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THE EVERGLADES: PROTECTING NATURAL TREASURES THROUGH INTERNATIONAL ORGANIZATIONS

HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, DEMOCRACY AND HUMAN RIGHTS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

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THE EVERGLADES: PROTECTING NATURAL TREASURES THROUGH INTERNATIONAL ORGANIZATIONS

WEDNESDAY, SEPTEMBER 19, 2007

U.S. SENATE,
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, DEMOCRACY AND HUMAN RIGHTS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3 p.m., in room SD–419, Dirksen Senate Office Building, Hon. Bill Nelson, chairman of the subcommittee, presiding.

Present: Senator Nelson.

OPENING STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Senator BILL NELSON. Good afternoon. Thank you for coming. We are convening this Subcommittee of the Senate Foreign Relations Committee which has jurisdiction over the United Nations.

And we're here to determine and evaluate the strong implications of the removal of the Florida Everglades, which is a critical habitat, a critical ecosystem on Planet Earth from the list of endangered heritage, to which it was so designated in 1993 by the World Heritage Committee. It was designated as an exceptional World Heritage Site by the United Nations in 1979, and then again a Wetland of International Importance in 1987.

And, we're here to examine the question of how it was delisted from the United Nations list of sites that are in danger. It is in grave danger and it is suffering from years of neglect and indeed over a half century of changing the way that Mother Nature deals with the handling of this ecosystem. And now the attempts are being made to correct how mankind has intervened with Mother Nature.

And so we now come to the question of the administration having removed the Florida Everglades National Park from the World Heritage list of sites in danger. And now, the very first of authorization projects to implement what was passed in the year 2000, referred to as CERP, the Comprehensive Everglades Restoration Plan, and for the first time, the authorization of projects to do that, and lo and behold, the President is threatening to veto the Water Resources Development Act, which contains two vital projects to the Everglades restoration and its restoration plan.

And then we're in an era in which, lo and behold, a major Presidential contender yesterday, in Florida, refused to rule out drilling for oil in the Everglades.

Now, if all of this is taken into context, it seems to suggest that there is no commitment to restoration. And we have to be concerned about the matter that we're going to examine today—Is this an administration which is faltering in its commitment to restore the Everglades?

Now, first it removed the Everglades from the World Heritage list of sites in danger. So, if—I want to hold up these two reports. OK, this is a report that was done in May 2007, the eighth paragraph reads, "It decides to *retain* Everglades National Park, United States of America on the list of the World Heritage endangered." Two months later, the bulk of the report had not been changed, but one word had been changed in the conclusion. No. 8, "Decides to *remove* Everglades National Park, United States of America from the list of World Heritage endangered." It changed four letters in the word, by changing "retain" to "remove" and thus completely undercut those of us who are desperately trying to restore this incredible ecosystem called the Everglades.

I am going to insert in the record an opening statement and we will insert into the record the written testimony of each of the three witnesses today.

[The prepared statement of Senator Nelson follows:]

PREPARED STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Good afternoon and welcome to today's hearing. Today the committee will examine the removal of the Florida Everglades from the U.N.'s list of World Heritage Sites in Danger, and how we can better protect our natural treasures through our membership in international organizations.

We are joined today by Deputy Assistant Secretary of State Gerald Anderson, Deputy Assistant Secretary of Interior Todd Willens, and the Director of the Government Accountability Office's Natural Resources and Environment Team, Ms. Anu Mittal.

I would like to begin by thanking all of our witnesses for taking the time to come and speak with us today about this vitally important issue.

Ladies and gentlemen, we are here to discuss one of the most unique ecosystems in the world—a landscape so exceptional that it was designated:

- An International Biosphere Reserve in 1976;
- A World Heritage Site by the United Nations in 1979;
- A Wetland of International Importance in 1987.

Today, this ecosystem is endangered by actions that have so disrupted the cycle of nature that according to our own National Park Service, at least 15 species of fauna indigenous to it are endangered.

This ecosystem, the Florida Everglades, was designated a National Park in 1947. According to the National Park Service, "A 93-percent drop in the population of wading birds nesting in the Everglades over the last 60 years, toxic levels of mercury found in all levels of the food chain, the die-off of sea grass in Florida Bay, and endangered species such as the wood stork and Florida panther are all indicators that something is seriously wrong in the ecosystem of South Florida."

In 1993, following extensive damage from Hurricane Andrew, the Everglades were added to the list of World Heritage in Danger. That list is maintained by the United Nations Educational, Scientific and Cultural Organization, commonly known as UNESCO.

In 1996, in response to growing signs of ecosystem deterioration, Congress formally established the South Florida Ecosystem Restoration Task Force. The Task Force, which includes representatives from relevant Federal agencies, State and local governments, and Native American tribes, was charged with coordinating restoration activities in the Everglades.

In 2000, the Comprehensive Everglades Restoration Plan was enacted. The plan has been described as the largest ecosystem restoration project in the world. The international significance of the project cannot be denied.

Yet today, while over 220 restoration projects have been identified, only 43 have been fully implemented. And according to the GAO, from which we will hear today, the most critical of these projects, among those identified in the 2000 Comprehensive Everglades Restoration Plan (CERP), are nowhere near being completed.

In fact, while the Federal Government pays lip service to restoring the Everglades, it has dedicated very few of the resources it promised to restore the Everglades.

According to a recent National Academy of Sciences report, "Federal expenditures [on the Comprehensive Everglades Restoration Plan] from 2005 to 2009 are expected to be only 21 percent" of a multibillion dollar program the Federal Government committed to funding half of. As of now, the Federal Government is over a billion dollars short in its contributions.

For the first time in 7 years, Congress has an opportunity to pass the Water Resources Development Act which provides $2 billion in authorizations for the Everglades and moves forward the first two restoration projects since 2000—the Indian River Lagoon and Picayune Strand. Yet the President, who claims to support the restoration of the Everglades has threatened to veto the bill.

Even more troubling, it appears that our Federal Government is working to actively undermine the Everglades through its membership in international organizations. This year, despite the lack of progress on Everglades restoration, the failure to meet the Park Service's own restoration benchmarks, and in spite of the opinion of numerous scientific experts that the Everglades remain endangered, the Bush administration sent a delegation to the May 2007 World Heritage Committee meeting that recommended that the still endangered Everglades be removed from the list of sites in danger.

As I wrote to Secretary Kempthorne this summer, there are some very legitimate concerns raised by this decision and the events surrounding it that I hope to explore here today.

First, how did this happen? How is it that an endangered World Heritage site for which restoration projects have fallen far behind schedule can be reasonably considered by the U.S. Government to be a legitimate candidate for removal from this list?

Second, who is responsible for this decision? Was this the work of an individual, or is this decision in line with official guidance from the administration? Either way, how can we reverse this ill conceived action?

Third, how do we ensure that sound, scientific judgment forms the basis for any and all future such decisions?

And finally, how can the United States work within international organizations to protect sites of significant world heritage such as the Everglades by establishing procedures to ensure they are not prematurely removed from such an important list.

Senator NELSON. So, what I am going to do, is get right into the issue and examine it.

And, so Mr. Willens—and we are pleased to have here today Mr. Todd Willens, who is Deputy Assistant Secretary for Fish and Wildlife and Parks. Keep those up—I want to refer to the change of that word, to that word, from May to July. Mr. Willens, I would like you to explain who in the U.S. delegation was responsible for the change?

STATEMENT OF TODD WILLENS, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

Mr. WILLENS. Well, the change itself was the responsibility of the World Heritage Committee. In May, there was a draft decision, and as with all draft decisions, they are circulated amongst the parties in preparation for the meeting that took place in June in New Zealand. And the draft, at that time—as it is reflected there in the May 2007 exhibit—was to retain.

As the Committee met, reviewed the status reports, and consulted amongst themselves, and the United States, it was the deci-

sion by the Committee to change the last word from "retain" to "remove" the Everglades, as a result that the Committee was satisfied that the purposes of listing the site on the in danger list had been met.

Senator BILL NELSON. Mr. Willens, now you're talking about the Committee. But on July 31, you told Craig Pitman of the St. Petersburg Times, and I quote, "I changed the last sentence of our report and said we wanted to be taken off."

Mr. WILLENS. We proposed it, and the Committee ratified it. We can't do anything just by ourselves, the Committee itself agreed unanimously to make that change.

Senator BILL NELSON. Mr. Willens, is it not true, in order to change any item on the list of in danger sites, that it takes only the country that is the host country to that in danger site to change that?

Mr. WILLENS. No; it requires a vote of the Committee, and there are 21 members, and we are only one member of that Committee, and it requires the—I don't know if it's two-thirds of the majority of the Committee, but it requires the Committee—and they like to do things, they prefer to do things by consensus, as they did in this case.

Senator BILL NELSON. To the contrary, isn't it true that no site will be delisted, taken off the list of in danger sites, unless the host country takes the action to strike it off?

Mr. WILLENS. I believe as part of collegiality, the Committee looks to give deference to the range country. And, I believe that is a weighing factor. I'm not aware that that is an absolute requirement, it is something that we evaluate, the United States, as we review and we look at other issues, where does the range State come in on an issue. And, in this case, I do believe it was important for the Committee to hear from the United States.

Senator BILL NELSON. And, I want the record to show that clearly the United Nations Committee will not take an item off the list, and as a matter of courtesy, for the host country, unless that host country requests it. Is that what you did? You request that it be taken off the in danger list?

Mr. WILLENS. We did.

Senator BILL NELSON. We.

Mr. WILLENS. Yes.

Senator BILL NELSON. You did?

Mr. WILLENS. The delegation as a whole, and the administration requested this.

Senator BILL NELSON. Who was speaking for the administration at the time?

Mr. WILLENS. I believe that I had the microphone at the time, and made the statement.

Senator BILL NELSON. OK, and what was the reason that you decided to make that change within a 2-month period, after this report had been issued, with nothing having changed in the report, except that conclusion?

Mr. WILLENS. We arrived in Christchurch for the meeting, and we were approached by several other delegations who were on the Committee. They were—as this issue was on the first day and one of the first items of substance to come up, a number of other coun-

tries had reviewed the information and the record that led up to this, since this had been on the in danger list since 1993, and felt that with our leadership on providing benchmarks and being responsive to the request of the Committee for numerous years, that they noted that for previous Committee meetings, when Everglades had been presented and discussed as how we're making progress, and how projects are progressing, there had been numerous statements prior to this meeting that members of the Committee felt that we were approaching—and even in some cases, some believed that it should have been removed at previous meetings of the Committee.

I think it was a culmination of those views and discussions that took place again, and presented themselves to us when we arrived. And that it was fairly clear that it was the sentiment of the Committee, with an international perspective, that they felt we had responded to the requirements, and jumped through the hoops, so to speak, that they had wanted us to do. While Everglades restoration was not completed, and that we still have a great deal to go forward with, again it was the purpose of listing in danger for a country to be responsive, set a plan forward, completion is not a requirement of getting off the in danger list. And the Committee, therefore, moved with this.

Senator BILL NELSON. How do you say that progress has been made since CERP was set up, when in fact, not one project has been authorized, which we're desperately trying to do with the current Water Resources Development bill?

Mr. WILLENS. Well, as the GAO report states, that of the 220 separate Everglades restoration projects they looked at, 43 have been completed, 107 are underway, and 26 are in design. Now, while there is still a large portion, and important projects still that need to be done, that the commitment by the United States, and that there has been work done, was satisfying to the Committee.

Senator BILL NELSON. Forty-three have been done, but are you aware that most of those 43 were done prior to, or given the authorization for, prior to the comprehensive Everglades Restoration Plan being enacted in 2000, and not one has been authorized since?

Mr. WILLENS. One hundred and seven are underway. And the 43, while they were done prior to CERP, they still are important to the ecological restoration of the Everglades.

Senator BILL NELSON. Let me show you why you're wrong. Hold out the visual, OK. You'll hear a word called, a term called "mod waters" and that refers to this water that comes naturally from the north into Lake Okeechobee, and then under Mother Nature flows south, and then out into Florida Bay and into the Gulf of Mexico.

That water is blocked because of what mankind has done, draining the water off to tide, and then in the 1920s, erecting a dike called Tamiami Trail, which serves as a dike. The modification of the waters is an effort to get the water being retained north of the dike, the Tamiami Trail, to the Everglades National Park. The site on the in danger list is the Everglades National Park. That is this site, and this is the site that is starved for water, because the water is being held back beyond this dike called Tamiami Trail.

Now, those are the projects—in order to accomplish that—that have not been completed. This is an environmentally endangered

site that is in distress and for you and the administration and—were you, in fact, ordered by any one of your superiors to take this action?

Mr. WILLENS. No.

Senator BILL NELSON. Upon what authority did you feel like that you could represent the United States?

Mr. WILLENS. As cohead of the delegation to the World Heritage Committee. And, as part of that, we consulted with our delegation, which comprised our experts from the National Park Service and we had our reports that were submitted in February, our scientific reports, and plenty of information available to us at the meeting.

Senator BILL NELSON. Did the Secretary of the Interior or the Deputy Secretary send instructions to you to take this off the list?

Mr. WILLENS. No.

Senator BILL NELSON. So, you felt like it was your authority to make this decision for the United States of America?

Mr. WILLENS. Well, we believe that authority rested in the previous work that the previous Committees had done. That there was nothing secret nor was this not the ultimate goal of listing it as in danger. As you look back in the history of the previous reports and comments of the Committee, they had always hoped—and the goal of putting as in danger was always removal. And while we realized that earlier than we had expected, that many had thought it would still be a couple of years going forward that the Committee would think that we had met those goals, it was apparent to us that it was unanimous, that the Committee was satisfied with their evaluation, and therefore took the action that they did.

Senator BILL NELSON. Are you aware that so many of the goals that had a deadline that would already have been achieved have mostly either been considerably delayed in this project, or it is yet to be determined when these goals would be reached?

Mr. WILLENS. We—the Committee and the United States is aware that we are behind on some of the timelines that related to the projects, but that the commitment remains, as represented in the President's budget, and represented in our support for the language, specific to Everglades in the WRDA.

Senator BILL NELSON. Mr. Willens, why don't—for the record—in your position as Deputy Assistant Secretary, why don't you outline your responsibilities briefly, in this position?

Mr. WILLENS. The Office of the Assistant Secretary for Fish and Wildlife and Parks is delegated authority by the Secretary to oversee the Fish and Wildlife Service, and the National Park Service from policy and management. The Office of the Assistant Secretary coordinates and consults with the Director of the Fish and Wildlife Service, and the Director of the National Park Service on all issues, regarding policy, budget and management, and that we report to the Secretary the progress and oversight of those Departments, and work with those agencies to further the policies of the administration in compliance with Federal law.

And, my job, as Deputy Assistant Secretary, is to aid the Assistant Secretary in that job. And my portfolio is international issues—whether it's Fish and Wildlife Service and National Park Service, and outside of that, my focus is Fish and Wildlife Service management related to nonendangered species issues.

Senator BILL NELSON. And, when you said that the other Member Nations concurred, is it not true that had the United States stated that it needed more time to evaluate the progress on the benchmarks, that no country at that meeting would have disagreed?

