weekends, holidays, or whenever we could get out there. Finally it got to the point where we couldn't go out there and leave our house in Dade County.

Mr. TAYLOR. You have got 30 more seconds.

Mr. HAYES. We came home one Sunday evening and everything that we had in our house was gone. Someone had taken what we had worked for and didn't want to work themselves. So, in the meantime our son had married and left and my wife and daughter and myself, we were

still there, and we decided to sell our house in Dade County and move out to our weekend home.

We continued to build——

Mr. TAYLOR. Your time is up, but I'll ask you a question.

Do you live in the area affected?

Mr. HAYES. Yes, sir. I live—I have been a property owner for 10 years. I have been a resident for 3.

Mr. TAYLOR. And even though you would have a right to keep your home and 3 acres of land during your lifetime.

Mr. HAYES. I wrote here at the end of this thing, I would like for you to hear this part, if you will.

Gentlemen, we do not have much. You have people on welfare today that live in better homes than ours and they are complaining and griping and asking for more. We are not asking for anything from you at all. All we want is what is rightfully ours with no strings attached.

I am not an old man, but it is too late to start over. I know your first comment is going to be, you are not going to have to move.

Mr. TAYLOR. Well, we will read your entire statement.

I feel very sympathetic toward your situation. We want to be as kind as possible to property owners in case this area is created. We want to see that all rights under the law are protected.

Mr. SKUBITZ. May I ask the gentleman one question?

Mr. TAYLOR. Just a minute. Mr. Skubitz has a question to direct to you.

Mr. SKUBITZ. Mr. Hayes, you are testifying that——

Mr. HAYES. Sir?

Mr. SKUBITZ. That you have a difficult time building a house.

Mr. HAYES. That is right.

Mr. SKUBITZ. You are trying to build it for your family. You want to stay on your piece of land.

Mr. HAYES. My wife and I, our children, we figured this would be our home for the rest of our lives.

Mr. SKUBITZ. Let me ask you a question, and we will try to get your statement in the record for you.

Mr. HAYES. All right, sir.

Mr. SKUBITZ. You are opposed to a provision that could permit you to stay on this land for 25 years even if the Government takes it, and pays you a fair price. You could still not be satisfied.

Mr. HAYES. No, sir, I am not.

Mr. SKUBITZ. That is your case, is it not?

Mr. HAYES. Yes, sir. I am opposed to it all the way.

Mr. SKUBITZ. Thank you.

Mr. TAYLOR. Thank you, now.

Does anyone else want to take 3 minutes now?

We are members of the Subcommittee on National Parks and Recreation. We have a duty to consider this legislation. Now, we desire to hear all people as fully as we can. I asked if anyone wanted to have 3 minutes now, in preference to coming back tomorrow, and some said they did. When they accepted that 3 minute proposition, that was the deal. Does anyone else want to take 3 minutes?

All right.

Mr. DRAKE. Yes, sir. I am supposed to take the place of number 20. Is that okay, and——

Mr. TAYLOR. I will see whether we have you on this list or not.

Mr. SKUBITZ. I would like to point out that it is not a case of not wanting to hear everybody. The time is available for those who want to use the 3 minutes. But we have got to go to the House floor very shortly. We could adjourn right now. If no one wants 3 minutes we can quit right now and witnesses can come back tomorrow.

Is that the position you are taking, Mr. Chairman?

Mr. TAYLOR. That is correct. Did Mr. Marukelli ask you to speak for him or to take his place?

Mr. DRAKE. No, sir, but he was not here and I have his statement.

Mr. TAYLOR. Do you have his statement?

Mr. DRAKE. Yes, sir, but I was going to tell you—

Mr. TAYLOR. Did he ask you to put it in the record for him?

Mr. DRAKE. No, sir.

Mr. TAYLOR. Well, we will hear those who are not on the list, if we have any time after we finish hearing those who are on the list.

Mr. PACE. He asked me to pass it on to someone to read to you.

I am Jim Pace, and he asked me to pass it on to someone, and that is the reason why this gentleman has it.

Mr. TAYLOR. Well, go ahead and take 3 minutes.

State your name, now.

[In addition to the statement submitted by Mr. James Marukelli, the following reference items were recommended to the committee: (1) Title 38, 104th Legislature of Maine (Effective May 9, 1970); (2) Maine Land Use Regulation Commission—20 questions; (3) Title 12, Maine Revised Statutes, as amended, June 9, 1972.]

STATEMENT OF JAMES MARUKELLI, OCHOPEE, FLA.

I am in favor of preserving Big Cypress. However, I am opposed to the methods proposed to deal with the problem.

First of all, \$150 to \$170 million is no where near the amount to pay for this area under title 40 Condemnation Act of the United States. Recent sales indicate fair market value at \$2000.00 per acre and one quarter with road frontage or road access and \$600.00 to \$700.00 per acre and a quarter for unimproved land with no road frontage or road access. With this in mind your figure is far too low.

Secondly, I feel this area can be preserved in another way. Several states have adopted policies and legislation which are enforceable regarding land use in rural and wilderness areas. For example, Maine has adopted very stringent laws to preserve the character of the environment. This law covers development of subdivisions and single residences in non-urban areas. Also, comprehensive controls on water quality, freshwater and tidal estuaries. Most important of all this policy does not buy land from people. It leaves it in private ownership.

Reference:

1. (Water and air) Environmental Improvement Commission Revised Statutes of 1964, Title 38 (as amended)
2. Land Use Regulation Commission

Revised Statutes of 1964, Title 12 (as amended) June 9, 1972

Main Land Use Regulation Commission, Augusta, Maine, 04330

Another example of what is being done is found in New York's Adirondack Mountain region. This policy states leaving land in the hands of the owners, but with limitations designed to leave the land in its historic and natural character.

I believe if this committee did some research into these two laws of Maine and New York, and used them as guide lines, a National Land Use Regulation could be implemented, not only for Florida's Big Cypress, but all parts of our country where preservation of land is necessary. These policies should be made enforceable, just as Maine has done. With this approach to the problem, the United States Government and taxpayers stand to save vast amounts of money in the future.

One of the problems with federal acquisition of lands is that it superficially solves the long range environmental problems affecting society. First of all, no

incentive on the local level is encouraged. People sit back and say "Let Washington cure all our ills with a fat paycheck." Once this precedent is set there is no stopping. Next year, millions to buy the Louisiana bayous. The year after that, buy up land in some other state, on and on. How much more can our citizens pay? Is buying up land the only way to protect it?

For your consideration of my proposals, please accept my copy of the State of Maine Environmental Legislation. I hope it's contents will give you a more realistic approach to the problem.

Incidentally, I am a property owner with 25 acres in the State of Maine and with 1¼ acres in the Big Cypress area.

STATEMENT OF WAYNE DRAKE ON BEHALF OF JAMES MARUKELLI

Mr. DRAKE. Wayne Drake. I own Calusa Ranch. That is 1,000 acres in the Big Cypress. One second on the pictures and the maps would acquaint with my two sons who I started with there almost 14 years ago when they were 3 years old.

I took the Collier County land agent, went with me to the spot that is marked on the map. You might see, it is land suitable for cultivation on the red map, sandy soil, the Calusa Ranch. There were more than 60 cattle, wild cattle at this time, and the point I want to bring out is the three of us—I'm speaking—the only two folks I am looking for are the two guys that are on that page, my two sons.

And anyway, we spent all of our time working on it from clearing some land that is planted in seed and fencing, and an airstrip that has nothing to do with development, and we like it like it is.

I would just like to bring out the point that we are against it, and I find myself at a loss to tell them how someone can take that land from them, but it is—I want you to see that it is a swamp. It is beautiful land, and we have had it for many years, and before, when everyone else said it was no good.

Mr. TAYLOR. Does that finish your statement?

Mr. DRAKE. Yes, sir.

Mr. TAYLOR. Well, thank you very much.

We will look at these pictures. They are very beautiful.

The gentleman from Kansas wants to ask a question.

Mr. SKUBITZ. Your position is similar to that of the gentleman that just left. You work this land. It is your farm, and you feel that you are entitled to keep it, even if the Government took it, and allowed you 25 years. You don't want to accept that sort of a compromise.

Mr. DRAKE. Well, I hope I live that long, but I just think it is hard to explain to them how someone can take it when you have 900 square miles right next door of watershed already.

Mr. TAYLOR. All right. Does anyone else like to accept the 3-minute proposition?

Mr. CONLY. Sir, I do not want to accept the 3 minutes right now, but if you are accepting Mr. Marukelli's speech, for the record, he told me to bring these up, have the titles and the particular—

Mr. TAYLOR. Are you on the witness list?

Mr. CONLY. Yes, sir, to speak tomorrow.

Mr. TAYLOR. Do you want to testify now?

Mr. CONLY. No, sir.

Mr. TAYLOR. If not, I will send counsel back there to confer with you and see what needs to be done about that.

Mr. CONLY. All right, fine. Thank you.

Mr. TAYLOR. Mr. McElvain, you will talk with him.

Now, this 3-minute proposition applies both to those who are for and to those who are against. I don't know when you hold up your hand which side you want to be on.

If there is no one else that wants to speak for 3 minutes now, the subcommittee will stand adjourned. We will reconvene tomorrow morning at 9:45.

[Whereupon, at 3:50 p.m., the subcommittee was recessed, to reconvene at 9:45 a.m., Friday, May 11, 1973.]

PROPOSED BIG CYPRESS RESERVE, FLA.

FRIDAY, MAY 11, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:50 a.m., in room 1324, Longworth House Office Building, Hon. Roy A. Taylor (chairman of the subcommittee) presiding.

Mr. TAYLOR. The Subcommittee on National Parks and Recreation will convene again to continue the hearings on H.R. 46 and the companion bill, H.R. 4866.

Let me point out as an opening statement that this committee has conducted hearings on a great many national park proposals from one end of the Nation to the other. Our usual procedure is to hear public officials first because they speak for a great many people. Yesterday we heard the Congressmen, we heard a representative of the Governor, we listened to the Secretary of the Interior, and we had time to hear a few other witnesses who were near the first of the list. We listen to these public officials first, regardless of whether they are for the proposal or against it. Now, today we have 28 witnesses on our list, and in order that all may be heard I hope that witnesses will limit their opening statements to 5 or 6 minutes. I would say 8 minutes at the very longest. Many, I know, will not need to take that long in order to say what they desire to say.

Yesterday most of the opening statements did not exceed 8 minutes, and even the Governor's statement and the Secretary of the Interior's statement were short. We did ask them a great many questions, and we hope to have some time left to ask you questions today.

Now, we are influenced by established facts and by sound arguments, not by the number of witnesses nor by the length of the statement. So, I hope that witnesses will endeavor to emphasize facts and arguments not previously presented. They should present their position as precisely as possible because it is new information which we are seeking. We are making a record not only for our use but for the committee's use.

I realize that there are strong feelings in regard to this proposal. There are always strong feelings, especially by the property owners. We will treat you kindly and with respect, and I am sure most of the witnesses desire to treat the committee members the same way. Any witness who does not cooperate—who disrupts the proceedings—does damage to his cause. We will try to be fair and we will try to give equal treatment to those representing different points of view—both to those supporting the legislation and to those opposing it. What we are trying to do is get information which will guide us and enable us better to

reach the proper answers concerning this legislation which is before us.

Mr. HALEY. Mr. Chairman?

Mr. TAYLOR. The gentleman from Florida.

Mr. HALEY. I note that for instance on page 2 of the agenda here today that you have a good many people, and I just wondered if these people could get together and have a spokesman for those groups, and allow the others to file a written statement for the record?

Mr. TAYLOR. I might state that we will give you an opportunity to testify individually if you insist. Quite often hearings have been more effective by three or four people coming to the witness table at the same time. People who have the same point of view, who are saying about the same thing, and who think about the same may find it more advantageous to let one be the major spokesman. When they appear, one statement is given and the others add to it as they see fit. If you have any suggestion along that line, where some of you could get together and have a spokesman, see Mr. McElvain, the committee counsel.

Our first witness is Dr. Edward T. LaRoe, executive director, the Collier County Conservancy.

STATEMENT OF EDWARD T. LaROE, EXECUTIVE DIRECTOR, COLLIER COUNTY CONSERVANCY

Mr. LaROE. Mr. Chairman and Congressman Haley, Committee Members, I am Edward LaRoe, executive director of the Collier County Conservancy. I am here today representing the Conservancy, and I have been also asked to represent the Florida Division of the Issac Walton League. I appreciate the opportunity of testifying before you in favor of the proposed legislation to acquire portions of the Big Cypress Swamp as a national reserve.

I am a marine biologist who has lived and worked in South Florida for the past 9 years. On the basis of my professional knowledge of and experience in South Florida, I strongly and enthusiastically support the proposal to acquire and protect the Big Cypress Watershed.

I understand that my entire written statement will be entered into the record, and I will, therefore, summarize just parts of it.

Mr. TAYLOR. You are correct.

[The statement follows:]

STATEMENT OF EDWARD T. LaROE, PH.D., EXECUTIVE DIRECTOR, COLLIER COUNTY CONSERVANCY

Mr. Chairman; Committee members:

I am Edward T. LaRoe, Executive Director of the Collier County Conservancy. I appreciate the opportunity of testifying before you in favor of the proposed legislation to acquire portions of the Big Cypress Swamp as a National Reserve.

I am a marine biologist who has lived and worked in South Florida for the past nine years. On the basis of my professional knowledge of and experience in South Florida, I strongly and enthusiastically support the proposal to acquire and protect the Big Cypress Watershed.

The Big Cypress is a rich and varied resource which has over the past several years been the subject of intensive study by several state and federal agencies. These studies all agree that the resources of the Big Cypress naturally provide many benefits to Collier County, South Florida, and the Nation. However, the existence of the Big Cypress is threatened and protection is needed to provide for the continued, rational use of these resources, while protecting them from waste.

The most important of these resources is fresh water—water necessary for the continued productivity and survival of the 10,000 Islands and the Everglades National Park, and just as important, water which will be necessary for the continued growth of Collier County and its expanding population. Other important benefits of the Big Cypress include its uses as a hunting, camping, and recreational area; its social and cultural value to the Miccosukee and Seminole Indians; and its importance in protecting many endangered species of plants and wildlife and as a rich and unique area in itself. Only through protection will these benefits continue.

These benefits all relate to one thing: Water. Water is the key to the importance and value of the Big Cypress, and it is the key to its vulnerability, too. The Big Cypress Swamp acts as a great reservoir—the last undisturbed one in South Florida. It collects and slowly releases to the coastal areas of Southwest Florida a vast amount of unpolluted fresh water. These coastal areas are attuned to and dependent upon this fresh water supply.

Although rainfall is abundant, it is highly seasonal; most falls during a brief (3 or 4 month) summer rainy season. However, because of the very flat nature of the land, with little topographic relief and a slope of less than $\frac{1}{2}$ foot per mile, the water drains only very slowly from the land. This slow drainage is critical; it serves to extend the wet season, modulate the fresh-water flow into the coasts, filter and cleanse the water as it flows over the land's surface, and recharge the shallow water aquifers.

The brackish water coastal estuaries are the key to the great productivity of the South Florida ecosystem. The coastal areas produce a richness and diversity of animals that is equalled nowhere else in the United States. They are the nursery grounds for a host of economically important commercial and recreational species of shell and finfish. The life cycles of the estuarine animals are dependent upon the mixture of fresh and salt waters. The system works best in the brackish conditions.

The importance of the Big Cypress is not just the substantial volume of water (55% to 65% of all surface runoff) which it contributes. By slowly releasing—over a period of 4 to 5 months—the rainfall which falls on the interior, the Big Cypress Swamp is responsible for extending the wet season, and thereby the period of brackish water along the coast.

The overland flow of water through the Big Cypress serves another purpose: it tempers or modulates the discharge of freshwater into the estuaries. Freshwater from heavy rains is not rushed to the coast, but flows slowly and is discharged evenly over a period of many days or even months. This reduces the stress on the system, allowing it to maintain its productivity and its value.

The slow coastal flow provides other benefits: as the water flows over the land it is cleansed. Solids, silt, and debris are filtered out, and nutrients, pesticides, and other pollutants are absorbed by the vegetation and organic soils. This natural filtering action provides clean, non-polluted water to the coast.

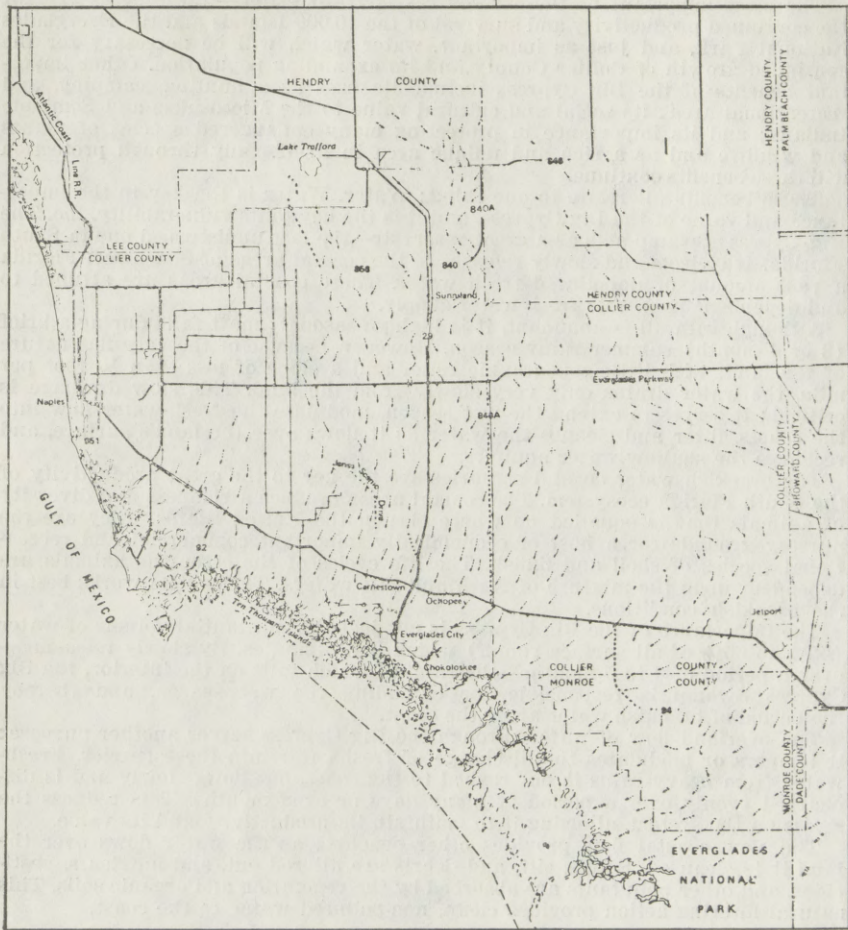


FIGURE 3.—Map of the Big Cypress showing flow directions in December 1969.

The Big Cypress Swamp provides between 55% and 65% of the surface water flowing into the Everglades National Park. (Source: USGS, 1970. *Some Hydrologic and Biologic Aspects of the Big Cypress Swamp*).

If the freshwater of the Big Cypress Swamp is the reason for the many benefits the region provides, it is also the reason which makes the area incompatible with development. The land could not be utilized for development purposes without draining the surface water. Engineering feasibility studies already accomplished have shown that this would be a monumental and complex task which would be not only costly, but would destroy all of the benefits that the Big Cypress provides. Canalization would lead to a loss of the natural swamp filtering action, reducing water quality. The flow would not be slow, but swift, and freshwater would be dumped in surges into the coast after every rain, to be followed by periods of no flow between rains. The moderate, gradually changing system would be altered into one of sudden oscillation (one of extremes). Finally, because the water flow would be hurried to the coast, the interior reservoir would be drained faster, the wet season shortened, and the time of drouth lengthened.

Several attempts at control have already been made by both the County and the State; these have all been without success. Failure is due to a variety of reasons: the enormity of the task; insufficiency of funds at the local level; lack

of knowledge or expertise; conflict of interest within the County; and conflicts over property rights. For example, 12 years ago the State established a special water management district to control—conserve, manage, and drain—the Big Cypress Watershed. This district is administered by the Collier County Commission. During the decade when the district has been established, a series of canals have been constructed which have overdrained the land, lowered the water table, provided a pathway for salt water intrusion, and reduced the productivity of coastal areas. Salt water encroachment, caused by canals, has already occurred in some areas of the Big Cypress; it has caused changes in vegetation and has destroyed one of the few areas suitable for farming.

Despite the presence within the Big Cypress of a large, illegal automobile dump and literally hundreds of illegal—unpermitted and uninspected—buildings, there has never been a conviction of a zoning or building violation, and only very little effort at enforcement. Despite a zoning moratorium which has existed for the last two years, a new subdivision has been established and two new major developments—one a 1,000 unit mobile home park with a massive detrimental canal system—are being constructed right now.

Land speculation, spurred in part by the hopes for quick profit if the Federal Government does purchase the land, is rampant.

An estimated 25 to 50 illegal and unlicensed airstrips occur in the Big Cypress. Most have been built only recently; their primary purpose appears to be to inflate the land price, although rumor has it that they are frequently used for smuggling in marijuana from the Caribbean.

Quite clearly, greater protection is needed.

I would like to comment on some of the criticisms of the proposed protection. The County argues that it will lose roughly \$550,000 in taxes if the Big Cypress—as delimited by the acquisition legislation—is acquired. Although the County will indeed lose taxes, it will also lose *costs*. For example, the County now spends about \$160,000 per year on educating the children of families who live in the Big Cypress. If the land is purchased and the families move out, that tax burden will cease. Wherever they resettle they will generate new taxes for that service. Other costs and services, summarized below, which the County provides will be eliminated.

Department or budget item	Budget figure (1971-72)	Proportion based on	Cost or use of funds allotted proposed acquisition area
Education.....	1 \$1,016.00	Actual number of students in area (=158)	\$160,528
Sheriff.....	1,107,590.00	Population and area combined.....	150,000
Health unit.....	160,000.00	Population.....	4,000
Building and zoning.....	104,021.00	Population and area.....	4,000
Engineering.....	87,369.00	do.....	11,000
County manager.....	29,458.00	do.....	4,000
State fire protection.....	20.03	Acreage.....	9,600
USGS water studies.....	19,000.00	Area.....	4,900
Tax assessor.....	220,000.00	Percentage of total tax parcels.....	53,280
Tax collector.....	257,000.00	Percentage of total tax parcels.....	57,568
Total.....			458,876

¹ Per student (county average).

² Per acre.

These costs presently add up to about \$459,000. Thus if the Big Cypress were acquired, the County might have a net loss of \$100,000 in revenues, or less than 1% of its budget.

We have heard, too, that the protection of the Big Cypress will cause a great loss of agricultural lands. In fact, however, the lands in the Big Cypress are not suitable for large-scale farming—the soils are too thin—in most areas just a few inches deep before reaching hard bedrock. Land ownership patterns are also not conducive to major agriculture, for the majority of parcels are small holdings less than five acres in size.

Finally, we have heard that the small land-owner who only wishes to use his parcel for relaxation and recreation, will be hurt by the purchase. There are fewer than 300 families living in the Big Cypress (E. of SR 29)—fewer than 1,000 persons. Yet there are over 26,000 individual ownership parcels. Many

of these owners live out of the State, and some live out of the country. The tax-delinquency rate is over 2¾ times higher for these parcels than for properties in the remainder of the County. In the majority of cases the land was clearly purchased for speculative purposes. It is only through the kind of protection being suggested here today that those land owners who do wish continued use for recreation or wilderness reasons will be allowed to do so. Uncontrolled development of the Big Cypress which would follow in the absence of acquisition will quickly lead to the loss of such uses.

As a professional biologist, I would like to offer one final comment on the proposed protection. For many years we in South Florida have been responding to a series of crises, such as the water problems in Everglades National Park, pollution of our bays, overdrainage, and the decrease in the productivity of our estuaries. We have been responding to these crises as a series of isolated events. But the truth is that these are all parts of one system—one ecosystem if you will—and all are interrelated. This ecosystem includes the Everglades, the Big Cypress Swamp, Everglades National Park, the 10,000 Islands, and our bays, estuaries, and coastal waters in Southwest Florida. This is a water-oriented, a water dominated, a water dependent system. An alteration in one part of the system will produce direct, visible changes in that part, but will also cause more subtle, less directly visible changes in the other parts of the system. The parts cannot be separated from each other, as all are necessary for the continued functioning of the whole. We must begin to treat the entirety as parts of the same system. Protection of the Big Cypress is a step in this direction.

Thank you.

Mr. LAROE. Many witnesses, both governmental and private, have testified already to the importance and value of the Big Cypress and the benefits which it provides. These benefits all relate to one thing, and that is water. Water is the key to the importance and value, and also the vulnerability of the Big Cypress. Big Cypress Swamp acts as a great reservoir, the last undisturbed one in South Florida. It collects and slowly releases to the coastal areas of southwest Florida a vast amount of unpolluted fresh water. These coastal areas are attuned to and dependent upon this fresh water supply.

Although rainfall is abundant, it is highly seasonal; most falls during a brief (3 or 4 month) summer rainy season. However, because of the very flat nature of the land, with little topographic relief and a slope of less than ½ foot per mile, the water drains only very slowly from the land. This slow drainage is critical; it serves to extend the wet season, modulate the fresh-water flow into the coasts, filter and cleanse the water as it flows over the land's surface, and recharge the shallow water aquifers.

The brackish water coastal estuaries are the key to the great productivity of the south Florida ecosystem. The coastal areas produce a richness and diversity of animals that is equaled nowhere else in the United States. They are the nursery grounds for a host of economically important commercial and recreational species of shell and fin-fish.

The life cycles of the estuarine animals are dependent upon the mixture of fresh and salt waters. The system works best in the brackish conditions.

The importance of the Big Cypress is not just the substantial volume of water (55 percent to 65 percent of all surface runoff) which it contributes. By slowly releasing—over a period of 4 to 5 months—the rainfall which falls on the interior, the Big Cypress Swamp is responsible for extending the wet season, and thereby the period of brackish water along the coast.

The overland flow of water through the Big Cypress serves another purpose: It tempers or modulates the discharge of freshwater into

the estuaries. Freshwater from heavy rains is not rushed to the coast, but flows slowly and is discharged evenly over a period of many days or even months. This reduces the stress on the system, allowing it to maintain its productivity and its value.

The slow coastal flow provides other benefits: as the water flows over the land it is cleansed. Solids, silt, and debris are filtered out, and nutrients, pesticides, and other pollutants are absorbed by the vegetation and organic soils. This natural filtering action provides clean, nonpolluted water to the coast.

If the freshwater of the Big Cypress Swamp is the reason for the many benefits the region provides, it is also the reason which makes the area incompatible with development. The land could not be utilized for development purposes without draining the surface water. Engineering feasibility studies already accomplished have shown that this would be a monumental and complex task which would be not only costly, but would destroy all of the benefits that the Big Cypress provides. Canalization would lead to a loss of the natural swamp filtering action, reducing water quality. The flow would not be slow, but swift, and freshwater would be dumped in surges into the coast after every rain, to be followed by periods of no flow between rains. The moderate, gradually changing system would be altered into one of sudden oscillations, one of extremes. Finally, because the water flow would be hurried to the coast, the interior reservoir would be drained faster, the wet season shortened, and the time of drought lengthened.

Several attempts at control have already been made by both the county and the State; these have all been without success. Failure is due to a variety of reasons: the enormity of the task; insufficiency of funds at the local level; lack of knowledge or expertise; conflict of interest within the county; and conflicts over property rights. For example, 12 years ago the State established a special water management district to control—conserve, manage, and drain—the Big Cypress watershed.

This district is administered by the Collier County Commission. During the decade when the district has been established, a series of canals have been constructed which have overdrained the land, lowered the water table, lowered the water quality, provided a pathway for salt water intrusion, and reduced the productivity of coastal areas. Salt water encroachment, caused by canals has already occurred in some areas of the Big Cypress; it has caused changes in vegetation and has destroyed one of the few areas suitable for farming.

Mr. TAYLOR. Can you be through in about 1 more minute?

Mr. LAROE. Yes, sir.

A number of zoning violations now occur. Development is taking place. An estimated 25 to 50 illegal and unlicensed airstrips are being built in the Big Cypress now. Speculation is rampant, the cost of land is increasing.

I would like to comment on one of the criticisms brought up yesterday. The county argued that it would lose roughly \$500,000 in taxes if the Big Cypress is acquired. Although the county will, indeed, lose taxes, it will also lose costs. I have presented a summary in my written statement of the estimated cost the county now expends. These amount to about \$450,000.

Mr. Chairman, you asked a question yesterday, what is the total revenues for the county. In 1972 the total tax revenue or budget was

\$11 million, and this present fiscal year it is \$13 million. A loss of \$500,000 in taxes would be roughly 4 percent of the county budget. If you adjust it for the cost in the area, it would be less than 1 percent of the county budget.

Mr. TAYLOR. Wait a minute, I did not understand that. You say that the area proposed taxwise represents about 4 percent of the total assessment, is that correct?

Mr. LAROE. I say that the taxes it yields are about 4 percent of the taxes of the entire county.

Mr. TAYLOR. All right, so there would be about a 4 percent tax loss. Now, how does that 1 percent figure come in?

Mr. LAROE. The county also expended money in that area, and if you adjust the tax loss, take the tax loss and subtract that, what it spends, it would be approximately \$100,000 net loss to the county, which would be less than 1 percent of the county's total budget.

Mr. SKUBITZ. Mr. Chairman?

Mr. TAYLOR. The gentleman from Kansas.

Mr. SKUBITZ. Have you worked these tax figures out yourself or did someone prepare them for you?

Mr. LAROE. I have worked them out from the county's tax assessor's records. They are public records.

Mr. SKUBITZ. Are they for this year or last year?

Mr. LAROE. These were 1972 figures.

Mr. SKUBITZ. Thank you.

Mr. TAYLOR. How do you arrive at the figures as to the cost of services in the area?

Mr. LAROE. This is rather difficult, and I would admit that at best it is an estimate. I have taken the departments within the county budget, analyzed the budget, and then prorated the total budget for each department based on either the amount of area or the amount of population which the Big Cypress contains, and a proportion of the entire county.

Mr. TAYLOR. Now, some of these services would continue. Some of the property owners, I would assume, most of the homeowners, will continue to live there. Therefore, the school services and the health services and police services will continue.

Mr. LAROE. Yes, sir. If they continue to live there, then I assume they will be continuing to pay property taxes.

Mr. TAYLOR. The ones that have improved property on which they live would, but the ones who have vacant lots not, if the Government takes them.

Mr. LAROE. If they have vacant lots, then they would not have any schoolchildren in that area.

Mr. TAYLOR. Well, we appreciate that information. I can see that it is a rather difficult calculation.

Are there any other questions?

Mr. SKUBITZ. What is the bonded indebtedness of Collier County?

Mr. LAROE. I am sorry, that is beyond my knowledge.

Mr. SKUBITZ. You should know that figure, and I will tell you why. A part of that bonded indebtedness could be a further burden on this land. I make this point, Mr. Chairman, because I have always been of the opinion that when the Government takes property, since it does not allow payment in lieu of taxes, the land so taken should be

paid for to include its fair share of the bonded indebtedness of the local government. The entire bonded debt should not remain a charge against the remaining land. Thank you, Mr. Chairman.

Mr. TAYLOR. Are there any other questions?

The gentleman from Florida.

Mr. HALEY. I wonder, Mr. Chairman, if the gentleman had finished his presentation. Have you?

Mr. LAROE. No, sir.

Mr. TAYLOR. Well, you finished your time.

Mr. LAROE. Can I make one concluding paragraph?

Mr. HALEY. Well, maybe I can help you a little bit here. We have heard various estimates of the amount of water that is supplied by the Big Cypress to the Everglades National Park which runs anywhere from 20 percent to 80 percent. Now, in your statement, you say that the water, the volume of water, is anywhere from 55 percent to 65 percent. Now, is that based on your study of the situation during your 9 years in south Florida?

Mr. LAROE. OK, no. It is not. It is based on a report. I have three different reports by the U.S. Geological Survey. There is one point of confusion, I think, which has caused the very different numbers you have received. If you read both the bottom of the figure which I show in there on about page 4, the Big Cypress Swamp provides between 55 percent and 65 percent of the surface water flowing into the Everglades National Park. I am excluding rainfall. The importance of the surface water is in extending the rainy season.

Mr. HALEY. I understand that.

Mr. LAROE. I am not talking about the total water supply of the park, however.

Mr. HALEY. The fact that this water, the surface water, flows very slowly over, it in turn charges the reservoir, if you want to call it that, of the underground system. Now, unless we do something here to continue that flow, what you are going to have, in my humble opinion, is, you are going to have brackish water, you are going to have salt intrusion in the various wells and so forth. So, it seems to me like, for instance, the city of Naples should be quite interested in this particular thing; otherwise they are going to have a water problem down there if you cut this flow off.

Mr. LAROE. Yes, sir. One thing which was not brought out yesterday is that the city of Naples has, indeed, passed a resolution supporting the Big Cypress precisely because of the water concern, and I believe you should have received notification. If not, it will be coming down.

Mr. TAYLOR. I have read ahead on your final paragraph and it is a very fine paragraph. You have brought out that the Big Cypress, the Everglades National Park, and the Ten Thousand Islands should be treated in its entirety as one system.

Mr. LAROE. Right. There are problems in the past that have been a result of breaking the things down and not treating it as an entire system.

Could I make one other comment about a question raised yesterday? Somebody asked if the area had been monitored for pesticides. The U.S. Geological Survey, the EPA, and the University of Miami, a program which we are sponsoring, have been monitoring for pesticides in surface runoff and in the coastal areas. To date there have been insig-

nificant samples. I think there have been a few occurrences of very low levels of DDT, and that is all.

Mr. TAYLOR. Yes. Thank you.

Are there any other questions? Thank you a lot. Next, Nelson Bogers.

STATEMENT OF NELSON BOGERS, LANDOWNER, OCHOPEE, FLA.

Mr. BOGERS. Mr. Chairman and your fellow colleagues, I welcome this opportunity to come before you and speak. I understand my time is short so I will not delay further.

My name is Nelson Bogers. I live in Ochopee, Fla. I own 5 acres, on which I plan to build my home near Monument Road, in the heart of the so-called Big Cypress. A more truthful title befitting that area would be "The Pineland of South Florida," because that is what it is. Beautiful pineland.

The Federal Government has kept the landowners in this area completely confused. First, they try to take our land for a "recreation area," then they try to take our land as a "watershed," and now, as I understand it, they are trying to take our land for "water control." They have bounced this around. It seems to me as though someone is having a difficult time making up their minds as to which "pretense" would be best to assure acquisition of our land. This is easy to understand because none of the forestated reasons is the true purpose for acquiring this pineland area.

There may be underlying factors, such as, "oil leases under Federal control, et cetera," I don't know, but these are all secondary: The main reason for acquiring this undeveloped acreage in Collier County, particularly that which is owned by the small landowners such as myself, is to insure greater profits for the big developers, namely General Acceptance Corp., Inc. (hereinafter referred to as GAC), the Deltona Corp., and the Collier Development Corp.

I would like to direct your attention to the map attached at the end of my statement. This map was taken from this publication principally put out by the Parks Department when they held their hearings over in Fort Myers. If you look to the center of the map you will notice this area C, which is designated and is on top of the land that is referred to in the acquisitions. Just to the left, or to the west of this big C, you notice these three gray areas, particularly the Fakahatchee Strand, Deep Lake Strand, and the Okaloacoochee Slough. These three areas represent what is commonly known as the Big Cypress Swamp, not the area covered by the number C. The letter C to its east, which is considered in this acquisition, that area is pineland, and it is about 80 percent or 90 percent pine. It never was covered with big cypress.

It has a few scrub cypress close to the trail. Once you get back off the strand you are in pinelands, and it is an elevation from 10, 12, 15, as high as 18 feet along Alligator Alley. People have been calling this land Big Cypress Swamp erroneously, and I wanted to bring this to your attention. And I do not say, take this other area. What I do say is, this area is mostly considered, this 500,000 square acres is pineland.

Now, the acquisition has been aimed at this area and that section mostly, and I would like to skip down on my statement, if I may, to conserve time.

In the hearing held on April 20 to 21, 1972, right here in Washington, Mr. Pat Murphy, a representative of the board of governors of the Miami Chamber of Commerce, stated, and I quote, and this is a quote from this publication, Government publication:

Although acquisition of the Big Cypress blocks development within the reserve, it has no foreseeable inhibiting influence on development outside the reserve. In fact, acquisition would most likely enhance development outside the reserve. Land values are likely to increase outside the reserve due to the lessened supply of land.

