EVG 16
Interviewee: Dick Ring
Interviewer: Brian Gridley
Date: May 17, 2002

G: This is Brian Gridley interviewing Dick Ring at the Department of Interior in Washington D.C. The date is May 17, 2002. Mr. Ring, briefly tell me a little bit about your professional background, including education and career positions.

R: I've been with the Park Service now about thirty years this next month and until September 2001, all that time had been in positions in field areas in parks. I started as a seasonal recreation aide and went through a series of positions, both in administrative and site management, and in 1981 I became a superintendent of a park for the first time at Gates of the Arctic National Park and Preserve, up in Arctic Alaska. In fact, I was the first superintendent there and set up the operation, took it through its first planning after the Alaska Lands Act passed. Then [I] was reassigned as superintendent at the Delaware Water Gap National Recreation Area. I actually served there as assistant superintendent for a couple of years and then superintendent for four years. From there I went to Everglades [National Park] as superintendent in the Spring of 1992. So of the thirty years, nineteen of them have been as a park superintendent. My educational background is an undergraduate degree in political science from Penn State University and I've done master's work in political science at the University of Rhode Island and public administration at the George Washington University here in Washington and I spent a couple of years in the Army, where I was in the combat engineer unit. That's a little bit of my background.

G: What led you to join the Park Service?

R: I actually came down during a summer, to Washington, to work in a summer job that a friend of mine got me involved in and that was as seasonal recreation aide. I'd gotten out of the Army and gone back to a graduate program at the University of Rhode Island and came down here to work for the summer and determined that I liked that better than going to school, so when offered a job to continue in the fall, I did. It really married both my upbringing, background, and interests together, so it may make more sense than it seems. My educational background in political science and public administration, this was an opportunity to marry that up with my lifelong interest in the outdoors. My families are from upstate New York and I grew up hiking, camping, and roaming around the Adirondack Mountains and spent a lot of time canoeing and winter camping and just enjoying myself. So the Park Service is a way to marry both my interests and my professional training in the public sector and I did that and I've never looked back.

G: During your time as the superintendent of Everglades National Park, what were

your most important goals and objectives?

R: Fundamentally, I saw that the future of the Everglades National Park was linked not to what I was able to do with the park operation, but was linked to what could happen with achieving sustainability in the ecosystem of which that large natural area was dependent. That was initially tied to the confrontation over water quality when I arrived there in the Spring of 1992, and right in the middle of the second stage of the water quality litigation between the federal government and the state of Florida over water quality pollution emanating from the Everglades Agricultural Area [EAA], south of Lake Okeechobee down into the Everglades proper. It evolved into more of an issue on how to, I don't want to say counteract the effects, but reclaim the function that had been disrupted by fifty years of efforts to provide drainage and provide for development in South Florida. Half of the original footprint of the Everglades had been drained and developed and the natural flows of water through the rest of the Everglades had been significantly altered due to the major drainage system that was put in place largely in the fifties, as a system that had been developing ever since the turn of the last century in South Florida.

G: In a 1997 *Miami Herald* article you were talking about your role as superintendent of Everglades National Park. You stated, AIn many places a manager of a national park worries only about what happens in your borders. Not here. This is the most threatened park in the country. Here you worry about development moving right up to your doorstep.@ Could you expand on these comments more and talk about how the job of being superintendent of Everglades National Park may have been similar to or different from what you experienced with other national parks that you were involved with?

R: I would say it is not entirely different from the other parks that I've been involved in, but it was probably more pronounced in that with all the money in the world and with all the authority in the world inside the boundary of the park, I couldn't assure the future of that park. Decisions would be made in the region surrounding the park by other agencies and other levels of government and other communities. The future of Everglades was almost completely dependent as a viable national natural resource on decisions and actions that others took.

G: How did that shape how you defined the job of being superintendent?

R: For me, it meant that almost all of my time, personally, had to be focused on the away game and that was to be a part of a process that recognized those interconnections and built a commitment to regional resource management and regional public decisions that had a place for a sustained Everglades system.

G: John DeGrove [Governor's Commission for a Sustainable South Florida, 1993-

present; secretary, Florida Department of Community Affairs, 1983-1985; member of the board, South Florida Water Management District, 1972-1978] once characterized the ecological problems in South Florida as being the product of Ainnocent ignorance.@ Would you agree with that characterization?

R: I suspect there were a lot of actions taken on the basis of very little information or the lack of sophisticated understanding of the ecological interconnections that occurred in the natural system. Equally, I suspect a lot of the decisions were driven by folks who had some other objective in mind and were less concerned about those other consequences.

G: To what extent does the current restoration initiative, embodied in the comprehensive plan and related projects, represent a change from earlier management efforts?

R: I assume you're talking about the CERP [Comprehensive Everglades Restoration] Plan of the Corps of Engineers.

G: From the restudy and forward.

R: The restudy and the plan that's been laid out, authorized by Congress, and is underway now, is the best attempt by the agencies to balance all of the interests in South Florida for at least a fifty-year time frame. There is no guarantee beyond that fifty years, as growth in Florida reaches a point where more demands on water and for dry property are placed on the South Florida ecosystem. For a fifty-year time-line, it's a conceptually reasonable approach to try and accommodate the growth that's occurring down there as well as retain and, to some degree, bring back the natural function of what's left.

G: Do you believe it balances those competing interests better than some of the management efforts prior to the restudy process?

R: Oh, sure. Principally because all of the efforts that preceded that restudy effort were not comprehensive. They were plans done by individual agencies or individual levels of government, each of which focused on a piece of the action, and none of those, by definition, could accomplish what had to be done down there, which is balance across an entire watershed.

G: To the extent that change has occurred and is reflected in the current South Florida project, are there any specific turning points or watershed events that have been critical for promoting this change?