Mr. WILLENS. It's probable. We did not—that did not happen, so I can't answer that, you know, affirm that.

Senator BILL NELSON. That has been the history of that list.

Mr. WILLENS. Historically, yes.

Senator BILL NELSON. That's correct. That is the standard operating procedure of that Committee.

Would you describe your work experience as a congressional member of staff as well as your position as a lobbyist?

Mr. WILLENS. What details would you like on that?

Senator BILL NELSON. Well, for whom did you work in the Congress?

Mr. WILLENS. I've had several jobs in the House of Representatives. I was the senior policy director for the then-House Resources Committee. Before that, I was the legislative director and legislative assistant and other positions for Congressman Richard Pombo, and prior to that, I was a legislative aide for Congressman Jerry Lewis.

Senator BILL NELSON. And, Congressman Pombo, was he the chairman of that committee?

Mr. WILLENS. At the time, yes. When I was senior policy director.

Senator BILL NELSON. And then, since leaving there, can you outline your position as a lobbyist?

Mr. WILLENS. I have not been a lobbyist since leaving my job with House Resources Committee. I was a lobbyist before that time; I was a lobbyist for Feld Entertainment, Inc., and represented them on various issues—Federal, State, international and local levels.

Senator BILL NELSON. In your time working for Representative Pombo, were you involved in proposals that came out of his office to sell various National Parks?

Mr. WILLENS. I was on the committee when the internal review of how we better manage our National Parks was conducted, and yes, I am aware that that was a draft of a staff recommendation that had been circulated, and had gotten leaked out. But that's all that was, and I was in the policy shop at the time that that had happened.

Senator BILL NELSON. Do you have any formal training in park management or the environmental sciences, wildlife management, forestry, and other sciences?

Mr. WILLENS. Beyond policy? No.

Senator BILL NELSON. Do you have any part of your formal education that would qualify you as a scientific expert?

Mr. WILLENS. No, sir.

Senator BILL NELSON. And how long have you held your current position at Interior?

Mr. WILLENS. October 8 will be 1 year.

Senator BILL NELSON. What is your relationship between you and Ambassador Oliver, in protocol terms? Were you cochairs?

Mr. WILLENS. Yes; coheads of the delegation.

Senator BILL NELSON. And prior to the trip to New Zealand, had you been a—ever been a part of an official U.S. delegation to the World Heritage Committee?

Mr. WILLENS. No.

Senator BILL NELSON. Have you ever led or co-led any official international delegation to a multilateral body, such as UNESCO, prior to this?

Mr. WILLENS. Yes; I had actually—earlier in the month of June, I had head the United States delegation to CITES COP 14 in The Hague, which is the 14th Conference of the Parties to Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Senator BILL NELSON. Can you explain for the committee's record, how the Interior Department is involved ahead of time, in determining what positions the U.S. delegation might take at a WHC meeting?

Mr. WILLENS. In cooperation with State Department and other interested entities, dependent on the sites that are coming up, we look at the agenda items that are coming forward, we meet and collaborate via e-mail, phone and personal meetings to coordinate positions, and we do the same thing when we are at the meeting itself, as issues do tend to pop up while you're there, as we had in the case of the Everglades.

Senator BILL NELSON. Was the decision to recommend that the Everglades be removed from the list made ahead of time?

Mr. WILLENS. No.

Senator BILL NELSON. When was it made?

Mr. WILLENS. It was made while we were at the meeting, when the issue was presented to us.

Senator BILL NELSON. And, that decision, as you stated to that newspaper, was made by you?

Mr. WILLENS. No; the decision was made by the delegation. Ambassador Oliver and I had made the decision together, after consulting our delegation, comprised of National Park Service and others.

Senator BILL NELSON. So, you were sent to New Zealand with instructions to remove the Everglades from the danger list?

Mr. WILLENS. No, sir.

Senator BILL NELSON. What guidance does one normally get in coleading a delegation such as that, before recommending that a site be removed from the list?

Mr. WILLENS. I don't think I understand the question, as to "what one gets?"

Senator BILL NELSON. Well, for example, do you reach out to the National Park Service?

Mr. WILLENS. Yes; and specific to removal of this—can you repeat the question again? I don't think I understood it.

Senator BILL NELSON. Did you—prior to making this decision to remove the Florida Everglades from the in danger list—reach out to any other parts of the Government to get their opinion?

Mr. WILLENS. No; we had our Park Service Professional Staff with us, on the delegation, in State Department, and we consulted amongst ourselves. There was a challenge of a significant time change. We were 14 or 17 hours ahead, and we believed we had

the information that we needed in front of us, because the issue has a long history, and we were able to make the right decision, that we ended up making, with the information that we had with us in New Zealand.

Senator BILL NELSON. So, what you're telling us is, there was a representative of the U.S. Park Service that was a part of your delegation that concurred in the decision to delist the Everglades from the endangered list?

Mr. WILLENS. There were two, yes.

Senator BILL NELSON. What were their names?

Mr. WILLENS. One is Stephen Morris and the other is Jonathan Putnam.

Senator BILL NELSON. And what are their positions?

Mr. WILLENS. They are in the international office, International Affairs Office of the National Park Service, and are responsible for management of the World Heritage Program.

Senator BILL NELSON. And they concurred in your decision?

Mr. WILLENS. That's my understanding, yes.

Senator BILL NELSON. Did they tell you that they had instructions from the Director—the National Director of Parks?

Senator BILL NELSON. To delist the Everglades National Park?

Mr. WILLENS. No; no one did, sir. It was an issue that presented itself once we had arrived.

Senator BILL NELSON. And they did not call back to the head of the National Park Service?

Mr. WILLENS. Prior to the decision? I'm not aware that they did.

Senator BILL NELSON. And for the record, would you state again what were their positions in the National Park Service?

Mr. WILLENS. They were—I don't have the exact titles in front of me, I work closely with them, and I'm afraid I don't know their exact titles, which—but substancewise, they are the chief advisors when it comes to World Heritage Committee and World Heritage programs, and our 20 World Heritage sites that we have listed.

Senator BILL NELSON. And how about, did you have any recommendations from the scientific, technical community? The IUCN?

Mr. WILLENS. Yes; IUCN is actually the ones that did the draft of the decision, as they do with most of the decisions. IUCN at the Committee presented, opened the discussion on Everglades, as it does with any in danger site, presents its current status, and scientific information and dialogue that's gone on since the last year. And IUCN gave its presentation, and I believe—IUCN's recommendation from the table was consistent with the draft that you had up, the May exhibit, was they believe that the site should be retained.

Senator BILL NELSON. Were there any other people whose opinion you sought? Outside of the Park Service?

Mr. WILLENS. The other countries that were part of the World Heritage Committee.

Senator BILL NELSON. But we've already stated, and you admitted, that had the United States not requested this, that there would not have been any concurrence by the other members of the Committee. So, I'm talking about, were there any other people involved in the preparation of that document on which the last word

on the conclusion page changed, completely reversed. Was there anybody else whose opinion you sought?

Mr. WILLENS. Not that I'm aware of. There were numerous conversations at the World Heritage Committee, when the issue presented itself, as I stated, with other delegations and our Park Service delegation, and the World Heritage Committee itself, or people that we had spoken to on these issues.

Senator BILL NELSON. It's my understanding that it was traditional standard procedure for the Park Service to provide a recommendation to retain the Everglades on the list. What changed?

Mr. WILLENS. We had supported the status quo of it remaining on the in danger list, and that was our position. We didn't believe we needed to reevaluate the position of the status quo going in, therefore we did not reevaluate the status quo of it being on the in danger list. The Park Service, nor the Department or myself took a position of retaining that, or taking anything else in advance. So, the status quo was the case, but it wasn't an issue that we had specifically identified for reevaluation or debate, prior to going to the World Heritage meeting.

So, the Park Service's position, as the United States was, status quo, which was retaining, and with the information we had, it wasn't until we arrived in New Zealand, had met with the other bodies, and they had related their concerns and support for the United States, and compliments for the work and efforts that had been underway at Everglades that we had to reconsider and evaluate the status of the site.

Senator BILL NELSON. When I asked you the question about your lobbying activities, prior to being on—and I don't know if there were any after—being on the congressional committee, and an assistant to Congressman Pombo, I had asked you what you represented. And you named something that did not seem to have a name connected with any environmental subject matter. Would you tell us about that?

Mr. WILLENS. Well, Feld Entertainment is a company, I was the vice president, an officer in the company, in charge of Government relations. And Feld Entertainment held a number of family entertainment properties, such as Ringling Brothers and Barnum & Bailey Circus, they have an Elephant Conservation Center in your home State, outside of the Tampa area, and they also had productions that traveled the world on ice shows, as well as the production of Siegfried & Roy in Vegas.

I had the conservation work portfolio, the conservation work on behalf of them was really species-oriented, since they had a number of species within their possession.

Senator BILL NELSON. So, your lobbying activities were in the entertainment field, as opposed to in the environmental field?

Mr. WILLENS. No; it was environmental and agriculture, it was an interesting mix that at the time their priorities were habitat conservation and species protection, as well as animal welfare, and those were issues that they had asked me to represent them on, as their vice president.

Senator BILL NELSON. It has been reported in several newspapers that while you were a congressional staffer, that you had

a relationship with lobbyist Jack Abramoff. Can you tell the committee about that relationship?

Mr. WILLENS. I've never met the man.

Senator BILL NELSON. So, you have never had any kind, and those are incorrect statements that have been in the public sphere?

Mr. WILLENS. Yes. I've seen those statements, they give the false perception that as a staffer—I believe it was his firm, or possibly something affiliated with him that I was connected to the case. The actual record states, which is on file with the Ethics Office and Travel Reporting Office at the House of Representatives, which I did and complied with, that I was invited by the Governor of the CNMI, the Commonwealth of the Northern Marianas Islands, to visit the island and look at issues that were pertinent at the time, in 1997, before the House Resources Committee, and I did, I joined that STAFFDEL, that was hosted by the Commonwealth. And I believe at that time, Jack Abramoff had them as a client, and that's how that gets misinterpreted, sir.

Senator BILL NELSON. I see. And when you were interviewing to go into the Department of Interior, did the Department of Interior representative ask you about your relationship with Mr. Abramoff before you began to work there?

Mr. WILLENS. I don't believe there was ever a need to, I don't think it ever came up.

Senator BILL NELSON. I see. So, they didn't ask you that question, even though it had been in the public sphere, so that you could clear it up, as you have now?

Mr. WILLENS. I don't remember that being a question, or as pertinent to my employment.

Senator BILL NELSON. Are you familiar with the specific projects that make up this collective effort to restore the Everglades?

Mr. WILLENS. Yes. I'm familiar with it. I think it's a great endeavor, I think the partnership that has been put in force is a great partnership. And, with any partnership, there's differences of opinions, and there's challenges, and there's struggles and fits and starts as the Everglades has. And, the administration fully supports the Everglades Restoration Project. We look forward to continuing working with you and the other members of the delegation in Congress, especially as we have budget requests sitting before Congress, and we have concerns that the appropriations levels, currently, as have come out of the House, are not to that level. And that we also have a $35 million shortfall coming out the Senate, I believe, Energy and Water Subcommittee, that's $35 million short of what we need for Everglades restoration, that the President requested. So, we look forward to working with you to close these gaps, and get this job done, sir.

Senator BILL NELSON. The Committee was informed by the U.S. Ambassador to UNESCO that only the United States could have made this decision on the Everglades, because the WHC, by tradition, reserves these recommendations only for the State in whose boundaries the site in question is located. Now, after what all you've said, do you agree that that is the case?

Mr. WILLENS. I would have to look at her comment and talk to her, because I believe she's correct in what she's saying, however, I have not looked at the history of the World Heritage Committee

to say with absolute, that a country has to be there and make a motion or support it one way or the other, because I believe there are cases where countries don't have the resources to represent themselves or let their positions known to the World Heritage Committee, so I don't want to say with absolute, and we can get back to you in response to that, in writing, after we can do some review, to make sure that that's the case.

Senator BILL NELSON. You participated in one of these meetings?

Mr. WILLENS. Yes.

Senator BILL NELSON. OK, well, given the fact that you have, do you understand that that is the standard procedure?

Mr. WILLENS. I believe that that is extremely important to the committee members, and I saw that that's consistent with the actions that range States, and the countries have a great influence on what countries do and don't do, depending on how they feel, and what they feel they can get done. And it is a great benefit to the World Heritage Committee members to know the feelings of those Committee members. And, the actions that were taken are consistent with that premise.

Senator BILL NELSON. Were you aware that back in 2006, at a meeting of the WHC, that the International Conservation Committee adopted benchmarks which, once achieved, were to serve as the basis for the United States supporting removal of the Everglades from the list?

Mr. WILLENS. I am familiar with that, and the benchmarks, sir, yes.

Senator BILL NELSON. Were these benchmarks achieved by 2007?

Mr. WILLENS. All of the benchmarks have not been achieved.

Senator BILL NELSON. They were not?

Mr. WILLENS. No.

Senator BILL NELSON. Well, that happens to be correct. The National Park Service said so, in 2007, that those benchmarks had not been met. The GAO report about which we will hear in awhile also says that only 2 of the 9 benchmarks have been met. Were those benchmarks willfully ignored by you in making the decision to take the Everglades off the list?

Mr. WILLENS. No; not at all. I'd say there was a healthy discussion at the World Heritage Committee about the benchmarks and the importance, because we really are the first ones to establish benchmarks for World Heritage in danger sites, and the World Heritage Center under—with our leadership and our expense—is really grateful for us establishing the benchmarks.

While we recognize—as with the overall restoration of the Everglades is not completed, and won't be completed for some time, the same goes with the benchmarks, which reflect the work that is supposed to be, and being carried out, on the sites, in the Everglades and in Florida itself.

But the Committee's views are not scientific. While they take in the recommendations of IUCN advisors, who have scientific background and experts, that the Committee itself is much more of a policy committee than it is a scientific committee, and there's a challenge to that.

But, the Committee felt that for a long time the United States has trail blazed a path for other countries to follow, and really set

the bar high when it comes to managing our natural resources. And this is not different. While we have not realized full restoration to the levels that we need to have, and that we would all be satisfied with, they look at it a bit differently, and see that progress is being made, that money is being spent, $7.1 billion to date. And these are numbers and figures, sir, that they can't comprehend and therefore, yes, that does impress them.

And we, in no way, hid the fact, or gave the perception that everything is done. But, we definitely speak to the fact that, yes, progress is being made, it may not be as fast as we want it to be, and we may have fits and starts on some of the projects, but the commitment and the political resolve is there to do that, and we believe that that is accurate.

And, off of that information—and they have the full record of what IUCN wanted to do, they still wanted, unanimously, to say, "Hey, we want to take this off the in danger list. You're still a World Heritage site, but we're going to take you off in danger."

Senator BILL NELSON. And, indeed, you just said that IUCN—which is a scientific advisory body to the World Heritage Committee—one of three advisory bodies to the Committee, recommended to the Committee during that New Zealand meeting, that the Everglades should be maintained on that endangered list, pending that IUCN assessment mission. So, you all decided that, rather than rely on the expert scientific recommendation, you were going to ignore it, and go ahead and cut it off the list?