Now, Mr. Murphy was conservative when he said that land values are likely to increase. I am sure we are all aware of the effects of supply and demand on the price of these things, and especially real estate. The less there is the more it costs, and I would like to interject here that President Nixon has given us a fine example of this when he sold two lots on Key Biscayne for \$160,000. This is high real estate.

Now, GAC owns over 3,000 acres in Florida. And I would like to direct your attention to page 4 of my statement. In the Miami Herald, Sunday, April 22, 1972, the reporter, James Russell, wrote, "the known fact that GAC, one of Florida's biggest land developers and the parent company of a big finance and insurance complex, has sustained massive deficits in the past 2 years."

Now, the article also states, "for more than a week the rumors," and I repeat, "the rumors persisted."

"GAC Corporation," the report said, "would not be able to meet the scheduled May 15 interest payment on its 12 percent bonds."

Now, you can see why GAC would want the 500,000 acres of pineland removed from competition. It would mean additional millions of dollars which they need very badly. This is why GAC is putting forth unusual efforts to see that that pineland area is removed from the open market.

I would like to delete the following paragraph No. 1, and if you would skip down to where it is No. 2 and change that to No. 1, please.

When Senator Chiles came down for the Big Cypress walk in on Monument Road, he flew down in a private aircraft; that plane was supplied by GAC.

And I would like to skip to the next paragraph, and we will number this instead 3, No. 2.

Just about 1 year ago, at the time when it looked so definite that the Big Cypress would be acquired by the Federal Government, the financial section of the Miami Herald and the Wall Street Journal both carried articles about the financial difficulties that GAC was experiencing, and they made this concluding statement, "With the Federal acquisition of the Big Cypress, the value of GAC's holdings would double immediately and triple in the near future." GAC is presently selling an acre and a quarter for \$2,995.

There has been some report about water flowing to the park. I would like to just touch on this for a second, if I may. This is a water flow map of the area. You can check with this, and I am not a—I am not one of those fellows. There is a ridge that runs right down here. It is as well pronounced as the Great Divide. It is high here, and water will flow to the east here, and to the west here. The main portion of the park is down below here, which you can see better in this map, in the green area supplied by the Parks Department, for which we thank them. These conservation areas No. 3, water conservation area No. 3,

No. 2 and No. 1 come from Lake Okeechobee and water flows downhill, down here in the lowest elevation, and flows right through here and comes into the park, feeding a majority of the portion of the water right from this area.

When you have this much, I believe it is 914 square miles of water here supplying water to the park, how can the little 500,000 acres over here have any effect on the park when the water is flowing to the west? Water will not flow uphill. That divide that I mentioned on that other map runs right across here, flowing the water out here.

Mr. TAYLOR. Now, can you finish in 1 more minute?

Mr. BOGERS. Yes, sir. Mr. Taylor, you and your committee have the facts. I ask you to seriously, because this is a serious business, seriously weigh these facts, and then, in a true, red-blooded Americanism come to the only conclusion possible, that the acquisition of Big Cypress is a manipulation by GAC. It is a manipulation to save their necks, and the Federal Government of the United States of America does not want any part in it whatsoever. The landowners in east Collier County have been hounded, discriminated against, and unduly placed under hardships by having to defend against the Federal acquisition of their land twice. This is double jeopardy, and I ask that it be stopped here and now. We ask for the right to build, develop, and enjoy our land without special restrictions or zoning, no more, no less.

I thank you. If you have any questions, I will be glad to answer them to the best of my knowledge.

Mr. TAYLOR. Thank you. Are there any questions?

The gentleman from Kansas.

Mr. SKUBITZ. Mr. Bogers, when did you purchase your 5 acres of land?

Mr. BOGERS. Last July, sir.

Mr. SKUBITZ. Last July? And you intend to build a home on this property?

Mr. BOGERS. I do.

Mr. SKUBITZ. Where do you live now?

Mr. BOGERS. I now live at Ochopee, Fla.

Mr. SKUBITZ. How far is that from this area?

Mr. BOGERS. About 6 miles from my property.

Mr. SKUBITZ. Six miles?

Mr. BOGERS. Yes, sir. I am renting a house.

Mr. SKUBITZ. Why do you say that GAC wants this park? Is their land outside of the park area; is that what you are trying to tell us?

Mr. BOGERS. Yes, sir. If you remove this 50,000 acres, it represents one-third of the county, but about one-half of the undeveloped acreage in Collier County. The balance of it is owned by the three companies I first named, GAC being the largest.

Mr. SKUBITZ. I see. If legislation could be drawn to limit the taking to the swampland that you spoke of, and the Government would be allowed to take an easement that would permit the water to flow over the rest of the land, if possible, and additionally prohibit development; if that was the legislation, would you accept that sort of a proposition? It would permit you to have your home and 5 acres.

Mr. BOGERS. Just what do you mean by "development"?

Mr. SKUBITZ. Putting up more homes, and—

Mr. ROGERS. You mean development in the area they take?

Mr. SKUBITZ. That is right.

Mr. ROGERS. Or the area they do not take?

Mr. SKUBITZ. No, no, outside.

Mr. ROGERS. Yes, I would be for that.

Mr. SKUBITZ. You would be willing to give an easement on your property that would permit the water flowage over it where necessary, that is, as it is today, and also agree that you would not build any other buildings or any other homes or subdivide in any way; is that correct?

Mr. ROGERS. Mr. Skubitz, I appreciate your questions because they are all good questions you have asked, and this is a good one, too.

I would like, in answering your question, to say this: The method that is used—

Mr. SKUBITZ. Could you just answer me "yes" or "no"?

Mr. ROGERS. Well, you disappoint me. Yes.

Mr. SKUBITZ. Very well. That is all, Mr. Chairman.

Mr. HALEY. Mr. Chairman?

Mr. TAYLOR. The gentleman from Florida.

Mr. HALEY. Mr. Rogers?

Mr. ROGERS. Yes, sir.

Mr. HALEY. You say you purchased this 5 acres of land in July of 1972, is that right?

Mr. ROGERS. That is correct, sir.

Mr. HALEY. Were you not aware of the fact that at that particular time, that the Government was preparing to, or that there were bills pending to, acquire the Big Cypress?

Mr. ROGERS. No, sir. I would not have bought into the site had I known it, but I am in it, and I am here to represent my rights.

Mr. HALEY. Well, do you read the newspapers?

For instance, the Fort Myers News Press, and so forth, down there?

Hearings were held, too, for 2 days last year on this proposition.

And you were not aware of the fact that the Federal Government was contemplating the taking over of it, of the Big Cypress?

Mr. ROGERS. I was not aware of the fact that the Federal Government was considering the land that I went out and investigated, walked on and looked at, because it was not swampland, and I understood they were taking the swamp that was to the west. So I questioned it no further. I purchased the land.

Mr. HALEY. Now, there is one other thing here, Mr. Chairman.

Mr. ROGERS. Yes, sir.

Mr. HALEY. The witness makes a rather broad charge against my junior Senator that he probably used a private plane to look over this land.

And you say—But why did the Senator do this?

Was this the price of his return-trip ticket on the GAC airplane?

Mr. ROGERS. Yes, sir.

Mr. HALEY. Now, Mr. Rogers, you are well aware of the fact that Senator Chiles, or any other Senator, could be reimbursed from the Federal Government for any expenses that he might have had?

Mr. ROGERS. This is why I find it hard to understand why he even flew on GAC's airplane. But the fact that he did was—you asked me if I read the newspapers, and this was placed across the Nation, here

in Washington and in Florida, not only questioning and reprimanding Senator Chiles for his use of a private aircraft but also Mr. Gurney.

Mr. HALEY. Well, Mr. Gurney, as all Members of the Congress, has a right to view things of concern to him.

And the fact that somebody supplied—well, I do not know. I do not take these private planes and so forth. Nevertheless, I have opportunities to make trips where I think it is necessary and charge it to the taxpayers. So maybe Senator Chiles needed a slow plane and not a jet or anything, and he wanted to look over the land and he wanted to take a plane that could land somewhere down there. I do not know. But I just do not like to see an inference here that a Member of the U.S. Senate would do something wrong just for a trip on an airplane. As a matter of fact, I think you are completely out of line on that.

That is all, Mr. Chairman.

Mr. SKUBITZ. Another question, Mr. Chairman? Thank you.

Mr. Bogers, you said you had no knowledge of this when you bought your property?

Mr. BOGERS. That is correct, sir.

Mr. SKUBITZ. When, then, did you have knowledge of the hearings that were held on April 20 and 21, 1972, right here in Washington?

Mr. BOGERS. When I wrote to Senator Bible, Senator Bible through Mr. Haitong, and requested the minutes. I sat down and read these books.

Mr. SKUBITZ. When did you write?

Mr. BOGERS. About November.

Mr. SKUBITZ. And when did you become aware of the article that was published on April 26, 1972, in the Miami Herald?

Mr. BOGERS. Which article of April 26?

Mr. SKUBITZ. The article you mentioned.

Mr. BOGERS. April 22, sir. I became aware of it, Sunday, April 22.

Mr. SKUBITZ. I see. There is a year's difference between these two. I understand. That is all. Thank you.

Mr. TAYLOR. Does the proposal take any of the GAC property?

Mr. BOGERS. None to my knowledge.

Mr. TAYLOR. I see. Thank you now, for your testimony.

Mr. BOGERS. Thank you, sir.

Mr. TAYLOR. Mr. Joe B. Browder, Environmental Policy Center.

STATEMENT OF JOE B. BROWDER, REPRESENTING THE ENVIRONMENTAL POLICY CENTER AND THE SIERRA CLUB

Mr. Browder. I will skip parts of this to try to save some time.

You ought to know that there is very little GAC land involved in the acquisition within the boundaries. There is hardly any GAC land and very little Collier Co. land within the boundaries of the proposed acquisition.

But if all of this is a plot to boost up GAC and the Collier Co. land, we had better go see them for a donation, or something, because we have been having a hassle to pay for phone bills and postage to work on this and have not gotten very many contributions from the real estate companies.

I will just skip anything that talks anything about the basic—about the value of Big Cypress, but we would appreciate it if you all would consider the problems involved in regulation versus acquisition, because that does seem to be one of the issues that is still a question in the minds of some people in the Congress.

Attached to this statement is a reproduction of a handbill distributed in the past few weeks by one of the groups opposed to acquisition of Big Cypress called East Collier County Land Owners Improvement Committee, and that is Mr. Ellis Chism and his group, and this handbill is a reprint from a Miami Herald article. It quotes Mr. Chism about his activities in building a road through the proposed Big Cypress acquisition area over unsurveyed land and without the knowledge or consent of the property owners that Mr. Chism and his group claim to represent. And in spite of this freelance roadbuilding by Mr. Chism and his associates. No State or county agency has been able to stop them or has made any effective effort to try to stop them. Governor Askew is now asking for some special legislation to try to deal with the development problems in the Big Cypress, but the State has conceded that these would be temporary tools, and it is obvious, because of the activities that are now going on in the Big Cypress, that whatever regulatory scheme the Federal or the State Government comes up with, that scheme will be tested to the extreme by the property owners, as has been in the past, at least by some of the more development-oriented property owners.

There is one specific example of current Federal policy that speaks so strongly, to us at least, about the inadequacy of a regulatory way of trying to protect the Big Cypress. You are all familiar. I know, with the Gum Slough area in the Big Cypress watershed. On the map, it is out of the Tamiami Trail, south of that little loop road. It is in Monroe County and it is next to the stairstep boundary of the park, a diagonal line running southwest from the old jetport site to the park boundary which would cut right across Gum Slough there on your park.

You have heard at earlier hearings how two principal real estate speculators in the area. Mr. Groover and the Goldwyn family of Miami Beach, tried in 1969 to form a drainage district in Gum Slough. There speculators, acting through their agent, James Pace, wanted to drain several square miles of the watershed between the jetport and the park. It is a little interesting that Mr. Pace was testifying as a representative of a nonprofit corporation, the Landowners Conservation and Protective Association, and, in fact, is the agent for two of the principal real estate speculators in this area.

The real estate dealers' efforts to create the drainage tax district was frustrated by a State circuit court ruling that the district would not truly benefit a majority of the landowners within the proposed boundaries and that the drainage would damage economically important natural resources in south Florida, the Everglades National Park, the fisheries dependent on water flowing naturally through Big Cypress to the estuaries of the Everglades, and the wildlife in the Big Cypress.

At the time of that litigation, which was initiated by the National Audubon Society and the National Parks and Conservation Association, the U.S. Government was a very active party to the effort to

prevent the drainage district. After the Florida court ruled against the Gum Slough drainage district, Mr. Pace and his associates decided to try the drainage program anyway, digging only on lands that they controlled, because the drainage would have, if it were completed, the same impact on the national park and on the State of Florida lands as if it had been funded by a tax district. The State of Florida, through the attorney general, Bob Shevin, and with the unanimous support of the Governor and cabinet, went to court to try to stop the drainage program.

From the beginning of the Florida legal effort to try to stop the drainage of Gum Slough, the State has invited and asked the Department of the Interior to join in the defense of the Everglades National Park, and the Department of the Interior has refused. Although it has never been made clear why the same Federal Government that acted so aggressively in the Gum Slough case in 1969 and 1970 has since acted as if the problem did not exist now and that the reasons really did not matter; the issues having been very well defined for some time. We would be hard put to find a better example of a clear threat to a national resource with a lot of interest on the part of all of the Executive, the legislative, and the general public. In spite of all of this, the Department of the Interior fails to come in even when a State government has initiated the action to try to protect the national park. With that kind of a history in the Gum Slough case, it would be irresponsible for people who have an interest in the national park to try to defend some regulatory system whose enforcement would have to rely on pretty much the same procedures.

I know you all have been looking at this for a long time, and I just hope that you will consider that time is really important, not just today but to the Park. The activities represented by Mr. Pace and Mr. Chism and their friends may not seem like much in the way of a physical threat to the resource, but any time they go out there and scratch a little road through the Big Cypress, then they can come back later, in a year or two, when we are in condemnation or negotiations and say that that is roadfront property now and the price is four times what it was a few years ago. And it is really essential that, if the committee considers this something worth doing in the interest of the Big Cypress and the national park, it be done as expeditiously as it can be.

That is all. Thank you.

[The prepared statement submitted by Mr. Browder reads in full as follows:]

STATEMENT OF JOE B. BROWDER, REPRESENTING THE ENVIRONMENTAL POLICY CENTER AND THE SIERRA CLUB

Thank you, Mr. Chairman.

Between the testimony your Committee is receiving at this hearing, and the excellent record produced by your hearings last year, there isn't really very much new information about Big Cypress to give to you. You should know that a great many people, around the country as well as in Florida, share in the feeling of gratitude and respect for the work your Chairman, Mr. Haley, did to overcome some of the problems that seemed to threaten the Big Cypress proposal a few months ago. We think that Governor Reuben Askew of Florida also deserves a lot of credit for cooperating with Chairman Haley and the White House to clear up the misunderstanding about the Administration's feelings on Big Cypress.

The basic issues involved in the Big Cypress have been so thoroughly reviewed that it would be repetitive to go through them again. But, while everyone

except the real estate speculators agrees that the Big Cypress watershed of Everglades National Park must be protected, there has been some debate about the wisdom of acquisition, as opposed to less expensive, regulatory efforts to control use of the watershed. It might be helpful to the Committee to look in some detail at specific examples of how present state and federal policy shows how little faith could be placed in a regulatory scheme for protecting Big Cypress.

First, it should be understood that any regulatory scheme for protecting all the natural resources and public uses of Big Cypress would require that owners of the land must not drain or fill it, must not disturb the native vegetation, must not pollute the soil and water with pesticides or fertilizer, must permit members of the public to hike through the land and hunt on it, must permit the Miccosukkee Indians to hunt and fish and camp on it, and must permit water to flow across it unimpeded for months out of every year. It is hard to believe that any plan that would so limit the exclusive private uses of a piece of property could be called regulatory rather than a taking. But if such a plan were undertaken, putting aside for the moment the question of the legal and financial rights of the property owners who would be regulated, it is obvious that protection of the resources and public rights would depend on vigorous administrative and legal action by an agency, or several agencies, watchdogging the actions of thousands of developers.

Attached to this testimony is a reproduction of a handbill distributed in the past few weeks by one of the groups opposed to acquisition of the Big Cypress, the East Collier County Landowners Improvement Committee. The essence of the handbill is a reprint of a *Miami Herald* article, which quotes extensively from remarks by the Chairman of the Landowners Improvement Committee, Mr. Ellis Chism. Mr. Chism admits to be building a road through the proposed Big Cypress acquisition area, over unsurveyed lands, without the knowledge or consent of many of the property owners he claims to represent. In spite of the extraordinary nature of the real estate speculators' free-lance roadbuilding, no State or County has been able to stop them. The Governor is asking the Legislature for special authority to deal with such problems. But regardless of the temporary tools that may be given the State, it is apparent that a determined group of developers will continue to test, the extreme, the ability of government to regulate uses of Big Cypress.

[ED. NOTE: The article referred to has been placed in the Committee files.]

Another specific problem that illustrates the difficulty of enforcing a less-than-fee interest in the Everglades can be seen in Gum Slough. Your Committee is probably familiar with that area of the Big Cypress watershed. It lies south of the Tamiami Trail, in Monroe County, and is next to the stair-step boundary of the northwest extension of Everglades National Park. A diagonal line running toward the southwest from the Big Cypress jetport site would cut across Gum Slough just outside the Park's border. The area is named after a natural water course that is an important part of the drainage into the National Park.

You've heard at earlier hearings how two principal real estate speculators in the area, J. Erwin Groover of Colorado and the Goldring family of Miami Beach, attempted in 1969 to form a drainage district in Gum Slough. The speculators, acting through their agent James Pace, wanted to drain several square miles of the watershed between the jetport and the Park. Mr. Pace admitted at the time that the owners hoped to commercially develop this land in conjunction with the growth expected from the jetport. Mr. Pace, by the way, is also the organizer of the Landowner Conservation and Protective Association, which claims to represent the interests of the small property owners in Big Cypress.

The real estate dealers' effort to create a drainage tax district was frustrated by a State Circuit Court ruling that the district would not truly benefit a majority of the landowners within the proposed boundaries, and that the proposed drainage would damage economically important natural resources in south Florida—the Everglades National Park, the fisheries dependent on water flowing naturally through Big Cypress to the estuaries of the Everglades, and the wildlife in the Big Cypress.

At the time of the litigation, which was initiated by the National Audubon Society and the National Parks and Conservation Association, the United States Government became a party to the effort to stop the drainage district. Because the most vital resource at stake was Everglades National Park, scientists from the Department of the Interior cooperated with both the Solicitor's office and attorneys from the Lands Division of the Justice Department, to help make sure that the United States could adequately represent the federal interest in protecting

Everglades National Park from damage that would take place if properties upstream from the Park were drained or polluted.

Everyone concerned about the future of the Everglades was impressed that the United States would have so aggressively defended the interests of the National Park. But within a few months, most people were left with an even stronger impression that to rely on any process requiring consistent, aggressive, effective administrative action to protect the Everglades would be to invite disaster for the National Park.

After the Florida court ruled against the Gum Slough drainage district, Mr. Pace and his associates decided to begin a drainage program anyway, digging only on lands controlled by those speculators who wanted to develop Gum Slough. Because the drainage proposed by the Pace group would have, if completed, had the same impact on Everglades National Park and nearby State-owned Everglades lands, whether that drainage was financed by tax dollars or private funds, the State of Florida took an unusual and courageous step. Florida's Attorney General, Robert Shevin, with the unanimous authorization of the Governor and Cabinet, filed suit against the landowners to block their drainage program.

From the beginning of the Florida legal effort to stop the drainage of Gum Slough, the State has invited, implored, and cajoled the Department of the Interior to join in the defense of the Everglades National Park, and the Department of Interior has refused. Although it has never been made clear why the same federal government that acted so aggressively in the Gum Slough case in 1969 and 1970 has since acted as if the problem didn't exist, it doesn't really matter what the reasons are.

The issue in the Gum Slough case have been very well defined, for some time. Certainly there could be no stronger mandate from the Congress, the Executive branch, and the public to protect the Everglades than has existed for the past several years. Everyone in the appropriate agencies of the Executive Branch of the Federal Government is aware that the President himself has shown a consistent personal interest in protecting the Everglades. The Congress has shown a high level of interest in the various agencies that are responsible for the future of the Park. From the beginning of the jetport conflict, the effort to preserve Big Cypress has brought about all unprecedented unity among conservationists, around the country and in Florida. Newspapers around the country, national magazines, and the television networks have followed the issue closely.

With all of this interest in and demand for protection of the Everglades, the United States has still failed to support the State of Florida's effort to protect Everglades National Park from the drainage of Gum Slough. With that kind of history over a case that has received so much special attention, it would be wishful thinking to believe that the federal government could be relied on to enforce and prosecute violations of the incredibly complicated regulatory scheme that would be needed to try and protect Big Cypress in the absence of federal ownership. We are working closely with the leadership, in this Committee and elsewhere in the Congress, that is trying to produce federal legislation to stimulate good state land use planning. But we don't think Everglades National Park should be the subject of an experiment that would, almost surely, lead to the degradation of a resource the Park depends on.

Because of the interest I know your Committee has in another problem influencing the future of the Big Cypress, the resolution of the Everglades jetport conflict, attached to this testimony is a statement about the jetport, presented last week to Dade County officials who are still reviewing alternates to the Big Cypress location. Please consider that delay in protection of the Big Cypress encourages those promoters who continue to support airport development in the watershed. I hope your Committee can move as quickly as possible to report out a bill authorizing federal acquisition of that part of the Big Cypress watershed that provides water to Everglades National Park. Thank you.

STATEMENT BEFORE ADMINISTRATIVE FACT FINDING CONFERENCE ON THE DADE-COLLIER AIRPORT, MAY 4, 1973, MIAMI, FLA., BY JOE BROWDER, EXECUTIVE VICE PRESIDENT, ENVIRONMENTAL POLICY CENTER, SPECIAL REPRESENTATIVE, EVERGLADES COALITION

Thank you. I'd appreciate it if you could note that the views expressed in this statement represent the position of the Everglades Coalition, and that the co-Chairmen of the Coalition, Dr. Elvis Stahr of the National Audubon Society and Anthony Wayne Smith of the National Parks and Conservation Association, have authorized me to represent the national organizations that have been working together on this problem for the past several years.

Your Administrative Committee, and many members of the County Commission to which you are directly responsible, were not deeply involved in the early stages of the jetport conflict, and you certainly aren't bound by any past political commitments. I would urge you to consider, though, that the local-state-federal effort to resolve the jetport conflict through development of an alternate site came about as a result, at least partly, of a strong national demand from people all over the United States that the integrity of Everglades National Park not be compromised by the unilateral policy-making of one local government. Dade County's recognition of the regional and national interest in the jetport siting decision was late in coming, but when it came the County honored itself by sincere participation in an unprecedented effort to overcome traditional local conflicts in order to find a really good airport site.

The existence of your Committee, and the prolonged controversy over the airport site, certainly demonstrates that even the best efforts of all the government agencies involved in the site search failed to satisfy all segments of the public interest, and failed to represent some substantial feelings in Dade County. But I would respectfully urge you to remember, as you try to satisfy your Commissioners' needs to be more responsive to those Dade County citizens who feel left out, that the national interest in Everglades National Park remains an essential element in this issue. Everything that's happened over the past few years has reinforced the feeling of those people interested in the Everglades that no airport should operate in that part of the Big Cypress watershed that serves Everglades National Park.

As a matter of political reality as well as a question of public interest, it would be good to avoid a repeat of the situation we faced a few years ago, when local authorities were grasping for reasons to build and operate an airport in Big Cypress. It's certainly not possible to be sure of anything political, but it's probably true that any effort to stay in the Big Cypress would be less successful now than the initial attempt of 1967. Neither this Administration nor the Congress is likely to approve any airport planning in south Florida that would threaten Everglades National Park or its Big Cypress watershed.

It should also be frankly noted that, whatever the good intentions of the County Commission, Dade County's response to the recommendations of the Site Review Committee did not seem to come in an atmosphere of good will and understanding. There have been, whether intended or not, impressions ranging from indifference to hostility toward the efforts of the Site Review Committee and the participants in the Jetport Pact. It would be safe to say that, considering what's happened in the past few months, if Dade County comes up with another response that contradicts either the spirit or the substance of the Jetport Pact, then Dade County shouldn't be surprised if it becomes very hard to get a new airport site at all.

Which brings up an essential point: it would be a perfectly valid decision, from the point of view of a substantial part of the public interest, to reject any proposed site and have no new airport. Such a decision would require the closing of the Dade-Collier site in the Big Cypress and the relocation of airline training operations outside of south Florida. The decision would also signal the beginning of official recognition that sooner or later, so why not now, something must be done to limit the number of people flying, driving, swimming, drinking, and living in south Florida.

The people this statement speaks for would be very happy with such a decision. We are not in the business of promoting airports, at any location. But since it appears that Dade County does want to have a training airport, and may want to expand that facility into a major commercial operation at some time in the future, we would like to give our endorsement to the site recommended by the Site Review Committee, site No. 14.

Please understand that we are not endorsing the construction of a new commercial airport on that or any other site. If the citizens of Dade County do decide, ten or fifteen or however many years from now, that an airport will be built, then it's pretty obvious that the new airport will go on the site that is chosen now. It is unavoidable that such a major airport development would add, in a measurable way, to the congestion, inconvenience, discomfort, and cost of living in north Dade County. But the people, and the government, of Dade County are going to have to face up to the liabilities as well as the benefits of such projects. It isn't going to be possible to take just the benefits of a new airport, and push the problems into someone else's back yard, or into the Big Cypress or Everglades National Park. That doesn't mean that political boundary lines should determine where an airport goes. If this selection process were more free

of sectional disputes, it might be possible to find a site still better than #14. But if there is going to be another airport serving this general metropolitan area, and the airport can't be placed in a way that would damage Everglades National Park, the Park's Big Cypress watershed, or south Florida water resources, then the airport will have to have at least some impact on at least some of the people in the community that supports and is served by it. Given all of the problems that have to be dealt with, we believe that site #14 should be acquired and developed as a training airport, under the terms of the Jetport Pact.

Just to make certain that the position of those organizations interested in the Everglades National Park. That doesn't mean that political boundary lines plan that would prolong, for any reason, the training operation in the Big Cypress. If site #14 is approved by Dade County under the terms of the Jetport Pact, and if all operations in the Big Cypress would be halted as soon as a new runway could be built on the new site, then Dade County could expect to find considerable support for efforts to assure that the federal commitments under the Jetport Pact are met.

I would like to also submit for your review comments on the site #14 preliminary Environmental Impact Statement. These comments were offered at your public hearing last November, but, like many other submissions at that hearing, may not have been received in a way that made them as helpful as we had hoped. Reading them might give this Conference some more detailed views on some legal aspects of this issue.

Thank you.

COMMENT TO THE DADE COUNTY PORT AUTHORITY ON THE PRELIMINARY ENVIRONMENTAL IMPACT STATEMENT, SOUTH FLORIDA REGIONAL AIRPORT SITE SELECTION STUDY PROGRAM SUBMITTED IN BEHALF OF THE ENVIRONMENTAL POLICY CENTER AND THE SIERRA CLUB, NOVEMBER 13, 1972

The Preliminary Environmental Impact Statement for the proposed acquisition of a site and development of facilities to replace those at the Dade-Collier (Everglades) Airport is an exceptionally thorough and honest document. The preliminary statement is a product of a site review process that has been more open to genuine public participation than are most major government sponsored public works projects. However, the preliminary statement fails to include some technical and much policy information that must weigh heavily in consideration of alternatives to the proposed project.

Insufficient consideration of this important information is apparent in section IV.C. AMENDED ACTION: CONTINUED TRAINING AT DADE-COLLIER, beginning on page 114 of the preliminary statement. The assertion that continued training operations at the Dade-Collier site would result in environmental impacts consistent with those impacts previously observed is inaccurate, and assumptions used to justify this assertion are not supported by presently available data.

Technically, it is not valid to use data from short-term observation of operations at the Dade-Collier site to project long range environmental impacts. In particular, the impact of deteriorated air quality cannot be assumed to be negligible. Natural values in much of the Big Cypress watershed, including the area that would be impacted by continued training operations at the Dade-Collier site, have been found to be significant enough to merit inclusion of the area in the National Park system, as proposed by the Secretary of the Interior and supported by the State of Florida. Continued operation of the Dade-Collier Airport would be inconsistent with the objective of protecting those natural values.

Further, the assumption that continued training operations would take place at the Dade-Collier site without increased development is not valid. Within recent weeks, officials of the Department of Transportation have proposed that a second runway be built at the Dade-Collier site, and that fuel storage tanks, providing capability for aircraft operations not now taking place, also be constructed. While these proposals have, after some debate, been rejected by other government officials, it is obvious that the Federal Aviation Administration and the Department of Transportation are, and will likely continue to be, responsive to pressures to expand operations at the Dade-Collier site in the Big Cypress. Only by carrying out the agreement (Everglades Jetport Pact, Appendix 1 of the Preliminary Environmental Impact Statement) to relocate training operations and close the Dade-Collier site can the FAA and the Department of Transportation meet their legal obligation to avoid damage to Everglades National Park.

Therefore, the preliminary statement's assertion VII.E STATEMENT THAT

THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE is also invalid. While it is certainly in the public interest that all possible consequences of relocating the training facility, including potential expansion of the training airport to commercial operations, be exposed at this time, what in fact is before the FAA and DOT is a decision on the relocation of the training operations, consistent with an earlier finding that such operations are not in the public interest at the Big Cypress site. If, for whatever reason, no feasible and prudent alternative site can be found in south Florida, it is both feasible and prudent for such training operations to take place elsewhere. The United States, in making any determinations and findings in relation to this matter, has a legal obligation to refrain from, in any way, supporting any operations at Dade-Collier. The U.S. has, over the past three years, made an extraordinary effort to help accommodate the Dade County Port Authority's desire to provide such training facilities, consistent with the U.S. obligation to protect Everglades National Park. If such an accommodation is not possible, then the U.S. must take, on expiration of the present (Jetport Pact) agreement, all steps necessary to halt, permanently, all operations at Dade-Collier.

Mr. TAYLOR. And you would say that that applies to all of the national parks that we might be considering, would you not?

Mr. BROWDER. Yes, sir.

Mr. TAYLOR. Any questions of this witness?

Well, thank you, Mr. Browder. We commend you on your interest on this proposal and on many others that have come before us.

La Verne Burnett?

STATEMENT OF MRS. LA VERNE BURNETT, LANDOWNER, MIAMI LAKES, FLA.

Mrs. BURNETT. I am Mrs. La Verne Burnett from Miami Lakes, Fla. My husband and I own 140 acres, approximately $6\frac{1}{2}$ miles north of U.S. 41, known as the Big Cypress. We have facilities there for permanent living, which include a private grass airstrip, small cabin, a 12- by 40-foot mobile home, and a shed in which to house the generator and tools. We live there for about 110 days every year.

I was very fortunate to have a grandfather who took me, as a little girl, for long walks in the woods on his farm. He never was too busy to teach me the wonders of nature. By the time I had entered grade school, I knew every tree, plant, and flower by their common name, not botanical. I knew the habits of small animals, how to track an animal, and I was taught to never kill a bird or an animal. I have never touched a gun; I have never handled a gun, and I do not carry a gun today.

Today in the Big Cypress, I still observe the many little birds, look for animal tracks, and try to protect harmless snakes. I have provided a "bird feeder," and I feed these creatures. We just recently dug a deep-water hole to provide drinking water the year round.

I have been going in the Big Cypress area for about 12 years and have walked many miles over a large area. I do not ever remember seeing water flow in any direction. However, after the rainy season or a severe storm such as a hurricane, water does stand for several weeks in deep holes and ponds. The total area is made up of mostly pine trees, scrub cypress with cypress ponds, and both large and small prairies. The soil is marl and sand with very little muck. At the present time, there is some cattle raising being done, small orange and mango groves thriving, and some successful vegetable farming in this area.

I am one of those people who believe that people need parks for

recreation and enjoyment. But I am against taking a very large portion by acquisition to be enjoyed only by a select few such as hunters and campers. I believe small sites or rare beauty or of a historical nature should be acquired throughout the whole State so that everyone can have access and benefit. I have just recently recommended two such sites for purchase to Governor Reuben Askew of Florida. These two sites are Monroe Station and the Everglades Conservation and Sportsman's Club also located in East Collier County on the Tamiami Trail and the Loop Road. The recommendations were acknowledged by the Governor's office, the Department of Natural Resources, Senator Lawton Chiles, and Senator Robert Graham. The two sites have been placed under study. And I have a copy of some of these letters attached. There were too many to bring them all.

I firmly believe that the entire Big Cypress area should never be developed with high-rises and large commercial or industrial buildings. I would like to offer as an alternative plan:

1. Pass good zoning laws and deed restrictions and enforce them;
2. Keep the original zoning of "agriculture" so that one can have a small farm or have horse ranches, or cattle;
3. Require a person to own 10 acres or more before issuing permits for a single-family house and the necessary outbuildings;
4. No big network of superhighways—and I meant canals, too—just secondary roads, for easy access for firefighting equipment and police protection, and
5. Controlled burning by permit only. No other way.

Such zoning could help us keep and use our land, to protect the natural resources, to keep it in a somewhat wilderness state, to have our hunting seasons, and still pay our share of taxes.

I ask this committee to give the studies and surveys of the experts careful study. I ask to keep my land in private ownership and be allowed to improve only under the guidance of good zoning.

I am opposed to any Government acquisition of land in the Big Cypress area.

Thank you.

Mr. TAYLOR. We thank you for your statement. In the absence of objection, the letters attached—and all other attachments to all statements—will be turned over to counsel to be placed in the record or the files as he sees fit.

I certainly appreciate your constructive suggestions. I had hoped that through land-use planning and zoning that this problem, perhaps, could be solved, or at least partly solved.

Mrs. BURNETT. I have one other thing, though. I was the only woman who ever camped in this area for about 4 years alone. No other woman ever went up in there. I have never been afraid of nature at all, and I have spent many hours in there; and it is just by experience.

Thank you.

Mr. TAYLOR. Any questions?

The gentleman from Kansas has a question.

Mr. SKUBITZ. I want to commend you on your prepared statement. May I ask you the same question I asked the gentleman that preceded you; namely, that if a plan could be worked out so that water flowage would take place over this land, would your people agree to grant an easement, if it were necessary, to allow water flowage over your land,

and, additionally, an agreement that there would be no building on the area, apart from homes; no commercial speculation, for example. In these circumstances, would you approve of the Government buying the land?

Would you be willing to support that sort of an agreement?

Mrs. BURNETT. No.

Mr. SKUBITZ. Do you mean by your point to "pass good zoning laws" and retain it for agricultural use, that no big highways should be built?

Mrs. BURNETT. By good zoning, I mean to have—how do I put it? By good zoning, I mean you have to have a house up to standards, no shacks, and no squatters. They have to be surveyed lands, and so forth. We have nothing to work with.

Mr. SKUBITZ. You would want the commission to divide your land up into 10-acre parcels?

Mrs. BURNETT. No, sir; no, sir. I do not want to divide mine at all, but I would like to see the small sections, the acre-and-a-quarters, enlarged if they are going to do anything. I do not want to be jammed up on someone else.

Mr. SKUBITZ. That is all, Mr. Talyor.

[Mrs. Burnett subsequently asked permission to amplify and supplement her answer. The text of her letter follows:]

MAY 15, 1973.

Re Big Cypress Area.

HON. JOE SKUBITZ,
Committee on Interior and Insular Affairs,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I wish this letter to be included in the records pertaining to the hearing held May 10 and 11, 1973 on the Big Cypress Area.

Immediately after speaking before the Committee on Friday, May 11th you asked me several questions. I became confused, asked the questions to be repeated and quickly answered "No" because I believed at that time any other answer would have been in conflict with my offer of an alternative plan.

However, upon return home and studying this question I would like to change my answer to a "yes" only under certain conditions as follows: You asked me "would I accept the water flow rights over my land?" First, there is no water flowing over or above the ground. There are no natural rivers of water or running streams anywhere over the land north of the Tamiami Trail. There are man-made canals along U.S. 41 and along the side of Alligator Alley. We do have Cypress Ponds and several lakes in this area; one lake man-made on the Trail and the other called "Mud Lake" which is natural and located about 17 miles north of the Trail. Yes, I would accept the water flow rights on my land to leave the "cypress ponds" undisturbed to be filled by rain and natural drainage.

I would not accept artificial flooding or a network of deep canals connecting lakes and ponds because this is not natural. Flooding would kill all our pine trees and even the scrub cypress as they too must have a dry season.