R: There are probably several that occurred before I arrived down there, so my time

there, from 1992 through 2000, really is one period in a long process. There were watershed events that were occurring. For instance, in the 1930s when the need to preserve the Everglades, or a portion of the Everglades, in an Everglades National Park was recognized and acted on. There were two watershed events that happened within a couple of years of each other. When all the different individual drainage projects that had been occurring in Florida in the late 1940s, it was [recognized] that somebody had to tie them together into a system, and the Corps of Engineers Central and South Florida Project was conceived, authorized and set in motion. At the same time, the state of Florida had an incredibly visionary idea [in] the way they organized to do business by creating a South Florida Water Management District on a [watershed] scale that encompasses what we now consider to be the ecosystem. They were thinking in those terms back then and knew they had to manage water that way. There was recognition by the late 1960s [or] early 1970s that what was being done in the drainage system was not working, as far as the natural environment went. I wouldn't call that a watershed event, that's probably an awareness that grew over twenty years. The system, as it was conceived, had implications in terms of the ecology that nobody had understood. There were commitments by the state of Florida in the early 1980s, with then Governor [Bob] Graham [U.S. Senator from Florida, 1987-present; Florida governor, 1979-1987], to make commitments to public land acquisition that were absolutely watersheds in terms of the state's not only awareness, but acting on it and making a commitment in South Florida and elsewhere in the state to publicly preserve all the lands necessary, not just the national park. It was a watershed even when, for whatever reason and however it happened, the United States sued the state of Florida for not enforcing their own water-quality regulations with regard to the Everglades.

It was a watershed event when we sat down and settled that lawsuit, when Governor [Lawton] Chiles [Florida governor 1991-1998 (died in office); U.S. Senator from Florida, 1971-1989] walked in and said, I'm here to surrender my sword; who do I give it to? From my time, the major events really were around meeting with all the players and my awareness of it [is] associated with the January 1993 Everglades Coalition meeting. Secretary [Bruce] Babbitt [Secretary of the Interior, 1993-2001] came to Florida for the first time and he basically said things that I think people were ready to hear, because the awareness has grown to the point where I think they intuitively understood it. One, this is an ecosystem [and] we have to think of it that way. Two, nobody has control over it, so we can't do this separately, it has to be done together. And his message was that and he said to then-Lieutenant Governor Buddy MacKay [Florida Lieutenant Governor 1991-1998; acting Florida governor 12/98-1/99; U.S. Representative, 1983-1989], who met with him, I'll go organize the feds, you get everybody else under the same roof. Out of that came the first meeting of all the federal agencies that were involved somehow in some kind of natural system management in South Florida. Initially, it was a show-and-tell, at the end of

which everybody realized that there was an enormous amount already going on that represented a federal commitment to the system down there, only nobody had ever looked at it together before. Coming out of that was a commitment to organize a task force, the federal task force. A few months later, which I think was a watershed event, there was commitment to organize a Governor's Commission on a Sustainable South Florida. Those two bodies really became the two forums, and they ultimately coordinated with each other, around which the whole Everglades plan was built.

G: What led to your being appointed superintendent of Everglades National Park? How did that happen?

R: I'm a glutton for punishment. I'd been involved in the establishment of the parks in Alaska after the Alaska Lands Act. It was an absolutely unprecedented time that forty million acres had been put into the National Park System in an absolutely pristine area. Nothing like that had happened before, and the policy issues associated with how they should be managed, the initial decisions and setting up the initial operations were something that I had been lucky enough to be a part of. When the opportunity at Everglades came open, I talked to a number of my friends, some of whom said, because of the growth and development that's been down there, it's down the tubes, it's beyond salvage. But I also understood that there was something going on there, there was an opportunity there that might or might not succeed, but it was unprecedented and if it didn't succeed, it shouldn't be for lack of trying. My interest was to get involved in something that was completely unique, very hard. I tend to be a workaholic and I tend to love challenges. I've not shrunk from confrontation over issues in the past. All of that piqued my interest and I put my hat in the ring and I was lucky enough to be considered and selected.

G: By the time you became superintendent, an agreement had been reached between the federal and state parties over the water-quality litigation, the so-called federal-state agreement and accompanying judicial consent decree. What was your opinion of that agreement and that consent decree?

R: The consent decree was actually negotiated the summer before I came down to Everglades. My selection was announced in February 1992 and I arrived in April. The consent decree was signed by the court in March and at [that] point I was coming down and being briefed in on a number of the issues. I arrived at a point where the consent decree was essentially a done deal. My responsibility then was to act as one of the principals for the oversight of the implementation of the consent decree. I was doing a fast study on all of the events that led up to it, and to the deal that was cut [that was] associated with it. My sense is that it was like any agreement to settle or compromise, probably not a bad one, but enormously

difficult to work with, because it left a tremendous amount of ambiguity and issues to be resolved [as to] what the provisions of the consent decree actually meant. It was a good step forward, but as events proved over the next couple of years, there was a lot of devil-in-the-details and nobody stopped working as hard as they could to protect their own interests among the settling parties. There were plenty of affected and interested parties who were ready to throw bombs or throw roadblocks in from the outside.

G: Talk a little more specifically about your efforts in trying to implement the consent decree. What were the issues there and what were the things that you were involved in doing to try to bring that about?

R: The consent decree was basically a deal whereby the state agreed to a program that would effectively enforce its own water-quality rules and accomplish a cleanup of the phosphorous nutrients that were being put into the Everglades and causing unnatural effects. It consisted of three things. One, there was a narrative standard for water quality, which is difficult to enforce. There was a commitment to work to convert that to a numeric standard, in terms of what that water-quality standard meant on the ground, at any given location, in terms of specific amounts of phosphorous being released or discharged into the Everglades. The second was that there would be a regulatory program put in place that would require best management practices of the agricultural industry and as a result, achieve a reduction in runoff and phosphorous coming into the discharge water by practices that occurred right on the farmlands. The third was a large public works project that would take that runoff and treat it in basically large filter marshes. While some [of that] had been done before, nothing had been done to treat water in filter marshes at this scale before, anywhere around. So the engineering issues and the design issues and the cost issues associated with putting something like that in place were enormous. Just the last component was estimated to cost not quite $750 million. Actually, there was a fourth element that was left unspecified because the first three I mentioned, setting the numeric standard, the best management practices treatment, and the public works treatment would get the water down to about fifty parts-per-billion. Then the standard, once it was set, would still have to be met by phase two of treatment, which was unknown. It wasn't specified as to how that would happen, but a date certain for having it happen was provided for. It was going to be three-quarters of one billion dollars worth of public works project that had to be financed, designed, and built. It would have to meet a performance requirement that nobody had ever done before and even that wasn't going to get us to the final condition, which was whatever the final standard would be. That would require some additional effort of unspecified terms.