Mr. WILLENS. No; I wouldn't say that that's the case, I would say that IUCN presented its recommendation as an advisory body, which they get paid to do, by the body, and they presented it. But, as is the case with a third of the decisions that are made, the Committee makes decisions that are different than what IUCN or the other ICOMOS, or ICROM recommend, which are the three advisory bodies.

But, this is not unusual, this happens, in our calculations, has happened a third of the time in recommendations.

Senator BILL NELSON. And it was the National Park Service that gave the scientific data upon which that IUCN recommendation was made that it ought to stay on the list.

Well, I think it's clear, the point of view that you have expressed, and what we wanted to find out is what happened down there in New Zealand that is making it difficult for us who have the responsibility of continuing to see that the Everglades is restored.

Mr. Willens, it started out as a 20-year, $8 billion project. It was going to be funded $4 billion from the Federal Government, and $4 billion from the State. Because of the delays, because of the Federal Government not coming up with its share, because of the escalating cost of construction, the project is now expanded out way beyond into the high teens and 20 years, and is projecting to be costing $20 billion in total. For you to make a decision, unilaterally—or with your colleagues on this committee—without reaching out to the other parts of the United States Government, you are unilaterally making it a lot more difficult for other people to keep this fight going to restore the Florida Everglades. Do you agree that removing the Everglades from the list encourages the perception that the Everglades are no longer endangered?

Mr. WILLENS. We've come to realize that that's the perception in Florida, but when you step back and you look at the international perception, which is the case we're dealing with here, with the World Heritage Committee, they see it differently. And in the context and the debate that they see of the work being one, and when they equate it and they compare it to sites such as the Democratic Republic of the Congo, and other areas, they think Everglades is—while there are challenges—that the healthy debate, at least there's debate and there's discussion, and engagement to address the issues, when in other countries, they can't even get a phone call back to recognize there's even a problem.

It was never our intent, in any way, to make things more difficult for you, and the Floridians on this issue. I would say that it was definitely seen as a compliment, and hopefully was seen as a shot in the arm to get going, and get moving, the positive, and move forward on this.

But it was not seen, and not intended to be negative. And from the Committee's perspective, I believe that if they felt that the negative was, that if they left it on the site, it would have negative implications to other sites throughout the world who compete for limited resources under World Heritage in danger listed site. While we do not take any international funding, it definitely is an attention-grabber, and they recognize that, and they were trying to grapple with that.

And, I believe that we can still go forward without the in danger listing, because it has no policy or weight of any changing in the laws and commitment here, in the United States. It really is a label. While—we recognize that it was an important label in 1993, we believe it's served its purpose, it no longer needed to be listed as in danger, because the facts before us—while we dispute how fast, and how much money we're spending, again, we're spending money, and measuring how fast. And that was what the goal of listing this in 1993 as in danger. We've met that goal.

Senator BILL NELSON. Have you ever been to the Everglades National Park?

Mr. WILLENS. Yes.

Senator BILL NELSON. Have you talked to the Park Director?

Mr. WILLENS. I talk to the current Park Director quite a bit.

Senator BILL NELSON. And, does he tell you that the Everglades Park is not endangered?

Mr. WILLENS. No; he tells me—and he told me a couple of hours ago that it is endangered. That it has significant environmental challenges, and it's very frustrating. And, I commend him and all of the Park Service for sticking it out and trying to work through these issues. And that, as far as an endangered EN, not related to the World Heritage Committee site, it's clear that the scientists and those in the field that matter, believe it is endangered, I don't dispute that.

Senator BILL NELSON. We'll turn to some of the other witnesses and the asking of questions, so that we can get a comprehensive view of this.

[The prepared statement of Mr. Willens follows:]

PREPARED STATEMENT OF TODD WILLENS, DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, WASHINGTON, DC

Thank you, Mr. Chairman, for the opportunity to testify on the action taken by the UNESCO World Heritage Committee to remove Everglades National Park from its List of World Heritage in Danger and on the Department of the Interior's (Department's) role in that action.

The Department manages more than 3.1 million acres of conservation lands in South Florida, which is also home to more than 7 million people and a growing economy. Areas managed by the Department include Everglades and Biscayne National Parks, Big Cypress National Preserve and 16 national wildlife refuges, all of which protect habitat found nowhere else.

The UNESCO Committee, by removing the Everglades National Park from the List, has strongly affirmed the commitment and progress of the United States in conserving the Everglades ecosystem. Since 2002, the State of Florida has spent more than $1.2 billion in conservation projects, and the United States has spent more than $1 billion. Florida has also spent more than $1.3 billion in land acquisition for future Everglades restoration projects. The size of this commitment by the United States and Florida is necessary context as we review today the significance of the Park's designation by foreign nations. I hope today's discussion will inspire the Congress to embrace President Bush's budget for the Everglades in fiscal year 2008. I would appreciate having my testimony entered into the record. I am also submitting certain documents for the record, which are valuable in clarifying this issue.

The World Heritage Convention is one of the world's most important international agreements in the field of natural and cultural heritage preservation. Created largely through U.S. leadership and significantly inspired by the U.S. National Park concept, the Convention has become one of the most widely accepted conservation agreement in the world with more than 180 participating countries. The United States has 20 World Heritage Sites, 8 of which are cultural and 12 natural. There are more natural sites listed in the United States than from any other single country except Australia.

The Office of the Assistant Secretary for Fish and Wildlife and Parks of the Department of the Interior has been delegated responsibility on behalf of the Secretary of the Interior to coordinate, in cooperation with the State Department, United States participation in the World Heritage Convention. This administration takes that responsibility very seriously.

The unanimous decision of the 21-member World Heritage Committee, the governing body of the Convention, to remove Everglades National Park from the Danger List of World Heritage Sites is the international community's way of recognizing the progress that has been made in addressing key issues that led to the listing of the Park in 1993. The decision recognizes and applauds the unprecedented efforts and continuing commitment of South Florida's community, the State of Florida and the Federal Government to restore this world-class ecosystem. The text of the World Heritage Committee's decision and a copy of the UNESCO press release announcing it are attached for your information.

At the recent convention of the parties, we received supportive comments on the proposal to remove the Everglades from the list from India, Kenya, Lithuania, New Zealand, Israel, Canada, Madagascar, Chile, Benin, and Spain during consideration of our petition. This reinforced the unanimous sentiment that other nations had spoken in private and that the committee later expressed in a unanimous vote.

Some have misinterpreted the criteria used by UNESCO's World Heritage Committee and the administration's concurrence in removing the Park from the List. The Committee's decision does not in any way signal a lessening of our commitment or an end to the Everglades restoration efforts.

It has also been alleged in the press that I "changed a National Park Service (NPS) report on the matter." This is simply not the case. (The subject report is being presented to you; it was submitted months earlier for the World Heritage Center's staff to use in preparing its report to the Committee on sites on the List in Danger. I could not change a report that had already been submitted with my concurrence months before the meeting.)

This administration wholeheartedly supports the ongoing national initiative to comprehensively restore and preserve the River of Grass and its vital ecosystem. To date, the United States and State of Florida have spent about $7.1 billion for projects designed to improve water quality, increase water supplies, recover threatened and endangered species, and restore natural habitat.

The Government Accountability Office reports that of the 222 separate Everglades restoration projects that it estimates will cost at least $19.7 billion over the next

decades, 43 have been completed, 107 are underway, and 26 are in design or planning phases. The remaining 46 projects, to be launched in coming years, will complete the current restoration plan.

The Comprehensive Everglades Restoration Plan (CERP), enacted by Congress in 2000, is the blueprint for this historic effort, considered by many to be the largest and most expensive environmental restoration program in the world. The CERP is a $10.5 billion program of large-scale modifications to the water management infrastructure of South Florida, with a targeted completion date of 2038. CERP consists of over 60 individual project modifications to the regional water supply and flood control project to increase water supplies for the environment and other users. In addition, the Modified Water Deliveries Project to Everglades National Park is underway to restore more natural flows of water to Everglades National Park. To date, $303 million has been appropriated for this project.

The South Florida Ecosystem Restoration Task Force, representing Federal, State, tribal, and local stakeholders, coordinates projects and investments across all levels of government through its strategic plan and serves as a focal point for the ongoing collaboration that is necessary to undertake the largest watershed restoration program in the world. With its partners, the Department is improving water quality and restoring more natural flows of water to the Everglades, restoring habitat, and recovering endangered species, such as key deer, American crocodiles, and others.

This aggressive restoration strategy, record of accomplishment, and demonstration of continuing collaboration and commitment impressed the World Heritage Committee and persuaded its members to remove Everglades National Park from the Danger List of World Heritage sites. The committee had asked U.S. representatives on several previous occasions to develop benchmarks for this purpose. In 2006, the committee adopted evaluation standards that were crafted in cooperation with the NPS and the International Union for the Conservation of Nature and that would facilitate consideration of removal of Everglades National Park from the List.

Everglades National Park had been on the Danger List since 1993, at the request of the United States, following the devastation wrought by Hurricane Andrew and the accumulation of previous threats that developed over many years. The designation calls attention to specific and imminent threats facing a site and seeks to generate action by the responsible government and world community. When the Committee is persuaded that actions to address the threats are being taken, it customarily removes the site from the List, while fully recognizing that additional measures to protect the site must still be taken. The Committee acted in a similar manner with respect to the Rio Platano Biosphere Reserve in Honduras which was also removed from the List though it too continues to face many problems including illegal logging within the boundaries of the site.

It is also useful to consider the Committee's action from a global perspective as that is the context in which the World Heritage Convention works. The vast majority of the other World Heritage sites included on the List are in the developing world, many in countries without effective government management systems, or where resources to address the problems facing the sites are nonexistent and the Committee's resources to assist these sites are quite limited. As I stated, the principal purpose of the List is to call attention to such problems and mobilize international assistance for these sites. In view of that, while acknowledging the serious and long-term threats facing the Everglades, the Committee, nonetheless expressed its confidence in the ability of the United States to address these issues. There was no dissent from Committee members on this action.

By supporting the Committee's decision to remove the Park from the List, this administration was in no way suggesting that the Everglades is a fully recovered ecosystem. The challenges facing the Park and the River of Grass took decades to create. They will take decades to overcome. We will continue to work with the State of Florida and the many stakeholders in South Florida to save this irreplaceable natural wonder.

While Everglades National Park has been removed from the List, it remains a World Heritage Site, which it has been since 1979, in company with other extraordinary places, such as the pyramids of Egypt, the wilds of East Africa's Serengeti, and the Great Barrier Reef of Australia. The United States will continue to provide annual conservation reports to the World Heritage Committee on our progress in restoring the Everglades. More specifically, the Committee directed the United States to report on progress with respect to the established benchmarks. The Committee will continue to evaluate progress in achieving these benchmarks; if progress is not being made or if the United States does not continue to focus on the long-term effort to restore the Everglades, consideration would then be given by the Committee to placing Everglades National Park back on the Danger List of World Heritage sites.

The administration has a proud record of accomplishment regarding both UNESCO and the World Heritage Convention. Under the President's leadership, the United States has, after more than 20 years, once again become a full member of UNESCO. In 2005, the United States sought, and was elected to, a 6-year term on the World Heritage Committee, a significant accomplishment for the United States in any U.N. body. (By gentlemen's agreement, Member States relinquish their Committee seats after 4 years so that participation is shared.) Over the last 2 years, we have been developing a new list of candidate sites in the United States which will be considered for future nomination to the World Heritage List. The new list, based on applications submitted by interested owners, replaces an outdated list originally developed 25 years ago. We anticipate beginning the nomination process by announcing our U.S. Tentative List in 2008. This announcement represents a significant reengagement with an important aspect of the World Heritage program and would be the first new U.S. nomination submitted since 1994.

Supporting the Committee's decision regarding Everglades is entirely consistent with the administration's overarching support for the World Heritage Program and for the restoration and preservation of the Everglades.

[EDITOR'S NOTE.—Attachments to Mr. Willen's testimony and prepared statement can be found in the section "Additional Material Submitted for the Record" at the end of this hearing.]

Senator BILL NELSON. So, Mr. Anderson—Mr. Anderson is the Deputy Assistant Secretary, the Bureau of International Organization Affairs, in the Department of State. Your written testimony will be made a part of the record. Thank you for coming.

Mr. Anderson, could you describe the purpose of the World Heritage Committee, and the importance of the list of World Heritage sites in danger?

STATEMENT OF GERALD C. ANDERSON, DEPUTY ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Mr. ANDERSON. Yes. Thank you, Mr. Chairman, for the opportunity to be here today.

The list of World Heritage sites is a list that—whose primary purpose is to draw attention to sites, either cultural or natural, that have universal value—that's the official term that UNESCO uses for this process. And the purpose of the list of sites in danger, is to call attention to the need for remedial action to deal with situations that might threaten that universal value. That is the reason for putting a site on the list.

The meaning of being on the list is for countries that have need of outside assistance to fund the remedial action that's needed, is that they're eligible to go through the UNESCO World Heritage Fund to receive that assistance.

And the countries who are members of the World Heritage Committee look at the list, with that purpose in mind, as they add and remove sites from the list at their meetings.

Senator BILL NELSON. And, would you describe how the members of the U.S. delegation to UNESCO's Annual World Heritage Committee's meetings are chosen?

Mr. ANDERSON. Yes. The members of the delegation are chosen, first of all, based on our representation in UNESCO, so therefore, our permanent representative, Ambassador Louise Oliver is the titular head of the delegation. Although the nature of the Committee is as a technical committee, in practice, these delegations function with the Ambassador and the Interior Department chief representatives serving as cochairs. And, the division of labor be-

tween them is consistent with the mission of the State Department and the mission of the Interior Department. With the mission of the State Department being to deal with the foreign affairs and international aspects of the decisions before the Committee, the relations among the various countries represented there, and the Interior Department being responsible for substantive decisions about sites that are located in the United States and other expert opinions.

Senator BILL NELSON. And, what role does your office play in determining the positions that the U.S. delegation to the WHC will take on specific sites being considered for addition or deletion to the list?

Mr. ANDERSON. We review the agenda that is prepared by the World Heritage Center, and circulated to all members of the Committee in advance of each meeting, and we lead an interagency consultation process with the other agencies who are interested in this process. And we, as the State Department, take the lead on any issue that has a political or foreign policy nature.

For example, the site in Jerusalem at the Temple Mount, or the site on the border of Cambodia and Thailand, which was a subject of some controversy at the meeting in Christchurch, or the Bahai holy places, which were a subject for discussion—all of those are examples of sites that have some political and foreign policy implications. And, at the end of that interagency consultation process, we prepare a guidance cable that we send to our mission in Paris that lists specific guidance for decisions that are listed on the agenda.

Senator BILL NELSON. And, did you or others in your office have any consultations with this U.S. delegation to the World Heritage Committee in New Zealand?

Mr. ANDERSON. Yes; we did.

Senator BILL NELSON. And, did you have discussions with regard to the positions that the delegation would take at the meeting?

Mr. ANDERSON. Yes; we did.

Senator BILL NELSON. And what are those?