The second question you asked—"What did I mean by good zoning and deed restrictions?" Good zoning to me means special usage as for agriculture—fruit and vegetable farming, cattle ranches, and horses. No factories, high-rises, or large commercial buildings. No network of highways or canals; only secondary roads six-miles apart on the Range or Township lines giving access for police and fire protection. These roads would also be sufficient for farm trucks hauling fruit and vegetables.

Deed Restrictions mean: 1. No building permits for anything less than a minimum of 10-acre parcels. 2. Single family dwellings one story high and built according to County Building Codes. 3. Controlled burning by permit only to prevent "wildfires". 4. Regulated hunting seasons. 5. Pine trees to be protected

6. Borrow ditches approved only for irrigation of crops but must conform to certain specifications of width, depth, and length.

The third question you asked—"Do I want to chop up my land into 10-acre plots?" No. I do not have plans for any development other than a permanent home. There are many landowners with only $1\frac{1}{4}$ or 5 acres tracts. This is too small for agricultural purposes. There can only be so many horses or head of cattle per acre. These small owners will either have to sell or acquire larger tracts.

I have tried to answer the questions to the best of my ability with knowledge I have acquired from experience in this area. I believe we can live and support ourselves on a limited basis in this area without damaging the environment.

Sincerely,

Mrs. LAVERNE BURNETT.

Mr. TAYLOR. Mr. Charles Lee, staff representative, the Florida Audubon Society. Your prepared statement will be placed in the record at this place and you may summarize it as you see it.
[The prepared statement of Charles Lee follows:]

STATEMENT OF THE FLORIDA AUDUBON SOCIETY

Honorable Chairman Taylor, distinguished Committee Members, I am Charles Lee, Staff Representative of the Florida Audubon Society, speaking on behalf of the Society's Board of Directors and Executive Director, Hal Scott.

The Florida Audubon Society wholeheartedly endorses the Department of Interior's proposal to acquire the lands and waters of the Big Cypress Watershed within the area of the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida" Numbered BC-91001, and dated November 1971. The Society stands resolute in the conviction that immediate federal purchase and protection of this area is crucial to the survival of the ecosystems and endangered wildlife of Everglades National Park, the fresh water supply of all South Florida, the marine resources of Florida's southwest gulf coast, and the maintenance in general of an acceptable quality of life for Florida's future generations. In evidence of these facts we present for the record a paper entitled, "Big Cypress Watershed, A Synopsis and Bibliography of Factual Information", and two statements previously presented to the Interior and Insular Affairs Committee of the United States Senate by Arthur R. Marshall, Director of the Division of Applied Ecology at the University of Miami.

The staff of the Florida Audubon Society has been maintaining intense surveillance over development activities in the Big Cypress Watershed area for approximately two years. During this period we have witnessed first hand the effects of rapidly increasing development pressures that threaten the ecological integrity of natural systems now encompassed by the proposed purchase area. The Big Cypress Jetport and the Gum Slough Drainage District received widespread national publicity as a result of their imminent threat to the Big Cypress and Everglades National Park. With the decision of the Federal Government to relocate the airport and the decision of a Florida Circuit Court to deny the developer's drainage district petition much of the national publicity faded away and the general public had little opportunity to learn of additional threats enveloping the area.

When the petition for the formation of the Gum Slough Drainage District was denied, the developers went forward with their drainage plans financed by private funds rather than the special tax levying powers that the formation of a district would have provided. To date, approximately 7 miles of canals and levees have been constructed, and litigation efforts by a coalition of state agencies and conservation organizations have thus far provided no relief.

Exhibits A and B attached to this testimony show respectively the broad extent of areas subject to an immediate threat of development and areas which suffer from an existing development damage. These maps have been prepared through the interpretation of aerial photographs taken by the United States Geological Survey through low altitude aerial inspection, photography and surface inspection. Exhibit C, consisting of eight (8) numbered aerial photographs and attached identification material provides a representative sample of the various kinds of development activity currently taking place within the proposed acquisition area. The highest intensities of development occur in the southwestern corner of the proposed acquisition area, in association with U.S. Highway 41 and State

Roads 840-A and 837. Dredging activity located immediately south of the Tamiami Trail between State Road 840-A and State Road 29 currently threatens to destroy a large part of the last remaining habitat of the critically endangered Cape Sable Sparrow, one of 17 endangered species known to inhabit the Big Cypress.

At present, areas irreparably disturbed by development constitute only a small portion of the acreage included in the proposed National Fresh Water Reserve. However, it is apparent from the rapidly increasing frequency of development activity throughout the area that a large percentage will become affected in the near future if federal purchase plans are not immediately implemented. The fact that the majority of development damage depicted on Exhibit B has occurred within the last two years and virtually all within the past five years lends some meaningful dimension to the urgency of the situation.

I thank the Committee for the privilege of presenting testimony here today and conclude urging this Distinguished Subcommittee to take prompt favorable action on legislation creating the Big Cypress National Fresh Water Reserve.

[Ed note: The statements and exhibits referred to have been included in the Committee files.]

THE BIG CYPRESS WATERSHED—A SYNOPSIS AND BIBLIOGRAPHY OF FACTUAL INFORMATION, FLORIDA AUDUBON SOCIETY, MAY 1, 1973

I. INTRODUCTION

"Facts," said Winston Churchill, "are better than dreams." He might have noted also that *facts* are essential to the synthesis of a wise decision.

The information set forth below is the result of a careful search of the available scientific literature dealing with the Big Cypress.

II. WHAT IS THE BIG CYPRESS WATERSHED?

The Department of Interior's publication, *Environmental Impact of the Big Cypress Swamp Jetport* (the "Leopold Report"), describes the area as:

"... a wilderness area of sloughs, cypress stands, pine islands, and hammocks, roughly 30 by 40 miles and located west of the Everglades, principally within Collier County. It is an intricate mosaic of marsh and lowland forest types. The pattern of this mosaic is determined mainly by length of the hydro-period and the frequency of fire at a given site.

"The major forest types are bald cypress, slash pine, cabbage palm, and mixed hardwoods."¹

It refers to the Fakahatchee Strand as

"... the major drainage slough of the southwestern Big Cypress and supports a mixed stand of cypress and native royal palm, a forest type which is unique on earth."²

Interior's latest publication, *Big Cypress Watershed*, refers to the

"... almost imperceptible slope of the land. This results in exceedingly slow drainage, which extends the "wet months" well beyond the period of actual rainfall. The unrelieved flatness of the area's topography makes sheet flow the predominant drainage rather than flow in well-drained channels or courses. Thus, a water level change of only a few inches of times affects thousands of acres. In a year of normal rainfall, much of those areas still experiencing natural drainage stands underwater for as long as four months after rainfall ceases."³

"The biota of the Big Cypress is in delicate balance with the seasonal fluctuations in water level. These fluctuations control the growth and concentration of organisms in the freshwater environment and determine the brackishness of the estuaries, which, in turn, controls the estuarine ecosystem, a vital nursery and feeding area for many marine animals. The Fakahatchee Strand, in particular, is a unique water-dependent area rich in semitropical plants and in wildlife. The biota of the Big Cypress is interrelated with that of the Everglades National Park; many species migrate between the two areas."⁴

The "Leopold Report" notes that the swamp

"... may well be thought of as an aquatic rather than a terrestrial environment. Water levels are above the ground surface about 70 percent of the time in low-lying areas, and over most of the areas 3-4 months in the normal year. The surface drainage features convey water to the estuaries that lie to the west and southwest of the Big Cypress."⁵

III. THE ECOLOGY OF THE BIG CYPRESS WATERSHED

Because it is water dominated, the plants and animals frequenting the area have adapted to fluctuating seasonal water levels.

Plant communities represented are:

- (1) pine-palm-palmetto forest;
- (2) wet prairie and marsh;
- (3) freshwater swamp;
- (4) hammock forest;
- (5) cypress forest;
- (6) tidal marsh, and
- (7) mangrove swamp.⁶

The "Leopold Report" indicates that nearly every wildlife species native to semitropical Florida can be found in the swamp.⁷

The variety of habitat available encourages aquatic species utilizing fresh water and others which invade the estuaries to feed and reproduce.

The numerous species of amphibians, reptiles, birds, and mammals include 17 classified as rare or endangered by the U.S. Fish and Wildlife Service, including the alligator, Wood Ibis, Florida Everglade Kite, Southern Bald Eagle and Florida panther.⁸

A *Synoptic Survey of Limnological Characteristics of the Big Cypress, Florida*, states:

"The biotic components . . . are generally part of a delicate food sequence: plants—invertebrates—fish—birds—etc. If the food chain is altered, the ecosystem becomes unbalanced and certain forms are threatened by extinction. Development of the Big Cypress Swamp for man's use will break this chain and will inevitably destroy the south Florida ecosystem."⁹

IV. HYDROLOGY

The highly erratic seasonal rainfall and runoff characteristic of the Watershed is produced by summer thunderstorms which are of marine origin. Leopold called attention to the 75 to 95 percent evapotranspiration loss which is a very significant climatological—ecological factor in the Big Cypress Basin.¹⁰

During the wet season a sluggish, overland sheet flow dominates the runoff pattern of the swamp and south Florida.¹¹

The shallow aquifer in the Big Cypress supplies all fresh water for Naples and adjacent areas.¹²

The Floridan aquifer, located at depths greater than 400 feet, yields large quantities of highly mineralized water which could only be rendered potable through an expensive desalination process.¹³

Tests performed by the United States Geological Survey led to the conclusion that the water of the Big Cypress is relatively unpolluted. Concentrations of nitrogen, phosphorous, total organic carbon and persistent pesticides are considerably less than those in nearby urbanized areas.¹⁴

V. INFLUENCE ON OTHER AREAS

The Big Cypress Watershed is the vital underpinning of the ecosystem which provides critically important esthetic and economic benefits to the South Florida Gulf Coast.¹⁵

The *Everglades National Park*, which is dependent upon a plentiful supply of high quality water flowing through the region in an overland sheet pattern for up to 8 or 9 months of the year a major portion of its water supply from rainfall over the park. The Big Cypress Watershed accounts for 56 percent of all outside water entering the park.¹⁶

The Watershed is a source of fresh water and nutrient supply to the estuaries of the Park and the Ten Thousand Islands. It is the key to survival of the far-reaching fishing enterprises that depend upon the estuaries.

The quality and quantity, and the timing of its (water) delivery into the park, must remain much the same as it is at present if the Everglades ecosystem and its wildlife is to survive."¹⁷

"... without the seasonal fresh water runoff from Big Cypress Watershed, the mangrove-dominated estuarine zone along much of the Gulf Coast would, for all practical present economic and ecologic purposes, cease to exist."¹⁸

VI. THE ECONOMIC IMPORTANCE OF THE BIG CYPRESS

A. Water

"The Big Cypress Watershed, in effect, is a *natural* water conservation area. As such, it could continue to *insure an adequate water supply source for the coastal communities*, the marine resources of the dependent estuaries, and Everglades National Park and would, if properly coordinated, contribute significantly to a comprehensive water management program for all of South Florida. The watershed can fulfill the role of a water conservation area similar to those in the adjacent Central and Southern Florida Flood Control Project, *without the construction of retention facilities*, and its great recreational and scientific values could be realized fully, consonant with this usage."¹⁹

As a natural "water conservation area", it recharges the shallow aquifer from which the rapidly growing communities of southwest Florida draw their fresh water.

B. Everglades National Park

Because of its unique plant and animal communities, the Everglades National Park attracts hundreds of thousands of visitors to Florida each year. The food chain relationship that supports a major segment of these communities is dependent on maintenance of the continuing flow of Big Cypress water.²⁰

C. Estuaries

An estuary can be defined as a semi-enclosed coastal body of water which has a free connection with the open sea and within which sea water is measurably diluted with fresh water drained from land drainage. Estuaries are the most productive environments on the earth.

"The Coastal-Mangrove Zone"

The seasonal fresh water runoff from the Big Cypress passes into a broad mangrove-dominated estuarine zone along the coast. This zone comprises about 430 square miles, including its mangrove forests, prairies, and estuaries, as compared to the 1,200 square miles of the Big Cypress tributary area."²¹

"The coastal zone is characterized by levels of productivity and species diversity as high as can be found within the continental United States. In addition to its very large bird populations which have been treated elsewhere in this report, the area produces or maintains hundreds of species of aquatic organisms."²²

In terms of the gulf states 97.5 percent of all commercial marine species harvested spend part, or all, of their lives in estuaries.²³

Dr. Clarence P. Idyll of the Institute of Marine Science at Pollution Study that the shrimp industry in Florida in 1966 had 16½ million dollars income.

Shrimp, he noted, spend at least half their total lives in estuaries.

Leopold, commenting on the pink shrimp as an example of enormous productivity of the estuaries served by the Big Cypress, reported:

"The importance of the mangrove estuarine zone is dramatically illustrated in the life cycle of the pink shrimp which supports the commercial fisheries of the Sanibel and Tortugas grounds. Extensive research conducted by the Institute of Marine Sciences, University of Miami, and the U.S. Bureau of Commercial Fisheries has shown that the pink shrimp spawn on the fishing grounds and that the newly spawned larvae migrate to the coastal estuarine areas. Here, because of the abundant food and the protection afforded by estuarine conditions, the larval shrimp develop through the post-juvenile stages and then migrate seaward to the above mentioned fishing grounds where they support the valuable commercial fisheries present there. An interruption of this life cycle through a loss of the coastal estuarine areas will severely deplete if not totally eliminate the 6.36 million dollar (1967) shrimp fisheries. This knowledge demonstrates a direct ecological link of the coastal zone, with thousands of square miles of the Gulf of Mexico."²⁴

The dockside value of the pink shrimp referred to by Leopold demonstrates what kind of long-term profit is at risk. The Florida Bureau of Marine Science and Technology (and the agency which preceded it), reported the following dockside values for Tortugas shrimp: ²⁵

Year:	Dockside value
1965 -----	\$6, 780, 372
1966 -----	8, 511, 068
1967 -----	6, 059, 147
1968 -----	6, 694, 877
1969 -----	7, 488, 603

In an article published in the proceedings of the Gulf and Caribbean Fisheries Institute, November, 1965, Dr. Durbin C. Tabb, University of Miami, noted:

"At the 14th Session of this Institute Dr. Eugene P. Odum of the University of Georgia read an important paper on the role of marshes in estuarine productivity (Schelsky and Odum, 1962). He showed how marshes recycle phosphorus and nitrogen continuously, and how the vital plant food is produced throughout the year. He showed how marshes, often foul smelling, often slimy with algae, normally teeming with sandflies and mosquitos, are nearly 7 times as productive as the open sea, nearly twice as productive as the best corn land, and about equal in basic production of organic material to the annual production of sugar cane or rice land.

"The astonishing thing about all this is that man does not have to turn a hand to make this great crop ready for harvest. There is no fertilizer bill to pay; the food is produced free for the taking. But it can be taken away by destruction of the factory—the factory which relies upon abundant light and a dependable supply of nutrient material. Production depends upon the rise and fall of the tides to transport the raw product to the waiting consumers." ²⁶

D. Recreation

In an area already experiencing explosive growth, in a state in which the existing parklands are being subjected to ever increasing pressures, the Big Cypress Watershed offers important recreational opportunities. Here one can find a wilderness landscape whose flora and fauna are beautiful and unique. The area's mild climate provides recreational opportunities almost impossible to find elsewhere.

In the Big Cypress hunters, fishermen, photographers, camping and boating enthusiasts and those who simply enjoy the wilderness can find a wide variety of challenges and experiences.

The need to provide healthy, exciting and meaningful activities for our citizens and for tourists can be admirably met by wise use of the Big Cypress Swamp! To attempt at a later date and at far greater cost to provide far less adequate recreational areas would be economically and esthetically short sighted.

VII. THREATS TO THE BIG CYPRESS AND RELATED RESOURCES

That irreparable harm will probably result from any major developemnt in the Big Cypress Watershed is made clear in each of the four reports published by the U.S. Department of Interior:

A Synoptic Survey of Limnological Characteristics of the Big Cypress Swamp, Florida, pages 7-10.

Some Hydrologic & Biologic Aspects of the Big Cypress Swamp Drainage Area, Southern Florida 1970, pages 77-90.

Big Cypress Watershed, Florida, pages 10-12.

Environmental Impact of the Big Cypress Swamp Jetport, pages 58-123.

The "Leopold Report" notes: "Any construction or development activity in the Big Cypress Swamp which leads to its drainage will alter the hydroperiod in the coastal zone. This would result in faster run-off during the wet season, and an extension of the dry period. Even if the annual volume of run-off passing through the coastal zone is unchanged, the seasonality of flow would be drastically altered.

"All of the organisms in the coastal zone are adapted to a long period of brackish water conditions that extend beyond the rainy season. If these conditions do not continue, spawning periods and estuarine nursery activities will be out of phase with the artificially created hydroperiod. The rapid degradation of mangrove detritus that occurs under brackish conditions will also be reduced

and the detrital food chain markedly disrupted. With these disruptions, the estuarine and offshore Gulf waters would probably be unable to support the high population levels of aquatic species that they now do."²⁷

The potential hazards arising from oil pollution have been referred to in a number of reports and in statements made to the panel considering issuance of permits to explore and drill for oil in the Big Cypress. *Big Cypress Watershed* notes, "... the threat of oil pollution has arisen."²⁸

A *synoptic Survey of Limnological Characteristics of the Big Cypress Swamp* reported, "... a potential oil pollution hazard exists near Sunniland, Florida."²⁹ And again refers to "Half dozen pumping wells have clean operation but represent an ever present oil pollution hazard."³⁰

The same report also calls attention to the fact that road access, (which will accompany oil exploration and drilling), permits clandestine disposal of solid wastes in an area where unpolluted water is essential.³¹

"The Big Cypress has been exploited by man in many ways. The western portion is lacerated with canals as to place it beyond practical restoration. The area around Naples has been extensively drained and developed. Of Collier County's total population, more than 60 percent live in and around Naples, and drainage east of Naples is underway for furthering residential expansion. The population increased about 2½ times in each of the two preceding decades and will probably continue to rise at about the same rate for several years.

"The principal occupation of Collier County has been truck farming. Much of the swamp from the vicinity of Sunniland north has been drained for agricultural development. The most important crops are tomatoes, cucumbers, peppers, and watermelons. Cattle raising is carried on also."³²

VIII. PROBABLE DAMAGES IF THE BIG CYPRESS IS NOT PROTECTED

The Department of Interior's draft environmental impact statement submitted to the Council on Environmental Quality in 1972 stated that:

"Should the reserve not be established, the present uncoordinated development of the area, which does not recognize ecological relationships, is expected to continue. As demonstrated in other areas of South Florida, the land will be drained and developed for residential, industrial or agricultural uses and, in so doing, the existing water quality, quantity and flow regimen will be altered. During the wet seasons, canals will rapidly drain fresh water to the sea or to artificial storage areas, altering the essential quality, quantity and seasonality of flow in the swamp and to estuaries. This would be especially critical during the dry season.

"As development increases, the demands on the fresh water supply will overwhelm the requirements of the biota including those of Everglades National Park. Not only will the quantity be reduced, but the quality will be impaired as pollutants and excess nutrients are introduced. The low flow is likely to concentrate some chemical constituents to unsatisfactory levels. With low flow, salt water intrusion will be encouraged and wells for domestic and public supplies may have to be relocated.

"The ecological response will be dramatic. Shortened periods of inundation will reduce aquatic animal populations and threaten the higher forms that depend on them. Biological populations would change as woody vegetation spreads into the drained marsh areas replacing wet prairies and habitats. The resulting ecosystem in the presence of a lowered water table is very vulnerable to severe fires which may consume the peat and make it incapable of supporting indigenous climax vegetation. Smoke from fires would be hazardous to traffic and health.

"In the aquatic habitats, the species composition would shift to favor forms tolerant of pollution and less water. Complex associations would trend toward simplified ones, and the number of species would be reduced. Persistent pesticides would be concentrated by biological magnification in the food chain. Reductions in reproductive rates would follow and would be most pronounced in predatory birds and reptiles. Pesticides are responsible for reduced numbers of eagles and pelicans in Everglades National Park and this trend will become more severe as the area is developed. Economic losses would be a consequence in the estuarine habitats as these are the spawning and nursery grounds for commercial and game fishes.

"Environmental degradation will not only be a direct consequence of pollution but also of reduced habitats. Animals and plants whose ranges are limited to the Big Cypress may become extinct. Should the flow of the Watershed be altered, the ecosystem in the northwestern portion of Everglades National Park will be replaced by one which is new and undesirably different.

"As the resources of the area are depleted some or all of the Seminole and Miccosukee Indians, aside from being overwhelmed by the non-Indians cultures developing around them, will need outside support for their survival. Under the expected pressures, the cultures of these peoples, depend on a natural environment, will give way and cease to exist.

"The history of drainage in South Florida has shown that the huge short run economic returns derived from public works projects for drainage and flood controls are offset by longer range losses. Drainage enable a rich farming economy to develop in South Florida but it is also resulting in its demise for drainage drives the soil, and with tilling, causes its oxidation, subjects it to fire and wind removal, and permits its compaction and subsidence. The resulting soil loss rate, averaging almost $4\frac{1}{4}$ inches per year, is so great that crop farming at some places is estimated to end by the year 2000."⁵⁵

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STATEMENT OF CHARLES LEE, STAFF REPRESENTATIVE, FLORIDA AUDUBON SOCIETY

Mr. LEE. Honorable Chairman Taylor, distinguished committee members, I am Charles Lee, staff representative, Florida Audubon Society, speaking on behalf of the society's board of directors and Executive Director Hal Scott. The Florida Audubon Society wholeheartedly endorses the Department of the Interior's proposal to acquire the lands and waters of the Big Cypress watershed within the area of the map entitled "Boundary Map, Big Cypress National Fresh Water Reserve, Florida," numbered BC-91001, and dated November 1971. The society stands resolute in the conviction that immediate Federal purchase and protection of this area is crucial to the survival of the ecosystems and endangered wildlife of Everglades National Park, the fresh water supply of all south Florida, the marine resources of Florida's southwest gulf coast, and the maintenance in general of an acceptable quality of life for Florida's future generations. In evidence of these facts we present for the record a paper entitled "Big Cypress Watershed: A Synopsis and Bibliography of Factual Information," and two statements previously presented to the Interior and Insular Affairs Committee of the U.S. Senate by Arthur R. Marshall, director of the division of applied ecology at the University of Miami.

The staff of the Florida Audubon Society has been maintaining intense surveillance over development activities in the Big Cypress Watershed area for approximately 2 years. During this period we have witnessed firsthand the effects of rapidly increasing development pressures that threaten the ecological integrity of natural systems now encompassed by the proposed purchase area. The Big Cypress Jetport and the Gum Slough Drainage District received widespread national publicity as a result of their imminent threat to the Big Cypress and Everglades National Park. With the decision of the Federal Government to relocate the airport and the decision of a Florida circuit court to deny the developer's drainage district petition much of the national publicity faded away and the general public had little opportunity to learn of additional threats enveloping the area.

When the petition for the formation of the Gum Slough Drainage District was denied, the developers went forward with their drainage plans financed by private funds rather than the special tax levying powers that the formation of a district would have provided. To date, approximately 7 miles of canals and levees have been constructed, and litigation efforts by a coalition of State agencies and conservation organizations have thus far provided no relief.

Exhibits A and B attached to this testimony show respectively the broad extent of areas subject to an immediate threat of development and areas which suffer from an existing development damage to date. These maps have been prepared through the interpretation of high-altitude aerial photographs taken by the U.S. Geological Survey through low-altitude aerial inspection, photography, and surface inspection. And I might add here that the infrared photography was provided by the National Aeronautics and Space Administration, and these aerial surveys were shot at 60,000 feet on January 28, 1973. Exhibit C, consisting of eight numbered aerial photographs and at-

tached identification material, provides a representative sample of the various kinds of development activity currently taking place within the proposed acquisition area. The highest intensities of development occur in the southwestern corner of the proposed acquisition area, in association with U.S. Highway 41 and State Roads 840-A and 837. Dredging activity located immediately south of the Tamiami Trail between State Road 840-A and State Road 29 currently threatens to destroy a large part of the last remaining habitat of the critically endangered Cape Sable sparrow, one of 17 endangered species known to inhabit the Big Cypress area.

At present, areas irreparably disturbed by development constitute only a small portion of the acreage included in the proposed National Fresh Water Reserve. However, it is apparent from the rapidly increasing frequency of development activity throughout the area that a large percentage will become affected in the near future if Federal purchase plans are not immediately implemented. The fact that the majority of development damage depicted on exhibit B has occurred within the last 2 years and virtually all within the past 5 years lends some meaningful dimension to the urgency of the situation.

I thank the committee for the privilege of presenting testimony here today and conclude by urging this distinguished subcommittee to take prompt favorable action on legislation creating the Big Cypress National Fresh Water Reserve.

Mr. TAYLOR. Well, thank you.

Any questions?

Well, thank you very much, Mr. Lee.

Rev. I. L. McDougale.

STATEMENT OF REV. I. L. McDOUGLE, PASTOR, EAST HIALEAH BAPTIST CHURCH

Reverend McDOUGLE. Mr. Chairman, members of the subcommittee, due to the shortage of time I had before coming to Washington, I prepared this statement hastily, and I would like to say just a few words besides what I have written here if I may be allowed to do so. Thank you, sir.

I am I. L. McDougale, a native son of Florida. I am 58 years old and a resident of Dade County since 1934. I am the son of a hard-working dirt farmer who never, at any time, received any Government help. He was a proud man. I would love to elaborate on this Government help. I mean, there were Government food allotments that many farmers in the depression areas received.

My life started as a construction worker on Miami Beach for 35 cents an hour, and with this kind of a wage I had to turn down an opportunity to buy a lot on Alton Road in Miami Beach for \$700. If I may be allowed to elaborate here just a minute, you may ask, "Since when did they sell them for \$700?" If you will remember, or have any knowledge, we had a rainy season there that lasted 29 days and coming home one night, I had my car fixed every way that I could to get through the water. A motorboat with three men passed me and drowned my car out—Miami Beach was a wilderness at that time and was called that—and some man wanted to sell his lot for \$700, but working for 35 cents an hour, I could not afford it.

And, then, I continued my life as a construction worker, serving both in the Caribbean—on the Roosevelt Road project in Puerto Rico—and the Pacific until after World War II was over. And during this time in the Pacific, refugee missionaries from China and Japan started a bible school, a seminary, in Honolulu in which I enrolled, and, here, the remainder of my stay which was 3 years, I studied seminary training, and then coming to Hannibal, Mo., to finish junior college, and from there I went to Miami, back home, and started the Hialeah Baptist Church, 4 blocks each of the Hialeah race track. And I may say that the elevation there is lower than my property is in the Big Cypress swamp that I keep hearing so much about. And between my house and the church, which is only about 9 blocks, I had at one time a friend of mine who fished in a little pond there, and the sawgrass still comes up in one spot. And, so, Hialeah was once a wilderness like this.

And, then, in those last few years there I had an opportunity to purchase 10 acres of ground in Collier County, the Big Cypress. But all of my time, from 1934 until then, we—my son and I—had hunted and fished in the Florida Everglades, and especially in Big Cypress. We loved its beauty, we loved the peace of the open country up there, and for this reason I would like to be able to keep it. I am 58 years old. I will never be able to acquire any more. My brother gave me 5 acres of ground up in your country, in North Carolina, in the beautiful mountains and helped me to build a home there, and I hope to stay up there in the summertime if I should ever live to retire, coming back to the Big Cypress for the winter months. And that is the best time to live down there.

I would like to close with this one statement. A neighbor of mine in North Carolina went out to buy some apple trees, and the man that was trying to sell him said that the best way in the world to have apple tree in North Carolina is to plant a seed or a small tree and after it gets so big, to graft it, and I said: "Sir, I do not have time; I will not be here that long." And this is the way I feel about the Big Cypress. I love the land, and I certainly pray for this group here in my church every Lord's Day morning. Someone asks the Good Lord to bless the men in high places, those that guide us, and I believe you are this group that guides us, and we do pray for you. I wish that you would be very considerate of us small men, like myself, that own property in Big Cypress. It is a beautiful place. And, sir, it is a good place for a little small truck farm, which I hope to do some time. And I would not be able to handle very much, but this may be 100 square feet, and that is all I could handle. But I would love to plant some fruit trees on it now so they would grow, so, if I did live long enough to retire and go out there.

I would love to answer any questions you have, sir.

MR. TAYLOR. Well, thank you very much, Reverend McDougle.

We do feel very sympathetic toward the situation that you describe, and we are anxious for the property owners not to be mistreated.

I, too, when I retire, hope to own a home in western North Carolina and probably a winter home in Florida.

Reverend McDougle. If I can help you, call on me.

MR. TAYLOR. Just a minute, Reverend McDougle.

The gentleman from Florida has a question.

Mr. HALEY. Reverend, I have property, and I probably am a little less fortunate than you, because I do own a little place up in the congressional district represented by my good friend here, in the highlands of North Carolina, where I have not been able to go, without deserting my duties here, in about 5 years. I continue to pay the taxes, but I do not get down there to see what is happening. But, anyway—

Mr. TAYLOR. Would the gentleman yield?

Mr. HALEY. Yes.

Mr. TAYLOR. I would just like to comment that in some sections of my congressional district there are more Florida tags seen than North Carolina tags.

Reverend McDUGLE. Amen. And you ought to be proud of it.

Mr. TAYLOR. I am. And one of your candidates for Governor put a billboard up in our town, and it attracted a good deal of attention. He said that all of his constituents were up there.

Mr. HALEY. Reverend, let me just say this to you.

Of course, the acquiring of the Big Cypress would not interfere with anything in so far as what you now participate in, in the Everglades National Park. And, also, I think that this committee is so sympathetic to not disturbing people we do not want to disturb people who are landowners or who have an interest, and I am sure that you will not be too much disturbed even if we go ahead—which I hope we can—and acquire this property, because, actually, I think you might even be able to expand your activities there rather than diminish them.

Reverend McDUGLE. Could I answer one question in regard to this map?

Those several areas Mr. Bogers show—the dark places—that is, the Little Big Cypress Strand. I would be happy to see anyone buy that and preserve it, and my father—a railroad came through our little town of Center Hill, Fla., in the center part of the State, and they came and offered to buy a piece of his ground and he said, “No, sir.” He said “I will give it to you.” And if any of mine were this way, I would be happy to just give it to you, and not sell it to you but give it to you. Just let me have a little home out there in the pine timber. And it is beautiful.

Mr. HALEY. When we acquire this Big Cypress, I want to assure you that there is no desire on the part of us to take anything away that you have enjoyed. And I hope you continue to enjoy it for many, many years.

Reverend McDUGLE. Thank you, sir.

Mr. TAYLOR. Anthony Wayne Smith, cochairman, Everglades Coalition, president and general counsel, National Parks and Conservation Association.

STATEMENT OF ANTHONY WAYNE SMITH, COCHAIRMAN, EVERGLADES COALITION, AND PRESIDENT AND GENERAL COUNSEL, NATIONAL PARKS & CONSERVATION ASSOCIATION

Mr. SMITH. Mr. Chairman and members of the committee.

I am Anthony Wayne Smith, 1701 18th Street NW., Washington, D.C. 20009.

I appreciate the invitations which have been extended to me by the committee to testify in these proceedings as cochairman of the

Everglades Coalition and as president and general counsel of the National Parks and Conservation Association, and I am appearing in these capacities.

The Environmental Coalition for North America (Encona), of which I am chairman, concurs in this statement.

I am attorney admitted to practice in the State of New York and the District of Columbia. Further identification is attached.

The Everglades Coalition is composed of major conservation and labor organizations. A list is attached on the letterhead of the coalition. It first became known as the organization which opposed and stopped the giant jetport which was formerly proposed for the Big Cypress in Florida, which would have gravely impaired the water supplies and general environment for Everglades National Park and the communities and industries of central and southern Florida. As this committee knows, the jetport was indeed halted, and we trust that arrangements will soon be worked out for the elimination of the one training strip which has been in operation and the relocation of the project at an ecologically acceptable site.

The National Parks and Conservation Association is one of the leading environmental organizations of the Nation, the first national organization to warn publicly against the impending jetport project through its national parks and conservation magazine, the *Environmental Journal*.

I serve as cochairman of the Everglades Coalition in my capacity of president and general counsel of the National Parks and Conservation Association. Dr. Elvis J. Stahr, president of the National Audubon Society, is the other cochairman of the Everglades Coalition.

The Environmental Coalition for North America is a somewhat similar alliance, including individuals associated with major national environmental and economic organizations, but with interests somewhat broader than central and southern Florida. An identifying folder is attached herewith. Mr. W. Lloyd Tupling, legislative consultant to the Sierra Club, is vice chairman of Encona. The organizations involved in the coalition probably represent something on the order of 5 million people scattered all over the United States and, to some extent, in other countries.

The effort to preserve the Big Cypress in Florida is part of the undertaking to protect the water supplies and environment of central and southern Florida for the benefit of the people of Florida and America as a whole.

This effort has been long and difficult, but we think it may be starting to bear fruit. It began with the establishment of Everglades National Park in 1947, and the defense of the park thereafter against ill-conceived projects like the so-called Canal III, east of the park.

It continued with efforts to see to it that water stored in Lake Cheechobee and the conservation districts was, in fact, delivered to Everglades National Park when needed.

It continues through our opposition to the jetport, and hopefully its relocation to an ecologically acceptable site.

It became increasingly apparent that if destructive developments taking place within the Big Cypress were to continue, the water which was reaching the western side of the park would be cut off and untold additional environmental damage would be done everywhere.

It now seems that environmental understanding of this entire situation has grown to the point where people realize that the channel straightening and draining in the Kissimmee Basin was a mistake because the river and the wetlands helped to cushion the adverse effects of development in the area with respect to vital water supplies for ecosystems and human communities.

This realization, if it is taking place, will make it increasingly apparent to the citizens of Florida and America that Big Cypress must be protected. This can best be done effectively by Federal acquisition of the greater portion of the Big Cypress, and it should proceed with the greatest possible expedition.

The details of the various measures for acquisition may be relatively unimportant. We have taken the position that the Swamp should be acquired as a national recreation area, or National Fresh Water Reserve by the Federal Government and managed by the Federal Government as part of the National Park System.

Progress toward the protection of Big Cypress has been frustrated by disputes with respect to authorizations, appropriations, and financing. In our opinion, the essential thing is to get the job done and to move ahead with all these necessary steps as rapidly as possible——

MR. TAYLOR. Can you be through in 1 more minute?

MR. SMITH. It might be 2, Mr. Chairman.

Congress doing those things which it is necessary for Congress to do, and the administration doing those things which is necessary for the administration to do. This means prompt authorization, appropriation, budgeting, and release of funds. I will skip.

It is quite intolerable to have projects like this authorized and appropriations, hopefully, provided and then have the money held up. If the administration is serious about acquisition, it should indicate its willingness to recommend appropriations for fiscal year 1974, not fiscal year 1975, if Congress authorizes acquisition.

So much time has now passed that you might wish to consider acquisition by a general declaration-in-taking, with compensation to be determined by normal judicial proceedings thereafter. And, Mr. Chairman, I would comment that if you were to do that, that would settle the question of impoundment because there would be an obligation there on the part of the administration.

MR. TAYLOR. If we did that, we would put it ahead of all of the other parks, and, in order to do that, you have to have the money on hand to buy it when you pass the law, \$165 million or \$170 million, which we do not have.

MR. SMITH. Well, I suggest that we consider there may be situations where direct declarations-in-taking will be helpful.

MR. TAYLOR. I wish we could do that on all of these parks, just take it quickly. I think it would be better for the property owners and better for the Government.

MR. SMITH. Well, you have asked me to terminate.

I dealt there a little bit with the question of financing. So, it seems to us that on the very fundamental question of financing for matters of national parks and other ecological protection areas as contrasted with the expenditure of Federal moneys on big dams and big highways which gets you into a question of cooperation between the Interior Committee, perhaps, and the Public Works Committee. But it gets you

into the problem of Congress taking control over the Federal budget and changing it around. Now, unless this is done, there is going to be some support necessary for impoundment on things like the big dams and rivers.

Thank you, sir.

Mr. TAYLOR. Any other questions of Mr. Smith?

Mr. SKUBITZ. Yes. I have a question.

Mr. TAYLOR. The gentleman from Kansas.

Mr. SKUBITZ. Mr. Smith, is your organization also called The Nature Conservancy?

Mr. SMITH. No. The Nature Conservancy is not part of either of the coalition.

Mr. SKUBITZ. Did your association have anything to do with the purchase of land in Chase County, Kans.?

Mr. SMITH. No.

Mr. SKUBITZ. That is all, Mr. Chairman.

Mr. TAYLOR. Well, thank you now.

Ernest Dickerman, director, field services, eastern region, The Wilderness Society.

We welcome you back.