My role was to represent one of the three federal parties working with the Justice Department. We were the clients, along with the Fish and Wildlife

Service and the Corps of Engineers, representing the United States' interest in overseeing the settlement agreement, the implementation of it. We had to put teams of people together to work [with] the state and look at what they were beginning to design and engineer and the processes that they were beginning to put in place to reach a numeric standard, and also begin to anticipate what additional efforts might have to happen in order to reach a final standard. We would have routine and regular meetings amongst the federal parties to review what the state was doing. We had numerous meetings with the state players, the Department of Environmental Protection for the state and the South Florida Water Management District as the regional water manager. Literally trying to understand from them what their project path was, what the steps were, what the deliverables were, what the dates were on that, so that we could track progress. We had, I think, a legitimate reason to want to know that progress was being made towards the goals and the ultimate deadlines that were in the agreement. Otherwise we'd sit back and wait for those dates to arrive and not have any ability, until then, to be able to assess whether or not they'd perform according to the commitments that had been made in that agreement. [There was] a lot of tension there, because we were felt to be looking over the shoulder of the state and the Water Management District. [There was] a lot of mistrust coming out of years of rancorous litigation, so it didn't start with the best climate. [There was] a lot of irritation from having the feds look over the shoulder of the Water Management District and the state wanting to see everything that was being done and wanting to be in there and just say, we don't think you're on a path that's going to solve this problem, or we don't think you have the financing right, or we need assurance from you that you're going to take the steps that you need to take soon enough, so that we can see you on a path to achieving the ultimate performance by the ultimate dates that were in the consent decree. That went through a period of time where we were having numerous meetings amongst the parties with the interested players, like the sugar industry, who would have to do many of the best management practices that the regulatory program laid out, and pay for, through taxation, many of the costs of the initial cleanup. There was an unknown out there about how much of the remaining phase two cleanup that they'd have to pay for. There were folks who weren't settling parties, who were trying to throw obstacles and questions and legal challenges in the way of the Water Management District and the State as well, and some of the those players were on the environmental side, saying that they weren't doing well enough. It led to a series of increasingly difficult sessions amongst the settling parties with challenges and cross-challenges, and ultimately there was an attempt to say, there are players here that could lock this up forever. Let's just bring them all to the table and see if we can't mediate a settlement agreement that would provide all the assurances in enough detail to all the settling parties, but also was agreeable to all the main affected parties that move forward to accomplish something that was outlined in sufficient detail that people were comfortable with

their role and responsibility.

G: You're now talking about the Statement of Principles agreement that came later. Were you surprised at all when the sugar companies challenged the original settlement agreement between the federal interests and the state and the consent decree? What was your reaction to those lawsuits?

R: Was I surprised? No, I have not been surprised all that much in a lot of years in the Park Service. When I arrived, there were thirty-six different active lawsuits that were associated with this initial lawsuit, this water-quality issue. There were filings and cross-filings and challenges and appeals by different parties on aspects of everything involved. Thirty-six different legal actions were in play. Was I surprised by the sugar industry's or the agricultural industry's involvement there? No. I was curious when I saw it because there was so much of it. I was a little bit stunned by how rancorous it was and the industry was very much playing hardball. Some of what they were doing was going after people individually, personally, as opposed to just staying focused on the issues. It was all over the map. So [was I] surprised? No. Curious as to what was driving it? Yes. I think I just came to understand that there was a tremendous amount of money involved and at stake.

G: Were you actually involved in the negotiations that led to the Statement of Principles agreement in July 1993?

R: Yes.

G: Talk about that process and negotiation, including what the main issues of contention were and who some of the key individual players involved with those negotiations were.

R: It was an interesting time because I reported for work at Everglades in April of 1992. I brought my family down and moved into a house at the end of June in 1992 and seven weeks later we were blown away by Hurricane Andrew [August 24, 1992]. Our house was totaled, with us in it, along with about 104 other employees from the Park. We were trying to rebuild from there and we were trying to deal with pursuing the implementation of the settlement agreement through all that time. It was a pretty hectic time. There was a decision reached in the late fall - early winter of 1992 [to] try and mediate these disputes to see if there was a way we could work that out. I may get my timing a little screwed up here, but there was an agreement to do that and to move forward with that and actually, we set out to do this I think in the [beginning] of the following year. It wasn't until after the administration changed that we really went for a negotiation. That's my recollection, I need to check some dates on that. The principal