Mr. ANDERSON. We discussed the cases that I mentioned——

Senator BILL NELSON. Did you have any discussions about the Florida Everglades?

Mr. ANDERSON. No; we did not.

Senator BILL NELSON. And why was that?

Mr. ANDERSON. The reason for that was that in the agenda, there was no proposal before us to change the status of the Everglades with regard to the list in danger.

Senator BILL NELSON. Would you or members of your office have had access to that draft report?

Mr. ANDERSON. Yes.

Senator BILL NELSON. And you would have seen the conclusion of the draft conclusions, which said that the Everglades should not be removed?

Mr. ANDERSON. Yes.

Senator BILL NELSON. Were you surprised when it was?

Mr. ANDERSON. Frankly speaking, literally, yes. Because I heard about it only after the World Heritage Committee made the decision.

Senator BILL NELSON. And what conversations, discussions, et cetera, did you have upon learning of that information?

Mr. ANDERSON. I learned about it from Ambassador Oliver, our Ambassador who was heading the delegation. And, the conversation consisted of Ambassador Oliver telling me that there was unanimous support in the Committee for removing the Everglades from the list, and her impression that this was a tribute to the efforts that the United States had made toward restoration of the Everglades, and responding to the concerns that had been identified in previous reports of the World Heritage Committee about the site.

Senator BILL NELSON. And, do you understand what Mr. Willens has explained to the committee that the final determination was made that it should be removed from the list, as he has stated; is that your understanding?

Mr. ANDERSON. Yes; it is.

Senator BILL NELSON. From your understanding, were the normal procedures followed in making that decision?

Mr. ANDERSON. The normal procedure for making decisions is the State Department and the Interior Department consult, the State Department weighs in on any issue with international policy implications, the Interior Department addresses domestic issues, and in that respect the procedure was followed. However, in retrospect, after reviewing the process in this case, we have decided that any issue that was not on the agenda that we reviewed before developing our guidance should occasion our Ambassador reporting back to Washington before making any such new decision.

Senator BILL NELSON. Is that procedure going to be corrected in the future?

Mr. ANDERSON. Yes, sir.

Senator BILL NELSON. And who's going to require that, the Secretary of State?

Mr. ANDERSON. Yes; that authority is delegated to the Assistant Secretary for International Organization Affairs.

Senator BILL NELSON. So, if there were another meeting, if this new policy had been in effect, as—you tell me if I'm restating correctly what you just said—if the new policy had been in effect before the New Zealand meeting, there would have been—had to have been—consultations before that draft report would have had that one word changed, reversing its entire meaning?

Mr. ANDERSON. Yes; what would have happened is Ambassador Oliver would have probably called me, or Assistant Secretary Silverberg, or one of my staff to alert us that there was an issue that was not covered in our guidance, and would have asked us to provide guidance.

Senator BILL NELSON. And why have you all decided to institute this new procedure?

Mr. ANDERSON. We've assessed the reaction to this decision, and we've seen that there are some concerns that, we think should be addressed, and that we should be fully aware of any decision. Even if, you know, had we had consultations with the Department of Interior, we believe we probably would have arrived at the same result, the same guidance.

Nevertheless, in order to fully exercise our responsibility for providing guidance to the delegations, we have decided to adopt this new policy.

Senator BILL NELSON. And what is the reaction?

Mr. ANDERSON. We received a letter from you, Mr. Chairman, and we've also had a number of consultations with your staff and other members of the committee's staff, that have made that point to us.

Senator BILL NELSON. Is Ambassador Oliver on board with these new procedural changes?

Mr. ANDERSON. Yes; she is. We've thoroughly discussed them.

Senator BILL NELSON. And did she say why she did not consult with you all in such a major change from the draft that had just been done in May 2007?

Mr. ANDERSON. Yes; she did.

Senator BILL NELSON. And what did she say?

Mr. ANDERSON. She reviewed our standard operating procedures which, as I stated earlier, provide that on an issue of substance relating to a site in the United States, we in the State Department defer to the Interior Department side of our delegation for a decision, and the State Department part of the delegation's responsibility is to meet with other countries to ascertain whether that decision—whether that proposal would meet with their approval or not, and then to make a judgment as to whether it's feasible to achieve the decision that we're seeking.

Senator BILL NELSON. The same Ambassador, Ambassador Oliver, had explained to our staff that, by tradition, the recommendations on the inclusion or deletion of sites on the in danger list are always put forth by the country in whose territory a site is located. She said to our staff, it would be "impossible" for other countries to make such a recommendation. Did the U.S. delegation offer the recommendation to remove the Everglades to the WHC?

Mr. ANDERSON. Yes. The U.S. delegation did offer that recommendation.

Senator BILL NELSON. And you're aware, in May 2007, that the WHC scientific advisors recommended to the Committee that the Everglades should stay on the list?

Mr. ANDERSON. Yes.

Senator BILL NELSON. What do you think changed between May and June?

Mr. ANDERSON. Mr. Chairman, I would make one observation that might be helpful to understand the context, and that is, at the Committee meeting at Christchurch, there were four sites that were removed from the list in danger. And of those four, two—in two of the cases—the experts recommended that they be retained, and nevertheless, the Committee decided to remove them. One of them was the Everglades, and the other one was the Rio Platineau site in Honduras. And also, of the four sites that were removed, in only two cases were the countries where those sites were located actually members of the Committee—the United States and Benin. The site in Benin was the Abomey Royal Palace.

And the other two sites, one in Nepal, and the other in Honduras—those two countries were not members of the Committee, and therefore were not in a position to formally make a rec-

ommendation themselves. And in those two cases, the World Heritage Center conveyed the recommendation of the IUCN, with regard to those two sites.

And that's a slight expansion of the explanation that Ambassador Oliver gave you, about who has the ability, traditionally, to make those recommendations. Obviously, if you're not a member of the Committee, you can't formally do it. So, there are—every year, many cases of sites where the country is not a member, and the World Heritage Center conveys the recommendation to the Committee. But in all of those cases, nevertheless, the government of that country is consulted, and the—that government's views are still respected, by traditional practice.

Senator BILL NELSON. And so, in this case, by your statement there was a recognition that the technical people had said that they did not want the Everglades taken off the list?

Mr. ANDERSON. Yes; that's correct.

Senator BILL NELSON. OK. Are you aware that the National Park Service had reported that the important benchmarks had not been met?

Mr. ANDERSON. Yes; I read their report.

Senator BILL NELSON. And you're aware that the IUCN reiterated its support for keeping——

Mr. ANDERSON. Yes.

Senator BILL NELSON [continuing]. The Everglades on the list, as well? In your statement, in your written testimony to the committee, you note that, "The international community began suggesting upgrading the status of the Park 4 years ago." Are you referring to the Everglades, taking it off the list? Is that what you mean by upgrade?

Mr. ANDERSON. That's a reference to suggestions from other countries who are members of the World Heritage Committee, suggesting to our delegation that the time had come to remove the Everglades from the list in danger.

Senator BILL NELSON. Are suggestions by the international community the usual basis for determining these recommendations on removing the sites?

Mr. ANDERSON. The basis for determining is a decision by the Committee. And therefore, the views of the countries that are members of the Committee are relevant in making that decision.

Senator BILL NELSON. But, the determination—according to Ambassador Oliver—is a determination made by the host country?

Mr. ANDERSON. Ambassador Oliver stated that it would be impossible for the Committee to make that determination without the consent of the country.

Senator BILL NELSON. So, one has to come before the other?

Mr. ANDERSON. Yes; that's correct.

Senator BILL NELSON. OK. Now, you've made clear in your statement, which has been a part of the record, that you refer to the Comprehensive Everglades Restoration Plan as, "arguably the world's most ambitious conservation project." Given this and the U.S. leadership in establishing the World Heritage List, do you feel that the opinions of the scientific community should have been taken into consideration in removing the Everglades from the list?

Mr. ANDERSON. Yes; certainly. And they were taken into consideration.

Senator BILL NELSON. But they weren't followed.

Mr. ANDERSON. Yes; that's correct.

Senator BILL NELSON. Well, does that say anything to you about the long-term commitment to protecting World Heritage sites?

Mr. ANDERSON. I think the context of these decisions, and as I mentioned, this year, in half of the cases, the Committee made a decision contrary to the experts' recommendations—and over time the rate is somewhat less than that, but it's quite frequent that the recommendations are not followed. And the basis on which the Committee makes the decision whether to remove or not, is their assessment of the commitment of the State, of the country where the site is located, to take the remedial action that has been identified as necessary to protect the site. And, the decision that was made in Christchurch reflects the view of the Committee that the United States has made the necessary commitment. And they make that determination in the context of the other sites that are on the list, and in practice, based on their own rough ranking of the efforts to remediate that site, as opposed to the other sites that are on the list in danger.

Senator BILL NELSON. Mr. Anderson, do you have an opinion that the Everglades are no longer in danger?

Mr. ANDERSON. Mr. Chairman, I'm not a scientist, and making judgments about the environmental status of National Parks is not part of my responsibility. So, any opinion that I might have would be a personal one that would be based on examining opinions of experts.

Senator BILL NELSON. Well, do you want to offer a personal opinion?

Mr. ANDERSON. I think that I—it would be hazardous to offer a personal opinion in this context, but I can tell you that I have reviewed the documents that are before us, including the report that you had before us from the IUCN and the GAO study that we'll be hearing about later, and I think it's safe to say that the action that's needed—much of the action that's needed has not yet been taken. But, it's certainly been identified, it's an issue that the President and the Congress have to decide together, how many resources to commit to make—put this plan into action.

Senator BILL NELSON. Well, let me see if you have an opinion on this. Do you think that removing the Everglades from the danger list creates the perception that the Everglades are no longer in danger?

Mr. ANDERSON. Mr. Chairman, it certainly does not create that perception among the members of the World Heritage Committee, the group that actually made that decision. And, if you look at the other decisions that were made for removal of sites from the list, you'll find that the reports on those sites—for example, the site in Honduras, which the experts recommended be retained, and which the Committee decided to remove—there are a number of very serious concerns that the report says the government itself has not even addressed. And yet, the Committee decided to remove that site from the list in danger.

Senator BILL NELSON. I wonder if the people in Honduras have to pass, for the first time in 7 years, a Water Resources Development Act. And I wonder if the people in Honduras have to acquire $20 billion of funding for restoration projects for their endangered list, over a 20-to-30-year period in the future?

Thank you, Mr. Anderson.

[The prepared statement of Mr. Anderson follows:]

PREPARED STATEMENT OF GERALD ANDERSON, DEPUTY ASSISTANT SECRETARY, BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

Thank you, Mr. Chairman, for the opportunity to speak to you and the subcommittee today. I am proud to report on the recent decision by the UNESCO World Heritage Committee to release Everglades National Park from the list of the List of World Heritage in Danger. The delegates reached this decision unanimously and affirmed their confidence in the actions underway by the United States, the State of Florida, and many partners to ensure the future of the Park. As I will describe, the international community began suggesting upgrading the status of the Park 4 years ago and we stand by the decision to do so this year.

The United States was the first country to sign and ratify the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage. The United States has strongly supported the World Heritage program ever since that time, including the 19 years we were absent from UNESCO, from 1985 to 2003. During those years, when the Department of State played an observer role in UNESCO, on World Heritage issues, the National Park Service represented U.S. interests.

After the United States rejoined UNESCO, and the United States accredited an ambassador as Permanent Representative to UNESCO, the Department of State resumed its normal role in cooperating with the U.S. Department of the Interior National Park Service in leading U.S. delegations to World Heritage Committee meetings. Since 2005, when the United States became a member of the World Heritage Committee, the Departments of State and the Interior have assumed the role of coheads of delegation to that Committee. The Department of the Interior and the National Park Service provide leadership as required under the National Historic Preservation Act of 1966. The Department of State provides overall guidance to our delegations, and has the lead on issues relating to UNESCO budget and management, negotiations with foreign delegations within the World Heritage Committee, and on foreign policy aspects of the World Heritage Committee's work. The World Heritage Committee is a technical body, and so we look to the Department of the Interior to take the lead on issues involving inscription and conservation of World Heritage sites.

The United States serves as one of the 21 members of the World Heritage Committee, which is the governing body of UNESCO's Convention Concerning the Protection of the World Cultural and Natural Heritage. The United States was elected to a 6-year term in 2005, but as has become customary we agreed to serve only 4 years of the 6-year term. The principal purpose of the Committee is to identify and help conserve the world's most valuable heritage sites.

The World Heritage Committee meets annually to consider reports on the status of existing World Heritage sites and to consider recommendations for inscribing new sites on the World Heritage List. Properties nominated for inscription on the World Heritage List must demonstrate "outstanding universal value" by satisfying at least 1 of 10 formal evaluation criteria. In addition, the Committee maintains a list of World Heritage sites threatened by natural disasters or political crises. The List of World Heritage in Danger is the first step toward loss of World Heritage status. States with World Heritage sites on the List in Danger are eligible for emergency relief through UNESCO's World Heritage Fund. The United States has never sought international assistance for conservation of any of its World Heritage sites. It is the position of the United States that a site can be added to, or removed from, the list only with the consent of the Member State where a site is located.

The Committee receives independent evaluations from two advisory bodies. The World Conservation Union (IUCN) reviews natural sites. Evaluations of cultural sites are prepared by the International Council on Monuments and Sites (ICOMOS). The World Heritage Committee is not bound by the recommendations of the advisory bodies. Not infrequently, the Committee's decisions are based on its own understanding of the facts, or other considerations. And expert opinion is not always unanimous, of course. At its most recent meeting—in Christchurch, New Zealand,

June 22–July 2, 2007—the Committee's decision to defer inscription of a site nominated by Cambodia, the temple of Preah Vihear, was contrary to the recommendation of the advisory group. And in the case of Rio Platano Biosphere Reserve (Honduras), the World Conservation Union recommended that the site be maintained on the List in Danger, but the Committee determined that there had been enough recent progress to justify its removal.

The Department of State, in advance of each meeting of the World Heritage Committee, conducts interagency consultations with the Department of the Interior and other stakeholders based on the agenda for the upcoming meeting prepared by UNESCO's World Heritage Center. This agenda lists sites which Member States have recommended for inclusion in the World Heritage List, and includes the expert opinions of the advisory bodies and the Center's recommendations for action. The Department of State prepares a guidance document tracking with this agenda and providing the U.S. position on each listed item. However, Member States are free to introduce new items to the World Heritage Committee at the meeting itself, and frequently do so.

At its recent meeting in Christchurch, the Committee inscribed 22 new World Heritage sites and also delisted one site. These actions bring the total number of World Heritage sites to 851, sponsored by 141 states parties.

The Committee revised the List of World Heritage in Danger by adding three sites: The Galapagos Islands (Ecuador), Niokolo-Koba National Park (Senegal), and Ancient Samarra (Iraq). Four sites were removed from the List in Danger: Rio Platano Biosphere Reserve (Honduras), Royal Palaces of Abomey (Benin), Kathmandu Valley (Nepal), and, as you know, Everglades National Park in Florida (U.S.A.).