STATEMENT OF ERNEST DICKERMAN, DIRECTOR, FIELD SERVICES, EASTERN REGION, THE WILDERNESS SOCIETY

Mr. DICKERMAN. Thank you, Mr. Chairman.

And, with your permission, I would like to read the first three paragraphs and supplement briefly three other points; otherwise. I would like to have the statement put into the record as if read.

Mr. TAYLOR. Yes.

[The prepared statement submitted by Mr. Dickerman reads in full as follows:]

STATEMENT SUBMITTED BY ERNEST M. DICKERMAN FOR THE WILDERNESS SOCIETY

My name is Ernest M. Dickerman representing The Wilderness Society, a national conservation organization of some 80,000 members. The Wilderness Society is primarily concerned with the preservation and beneficial use of wilderness and other natural areas. The protection of the Big Cypress Swamp as proposed in H.R. 46 is completely in accord with this general objective.

We take this opportunity to express our deep appreciation to Chairman James A. Haley for the persistence and skill with which he has worked to keep the acquisition of the Big Cypress Swamp an active and feasible project. The difficulties have been complex and the opposition vigorous. Notably, Mr. Haley has succeeded in developing between the state of Florida and the federal government a cooperative program of action which will make possible the establishment of the Big Cypress National Fresh Water Reserve subject to appropriate congressional legislation. In large measure it is the continuing and skillful efforts of Mr. Haley which has produced the favorable conditions and the combination of supporting forces necessary to securing passage of this bill.

The establishment of the Big Cypress National Fresh Water Reserve has the full support of The Wilderness Society. This matter has been carefully studied by the Congress and by many interested groups for several years now. The intent and purpose of the legislation is well understood. We would urge this committee and the Congress to move promptly to enact appropriate legislation.

There has at various times been discussion of possible means of preserving the Big Cypress Swamp other than through direct acquisition by the federal government. The consideration of alternative means was wise. It has led to a fuller awareness of the problems involved in protecting the Big Cypress. It has shown that half-way measures cannot be relied upon to do the job. Outright acquisition

of the land and waters involved has been shown to be the one means of assuring the permanent and complete protection necessary. We are here concerned not only with the protection of the Big Cypress Swamp itself but of guaranteeing that its life-giving waters will indefinitely continue to flow into Everglades National Park and into the estuarine areas of the west Florida coast which nourish the highly important commercial fisheries along that coast and into the public water systems necessary to sustain human life in that region of Florida. In our view, full legal title to the area by the federal government is the only practical and certain means of achieving these ends. H.R. 46 provides for complete acquisition of title and we urge that whatever legislation is finally drafted by this committee shall so provide.

When testifying on the Big Cypress Swamp before this same committee at its hearing held September 26, 1972 in Washington, D.C., we commented on the desirability of providing for legislative taking of certain portions of the Big Cypress project. We continue to believe such limited legislative taking to be an essential provision in any Big Cypress bill. At that hearing, we testified:

Certain portions of Big Cypress proposed to be acquired from the private owners are already being subjected to rapid development by the construction of roads and canals. Such construction both raises the cost of ultimate acquisition of the property and depreciates the area for the purposes of this legislation. It is occurring in significant volume and rapidity south of U.S. 41 and in areas adjacent to the now-rejected international airport site. Prompt action toward acquisition is needed. We urge this committee to give serious consideration to adding provision authorizing immediate taking of title by the federal government upon enactment of this legislation of all property within the boundaries of the specified map in the vicinity of the former jet port site and lying south of U.S. 41. In our opinion the cost to the taxpayers of acquiring these lands will be significantly reduced and the results intended to be accomplished by the legislation markedly enhanced.

We trust that this committee will give serious consideration to incorporating a provision for such legislative taking in its final draft.

At that same September 26 hearing, we also commented on the fact that much of the nearly 600,000 acres proposed for inclusion in the Big Cypress National Fresh Water Reserve is wild and remote. The purity of the water in most of the area, the magnificence of much of the forest, the present abundance of many forms of wildlife, the opportunity for high-quality outdoor experience in an extraordinary wild setting, all combine to make this area a remarkable natural treasure. We would expect a responsible Secretary to consciously and consistently so administer the Reserve as to maintain unimpaired its superlative primitive environment.

We conclude this testimony by repeating our full support for the establishment of the Big Cypress National Fresh Water Reserve on the lines proposed in H.R. 46 and consistent with the suggestions offered herein. The earliest possible action by the Congress to this end is needed.

Thank you, Mr. Chairman.

Mr. DICKERMAN. Thank you, sir. My name is Ernest M. Dickerman, representing The Wilderness Society, a national conservation organization of some 80,000 members. The Wilderness Society is primarily concerned with the preservation and beneficial use of wilderness and other natural areas. The protection of the Big Cypress Swamp as proposed in H.R. 46 is completely in accord with this general objective.

We take this opportunity to express our deep appreciation to Chairman James A. Haley for the persistence and skill with which he has worked to keep the acquisition of the Big Cypress Swamp an active and feasible project.

Mr. HALEY. Mr. Chairman, if the gentleman will yield?

I think also you should express your appreciation to the gentleman from North Carolina, the chairman of this subcommittee, who has spent an awful lot of time on this.

Mr. TAYLOR. He has done that several times; so, I have no complaint.

Mr. DICKERMAN. Well, we are delighted to include Mr. Taylor in our commendations. You can be sure of that.

The difficulties have been complex and the opposition vigorous. Notably, Mr. Haley has succeeded in developing between the State of Florida and the Federal Government a cooperative program of action which will make possible the establishment of the Big Cypress National Fresh Water Reserve subject to appropriate congressional legislation. In large measure it is the continuing and skillful efforts of Mr. Haley which has produced the favorable conditions and the combination of supporting forces necessary to securing passage of this bill.

Mr. TAYLOR. Let me just put in a note there.

I think you are exactly correct. We are considering this legislation even though it is an extremely expensive project—in fact, it is the most expensive project that we have ever considered—and in spite of the fact that the administration is withholding the money for this program.

There are only two reasons we are now considering it: (1) The chairman's extreme interest in it, and (2) the fact that the State of Florida offers to put up \$40 million to help pay for it.

Mr. DICKERMAN. Those factors certainly help, it is very true.

The establishment of the Big Cypress National Fresh Water Reserve has the full support of The Wilderness Society. This matter has been carefully studied by the Congress and by many interested groups for several years now. The intent and purpose of the legislation is well understood. We would urge this committee and the Congress to move promptly to enact appropriate legislation.

At this point, I would like to comment briefly on three points. There has been discussion for some time as to whether the Big Cypress should be taken through the means of direct acquisition, that is, to say, fee simple in the name of the Government, or whether other means should be employed. I think this committee has shown great wisdom in introducing a bill which does provide for the direct acquisition. None of these other alternate means seems to be adequate to meet the needs of the circumstances or withstand pressures which would otherwise be in force for many years that would tend to defeat the objective of the measure.

Recognizing that only areas south of U.S. 41 and in the vicinity of the rejected jetport site there is much road construction going on and other buildings being erected, all of which are tending to run up the ultimate cost of this project in a most expensive sort of way, we would like to suggest that this committee give serious consideration to a limited extent of legislative taking for those portions of the project lying south of U.S. 41 and adjacent to the rejected airport. We are aware that there are serious problems with respect to any legislative taking, but we would like to put this thought into the record for any consideration the committee finds it can give.

There has been continual discussion about the desirability of drilling for oil and gas within the Big Cypress project. It is my understanding that there is an indication of a very slight amount of oil and gas within the project area. In our view, the matter of drilling for oil and gas is extremely detrimental to the objectives of the Big Cypress Fresh Water Reserve, and we would urge that this kind of activity be prohibited within the reserve.

Thank you, Mr. Chairman.

Mr. TAYLOR. Thank you.

Do you support H.R. 46 as written?

Mr. DICKERMAN. It looks like a very good piece of legislation to us. We support it.

Mr. TAYLOR. Any other questions?

Thank you very much, Mr. Dickerman.

Dr. Elvis J. Stahr, president, National Audubon Society.

I understand that he could not be here and that Cynthia Wilson is here with his statement.

STATEMENT OF MRS. CYNTHIA WILSON, NATIONAL AUDUBON SOCIETY

Mrs. WILSON. Thank you, Mr. Chairman.

Dr. Stahr very much wanted to be here but unfortunately has been detained and did not make it.

Mr. HALEY. Well, Mr. Chairman, so long as the doctor could not be here, I think he probably made a good decision, and, certainly—I do not know the good doctor, but certainly—she is better looking than he is.

Mrs. WILSON. Thank you, Mr. Chairman.

Mr. Chairman, I am Cynthia Wilson, the Washington representative of the National Audubon Society. Since the committee has very patiently listened, I think, to just about all of the arguments for acquisition of Big Cypress by many of the preceding witnesses, rather than take your time by reiterating them, if I may just simply submit our full statement for the record. I would just like to express our enthusiastic support for this legislation and our appreciation to the committee for its diligent efforts to find a way to preserve this very vital area, and we would urge, respectfully, that you act as promptly as you can to get this project underway.

Mr. TAYLOR. Well, thank you very much.

The entire statement will be placed in the record.

[The prepared statement of Dr. Elvis J. Stahr, president, National Audubon Society, reads in full as follows:]

STATEMENT OF DR. ELVIS J. STAHR, PRESIDENT, NATIONAL AUDUBON SOCIETY

I am Elvis J. Stahr, President of the National Audubon Society. I appreciate the opportunity to appear today to offer testimony in support of Federal legislation to acquire and preserve the Big Cypress Watershed as the Big Cypress National Fresh Water Reserve.

Four significant scientific studies of the United States Department of Interior document the critical need which exists for action to protect the Big Cypress Watershed. Rather than take the valuable time of this Subcommittee with a recitation of the findings of these reports and of further scientific information provided by agencies of the State of Florida and by other sources. I am submitting for the record a detailed synopsis and bibliography of pertinent information prepared by the Florida Audubon Society. I will limit my testimony here to some general, but I believe very relevant, observations.

For approximately two years, legislation to acquire and preserve the Big Cypress Watershed has been pending before the Congress. But the need for Federal acquisition of this vital area has been recognized for a much longer period of time, and indeed original plans for the establishment of the Everglades National Park, drawn up some 40 years ago, would have provided protection for a large portion of the Watershed being considered for protection today. The failure to act then has laid a heavy cost on us today. There's a lesson in that which surely you will want to heed.

Over the years the primary concern of the National Audubon Society in seeking protection of the Big Cypress Watershed lies in the crucial role of the Water-

shed in making possible the continued existence the Everglades National Park, and the whole fabulous ecosystem of that area. According to Interior Department studies, the Watershed supplies a significant, indeed a vital, proportion of all the water entering the Park and the quality, quantity and timing of that water delivery must remain much *as it is at present if the Everglades ecosystem is to survive*. It was this conviction which in 1968 led the National Audubon Society and its Florida chapters to band together with a score of conservation organizations and other nationwide citizen's groups to form the Everglades Coalition to fight the development of a Super Jetport in the heart of the Big Cypress.

Our efforts and those of the Administration and the State of Florida led in 1970 to the so-called Everglades Jetport Pact which committed the Federal Government, the State of Florida and Dade County 1) to search for a new jetport site outside the Big Cypress and 2) to relocate the already constructed pilot training strip. Efforts are going on today to implement that agreement, and I continue to serve as one of two Co-chairmen of the Everglades Coalition.

I recall that during the jetport controversy those who advocated construction of the jetport in the Big Cypress posed the question whether National Audubon and the other conservation groups were for people or for alligators. On that issue, we saw no conflict. We're for both. For surely the values of a national park are for people. But it should also be recognized that the estuaries of Southwest Florida, which are directly dependent upon the supply of nutrients and fresh water from the Big Cypress watershed, support a commercial and sport fishing industry which, according to the Florida Department of Natural Resources, on an annual basis, adds conservatively over \$30,000,000 to the local economy. And, all the American people benefit. At a time of rising food prices, to fail to recognize the importance of this resource is, in my view, short-sighted nonsense.

The deletion of the Big Cypress area from the original Everglades National Park purchase was a great environmental mistake, for encroaching development over the years has gradually eroded its ecological values; it was also a great mistake economically, for we are confronted today with a staggering price tag for acquisition. We are convinced, however, that no legal device short of fee simple acquisition will offer the protection needed to preserve the area. This conclusion is supported by the Interior Department's 1971 Big Cypress Watershed Report. But as land values rise, that price becomes greater with every day's delay.

The Florida Department of Transportation, with extensive experience in land condemnation proceedings, conservatively estimates that land values within the State of Florida are increasing at a rate of 15% per year, *at least*. And, as Assistant Secretary of the Interior Nathaniel Reed has indicated, delay in passage of acquisition legislation just during the last session of Congress has caused the price of acquisition to rise from \$156 to \$170 million.

In urging Congressional action to acquire the Big Cypress, the National Audubon Society, which concerns itself with conservation needs throughout the nation, recognizes that the price of acquisition of the Big Cypress Watershed is high in relation to the funds currently available for protection of endangered lands throughout the country. But in our view, the long-term importance of the Everglades National Park and the unique ecosystem of South Florida justify and indeed demand placing acquisition of the Big Cypress among the highest priorities for federal funding.

The history of the Everglades has been marked by a syndrome of barely enough action taken nearly too late. The passage of Federal laws to protect valuable species of wading birds from destruction by plume hunters occurred only after many species of birds were driven close to the brink of distinction and two Audubon Wardens had given their lives trying to protect them; the creation of Everglades National Park was delayed until many areas within it were sliced with canals and cleared for farming. Isn't it time to begin to take action aimed at preventing still greater future tragedies? Who on Earth stands to gain from further delay? Who could possibly covet any part of the responsibility for drying up and destroying this world-famous American treasure—except of course a developer who stands to make to quick buck out of it?

Two bills are before this Committee, H.R. 46, introduced by Congressman Haley and H.R. 4866, the Administration bill. The first authorizes acquisition of 547,000 acres and the other 522,000 acres. Naturally we favor the first, but either would mark an important step toward redressing the neglect of the past. I respectfully urge you to take prompt action to authorize and mandate acquisition of the Big Cypress Watershed.

Mrs. WILSON. Thank you, Mr. Chairman.

Mr. TAYLOR. And, as you stated, we have been limiting different speakers but, as the day rolls on, I think all of you and all of us will discover that about every conceivable argument that could be made will have been made concerning the legislation.

Mrs. WILSON. I think so. I am sure it will. Thank you, Mr. Chairman.

Mr. TAYLOR. Mr. Fred Weller.

STATEMENT OF FRED W. WELLER, BUSINESSMAN, SOUTH FLORIDA

Mr. WELLER. Mr. Chairman, my report was designed to cover approximately 10 minutes, and I will cut it down. But if I cannot cut it down and finish, I would prefer not to present it. I think I can do it in about 7 minutes, possibly.

Mr. TAYLOR. Well, now, we will give you 6 minutes.

I do not know which side you are on, in regard to it but I would like for you to fit into the pattern that we have had to adopt in order to give these witnesses at the end of the list the same opportunity that we gave to the first.

Mr. WELLER. I will do my best, sir.

Mr. TAYLOR. Yes.

Mr. WELLER. Thank you. I will dispense with the preliminaries.

Mr. SKUBITZ. Mr. Chairman, a question.

Mr. TAYLOR. This will not be charged against your time, though.

Mr. SKUBITZ. Is yours the same organization that testified yesterday, the one that Mr. Pace testified for?

Mr. WELLER. I am testifying for myself, my brother, and family and relatives in general.

Mr. SKUBITZ. I note you list yourself as Fred Weller, Landowners Conservation and Protection Association, and that is the association that Mr. Pace spoke for yesterday.

Mr. WELLER. It so happens that I am on that board of directors, but I am speaking not for that organization. I am speaking particularly for myself.

Mr. SKUBITZ. Very well.

Mr. TAYLOR. If any of the other property owners want to come up with you and pool your time and let you do the major talking, we might suggest that.

Mr. WELLER. I am not prepared to coordinate with other individuals in my particular report.

Mr. TAYLOR. Well, go right ahead.

Mr. WELLER. Sorry.

First of all, I have a number of questions contained in my report, and they are designed not for you gentlemen here to answer but as a matter of provoking the thinking of Congressmen in possible meetings later that will be held in regard to this subject.

First of all, I have been a landowner in the Big Cypress for about 15 years. My brother and I bought a mile of land along what is now Alligator Alley. We bought that land before Alligator Alley was ever planned. As a favor to the State of Florida, we donated 25 acres of land to the State of Florida for that right-of-way, 12½ acres for each half mile.

Now, yesterday you heard Nat Reed here tell this hearing that they are going to take the property rights-of-way from the people on Alligator Alley and deny them the right of access to their land.

As a part of the favor to the State of Florida by the landowners, the State of Florida gave the landowners access to their land by a road across the canal every 2 miles.

Now, I have been across that road on our land in the years gone by, since Alligator has been there; I have been across that road many times. This is another violation that the State of Florida or the Government wants—

Mr. TAYLOR. Now, of course, that is separate from this legislation.

Mr. WELLER. Thank you, sir.

Mr. TAYLOR. If they establish an interstate road, then, it becomes a nonaccess road, and that is something entirely removed from this bill.

Mr. WELLER. Thank you.

Mr. TAYLOR. Yes.

Mr. WELLER. And I have a description of the Big Cypress. According to the American Collegiate Dictionary, it is definitely not a swamp. Further identifying Big Cypress, it has a tremendous agricultural potential, and millions of board feet of lumber have been taken out in years gone by. Cattle raising is common. Vegetable and fruit farming are common. Avocados and mangoes can be grown abundantly. I personally own 10 acres of mango trees about 15 feet tall 14 miles north of U.S. 41. If I had bought that land recently, those trees could not be 15 feet tall. I planted them myself.

This area is below the frost belt. Mangoes and avocados will not grow above the frost belt or above the latitude of approximately West Palm Beach, Fla.

Now, I am sure the Federal Government does not want to harm or damage the economy of south Florida. I remind you, again, that this land is below the frost belt. Its qualities for growing winter crops and citrus are unparalleled in south Florida. There already exists a shortage of good farmland in south Florida at the present time.

Now, we know that we landowners have been discriminated against. I personally know that Senator Gurney, Congressman Fascell, and State Senator Pettigrew were invited to tour this area and see the type and excellent quality of land contained in this land grab by the State and Federal governments. Mr. Gurney and Mr. Fascell completely ignored my telegrams about a year ago when I was the chairman of another landowners' organization. Less than 3 months ago, Mr. Pettigrew turned down the invitation by saying that he did not have time to go out into the Big Cypress area and see it. Now, these are the kind of people who do not know much about the Big Cypress, but, on the other hand, they are the Government people either introducing the bills or strongly supporting the land grab.

The news media give all such supporters, like the ones just mentioned, much publicity and great support. Now, I am talking about the news media in south Florida.

Furthermore, I am wondering if it could be more than coincidental that these hearings were held in Tallahassee at the same time we were coming up here? It is obvious that we could not be in two places at the same time to defend ourselves. And I would, later on here, give Governor Askew's explanation of that.

The governments have the power to influence and control the press; landowners do not. That is the feeling among the landowners. They know, and they know how they have been discriminated against. We have hardly been able to get a mention in the leading newspapers or on a TV station without paying for it. This, we can prove. We have got examples of it. But anyone supporting this land grab can get immediate coverage. I can name them if you wish, and more than 99 percent of them do not own an acre of land in the area.

We feel that this is unlawful discrimination.

Now, the true reasons why the Congress and the State of Florida wants to take this land are as follows:

Approximately 550,000 acres of land contained in the bill is owned by approximately 1,500 black people, 4,000 Cubans, and many Seminole Indians, and I understand that, since I have written my report, I am way low on the number of black people and on the number of Cubans, disabled veterans, and the balance of the approximately 30,000 owners residing in every State of America. I now understand I am low on the 30,000. There are thousands of people in that area that have contributed for a deed. That deed is not recorded on the record of Collier County until they pay for their land. They are in the process of buying it, paying for it for maybe 5 to 10 years.

The real reason is not because of the water shortage. The truth was admitted by Senators Chiles and Pepper. The real reason, Mr. Congressman, is to prevent the landowners from building a home and living on their land. Now, I ask you, Mr. Congressman, just where in the U.S. Constitution does it say that you can take this land away from its owners for something you do not need it for?

The Government owns three large water conservation areas in south Florida containing more than 800,000 acres of land and extending north and south from West Palm Beach to U.S. 41, a distance of about 65 miles.

The State of Florida receives 60 inches of rainfall a year in its southern half. What am I saying? I am saying that the rainfall amounts to 5 feet deep over the southern half of the State during the course of a year.

Now, Mr. Congressman, if you cannot find a way to conserve a much greater amount of rainfall without wanting to take 500,000 more acres of land, I think the Government should get its engineers to solve the problem.

Furthermore, is it not true that you would like the landowners out of this area so you could deal directly with the oil companies in the matter of leasing rather than with thousands of landowners?

Furthermore, is it not true that you would like the landowners out so you might reconsider the jetport site where \$15 million of the taxpayers' money has already been spent and where the training port already exists?

Mr. TAYLOR. I would like to state to you that most of us were opposed to that jetport, and most of us are as anxious to get the oil companies out of the area as we are anyone else. We wanted it as a park, and we are anxious to get the mining interests out the same as other interests.

Mr. WELLER. Mr. Chairman, there are thousands of things that one or the other of us do not know, and I did not know that. Thank you.

For the past two decades, the Federal Government has made a big deal out of civil rights. If you can do as well on property rights, the thousands of landowners in the Big Cypress will be much happier, more secure for old age and much better citizens in the years to come.

Now, we feel the important reasons why these bills should be defeated are as follows:

It would seriously violate the property rights of the landowners.

And the bill is not a true reason and purpose for wanting to take the land.

The landowners have been victims of political persecution and discrimination. For 3 years, the governments have continuously threatened to take our land and harassed us. We have paid millions of dollars—I am sorry, I am not referring to myself or my family there. This was a deviation in the statement. We have paid—and I am talking about landowners in the area—millions of dollars in taxes with nothing at all in return.

Loss of many millions of dollars to the economy of south Florida over a period of a few years.

It is the future winter breadbasket of America due to its tremendous agricultural potential and a now existing shortage of good farmland in south Florida. It is either feed the human race or give it to the alligators and the birds.

Truths and facts have been presented by other defenders that this land is neither needed to protect and water Everglades National Park or as a water supply for south Florida, or as any kind of park or recreational area.

In my report before Senator Bible's hearing last year, I enumerated 16 large parks and omitted many others too numerous to mention throughout the towns and cities of south Florida for recreational purposes. They totaled over 2,442,390 acres of land.

Mr. TAYLOR. Now, could you finish in about 1 more minute?

We have been reading ahead of you. I have read your entire statement. And you might want to read the summary.

Mr. WELLER. Thank you, sir.

The tremendous water conservation areas 1, 2, and 3 are far more than ample if the Government would engineer a way to conserve the great annual rainfall of about 60 inches a year. We do not want another so-called Teapot Dome scandal in the State of Florida in regard to these oil leases that may be lost by the landowners.

More than 99 percent of the people supporting this land grab, Government people, conservation and Audubon Society people, do not even own an acre of land in Big Cypress. What property rights do they have to lose? None.

The Everglades National Park certainly needs much improvement for the visitors before you talk about wanting to take another great area of land from private owners. I have been to the park three times in the last 1½ years and heard numerous uncomplimentary comments as to its attractions. How many times have the Congressmen of south Florida visited this park in recent years?

During these times of unrest in America and the world, it is extremely important that the American Federal Government be very honest and fair with all its citizens. If the Government votes to take this land, then compensate the landowners so they can buy an equal

amount of acreage elsewhere in south Florida. We want our money for it when and if you take it, not 15 years later, which has been the case, with many still being owed for their land by the Government in the Everglades National Park. If the Government cannot pay for it at the time of the taking, then, you better not take it. We all know that the Government does not have \$300 million to \$500 million available to buy and pay for it at this time. Therefore, in the name of property rights for the land grab victims, H.R. 46 and H.R. 4866 and S. 920 should be defeated on behalf of the American taxpayers and the more than 30,000 private owners of land affected by the bill.

Thank you.

Mr. TAYLOR. Now, you mentioned that we should compensate the landowners so they can buy other property. Of course, you know that the law requires that property owners be paid the full fair market value of the property. In addition they are entitled to relocation costs under legislation enacted in recent years?

Mr. WELLER. Yes, sir, I understand that, sir. However, years back when Merritt land was taken to develop a missile site there, I owned land there, and what the fair market price was was not agreed upon exactly. And it is a matter of interpretation, and it is a matter of variation by appraisers. And we know this, sir. Mr. Taylor, if a property owner over here says "Well, I need my money, and I am going to sell for what they offer me." He accepts the price. But I am the next door property owner, and I know what he has taken and accepted is less than what the fair market price is; therefore, I become the victim again by virtue of the fact that he has accepted something that I am not willing to accept, because I know that he has sold below the fair-market price.

Mr. TAYLOR. Of course, we realize that there is a difference of opinion as to what property is worth. We realize that many people who own a home they have selected and have lived in for some years, the property sometimes having been in the family for a long period of time, do not want to sell it at all. It is not the loss in money; it is the loss that goes beyond the loss of money in those cases.

Any other questions?

Well, thank you very much.

Mr. WELLER. Thank you, sir.

Mr. TAYLOR. Mr. William Mitchell. Is Mr. Mitchell here?

His statement will be placed in the record at this point.

[The prepared statement of Mr. William Mitchell reads in full as follows:]

STATEMENT OF WILLIAM MITCHELL, OCHOPEE, FLORIDA

I present to this Senate Panel, President Nixon and all members of Congress, my observations of the Big Cypress area during the past twenty-seven years that I have been acquainted with it.

I am a resident of this area since 1957. I chose to make this area my home and build a business because it is good land that has potential of development.

During the past twenty-seven years I can see no change in the wet or dry seasons. My home and business is $1\frac{1}{2}$ miles north of the Roberts Lake strand that has been referred to so much in this issue. I will agree that it is a true swamp, infested with snakes and alligators.

I would certainly not invest a lifetime of work in a swamp. The Roberts Lake strand covers a very small portion of the many thousands of acres of good high pine and palmetto land adjoining it.

The public and this panel has been led to believe that this area is nothing but a swamp by groups that do not know the area. Their only interest is to spend the taxpayers' dollars in the pretense of conservation. I ask you to preserve the people's rights and not let this farce happen to 35,000 land owners.

Fifteen miles to the east of my home the true Everglades begin. This area was once abundant with wildlife. I have noticed a change in this area. The Army Corps of Engineers dyked the entire river of grass that once flowed to the south through the Everglades National Park.

Since this happened, I have noticed less birds and wildlife. I have been told that more than 6,000 deer were drowned. I would assume that other animals suffered as well. The alligators will possibly flourish.

Even with the water table raised in this area, the land in question still remains higher; it will be impossible to flow the water uphill thus requiring an extensive network of dykes to maintain this water.

I do not believe Florida faces a water shortage with its 12-million acres of lakes and streams. With our modern engineering methods, it could be conserved to supply any needs in the future. Our rainfall remains the same. It can be altered only to make more rainfall.

New methods of converting salt and brackish water to fresh water is being used now in several coastal cities in Florida. The Corps of Engineers stated recently that the process of reverse osmosis is the cheapest way to supply our cities with fresh water.

What is the real reason behind this land grab? I ask you to gather the facts before condemning this land.

I invite you to come to this area and see for yourself that it is not a swamp. An airport is available in the center of this area. A modern motel is available. These facilities are free to you, if you will come and get the facts.

WILLIAM MITCHELL.

Mr. TAYLOR. Mr. Joel Pickelner, National Wildlife Federation. And it says here that he is to be accompanied by Mr. Dick Tillis.

**STATEMENT OF JOEL M. PICKELNER, CONSERVATION COUNSEL,
NATIONAL WILDLIFE FEDERATION, ACCOMPANIED BY C. RICH-
ARD TILLIS, EXECUTIVE VICE PRESIDENT, FLORIDA WILDLIFE
FEDERATION, AN AFFILIATE OF NATIONAL WILDLIFE FEDERA-
TION**

Mr. PICKELNER. Mr. Tillis is coming up right away, sir. He has got a small problem.

Mr. Chairman, I am Joel Pickelner, conservation counsel for the National Wildlife Federation which has its national headquarters at 1412 16th Street NW., here in Washington, D.C.

At this point, I would like to file my statement in the record as if read.

And before I turn it over to Mr. Tillis, I would like to commend this committee and particularly the distinguished chairman for your efforts to preserve the Big Cypress area.

Now, I would like to present Mr. Dick Tillis of the Florida Wildlife Federation who will give his presentation.

Mr. TAYLOR. Your prepared statement, Mr. Pickelner, will be incorporated in the record in full.

[The prepared statement of Mr. Pickelner reads in full as follows:]

**STATEMENT OF JOEL M. PICKELNER ON BEHALF OF THE NATIONAL WILDLIFE
FEDERATION**

Mr. Chairman, I am Joel M. Pickelner, Conservation Counsel for the National Wildlife Federation, which has its national headquarters at 1412 Sixteenth Street, N.W., here in Washington, D.C.

Ours is a private organization which seeks to attain conservation goals through educational means. The Federation has independent affiliates in all 50 States, the Virgin Islands and Puerto Rico. These affiliates, in turn, are composed of local groups and individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number approximately 3,500,000 persons.

The National Wildlife Federation appreciates the invitation and opportunity to comment upon the proposals to establish the Big Cypress National Fresh Water Reserve in Florida as a unit of the National Park System. We commend Congressmen Haley, Saylor and the other sponsors of H.R. 46 and H.R. 4866 for their bi-partisan efforts to preserve this area through the authorization of the acquisition of the area concerned. We also commend the Department of the Interior and officials in the State of Florida for their efforts toward the same basic objective, with which we agree: that of protecting the quality of water in the area and its environmental values.

Our prime interest in this area, and that of our Affiliate, the Florida Wildlife Federation, is to preserve it in essentially the same condition as it presently exists, both for the area's outstanding values and because of the vital relationship which it has to the unique and outstanding Everglades National Park. We are firm in our belief that the unique environment found here should be protected for its important and significant educational and recreational benefits.

We are equally convinced, Mr. Chairman, that enactment of authorizing legislation as envisioned by the bills under consideration here today, if amended and implemented, will accomplish the objective of providing the protection which we consider so essential, and yet permit compatible uses maintaining the "status quo." Consequently, we recommend that the Committee give priority consideration to these principles:

1. That present landowners within the area be permitted to use the area indefinitely, rather than for lifetime or 25-year occupancies, as provided in the bills, when these uses are compatible with the overall objectives of preserving natural values, as determined by the Secretary of the Interior.

2. That property owners be given assurance of tenure if they meet regulations established by the Secretary. We believe the Secretary should be authorized to prohibit the construction of additional housing or "improvements" on property when it would result in impairment of natural values or water supplies. Otherwise, we see no compelling need to completely remove all property owners after a given period.

3. That the Secretary should be authorized to regulate motorized modes of transportation, both for access to and locomotion within, the area, under restrictions permitting reasonable uses of vehicles when they do not impair the environment but prohibiting these uses when they are incompatible. In substance, we believe rubber-tired vehicles and airboats in the area can be used without harm to the environment so long as their numbers are kept within reasonable bounds and their activities do not cause damage.

4. That the Secretary be authorized to regulate agricultural practices, including grazing and lumbering, and other activities, prohibiting those which are incompatible with natural values. We would not consider oil and gas development or stripping as being compatible with management of the area. Certainly drainage and water diversions are not.

5. It is our firm belief that resident species of wildlife in the area should continue to be managed under provisions of State law and State regulations. Migratory species should continue to be managed under provisions of both State and Federal laws and regulations. If necessary, the National Park Service and the State of Florida could work together jointly to establish safety zones. Thus, we are in accord with Section 5 of H.R. 46, except that we urgently recommend removal of the phrase: "... fish and wildlife management." The National Park Service does not belong in the field of fish and wildlife management and we do not believe this phrase should be in the legislation. We would recommend that consideration be given to the following proposed amendment to H.R. 46.

Sec. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the reserve in accordance with the applicable laws of the United States and the State of Florida and shall permit such motorized access for the purposes of hunting, fishing, and trapping as is compatible with other existing recreational and scientific uses of the reserve, except that he may designate zones where and periods when no hunting, fishing, trapping, or motorized access for such purposes may be permitted for reasons

of public safety [administration, fish or wildlife management, or public use and enjoyment]. Except in emergencies, and regulations or provisions in any agreement between the Secretary and the State of Florida or political subdivision thereof designating such zones or periods shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities and after an opportunity has been afforded for public participation in their adoption by notice and hearing. Notwithstanding this section or any other provision of this Act. . . ."

We see no difficulties in provisions to allow Indians of the area to continue their customary use and occupancy of lands and waters to hunt, fish, or trap for subsistence purposes of traditional tribal ceremonials. We also agree with provisions allowing them to construct and operate revenue-producing facilities and services, although we hope the Committee will make legislative history to spell these out. For example, we would not wish to see the term "revenue-producing facilities" interpreted as oil wells.

To conclude, Mr. Chairman, we hope the Subcommittee and the full Committee on Interior and Insular Affairs will act speedily to issue a favorable report on a bill preserving the Big Cypress Swamp.

Mr. TAYLOR. Mr. Tillis, you may proceed.

Mr. TILLIS. Gentlemen, I am C. Richard Tillis, from Tallahassee, Fla.

I am executive vice president of the Florida Wildlife Federation, a 31,000-member affiliate of the National Wildlife Federation, which has more than 3 million conservationist members. I am also environmental education coordinator for the Florida Department of Education, charged with providing environmental education to more than 1 million students.

I am here this morning to bring you the Florida Wildlife Federation's thoughts and concerns regarding the Big Cypress. Florida's Big Cypress is the same area which President Richard M. Nixon recognized as an important endangered area. The President's statement, coupled with other press releases, created considerable complacency among Florida's environmentally concerned citizens. We are now aware that this issue will not be resolved on the basis of our past efforts and wish to communicate our concerns, and the scientific reasons for our concerns, to the Congress of the United States.

Ecologist Arthur R. Marshall, director of the division of applied ecology, Center for Urban Studies, University of Miami, member of the Florida Wildlife Federation Scientific Advisory Committee, said:

South Florida is a classic example of the facts that growth and development cannot proceed endlessly without intolerable social costs, that the constraints of ecosystems ultimately clash with the economics of city budgets, Marshall stated. He continued, that a holistic and interdisciplinary approach to environmental problems is essential and that the impoverishment of our large urban areas may be the yet unrecognized environmental catastrophe that many have been awaiting to trigger the Nation into action.

Dr. Marshall's phrase "constraints of ecosystems" may well be called "nature's economics." What we have then in south Florida is a clash between the economics of man and the economics of nature. Some of the effects of the clash are as follows:

(1) Millions of people will suffer from lack of fresh water in a short period of time if action is not taken. The Big Cypress is an integral part of the Everglades Waterway System, which is essential to the maintenance of the climate, the health, and comfort of millions of south Florida people. I mention climate because the two keys to the retention of south Florida's tropical climate are: (a) The amount of

rainfall Florida receives, and (b) the capacity of Florida's environment to retain that water.

As marshes and wetlands of Florida have been drained, there has been a concomitant increase in the mean number of frost days. Observations of the mean number of frost days from 1890 to 1973, coupled with an observation of drainage patterns in south Florida, will indicate a relationship.

I mention health because we have recently suffered an outbreak of typhoid fever in Dade County and because many bodies of fresh water on Florida's southeastern coast are now posted as dangerous to swimming. I mention comfort because we are already experiencing some water rationing and recognize that further constraints may be necessary.

(2) The Everglades National Park will be damaged greatly from lack of fresh water unless you make this movement. The park is heavily dependent on the Everglades Waterway System and the Big Cypress for the water essential to the maintenance of its natural ecosystems.

(3) Fires are intermittently raging over this unique area. Draining and drying will certainly result without State and Federal action to preserve the area.

(4) Swampland speculators and smalltime developers are now building makeshift roads and gouging out private airstrips blocking waterflow in this endangered area, hoping to enhance the price of this swampland, and to block any acquisition.

Gentlemen, I am sure that during these hearings you have been apprised of the problems with endangered species of animals living in the Big Cypress. I expect you have been provided with extensive information about the relationship between the Everglades National Park and the Big Cypress. I have therefore directed my thoughts toward clarifying the conflict between the economics of man and the economics of nature in the area, suggesting the people problems which result from this conflict, and I move now to recommending a possible solution.

A careful study of this conflict has led us to the conclusion that Florida can provide approximately \$40 million toward the purchase of Big Cypress without damaging the economics of man. The Florida Wildlife Federation recommends a further easing of economically oriented resistance to the purchase of providing that the mineral, gas, and oil rights remain with present owners, with any development of those gas, oil, or minerals subject to Florida laws. This condition might lower the purchase price of the property.