players were George Frampton [chair, Council on Environmental Quality, 1998-2001; assistant secretary of the Department of Interior for Fish and Wildlife and Parks, 1993-1997] and Bonnie Cohen [assistant secretary of the Department of Interior, 1993-1997] for the Interior Department and the principal attorneys for the justice department were Tom Watts-FitzGerald [assistant U.S. Attorney, Southern District of Florida] and Suzan Ponzoli [assistant U.S. Attorney, Southern District of Florida]. Suzan was basically the lead assistant U.S. attorney dealing with the case down in Florida. Another player who became central to the mediation was Jim Pipkin, who was counselor to the Secretary of Interior, so he also became involved. Those were all the principal players along with Buddy MacKay, the Lieutenant Governor for the State of Florida, and then the chair and the deputy executive director of the South Florida Water Management District and the chair of the board. Valerie Boyd was the chair of the governing board of the Water Management District and Tom MacVicar was the deputy executive director who were the principal players for the Water Management District. From the industry, there was counsel as well as principals. Don Carson [executive vice president, Florida Crystals Corporation] from Flo-Sun was one, [Malcolm] Bubba Wade [senior vice president, U.S. Sugar Corporation], and the principal from U.S. Sugar, Nelson Fairbanks [president and CEO , U.S. Sugar Corporation], but Phil Parsons was an attorney representing them, so he was very much involved in the negotiations. Also Bill Green, I believe, was the representative of small agriculture, so there were some small sugar and vegetable farmers associated with it. Those were some of the principal players along with myself representing the National Park Service and Burkett Nealy, who was the refuge manager of the Loxahatchee National Wildlife Refuge, who was the Fish and Wild Services representative. The [U.S. Army] Corps of Engineers was represented through Rock [Salt], who was the district commander at the time for Jacksonville, but the Corps had less of a vested interest in the outcome and, to a certain degree, felt caught in the middle. On the one hand, their local sponsor was the Water Management District, for the multiple-purpose Central and South Florida Project which, in some cases, was attributed as delivering all this water, as opposed to the Interior Department, which really was representing the affected or the injured national interest areas, in terms of the natural Everglades, Loxahatchee, Everglades National Park, and in a trust capacity the Miccosukee [and Seminole] tribes, although the Miccosukee tribe was very much a presence in their own right in relationship to these negotiations. Those were some of the main players. We attempted to work on a game plan for implementation and it became frustrating. Everyone was jockeying for their own interests. I think the industry was looking for some kind of certainty. Above all things, they wanted to know what it was going to cost them and have some certainty that [would be] the end of it. You could work out how much it would cost for phase one, and they were concerned with how large that share was in terms of its affect on their business, but they were looking for a

guarantee that if they agreed to pay a particular amount, that they'd be off-the-hook for phase two. There wouldn't be some unknown amount hanging out there that they'd have to ante up. Well, it was difficult to provide that assurance to the industry, so the industry was reluctant to come to the table and agree to pay for the public works part of phase one.

The Water Management District wanted off-the-hook too. If they engineered and built something, did due diligence in building something that had never been tested on the ground, these filter marshes, and they didn't perform, but they had spent their money and built them, they didn't want to have their feet held to the fire by the federal government saying, nice try, but you still have to do this by this date certain. The United States wanted some sense of certainty that things would arrive on time. That means we were looking for enough oversight to know step-by-step how it was going, so that if it didn't seem to be on a path to get there, we could have some influence on the course of events. We [wanted to be] sure that we would get to the commitments that were in the settlement agreement by the dates that were in the settlement agreement. [There were] lots of parties with just incredible interests and expectations coming out of the discussions, and a lot of tension associated with how that would be framed and how that would work out. And there were players around the outside. For instance, some simply viewed the sugar industry as an evil empire and what they were concerned with was not simply the implementation of the consent decree, they wanted to take sugar out of the picture. They would just as soon reclaim the entire Everglades Agricultural Area for the Everglades.

G: Who are you referring to here?

R: I think there are players within the environmental community who at one time or another expressed that. In terms of the coalition or specific organizations, you'd almost have to have checked in on them at a given point in time to find out how they felt about that. George Barley [founder, Save Our Everglades foundation; Orlando developer], used the Florida Keys and the disturbances at Florida Bay and simply said the sugar industry was to blame, and this was a fight to the death [with] the sugar industry. George led the charge amongst those folks. Different individuals and different organizations at different times sort of waxed and waned on whether they were simply about getting the settlement agreement accomplished, or whether they had a further aim of taking out Big Sugar. Equally, there were folks that would just as soon have paid lip-service to the water-quality goals and said, we need to protect an industry that is important economically and important for jobs in South Florida. Whether you take the cynical view because they were saying it was important to their pocketbook personally, or whether they were just concerned about economic development for the region, they would just as soon say, let's just settle this thing. So there are some cattails growing in the Everglades, who cares? Let's just get this

settled and move on, it's no big deal.

G: At that time, was there a strong degree of unity among the federal parties?

R: When I arrived, there was a very, very tight team in place associated with the federal parties. If anything, that probably led to, or laid some of the foundation for, the follow-[up] on [the] federal task force, because over several years, the Justice Department really was instrumental in pulling the federal parties together and working as a team, through the litigation, to the point of the settlement agreement. While we each had different expectations and specific interests, there really was a sense of being part of a federal team when I arrived, principally associated with that litigation. Steve Herman was the lead Justice attorney here in Washington for that whole effort, so he really was the guy in charge for the Justice Department. Then Suzan [Ponzoli] and Tom [FitzGerald] were the principal litigators in Florida associated with the U. S. Attorney's office, but Steve was with [the] main Justice [Department]. [End of Tape A: Side 1]

G: How actively involved was Bruce Babbitt in those negotiations?

R: He was not a direct party to those negotiations. Having said that, he paid very close attention to what was going on and without a doubt provided strategic [direction] to all of us, and particularly the two principal players for the Department of Interior, George Frampton and Bonnie Cohen. There was no question that he knew what was going on and no question that he had the big picture in mind and guided it from that perspective. Was he an active player in the negotiations? No. Bonnie and George and Jim Pipkin, his counselor, were the folks you saw in the sessions, the folks dealing with Lieutenant Governor [Buddy] MacKay and the other players that had interests there.

G: A lot of the environmental groups were very critical of the settlement agreement, saying that they didn't have an opportunity to be a part of that process of negotiation. Were there any representatives of the environmental community in those discussions?

R: The simple answer to that is no, in that the settlement discussions were discussions amongst the players who were a party to either the settlement agreement or the litigation and cross-challenges that were associated with it. There were some environmental parties to it, not many. Were they in the room when a lot of the negotiations were going on? No, but there was no question that they were talked to by different parties who were in the room as that process went on. Were all of them talked to? No. There are a blizzard of environmental organizations in South Florida who all felt interested and affected by the litigation and settlement. Were they talked to often enough? Certainly not, from what we

heard from many of them. Would they have wanted to be in the room at every point in time? Yes. There were times when even those of us who were pretty central to the whole effort were invited out of the room and it got down to just principals. There were times when the discussions on the mediated agreement, Statement of Principles, was going on that it got down to just Bonnie and George and the Lieutenant Governor, and a couple of folks like that, where they tried to bridge the distance on what had already been framed in discussions. It got down to how far along that commitment would come, in dollars, to reach a level of commitment. Were the environmentalists in the room the whole time? No, but there were players that were probably closer to those discussions, both formally and informally, within the environmental community.