Everglades National Park was inscribed on the World Heritage List in 1979 and added to the List of World Heritage in Danger in 1993. In 1993, the National Park Service, representing the United States, requested that the Everglades be so listed. In the past three annual sessions of the World Heritage Committee, foreign delegations have, with increasing frequency, urged the U.S. delegations in informal consultations to seek removal of the Everglades from the List of World Heritage Sites in Danger. These delegations have cited the Comprehensive Everglades Restoration Plan enacted by Congress in 2000, arguably the world's most ambitious conservation project, as the basis for such sentiments.

At the meeting of the World Heritage Committee in Christchurch, many foreign delegations again urged the United States to request delisting of the Everglades. Our U.S. Ambassador to UNESCO determined that support for such an action was sufficient to ensure success, and so advised the Department of the Interior members of the delegation. The delegation then decided to proceed with a formal request for delisting. The advisory group, the World Conservation Union (IUCN), noted achievements in preservation and restoration of the Everglades, but recommended that the Everglades remain on the List in Danger pending further study of the conservation measures underway. However, every Committee member who spoke on the issue (India, Kenya, Lithuania, New Zealand, Israel, Canada, Madagascar, Chile, Benin, and Spain) favored removal of the Everglades from the List in Danger. Several Committee members hailed the U.S. effort as a model for other nations. A unanimous decision was then taken to remove the Everglades from the list. The major practical consequence of the Everglades' removal from the List in Danger is that Everglades National Park will be required to submit annual reports, gauging progress against certain benchmarks established in 2006. The Committee also requested that the United States, in consultation with the World Heritage Centre and the IUCN, develop a statement of the "desired state of conservation" for the site. The next U.S. report is due in February 2008.

Senator BILL NELSON. I would like to call up Ms. Mittal, Director of the Natural Resources and Environmental Team of the GAO.

Thank you, and your written statement, as well, will be put in the written record of the committee.

And Ms. Mittal, am I pronouncing that correctly?

STATEMENT OF ANU K. MITTAL, DIRECTOR, NATURAL RESOURCES AND ENVIRONMENTAL TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, DC

Ms. MITTAL. Yes; you are, sir.

Senator BILL NELSON. OK. In an op-ed in the South Florida Sun Sentinel, Mr. Willens cites the GAO's report on the South Florida ecosystem in support of his decision to remove the Everglades from the World Heritage list of sites in danger. And of the nine projects that were set for removing the Everglades from the danger list, only one of those projects has been completed—at most, two. Is that correct?

Ms. MITTAL. Yes; only one has been completed.

Senator BILL NELSON. What is the status of the other projects?

Ms. MITTAL. Four of them are currently being implemented, and four are still being designed and planned.

Senator BILL NELSON. And what is the earliest that those projects could be completed?

Ms. MITTAL. The ones that are currently being implemented have various completion dates that range between the next 2 to 5 years. For the ones that are currently being designed and planned, they are several decades out. The earliest ones will be completed in 2015, the later ones closer to 2035.

Senator BILL NELSON. You found that the most critical of the 222 projects that make up the restoration effort, are woefully behind schedule, and in many cases, only in the planning stages?

Ms. MITTAL. Yes, sir.

Senator BILL NELSON. Well, would a reasonable person conclude that the Everglades at this point is no longer in danger?

Ms. MITTAL. I think it depends on how you measure progress. If you measure progress based purely on effort, then some people could reach the conclusion that, yes, we're making a lot of effort, and that sounds like what happened at the World Heritage Committee meeting.

But, if you look at results, which is what our report defines as progress, in terms of what are we getting for the effort that we've made, then you would come to a totally different conclusion, that we don't know whether the Everglades are going to be protected.

Senator BILL NELSON. I must say, that for the fish and the birds, and the alligators and, unfortunately now, the pythons—which are not indigenous to the Everglades, but which have become a real problem—they want results. That's the area that's starved of water. Because the water—first of all, you've got to get it, and you've got to get it fairly cleaned, coming south out of the lake. And then you've got to work on restoring as much of Mother Nature's sheet flow that brings it in this direction, into Florida Bay, and into the Gulf of Mexico. And, therein lies a major problem. So, when you look at results, I'll use your word—you would certainly conclude that the Everglades are in danger.

Ms. MITTAL. I believe that we are not yet in a position to say that we have restored the Everglades, and that the restoration will not happen for at least 20, 30, maybe 40 years at the rate that we're going.

Senator BILL NELSON. OK; thank you.

You also identified that the costs of this restoration project are escalating?

Ms. MITTAL. Yes, sir.

Senator BILL NELSON. Would it be reasonable to conclude that the cost to taxpayers—not only in Florida, but all over the coun-

try—are going to increase if we do not resolve the issues responsible for delaying the progress on restoring the Everglades?

Ms. MITTAL. Well, the delays have already resulted in a 28-percent cost increase. As you mentioned earlier, the cost of construction has gone up, the cost of acquiring land to complete the projects has gone up, and project scope changes have caused the cost to increase.

But, more importantly, all of the costs are not yet included in this $20 billion number that you have mentioned, because there are a lot of various factors that constitute the Everglades Restoration Project that we still don't have numbers for. And so, when you start adding those costs as we stated in our report, the total costs are going to increase significantly, beyond the $20 billion.

Senator BILL NELSON. And that's what you concluded in this report?

Ms. MITTAL. Yes, sir.

Senator BILL NELSON. Do you have an opinion, having done the work on this report, what should be done to ensure that we preserve this natural and national treasure for future generations?

Ms. MITTAL. Well, the conclusions of our report are, that we have to fulfill the commitments that we've made, in terms of completing the projects on time—many of the projects are delayed, as you have mentioned already. We have to make sure that the Federal share of the contribution to the Everglades is made up, because right now there's a shortfall, and that's primarily on the Federal side, and we have to continue to get these projects implemented so that further delays don't result in increased costs for the overall project.

[The prepared statement of Ms. Mittal follows:]

PREPARED STATEMENT OF ANU K. MITTAL, DIRECTOR, NATURAL RESOURCES AND ENVIRONMENTAL TEAM, GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, DC

Mr. Chairman and members of the subcommittee, we are pleased to be here today to participate in your hearing on protecting the Everglades. As you know, restoring the South Florida ecosystem is a complex, long-term effort. This vast region, which is home to a rapidly growing population of more than 6 million people and supports a large agriculture-, tourism-, and recreation-based economy, also encompasses one of the world's unique environmental resources—the Everglades. Recognizing the importance of the Everglades, in 1979, the World Heritage Committee (WHC) of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) included Everglades National Park (Park) on its list of world cultural and natural heritage sites of importance. However, over the past 100 years, engineering projects designed to control floods and supply water to the residents of South Florida have diverted water from the Everglades. This alteration of water flow, coupled with agricultural and industrial activities and urbanization, has jeopardized the ecosystem's health and reduced the Everglades to about half of its original size. In light of the Everglades deteriorating condition, in 1993 the WHC added the Park to its List of World Heritage in Danger sites. These sites are determined to be facing serious and specific threats and require major conservation efforts.

In 1996, through the Water Resources Development Act of 1996, the Congress formalized the South Florida Ecosystem Restoration Task Force, an effort established by Federal agencies in 1993 to stem the deterioration of the ecosystem and restore the Everglades to a more natural state. The Task Force was expanded to include State, local, and tribal representatives and was charged with coordinating and facilitating efforts to restore the ecosystem. The restoration effort currently consists of 222 projects, which include 60 key projects that comprise the Comprehensive Everglades Restoration Plan (CERP), 28 projects that lay the foundation for the CERP projects (that we refer to as CERP-related projects); and 134 projects that are not directly related to CERP (that we refer to as non-CERP projects). According to WHC and Park documents, 9 of the 222 projects are key to achieving a set of benchmarks

adopted by the WHC in 2006 that, when met, would lead to the removal of the Park from its list of sites in danger.

Our testimony today focuses on the (1) status of restoration projects and their expected benefits, (2) status of projects that are key to restoring the health of Everglades National Park, (3) factors that influence the sequencing of project implementation, and (4) amount of funding provided to the restoration effort since 1999 and the extent to which costs have increased. Our testimony is based primarily on our May 2007 report[1] on the status of the South Florida Ecosystem Restoration Initiative. In addition, at the request of the subcommittee, we reviewed publicly available WHC decision documents regarding Everglades National Park's inclusion on the List of World Heritage in Danger. We conducted our work in accordance with generally accepted government auditing standards.

In summary, we found the following:

- Forty-three of the two hundred and twenty-two projects that constitute the South Florida ecosystem restoration effort have been completed, while the remaining projects are currently being implemented or are in design, being planned, or have not yet started. Many of the completed projects are intended primarily to improve water quality in natural areas or to acquire or improve tracts of land in order to preserve wildlife habitat. The projects now being implemented also emphasize the restoration of wildlife habitat by acquiring or improving land, as well as the construction of key CERP-related projects that will improve water flow to natural areas. The projects not yet implemented are largely CERP projects that are crucial to realizing the restoration's overall goals, but these projects are progressing slowly. Despite the slow progress, agency officials report a number of achievements, such as finalizing key CERP agreements and restoring a more natural water flow to the Kissimmee River which is the headwater of the ecosystem. In addition, because of the continuing delays in implementing critical CERP projects, the state has begun expediting the design and construction of some of these projects with its own resources. The state hopes that its efforts will provide some immediate environmental, flood control and water supply benefits and will help provide some impetus to the larger CERP effort.
- Most of the nine projects that were identified by the WHC as being critical to removing Everglades National Park from the list of world heritage sites in danger have not yet been completed. Specifically, only one project has been completed, four are currently being implemented, and four are currently in the planning and design phase. Moreover, the benefits from these projects may not be apparent for many more years. For example, five of the projects have scheduled completion dates from 2012 to 2035.
- There are no overarching criteria to ensure that the 222 projects that make up the restoration effort are implemented in a sequence that would ensure the achievement of environmental benefits as early as possible and in the most cost effective manner. Instead, implementation decisions for the 162 CERP-related and non-CERP projects are largely driven by available funding. The 60 CERP projects—which are critical to successfully achieving the restoration—have sequencing criteria, however, when the agencies developed their sequencing plan for CERP projects in 2005, they did not have key data and other information to fully apply these criteria. Recently, the agencies began revising the CERP project schedules and sequencing plan, but they still do not have the key information needed to fully apply the established criteria. As a result, there is little assurance that the revised sequencing plan, when it is final, will lead to a CERP project implementation plan that will provide restoration benefits as early as possible and in the most cost-effective manner. We recommended that the agencies obtain the information needed to fully apply the required criteria and then comprehensively reassess its sequencing decisions to ensure that the CERP projects have been appropriately sequenced.
- Participating Federal and State agencies provided a total of $7.1 billion for the restoration effort from fiscal years 1999 through 2006. During this period, the Federal Government contributed about $2.3 billion to the restoration effort and Florida contributed about $4.8 billion. However, the Federal contribution to the effort has been about $1.4 billion less than agencies expected during this period. Because the State has contributed more than its share the overall shortfall for the restoration effort has been about $1.2 billion. At the same time, the total projected cost of the restoration effort has increased by 28 percent—from $15.4

[1] "South Florida Ecosystem Restoration: Restoration is Moving Forward, but Is Facing Significant Delays, Implementation Challenges, and Rising Costs," GAO–07–520 (Washington, DC: May 31, 2007.

billion in 2000 to $19.7 billion in 2006. According to agency officials, the overall cost increases are due to project scope changes, increased construction costs, and higher land costs. Moreover, these cost estimates do not reflect the true cost of the restoration effort, which could be significantly higher because most CERP projects are still in the conceptual phase and their full cost is not yet known.

Background

The South Florida ecosystem covers about 18,000 square miles in 16 counties. It extends from the Kissimmee Chain of Lakes south of Orlando to Lake Okeechobee, and continues south past the Florida Bay to the reefs southwest of the Florida Keys. The ecosystem is in jeopardy today because of past efforts that diverted water from the Everglades to control flooding and to supply water for urban and agricultural development. The central and southern Florida project, a large-scale water control project begun in the late 1940s, constructed more than 1,700 miles of canals and levees and over 200 water control structures that drain an average of 1.7 billion gallons of water per day into the Atlantic Ocean and the Gulf of Mexico. This construction resulted in insufficient water for the natural system and for the growing population, along with degraded water quality. Today, the Everglades has been reduced to half its original size and the ecosystem continues to deteriorate because of the alteration of the water flow, impacts of agricultural and industrial activities, and increasing urbanization.

In response to growing signs of ecosystem deterioration, Federal agencies established the South Florida Ecosystem Restoration Task Force in 1993 to coordinate ongoing Federal restoration activities. The Water Resources Development Act of 1996 formalized the Task Force and expanded its membership to include State, local, and tribal representatives, and charged it with coordinating and facilitating efforts to restore the ecosystem. The Task Force, which is chaired by the Secretary of the Department of the Interior, consists of 14 members representing 7 Federal agencies, 2 American Indian tribes, and 5 State or local governments.[2]

To accomplish the restoration, the Task Force established the following three goals:

- Get the water right. The purpose of this goal is to deliver the right amount of water, of the right quality, to the right places, at the right times. However, restoring a more natural water flow to the ecosystem while providing adequate water supplies and controlling floods will require efforts to expand the ecosystem's freshwater supply and improve the delivery of water to natural areas. Natural areas of the ecosystem are made up of Federal and State lands, and coastal waters, estuaries, bays, and islands.
- Restore, preserve, and protect natural habitats and species. To restore lost and altered habitats and recover the endangered or threatened species native to these habitats, the Federal and State governments will have to acquire lands and reconnect natural habitats that have become disconnected through growth and development, and halt the spread of invasive species.
- Foster compatibility of the built and natural systems. To achieve the long-term sustainability of the ecosystem, the restoration effort has the goal of maintaining the quality of life in urban areas while ensuring that (1) development practices limit habitat fragmentation and support conservation and (2) traditional industries, such as agriculture, fishing, and manufacturing continue to be supported and do not damage the ecosystem.

The centerpiece for achieving the goal to get the water right is the Comprehensive Everglades Restoration Plan (CERP), approved by the Congress in the Water Resources Development Act of 2000 (WRDA 2000). CERP is one of the most ambitious restoration efforts the Federal Government has ever undertaken. It currently encompasses 60 individual projects that will be designed and implemented over approximately 40 years.[3] These projects are intended to increase the water available for the natural areas by capturing much of the water that is currently being diverted, storing the water in many different reservoirs and storage wells, and releas-

[2] Representatives from the State's major industries, environmental groups, and other stakeholders provide comments to the Task Force through public meetings and forums.

[3] The original number of individual projects in CERP was 68. In addition to these 68, CERP included 6 pilot projects and 3 proposed feasibility studies. Since CERP's approval in 2000, the Corps and the South Florida Water Management District have reorganized the projects to group those that are logically connected into broader projects. For example, several projects around Lake Okeechobee have been combined into one project. At the time of our report, CERP consisted of 60 projects, but the total number of projects that make up CERP may continue to change as implementation progresses and projects are added, combined, divided into multiple parts or phases, or deleted.

ing it when it is needed. The cost of implementing CERP will be shared equally between the Federal Government and the State of Florida and will be carried out primarily by the U.S. Army Corps of Engineers (the Corps) and the South Florida Water Management District (SFWMD), which is the state authority that manages water resources for South Florida.[4] After the Corps and SFWMD complete the initial planning and design for individual CERP projects, they must submit the proposed projects to the Congress to obtain authorization and funding for construction.