We further recommend that landowners be permitted to retain up to 40 acres of land for themselves and their heirs so long as it is open to the public, is undeveloped in any manner, and is not fenced or restricted in any way.

We would insist on the public's right to use rubber-tired vehicles for, without a guaranteed right to transportation, man could not enjoy this area.

The Florida Wildlife Federation also asks that the public be guaranteed the right to hunt game species, fish, and camp under the rules and regulations of the Florida Game and Fresh Water Fish Commission, and that this agency, in cooperation with other appropriate agencies, be responsible for the management of all fish and wildlife.

Gentlemen, Florida is once again in the environmental spotlight of the Nation and possibly the world. We believe that this Big Cypress issue in Florida is a microcosm in which people may observe the ultimate environmental future of the United States. We humbly request that you provide the legislation and the funding necessary to insure that a resource essential to the climate, health, and life quality of the people of Florida will be conserved.

Thank you for the opportunity of appearing here today.

Mr. TAYLOR. Do you have any additional comments you want to make, Mr. Pickelner?

Mr. PICKELNER. No, sir. I would like to associate the National Wildlife Federation with the statement given by the Florida Wildlife Federation.

Mr. TAYLOR. Mr. Tillis, I was interested in your statement that you recommended that the landowners be permitted to retain up to 40 acres of the land for themselves and their heirs, as long as it is open to the public, is undeveloped, is not fenced or restricted. I wonder if a person would want to retain properties that were going to be open to the public?

Mr. TILLIS. Let me make one thing clear, and that is that we support the bill as it stands now. The Florida Wildlife Federation does, but there are members who have land who would be willing to throw that land open. They would like to retain deed so they can hand it to their grandsons, but it would be open for water easements or whatever else.

Mr. TAYLOR. Well, you recommend that they be permitted to pass title on to their children and grandchildren, which the bill does not permit them to do.

Mr. TILLIS. That is right, but we support the bill as it stands. This is just a recommendation for your consideration, as are the others.

Mr. TAYLOR. The bill, as written, permits them to retain up to 3 acres for the lifetime of the owner or the period of 25 years, whichever is longer. With regard to the payment, the person would be paid when the property is acquired for the fair market value of the property, less the value of a life estate or retained interest which can be calculated pretty well, according to tables.

Any other questions of these witnesses?

The gentleman from Kansas.

Mr. SKUBITZ. You stated that the present owners could maintain their mineral, gas, and oil rights on the property. Would you tell me how they would develop these rights?

Mr. TILLIS. How they would develop their mineral, oil, and gas rights?

Mr. SKUBITZ. Yes. How can one develop the gas rights if he cannot get on the land to develop them?

Mr. TILLIS. They could develop them according to the laws of the State of Florida. There are conditions under which people own mineral and oil rights without owning the land.

Mr. SKUBITZ. I assume you are correct. That is all, Mr. Chairman.

Mr. TAYLOR. Well, thank you very much.

Mrs. Kirby, zone VIII representative for the Conservation Committee, Garden Club of America. Is she here?

If not, her statement will be placed in the record at this point.

[The prepared statement of Mrs. Leonard Kirby, zone VIII representative, Conservation Committee, Garden Club of America, follows:]

STATEMENT OF MRS. LEONARD KIRBY, ZONE VIII REPRESENTATIVE (COVERING ALABAMA, FLORIDA, GEORGIA, AND SOUTH CAROLINA) FOR THE CONSERVATION COMMITTEE, GARDEN CLUB OF AMERICA

(Before the Honorable James A. Haley, chairman of the House Interior and Insular Affairs Committee, and the Honorable Roy A. Taylor, chairman of the Subcommittee on National Parks and Recreation on the Proposed Big Cypress National Fresh Water Reserve, May 10 and 11, 1973, Washington, D.C.)

Mr. Chairman, as Zone VIII Representative for the Conservation Committee, Garden Club of America, which has voters and taxpayers from Hawaii to Maine and coast to coast, I appreciate very much the opportunity to be here today and thank you for allowing me to present my statement for the record.

1. The establishment of such a reserve means the saving of a marvelous ecological unit with unique aesthetic and recreational values. For the Big Cypress has in the Fakahatchee Strand alone 17 species of animals which are now on the rare and endangered list, and 7 species of orchid found nowhere else in the world. The Big Cypress has a multitude of recreation uses such as boating, fishing, hiking, camping, photography, etc.

2. With the establishing of this area as a National Fresh Water Reserve it would preserve this watershed which supplies water with all its nutrients to the estuarine areas of the Everglades National Park and the Ten Thousand Islands and thus supplies water and food for the fish and shellfish in this area. It would also save the commercial fish and shellfish industry with its value of \$100,000,000 which does not include the value of the 5 or 6 fish processing plants nor the 4000 to 5000 jobs dependent on this industry.

The sports fishermen spend an almost equal amount annually and in 1972 there were over 800,000 paid fishing license holders (Department of the Interior News Release 29 April 1973). Also the Florida Tourist Bureau stated that one-third of all tourists entering Florida have come because of the fishing.

3. The establishment of a National Fresh Water Reserve in the Big Cypress will mean not only the savings of this watershed but also the Everglades National Park itself. It would hold back further salt water intrusion and save further lowering of the water tables. South Florida faces a critical water shortage and in some places the water table has dropped over 50' in the last 30 years. It will also mean the saving of the fish and shellfish spawning beds which supply the fish for the huge fishing area along Florida's western coast to the Dry Tortugas then through the Florida Keys and up along the Atlantic seaboard. In the last 20 years the fishing has dropped by an appalling amount and the establishment of this water reserve means the having of what is left.

To sum up what the proposed Big Cypress National Fresh Water Reserve would mean:

1. The saving of the ecological systems and recreational areas of Big Cypress and the Everglades National Park.

2. The maintenance of the huge fishing grounds for commercial and sports fishing which is a multi million dollar business.

3. And the assurance of a fresh water supply to all of Southwest Florida.

Thank you.

MRS. LEONARD KIRBY.

Mr. TAYLOR. Rogelio J. Santos.

STATEMENT OF ROGELIO J. SANTOS, MIAMI, FLA.

Mr. SANTOS. Mr. Chairman and members of the subcommittee, my name is Rogelio J. Santos. I represent many of the former Cuban citizens, now in the United States, that have purchased land in the Big Cypress area. We estimate this number to be about 5,000.

Gentlemen, these people came to the United States as refugees from a government that took away their property, and many of them came here with only their pants and empty pockets. We appreciate and are very grateful to the United States for having taken us in, given us a

home, and a way to make a living with honor. These people have worked very hard, much harder than they worked in Cuba. They have saved their money and have invested in the one commodity in which they have faith and confidence, and that is land in the State of Florida, and they have paid for it a few dollars at a time, taken from their grocery money. These people are now very upset to learn that their land will again be taken from them. They do not have assurance that they even will receive back the amount of money that they paid for their land.

Another thing, gentlemen, and this is more important than the money. This land represents a root, it represents a foundation upon which these people expect to build an independent life. They expect to use this land for recreation purposes at the present time and eventually as a place of retirement. The majority of this land is fertile farmland. It is a beautiful place to live; it is a relaxing environment. It is a piece of country that looks like Cuba used to look and feel.

We know of cases of individuals that sold their properties in other countries to invest their savings where they are more secure. We invite you and other Members of the Congress to visit this land, and if there are spots that are truly Big Cypress Swamp, then you take this land and leave us in peace and security with the good farmland that we now own. We do not understand why you must take so much land to get the benefits that claim are necessary for the good of the United States.

That was not on this page, and I dropped a couple of paragraphs in order to make it short. But since I have been here, I have been listening quite a lot, and, believe me, I have learned a little bit. And what I do not see, maybe you can clarify me, with this high reach or backbone that runs from north to south and, like in every other place, the water flows each way. Now, that reach comes right on the border of where you have marked the area in gray, "Big Cypress National Water Reserve." Even if they take that land, you will never let the water go over that reach and get into the park.

It will all flow, like that orange line there, into the ocean. I do not believe by taking this land the problem would be solved, sincerely, unless after you take the land you put a lot of bulldozers—and I have quite a few people who are worrying about changing the nature, going over that reach and changing the complete waterflow in that region. That is point No. 1.

Point No. 2—you do not have it marked in there, but Mr. Pace had a map here yesterday and I have another copy where conservation area 1, conservation area 2, and 3-A and 3-B—and I do not know about this map. It does not show them in green, but if you figured out the size of those conservation areas, and the water conservation areas are water reservoir, you would find out that they are almost as big as the Everglades National Park. In other words, the Everglades National Park needs the same amount of its size to have water in a State where the rain is very, very big.

Furthermore, if this Big Cypress is taken over, you will have—I am not counting in that conservation area Lake Okeechobee. If you count Lake Okeechobee, the conservation area will be bigger than the Everglades National Park. Now, if you were to add the Big Cypress National Fresh Water Reserve or Reservoir, why, it would be almost twice as big—the water reservoir for the park. That is something I do not really get in my head.

Plus, if you take this land there, you will have the Government owning more than 50 percent of the land in south Florida south of Lake Okeechobee down. If you explain it like I have—I mean, you would see right away that the Government would be the biggest owner of land.

Now, right now around Miami, you cannot find a piece of land for less than \$7,000 acre, and that would make it even higher, and that is not good land either, because the more land that you take out of the market, the higher the prices will go up; the less farmland there will be the higher the products will go up, gentlemen.

And, finally, yesterday, one of the owners asked how much did they believe they would get for their land, and, well, I know you do not want to—I know you said “a fair market price,” but later, Mr. Reed—I believe that is his name—came here and suggested \$175 an acre, and he mentioned something like \$80 million. Well, just to give you gentlemen some headlines, when the jetport was suggested 4 or 5 years ago, I believe the average price paid was \$300, and it was not well paid either; I believe it was underpaid. So some of them needed money and had to sell out.

Now, if you consider the increase, the natural increase that has been made in the land from 1968 up to now, you will find—and I do not know—it will run about \$500 or \$600 an acre. I mean, that is up to the landowners, of course. And that would run the budget over \$300 million just to buy the land. And, then, all of the work that will have to be done. Thank you for listening to me.

Mr. TAYLOR. Well, thank you, Mr. Santos.

Of course, obviously, some of the land is worth much, much more per acre than other land, depending on its elevation and maybe upon access and other factors.

Are there any questions of Mr. Santos?

Well, thank you now.

Mr. SANTOS. Thank you, sir.

Mr. TAYLOR. Paul Lees?

Paul Lees? His statement will be placed in the record at this point.

(The prepared statement of Paul E. Lees reads in full as follows:)

STATEMENT OF PAUL E. LEES, EVERGLADES CITY, FLA.

Speaking for myself, a 14-year resident of Everglades City, and for the people like me who believe governing officials should be guided by facts and the needs of people, rather than by alarmists who approach a state of hysteria not based on facts, I present herewith what I believe is the only path to be followed at this point.

The major dispute is with the contention that the 587,000 acres recently designated as the “Big Cypress” is essential to the existence of Everglades National Park as presently constituted or is essential to the existence of the 10,000 Islands or the water supply of Naples or of any other existing community.

This contention is simply not true. The hysterical segment of the new-born ecology groups sees the entire “Big Cypress” as a level watershed flowing uniformly from north to south and this is just not so.

Everglades National Park receives only about 9% of its water from the so-called “Big Cypress”. Its existence depends largely on rainfall within the park.

The Naples area gets no water from the acreage now proposed for government purchase.

The 10,000 Islands—if nourished at all by the uplands, are fed through existing rivers, streams, sloughs and canals.

These are the facts supported by engineering studies made by competent engineers—including government engineering agencies paid by the tax payers.

I believe our elected representatives sponsoring this vast purchase should listen to the people with the facts. They seem only to listen to the biased officers of the nature groups who claim millions of members whom the politicians believe can deliver millions of votes. When those millions of voters find out the true facts, I don't think they'll vote for the politicians who've wasted their tax money buying thousands of acres of mosquito-breeding terrain. There'll be a lot of ex-politicians standing around with egg on their faces. And speaking of mosquitoes—did you know that at National Park Headquarters at Flamingo, inside the park, the government fogs to kill the mosquitoes to make it pleasant for the park employees to exist there? This is on the shores of Florida Bay—one of those great estuaries they claim is so essential to the ECO-CHAIN.

Man and wildlife can live together in complete harmony—if only those steps really necessary are taken. Why not just buy the actual “feeding” creeks, rivers and sloughs such as the Fakahatchee strand, for example. These are easily identified from topo—and aerial studies already in hand. Well—planned lakes and canals could assist the natural flows.

Let's require developers to plant beautiful and useful trees instead of perpetuating the monotonous, ugly mangroves which breed mosquitoes and can drive out human beings, wild animals and birds and many times infect them with disease.

How many of our so-called leaders are now living on pumped-up land where once the mangrove flourished? I know quite a few—including our president at the Key Biscayne White House. These “leaders” have their shangri las and don't care about the millions of us commoners. They're all among the promoters of the Big Cypress Purchase.

The compatibility of man and wildlife can be seen daily along the Tamiami Trail where thousands of birds continue to feed while trucks with trailers rushing past figuratively blow the feathers of their backs. They only fly away if you stop to take their picture.

The contention that our precious estuaries can't have channels dug through them ignores the frequent experience of fishermen when they're anchored in shallow water—a boat passing in a nearby channel usually produces an immediate strike for the fisherman.

Misguided man has made many mistakes. Many of these are being corrected. Many more will be. Rational ecologists can help prevent further mistakes. But isn't it tragic that the mass of hysterical neo-ecologists take the position that man can only destroy. Isn't it more tragic that they deny the growing inventive genius of the scientific engineering world the opportunity to work out the problems in harmony with them?

Why not spend the tax-payers' big money on development of economical desalination processes, for I think our heirs will ultimately all be looking to the sea for their drinking water. Certainly it's been shown by northern state governments that fish-hatcheries can restock our lakes and streams and I believe better foods than now support our saltwater fish could be planted—without any diet of mosquito larvae in the bargain.

On the island of Aruba in the nearby Dutch Antilles the entire population, numbering some 61,000, drinks, bathes and sprinkles solely with desalinated seawater. Why can't we?

Certainly the people now living within a 1-mile corridor on either side of highway 29 and a 2-mile corridor on either side of 840 and US 41 oughtn't be made to move.

There are 2 more selfish demands made by the NEO-ECOLOGISTS that need debunking:

1. They want no access between the two existing toll booths when Interstate 75 is put across Alligator Alley notwithstanding there are now official access points at the Alley's intersections with Hwys 29 and 840. Particularly at SR 29 the people of Everglades City, Ochopee, Copeland and Chokoloskee are entitled to that access. The farmers of Immokalee count on this as a farm-to-market road. All of the people who donated the Alley's right-of-way were promised access every 2 miles with parallel service roads. Some of the less sanguine donors have this promise in writing in the belief the government is not always the trustworthy benefactor the ecologists would have us believe.

2. The second selfish demand which ignores the rights and welfare of the same people, is the one which would make Highway 41 a permanent 2-lane “scenic highway” all the way east to Miami's outskirts. This would perpetuate the death-trap now existing and would substantially curtail the public's ability to visit or

to enjoy the Western Water Gateway to Everglades National Park. If the taxpayers can't enjoy it—is it all that important?

The absurdity of buying buffers on buffers will one day haunt the sponsors of such folly. If those sponsors persist they will have misspent public funds and will have broken faith with thousands of land owners whose right to their property was thought by our founding fathers to be inviolate. If the true facts were presented to an honest judge he couldn't render an order of condemnation based on public necessity.

Thank you for your attention to my thoughts.

Mr. TAYLOR. Ellis Chism is next. Before you begin, let me say that your prepared statement will be included in the record and the attachments will be placed in the file.

[The full statement of Ellis Chism follows:]

STATEMENT OF ELLIS CHISM, DIRECTOR OF RESEARCH, EAST COLLIER COUNTY
LANDOWNERS IMPROVEMENT COMMITTEE, HIALEAH, FLA.

I. Ellis Chism, Director of Research and Chairman for the East Collier County Landowners Improvement Committee, and a panel member, chosen to represent the best interest of about 35,000 families who own land north of the Everglades National Park. This area is known as the Big Cypress.

I present to this Panel, President Nixon, and all members of Congress, facts I gathered over a period of about 10 years from experts and natives of this area. I have spent much of this time actually traveling over this vast area of several hundred square miles.

This controversial national issue is so important I plead for each of the members of Congress to explore to their delight a trip you will never forget. You would then be qualified to make a better decision. About six days and nights would be needed to travel these several hundred square miles over the trails and logging roads in big-tired buggies which we can provide at exact cost and no profit to us.

Instead of traveling through swamps as you expected you will travel high elevated pine, palmetto and prairie land with a great portion of the time seeing some of the most fertile and desirable land of this state. You can travel for many hours without seeing a real low cypress strand, which is actually a river bed filled in before Lake Okeechobee was diked by the flowing flood waters. These low strands are 1 to 3 feet deeper than the adjoining higher lands.

Collier County forestry maps show a small percent of this area is cypress, and shows that the water flows southwest into the Gulf of Mexico before it reaches the main part of the Park. Water control could channel this water directly to where and when it is needed in the Park. These maps are available from Harmon Turner, County Manager of Collier County, Court House, Naples, Florida, send check to him in the amount of \$2.50 for each map. Most of this land is considered high elevated north of the Tamiami Trail, 7 to 31 feet above sea level, which is higher than most of the land on the Gold Coast of South Florida. This improved land at Ochopee by the Tamiami Trail recently sold to the builders of the Golden Lion Motel for \$20,000 per acre. Other land near here is selling for \$17,000 per acre for residential lots. Alligator Alley frontage is selling for \$10,000 for 1¼ acres. This land has the same potential value as the Gold Coast of Florida. An oil company recently paid almost \$300,000 for an acre near Disney World.

If this choice high elevated land is taken from these 35,000 families of which about 5,000 are Cubans who have sought refuge from Castro, property owners of our nation will never have any security. Let's protect the future for our children. These Cubans have been made to believe that Democracy will protect their God given rights.

This land developed with water control can give water to the thousands of ponds in the park where hundreds of millions of fish die every dry year. It is 37½ miles between two canals on the east and western edges of the park. The park officials will not let one canal enter the park as they do not want to be bothered with boats or people.

Only about 3% of the 2,188 square miles of the Park is being used and about 4,500 families own 78 square miles (50,000 acres) of this Park which has not been paid for even though this land was added to the Park over 13 years ago. Some of this land with 100-foot frontage on the Bay cost owners \$3,000 per acre.

Enough water is being wasted by flowing into the ocean to supply millions more of people for many years. If paid conservation leaders can continue to mislead and profit for themselves they will continue to spread hysteria. They seem to not be interested or concerned by the pollution and tragic crimes caused by our overcrowded cities.

Millions of families living in these overcrowded cities should be encouraged and helped by every state to own and develop acreage in thousands of new communities. I am from a small town in Alabama and many of my people were farmers. This background makes my life rich in great experience and happy memories.

Many thousands of our cities and towns of our nation are affected by the water flow and pollution of the higher elevated cities and communities. No authority would dare suggest that we close these higher elevated sections making them useless. But this is exactly what is happening in South Florida. Intelligent leaders are giving in to hysterical people.

Crime is a threat to our very existence. What greater crime can be against people than to take this land where they planned and dreamed to live the balance of their lives in this choice climate and location of our nation?

The good rock fill of this vast area will gross \$40,000 or more per acre yielding a profit of \$15,000 or more per acre. Many oil wells in this big cypress area are richly producing. Actually this area could become the most desirable of our nation for millions of wonderful people to retire in. These great citizens of our nation deserve the best that God and man can provide for them.

Mr. CHISM. Mr. Chairman, most of my talk, in fact, stems from maps.

Mr. TAYLOR. Are you Mr. Chism?

Mr. CHISM. Yes. And showing what is growing on the land and shows the waterflow and shows where the pinelands are and the Cypress Strands are, and the Big Swamp. And I wondered if you, gentlemen—it is most impossible for me to get these maps where everybody can see exactly what is going on; but could you, gentlemen, be so kind as to move over there [indicating] so everybody could see?

Could you do that?

Mr. TAYLOR. We can see them pretty well from here.

Mr. CHISM. OK. Would you be so kind as to give them these, and they can refer to these water-flow maps and the Everglades maps on page 5, please?

STATEMENT OF ELLIS CHISM, DIRECTOR OF RESEARCH AND CHAIRMAN, EAST COLLIER COUNTY LANDOWNERS IMPROVE- MENT COMMITTEE, HIALEAH, FLA.

Senator Bible was very interested in these, and I think you gentlemen will find facts here that are going to erase—On this one, I would like to take away just a moment, please. This is the county map here, the big one, and this is a Federal map right here [indicating]; a water-flow map, you are looking at right here. And then if you will be so kind as to notice this one. This is a Federal map which shows the direction of waterflow. This is the water that you are looking at. This is the way it flows through the Cypress Strands and runs out, and this is south of the Tamiami Trail. And if you will notice, the direction it flows is verified by this colossal Collier County map. And this is what is growing on the land. Now, here is the true swamp. I will show you this, if you will look at it, you can see it, this heavy, deep cypress swamp. It is far larger than any of the other Cypress Strands. And this is west. This is owned by GAC, which used to be the Gulf American Corp. and this is owned by them, and they are in the process of offering to sell it to the State of Florida at a very, very cheap price.

Now, here, if you will notice, is a very great portion of this area, the greater portion, and we do not see any other real heavy cypress except when you get up in Hendry County. There is quite a bit of it close to the Indian reservation up there. And if you will notice back of the Tamiami Trail how these cypress strands there are like river valleys, and they used to be the river, and they were filled in before Lake Okeechobee died way back many years ago. In fact, you can dig gravel pits down there 50 feet deep and find the seashells which show that it used to be salt water.

Now, this right here, if you will notice, as the water comes down below the Tamiami Trail it turns southerly, and here is Everglades City right now.

Mr. TAYLOR. Where is the Tamiami Trail?

Mr. CHISM. Right here [indicating]. It runs here right under the jetport, and this scale on here is true. This is 1 mile per inch, and this is the exact size of the proposed jetport when it is completed, 39 square miles. Six inches there. So, it is 6 by 6, which is 36; and 3 more miles there, 39 square miles, which puts it at 2 percent or less than 2 percent of the size of Collier County, and less than 2 percent of the size of the Everglades National Park.

Now, this map right here, if you will be so kind as to notice it, is an exact true size of this map of the jetport in comparison with the size of the Everglades National Park, which is on the front of the magazine I just gave you. Now, this is 80 miles from this part up here, the upper part of the Everglades Park, down to this southeast corner. It has 125 miles of coastal frontage coming around here, and this was taken by experts, and, then, I verified it with the park authorities to be sure that all of these things were correct before they were published some years ago.

Now, if you will please notice the 16 miles right here from the jetport area down to the park land, coming down there, and Senator Bollings stated in a statement which was in the paper that it was 16 miles coming down this way. It is less around this corner. It is about 6 miles down to the park land down here.

Now, this park land down here is in Monroe County, all but about a 1-mile strip coming down here in Dade County, and then there is a lot more of the land in Dade County which is in the proposed take-over.

Now, I have pictures here that I brought and have tried to pass among you gentlemen to show what is growing on the land. And it is good land, and it is on the west coast of Florida. We have over four times as much high elevated lands. I live in Dade County and have since about 1940, and, if you will notice here, all of that acreage, you will see very little of cypress, a lot of it up close to Immokalee right in here. There is Immokalee right here, where I am pointing to right here.

Please notice here is the water flow above the jetport where this high ridge, as several of them explained, comes right up through here. Notice the way that that water flows is toward conservation area No. 3, which is east of here and over in the sawgrass country, extending up.

If you will notice on page 5, please—page 5 shows the map of the Everglades extending down from Lake Okeechobee, and that is like this map here which shows that the water flow of the east coast, the

flow, including the park—which comes right down here into the park where they needed the water.

But here is the important thing: This real watershed is blocked by dikes and gates from flowing its natural flow into the park over a period of years by people having complained and blaming the Central and Southern Florida Flood Control Districts who are not to blame. They have done a wonderful job. But please notice this: Right here between the jetport and the Everglades is a great canal on the western side of the dike. That runs northward for 9 miles, and when that canal was dug, I talked to the Army engineer, Mr. Phillips, several times. He was living on top of the dike in a trailer, and he told me that they offered to run that canal down into the park but that the park officials refused them.

Now, Senator Bible asked them last year, asked Nat Reed: "Why do you refuse to let the L-28 canal come into the park?" Now, it is coming directly from the watershed and it is right about where they need the water. And so Nat Reed told them, said: "It will bring too much water too fast." Now, we all know, any high school kid knows, if you have too much water, which the Nation wants them to believe, to lead them to believe, they will never have water at all for the park. But here he says that there is too much water, too fast. Now, anyone knows you can run it through lakes in many different directions of which I have a picture, of the L-28 canal over here.

It needs to be made about three times as wide, and it can be channeled in many different directions with gates and locks, and it can make a regular living garden out of the Everglades National Park. But under the present setup, the way it has been run for several years, they will not let any canal, any road come into this 2,188 square miles, 1,400,533 acres. They will not let any roads or any canals come into the park. And there is a map right here that Congress approved about 6 years ago, and it was headlines in the paper, because they thought it would answer all of the problems of the park, and I cannot find it, but the park officials would not allow it. They approved it, Congress approved it, a 10-mile expanse on the south, a 10-mile extension south and a 10-mile extension west, and it was big news for the south Florida District, and it was headlines that Congress had approved this about 6 years ago. Nat Reed says, "We do not want it; it will bring too much water too fast." So, therefore, that is right from the watershed right into where they need it.

This is a land grab, gentlemen, and it is through Nat Reed. Our association has asked for a complete congressional investigation. A vice president of the GAC corporation told me a few days ago—and Richard Warner is his name—I talked to him quite a while and he says "Nat Reed is a good friend of mine." He voluntarily told me that. I had not criticized Nat Reed. Well, GAC corporation used to be Gulf American Co., and they were spending, according to the newspapers, \$4 million per month on improvements. The Miami Herald got ahold of some of their practices, and I, for one, appreciate the hundreds of miles that the GAC or Gulf American Land Co. built throughout Collier County in the high, beautiful land.

Mr. TAYLOR. Can you be through in about one more minute?
I have given you some extra time, because you brought in new material.

Mr. CHISM. I will. But the thing is this: It is a well-known fact that Mr. Warner told me, he says, "We are for the Federal Government and the State taking over the Big Cypress area." It is a well-known fact they are selling land at tremendous prices for little, small lots, and when we get development in our area, we will sell big acreages at small prices to the poor people. It will completely put this giant empire out of business—or maybe it will. I hope it does not, because I appreciate what all of the cities and towns that they are building and that they are planning will do, and I want them to strive, and they are selling good land.

But it is not right for them to push the thousands of colored people—and there are around 3,000 colored families that own land out there and there was, at least a year and a half ago, 5,000 Cuban refugee families that owned land out there, and it is not right for this great land company to push us poor people off our land so they can make more money. And we have, our association has, asked Congress and the news media to make a complete investigation of that company and particularly Nat Reed and how he is placed into this office here, because he is trying to smatter us every way. You heard him say yesterday as to Alligator Alley, on the 78-mile road they would not let any of the landowners on or off so that they can keep the price of land down. Is that the Government you and I used to sing songs about; of how we pledge allegiance to the flag that we love? Is this the Government that we want to go to pieces? We cannot do it, men. Listen to your forefathers that have gone on to be with the Lord, the saints in heaven. I ask you and I beg you, please get the facts on this thing and stop this GAC Corp. and all of their influence on Collier County. The county commission of Collier County has been sending Mr. Turner, a great man, the county manager, to all of these meetings I have been seeing him and opposing the taking of this land, but, recently, something has happened. All of the county commissioners sent a resolution asking that this land be taken from us, about 35,000 families, which would mean at least 100,000 people. I ask you men to carefully come out there and get the facts. Drive up Monument Road with us. We are having a Big Cypress ride in 3 weeks from tomorrow, and when we take thousands of conservationists and we invite Senators to come and ride up there and see the very pictures that Mr. Rogers and myself and others have been taking. You can go up there in light cars and pickup trucks.

I thank you for all of your time, and I would appreciate your prayers. Let us uncover this thing of GAC Corp. and what they are doing to us, please.

Mr. TAYLOR. Well, thank you, Mr. Chism.

Mr. CHISM. Thank you so much.

Mr. TAYLOR. First, let me point out that this committee has no interest nor concern in regard to helping any Florida corporation make money.

Mr. CHISM. Thank you.

Mr. TAYLOR. That is not our concern at all.

Some of what has been said today in regard to this company is entirely new information to me. This is the House Subcommittee on National Parks and Recreation, and our only concern is to set aside certain suitable areas in the Nation for the use of all of the people

for recreational, environmental, and preservation purposes. Now, that is our only concern.

MR. CHISM. Could I say one thing?

They have now the park where they are not using but about 2 percent. They can do everything in the park that they plan to do up here, and a big part of this they still owe to a few thousand people. But raise money for that and let us get water control in the park. Let us make it one of the greatest sights in all of the world. Let us bring people to see it and enjoy it while we are living. Let us enjoy the present parks, and Senator Hollings, in one of the last letters I got from him, called me his dear friend, because he knew that I had fought for many years against these fellows in the park, and Senator Hollings got \$400,000—I mean, as vice chairman, Milton Thompson of our association, got \$400,000 through Senator Hollings for a canal into the park, and the park officials refused it, and I and Mr. Thompson went to see Stanley Joseph who was then superintendent and asked him why they used this money for other purposes because Congress approved it for the canal and the road from the 40-mile bend in this area, and Stanley Joseph said: "We do not want any canals in the park." And you fellows have approved canal after canal, after canal, and it is the park's fault, and it is not the Central and Southern Florida Flood Control District's fault.

I do thank you. You have been wonderful.

MR. TAYLOR. Thank you.

Thank you, Mr. Chism. I will say—and you need not respond—I think you are wrong in Secretary Reed's motives. I think that his concern is the same as the committee's concern.

Dr. Dita DeVaux.

**STATEMENT OF DR. DITA DeVAUX, 6630 SOUTHWEST 46TH ST.,
MIAMI, FLA.**

DR. DeVAUX. Mr. Chairman and members of the committee, my name is Dr. Dita DeVaux, and I live in Miami, Fla. I have been the owner of property in the Big Cypress area for 16 years. I paid for it for 10 years, and that is how long it took me to pay for it. And it was a great hardship, because I had to support my mother who was with a terminal illness in the hospital for 5 years, and that was before medicare. But I forced myself to pay for this land, because I did not want my children to have the same hardship when I became a senior citizen.

I do not want this land to be taken by either the Federal Government or the State of Florida. And we may as well use the word "confiscation" which may be as objectionable to you as it is objectionable to me, and, therefore, I will corroborate the validity of the terminology with past accomplished facts.

This is the third time in my life that I have been confronted with the forcible acquisition of my property, and, so, therefore, I know what it means. The first time it was in a foreign land under dictatorship, and I should leave this out, but it can be said in two sentences because there are parallels. Our home has three stories, and this house is evaluated or appraised below the still existing mortgage on the Government block—in quotations—and we wound up owing the Government money after they took our home.

Just about 5 or 6 years ago, in 1966, 1967, again, half of my property was taken. I had a waterfront lot on the Miami River for which I paid for years also, and we built a home there that was supposed to be for the rest of our lives. The expressway came and cut through it, diagonally through the house, and I knew that it was for the best of the public. I did not attend the hearings, because I felt this was the only way it could be done and that it was the best way for everyone concerned—not everyone meaning me, but I was willing to take the emotional strain in building another home. But, to tell you the truth, I was confident that the American Government was going to treat me fair and give me fully the endorsement. To make a long story short, before this, I had a whole property with a beautiful waterfront, and now they took the half of what was the waterfront, and I have a triangular structure, and I still have a mortgage on it. Now, if you do not call this “confiscation,” I do not know what you do call it.

Also, there are owners in the Big Cypress area whom I have met who sold their land to the Government 15 years ago, and the boundaries were set—well, in 1958. That is right, for all intents and purposes. This area is being used for park purposes and has since that time, and these people have not received the money yet. If you do not call this “confiscation,” I would like to know what you call it.

There were cases in that area where the original owner who sold the land to the Government died of old age, their heirs died of old age, and nobody has received any money.

Now, as I say, I am going to leave this off now, because I am aware of the time.

And I just want to say we want to use this for recreational purposes, for making beautiful homes in a serene setting, peaceful setting. I am also aware of the economic loss and the emotional upheaval these owners of the land in this area will be subject to. A majority of the owners of land in that area, including myself, took our hard-earned savings and invested in this land in the same manner as others has invested in high-rise apartments in Miami Beach. However, we intended to use this land for, as I say, for recreational purposes and eventual retirement. We have small amounts of investment capital, cannot afford to have our land confiscated, and there it is, by the governmental acquisition and receive only a token of the full value, if any.

We are well aware that the owners of land in the Everglades National Park have not received payment. I have said that, so I'm going to skip that paragraph. I feel that this act would constitute an injustice and a tragedy. As somebody else said, there are over 35,000 families, not people but families who own land in there, and the reason they are not here today is because, for instance, it costs me \$250 of cash lay-out to come here, and I am losing income of 2 days in my office practice.

As many of these people live all over the United States for whom it would be a greater expense, and they live outside of the United States. And they also are not aware of the seriousness of the situation, and those who are hope that the handful of us that could come would avert this tragedy. Among these 35,000 people, families, there are several thousand colored families. I do not know whether you are aware of this.

Mr. TAYLOR. Yes, it has been pointed out this morning.

Dr. DEVAUX. It has. OK.

Now, I just want to present the logical process of cause and effect. We are all aware of the events that happened several years ago. I hate to remember the repercussions as we have seen of the events of several years ago that are still indelibly impressed upon the mind of every sane American. We do not want anything like that any more. But, people band together when they are pushed too hard. The taking of the land would not improve the water situation. This has been brought out. The change of title from one ownership to another would accomplish nothing in the way of increasing the water supply.

Mr. TAYLOR. Can you be through in one more minute, please?

Dr. DeVaux. All right, yes. I will.

While society may have become callous to the emotions of individuals, I still have implicit trust in the motivation of governmental officials in that they sought office for the purpose of helping the people they represent; to put into practice the promise of the American Constitution; the right to freedom, and to the pursuit of happiness and the right to own and enjoy property.

As for the pursuit of happiness, all owners bought the land only for two purposes, to create a peaceful, serene setting for homes for themselves and others, and as a protection against the devaluation of the dollar and an investment for their security in old age. I have had my acreage for 16 years expecting the land to do a great deal more for me than if I had the cash sitting in the bank, and the same applies for the thousands of other landowners.

Therefore, in the interest of the taxpayers, in the interest of nature conservation, in the interest of water preservation, I propose the building of dikes and water reservoirs in the land already owned by the Park Department which will also create an area where conservation and animal life can flourish freely. I have a bird sanctuary in my yard, and I have a cat who is afraid of the birds, and I have a boxer dog that watches the cat. So, you know how I feel about animals.

So, in the interest of nature conservation and in the interest of water preservation I propose these buildings of dikes and water reservoirs in the land, the hundreds of thousands of acres, and others have spoken about 800,000 acres. It would take care of the interests of all concerned, and I thank you.

Mr. TAYLOR. Well, thank you very much, Dr. DeVaux.

Just one statement I would like to make. You mentioned that you knew of cases in which peoples' property had been taken by the government but they didn't get paid for years, maybe for their lifetime and the lifetime of their children. That statement, as far as the National Park Service is concerned, represents some misunderstanding. Many national park areas have been established by legislation authorizing the creation of the areas such as the legislation that we are passing today. Now, the government, through the appropriation process, has been slow in buying the land, and that is the thing that we were quarreling with the Interior Department representatives yesterday about.

Dr. DeVaux. I am well aware of it. Thank you.

Mr. TAYLOR. Those people still own their property, they still have use of the property.

Dr. DeVaux. No, no.

Mr. TAYLOR. Until the deed is signed.

Dr. DEVAUX. No; it has been fenced off.

Mr. TAYLOR. It may place a cloud over it, and it may make it difficult for them to go ahead and do what they intended with long range plans, but, they own the property. They have the use of it until the deed is either signed or until title passes by a court action.

Dr. DEVAUX. Well, we can give you the names of people whose property has been fenced off for the purpose of recreation and parks, and they do not have the use of the property and they have not received the money either. And we are going to give you this.

Mr. TAYLOR. We would need to know the circumstances of those cases. It might be that title passed by court action, but they were still litigating the amount of compensation that should be paid. There might be a legal question concerning the title or any number of things.