G: At the time, what was your evaluation of the Statement of Principles agreement that was reached in July 1993?

R: We said we would try mediation to see if we could settle some of the differences, and we said we'd try it for sixty days. We walked into it and it was very, very difficult to do. We reached a point coming up against the end of the first sixty days where we said, do we want to just let it crash or have we made enough progress that it's worth extending? I really don't think anybody wanted to see it fail. Certainly nobody wanted to be blamed for having it fail. Of course you need to understand too, that was a time when the administration was just changing. The new folks hadn't come on board when [we started]. There was a new president-elect when the decision was made to go ahead and start on mediation, and at the end, I think of the first sixty days, we had a [new] Secretary of Interior in place, we had a [new] assistant secretary [for Fish, Wildlife, and Parks] nominated, but we didn't have an assistant secretary confirmed yet. I think there was also a sense of wanting to keep it going until there was a clear sense of how the new administration wanted to go. There was also a sense that if we didn't, if we just went to court, there were risks. The risks were [that] legally folks could run out the due process on their legal rights and we could reach the dates laid out in the settlement agreement and still not have started the first filter marsh. So there were risks associated with that. I think there was a fair desire to not leave any stone unturned if there was a way to get to some kind of an agreement that would move forward, that would get us where we needed to go. I actually think all the parties felt that way. The vision of what a deal [would look like,] varied dramatically and it tended to vary along the lines that I expressed earlier. One side [was] looking for long-term assurances and the least amount of commitment, and the other side [was] not wanting to ante up more than a certain amount, because they'd have to take it back to the taxpayers. [They] want[ed] more time to get things done, the federal side want[ed] to hold to the deal that we had originally, which had some pretty strict performance targets and some pretty strict dates in place. So it went.

Everybody agreed to extend the negotiations. In some cases, I think we felt there was progress being made, at other points in time we felt it was kind of a polite fiction to say that any progress had been made, but nobody wanted to just walk away from it and tank the process. That went on for a while. I think it reached the May-June time frame and we were up against one more deadline. People were beginning to realize that we'd about run out our rope, in terms of the public perception of us trying to settle this through negotiation. Of course, there was also a feeling on our part that it didn't serve the United States' interest to just keep kicking the ball down the road, because all that did was add more time onto what we were trying to do. Nobody was really moving on the fundamental issues of how to pay for three-quarters of one billion dollars on the public works project, which was really the principal issue, and nothing could get started until you figured that out. It was one of the things that was missing in the original settlement agreement that was key. Everybody said we'd do this, but nobody said how it would be paid for. There was a sense that we were up against the brink, that if we didn't solve it by a day around the end June, that was going to be it. We'd just break off and go back to [litigating].

G: You're talking before the actual Statement of Principles agreement?

R: Yes. In fact, we had gotten a number of things solved and settled on, principally the financing. The issue of how much the industry was going to pay, through some a tax assessment versus how much was going to be raised by the Water Management District through an *ad valorem* tax, or how much the state would pay by commitments from state's offers, all of that was [unresolved]. We knew how much it had to be, we even knew when it had to come. We had a sense of that, but we weren't at closure over where all the money was going to come from and we reached the deadline, as I recall, in late June, [and] didn't have a deal. Nobody had said, we'll extend this. I think there were some meetings that occurred within a day or two of the deadline, after the deadline, where everybody just reached deep. There were some closed-door sessions amongst the very few players who were the principals and a Statement of Principles was cut, framed on what had been hammered out to-date, plus a final stretch of who would commit what dollars and where the dollars would come from. A Statement of Principles was basically cut and they finally reached it a few days after the last deadline to keep the mediation open. I think it was a desire to just not want to see this fall back into litigation and be tied up in years of litigation, as opposed to [making] progress towards getting the work done.

G: Was that an agreement that you and Park service were Satisfied with?

R: I don't think we had a problem with that. Mostly, it was about the money. It was [an issue of] where the money was going to come from to do this work. To be

honest with you, what I recall being principally interested in was simply that [the] question got answered. It wasn't about federal money, it was about how the state and the Water Management District and the sugar industry parties were going to come up with a stream of revenue that was going to get the job done, which was to perform under the consent decree. The thing that probably caused me the most concern was that, towards the end, there was an issue of how to bridge that remaining gap that began to speak to putting federal money on the table in order to pull the whole thing together. That troubled me some, because I thought it broke the basic principle of the settlement agreement, which was [that] nothing the federal government had done had caused this to happen. If we had a settlement agreement that basically [stated that] the state accepts the responsibility and agrees to cure the problem, for the federal government to begin to put federal money into it, [it] starts to muddy the water a little bit about who exactly is responsible for this problem and sets the stage, as you move down the road, for a little bit of ambiguity over who's responsible for fixing it. So I have trouble with that, on the one hand. On the other hand, if a credible case could be made to do some things that we could do, that didn't leave us with the responsibility to cure the basic problem that we'd sued over, I didn't have a particular problem. It was mostly about getting the money lined up so we could begin to move forward. I think the deal that was cut reasonably did that. It stepped beyond just the cleanup from the EAA, which is what we sued over, and it talked about recapturing water from the Palm Beach basin and bringing it back and treating it and putting it into Loxahatchee. That hadn't been part of the original lawsuit. It was an add-on feature to enhance benefits. As a result, [using] federal dollars to recapture water that had heretofore not been flowing into the Everglades, as opposed to just cleaning up the water that was moving down through the system, you could make a credible case that the federal government would see an additional benefit in terms of added water into the Everglades system that we would want to help engineer and achieve and could be a partner in accomplishing. We agreed to put, I think, fifty million dollars on the table associated with the STA [stormwater treatment area] on the northeast side of Loxahatchee. It was essentially beyond the scope of the original settlement agreement. It was an added benefit.