In addition to the CERP projects, another 162 projects are also part of the overall restoration effort. Twenty-eight of these projects, when completed, will serve as the foundation for many of the CERP projects and are intended to restore a more natural water flow to Everglades National Park and improve water quality in the ecosystem. Nearly all of these "CERP-related" projects were already being designed or implemented by Federal and State agencies, such as the Department of the Interior and SFWMD, in 2000 when the Congress approved CERP. The remaining 134 projects include a variety of efforts that will, among other things, expand wildlife refuges, eradicate invasive species, and restore wildlife habitat, and are being implemented by a number of Federal, State, and tribal agencies, such as the U.S. Fish and Wildlife Service, the Florida Department of Environmental Protection (FDEP), and the Seminole Tribe of Florida. Because these projects were not authorized as part of CERP and do not serve as CERP's foundation, we refer to them as "non-CERP" projects.

Success in completing the restoration effort and achieving the expected benefits for the ecosystem as quickly as possible and in the most cost-effective manner depends on the order, or sequencing, in which many of the 222 projects will be designed and completed. Appropriate sequencing is also important to ensure that interdependencies among restoration projects are not ignored. For example, projects that will construct water storage facilities and stormwater treatment areas need to be completed before undertaking projects that remove levees and restore a more natural water flow to the ecosystem.

Recognizing the threats that Everglades National Park was facing, in 1993, UNESCO's World Heritage Committee (WHC) included the Park on its List of World Heritage in Danger. This list includes cultural or natural properties that are facing serious and specific threats such as those caused by large-scale public or private projects or rapid urbanization; the outbreak or the threat of an armed conflict; calamities and cataclysms; and changes in water levels, floods, and tidal waves. The Park's inclusion on the list resulted from five specific threats: (1) Urban encroachment; (2) agricultural fertilizer pollution; (3) mercury contamination of fish and wildlife; (4) lowered water levels due to flood control measures; and (5) damage from Hurricane Andrew, which struck the South Florida peninsula in 1992 with winds exceeding 164 miles per hour. In 2006, WHC adopted a set of benchmarks that, when met, would lead to the Park's removal from the List. According to Park and WHC documents, nine projects that are part of the overall restoration effort will contribute to the achievement of these benchmarks.

Although Many Restoration Projects Have Been Completed or Are Ongoing, Key Restoration Benefits Are Expected To Come From Projects Not Yet Implemented

Forty-three of the 222 projects that constitute the South Florida ecosystem restoration effort have been completed, while the remaining projects are currently being implemented or are either in design, being planned, or have not yet started. Table 1 shows the status of the 222 restoration projects.

TABLE 1.—STATUS OF THE 222 RESTORATION PROJECTS BY PROJECT GROUP

	Completed	In implementation	Not yet implemented		Total
			Planning/design	Not yet started	
CERP	0	7	21	32	60
CERP-related	15	10	3	0	28
Non-CERP	28	90	2	14	134
Total	43	107	26	46	222

Source: GAO analysis of documents provided by Task Force and participating agencies.

[4] Although SFWMD is CERP's primary non-Federal sponsor, the Florida Department of Environmental Protection as well as three county governments and two American Indian tribes also serve as non-Federal sponsors for portions of the plan.

Completed Restoration Projects.—Although 43 of the 222 projects have been completed since the beginning of the restoration effort, this total is far short of the 91 projects that the agencies reported would be completed by 2006.[5] Nine projects were completed before 2000 when the strategy to restore the ecosystem was set. These projects are expected to provide benefits primarily in the area of habitat acquisition and improvement. Thirty-four projects were completed between 2000 and 2006. The primary purposes of these projects range from the construction of stormwater treatment areas, to the acquisition or improvement of land for habitat, to the drafting of water supply plans.

Ongoing Restoration Projects.—Of the 107 projects currently being implemented,[6] 7 are CERP projects, 10 are CERP-related projects, and 90 are non-CERP projects. Five of the seven CERP projects are being built by the State in advance of the Corps' completion of the necessary project implementation reports and submission of them to the Congress for authorization and appropriations. Nonetheless, some of the CERP projects currently in implementation are significantly behind schedule. For example, four of the seven CERP projects in implementation were originally scheduled for completion between November 2002 and September 2006, but instead will be completed up to 6 years behind their original schedule because it has taken the corps longer than originally anticipated to design and obtain approval for these projects. Overall, 19 of the 107 projects currently being implemented have expected completion dates by 2010. Most of the remaining 88 projects are non-CERP habitat acquisition and improvement projects that have no firm end date because the land will be acquired from willing sellers as it becomes available.

Projects Not Yet Implemented.—Of the 72 restoration projects not yet implemented—in design, in planning, or not yet started—53 are CERP projects that are expected to be completed over the next 30 years and will provide important benefits such as improved water flow, additional water for restoration as well as other water-related needs. In contrast, the other 19 projects include 3 CERP-related and 16 non-CERP projects, which are expected to be completed by or before 2013. Consequently, the full environmental benefits for the South Florida ecosystem restoration that the CERP projects were intended to provide will not be realized for several decades. Several of the CERP projects in design, in planning, or not yet begun, were originally planned for completion between December 2001 and December 2005, but instead will be completed from 2 to 6 years behind their original schedule. According to agency officials CERP project delays have occurred for the following reasons:

- It took longer than expected to develop the appropriate policy, guidance, and regulations that WRDA 2000 requires for the CERP effort.
- Some delays were caused by the need to modify the conceptual design of some projects to comply with the requirements of WRDA 2000's savings clause. According to this clause, CERP projects cannot transfer or eliminate existing sources of water unless an alternate source of comparable quantity and quality is provided, and they cannot reduce existing levels of flood protection.[7]
- Progress was limited by the availability of less Federal funding than expected and a lack of congressional authorization for some of the projects.
- The extensive modeling that accompanies the design and implementation of each project in addition to the "cumbersome" project review process may have also contributed to delays, as well as stakeholder comment, dispute resolution, and consensus-building that occurs at each stage of a project.
- Delays have occurred in completing the CERP-related Modified Water Deliveries to Everglades National Park (Mod Waters) project, which is a major building block for CERP. These delays, in turn, have delayed CERP implementation.

Given the continuing delays in implementing critical CERP projects, the State has begun expediting the design and construction of some of these projects with its own resources. The State's effort, known as Acceler8, includes most of the CERP projects that were among WRDA 2000's 10 initially authorized projects, whose costs were to be shared by the Federal Government and the State. According to Florida officials, by advancing the design and construction of these projects with its own funds, the State hopes to more quickly realize restoration benefits for both the natural and human environments and to jump-start the overall CERP effort once the Congress begins to authorize individual projects. The Acceler8 projects include seven that are

[5] South Florida Ecosystem Restoration Task Force, "Coordinating Success Strategy for Restoration of the South Florida Ecosystem, Volume 2" (Miami, FL: July 31, 2000).

[6] Some projects have multiple components, and while the entire project cannot be counted as completed, important components of it may be finished. Unless all components of the project were complete, we counted these projects as being implemented.

[7] The sources of water and levels of flood protection that must be protected are those that were in existence on the date of WRDA 2000's enactment—December 11, 2000.

affiliated with CERP and an eighth that expands existing stormwater treatment areas. The state expects to spend more than $1.5 billion to design and construct these projects by 2011.

Restoration Projects That Would Help Achieve the World Heritage Committee's Benchmarks Will Not Be Completed for Many Years

Most of the restoration projects that would help Everglades National Park achieve the WHC's benchmarks for removing the Park from its list of world heritage sites in danger have not been completed. According to Park and WHC documents, nine restoration projects were key to meeting these benchmarks. Table 2 lists the nine projects, the type of project, implementation status, and expected completion date.

TABLE 2.—STATUS OF NINE RESTORATION PROJECTS KEY TO ACHIEVING THE WORLD HERITAGE COMMITTEE'S BENCHMARKS

Project	Type	Purpose	Stage	Completion date
Storm Water Treatment Areas 3/4	CERP-related	Water quality	Completed	2005
East Everglades Addition to Everglades National Park.	Non-CERP	Habitat acquisition and improvement.	Ongoing	TBD
Everglades Agriculture Area Storm Water Treatment Areas Expansion.	CERP-related	Water quality	Ongoing	2010
Modified Water Deliveries	CERP-related	Water storage and flow.	Ongoing	2011
C–111 (South Dade)	CERP-related	Water storage and flow.	Ongoing	2012
C–111 Spreader Canal	CERP	Water quality	Not yet implemented	2015*
Everglades National Park Seepage Management.	CERP	Water storage and flow.	Not yet implemented	2015
Water Conservation Area 3—DECOMP	CERP	Water storage and flow.	Not yet implemented	2020
Central Lake Belt Storage	CERP	Water storage and flow.	Not yet implemented	2035

Source: GAO analysis of agency provided data.

*SFWMD is expediting the design and construction of this project with its own funds in advance of congressional authorization, which may result in earlier completion.

As table 2 shows, only one of the nine projects has been completed; four projects are ongoing and will not be completed until at least 2012; and four projects are still in planning and design and are not expected to be completed until some time between 2015 and 2035.

In February 2007, the United States prepared a status report for the WHC on the progress made in achieving the benchmarks that the committee had established for the Park in 2006. Based on its review of this progress report, at a benchmarks meeting on April 2–3, 2007, the WHC's draft decision was to retain Everglades National Park on the list of world heritage sites in danger; to recommend that the United States continue its commitment to the restoration and conservation of the Park and provide the required financial resources for the full implementation of the activities associated with CERP. WHC's draft decision also requested that the United States provide an updated report by February 1, 2008, on the progress made toward implementation of the corrective measures. However, at the WHC session held between June 23 and July 2, 2007, the WHC decided to remove the Park from the list of world heritage sites in danger and commended the United States for the progress made in implementing corrective measures. In its final decision, the WHC encouraged the United States to continue its commitment to the restoration and provide the required financial resources for the full implementation of the activities associated with CERP. It is unclear from the WHC final decision document whether any additional or new information was provided to the committee that led to its final decision.

The Overall Restoration Effort Has No Sequencing Criteria and Criteria Established for CERP Projects Have Not Been Fully Applied

No overall sequencing criteria guide the implementation of the 222 projects that comprise the South Florida ecosystem restoration effort. For the 60 CERP projects there are clearly defined criteria to be considered in determining the scheduling and sequencing of projects. However, the corps has not fully applied these criteria when making CERP project sequencing decisions, because it lacked key data such as updated environmental benefits data and interim goals. As a result the corps primarily

relied on technical interdependencies and availability of funding as the criteria for making sequencing decisions.[8] The corps has recently started to revisit priorities for CERP projects and alter project schedules that were established in 2005 (this process is referred to as CERP-reset). However, because the corps continues to lack certain key data for making sequencing decisions, the revised plan, when completed, will also not fully adhere to the criteria.

Although CERP-related projects provide the foundation for many CERP projects, there are no established criteria for determining their implementation schedule and their estimated start and completion dates largely depend upon when and if the implementing agency will have sufficient funding to implement the project. For example, the construction of the Mod Waters project has been delayed several times since 1997 because, among other things, Interior did not receive enough funding to complete the construction of this project. This project is expected to restore natural hydrologic conditions across 190,000 acres of habitat in Everglades National Park and assist in the recovery of threatened and endangered plants and wildlife. The completion date for the Mod Waters Project has slipped again and it is now not expected to be completed until 2011. Because completion of this project is critical to the implementation of other CERP projects such as the Water Conservation Area 3 Decompartmentalization and Sheetflow Enhancement (Decomp) project—a project that many agency officials consider key to restoring the natural system—these delays will have a ripple effect on the completion date of this project as well.

Similarly, for non-CERP projects, agencies reported that they do not have any sequencing criteria; instead, they decide on the scheduling and timing of these projects primarily if and when funding becomes available. For example, Florida has a land acquisition program to acquire lands for conservation and habitat preservation throughout the state, including for some non-CERP projects that are part of the South Florida ecosystem restoration effort. State officials have identified lands and added them to a list of priority projects proposed for acquisition throughout the State. However, whether or not these lands will be acquired for non-CERP projects depends on whether there is available funding in the annual budget, there are willing sellers, and the land is affordable based on the available funding.

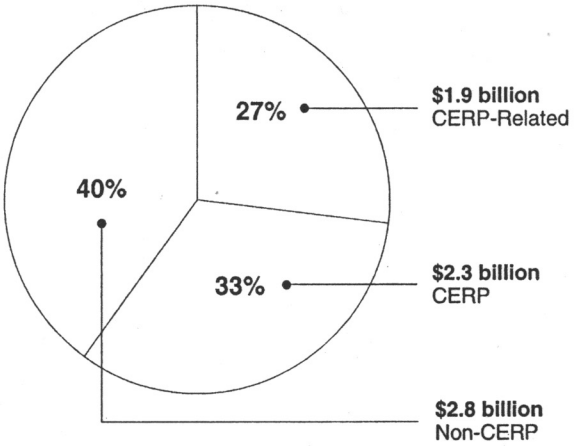
Because of the correct sequencing of CERP projects is essential to the overall success of the restoration effort, we recommended that the corps obtain the data that it needs to ensure that all required sequencing criteria are considered and then comprehensively reassess its sequencing decisions to ensure that CERP projects have been appropriately sequenced to maximize the achievement of restoration goals. The agency agreed with our recommendation.

Federal Agencies and Florida Have Provided More Than $7 Billion for Restoration Activities Since 1999, But Estimated Costs Have Increased and Are Likely to Rise

From fiscal year 1999 through fiscal year 2006, Federal and State agencies participating in the restoration of the South Florida ecosystem provided $7.1 billion for the effort. Of this total, Federal agencies provided $2.3 billion and Florida provided $4.8 billion. Two agencies the Corps and Interior—provided over 80 percent of the Federal contribution. As figure 1 shows, Federal and State agencies allocated the largest portion of the $7.1 billion to non-CERP projects for fiscal years 1999 through 2006.

[8] An agreement establishing interim goals was signed by the Departments of the Army and the Interior and the State of Florida in late April/early May 2007.

Figure 1: Federal and State Funding Provided for CERP, CERP-Related, and Non-CERP Projects and Activities, Fiscal Years 1999-2006



Source: GAO's analysis of federal and state agencies restoration funding data.

Note: Amounts do not total to $7.1 billion due to rounding. The amounts are $1.93 billion for CERP-related, $2.35 billion for CERP, and $2.80 billion for non-CERP.

While Federal agencies and Florida provided about $2.3 billion during fiscal years 1999 through 2006 for CERP projects, this amount was about $1.2 billion less than they had estimated needing for these projects over this period. This was because the Federal contribution was $1.4 billion less than expected. This shortfall occurred primarily because CERP projects did not receive the congressional authorization and appropriations that the agencies had expected. In contrast, Florida provided a total of $2 billion over the period, exceeding its expected contribution to CERP by $250 million, and therefore making up some of the Federal funding shortfall.