Dr. DEVAUX. In the meantime he cannot use his property.

Mr. SKUBITZ. Would the gentleman yield?

Mr. TAYLOR. I will be glad to do so.

Mr. SKUBITZ. Was this land taken by the State or by the Federal Government, or by whom?

Dr. DEVAUX. It was the State road department.

Mr. SKUBITZ. You're not then referring to the Federal Government?

Dr. DEVAUX. No. It is a governmental agency.

Mr. TAYLOR. I am trying to explain the way the Park Service operates.

Dr. DEVAUX. Thank you.

Mr. TAYLOR. Any questions? The gentleman from Kansas has a question.

Mr. SKUBITZ. Are you a medical doctor?

Dr. DEVAUX. No, I am a psychotherapist.

Mr. SKUBITZ. How many years have you practiced?

Dr. DEVAUX. Twelve years.

Mr. SKUBITZ. You have owned the property in Collier County for 16 years; is that correct?

Dr. DEVAUX. Yes.

Mr. SKUBITZ. And do you have any structures on it of any kind? A summer home, or anything of that sort?

Dr. DEVAUX. I have a cabin.

Mr. SKUBITZ. You have a cabin? Is this the place to which you intend to retire, or was it bought for speculative purposes?

Dr. DEVAUX. Probably both. I had not thought about it yet. I mean, I have not made any plans yet. I am not a senior citizen yet.

Mr. TAYLOR. You are just enjoying having it as of the time being?

Dr. DEVAUX. That is right.

Mr. TAYLOR. John Edwards, Jr.

STATEMENT OF JOHN D. EDWARDS, JR., LANDOWNER, COLLIER COUNTY, FLA.

Mr. EDWARDS. Ladies and gentlemen, my name is John D. Edwards, Jr.; my only credentials are the fact that I am a native of south Florida; and that between my father, brother and me, we own 20 acres in the heart of the Big Cypress.

I would like to impress strongly upon you the fact that I would like to retain private ownership of our little place, that we struggled so

hard to get. As I mentioned earlier, I am a native of south Florida, and I have used the Big Cypress area for my own personal recreation purposes for over 20 years. If I may depart one little bit, in my opinion nobody is going to convince me that the area north of the Tamiami Trail is any watershed or any water storage area. I have not as of this time seen any ecological damage whatsoever in the interior of this area, excepting for the jetport and some small areas along some of the highways.

I have observed what has happened in the Everglades National Park recreational areas; this is not the type of recreation that I would like to have left to my two sons and their sons when I'm gone. I would like them to be able to use the Big Cypress and our hunting cabin with its property, as we have in the past; not be restricted to some guided tour along a boardwalk, or picnic within a restricted area. Gentlemen, this is exactly what I fear will happen to our Big Cypress if it is taken or grabbed by the Federal Government.

I hope you will seriously consider the opinions of the small property owners, whatever they may be. I thank you sincerely for the opportunity to present my opinion.

Mr. TAYLOR. Well, thank you, Mr. Edwards, for a very sincere statement.

Any questions?

Thank you, now.

Mr. Maitland Sharpe, director of environmental affairs, Isaak Walton League of America. Mr. Sharpe is not here. His statement will be made a part of the record at this point.

Mr. Joel Lord.

[The statement follows:]

STATEMENT OF THE IZAAK WALTON LEAGUE OF AMERICA, SUBMITTED BY MAITLAND S. SHARPE, ENVIRONMENTAL AFFAIRS DIRECTOR

Mr. Chairman and members of the Committee: I am Maitland Sharpe, Environmental Affairs Director for the Izaak Walton League of America. The League is a national citizen's organization dedicated to the conservation and wise use of America's natural resources, the preservation of a quality environment, and the provision of opportunities for outdoor recreation. We appreciate this opportunity to testify on the proposals to create a Big Cypress National Fresh Water Reserve.

The League has long endorsed the preservation of the Big Cypress area; over the years our support has grown as the urgency of the issue has increased. The Committee has heard the statement of Dr. LaRoe, representing the Florida Division of the League. The National Office unequivocally endorses his testimony. Yet we feel it appropriate to submit a separate statement—for the future of the Big Cypress is of more than local or regional interest. It is truly a *national* issue, one that concerns our entire national membership of over 56,000.

The need to preserve the Big Cypress watershed has been clearly established during hearings before this Committee. As the "findings" of the two bills, H.R. 46 and H.R. 4866, make clear, there are three compelling reasons why the area must be protected:

(a) Big Cypress is a unique and valuable natural environment, worthy of protection in its own right.

(b) Everglades National Park and the estuarine area of the 10,000 Islands depend upon the waters of Big Cypress for their very survival as natural and productive ecosystems.

(c) Human activity and economic growth in southwestern Florida are equally dependent on the slowly flowing waters of Big Cypress, which recharge the fresh water aquifers and prevent salt water intrusion.

Any one of these reasons would be sufficient cause to protect the area from further development; the conjunction of all three should be sufficient to remove any lingering doubts about the need to acquire the area.

If the answer to the question "why?" is clear, the response to the query "when?" is equally so. Today would not be too soon; we hope that tomorrow won't be too late. If Big Cypress is to be preserved, positive action must be taken now, and the action must begin in this committee.

Private developers are busy digging, ditching, diking and draining the Swamp—transforming a diverse and vital ecosystem into more trailer parks, camp grounds, homes, and businesses. These inroads into the area place the future of the watershed in double jeopardy. First, the resource itself is damaged and diminished. The biotic community is disturbed and the hydrologic balance upset. However, although the physical damage is serious, it is not yet extensive enough to constitute the major threat.

Of more concern are the economic effects of development. Even minimal development, such as building gravel roads, exerts an entirely disproportionate effect on real estate values. For example, a story in the Miami Herald, earlier this year, stated that land with road frontage was selling for three or four times the price of land back in the swamp. Old Monument Road, a crude logging trail into the interior of Big Cypress, is being "improved" by local landowners, one of whom the Herald quotes as claiming a one-week price rise of 66 per cent for land along the road. The speculative fires have also been fueled by the Administration's decision of last February to delay federal acquisition of the land for at least 18 months.

It is this rapid escalation in real estate values that makes prompt federal action imperative. Last year's estimate that acquisition would cost \$156 million is already far out of date. Next year or two years from now, the federal government may well find itself priced out of the market. The costs of delay will be measured in either many millions of dollars or in the loss of Big Cypress and much of the Everglades; in either case the nation will be the poorer. No one knows this fact more than the people of Florida. Certainly it was this pressure that prompted the Governor of Florida to propose legislation authorizing \$40 million to cover the state share of the purchase. It was this same threat that led to the unanimous passage of the Governor's proposal by the Florida House Environmental Committee just yesterday. This testament of support cannot be passed over any longer at the National level, for the land will never be cheaper nor the opportunity more critical than it is today.

If the question of "Why?" and "When?" have been answered, the question of "How?" remains. The League believes that H.R. 46 and H.R. 4866 both offer viable, practical mechanisms for protecting the Big Cypress watershed. Alternatives, such as land use controls and less-than-fee purchase, have been advanced. If instituted some years ago, such devices might have proven adequate. Today, however, we no longer have the time to indulge in questionable, experimental approaches. Direct federal purchase of the area appears to us to offer the only chance to save Big Cypress. Nor can we enjoy the luxury of lengthy debate over whether Big Cypress should be a Fresh Water Reserve or a Recreation Area. We believe that it is time for everyone to rally behind any proposal that will protect the swamp.

Prompt action by the Congress and the Executive will be in the interest of all Americans. It will preserve the public trust that is Everglades National Park, with its irreplaceable biotic community and numerous endangered species; it will retain for all Americans the opportunity to enjoy the unique natural environment of Big Cypress Swamp; and it will benefit the people of southwestern Florida by preserving their fisheries, their water supply, and a chance for orderly and rational development. The only people who will be injured will be a few land speculators and their only loss will be the vanishing of their hoped-for windfall profits. The League believes that the benefits of immediate federal acquisition clearly outweigh the costs.

The country can ill afford not to make the investment, for the ultimate loser would be, not the alligator, the bald eagle, and the panther, but man himself.

We appreciate the privilege of presenting our views.

STATEMENT OF JOEL LORD, LANDOWNER, OCHOPEE, FLA.

Mr. LORD. Mr. Chairman and gentlemen, and ladies, just a short little word or two is all I have.

I am a native Floridian, landowner, and hunter in the Big Cypress swamp; and am also owner of a business, known as Monroe Station,

located on U.S. 41, 13 miles east of Ochopee, Fla.—Restaurant and service station catering to other landowners, hunters, and tourists year 'round—Monroe Station is also the largest swamp buggy headquarters of the Big Cypress.

What the people want to know is what is going to be done with the Big Cypress swamp?

We don't need another park or management area. Why should the Government buy the Big Cypress? Let the Florida landowners vote to make the Big Cypress a forest. This would stop all development from ruining the ecology of the Big Cypress area. At the same time, save the taxpayers' money. Landowners could still own and sell their property. Hundreds of people would enjoy this much more.

Before any definite plans are made by the Government for buying the Big Cypress area, a check should be made with the people who use and enjoy this area constantly. Thank you, gentlemen.

Mr. TAYLOR. Are there any questions of Mr. Lord? Well, thank you. Charles Conly.

**STATEMENT OF CHARLES A. CONLY, DEPUTY REGISTRAR,
PRECINCT 23, MONROE COUNTY, FLA.**

Mr. CONLY. Gentlemen, my name is Charles Conly and I am the deputy registrant of precinct 23, Monroe County, Fla. I am here at this time representing the citizens of northern Monroe County around the Pinecrest area.

Due to some information I found last night I want to change my statement here a slight bit, and I have the changes made in writing so that they can be put into the record in that form, if that will be acceptable with you.

Mr. TAYLOR. In the absence of objection, the additions will be made in the statement but you will need to make it clear to the reporter.

Mr. CONLY. Yes, sir. Afterwards I will take care of it.

Gentlemen, thank you for allowing me to speak here today. Due to some recent developments I have changed my speech slightly to incorporate these factors.

As I said before, I am representing the citizens of northern Monroe County. I am deputy registrar of precinct 23, Monroe County, Fla.

Due to my not having received copies of the new bills I have made my statements to cover last years bills and testimony and the hearing in Naples, Fla. I am opposed to the bills in their present form.

No. 1, purchase is not necessary.

No. 2, section 3A should be changed to read, "the owners of improved property be exempt from the bill."

No. 3, the definition of improved property be changed to read: "that which is not readily changed back to its former condition."

All the rights of motorized access, hunting, fishing, camping, be guaranteed, not left up to the discretion of the Secretary.

No. 5, "all mineral rights be left to the original owner as proof that the Government wants it only for conservation purposes."

If I had known that the man from the Wildlife Federation would have enumerated these statements here, I would not have incorporated these.

Our area is probably the only true swamp, with sheet flow about 2

months of the year and subterranean flow (as everywhere in Florida and the Gulf States) all year.

This subterranean flow is impossible to stop without draining the aquifer, such as is being done at the Facca Union Canal by GAC (currently in the Big Cypress, but exempt from the purchase).

The other 70 percent of this purchase is not swamp. It is being taken for political reasons only. For instance: So far everyone supposedly inspecting the Swamp has been brought to our section, to a slough that usually contains water all year round, and they are told that it is typical of the remainder of Big Cypress.

Apparently, from all outward appearances the Audubon Society has gone militant. They are financing the educations of future lawyers, and in the future will try to control just about every piece of property that has a tree on it. This is in reference to Mr. Charles Lee's statement in Naples last week.

Their lobbying has resulted in a clause being written into the State bill that notifies them and other environmental preservationists of any and all building permits or anything else done in Florida. When the bill is passed even someone wishing to enclose their carport or get their house reroofed will have to fight all of these new lawyers. The crises brought on by the continued opposition to the Alaskan Pipeline and nuclear powerplants will become commonplace and local government by elected officials will cease. Already in Florida more and more functions are being usurped by appointed officials and not elected ones. For instance, look at the White House and our foreign policy.

This section here I am not going to use orally.

(1) "The life cycles of many of our animals, fish and aquatic birds are dependent on the water cycle."

Now, these are direct quotations from Mr. LaRoe's statement in Naples.

This system has remained unchanged for thousands of years, the last 200 including man, and without canals through the park-owned land (owned, but not paid for in spite of Ira Whitlock's false statement) comprising the estuarine areas. Weather control would be the only way.

(2) He said, "The only way it could be developed is by massive drainage, thereby altering the water characteristics."

The small portions of land now being used are natural havocks and land filled from borrow pits, because the park will not allow drainage canals. They control all of the coastline from Chokoloskee to Big Pine Key. The other 70 percent of the Big Cypress is high and dry and very usable without altering surface flow, because it is non-existent over those portions. Furthermore, subterranean flow cannot be altered.

(3) When he mentions the county loses taxes, but it will also lose costs, he neglects to mention that when the land is assessed at its full value, during and after development it will produce about one-third of Collier County's revenue. By the way this development is single family homes built by their owners on about 5 acres as a average (Dade County Pollution Control considers that septic tanks will work perfectly on about 1 acre per family.) These people keep likening it to the massive high rise and tract housing proposed by GAC on their exempt land.

Probably these promises of future tax bases are what convinced the county to back the Big Cypress purchase in favor of GAC. This particular proposal is at the Big Cypress Bend, by the way, right in the middle of Big Cypress, but not in the land to be purchased.

Also, he continues to leave out Monroe County which furnishes no services and collects about one-half million dollars in taxes from this region.

These same people stopped development in the keys (with the help of Deltona). The Navy is moving out of the keys and the park has already taken three-fourths of the county's mainland tax base. Monroe County is in such bad financial trouble that Nixon and Rebozo are investing heavily in property there. Why?

(4) LaRoe and Lee keep mentioning, "When the families in the Big Cypress move out!"

This corresponds to the society's policies and the clauses in the bills being considered. We know we will be evicted as soon as the 2-year clause becomes effective.

(5) "The lands in the Big Cypress are not suitable for large-scale farming."

In our area alone, during the dry season Mr. Sullivan has to date harvested 10,000 bushels of tomatoes and 600 bushels of cucumbers, and will replant for one more crop before the rains set in. The other 70 percent of the land is suitable for farming all year around and for many years had large-scale cattle operations on it. In fact, some barbed wire fences and line shacks can still be seen along the Tamiami Trail.

(6) "There are fewer than 300 families living in the Big Cypress."

The mail-lady and the postmistress estimate about 400 families receiving mail and "God knows how many on weekends, vacations, and hunting season." Contrary to Nat Reed's statement, there are seven Indian villages in the Big Cypress. These villages are on their own land, not park or reservation land.

(7) "Only those landowners who will use their land for recreation and wilderness reasons will be allowed to do so."

The bills reserve the right to prohibit almost any form of recreation, and, in fact, define recreation as bird watching and nature study.

"Wilderness reasons." This represents the bird watchers' intent to make as much land as possible wilderness sanctuaries. For the birds only, off limits to people.

We could also ask why.

The Collier County Conservancy has only 700 members, smaller than most of the hunting clubs, but it seeks to dictate policy for everyone else in the Big Cypress, including estimated 125,000 hunters and weekenders using not for watching birds.

Why doesn't the conservancy make public the fact that it has accepted money and air-taxi service from GAC and Deltona in return for their cooperation in the Big Cypress?

Where did they get the money to acquire the Rookery Bay Marine Station?

After researching the testimony by Mr. Yokel, we find that what he leaves out is more important than what he says. It is the water-flow through the aquifer and not sheet flow that dilutes the salt-water to the proper mixture for the breeding of marine species in the estuarine zones. These estuarine zones are wholly contained within

the park and not dependent on sheet flow. In fact, sheet flow in excess, actually prevents, by too much dilution, the proper breeding of some species, notably the pink shrimp, which have been proven to be deficient in number in wet years.

These estuaries are not unique. They are found all along the coastlines of the world wherever a porous rock strata carries freshwater to dilute the soil.

Furthermore, this olite strata is continuous under the whole of south Florida and is recharged by the average 56 inches of rainfall over all the land regardless of development—which has never been proven to stop it from raining.

To conclude this statement, I would like to make some comments about the various bills. I have marked out a few things in this bill here.

The legislative taking was borrowed from the Ice Age National Park Act. If it had been accepted, it would have been all over in one totalitarianlike stroke. But to mislead the sportsmen and the average person, who still thinks of a park as a recreation area, they titled this as a recreation area. It has been pointed out that it is a national park bill and that the Secretary can turn it into the same thing as Everglades National Park: a sanctuary not for the people. All of the bills we have seen differ very little from the original; in other words, all of the causes for sanctuary-type management and the careful exclusion of GAC's property as they clearly have financed this from the start. Actually, as Mr. Davis of the State pollution board said, "Strict zoning is probably all that is necessary." In my opinion, strict zoning of the area immediately bordering on the park (what we call airboat country because it has the only water that is continuous) and probably Robert's Lake Strand and the Shark Valley Slough is all that is necessary. This will save the taxpayers millions of dollars and leave intact the tax base of Collier and Monroe Counties and satisfy all of the residents, landholders, and sportsmen.

The only thing it won't do is take this land off the market and thereby assure GAC and the surrounding development companies of the resultant values of having a monopoly on all the available land for sale. The contributions and the air-taxi service given by these companies to our politicians and the preservationist groups and in some cases private individuals, amounts to several million dollars which they would recoup in sales and land values. If you look at the financial section of the papers, you will find that even their stock values are tied to the Big Cypress purchase. This, then, is the reason for the total support of the elected officials, and a few others whose club members are opposed to this but whose representatives don't reflect popular opinion of their constituents; such as the Wildlife Federation.

I thank you and our forefathers for the freedom to speak out in public.

Mr. TAYLOR. Thank you, Mr. Conly. You have a great amount of information in your statement.

Mr. SKUBITZ. Mr. Conly, the GAC does not appear to be very popular in your area, does it?

Mr. CONLY. Sir, at the present, to my knowledge, GAC has 11 planned communities in the State of Florida.

Mr. SKUBITZ. Who is GAC?

Mr. CONLY. This is the General Acceptance Corporation, which was started out as a loan company and invested money in what they called GAC properties.

Mr. SKUBITZ. You mean that when I bought my car when I was your age, the money I paid contributed to GAC's fortunes so that they could buy this land in Florida?

Mr. CONLY. Well, sir, I have been there 5 years, and when I bought my property back in 1967 I did not know about any of these facts, and I was very late getting in on it, and some of these things that we were told about the area did not look right to me, and the people in my area.

Mr. SKUBITZ. Just one other question. How many crops do you get a year in that area?

Mr. CONLY. This property has been farmed off and on for a considerable length of time. Mr. Sullivan tried to get some farmers out there last year, and this year I finally talked a guy into it. Now, this is what we call "Tomato Road" after you run over it with a swamp buggy and it beats you to death, and has been there for years.

Mr. SKUBITZ. You spoke of agricultural production. Are you just kidding us about that?

Mr. CONLY. No, sir.

Mr. SKUBITZ. I thought you had real agriculture.

Mr. CONLY. We did.

Mr. SKUBITZ. How many crops do you raise a year?

Mr. CONLY. In this case he figures to get three, and when this farmer tells me and everybody else how well he made out this year, we are going to farm about three or four times as much area.

Mr. SKUBITZ. Is the soil fertile, or is it usually fertilized?

Mr. CONLY. No, sir. No fertilizer has been used and no insecticide has been used. And also I would like to mention the fact that this was tried about 4 years ago and because of a frost in Miami, he hit the market in Miami with the only cucumbers in south Florida and made a killing on it. This is wonderful soil for farming in this area.

Mr. SKUBITZ. I have tasted some of your tomatoes, and they look like tomatoes, but they do not taste like them. Thank you.

Mr. CONLY. You know, tomatoes are being modified to have tougher skins so that they can be picked by mechanical machinery.

Mr. SKUBITZ. I do not care about that; I care about the way they taste, and that is what I am interested in.

Mr. CONLY. I would like to give this picture to you. I took this about an hour before I left. This is my son standing in the field holding a cucumber and a couple of tomatoes. Hopefully, next year the farmers will get some cooperation and we can farm quite a bit more. But this land, as soon as the rain comes up, this particular land will be under water and not farmable. It stays under water about 2 months or about 60 days of the year.

The point we wanted to make out was where we are is a true swamp. It is a small area. This is down below area 3, the water conservation area 3, and across our area into the park. And the other area across in front of 29 and west of here is beautifully high, dry ground. These people have a right to their opinion. There is no sheet flow over that area. There is subterranean flow that goes under the whole area. The whole ground is like a sponge.

Mr. TAYLOR. That picture shows land that appears to be very productive.

Mr. CONLY. Yes, sir.

Mr. TAYLOR. I join the gentleman from Kansas in regard to GAC. I have been surprised at what happened. I do not think I ever heard of it until today, and I can assure you people that our interest is not an interest in helping GAC, regardless of how the individuals connected with it are making money. Our interest is in taking the proper action to preserve an area having significant natural values and contributing significantly to the values in the Everglades National Park.

Mr. CONLY. Sir, can you see the reasons why we have reason to suspect that GAC is behind this?

Mr. TAYLOR. You have made your concerns evident, but it's our job to ask the questions.

Mr. SKUBITZ. It is rather difficult to answer a question like that. We have not seen, or know anything about, the country until these hearings began. I certainly am not going to jump to the conclusions that some of the folks who have testified here have made. For example, one witness testified about something happening, so he wants Nat Reed investigated, and something else happens and someone wants the President investigated. Perhaps if I say something more, you may want me investigated. I think I will keep quiet.

Mr. TAYLOR. Well, thank you, Mr. Conly.

Mr. CONLY. All right, sir.

Mr. TAYLOR. Mr. Nolan Poppenhager.

STATEMENT OF NOLAN POPPENHAGER

Mr. POPPENHAGER. Mr. Chairman and members of this committee, I appreciate this opportunity to appear before you today, and I would like to compliment you on your friendly and fair conduct of this hearing.

My name is Nolan Poppenhager, and I have lived in south Florida since 1929, and through my livelihood, through my livelihood and profession, I have traveled and spent many, many years in this area that we are discussing today. And this includes Everglades National Park and all of the conservation area, and the Big Cypress.

I have to explain to you that my speech was lost in a bag on the airplane and now is back in Miami, so I will just have to talk from a few notes that I have.

There seems to be a lot of confusion on the waterflows and the water supplies of the Everglades National Park by the Big Cypress, and I would like to clarify this first. To begin with, most of the information that these people have given you, and most of the testimony comes from this book. And this book was taken from this book. And in this book, almost all of the information had been edited, and it comes from six people from the Everglades National Park.

But most of this information that was transferred to this, the ones that wrote most of this information transferred from this one, and takes all of the values from the Fackahatchee Strand, which is the Big Cypress, and applied it to the area 3 which is the area considered for taking, and this is absolutely not true. I have made a study of the

water problems, and I understand them because I have been in all these areas over the past 35 or 38 years.

Now, there were several discussions here on the amount of water that the Big Cypress supplied to the Everglades National Park. This book would lead you to believe that 56 percent of the water comes from the Big Cypress. In this book, Mr. Hickel announced before the study was made that 40 percent of the water going to the Everglades National Park comes from the Big Cypress area. In truth, about 10 percent of the water coming from the area considered now for purchase goes to Everglades National Park, and this only affects 15 percent of the park, and I do not think that that is any great amount.

Mr. TAYLOR. Now, what do you base your statement on? What is the source of your information?

Mr. POPPENHAGER. I use part of this right here, because when this study was made there was some deletion, and when it got to some people higher in the U.S. Geological Survey, they inserted some of the true facts, and there is only one figure deleted and anybody can figure this, and if you call the Geological Survey they will give you that figure. The Everglades National Park receives 80 percent of its water or more from rainfall. They receive from this area in gray, they receive 541,000 acre-feet, average per year, and this represents about 56 percent of the water flowing, which is 20 percent of the water. The rest of the water from Everglades National Park is down through conservation area 3, through the Sharp Valley into the park, and a small amount comes down from Taylor's Slough on the southeastern corner of the park. But the Everglades National Park definitely does not receive any great amount of water at no time from the Big Cypress area.

Mr. TAYLOR. Give us the names of the two books you referred to. The first one you referred to, what is the name of it?

Mr. POPPENHAGER. This one here is "Hydrological and Biological Aspects of the Big Cypress Swamp." That was made at the direction of Secretary Hickel. It was a very hasty study, and if you will turn to the back and permit me to read who contributed to this, I will read who contributed to it. And all of the lists have all of the National Park Service here and only one man that could represent us and give the true facts.

Mr. TAYLOR. Well, that is one book. What is the name of the other one?

Mr. POPPENHAGER. This one here is almost identical. They left out anything that might help our cause. This was put out by the Interior Department.

Mr. TAYLOR. What is the name of it?

Mr. POPPENHAGER. "Big Cypress Watershed." They do not say study because it is not a study, and this contains, this one, most of this book which was printed by the Interior Department and contributed to by the Everglades National Park. This one here was a hasty study. It says National Park Service, National Park Service, National Park Service, Audubon Society, University of Miami; this man is a member of the Audubon Society, National Park Service, National Park Service, Dade County, Collier County deputy sheriff, which could not help

us any or contribute any information. Look over here and we have National Park Service again and one man that might give us the true answer, and that is Mr. Turner, the manager of Collier County today, but most all of the information, I believe, comes from, all of the contradictions come from these two studies right here, and most of it from this. This will lead you to believe that 56 percent of the water, and this has been used time and time again, that 56 percent of the water going to Everglades National Park comes from this area, and it absolutely does not. The gray area, the Big Cypress that is considered for purchase is absolutely not a water storage area.

Any time that Miami needs water, this area has already been completely dried, and 12 miles north of the trail the water is 10 feet underground. This could absolutely not supply any water to Miami. The Geological Survey states in here, and I think you have it drawn out, that this area is a complete separate water system in flow and underground, and it is a completely separate aquifer. The aquifer in Dade County that supplies all of the water for southeast Florida starts on the coast and it states in here that it plays out before it gets to Collier County. The aquifer on the other side is 130 feet deep at Naples and plays out about State Road 29.

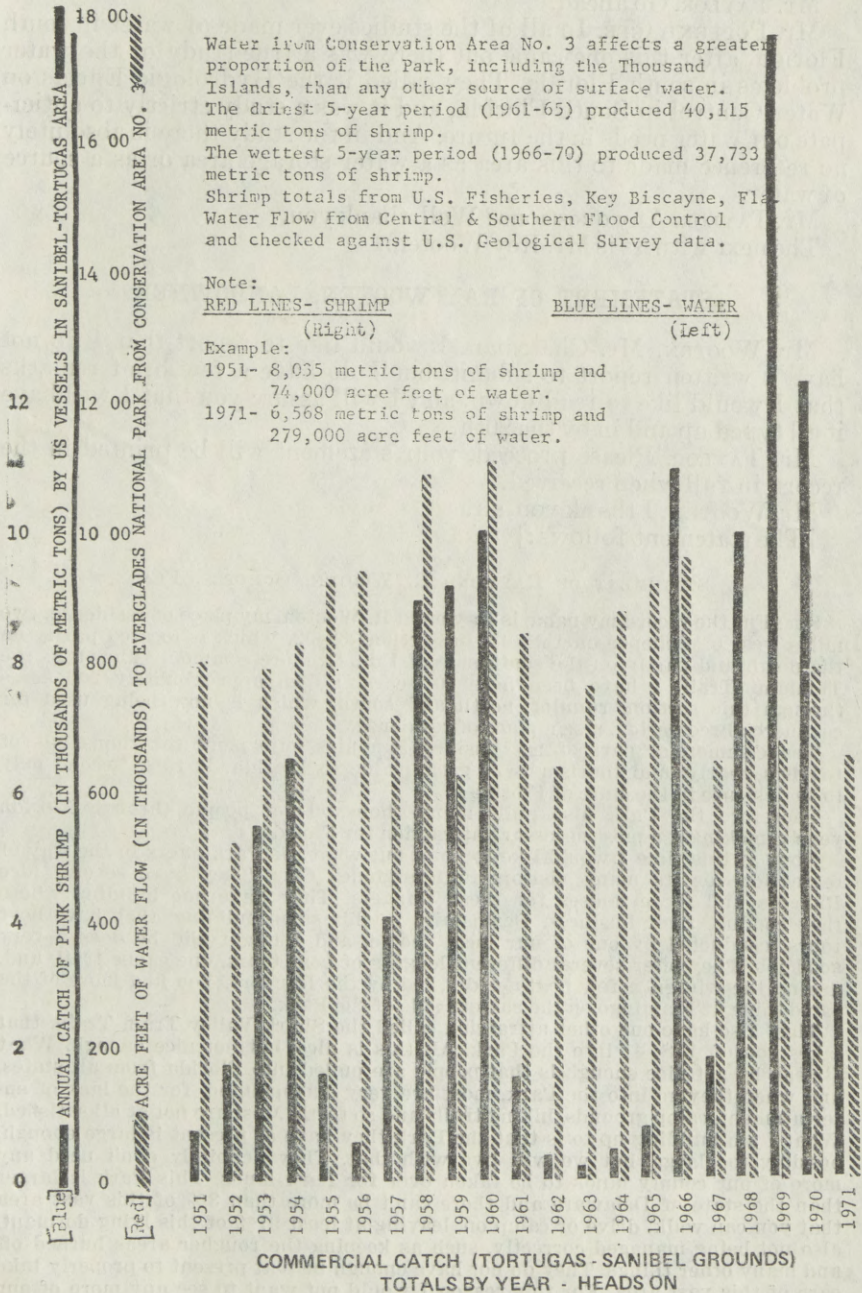
Mr. TAYLOR. Now can you finish in 1 more minute?

Mr. POPPENHAGER. Well, you have a chart before you and there has been much discussion on the effect of this water on shrimp. I did considerable work on this, and I have followed it through, and I have gotten all of the figures on shrimp catch since they started catching shrimp in south Florida. And you have heard the testimony of these people that this water is vital to the shrimp. What you see here is all of the water flows going to Everglades National Park from conservation area 3, which affects the greater percentage of the park because of the natural flow of the water to Everglades National Park and down Sharp Valley and across the park.

These are water flows compared with the shrimp and reflect that large quantities of water have absolutely nothing to do with shrimp catch. And if you study it, you might reach a conclusion that large water flows are detrimental to the shrimp, and if you see there for 5 years during dry times that the shrimp catch continued to come up for 4 years, and then when we got a lot of water it dropped down and it has never recovered. I invite you to take this to the U.S. Fisheries and get the same figures I have on the water flows and the U.S. Geological Survey or the Corps of Engineers, because they are right.

Mr. TAYLOR. Thank you. And without objection a copy of this chart on shrimp will be placed in the record, if possible, or in the file.

[The chart follows:]



Mr. POPPENHAGER. Could I make one more statement? Could I say say one more thing?

Mr. TAYLOR. Go ahead.

Mr. POPPENHAGER. In all of the studies ever made of water in south Florida, after this one came out there was a true study of the water problems in south Florida. They called it the Hydrologic Effects on Water Control in South Florida, and it was a study strictly to anticipate our water needs in the future. And in the study there is absolutely no reference made to this area as a water storage area or as a source of water.

Mr. TAYLOR. Any questions? Well, thank you.

The next witness is Mr. Ray Wooten.

STATEMENT OF RAY WOOTEN, LANDOWNER

Mr. WOOTEN. Mr. Chairman, I would like to report that I do not have a written report to submit, but I do have a few brief remarks that I would like to read down, and I will assure you that I will have it all typed up and in by the 20th.

Mr. TAYLOR. Please proceed, your statement will be printed in the record in full when received.

Mr. WOOTEN. I thank you, sir.

[The statement follows:]

STATEMENT OF RAYMOND R. WOOTEN, OCHOPEE, FLA.

SIR: For the record my name is Raymond R. Wooten, my place of residence, two miles west of Ochopee on U.S. 41, in Sections 32-52, which is located partly on the north and partly on the south side of U.S. 41, more commonly known as the Tamiami Trail. I have been here 20 years. I own approximately 200 acres through this section, running north and south, which is now being used for commercial recreation, also a place of residence.

The commercial part of my business supplies enjoyment for thousands of tourists yearly, and tourism is of great value to Florida. It rates second only to agriculture in the state of Florida.

Therefore the Park also pulls many thousands of people through Florida yearly, making it a most necessary attraction for Florida.

Now, at this time I would like to point out what the Park offers in the way of recreation for its many visitors in Everglades City. They have several nice Rangers and three houses for these Rangers. They have one building where they conduct their business. Downstairs in this same building, they have boat tours, conducted by one of our local people, and I might add he does a very good job. They offer several different lengths of boat tours, one canoe trail, and, during the winter, a few boat-a-cades, led by the Rangers. You find more of the same thing at Flamingo on the eastern side of the Park.

They also have one other attraction called the Shark Valley Tram Train, that takes you off U.S. 41 into the Park. All this is nice, but not nice enough. What I mean by not nice enough is that people are pulled into Florida from all states, and when they go into the Park, most are very disappointed, for the lack of entertainment, camp grounds, hiking trails and so forth. Most are not at all satisfied. What I am building up to is that the Park they have at present is large enough, possibly too large, but we will live with that. They definitely don't need any more of our county lands to be taken over for Park lands. This Park is larger than the state of Delaware and there can't be more than 3% of this vast area that you can walk, drive or camp on, leaving at least 97% of this lying dormant, also not being managed correctly, such as keeping the rougher areas burned off and many other things. They do not have enough help at present to properly take care of this vast area. For this reason I would not want to see any more of our county lands be lost to the Federal government for any reason. Any time the Federal government takes over any land it immediately becomes a liability to the Federal government. Plus being a liability to the Federal government, it works

a hardship on the county in which the land is removed. I would also like to point out that this land that will be lost is the very lands all hunters and outdoorsman use each and every year. Keeping in mind these lands are owned by private land owners, every one uses it for hunting, camping and fishing. So, again, if this land is removed from our county tax roll, the county tax loss will be many thousands of dollars every year. Also the Game department will cease getting revenue from hunting and fishing licenses. This is their only source of revenue, so there goes our Game department, a very necessary department.

Plus the fact that all these ranger stations, rest areas and all the other things that will be taking place toward setting this new addition in working order, plus the staffing, and all other unforeseen things that will be necessary, the taxpayers will have to shoulder this expense from now on.

They say 157 million to purchase—I say twice, maybe triple—staffing, building, upkeep—many thousands yearly, legal fees, thousands and thousands and thousands. This is a burden to taxpayers from now on. Meaning no income, all outgo. I would ask at this time for all people who will be voting on this thing to vote *not* for the takeover, but vote to appropriate moneys to pay for the thousands of acres that lie inside the Park as we know it now. This land lies inside the Park and is privately owned and people that own it are denied a way to get to it or use it any way, shape, form or fashion. This would not take a particle of the money to pay for the land inside the park and a generous amount to update the Park and make it worthy of the thousands of visitors that will be visiting it from now on.

This land that is in the area of taking is all zoned agriculture, and very appropriately so, I would like to point out that the only place in the state of Florida where the wildlife is on the increase is around farming areas and cattle pastures. This pertains to deer, 'coons, birds, all kinds of wildlife, proving a fact that as this land is improved for cattle pastures and such, we will be doing more for wildlife than if it was taken over by the Federal government for park or what ever. I would also like to point out that all canals are not bad for south Florida.

The Park people are so much against canals you would think they serve no purpose other than drainage. Most of our sports fishing in fresh water is supplied by canals. It is also a fact one canal along U.S. 41 supplies more recreation for people, such as camping, boating and fishing, than the Everglades National Park. Most days you can count more people from 40 Mile Bend to Krome Ave., a distance of approximately 30 miles, enjoying our outdoors than there will be in the entire Everglades National Park.

I thank you, Sir, for this opportunity to be heard.

RAYMOND R. WOOTEN.

Mr. WOOTEN. For the record, my name is Raymond R. Wooten and my place of residence is 2 miles west of Ochopee on U.S. 41 in section 3252 which is located partly on the north side, partly on the south side of U.S. 41. That is what is commonly known as the Tamiami Trail, and I have been there for 20 years. I own approximately 200 acres, and I have 6 square miles under lease from the Collier Co.

Now, all through this section running north and south which is being used for recreation, and this is an official recreation area, and also for a place of residence. The commercial part of my business supplies enjoyment for thousands of tourists yearly. Tourism is of great value to Florida, and it rates second only to agriculture in the State of Florida. Therefore, the park pulls in many thousands of people through Florida yearly, making it a nice attraction for Florida.