G: Why did the Statement of Principles agreement fall apart during the subsequent mediation that occurred in the fall of that year?

R: The devil is in the details. It was a Statement of Principles. It had reached a watershed point where, conceptually, we had framed a deal, but there were a whole lot of details that had to be worked out on how that would implement in practice. In fact what that led to was marathon sessions. We thought the mediation sessions had been frequent and lengthy just to try and get to the June Statement of Principles, and they were. What followed was a series of meetings,

mostly held over at the Crystal City Marriott, where we came up and darn near lived in that hotel through the late summer and fall, trying to hammer out the details on how that Statement of Principles was going to work. The jockeying didn't stop with the Statement of Principles, if anything, it intensified. Once again, the issues were federal oversight, [some] wanting to let the state, now that we had a deal, go forward and just do it and there wouldn't be any federal oversight. Just get out of our way, let [that state and agriculture] do it, we could cut the deal now. [However], the federal government was still interested. We needed to have some assurance that things were moving along the right path and reaching benchmarks along the way, so that we had some certainty well before the end date that we were either going to get there or not. We didn't want to wait until 2006 to find out that we weren't going to get there. We wanted to have the ability to anticipate, based on a phased set of actions, [whether] the state would or would not get there on time. [We wanted] to be able to walk back into court and say, there's a problem, so that we weren't waiting until 2006 to have the ability to do that. There were cash-flow issues associated with this engineering project. How many dollars had to be collected in which year? The state, once again, resented the idea of oversight. So did the industry. It was just hard bargaining that went all through that fall in and around these issues, with consultation with different players who weren't immediate parties along the way.

It fell apart, as I recall, in early December and you may hear different reasons from different folks about that. I recall a meeting in the Crystal City Marriott in late November of 1993, at the end of a marathon set of sessions through the fall, on these issues, when [the] EPA [Environmental Protection Agency] came in. [They] said, you can sign anything you want in regard to federal oversight on the settlement agreement but, there was a woman who came in who was, [I believe] an assistant administrator, one of the top career folks, [who] basically said, you guys are going to have to get an NPDES [National Pollutant Discharge System] permit for discharge. Everybody's mouths dropped [open] and said, what are you talking about? She said, in effect, we don't care what you agree to or don't agree to, in terms of federal oversight. It's there anyway, because you're going to have to get an NPDES permit to discharge anything from these marshes. The feds are going to have an ability to hold your feet to the fire through that to make sure you meet the discharge requirements required by water-quality regulations. It stopped everybody. They said, how can you say that? They started talking about how this really wasn't a discharge of a pollutant or anything like that. She said, let me tell you something, we've been sued about a dozen times over what requires an NPDES permit and what doesn't. Let me tell you about just the last case where the Navy had a bombing range off of Puerto Rico and they dropped bombs into the water. We got sued for not requiring that they get an NPDES pollutant discharge permit and we lost. That requires an NPDES permit, so don't even go there. If you think you can explain to a court that this discharge of treated water with phosphorous in it

wouldn't require a discharge permit from a constructed wetland, public works treatment wash, you're dreaming. There was a big blow-up in December where the industry walked away, claiming that the [Department of] Interior had been guilty of bad faith in the negotiations. There was a lot of rhetoric in the air about how those discussions ultimately crashed, but my own view is that the industry reached a point where they had worn us down and worn us down on oversight and the assurances that we were looking for, in terms of performance. The EPA walked in and said, none of this matters, because you're going to have to get a pollutant discharge permit anyway.

G: How did you get through that to get to the agreement that was reached between the Interior and the Flo-Sun Corporation in early 1994, and then to move on with the state passing the Everglades Forever Act?

R: If I talk about the environmental community or the agricultural community or the state B the Water Management District and DEP [Department of Environmental Protection] B and occasionally even the federal community as being a single interest, that's far too simple. There were lots of times when there were roaring disagreements amongst each of those major interest groups over whether to settle and whether or not it was time to agree to terms or continue to try for more. I think what happened was that, I don't want to say the bulk, but certainly some, of the harder heads in the industry walked away from the table and got the whole group to do that. Flo-Sun particularly was probably reluctant to do so, and they realized they could sign a commitment that gave them certainty and they were ready to do that. That ultimately got done in that January. Interestingly enough, though, that whole agreement, and I'm not a lawyer, was an agreement amongst parties [as to] what they would attempt to do, because the state legislature had to take up and enact the Everglades Forever Act in order to make what was being bargained in those sessions [into] a binding commitment. They had to put it into state law. There was no guarantee or no certainty that would happen, except that the major players associated with it said everyone would work in good faith to try and get to that end. The chairman of the governing board of the Water Management District couldn't sign a binding agreement saying, I'll tax our people this amount. There would have to be proposals made to be publicly reviewed and publicly heard and a vote made by the entire governing board on any changes in the *ad valorem* taxes. All [an agreement] could say was that we agree this is reasonable and we will agree to work in good faith to try and accomplish it, but we still had to move it back in to the legal processes by which those kinds of [public] decisions were made. If the state and federal government and the Water Management District were all ready to work towards an end, and they had some key members of the environmental community, some members of the agricultural community [in agreement], then it was hoped there would be enough public and political will to move through the state legislative processes

and have the Water Management District governing board move through the proposals and the hearings they needed to actually put those kinds of decisions in place.

G: What was your evaluation of the Everglades Forever Act?

R: On the whole, it did the job. Like any legislation, there are issues you scratch your head over and issues that you wish had been clearer in its implementation. Folks have interpreted that in ways that are not necessarily consistent with what we felt were the commitments under the consent decree. Remember, all of this dealing, even the United States signature on the Statement of Principles and the agreement that Flo-Sun signed, [meant] we had to go back and move as parties in front of the court to amend the consent decree. The consent decree was still on the books as it originally had been signed. Part of what the Statement of Principles said [is], we're going to move the goal-line down the road a couple of years from what that original decree said. In fact, when I left Florida in 2000, the court still hadn't accepted it. Like the state and the Water Management District, all we were signing was [that] we felt this was a reasonable way to amend the deal and to make it work, make it doable, and that we would act in good faith to get that to happen. Part of what we had to do was to all go in as settling parties and say, we want to amend the deal. The judge could then hear from all the interveners, and did, and [he] could have said, sorry, I ain't buying it. So it wasn't just our deal to cut. Others had to look at it, and other processes, in full public view and verify that [it] was an appropriate new deal and sign off on it before it would all go into place and become legal and enforce[able].