Additionally, between July 31, 2000, and June 30, 2006, the total estimated cost for the South Florida ecosystem restoration grew from $15.4 billion to $19.7 billion, or by 28 percent. A significant part of this increase can be attributed to CERP projects; for these projects costs increased from $8.8 billion to $10.1 billion. This increase represents nearly 31 percent of the increase in the total estimated cost for the restoration. Agency officials reported that costs have increased for the restoration effort primarily because of inflation, increased land and construction costs, and changes in the scope of work. Furthermore, the costs of restoring the South Florida ecosystem are likely to continue to increase for the following reasons:

- Estimated costs for some of the projects are not known or fully known because they are still in the design and planning stage. For example, the total costs for one project that we examined—the Site 1 Impoundment project—grew by almost $36 million; from about $46 million to about $81 million after the design phase was completed. If other CERP projects, for which initial planning and design have not yet been completed, also experience similar increases in project costs, then the estimated total costs of not only CERP but the overall restoration effort will grow significantly.
- The full cost of acquiring land for the restoration effort is not known. Land costs for 56 non-CERP land projects, expected to total 862,796 acres, have not yet been reported. According to State officials, Florida land prices are escalating rapidly, owing primarily to development pressures. Consequently, future project costs are likely to rise with higher land costs. Similarly, while land acquisition costs for CERP projects are included as part of the total estimated project costs, thus far, the State has acquired only 54 percent of the land needed for CERP projects, at a cost of $1.4 billion. An additional 178,000 acres have yet to be acquired; the cost of these purchases is not yet known and is therefore not fully reflected in the cost of CERP and overall restoration costs.
- The cost of using new technologies for the restoration effort is unknown. The Congress authorized pilot projects in 1999 and 2000 to determine the feasibility of applying certain new technologies for storing water, managing seepage, and

reusing treated wastewater. While the pilot projects have been authorized, the cost to construct or implement projects based on the results of the pilot projects is not yet known.

In conclusion, Mr. Chairman, our review of the South Florida Ecosystem restoration effort shows that the some progress has been made in moving the restoration forward. However, the achievement of the overall goals of the restoration and ultimately improvements in the ecological condition of Everglades National Park depends on the effective implementation of key projects that have not progressed as quickly as was expected. Moreover, the shortfall in Federal funding has contributed to some of these delays and at the same time the costs of the restoration continues to increase and we believe could rise significantly higher than the current estimate of almost $20 billion. In light of these concerns, we believe that restoring the South Florida Ecosystem and Everglades National Park, will continue to be a significant challenge for the foreseeable future.

Senator BILL NELSON. Time, cost, delay of time, implementation of the plan.

Mr. Willens, do you understand why people such as the people of Florida are so upset at you unilaterally taking the Florida Everglades National Park off the list of in danger sites?

Mr. WILLENS. I understand the concerns and the challenges that the Everglades have. And the conclusion that GAO has come to are completion, they're evaluating completion of the projects. The World Heritage Committee is not evaluating completion. They're evaluating what they put it on for as an in danger site. And, I know it is a very difficult, and not easy for the general public to understand what the World Heritage Committee's purpose is, and what their goal was with in danger, which is, you know, it works in an obscure thing that's not everyday front page, and really not in the history books, but their purpose is different than what GAO's study was. And GAO worked at what, and came to evaluations on projects and completions. And the World Heritage Committee was, "What progress has begun? And what discussions are going forward?" And their evaluation was a different metric.

Senator BILL NELSON. But, you heard Ms. Mittal representing a very prestigious and accurate GAO, say that only one of nine benchmarks has been achieved. And you don't think that is worthwhile to take this into consideration when deciding whether or not something should be on the endangered list?

Mr. WILLENS. Well, the Committee was aware that it—again, they felt their decision, that progress has been made. And obviously, they felt, and viewed that what's being done, was—satisfied the criteria for removing it from in danger. Otherwise, they would not have done it. And, I note, they did it unanimously.

It's not the first time that we have had a site removed from in danger. Yellowstone was removed several years ago. And, so we're aware that the Committee spends a lot of time and serious debate, and doesn't take these issues lightly, as that was the case here. Yellowstone had its own controversy at the time it was brought up. So, we don't take this action lightly, and I don't think the Committee took it lightly, but they did take it unanimously.

Senator BILL NELSON. Well, it sounds like—to this Senator—that the Committee is Todd Willens, making the recommendation to take it off.

Ms. Mittal, what's your opinion about a statement that removing the Everglades from the list encourages the perception that the Everglades are no longer in danger?

Ms. MITTAL. I believe that, unless people understand the full context of how sites get on the World Heritage Committee list, and how they get off the list, that statement could cause a perception that somehow the Everglades are not in danger anymore.

Senator BILL NELSON. Mr. Willens, the staff has reminded me that when you met with the staff that you told them that if you had not made the motion to remove the Everglades from the list that another country would have. Do you want to clarify that statement to the staff?

Mr. WILLENS. Well, we were approached before the meeting, or before the issue came up at the meeting, and I mean, the idea did not originate from us, I have to say, it was after negotiations and discussions with the other countries. And there were a number of countries at the time that said they were willing to make the motion. And—that as long as the United States didn't object. And, at that point, that's when we took responsibility and said, if, you know, after—we could have taken the easy way out and let some other country do it for us. But that's not responsible leadership, and so we did it, believing that it was the right action to be taken, we did it ourselves.

Senator BILL NELSON. Well, isn't that interesting, because Ambassador Louise Oliver said the opposite. She explained in a meeting with our staff that the recommendations on inclusion or deletion are put forth by the country in whose territory the site is located. So, there seems to be a conflict there, does there not?

Mr. WILLENS. Well, that's actually not the case. Because in the case of Yellowstone, which history shows, if you go back on the record, we weren't on the Committee, we were an observer. And we relied on another country to make a motion to remove Yellowstone from in danger. While we were recognized to speak later, we didn't have the authority as a member of the Committee to take the motion forward. So, I would say that for purposes of clarification, then the case of Yellowstone, it's extremely evident and related back to the United States, that from previous history that that's not the case, and I think Louise—something may have been lost in the long-distance conversation there over the phone, but I would say that we—and I think she wouldn't disagree—that if we had a conversation, and we talked about Yellowstone, that shows you right then and there, that our previous experience with removal from in danger was, we weren't on the Committee, we didn't make the motion, but it still was removed from in danger.

Senator BILL NELSON. Well, there's definitely a conflict between the two of you, because she said, and I'm using her words——

Mr. WILLENS. Sure.

Senator BILL NELSON [continuing]. That it was impossible for other countries to make such a recommendation.

Mr. WILLENS. I would have to talk to Louise, and we can get back to you and clarify that and get that straight for you, for the record.

Senator BILL NELSON. We will ask her directly.

Mr. WILLENS. OK.

Senator BILL NELSON. Thank you all for your participation. I think it is clear that the Florida delegation has an obligation to keep this process going forward, on restoring the Everglades, we

are committed to that. And whenever there is an outside threat, as we have seen, we need to get to the bottom of it. And then try not to let it deter us from what Ms. Mittal has described as a very long, and a very expensive process of restoration of one of the world's greatest natural treasures.

Thank you, and the meeting is adjourned.

[Whereupon, at 4:20 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

ATTACHMENTS SUBMITTED BY DEPUTY ASSISTANT SECRETARY TODD WILLENS

[UNESCO Press Release, June 24, 2007]

FLORIDA EVERGLADES AND RIO PLÁTANO BIOSPHERE RESERVE REMOVED FROM DANGER LIST

THE 31ST SESSION OF THE WORLD HERITAGE COMMITTEE, CHRISTCHURCH, NEW ZEALAND (2007)

The World Heritage Committee has decided that improvements in the preservation of the Everglades National Park (Florida, USA) and Rio Plátano Biosphere Reserve (Honduras) were sufficient to remove both UNESCO World Heritage sites from the List of World Heritage in Danger.

The Committee commended the United States of America for its investment of scientific and financial resources to rehabilitate the site which was inscribed on the World Heritage List in 1979 and on the Danger List in 1993. Described as a river of grass flowing imperceptibly from the hinterland into the sea, the Everglades' exceptional variety of water habitats has made it a sanctuary for a large number of birds and reptiles, including threatened species such as the manatee. It had been threatened by urban growth and pollution, as well as by the damage caused to Florida Bay in 1992 by Hurricane Andrew.

The Committee also welcomed the corrective measures taken by the Honduran authorities to preserve the Río Plátano Biosphere Reserve, that was inscribed on the World Heritage List in 1982 and on the Danger List in 1996. These corrective measures, recommended by the World Conservation Union (IUCN) 11 years ago, were destined to relieve the site—one of the few remaining tropical rainforests in Central America, home to an abundant and varied plant and wildlife—of encroachment by agriculture, timber trade and hunting.

The World Heritage Committee, meeting for its 31st session in Christchurch, made this decision on Sunday as it started reviewing the state of conservation of sites inscribed on UNESCO's World Heritage List, which totals 830 sites, 31 of which were on the List of World Heritage in Danger before the start of this session. Inclusion on the Danger List is intended to mobilize support for sites whose outstanding universal value is under threat.

EVERGLADES NATIONAL PARK 2007 SITE MONITORING REPORT WITH STEPS AND BENCHMARKS—FEBRUARY 1, 2007

This report provides an update on specific accomplishments in efforts to address previously identified threats to the outstanding universal values of Everglades National Park (Park). This Report also provides clear Benchmarks, developed in cooperation with IUCN and approved by the World Heritage Committee in Decision 30 COM 7A.14 taken at the 30th Session (Lithuania), which when met, would facilitate the removal of Everglades National Park from the List of World Heritage in Danger.

Threat 1. Alterations of the Everglades National Park hydrological regimes (quantity, timing, and distribution of Shark Slough inflows)

Status: The requested Federal appropriations for the current fiscal year (FY 2007) include approximately $253 million for a comprehensive array of South Florida ecosystem restoration projects. Of the $253 million, just over $48 million has been requested to continue construction of the Modified Water Deliveries Project (Mod/Waters) and another $11 million of the $253 million have been requested by the National Park Service (NPS) to support other ecosystem restoration objectives.

The Everglades National Park Protection and Expansion Act of 1989 authorized the addition of 109,600 acres of the critical Northeast Shark Slough basin to the Park. The Act also directed the U.S. Army Corps of Engineers (Corps) to improve water deliveries to Everglades National Park and, to the extent practicable, take steps to restore the natural hydrologic conditions in the Park. The Corps is continuing its efforts to increase water flows into the Park's largest drainage basin, Shark Slough.

The most significant near-term efforts to restore water flows into the Park are tied to the completion of the Mod/Waters Project, which consists of three general components: (1) The 8.5 Square Mile Area Flood Mitigation project, which will control seepage losses from Northeast Shark Slough and mitigate for any increased water flows on adjacent developed lands; this component is scheduled for completion in May, 2008; (2) Construction of water conveyance features to promote sheetflow of water through the upstream Water Conservation Areas and into Northeast Shark Slough; this component is scheduled for completion by November, 2010; and (3) the reconstruction of the Tamiami Trail (U.S. 41) which will raise the road bed and bridge 3 miles of the Northeast Shark Slough basin to improve flow distributions into the eastern portion of the Park; this component is scheduled for completion by November 2011.

Cost estimates to complete the remaining Mod/Waters project features have increased by approximately $196 million since the 2006 status report due principally to significantly higher construction costs. In 2005, the Federal Government made a determination that all remaining Mod/Waters costs will be split equally between the Corps and NPS. Currently projected appropriations are considered to be adequate to complete all three of the project components by November 2011.

The Corps recently initiated an Environmental Impact Statement (EIS) for the development of the Combined Structural and Operational Plan (CSOP), which will provide a water control plan for operation of the Mod/Waters and C–111 Project features. This plan will replace the current Interim Operating Plan (IOP) that was specifically designed to address the recovery of the endangered Cape Sable Seaside Sparrow. The Corps expects to complete this CSOP water control plan by January 2008. The EIS for the Combined Structural and Operational Plan will also describe the final design for the Mod/Waters conveyance features to move additional water through the upstream Water Conservation Areas and into Northeast Shark Slough.

Benchmark 1A: All East Everglades Land Acquisition complete (approximately 44,000 hectares). Land Acquisition is approximately 98 percent complete. The key remaining lands occur along Tamiami Trail, and are expected to be acquired during 2007 as part of the roadway construction project.

Benchmark 1B: Complete Water Control Plan (CSOP Final EIS) and completion of 8.5 Square Mile Area Construction. The CSOP EIS and water control plan are scheduled for completion in January 2008, while the remaining 8.5 SMA features are scheduled for completion in May 2008.

Benchmark 1C: Construction projects for the L–67A & L–67C and L–29 water conveyance structures, Tamiami Trail Bridges, and road modifications are all underway. Construction of the Tamiami Trail roadway improvements is scheduled to begin in March 2008. Construction of the conveyance features along L–67A & L–67C is scheduled to begin in December 2008, while construction of the L–29 conveyance improvements will begin in January 2009.

Threat 2: Adjacent urban and agricultural growth (flood protection and water supply requirements that affect ENP resources by lowering water levels)

Status: In the 1989 ENP Protection and Expansion Act, Congress authorized a reevaluation of the C–111 project features to address the need for hydrologic restoration in the Taylor Slough and Eastern Panhandle watersheds, as a result of lowered water levels in the L–31N and C–111 canals, located along the Park's eastern boundary. In 1994, the Army Corps completed a C–111 General Reevaluation Report (GRR) recommending a series of modifications that would limit groundwater losses from the Park and restore a more natural water flow regime through Taylor Slough and into Northeastern Florida Bay.

The Corps 2002 revised C–111 plan recommended a series of three pump stations (S–332B, S–332C, and S–332D) and associated water detention areas that would maintain the currently authorized levels of flood protection for adjacent agricultural areas, while limiting groundwater losses from ENP wetlands. By 2006, the majority of the C–111 project features were completed, while construction of the central detention area (adjacent to the S–332C pump station) was delayed by a required land exchange between the NPS and the South Florida Water Management District. This land exchange was completed in 2006, and all remaining C–111 project features are scheduled for completion by November 2011.

The Park occupies portions of three adjacent counties, with the majority of its land areas in Miami-Dade (M–D) County. The County has a total of 1,965 square miles, of which 373 are urbanized and 393 are agricultural and other open space. The remainder is within the Park. M–D County planners have estimated an annual population growth rate of more than 3 percent within southern Miami-Dade, with a projected need to construct over 204,000 new dwelling units on the private lands between Everglades and Biscayne National Parks. M–D planners anticipate 30,000 new residents in the area each year, reaching 600,000 additional people by 2025 and 1.2 million by 2050.