Now, at this time I would like to point out what the park offers in the way of recreation for its many visitors, and Everglades City. We have three ranger houses that house the rangers, and several nice rangers there, and one building where they conduct their boat tours, which is taken care of by one of our local citizens. I might add that he does a very good job. They offer several lengths of boat tours, and one canoe trail, and occasionally a boat camp led by the rangers, and you find more of the same thing in Flamingo on the eastern edge, eastern

side of the park there. They also have one other attraction called the Short River Valley Route, and that takes you off of 41 several miles into the park. All of this is very nice, but not nice enough.

What I mean by not nice enough is that the people, the people are pulled into Florida from all States, and when they go in to see the great Everglades National Park most of them are very disappointed for the lack of entertainment, camping grounds, hiking trails and so forth. Most are not at all satisfied. But what I am building up to is that the park they have at present is large enough, possible too large. So, they definitely do not need any more of our county land to be taken over for parkland. This park is larger than the State of Delaware, and there cannot be more than 3 percent of this vast area that you can walk on, drive on, camp on. So, that leaves about 97 percent of this land lying dormant, also, not managed correctly, such as keeping the rough areas burned off and many other things. Also, they do not have enough help at the present time to properly take care of this vast area.

For this reason I would not want to see any more of our county lands be lost to the Federal for any reason, and any time the Federal Government takes over land it immediately becomes a liability to the Federal Government, it works a hardship on the county from which it is being removed. And I would like to point out that this land that will be lost, the very lands that hunters and outdoorsmen use each and every year, keeping in mind that these lands are owned by private land-owners, but everyone uses it for hunting and camping and fishing. So, again, if this land is removed from our county tax rolls it will amount to many thousands of dollars every year. Also, the game department will cease getting revenues from selling hunting licenses.

This is their only source of revenue. So, there goes our game department, a very nice department. Plus the fact that all of these ranger stations, rest areas and all of these other things that would be taking place toward setting this new addition in working order, plus the staffing and all of the other unforeseen things that will be necessary. The taxpayer will have to shoulder this expense from now on. That is not for a year or two, that is from now on.

They say it will take \$157 million. I say it will take twice that, or triple that, and I have no reason to know, no facts or figures. I just do not think they can take it for \$157 million, with staffing, and building, and upkeep. That is many thousands more yearly.

Mr. TAYLOR. Can you finish in one more minute?

Mr. WOOTEN. Yes, sir. And legal fees, thousands and thousands of dollars will go there. There is a burden to the taxpayer from now on, meaning no income but all outgo.

I would like to at this point in time, for all of the people who will be voting on this thing, to vote not for the takeover, but to vote to raise the money, vote for the thousands of acres that lie inside the park as we know it now. This land is inside of the park and is privately owned and the people that own it are denied a way to get to it, use it in any way, shape or formation. This would not take a particle of money to put this in place, to pay for this land that is inside of the park, and to appropriate moneys to put this park in its updated form there where people that will be coming in by the thousands yearly can enjoy it and not just be disappointed with it.

And this land that is in the area of the taking is also zoned agricultural, and very appropriately so. And I would like to point out

that the only place in the State of Florida where the wildlife is on the increase is around farming areas, cattle pastures, and this pertains to deer, coons, birds, and many other wildlife. And in fact if this land is improved for cattle pastures and such, they will be doing more for wildlife than if it was taken over by the Federal Government or whatever.

I thank you very much.

Mr. TAYLOR. Thank you, Mr. Wooten. Any questions?

Our next witness is E. C. Guise.

STATEMENT OF E. C. GUISE, LANDOWNER

Mr. GUISE. Mr. Chairman, ladies and gentlemen. I will not be able to tell you all that I actually have in mind. But, there is no common sense to taking over this area any more than taking over any other area in the United States other than for roads. Our States, our cities, our Federal Government has got untold amounts to stand idle and burn, and has absolutely no use for the whole thing. And there is no justifiable reason for trying to take any more. Now what Mr. Morton is trying to do is to create more pocket money and probably pay toilets. Now, this thing is a one-track mind, and anybody that actually operates on a one-track mind cannot possibly think straight.

Now, what I am drifting at is this: the food capacity in the United States has become so bad that I cannot understand any individual as far as education, college, or however he comes, is to try to close off and shut down this country in its food capacity and stop his own food coming into his own mouth. Now, there must be some difference in a matter of opinion on this matter. We are talking about bringing everything in from Russia and every other country in the world. We are the richest country in the world. But, here is what is going on.

The more we have closed off, the more we shut down, we are creating strictly outlaws from every capacity in the United States, and it is getting worse every day, every month, every year. Now, I cannot imagine anybody that has become so cheap to cut off their own food for their own mouth in any other deal. Every time I walk into the food market the price becomes higher, higher. There is no sense to the whole thing.

Now, I want to raise bananas in here, in the Everglades, and I have the richest land out here in the world. I want to raise it by the thousands of bushels, and I can do just this thing if I am let alone. And I own over 100 acres out there in various localities. I have bought lots. They are all on roads where I can really sell the stuff. I have canal property where I could put in boats and rent these boats out. There are people that fish and hunt. Now, I protect the wildlife, every branch of the wildlife. There is no more sense of closing off and shutting down any more of the United States. I do not care what area.

Now, as far as roads is concerned, I am definitely for it. We have got millions of acres of land right today of trees standing idle, and we have got a lumber shortage of untold size. We are even talking about closing up our steel mills, and I believe this thing is going to come to pass. This is a definite closing down of this country. There will be no labor, there will be no work. We are going to end up with drug addicts of untold size. And I am not telling you no story.

It has become so bad that when a guy decides he wants to make \$100,000 he walks in the jewelry store, and policemen will become worth

10 cents a dozen. I am telling you straight what is coming. We are coming to steel belted tires because of the rubbish and stuff on our streets which is going to become so terrific that the cities and counties and States and Federal governments will not even pick it up, and I am telling you that this is coming as a fact.

Mr. TAYLOR. I hope you are wrong.

Mr. GUISE. Well, I hope that I am wrong, too, you are right, but there is no question in my mind that this is coming. And we will not be safe in our own home. It is becoming worse every day. In a lot of areas you cannot walk down the streets. Now, I know that the women do not want themselves any more to be closed off, and shut down, and raped on the streets, and knocked down. There is something wrong when anybody has this thing in mind, but this is exactly where we are coming and real fast.

Mr. SKUBITZ. Mr. Chairman, are we here to be lectured? What relationship does this testimony have to the Big Cypress Park?

Mr. GUISE. There is no more sense in actually taking this Everglades National Park than taking the city of Washington, the city of New York, the city of Naples, Fort Myers and the State of Florida and the rest of the area. I do realize I am talking a little strong, and I get a little excited. I am not used to talking to the general public.

But, I am giving you very exact statements of where we are going. We are actually going to hell, and doing it fast.

Mr. TAYLOR. Most of the conditions that you refer to with regard to crime and the deterioration of the cities and so forth will not be controlled or affected too much by creating or not creating this new national reserve. In other words, I think that we had better get back to the point now.

Mr. GUISE. I am going to tell you another reason why I do not want this thing taken over. I have been fighting mosquitos, sand fleas, bugs, you just name it, for years and years and they are trying to tell me that they want to create more of this confounded thing, and I cannot even sit in my own yard. Now, I live about half of the time out in the woods area too, and I know how the mosquitos are. After around 5:30 or 6 o'clock they will totally eat you up, and I am not joking you either. And we have horseflies out there that if you think that you can stay out where they are, you are all wrong. They will bite you. They will suck the blood out of you, and my arms have been real raw. There is no sense of this whole thing.

And I have actually watched truck after truckload of trucks driving in and out, hauling produce out there, and it is getting bigger every day, and for heaven's sakes, do not close off our own food supply in the United States when everybody else out there is willing and are protecting our wildlife. And we must stay there to help protect it more.

I am for the benefit of everything, for all people, not part of them. But if they are to close off and shutdown an area, and create more of these here mosquitos and bugs and sand fleas, there is something wrong with our minds. We must have a few knots up here. I am not joking. I am talking sense. We must have our mind clear down here to anybody that would have this idea in their head.

Now, I am a veteran. I was on the *Arizona*. I got off the boat before it went down. Now, I do not want to see the United States of America sunk the same way as the *Arizona*. She cannot swim, she cannot float,

and the people cannot even bring it up. I am telling you straight for a fact. There is something wrong with our heads up here to create a scarcity and high prices, and then end up with rationing, and end up with nothing, and buy poisoned food from Russia, and how we will actually end up is poisoned, and fire and burial. Now, I am telling you a straight fact and that is what is coming, and we have got to stop this close off and shutdown of the United States.

Mr. TAYLOR. I believe you are wrong on that.

Mr. GUISE. There have got to be some people with regular head power.

Mr. TAYLOR. I think you are wrong.

Mr. GUISE. Well, the day is coming when it will be just the opposite, and we have an area in Berlin over there where our military people and women have got to buy all the surplus stuff. And if you have watched the radio and so on, the TV, you will see this type of stuff over the TV and radio, and they have got to buy all of the stuff over there from the Russians. Well, what is wrong up here? There is something wrong. I will agree with trading with them, yes, but at the expense of our own people, and cutting our own people out of jobs, there is something wrong here, and somebody's head has got to be stuck up a little bit or something. I do not know what its going to take.

Now, I believe in treating everybody right. But this way where we are actually going, we are going to ruination and destruction. There is no end to it. Now, I know something about engineering too, and water flow, and I also have watched the water flow out in the Everglades. Where does it go. It runs southwest. I have watched it day after day out there, and I have spent months out there. It runs southwest like this. It does not run into the Everglades National Park. There is practically none of it out there that runs into the Everglades Park, in my general opinion.

Now, I am talking about strictly as a point of food supply as well as everything else. Now, as far as hunting is concerned, I do not care at any time if a guy comes in there and comes onto my place. But I do not like to see him shoot birds and any type of thing like that. Now, as far as a rattlesnake or a water moccasin that would bite him in the leg, that is an entirely different matter. Anything that is going to bite you and put you in the hospital and probably kill you, I am strictly against this type of stuff.

Mr. TAYLOR. Well, thank you, Mr. Guise. I think you have made your position known, even if we disagree on your facts and conclusions.

Mr. GUISE. Well, please, for heaven's sakes, do not let any more of this stuff happen because we are going to ruination as sure as I am sitting here.

Mr. TAYLOR. Are there any questions?

Well, thank you for your testimony.

Mr. GUISE. Yes, sir.

Mr. TAYLOR. Now, this completes the list of witnesses who requested to be heard. I think your testimony shows a great amount of study, a great amount of concern, a great amount of love for the Big Cypress area. This testimony will be helpful to us as we try to decide what action to take on the legislation which is before us.

The subcommittee will not take any action during the next few weeks.

The record will be kept open for 10 days so for anyone else who wishes to submit a statement.

Mr. Skubitz, do you have anything else to say?

Mr. SKUBITZ. No.

Mr. TAYLOR. If any more statements are sent in they should be typewritten and submitted in triplicate. Tony, you want to make any statement?

Mr. WON PAT. I do want to state that for those landowners who have testified—

Mr. TAYLOR. This is Mr. Won Pat of Guam.

Mr. WON PAT. I appreciate the concern of those landowners who have testified before this committee. I share the concern for ownership of their property.

Mr. TAYLOR. Well, off the record.

[A discussion was had off the record.]

Mr. TAYLOR. The subcommittee stands adjourned.

[Whereupon, at 1:15 p.m., the hearing was adjourned subject to the call of the Chair.]

[EDITOR NOTE: The following correspondence and statements were submitted to the subcommittee for inclusion in the record:]

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 14, 1973.

In Reply Refer to: L58-LOL.

HON. ROY A. TAYLOR,

Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to the request of Mr. Johnson at the Legislative Oversight hearings of March 13, 1973, and to informal inquiries from Mr. Lee McElvain of your staff, we are happy to supply the attached information with respect to the seven alternatives considered for the Big Cypress National Fresh Water Reserve.

We appreciate this opportunity to supplement our testimony.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

The seven alternatives considered by the Secretary of the Interior with respect to the Big Cypress National Fresh Water Reserve are as follows:

(1) *No Action.*—Under this alternative, drainage and development could be anticipated which would lead to a reduction in water quality and quantity and a drastic change in the water regimen in both the park and the Big Cypress. These changes would reduce the productivity of dependent estuaries, reduce capability to recharge qualifers upon which the communities of southwest Florida will depend for their future freshwater needs, and lead to the destruction of the ecosystem of Big Cypress and the Northwest portion of Everglades National Park.

Cost: None.

(2) *Fee Acquisition.*—This alternative has been adopted as the one which can best guarantee the total protection that preservation of the Big Cypress demands. An area of some 570,000 acres would ultimately be acquired.

Cost: Approximately \$170 million.

(3) *Control by State and County Authorities through Land Use Planning and Zoning.*—Under this alternative, the State would need to pass legislation to establish clear authority for land use planning, zoning, and enforcement.

A State office of planning and a recently established multicounty South Florida Regional Environmental Planning Commission, exist. Authorities available for land use planning, zoning, and enforcement are at best, only nominal. Required legislation that ensures meeting the objectives of protecting Big Cypress would not be enacted within a foreseeable period. Further, local inter-

pretation and enforcement were felt to be too variable and subjective to accomplish the Federal objectives.

Cost: Minimal.

(4) *Joint local-Federal Control.*—Two methods involving local-Federal zoning commissions were considered under this alternative. One approach would create an extraordinary zoning commission consisting of representatives of the local counties and the Federal Government; the other would call for the State to create a district encompassing lands within the Reserve, to be overseen by a joint State-Federal overseeing commission. Effectiveness of these methods would turn on whether the State would accept the Federal Government's participation in the zoning process. In either case, the level of protection required to preserve Big Cypress could not be assured.

Cost: Minimal.

(5) *Control by Trusteeship.*—This method would establish a South Florida Environmental Trust to include the seven counties of Florida south of Lake Okeechobee. The trust would be composed of members of the three levels of government.

The trust would develop a comprehensive conservation plan for the seven-county area, including, but not limited to, land development, land acquisition, zoning, water flow, water quality, transportation matters and any other pertinent matters regarding alteration of the land and water resources of the area.

If the trust were to protect Big Cypress, the counties would have to surrender a part of their zoning authority. It is exceedingly doubtful that the counties would relinquish their traditional authorities to an environmental trust. Inherent in the concept is the establishment of another level of government with responsibilities for land use.

Cost: Low.

(6) *Federal Control through the Application of Land Use Restriction.*—This method involves controlling land uses by the application of compensable land use restrictions through Federal regulations. The technique would require the preparation of a land use plan for the entire area with appropriate regulations. Should a landowner be able to show that such regulations have diminished his right to use the land and/or that the value of his land had been reduced, the owner would have a right of action against the United States. All claims would have to be filed within a specified period of time. A judgment by the court in favor of the landowner would convey to the United States a proportionate interest in the fee.

Federal legislation would be needed to authorize the Secretary to issue compensable Federal land use regulations. The success of the concept of compensable land use regulations, until enacted and tried, is unproven.

Cost: No real concept of cost exists except in considering the possible extremes. If no landowner files claim for damages, and/or if the courts make no awards, the costs will be minimal, that is, they would be administrative and include the cost of preparing the use plan and the regulations. On the other hand, if the complaints are numerous and the courts agree that the regulations are damaging, then the cost can vary all the way up to the value of the full fee. For purposes of providing a working fund, a figure of \$10,000,000 was assumed to be adequate, but this was not intended to suggest either the initial or final cost.

(7) *Control by Public Corporation.*—Under this concept a federally chartered corporation would be established by the Congress and authorized to engage in any lawful activity appropriate to ensuring the protection of Big Cypress.

This proposal would extend the concept of trusteeship by adding the devices of acquisition and compensable Federal regulations. Wide latitude would be granted the corporation in meeting the objective of protection of Big Cypress, including issuance of bonds or other obligations insured by the Federal Government, sale or lease of lands in which the corporation held an appropriate interest, and operation of other income producing enterprises.

Cost: Seed money of approximately \$35 million has been proposed for this alternative. Additional costs would, in theory, be sustained by the operations of the corporation in a manner somewhat analogous to operation of the TVA.

STATEMENT OF GEORGE K. WALL, OF STONE & WEBSTER MANAGEMENT CONSULTANTS, INC.

My name is George K. Wall. I have resided in Southwest Florida since 1946, and for the past nineteen years I have been employed by Stone & Webster Man-

agement Consultants, Inc., a subsidiary of Stone & Webster, Inc., in the offices in Naples, Florida. I am presently manager of that office.

Since 1953 our firm has been the agent and representative for Gerry Brothers & Co., for their extensive land holdings in Southwest Florida. The Gerry Brothers presently own over 42,000 acres of land in the northern portion of Collier County and in the adjoining Hendry County, most of the lands being situated in the loosely defined area which is referred to as the Big Cypress. Of these 42,000 acres, 46 square miles of the lands are in Collier County in Township 49, Ranges 31 and 32, extending from the Hendry County line to Alligator Alley. All of these lands are under lease for grazing of cattle.

The commonly and widely-used term of "Big Cypress" is in effect a misnomer, with the boundary of the area loosely defined. Although there are some strands of cypress in these half-million acres, the greater portion of the cypress in Collier County was logged prior to 1960, and most of the cypress came from lands West of State Road 29, and not from the area in question. This 850 to 900 square mile tract of land under consideration is covered by sandy areas, marl, prairie grass, saw grass, strands of pine, palm, and palmetto, and along the Gulf Coast and in the south portion, areas of marsh and mangrove.

What are the reasons for this purchase of the "Big Cypress"?

(1) If the proposed purchase of the 547,000 acres of land is for the preservation of water necessary to the continued existence of the Everglades National Park, then the estimated expenditure of the tax payer's money is a futile effort and a gross waste of funds. Previous testimony before the Committee was quoted from the U.S. Geological Report on the Big Cypress Swamp that only 16% of the total area of the Everglades National Park (350 square miles in the northwestern portion of the 2,200 square mile park) receives any water from the Big Cypress Area, and that this 16% of the water comes from the easternmost and southern portions of the Big Cypress area.

Other official testimony has shown that the Big Cypress provides only 9% of the water in the Park, and into only 16% of the Park area. Most of this water reaches the Park or areas adjacent to the Park by reason of borrow canals from the U.S. 41 area, rather than trickling overland.

(2) If the proposed purchase of the 547,000 acres is for the preservation of the water supply for Southwest Florida Gulfcoast cities, this also would be a grossly improper venture. The U.S. Geological Surveys show that the rain water falling East of State Road 29, the Eastern portion of Collier County and which lies in the proposed purchase area, does not in any way recharge the source of water for Naples now, nor for even the sources planned for the long range future. Fort Myers and Lee County get their water principally from the Caloosahatchee River. That river and its local aquifer are not recharged by rainfall in Collier County.

(3) Most of the estuaries or mangrove coast line in Collier County from Naples and on to the South receives its fresh water supply from rainfall in the Western portion of Collier County. This fresh water travels either over the low marsh areas South of the U.S. 41 area, or to that area by reason of canals lying to the West of State Road 29. Therefore, Eastern Collier County, lying within the proposed purchased area, is not the main source for fresh water for the growth of marine life in the mangrove swamp lands between Naples and the Everglades National Park. Even if there were in fact any scientific proof of sheet water flow from the Eastern portion of Collier County lying in the Big Cypress Area, the mass of testimony presented at your hearings has shown that this flow would be to the Southeast toward the Park and not toward the Southwest and the mangrove areas of the County.

(4) Why then is there such a massive effort being extended toward the purchase of the Big Cypress Watershed? Is it not an excuse by the conservationists and the other related organizations to secure another vast area, and to protect it from the encroachment by man?

Our client, Gerry Brothers & Co., has always evidenced their interest in promoting conservation. That firm and other client land owners whom we have represented have made many gifts of land for these purposes. One of the largest land owners in this Southwest made the initial gift of land to the Federal Government for the establishment of the Everglades National Park. Other land owners whom we represent made it possible for the Nature Conservancy to make their initial purchase of lands in this County. The Audubon Society was given lands for a Sanctuary in Collier County.

In all, the State of Florida and the Federal Government already own or control 14% of the lands in Florida. The conservation-minded groups also have many other lands in the State.

If the real purpose of this proposed purchase of these 547,000 acres is in reality for the preservation of a watershed, then every effort should be extended to determine if this vast amount of the lands is really needed for that purpose, especially in the light of the previous scientific testimony by government and private hydrologists, engineers and other qualified persons. If that is the reason, then the testimony would surely seem to indicate that a much smaller area of land adjacent to the Park and to the mangrove swamp coast line would be adequate and justified for that purpose.

If the real purpose in this proposed purchase is the acquisition of 547,000 acres of land for only recreation and park purposes, then it would seem that there should be serious doubts as to the wisdom of the expenditure of at least \$156,000,000 in view of the present economical situation. It is suggested that a really close examination be made of the current values of the lands in the vast area, not just in the easternmost portion of the County where the price of land has been increasing so rapidly, but more important, in the bulk of the area lying toward the West, and along the Alligator Alley and State Road 29, and between those areas and the present jet airport.

Many of the real estate firms, especially those who are not involved in the rapid land sales of small tracts in the Eastern County lands, are all of the opinion that the price per acre is already high enough so that the total purchase price will be many more millions of dollars.

The many large land owners are not opposed to the purchase of portion of the Big Cypress areas if the acquisition is really justified to preserve the Park and the lower coast mangrove areas, and if the purchase is at a fair and just price to be determined by qualified appraisers.

There is a great objection, however, to the proposal to purchase now, or to contract for purchase now, and the payment to come from funds to be included in the budget for 1974 at the earliest, and in 1975 or later. This would impose a very great injustice on the landowners to restrain them from justified use of their lands and payment therefore to be delayed until five or more years hence.

It is certainly requested that the Committee give due consideration to the need for such a large purchase, under the guise of protection of a dubious requisite source of water.

Respectfully,

GEORGE K. WALL

STATEMENT OF U. S. BETHEA, GOULDS, FLA.

I was born and raised in the State of Florida and spent a big part of my young life in Hendry and Collier County. My father and my uncle were in the saw mill business in Hendry County, as well as farming in Collier County. My father helped construct the old Tram Road from Deep Lake to Everglades City in the year of 1922, which was known at that time as Deep Lake Transportation Company, and was employed by the Collier Corporation for whom Collier County was named. Practically all of Collier was owned by Baron C. Collier at one time.

Now this so-called swamp area, that our Government officials as well as our State officials speak of, on the north part bordering Hendry County is from 13 to 18 feet above sea level. On that part of the so-called swamp area bordering U.S. 41 Highway, also known as Tamiami Trail, which would be on the south side of the so-called swamp area, there is a seven foot elevation. So, as you can plainly see from a topo elevation map of that area, that the elevation of the so-called swamp land is higher than the elevation of Palm Beach, Broward or Dade County. They go farther and call it the Big Cypress Area, which is not so. Most of the Big Cypress Area is known to be north of Copeland towards Jerome and Deep Lake which is on State Road 29. Jerome Jones, the owner of Jerome Saw Mill on Highway 29, cut cypress out of there four and five feet thick at the stump.

Now, in the so-called Big Cypress Area, you may have a few cypress that will measure from 8 to 18 inches at the stump. It is all small and scrawny cypress which will never in this world amount to anything. Four of these cypress trees will drink up more water than an average family in a year. Most of this land is covered by Pine and Palmetto and is good virgin farm land that never has been farmed. For years and years, they have been farming this type of land around the Homestead and Redland areas in Dade County until the land is about

worn out as far as farming is concerned, and there is going to come a time when this so-called swamp area is going to be needed for farm land. I have occasion to fly around the different states and talk to different people in my business and they are led to believe through what they read in the newspapers, that practically all of South Florida is swamp area, and that the Big Cypress Swamp is full of quicksand ponds, where, if you step off into it, you will sink out of sight. I have hunted and walked all through the Everglades and have yet to see my first quicksand pond.

It appears to me that our Government and State officials should contact and talk to some of the people that have lived in and around the Big Cypress Area and get first hand information that way. No, they have to contact some Doctor who has a PHD, which, in my books, is post hold digger degree. Everyone in the other states tries to prescribe for the sickness of the State of Florida and the preservation of it. It reminds me of but one thing: at one time I had a neighbor and the doctors were treating him for kidney stones but it was cancer that killed him.

As I said before, my people came here before the turn of the century when it took them thirty-one days to drive from Gainesville to Miami in a horse-drawn wagon. I have seen South Florida grow from nothing to where it is today. It was all done through speculation in real estate. Now the conservationists want to cut off the hand that has been feeding South Florida for years. We people that own property in the so-called swamp area are called speculators, which, to the conservationist, is a dirty word. We bought our property with the idea that one day we would retire on it and maybe have a garden. At present, we do own some acreage.

At the southwest corner of Collier County, adjoining Dade County, the Government acquired 38 sections of land on which to build a Jet Airport. After spending some \$18,000,000 of the taxpayers' money on this project, the conservationists, through Government channels, had this knocked in the head, wasting the taxpayers' money. It is a well known fact that we need a Jet Port in South Florida.

The conservationists want to take this so-called swamp area and make it a watershed but how do they propose to do it? It will take billions of dollars of the taxpayers' money to build a dike along the edge of the Gulf of Mexico to retain this water. It is beyond me why they didn't take a ten mile square portion of land inside the Everglades National Park and build a reservoir, which would be on the south side of Highway 41 and east of Forty Mile Bend on Highway 41. To me, this would be the most sensible thing to do and would cost the taxpayer a whole lot less money.

This is one more thing I would like to call your attention to concerning the Jet Airport. The conservationists claim that it would make too much noise for the alligators, birds and other wild life. Yet, airboats run in and out of there daily and it doesn't seem to bother them too much. I have owned and run an airboat ever since 1930 and there is nothing that makes any more noise than an airboat. I imagine that there are between 500 to 2,000 airboats in South Florida at the present time. All of them—or the biggest part of them—use Conservation Area #3 which adjoins the proposed site for the Jet Airport.

Respectfully yours,

U. S. BETHEA.

STATEMENT OF LUCILE G. JENSEN

I was unable to appear before your Committee Hearings on May 10th and 11th on the taking by the Federal Government and the State of Florida some of the best land in Collier County.

I am Secretary to the Landowners' Protective & Conservation Association in Miami and am in agreement with the statements made by the members who appeared before your Committee as to why this land should not be taken from the owners.

We have been given many reasons during the past two years as to why this land, owned by about 35,000 individual owners, should be taken first by the Federal Government and then as of this year, by the State of Florida with the cooperation of the Federal Government. The most recent need for this area appeared in the Star Sentinel which was, it was needed for a Park. This is absurd when the Government owns a million and a quarter acres in the Everglades National Park, just near the proposed take-over. There have been statements

that this is a swamp, a water shed, and that the Everglades National Park needed the water from this area. There are reports in your possession by our members refuting such statements especially that the Park needed the water. Actually, less than 10% of the water in the Park comes from this area.

The land owners who are not "speculators" have been harrassed for over two years by the attempt of the Federal Government and now the State of Florida to depress the value of their land by constant rumors, which has to some extent hurt the value of the land.

I appeal to you and your Committee to consider well what it would mean to take this much land off the tax roll in Collier County and what it would mean to small owners who have bought a few acres for their retirement, some of them being black people and Cubans, who do not know what their government and state intend to do to them. A great loss to them will occur if such an act goes through, as we know there is no money now available by the Government or the State to give these landowners the value of their land at the present valuation.

Also I would appeal to your Committee to find out why Senator Lawton Chiles has access to free use of a GAC private airplane.

I believe, further, that people in crowded areas in the big cities need some of this land for home sites more than the Federal Government (with 1¼ million acres in the same area, and the State, which now is acquiring as much of "wilderness land" as they can.

Also I ask that your Committee investigate how few people go into the Everglades National Park and what a small area they are allowed to go into out of the 1¼ million acres they hold.

STATEMENT OF MRS. IVAN L. FARMAN, PRESIDENT, MANATEE CHAPTER OF THE
IZAACK WALTON LEAGUE OF AMERICA

The Manatee Chapter of the Izaak Walton League believes that in holding these hearings on the acquisition of the Big Cypress the voice of the truly concerned citizens of Florida will urge immediate action.

Even while the Big Cypress is being discussed in Congress it is being diminished by developers who are digging, dredging, draining, and destroying this vital area.

Although the Izaak Walton League is concerned with the fate of the alligator, the Florida panther, the Everglades kite and the other endangered wild denizens of the Everglades who depend on the Big Cypress watershed for survival, it is man, himself, who will suffer the ultimate defeat. The depletion of the aquifers will bring on a disaster of unimagined magnitude.

These facts have been documented over and over, particularly in the hearings before the subcommittee on National Parks and Recreation, and the Committee on Interior and Insular Affairs in Ft. Myers, Florida, February 15, 1972 and Washington, D.C. September 26, 1972.

The testimony is all there in the record. Acquisition has been endorsed by the President of the United States and the Governor of Florida. Time is of the essence. We trust that this committee will take quick and positive action, and we commend you for your concern.

STATEMENT OF DON BURNS, OCHOPEE, FLA.

Mr. Chairman: In the Preamble of the Constitution, it says, we are to have a Government Of the People, By the People, For the People, now I am wondering who the People are. Politicians?

My wife and I purchased this land, 15 acres—14 years ago. We built our home and other buildings, according to Collier County code at that time. We planted over 1,000 trees and shrubs. We kept our large pines and cypress trees, and the wild orchids and other wild plants. We tried to keep the so called nature lovers from stealing our plants. If they were true nature lovers they would have bought some of this land the same as we did. Instead of asking the tax payers to do it for them.

No one from the Corps of Engineers, can tell me where the water from this area of the Big Cypress goes. One very dry year we had no rain for weeks when suddenly we had several inches over our land yet no rain had fallen for miles away. We learned later the gates at Lake Okeechobee had been opened to relieve

the pressure on the dikes. Remember this was before the Levees were built for Conservation area No. 3.

In a dry year we, who live out here, put out feed and water for the birds and wild life. You will never see a bird watcher out doing that. All the fires that sweep the Glades during the dry time we fought alone until the Forestry Service came out our way.

I have always supposed I was an American citizen, my family was here before the Revolutionary War, and I have been very proud of it. I have owned property all of my adult life. Now I find I am only a pawn to be moved around by politicians.

Florida had a density of 114 persons to each square mile of land in the 1970 census. Deny us the right to live on our land, force everyone to live in the cities, your problems will increase 100 fold. On The Today program of April 16, Mr. McGee interviewed a U.S. real estate appraiser. He told why real estate taxes are so high. Our government, Schools, Churches, our state and county owns one-half of all the land in the United States and pays no taxes, not one penny on it. The more land taken off the tax rolls for any reason will only increase your taxes.

The money to be used for this land could better be used for roads, for schools, for hospitals, for our veterans, for rehabilitation centers to care for our drug addicts, to get them back as responsible citizens not liabilities to be cared for at tax payers expense.

In Harry Schermans book *Promises Men Live By*, there is a short paragraph I will quote "When a man buys a piece of land, be it large or small, it is his to have and to hold for so long as he pays his taxes. This is his promise to his Government. If he should have to mortgage this land, he makes an additional promise to pay this loan or forfeit his land" end of quote.

Recently I was asked, what did you call this Big Cypress before they called it a swamp. I said, Ours. If it is taken from us it will be theirs.

Florida today has, One National park of 17,433,500 acres, purchased over 25 years ago, and still not paid for, 3 National Forests, 2 State parks, and 807 Recreational areas.

One year ago Florida completed the purchase of 26,000 acres of land along the Gulf, mostly marsh land. Of this 6,600 acres was a gift from Georgia-Pacific Corporation. The balance was purchased by Florida at a cost of \$1,700,000 of tax payers money. Now the State wants to buy the Green Swamp in Pasco and 2 other counties consisting of thousands of acres of land. I ask you how long can this drain of tax payers money keep up.

The National Geographic Magazine of January 1972, carries an article by Dr. Craighead of Miami University, states that no doubt the Big Cypress should be purchased by the Federal Government. Estimating the cost at least \$170,000,000. However he further states the Government owes a debt of \$340,000,000 for land it has purchased that is not funded by the Congress.

Some one is going to be holding the bag for a long long time. Our childrens grand children will never see it paid.

I no longer wonder why so many of our young people have turned their backs on the *Establishment* and are roaming the roads. It is a pity to lose the faith of our young Americans. If my home is taken, I will never own another foot of land in this United States. I will turn gypsy too. That way I will never have to pay a politicians salary to have them scheme to take any one elses land.

If the government has its way it will soon own all the land and we the American people will be back in serfdom as Europe was long ago.

All thinking people know the real reason for this land grab is not to get the water for the park or for the cities, those who think this land will be open for all to hunt and fish and roam over at their pleasure will find they are shut out too. This is only to fill the pockets of a few, to get their hands on the oil and the minerals here.

Thank you for this chance to speak my thoughts.

STATEMENT OF MARJORY STONEMAN DOUGLAS, PRESIDENT,
FRIENDS OF THE EVERGLADES

We have been asked to testify to our stand on the question of the acquisition of the Big Cypress Water Reserve.

The profoundly hoped-for purchase of the Big Cypress Water Reserve by the Federal Government with the co-operation of the State of Florida will, in our

opinion, be a landmark in the history of the State. It will be the end, we hope, of the disastrous early policy of Florida of allowing its lands of great and future importance to all its generations to be wasted and ruined for the profit of a limited number of private speculators. This land of the Big Cypress, whose sliding waters are supplied by rainfall with no retaining basin, provides one third the water required for the life of the Everglades National Park and all the water, surface and from the rock, for the greatly increasing needs of the people of the lower West Coast of Florida.

Until the excitement of the proposed Jet Port for the Big Cypress only a few years ago, as being far away from population, only a few people lived there, hunters and fishermen, men who wanted to live alone in peace and quiet. Some families of Indians have been allowed by Collier County to maintain camps along the Tamiami Trail which cuts through the area. Their Government-permitted hunting reservation lies much farther to the north. The minute the Jet Port was first discovered as being planned in secret, however, real estate companies began buying up large sections. Some had already bought many square miles at very low prices without doing much at first to develop or sell them. Roads and canals were put in to drain the land so that even in that dry spring when fires ranged all around, billions of gallons of sweet fresh water were run off into the Gulf, to make the drained land salable. Real estate men in Collier County and even in Miami worked up a fever of speculation, selling uncleared lot sites to buyers all over the country who never saw it but believed they would make big profits from selling it. Few of these people cared anything for the wild nature of the land itself. They argued for the building of the Jet Port which would send prices even higher as a commercial complex would be built helter-skelter around it. They cared little if the land was stripped, the air and the water was polluted, as would be inevitable. Already new people were bulldozing the trees, the cypress and other growths, setting up shacks and camps. People who had lived there for some time, loving the green peace and quiet, the bird life, the deer, bringing up their children to value all these beautiful natural things were driven out by set fires and threats because they argued against the Jet Port.

When the idea of the Jet Port was refused by President Nixon, the people who had been so vociferous for the Jet Port have been equally loud in their protests against all attempts to save the Big Cypress, its water, its trees and its wild life, for the benefit of the people of the State and of the Nation, one of whose great assets is the Everglades National Park. All they want of it now is outrageous profits on their original modest investments. They are still hastily bulldozing and building shacks on the rock cleared ground. Without adequate protection soon the wonderful watery, green place will be a wasteland.

All this rare land was given to the young State of Florida by the Federal Government under the Swamp and Submerged Land Act of 1846. It was part of all the vast empty lands that were the only wealth of the pioneer state. The early policy of the Government of Florida was to sell off as much land as possible to bring people into the country. In this more than a century, while the people began to fill up the other lands, the Big Cypress was left untouched because nobody wanted it. It was to them only a rocky, freshwater swamp crowded with cypress. A lumber company with great difficulty cut off all the biggest cypress but they have been growing again. Its soil, over the rocks and under the flow of water in the rainy seasons was too thin for farming. You couldn't raise cattle on it or build towns there. It was only the recently created artificial boom of the proposed and ill-fated Jet Port that brought all these real estate men and speculators into the picture.

Many people have been unaware of the importance of the Big Cypress in its natural state to the whole region of South Florida, and, because of the Everglades National Park which marches with it, to the entire nation. Only now more and more people are rousing themselves to its defence. All of us who have the future of the State of Florida at heart are now raising our voices to beg that the destruction of this wonderful place will be stopped by the action of the Federal Government and of the State of Florida. It will be, we hope, a turning point in the ancient policy of the State which has produced so much ruin of valuable natural lands and will protect this part of it for the people of this whole country forever.

STATEMENT OF CHARLES G. GARRETT, PRESIDENT, CYPRESS CHAPTER IZAAK WALTON
LEAGUE OF AMERICA

It was my privilege to speak in favor of Federal acquisition at your field hearing in Ft. Myers (Florida) on February 15, 1973. This is somewhat of a rerun and I will be brief. Dr. E. T. LaRoe, Executive Director of the Collier County Conservancy and a Vice-President of our Chapter, presented our case before you at your Washington hearing on Friday morning, May 11. I should like to add a couple of observations if I may.