G: By the time you left Florida, were you satisfied with the progress that had made in implementing that law?

R: The answer is yes and no. Let me just offer one other thing before getting into that. I think coming out of the Everglades Forever Act, there was a view on the part of the state that we now have a law that supersedes the consent decree. This is the law that counts. The United States' view was the state has now passed a law that enables them to meet the commitments that they made in front of a federal court under the consent decree. There remained a tension in that first year or two after the Everglades Forever Act about how the state versus the federal parties saw the Everglades Forever Act. [The state] saw it as their law of the land and therefore, the consent decree really didn't matter anymore. The federal government said no, no, just because you have a state law that enables you to perform the commitments outlined in the consent decree doesn't mean the consent decree isn't still the binding agreement that it is. There was some tension in terms of how that went forward.

In terms of how things were going when I left, I would say the rules on

best management practices went into place and the farms outperformed the regulatory requirements, so that went very well. That happened very quickly. The phase one public works, the filter marshes, had a lot of issues associated with their design, had a lot of issues associated with getting the land acquisition, had a lot of issues associated with the financing. But by the time I left, they had largely been worked through, those marshes were well under way, and the performance that we were seeing on the ones that had been initially built was outperforming the design expectations. We were targeting for fifty ppb [parts per billion] and we were seeing twenty, twenty-one parts per billion. When I left, there were issues associated, though, with whether or not the state process for setting the final numeric standard was going to get to what we felt was the scientifically supportable answer. The Miccosukees had stepped into the process and gone to EPA and said, we want to set a standard for our lands as a tribe. They took the science that we'd all been working on and said, it's ten [parts per billion], which we felt was a very supportable number. I think, at that point, we weren't sure how the state process was going to come out. I think, since I've left, that it's basically arrived at that decision.

There were issues also associated with how that standard was set, at what point do you measure it? Do you measure it right at the point of discharge or, as folks in the state were arguing for at that point, [do] you measure it about 100 yards downstream after there's a mixing zone? In our view, you measured it at the point of discharge. [We believed] any mixing zone would continue to add a cumulative load of phosphorous into the Everglades which would settle out, pick up, and continue the dissemination of that plume of phosphorous-laden soil into the Everglades. It wasn't just about where the numeric standard was set, it was also where and how you measure that standard once you set it. Those things were very much up in the air with parties pushing and shoving in every direction, at the point I left. The other thing that was up in the air was, say [the standard] was ten, how you engineer, how you come out [with] a concept of a new or revised public works program that [reaches] that standard. We thought there was value in looking at a filter marsh system that was basically an oligotrophic one, it was on lime rock instead of peat, and it could move from the twenty down to the ten [parts per billion] or less. A combination of filter marshes [that] were designed and functioned in two different ways could get there, but the question was whether or not we wanted to redesign before we finished the first set of filter marshes. [There was a question as to] whether or not it was better to stop, not finish implementing those, redesign them to go straight to the final standard instead of just going to fifty parts per billion and figure it had to start all over again with some additional component. And it had to do with how much it would all cost at the end. There were folks that said, try as we might, once again the science isn't showing that these combinations of treatment will actually get us to the final standard, somewhere in the ten parts per billion range. Those issues were very, very much up in the air when I left.

In terms of making it happen, we were still concerned that the final numeric standard and the way it was measured would not arrive at a good place that was scientifically supported. We were concerned that there wasn't a design in place and a project timetable and financing scheme laid out to get to phase two. Of course arguments were being made [about] how [to] design a final [project] until we know what that actual standard is? We said, if you wait that long, there's no possible way you then can design, finance, and build this thing by the 2006 time-frame, you just won't be able to do it. [There was] a lot of tension over [going] ahead and [putting] your design together on a presumptive standard, on the default standard that the Everglades Forever Act laid out, which was ten parts per billion. You back off in size and scale, in your design, if it goes to a higher number. There was a lot of tension about making those kinds of commitments [with] the kind of money that was needed before knowing what the final answer was. Then there was a lot of concern that no design was going to be able to perform that well. The science wasn't in the bank to show that each of these different ideas would actually perform on the ground, as hoped.

G: In the early 1990s, problems in Florida Bay began to manifest themselves in the forms of massive sea grass die-offs and large algae blooms. How did you respond to these problems in Florida Bay as they began to emerge?

R: Florida Bay was the canary-in-the-mine for the collapse of the Everglades ecosystem. We pointed to a number of things indicating the decline in the system, but nowhere was it as apparent and nowhere were the affects as abruptly felt as in Florida Bay in the late 1980s and early 1990s. We went into a drought cycle and Florida Bay, instead of getting its already cut-down flows of fresh water out of the Everglades, got dramatically less. Florida Bay is a 300,000-acre area that's three to six feet deep. It's basically an evaporating pan and, without constant refreshing of fresh water coming into it from the Everglades, can go hyper-saline very fast, and that's exactly what happened. Prior to that, as we learned, Florida Bay, over a fifty-year period as the Central and South Florida Project went into effect, had been slowly reduced in terms of both the amount of fresh water that got to it, compared to what historically got to it, as well as the variability of that happening. It became almost a steady state because of the managed water system. That meant that it went from an estuary that went through significant changes in salinity, but on a fairly regular cycle, and as a result was able to support a pretty diverse culture of marine plants and organisms [and] became more of a steady state marine lagoon. It became very lush, but it was a monoculture that instead of [having] a wide range of different sea grasses, it had sea grasses that would thrive in saltwater, which is about thirty-five parts per thousand.