To date, intensive residential development has largely been confined within an Urban Development Boundary (UDB) that was established by M–D County in 1975. The NPS has continued to work closely with M–D County and regional land and water management agencies as part of a South Miami-Dade Watershed Study, which is scheduled for completion in early 2007. The current preferred plan for the Watershed Study would place all of the projected new dwelling units needed through 2025 (102,000 units) inside the UDB, and 60 percent of the new dwelling units within the UDB after 2026, in order to preserve the County's remaining wetlands, farmlands, and open space. If this approach is approved by the Miami-Dade Board of County Commissioners, most of the farmland and open space adjacent to Everglades National Park would remain in place, greatly reducing the pressure to further lower canal water levels, thereby protecting the wetlands and natural habitats within the Park.

Benchmark 2A: Complete C–111 land exchange between the South Florida Water Management District and the U.S. Government. Congress approved the land exchange in a 2006 appropriations bill, and all lands needed to complete the C–111 detention areas are now in place.

Benchmark 2B: Complete Water Control Plan (CSOP Final EIS). The CSOP EIS and water control plan are scheduled for completion in January 2008.

Benchmark 2C: Complete the construction of the C–111 detention area features from the 8.5 Square Mile Area to the Frog Pond. All of the detention areas included in the Mod/Waters and C–111 projects are scheduled for completion by November 2011.

Threat 3. Increased nutrient pollution from agricultural activities

Status: In 1991, the U.S. Government and the State of Florida entered into a Consent Decree to resolve longstanding water quality concerns related to Everglades phosphorus enrichment as a result of stormwater runoff from the Everglades Agricultural Area. Interim and long-term phosphorus limits have been established for water flowing into Shark River Slough and the Taylor Slough/Coastal Basins of Everglades National Park, with long-term compliance required by December 31, 2006. Regular monitoring activities and reporting continue to document a general trend of reductions in phosphorous levels for waters discharged into the Everglades.

Despite extensive efforts to lower phosphorus levels in the waters that enter the Park, recent data published by the South Florida Water Management District indicate that inflows to Everglades National Park in Shark River Slough meet the interim phosphorus limits but are extremely close to or exceed the long-term phosphorus limits. Phosphorus levels are expected to decline with full operation of Stormwater Treatment Area 3/4, the largest of the upstream constructed filtering marshes north of Everglades National Park. Phosphorus levels are expected to be further reduced as a result of the State of Florida's "Acceler8" initiatives that will create additional filter marshes that serve as stormwater treatment and impoundment areas.

Benchmark 3A: Meet or exceed the interim and long-term phosphorus reduction limits for water flowing into Shark River Slough and the long-term phosphorus reduction limits for water flowing into the Taylor Slough/Coastal Basins in Everglades National Park. For the Water Year beginning October 1, 2005, and ending September 30, 2006, the 12-month, flow-weighted average total phosphorus discharge concentration for Shark River Slough was 8.7 parts per billion. The interim total phosphorus limit for that period was 10.3 ppb, and the long-term limit (in effect after December 31, 2006) was 8.8 ppb. Although compliance with the limit is determined once per year at the end of the Water Year, the 12-month, flow-weighted average discharge concentrations are compared to the limit monthly. In this past Water Year, the monthly averages for Shark Slough were above the long-term limit for 10 of the 12 months, with only the August and September monthly values falling below the long-term limit. Although the long-term limits were not in effect, these monthly values above the limit illustrate the need for continued progress to improve the quality of waters entering Everglades National Park's Shark River Slough.

For the Water Year beginning October 1, 2005, and ending September 30, 2006, the 12-month, flow-weighted mean total phosphorus discharge concentration from Taylor Slough and the Coastal Basins was 5.7 parts per billion. There is no interim limit for these inflows, and the long-term limit effective on December 31, 2006, is 11.0 ppb. This value shows that water quality presently entering Taylor Slough and the Coastal Basins is well below the long-term limit, which has been the case for many years.

Threat 4: Protection and management of Florida Bay

Status: Expanding development along the lower east coast of Florida has led to massive diversions of stormwater into the Atlantic Ocean, and away from the southern Everglades. These diversions reduced fresh water inflows to Florida Bay resulting in increased salinity, especially in the nearshore embayments of central Florida Bay. Hypersalinity and associated diseases in the early 1990's led to the die-off of sea grasses, elevated nutrients and algae blooms, and reduced estuarine productivity needed for successful reproduction of both Everglades's wading birds and marine shorebird communities. Plans to increase water deliveries to Florida Bay and improving the quality, timing, and distribution of flows into the Bay are focused on water management improvements to Taylor Slough. By diverting water back toward the marshes of Taylor Slough, and filling the lower end of the C–111 Canal, more freshwater will flow into central Florida Bay, reducing salinities and restoring estuarine productivities.

The first phase of this restoration effort is the completion of the ongoing C–111 Project, and the S–332 pump stations and detention areas needed to reduce groundwater losses and store and treat canal waters prior to their entering Everglades National Park. The next phase is the construction of the C–111 Spreader Canal project that will fill in portions of the lower C–111 canal eliminating direct discharges to Barnes Sound, and restoring a more natural sheet flow through the marshes in the Park's Eastern Panhandle. The construction of the C–111 Spreader Canal will allow flood waters to be distributed over a broader area of wetlands upstream of Florida Bay instead of directly shunting flood waters into the estuaries of Barnes Sound.

Benchmark 4A: Complete the construction of the C–111 Detention Area features from the 8.5 Square Mile Area to the Frog Pond and implement CSOP operations. This construction is scheduled for completion by November 2011.

Benchmark 4B: Complete the C–111N Spreader Canal and revised operations. The first phase of this project (Acceler8 component) is scheduled for completion by December 2008. The second phase, part of the Comprehensive Everglades Restoration Plan (CERP) is scheduled for completion by June 2012.

Everglades Restoration Timetable

Annex to State Party Site Monitoring Report

May 3, 2006

Threats	Activities/Projects	Benchmark	Expected Results	Dead line	Revised Deadline	Other Comments
1. Alteration of ENP hydrological regimes (Quantity, Timing, and Distribution of Shark Slough Inflows).	East Everglades land acquisition	All East Everglades Land Acquisition complete (44,000 +/- hectares).	Allows for East Everglades wetland rehydration.	2008	TBD	
	Modified Water Delivery Project (MWD)	Complete Water Control Plan CSOP Final EIS) and Completion of 8.5 SMA Construction.	Limited additional inflows to Northeast Shark Slough (L-29 constraint).	2008	TBD	
	Modified Water Deliveries Project (MWD)	Construction projects for the L-67A&C and L-29 water conveyance structures, Tamiami Trail Bridges, and Road Modifications are all underway.	Allows for full MWD Flow Improvements (Greater inflows to Northeast Shark Slough). Ecological Benefits Increases in the Abundance of Marsh Fishes, and increases in Wading Bird Nesting in the Southern Estuaries.	2010	TBD	MWD Tamiami Trail and Flow Improvement Modifications: http://www.saj.usace.army.mil/dp/mwdenp-c111/tamiamiTrail/finalRGRRSEIS.htm For Ecological details see Everglades Performance Measures at: http://www.evergladesplan.org/pm/recover/recover_docs/igit/igit_mar_2005_report/ig_it_rpt_main_report.pdf

Everglades Restoration Timetable

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	WCA 3 DECOMP Decompartmentalization/Sheetflow Enhancement (CERP)	Decomp. Adaptive Management (DAMP) Phase 1	Additional Gaps in L-67A&C and L-29 Levees (Improves Marsh Connection)	2012		Project Management Plans for WCA 3 Decomp: http://www.evergladesplan.org/pm/pmp/pmp_12_wca3_decom_p1.cfm
		Decomp. Adaptive Management (DAMP) Phase 2	Additional Gaps in L-67A&C and L-29 Levees (Improves Marsh Connection)	2018		
		Decomp. Adaptive Management (DAMP) Phase 3	Western L-29 and S-12 Modifications (Adds Marsh Connection to BICY)	2023		

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Threats	Activities/Projects	Benchmark	Expected Results	Dead line		Other Comments
2. Adjacent Urban and Agricultural Growth (Flood Protection and Water Supply Requirements that Affect ENP Resources by Lowering Water Levels).	Canal 111 Project (C-111) Taylor Slough Restoration	Complete C-111 Land Exchange (SFWMD and DOI).	Allows for full Construction of C-111 Detention Areas.	2006		ENP Boundary Change Authorized in 2004 (P.L. 108-483).
		Complete Water Control Plan (CSOP Final EIS).	Develop Final Operational Plan for C-111 Project.	2007		
		Complete C-111 Detention Area Features (8.5 SMA to Frog Pond).	Creates Buffer (returns lost seepage increases flood protection without harming ENP). <u>Ecological Benefits</u> Shortens Seasonal Marsh Drydowns, Increases Marsh Fishes, and improves Wading Bird Foraging.	2008		Link to the C-111 Detention Area Design Documents: http://www.saj.usace.army.mil/h2o/lib/documents/Sparrow/iopdeis.htm
	Modified Water Delivery Project (MWD)	Complete the Construction of an Additional S-356 Pump Station along	Returns additional lost seepage and increases flood protection without	2010		

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	ENP Seepage Management Project (CERP)	the L-31N Levee. Complete the Construction of Seepage Barriers and/or Additional S-356 Pump Stations Along the Eastern side of Northeast Shark Slough.	harming ENP. Directly blocks groundwater seepage, or Returns lost seepage and/or new water sources and increases flood protection without harming ENP.	2014		Link to the ENP Seepage Management Planning Documents: http://www.evergladesplan.org/pm/pmp/pmp_27_enp_sm.cfm
	West Dade Wellfield Allocation Agreement	Four-Party Agreement between DOI, FL Governor, SFWMD, and Miami-Dade.	Agreement allows Increased Water Supply Pumping without Adverse Impacts to ENP.	2006		

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Threats	Activities/Projects	Benchmark	Expected Results	Deadline		Other Comments
3. Increased Nutrients from Agric. Runoff	Everglades Construction Project (ECP) Stormwater Treatment Area 3/4 (STA-3/4)	Achieved full flow-through capabilities in September, 2004	Outflow Total Phosphorus (TP) concentrations of 50 ppb or less; meet interim and long-term Consent Decree limits for ENP; no imbalance of flora or fauna downstream of inflow points	Flow-through achieved September, 2004; interim limits effective October 1, 2003; long-term limits effective December 31, 2006		2006 South Florida Environmental Report, South Florida Water Management District, Chapter 4: (http://www.sfwmd.gov/sfer/) Settlement Agreement Reports: (http://www.sfwmd.gov/org/ema/reports/settlement/)
		STA Performance enhancements under construction as part of the Long-Term Plan.	Outflow TP concentrations closer to 10 ppb; meet interim and long-term Consent Decree Limits for ENP	Enhancements to be completed by Fall, 2006;		Long-Term Plan for Achieving Everglades Water Quality Goals, South Florida Water Management District (http://www.sfwmd.gov/org/erd/longtermplan/index.shtml)
		Additional research to further optimize and enhance P-removal performance	Outflow TP concentrations closer to 10 ppb; meet interim and long-term Consent Decree limits for ENP	Research completed by 2009;		Interim limits are being met in Shark River Slough, but long-term limits are not likely to be achieved by the 12/2006 deadline.

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	Everglades Stormwater Program (ESP) Source controls and reduced stormwater inputs from S-9	Source control Best Management Practices (BMP) program in the urban basins.	Reduce TP in urban stormwater runoff; meet interim and long-term Consent Decree Limits for ENP	Source control program ongoing;		2006 South Florida Environmental Report, South Florida Water Management District, Chapter 3, Part 2 (http://www.sfwmd.gov/sfer/)
	CERP Water Quality Programs (Acceler8)	Construction of impoundments upstream of S-9	Reduce amount of stormwater runoff; meet interim and long-term Consent Decree Limits for ENP	Impoundments completed by 2009;		
	CERP Everglades Agricultural Area Project, EAA Stormwater Treatment Area expansion	Increase STA treatment area by ~4,500 acres near STAs 2 and 5	Outflow TP concentrations closer to 10 ppb; meet interim and long-term Consent Decree limits for ENP	Expanded STAs constructed by 2009.		Acceler8 Website, South Florida Water Management District (https://my.sfwmd.gov/portal/page?_pageid=54,926295&_dad=portal&_schema=PORTAL)

Everglades Restoration Timetable

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Threats	Activities/Projects	Benchmark	Expected Results	Dead line		Other Comments
4. Protection and Management of Florida Bay	Canal 111 Project (C-111) Taylor Slough Restoration	Complete C-111 Detention Area Features (8.5 SMA to Frog Pond) and Implement CSOP Operations.	Prolonged Marsh Hydroperiods (December to May) to Minimize Coastal Salinities.	2008		For details, see sections on Southern Estuaries at: http://www.evergladesplan.org/pm/recover/igit_subteam.cfm
	C-111N Spreader Canal (CERP)	Complete C-111N Spreader Canal and revised Operations.	Improved Flow Distributions (Most of the surface water discharged to Florida Bay will be through central Taylor Slough).	2009		For details, see sections on Southern Estuaries at: http://www.evergladesplan.org/pm/recover/igit_subteam.cfm
	WCA 3 DECOMP Phase 1 and ENP Seepage Management (CERP)	Complete Construction of Additional Conveyance and Seepage.	Significant Decrease in Hypersaline Events (> 40 ppt) in the Bay. Reduction of extent and intensity of algal blooms in the Bay, particularly those with blue-green algae.	2014		For details on benchmarks and expected results, see Southern Estuaries Performance Measures, at: http://www.evergladesplan.org/pm/recover/eval_team_perf_measures.cfm

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	Future ENP Supplemental Water Allocations Central Lakebelt Storage (CERP)	Complete the Construction of the Lakebelt Reservoir and Conveyance Improvements.	Coastal Salinities Reduced, to Oligohaline (0-10 ppt) during the dry season in nearshore embayments. Increased diversity of Submerged AV communities, with moderate seasonal biomass relative to location in the Bay. Increased fish biomass in coastal transition zone during December-May.	2025		See Florida Bay sections in: http://www.evergladesplan.org/pm/recover/recover_docs/map/MAP_3.2_SE.pdf

From the 31st Session of the World Heritage Committee (Christchurch)

EUROPE AND NORTH AMERICA

12. Everglades National Park (United States of America) (N 76)
Decision: 31 COM 7A.12

The World Heritage Committee,

1. Having examined Document WHC-07/31.COM/7A,

2. Recalling Decision **30 COM 7A.14** adopted at its 30th session (Vilnius, 2006),

3. Commends the State Party for the considerable efforts and investments made in the restoration and conservation of the Everglades National Park;

4. Notes the progress made in implementing the corrective measures adopted by the Committee at its 30th session (Vilnius, 2006);

5. Encourages the State Party to continue its commitment to the restoration and conservation of the property and to provide the required financial resources for the full implementation of activities associated with the Comprehensive Everglades Restoration Plan (CERP);

6. Requests the State Party, in consultation with the World Heritage Centre and IUCN, to develop a draft statement of the desired state of conservation for the property based on its Outstanding Universal Value;

7. Also requests the State Party to provide the World Heritage Centre with an updated report by **1 February 2008** on the progress made in the restoration and conservation of the property, including the progress towards the implementation of the corrective measures, for examination by the Committee at its 32nd session in 2008;

8. **Decides to remove Everglades National Park (United States of America) from the List of World Heritage in Danger.**

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