There is increasing pressure on the Collier County Commission to grant airstrip approvals, permits to build access roads and hunting camps in the area. The Commission is finding it increasingly hard to refuse.

There are numerous reports of speculative land sales emanating from Dade County sources that Blacks and Spanish-Speaking groups are being conned into believing that a "fast buck" can be made when the Administration starts to buy up the thousands of parcels involved.

The County Commissioners opposed the acquisition a year ago but are now in favor of it, but with strings attached. They want full refunding of ad valorem taxes collected from the area. In 1972 the collection was about \$600,000 (more or less depending which map we use). They do not mention expending some \$450,000 on the area for assessing, collecting, policing, investigating, putting out fires, and educating a few scattered residents.

RESOLUTION

SUBMITTED BY CYPRESS CHAPTER, IZAAK WALTON LEAGUE OF AMERICA

Whereas the South Florida ecosystem is an integral whole made of many interrelated and interdependent parts, including the Everglades, Everglades National Park, the Big Cypress Swamp and the 10,000 Islands, and

Whereas the South Florida ecosystem is a water-dominated, water-dependent system, and

Whereas the Big Cypress Swamp is the last major undisturbed watershed in South Florida, and

Whereas the continued existence of the Everglades National Park is dependent upon the Big Cypress Swamp, which contributes 55% to 65% of the surface water flowing into the Park, and which modulates the fresh water inflow extending the wet season there by supplying fresh water runoff for three to five months after the rainy season ends, and

Whereas the rich economic and recreational resources of the 10,000 Islands are dependent upon the overland flow of unpolluted water supplied by the Big Cypress Swamp, and

Whereas the aquifer recharged by the Big Cypress Swamp is the largest supply of potable water in Southwest Florida and is now and will increasingly be tapped for drinking water supplies, and

Whereas the Big Cypress Swamp is a rich and diverse resource in and of itself, serving as a habitat and refuge for many rare or endangered species of wildlife, birds, orchids, and other forms of life, and

Whereas development of the Big Cypress Swamp, now being threatened, would necessarily and detrimentally alter the quality, quantity, and seasonal pattern of flow of the surface and ground water,

Now Therefore Be It Resolved that the Big Cypress Swamp is a major resource of local, regional, and national importance worthy of protection, and

Be It Further Resolved that the Izaak Walton League of America, Florida Division, does hereby commend and support the Governor and Cabinet of the State of Florida, the Florida Congressional Delegation, and the President and Administration for their efforts to preserve and protect the Big Cypress Swamp, and does urge the passage of state and federal actions declaring the Big Cypress Swamp an area of critical state and national concern and providing for fee purchase of the Swamp as a Freshwater and Recreational Reserve.

Approved by the Florida Division of May 6, 1973 at its Annual Convention in Palm Beach Gardens, Florida.

STATEMENT OF PETER WILD, CO-CHAIRMAN, WILDERNESS COMMITTEE,
ARIZONANS FOR QUALITY ENVIRONMENT

As our natural areas, on which ultimately we all depend for life, continue to shrink, they become increasingly critical factors in maintaining the balance of our environment. The Big Cypress Swamp of Florida is a case in point.

Not only is the Swamp valuable for habitat protection, but it is vital for providing fresh water to the unique Everglades National Park. The simple fact is that the longer purchase is delayed, the more damage will be done to a precious resource that rightfully deserves protection as part of our country's natural treasure.

Some time ago the Administration decided to withhold funds from the joint state-federal project. However, not only environmental groups, such as Friends of the Earth and the Florida Audubon Society, but a wide spectrum of Florida's officials as well, including its Congressmen and Governor Askew, are aware of the critical situation and support acquisition. We wish to join them in urging Congressmen to recognize the long-term benefits of purchase by giving favorable consideration to the Big Cypress National Fresh Water Reserve bill.

[EDITOR'S NOTE.—The subcommittee received many communications indicating individual viewpoints which have been included in the files; however, relevant correspondence typical of these communications or which included substantive contributions or resolutions follows:]

STATE OF FLORIDA,
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND,
Tallahassee, Fla., February 15, 1973.

HON. JAMES A. HALEY,
Seventh Florida District,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN HALEY: Enclosed is a copy of a resolution executed by the members of the Board of Trustees of the Internal Improvement Trust Fund on the occasion of their formal acceptance of thirty acres of land in the Big Cypress watershed donated to the State by Mrs. Sandra Kay Hamilton.

The Board directed that a copy of the resolution be brought to the attention of each member of the Congress of the United States from Florida as an indication of the public interest and concern for the future of the Big Cypress watershed.

Sincerely,

JOEL KUPERBERG,
Executive Director.

Enclosure.

RESOLUTION

Whereas the Big Cypress Watershed is a unique and ecologically priceless natural resource of the State of Florida; and

Whereas the State of Florida is profoundly concerned and vitally interested in the protection and preservation of this natural resource; and

Whereas this priceless heritage was not recognized as such and was permitted to fall into private ownership over the course of many years; and

Whereas members of the United States Congress have expressed concern for the future of this natural resource and an intent on the part of the Congress to acquire the heartlands of the Big Cypress Watershed; and

Whereas, in matters of concern, often a dedicated and conscientious citizen will furnish the spark which lights the torch for others to carry in the accomplishment of deeds redounding to the benefit of generations to follow; and

Whereas Mrs. Sandra Kay Hamilton of Battle Creek, Michigan, has demonstrated her willingness to be such a person by donating to the State of Florida thirty acres of land owned by her within the Big Cypress acquisition area; and

Whereas the Trustees of the Internal Improvement Trust Fund wish to publicly acknowledge Mrs. Hamilton's philanthropy and her unselfish action, as well as to express to her the appreciation of the State of Florida for having set an example for others to follow: Therefore be it

Resolved by the Board of Trustees of the Internal Improvement Trust Fund, that the thanks of the Board on behalf of the State of Florida, is hereby expressed to Mrs. Sandra Kay Hamilton for her generous donation to this state; and be it

Resolved further, That this resolution shall be spread upon the minutes of this meeting and a copy hereby be suitably enrolled, signed and sealed and presented to Mrs. Hamilton, and a copy be directed to the attention of each member of the Congress of the United States from Florida as an indication of the public interest and concern for the future of the Big Cypress Watershed as part of the public domain in perpetuity.

WITNESS the signatures of the Trustees and the Seal of the Board at Tallahassee, Florida, this 6th day of February, A.D. 1973.

RESOLUTION NO. 1887

A resolution of the city council supporting purchase of a portion of "Big Cypress"; requesting compensation for lost ad valorem taxes resulting from said purchase and directing that copies of this resolution be forwarded to the Governor of the State of Florida, the State and congressional legislative delegations, and other appropriate congressional and senatorial representatives.

Whereas, the voters of the State of Florida have approved the expenditure of \$200,000,000 for the purchase of "Environmentally Endangered Land", and

Whereas, the highest administrative officials of our State have determined that it is suitable to expend \$40,000,000 to purchase acreage in the area known as "Big Cypress"; and

Whereas, the Board of County Commissioners of Collier County, Florida by Resolution adopted on April 18, 1973, has endorsed said purchase;

Now, therefore, be it resolved by the Council of the City of Naples, Florida:

Sec. 1. That the Council of the City of Naples supports and endorses the purchase of said acreage in the area known as "Big Cypress" for the sum of \$40,000,000, because it is important for the preservation of the water resources in Southwest Florida.

Sec. 2. That the County be compensated for ad valorem taxes lost as a direct result of such purchase at the rate of 80% for the year following removal of such lands from the tax rolls, said percentage to be reduced to 60%, 40%, 20% and to 0% in the succeeding years.

Sec. 3. That copies of this Resolution be forwarded to the Governor of the State of Florida, the State and Congressional Legislative Delegations and other appropriate congressional and senatorial representatives.

Passed in open and regular session of the City Council of the City of Naples, Fla., this 2d day of May, 1973.

Attest:

ELSIE LEHMAN, *City Clerk*

FLORIDA AUDUBON SOCIETY
Maitland, Fla., April 11 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing a resolution passed at the Annual Convention of the Florida Audubon Society on February 3, 1973. Since that time, of course, we have heard the good news about the action you helped bring about that may make acquisition of the Big Cypress a reality after all. I thought you might like to see the resolution and I apologize for not having sent it on to you earlier.

I do want to tell you how much all of us appreciate the great amount of work you did when you served as liaison between the state and federal government in working out the agreement to utilize funds provided by the state to make the initial purchases in the Swamp. The kind of leadership you have provided in your capacity as Chairman of the House Committee on Interior and Insular Affairs has given all of us great hope!

Thanks again for all your support.

Sincerely,

Enclosure.

HAL SCOTT,
Executive Director.

BIG CYPRESS SWAMP

Whereas the Big Cypress Watershed is vital to the ecosystem which provides critically important esthetic and economic benefits to the South Florida region; and

Whereas the Big Cypress Watershed provides approximately 56 percent of the water which flows overland into Everglades National Park; and

Whereas this fresh water supply and the nutrients entrained by it support the highly productive estuaries of Everglades National Park and the Ten Thousand Islands; and

Whereas the Big Cypress Watershed is currently experiencing explosive development growth, and the rate of this growth is rapidly increasing; and

Whereas this development growth imminently threatens the integrity and productivity of the Big Cypress Watershed; and

Whereas Florida Congressman James Haley has reintroduced legislation to establish the Big Cypress National Fresh Water Reserve to acquire lands and waters within this area for protection by the federal government; and

Whereas participation in this effort by the State of Florida is essential to the success of this federal effort to protect the Big Cypress Watershed:

Now therefore be it resolved by the Florida Audubon Society that Congressman Haley and Senator Henry M. Jackson be hereby commended for their leadership in pursuit of federal protection for the Big Cypress Watershed; and

Be it further resolved that the Florida Audubon Society hereby urges Governor Reubin Askew and the Cabinet of Florida to act in the support of the proposed acquisition of the Big Cypress Watershed by offering to the federal government for inclusion in the proposed area of federal acquisition of all lands currently held in free simple title by the state; and

Be it further resolved that Governor Reubin Askew and the Cabinet of the State of Florida be hereby urged to act in support of federal efforts to acquire the Big Cypress Watershed by authorizing the expenditure of state funds to assist the federal government to a certain percentage in defraying the expense of the acquisition of the Big Cypress Watershed; and

Be it further resolved that copies of this resolution be forwarded to Governor Reubin Askew, the Florida Cabinet, the Florida Congressional Delegation and representatives of the press and news media.

FLORIDA AUDUBON SOCIETY,
Maitland, Fla., February 27, 1973.

HON. JAMES A. HALEY,
House Office Building,
Washington, D.C.

DEAR MR. HALEY: On Thursday, February 22, 1973, we wrote you requesting your assistance in determining whether or not the President intends to include funds for federal acquisition of the Big Cypress Watershed in his 1974-1975 fiscal year budgets. On that same date, Undersecretary of the Interior John C. Whitaker announced to the House Interior Committee that no funds would be included in the President's 1974 budget.

This announcement comes only one week after the President listed the acquisition of the Big Cypress Watershed as one of his eight top priorities in the environmental message transmitted to Congress. In that message, the President said, "Prompt passage of Federal Legislation (to acquire the Big Cypress) would allow the Interior Department to forestall private or commercial development and inflationary pressures that will build if we delay."

It is difficult for us to believe that the President would urge Congress to act promptly to pass Big Cypress Acquisition Legislation one week, then attempt to quietly back out of this commitment just one week later. We can only conclude that Undersecretary Whitaker's remarks may not accurately reflect the President's intent as it was broadcast to the Nation in the February 15, environmental message.

Copies of our correspondence to the President, sent both before and after Undersecretary Whitaker's statement to the House Interior Committee, are attached. Florida Audubon urges you to take similar action to assist in obtaining a direct clarification of this matter by the President.

Sincerely,

HAL SCOTT,
Executive Director.

FEBRUARY 22, 1973.

President RICHARD M. NIXON,
The White House, 1600 Pennsylvania Avenue, Washington, D.C.

DEAR MR. PRESIDENT: We take this opportunity to express our sincere thanks and congratulations for your leadership in support of our efforts to have a major portion of Florida's important Big Cypress Watershed purchased and protected by the federal government. Your environmental message to Congress came as welcome news to Florida conservationists. As the enclosed copy of a Florida newspaper story will demonstrate, this message was widely applauded throughout the state.

We have, however, received numerous reports from various Washington sources which indicate your proposed budgets for fiscal years 1974 and 1975 *will not contain funding* provisions for the acquisition of the Big Cypress as proposed by the Department of Interior. While we assume that your public message of February 15 was intended to put such reports to rest, further clarification would be greatly appreciated. Will funding for acquisition of the Big Cypress Watershed be included in the 1974 and 1975 budgets? After such a long history of strong public support, it would be difficult for us to believe that you would allow funding cutbacks to stand in the path of protection for the Big Cypress.

Protection of the Big Cypress is the most critical and widely followed conservation issue in Florida. Your support of federal acquisition for this vital watershed has added great prestige and merit to the proposal. We respectfully urge your continued support and leadership.

Sincerely,

HAL SCOTT,
Executive Director.

FLORIDA AUDUBON SOCIETY,
Maitland, Fla., February 26, 1973.

President RICHARD M. NIXON,
The White House, 1600 Pennsylvania Avenue, Washington, D.C.

DEAR MR. PRESIDENT: On Thursday, February 22, 1973, we wrote you requesting clarification of your position on the proposed acquisition of the Big Cypress Watershed in southwest Florida. We are now informed by various newspaper accounts that on this same date Undersecretary of the Interior, John C. Whitaker, indicated to the House Interior Committee that there would be no funding in your 1974 fiscal year budget for acquisition of the Big Cypress Watershed.

As we indicated in our previous letter, it is difficult for us to believe that you would now knowingly allow funding cutbacks to block prompt acquisition of this critically important natural resource.

Your environmental message to Congress on February 15, contained the statement that, "Prompt passage of Federal Legislation would allow the Interior Department to forestall private or commercial development and inflationary pressures that will build if we delay." The contradiction between this statement and that made by Undersecretary Whitaker to the House Interior Committee seems impossible to reconcile.

We respectfully urge you to take personal action to clarify the obviously untenable situation which has developed with regard to your Administration's position on the acquisition of the Big Cypress Watershed.

Sincerely,

HAL SCOTT,
Executive Director.

THE IZAAK WALTON LEAGUE OF AMERICA,
May 17, 1973.

Hon. ROY A. TAYLOR,
*Chairman, Subcommittee on National Parks and Recreations,
 House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN TAYLOR: The Florida Division of the Izaak Walton League has requested me to forward the enclosed letter and resolution for inclusion in the record of the recent hearings on the proposed Big Cypress Fresh Water Reserve.

Sincerely,

MAITLAND SHARPE,
Environmental Affairs Director.

THE IZAAK WALTON LEAGUE OF AMERICA,
Islamorada, Fla., May 12, 1973.

HON. ROY A. TAYLOR,
*Chairman, Subcommittee on National Parks and Recreations,
House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN TAYLOR: Enclosed is a resolution passed at the Annual Convention of the Florida Division of the Izaak Walton League recommending that the federal government purchase the Big Cypress Swamp as a Freshwater and Recreational Reserve.

Sincerely yours,

MERRILL G. MURRAY,
President, Florida Division.

RESOLUTION

Whereas the South Florida ecosystem is an integral whole made of many inter-related and interdependent parts, including the Everglades, Everglades National Park, the Big Cypress Swamp and the 10,000 Islands, and

Whereas the South Florida ecosystem is a water-dominated, water-dependent system, and

Whereas the Big Cypress Swamp is the last major undisturbed watershed in South Florida, and

Whereas the continued existence of the Everglades National Park is dependent upon the Big Cypress Swamp, which contributes 55% to 65% of the surface water flowing into the Park, and which modulates the fresh water inflow extending the wet season there by supplying fresh water runoff for three to five months after the rainy season ends, and

Whereas the rich economic and recreational resources of the 10,000 Islands are dependent upon the overland flow of unpolluted water supplied by the Big Cypress Swamp, and

Whereas the aquifer recharged by the Big Cypress Swamp is the largest supply of potable water in Southwest Florida and is now and will increasingly be tapped for drinking water supplies, and

Whereas the Big Cypress Swamp is a rich and diverse resource in and of itself, serving as a habitat and refuge for many rare or endangered species of wildlife, birds, orchids, and other forms of life, and

Whereas development of the Big Cypress Swamp, now being threatened, would necessarily and detrimentally alter the quality, quantity, and seasonal pattern of flow of the surface and ground water,

Now Therefore Be It Resolved that the Big Cypress Swamp is a major resource of local, regional, and national importance worthy of protection, and

Be It Further Resolved that the Izaak Walton League of America, Florida Division, does hereby commend and support the Governor and Cabinet of the State of Florida, the Florida Congressional Delegation, and the President and Administration for their efforts to preserve and protect the Big Cypress Swamp, and does urge the passage of state and federal actions declaring the Big Cypress Swamp an area of critical state and national concern and providing for fee purchase of the Swamp as a Freshwater and Recreational Reserve.

Approved by the Florida Division on May 6, 1973 at its Annual Convention in Palm Beach Gardens, Florida.

THE IZAAK WALTON LEAGUE OF AMERICA,
Islamorada, Fla., February 15, 1973.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs, House of Representatives,
United States Congress, Washington, D.C.*

DEAR CONGRESSMAN HALEY: On behalf of the Florida Division of the Izaak Walton League, I want to express our appreciation for your introduction of H.R. 46, to authorize the acquisition of the Big Cypress National Fresh Water Reserve in the State of Florida. We consider this to be of vast importance to the preservation and future of south Florida and the Everglades National Park.

The Izaak Walton League of America, at its annual convention in Chicago on July 17-20, 1972 passed the following resolution:

The Big Cypress Swamp, Florida's water recharge for Southwest Florida including the Everglades National Park is under threat by water consuming development. The Izaak Walton League fully supports Federal acquisition of

the Big Cypress Swamp as the only means available for the preservation of this eco-system.

I hope that you will give high priority and early hearing on this bill. When a hearing is held, I would appreciate your placing this letter in the record.

Sincerely yours,

MERRILL G. MURRAY,
President, Florida Division, Izaak Walton League of America.

FLORIDA KEYS RECREATION AND CONSERVATION COUNCIL
Monroe County, Fla., January 23, 1973.

Hon. JAMES A. HALEY, M.C.
*Houses of Representatives
Washington, D.C.*

DEAR MR. HALEY: I am attaching a copy of a resolution passed by the Council on January 16, 1973 concerning the future of the Big Cypress Swamp. The Council is aware of your interest in the Big Cypress and hopes that you will continue to exert your influence toward its preservation.

Respectfully yours,

C. DUDLEY WITHERS
President.

RESOLUTION ON BIG CYPRESS SWAMP

Whereas, the Big Cypress Swamp is one of the main sources of water supply for the Everglades National Park, and

Whereas, an adequate water supply is essential in Everglades National Park to provide brackish water, which is the breeding and nursery ground for shrimp and other marine life that migrates to the water surrounding the Florida Keys, and

Whereas, shrimp and marine life are vital to the economy of the Keys, being the basis of its sport and commercial fishing,

Therefore, Be It Resolved that the Florida Keys Recreational and Conservation Council urges that legislation be enacted by Congress this year providing for the acquisition of Big Cypress Swamp and preservation of it as a national recreational area; and

Be It Further Resolved, that a copy of this resolution be sent to the Mayor of Monroe County, the Governor of the State of Florida, the President, the Chairman of the Interior Committee of both houses of Congress, and the Congressional Delegation of Monroe County.

FRIED, FRANK, HARRIS, SHRIVER & KAMPELMAN,
Washington, D.C., May 16, 1973.

Hon. ROY A. TAYLOR,

*Chairman, Subcommittee on National Parks and Recreation, Longworth House
Office Building, Washington, D.C.
(Attention: Mr. Lee McElvain)*

DEAR CONGRESSMAN TAYLOR: I am writing on behalf of our client, the Miccosukee Tribe of Indians of Florida, and request that this letter be included in the record of the hearings recently concluded on H.R. 46. In the last Congress a statement on behalf of the Miccosukee Tribe requesting two changes in the predecessor of H.R. 46 was filed with the Subcommittee. The purpose of this letter is to reaffirm the Tribe's request on these two points.

First, the Tribe requests that Section 5 of the bill be modified to provide that the Miccosukees and the Seminoles may continue their usual and customary use and occupancy, rather than that the Secretary of the Interior may authorize them to continue such use and occupancy.

Secondly, the Tribe requests that the Tribe, as such, be given a right of first refusal on the provision of revenue-producing visitor services. The Tribe feels that such a provision is justified by the Tribe's historic association with these lands for at least a century and a half.

Sincerely,

S. BOBO DEAN.

THE IZAAK WALTON LEAGUE OF AMERICA,
Islamorada, Fla., June 4, 1973.

Representative ROY A. TAYLOR,
Chairman, Subcommittee on National Parks and Recreation, House of Representatives, U.S. Congress, Washington, D.C.

DEAR CONGRESSMAN TAYLOR: Both Houses of the Florida Legislature, by an overwhelming vote have authorized the expenditure of \$40 million for the purchase of critically endangered land in the Big Cypress Swamp, and this action is certain to have the approval of Governor Askew.

We hope that, in the light of this action, your Committee will speedily approve legislation for federal acquisition of the remainder of the Big Cypress Swamp and the creation of the Big Cypress National Fresh Water Reserve.

Sincerely yours,

MERRILL G. MURRAY,
President, Florida Division Izaak Walton League of America.

MAY 10, 1973.

HON. JAMES A. HALEY,
Chairman, House Committee on Interior and Insular Affairs.

MR. CHAIRMAN: In as much as I am unable to attend your hearing in Washington this day and tomorrow, I wish to offer the following for your consideration.

I am an aircraft mechanic who owns some land out in the Big Cypress, not a swamp, swamps don't burn—but three weeks ago I attended another hearing (State) on the Big C. Takeover in Naples and had to drive thru dense smoke while crossing Alligator Alley to get there.

Enclosed you will find copies of letters (1966) offering to lease some of my land (they did) and others which report on oil production today in Florida. You will notice that oil has been found along the gulf all the way from California into Florida and I have no reason to doubt that I will see some production under my leases before they expire. One of the original test wells was in fact drill at the forty (40) mile bend and this is only a short way from my land which is under lease.

We refer to this as a land grab because of the number of bills put forth in Congress and the three hundred million (300,000,000) dollars is like peanuts when the potential of this 547,000 acres is honestly considered.

Need for water from this area (Big C.) has been proven to be a farce, since this area isn't in flood control dist.

Sincerely,

J. P. POGLITSCH,
Miami, Fla.

SUN OIL Co.,
Philadelphia, Pa., May 3, 1973.

Mr. J. P. POGLITSCH
Miami, Fla.

DEAR SIR: In response to your postal card of April 28, 1973, I am pleased to enclose a copy of our Annual Stockholders Report for 1972.

In response to your specific question concerning our exploration operations in Florida, I quote from a recent report by John H. Douma, Vice President, Production of the North American Exploration and Production Division:

In the Jay Field, perhaps the most significant onshore field discovered in the Lower 48 States during the past ten years, we have completed six Sun-operated wells and have an interest in 30 additional wells operated by others. Sun's share of production there is more than 5,000 barrels per day. Our 6,500-barrel-per-day facility to remove sulphur from the Sun-operated production was designed and installed in a remarkably short period of time, helping to bring these wells on production at the earliest possible date and to maximize our competitive position in this field.

We thank you for your interest in our Company.

Very truly yours,

WM. R. NAYLOR,
Manager, Wholesale Sales, Sun Oil Co.

MOBIL OIL Co.,
Jackson, Miss., March 23, 1966.

Re: Und. $\frac{1}{2}$ min. Int. in 5 acres, more or less, section 16, Township 54 South,
Range 34 East, Monroe County, Florida

Mr. JOHN P. POGLITSCH
Miami, Fla.

DEAR MR. POGLITSCH: Socony Mobil Oil Company, Inc. is currently securing oil, gas and mineral leases in the area of your caption land. We are paying the landowner one dollar (\$1) per net acre per year for ten year term leases; the lease provides that in the event of production the lessor will receive one-eighth ($\frac{1}{8}$) of the production as a royalty free of production and operating costs.

According to the record on file in the courthouse, you are the owner of the captioned property, and we would like to include this land in our leasing program. We have been successful in acquiring leases from Paolita Acres, Inc. and Miami-Gulf Land Investors, Inc., et al, covering the outstanding mineral interest under your tract. We are enclosing for your consideration our lease form and bank draft covering your interest for the first year and ask if same meets with your approval to follow the below instructions in executing:

1. If married, fill in your spouse's name at the top of the lease.
2. In paragraph four (4) fill in the name and address of your local bank.
3. You and your spouse sign the lease on the bottom right-hand side in the presence of two witnesses and a Notary Public.
4. Have the two witnesses sign at the bottom left-hand side of the lease form.
5. Have the Notary complete the acknowledgement on the back of the lease and affix his seal thereto.
6. Endorse the draft and attach to the executed lease and turn the papers over to your local bank who will forward to our bank for collection. (If you prefer you can send the papers direct to this office and we will forward you our Company check.)

We sincerely thank you for your cooperation in this matter and if you have any questions, please do not hesitate to call on us.

Yours very truly,

D. K. ROBERTSON.

MOBIL OIL Co.,
Jackson, Miss., March 29, 1966.

Re: Proposed oil, gas and mineral lease covering undivided one-half interest 5 acres, more or less, Section 16, Township 54 South, Range 34 East, Monroe County, Florida

Mr. JOHN POGLITSCH
3255 Northwest 81 Terrace
Miami 47, Florida

DEAR MR. POGLITSCH: We are in receipt of your letter dated March 26, 1966, and accordingly, we are enclosing a copy of the caption lease for your file.

Regarding your inquiry as to your additional holdings in Monroe County, please be advised that 120 acres are within our buying outline viz.:

- 40 Acres—Section 34, Township 54 South, Range 34 East
- 40 Acres—Section 11, Township 54 South, Range 33 East
- 40 Acres—Section 7, Township 54 South, Range 33 East

If you would like to lease this acreage to us on the same terms and conditions as outlined in our letter of March 23, please furnish us with the following information and we will prepare the necessary papers and forward to you for execution:

1. Complete description as to quarter/quarter section.
2. Your mineral ownership under each tract.
3. Your wife's name, if married.
4. The name and address of your local bank.

Thank you for your kind letter and cooperation in this matter.

Yours very truly,

D. K. ROBERTSON,
Land Department.

COLLIER COUNTY AUDUBON SOCIETY,
Naples, Fla., May 1, 1973.

HON. JAMES HALEY,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE HALEY: The Collier County Audubon Society Board of Directors, backed by over 2600 members wishes to go on record as being in favor of protecting the Big Cypress Swamp. This area is not only a critical water source, but is a habitat for many rare species of plants, birds and other wildlife.

We hope it will be preserved for the benefit of future generations.

Sincerely yours,

SEWELL H. CORKRAN,
President.

NAPLES WOMAN'S CLUB,
May 9, 1973.

HON. ROY A. TAYLOR,
Chairman, House National Parks and Recreation Subcommittee,
Washington, D.C.

DEAR CONGRESSMAN TAYLOR: Enclosed find copy of Resolution passed by Naples Woman's Club of Collier County, Florida.

Ours is a club of 571 active members, deeply concerned because the natural resources of our lovely area are being systematically destroyed by over development.

Thank you.

MRS. HAROLD BARCLAY,
Conservation Chairman, Naples, Fla.

BIG CYPRESS SWAMP ACQUISITION BY THE FEDERAL GOVERNMENT

Whereas, The Naples Woman's Club voted on March 14, 1973, to reaffirm the Resolution concerning "Acquisition of Big Cypress Swamp by the Federal Government", adopted by the Naples Woman's Club Executive Board on March 5, 1973, written as follows:

Whereas, Since the President of the United States, recently announced his eight priorities for congressional action and on February 23, 1973, reversed himself in respect to Federal Acquisition of Big Cypress Swamp by declaring an eighteen month delay in such action, describing such delay as a necessary economy measure and

Whereas, We live here and are better advised. In less than eighteen months, land price will have advanced and damaging development already in progress, will have accelerated and

Whereas, Private drainage will further affect the Everglades and the Ten Thousand Islands, which is the nation's very richest marine nursery and salinity change will kill young marine life and eventually end the seafood industry dependent on this estuarine area as a marine nursery and

Whereas, There has been great protest from Governor Askew, Senators Gurney and Chiles, conservation organizations and conservation minded citizens; therefore

Resolved, That the Naples Woman's Club request the Florida Federation of Women's Clubs to pass a resolution strongly urging President Nixon to immediately ask the congress to pass legislation and provide funds for Federal Acquisition of Big Cypress Swamp and if the President fails to act, to ask the congress to initiate its own action to this end.

Submitted by: Naples Woman's Club, Mrs. Harold Barclay, Chairman of Conservation.

NAPLES, FLA.

HON. ROY TAYLOR,
Chairman, Subcommittee National Parks and Recreation,
Longworth Office Building, Washington, D. C.

DEAR SIR: Following is a resolution by the Naples Garden Club favoring the acquisition of the Big Cypress Swamp which we wish to bring to your attention. A copy of this resolution is being sent to all our representatives in the U.S. Congress, to Mr. Taylor, chairman of the subcommittee of National Parks and Recreation, and to our representatives in the Florida Legislature.

Whereas :

Since President Nixon has agreed to seek quick federal funding to purchase the 522,000 acre watershed (Florida's Big Cypress Swamp) and since Governor Askew has agreed to ask the legislature to appropriate \$40 million of Florida's estimated \$265 million surplus to begin immediate acquisition of the Swamp.

Therefore resolved :

That the Naples Garden Club praise this action by President Nixon and Governor Askew, and that the Naples Garden Club give its heartfelt thanks to them for this action.

We will very much appreciate your support of the President and Governor Askew in this effort.

Sincerely,

MRS. SEWELL H. CORKRAN, JR.,
Legislative Chairman.

OCHOPEE, FLA.
May 14, 1973.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
U.S. House of Representatives,
Longworth Office Building, Washington, D.C.

DEAR SIR: I own a small grocery & General merchandise Store in Ochopee. I own 5 acres surrounding the store and a home and 17 acres on the opposite side of the road. I bought this property 19 years ago, not for speculation, but for a home. I have never sold any property here. My land is not a swamp. I have never farmed it, but the old timers here have told me that they have and the tomatoes, etc. grew without fertilizer as it's black soil. Now I hear the Federal Government wants our land. Why? Why don't they use the Everglades park for recreation? It would be a lot more economical for them.

I have tried very hard to be a good American. I salute the flag. I say my prayers and I pay my taxes. Sometimes have to eat grits & gravy but enjoy that too. Now, if the Federal Government does take our land that is Russia's tactics.

The Everglades Park does not get water from our side. I try & keep the canal clean in front of my house & property. We preserve wild life to the utmost. I feed wild quail, coots, etc. As they feed with my geese.

I fought to get help for a wounded eagle that friends of mine found. A conservation officer refused to help the great Everglades National Park Service refused, and the National Audubon Society had no way to help it, but I furnished sirloin steak and the eagle ate it.

The Crandon Park Zoo in Miami accepted it, and nursed it back to health and released it to a place in Maryland, hoping it would accept a mate. It could only fly a little. I feel people like my friends benefit the Ochopee Area a lot better than all the bird watchers and Federal rangers. Please don't take our land—a true fighting American.

Thank you.

FRANCES WATSON.

Representative ROY A. TAYLOR,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE TAYLOR: I own 80 acres of land in the Big Cypress. Most of my savings are invested in that land. Please, if you take the Big Cypress, pay us for our land very soon. I am 71 years old. I can't wait for my money.

If this is really a land with liberty and justice for all you will not take our land and promise to pay for it in a few years. A few years is too late for me. I worked hard for my money.

HENRY JOHNSON.

NAPLES, FLA.,
May 7, 1973.

HON. JAMES HALEY,
Chairman, Subcommittee on Interior and Insular Affairs,
Washington, D.C.

DEAR CONGRESSMAN HALEY: I am a property owner within the proposed Big Cypress Purchase area. It is my fervent hope that this Big Cypress watershed area will be protected from further drainage and development by joint action of the State of Florida and the federal government.

Being a native Floridian, I have become intimately knowledgeable about the Big Cypress thru over thirty years of hunting, fishing and just enjoying its unique beauty.

Those who wish to develop this area for profit must not be allowed to prevail as they have so often done in the past.

I strongly urge you and all responsible persons to continue working to make the Big Cypress watershed purchase a reality.

Sincerely,

FRANKLIN B. ADAMS.

MIAMI, FLA., May 16, 1973.

Representative JAMES A. HALEY,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HALEY: Discussions on government purchase of the Big Cypress are apparently concluded. Without considering the merits of this land acquisition, there is one most important point to remember. Much of the Big Cypress belongs to older citizens like myself. The land represents, in many cases, a substantial share of our life's savings. The most unfair move the government could make would be to take the land and promise to pay for it later—the last Everglades National Park addition took more than 13 years before full payment was made. This would mean many of us would never live to use the money we worked many years to earn.

Take our land if you must, but for God's sake pay us for it promptly so we, not our heirs, may use the funds.

Cordially,

T. J. COSTELLO.

MAY 14, 1973.

HOUSE SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION,
Longworth House Office Building,
Washington, D.C.

DEAR SIR: We hope very much that this bill to establish a Big Cypress National Fresh Water Reserve in Florida will pass as it is vital to the future of the State.

Florida has a peculiar aquifer and the pressure of the underground water is all that keeps the salt sea water from penetrating the underground waters and poisoning them with its salt. If Big Cypress is preserved the Everglades will be safe (or at least relatively so) and as long as these areas are safe Florida's waters will be safe. Various commercial interests which think only of today's profits think it good business to drain the wetlands so that they can make housing developments, ranches, or groves. But if they destroy these shields against the sea the seawater will permeate the aquifer—then this brackish water will kill their groves and their cattle and it will kill their tourist industry as there will be no fresh water to drink or for other purposes unless it is brought in. This would also destroy the already established towns—no one can live without.

If Big Cypress is lost then the Everglades will die so we beg of you to pass this bill—not only to save the Glades but for the sake of saving this.

Yours truly,

ETHEL W. THORNILEY.

SOUTHWEST MIAMI HIGH SCHOOL,
Miami, Fla., May 17, 1973.

Representative JAMES HALEY,
Interior and Insular Affairs, House Committee, House of Representatives, Wash-
ington, D.C.

DEAR REPRESENTATIVE HALEY: The enclosed petition represents a "grassroots" effort by high school students at Southwest and other schools throughout Dade County. We have collected over 12,000 signatures so far.

We would appreciate your help by placing our petition in the Congressional Record of your Committee.

Thank you.

Sincerely,

THOMAS F. JAMISON,
S.O.S. Faculty Advisor.

A PETITION TO THE PRESIDENT OF THE UNITED STATES

We, the people of South Florida, having a just concern for the ecology of our region and for the protection of this and the future generations of Americans, do respectfully petition The Honorable Richard M. Nixon, President of the United States, to hear our *urgent* plea for the immediate joint federal-state purchase of *all* of the area of South Florida known as Big Cypress Swamp.

Recognizing your great love for and enjoyment of the climate of South Florida, we feel certain that you share our concern for the preservation of the Big Cypress area.

Whereas, the Big Cypress Swamp is a distinctive ecological community, serving as the *vital* watershed for the Everglades National Park, and is essential for the survival of the adjoining animal, plant and human communities of South Florida;

Whereas continuing land development construction, the digging of drainage canals, the building of roads and houses all threaten the natural flow of fresh water to the estuaries that are *essential* to the food chain systems of wildlife and commercial fishing;

Whereas, officials of your administration have recommended an *18-month delay* in using federal funds for the purchase of the Big Cypress, thus allowing more drainage and building to proceed, and increasing land values to the point where the purchase of all the Big Cypress area may become financially impossible, far exceeding the present estimated cost of \$180,000,000.

Whereas, Florida's Governor Reubin Askew has asked the 1973 Florida Legislature to appropriate \$40,000,000 to begin buying the Big Cypress area;

We *petition* you, Mr. President, as the representative of all the people of the United States, to join with Governor Askew in a joint federal-state effort to buy the Big Cypress area by asking Congress to appropriate the necessary federal funds in the 1974 fiscal budget.

We further *petition* you, Mr. President, to use the power and influence of your office to publicly announce your support for buying the entire Big Cypress area immediately.

Respectfully submitted by the people of South Florida for your urgent consideration.