In the late 1980s, that monoculture got shocked because with the drought and the dramatic cut-off even of the [reduced] flows that had been getting to the

Florida Bay, it went hyper-saline in a lot of areas. In a number of places, it went to seventy parts per thousand, twice the salinity of sea water. Even the marine organisms that were in Florida Bay at that time couldn't handle that kind of hyper-saline condition [and] they died. The sea grasses died and the rhizomes from those sea grasses held a lot of the sediments together that were full of nutrients. As they died off, the tidal effects started to re-circulate those nutrients up into the water column [and] algae blooms began to expand and linger for a long period of time. Essentially, what was the ecology in Florida Bay collapsed as we knew it and certainly as people in the area were used to it. Did we know all this at the outset? No. Did we know there was a big problem down there? Yes. Was it intuitive to us that what was happening in Florida Bay was linked to the disruptions in the water system from the Everglades? Yes. Could we scientifically prove it? Not at that time.

What we did do was pull together scientists and start a program in Florida Bay that dramatically increased the amount of research that was going on down there. At one point I think we had nine different agencies and seventy-two different projects with millions of dollars going into it, that were all looking at a variety of different issues in Florida Bay to try and track down what was going on down there and the causes of it. We kept that going and brought the scientists back together every year for a conference that discussed what they were learning, and talked about where we needed to go from there. I thought it was an excellent way to cooperatively work on a problem to try and get at the real knowledge. It took us a number of years, but as we learned, it really did make the connections for the lower end of the system. That told us that what was going on in the bay was directly linked to what was going on with water in the Everglades system. I think it helped galvanize a lot of public support. George Barley at the time [was] one of the leaders in the Keys and in the environmental community. Before the proof was in hand, he made all kinds of accusations about how this was all linked to the quality of the water coming down through the Everglades from the Everglades Agricultural Area, and therefore the sugar industry was the devil here. What we found out was that it wasn't the quality of the water coming from the Everglades Agricultural Area, but it was the quantity. [That was the principal culprit. The reduction in freshwater flows and the alteration in its timing and distribution were the problem.] [End of Tape A: Side 2]

G: Can you talk a little bit about your involvement with the C-111 project and the importance of that in dealing with the problems in the Florida Bay?

R: Sure. We understood all along that more than water quality was of critical importance to us. The main issues related to Everglades health were related to water, but it was what we called QQTD: quantity, quality, timing, and distribution. You could get three of them right and still have a collapsed system because you

didn't get all four exactly the way they needed to be. We recognized that the deliveries, both the amount, timing and distribution of those deliveries of fresh water down through Everglades National Park had been significantly altered from what the historical natural pattern had been. We knew that played an important role on effects that we were seeing in the park. We were trying to pin down scientifically the direct linkages between them, so that was work that we were doing, but we knew enough about those to know that east Everglades addition to the park was critical, and I think there was general understanding about that. We knew that the modified water deliveries, which were attempting to deliver more water to the east Everglades and to redistribute the water that was being funneled off to the west, to the historical park up on Tamiami Trail, were critical to the future of the park. We also began to understand that the eastern side of the park, along where the Frog Pond is, west of Homestead, what the Corps calls the C-111 basin, was also critical to a very important part of the park, the Taylor Slough, which is the slough going down through the eastern portion of the park. [It] also fed the eastern part of Florida Bay, the Panhandle area of the park, which fed the very eastern end of Florida Bay, and it was even critical to Barnes Sound, which moved water in and out of Biscayne Bay over on the Atlantic side.

The C-111 project had been authorized to be reevaluated, unlike the modified water deliveries, which was a project whose purpose was purely to reestablish flows to Everglades National Park. The C-111 project was part of the Central and South Florida Project and therefore had multiple purposes: water supply for a developed area, flood protection, as well as protection of the environment. The Corps was trying to re-engineer that in a way that met all three of those purposes. Our greatest concern was that it not be re-engineered in a way that first met flood control, then met water supply for urban areas, and after it got those other things done, did what it could for the environment. We were concerned with making sure the C-111 design fully met the environmental restoration objectives. Colonel Salt, and subsequently Colonel [Terry] Rice [former Jacksonville District Engineers, Corps of Engineers], began to understand what we were saying about how that east side of the park operated hydrologically. The revision of the C-111 project ultimately really did go a long way to try and restore. It was a design that could restore the hydrologic flows to Taylor Slough in the eastern Panhandle back to, to the best of our knowledge, what had historically occurred in the area. It was all predicated on the fact that water flowed there through porous lime rock. The C-111 operation before had, whenever we said we weren't getting enough water in Taylor Slough, pumped more water out of C-111 canal into Taylor Slough. They pumped like the dickens. They put more water into Taylor Slough and claimed that they were putting all the water that we were asking for into Taylor Slough. The problem was they were keeping the level of the C-111 canal down in order to keep the water table underneath the farmlands to the east down so that it didn't get into the root zone of either the seasonal crops or the groves that were over there.

G: Is that Frog Pond area?

R: Frog Pond was a part of it, but it also related to the areas to the east of that as well. When you lower the levels in the canals, you basically lower the water table, because the lime rock that [the] whole area is made up of is porous as a sponge. When they lowered the canal level, the groundwater level in the park would drop just like the groundwater level underneath the farmland to the east would drop. When you pump a lot of water out of the canal and into the park, all it does is just go straight down into the ground and flow back into the canal. Our analysis was the 85 percent of what they were pumping over the boundary out of the canal was [draining] right back into the canal. We felt what was happening was just a recirculating game. Nothing, or very little, was moving down Taylor Slough and in order to get any water to move down Taylor Slough, you had to have the groundwater up at the surface so the water you pumped in would lay on top of the surface and then move south and slowly slide into Florida Bay. If the groundwater is down well below the surface, all you're doing is pumping water in to get the water back up to the ground surface, none of it is moving south into Florida Bay or down Taylor Slough. If the water in the canal is significantly below what you've got in the ground, in the park, all that happens with that water in the ground is that it wants to move back into the canal. It goes to where there's the least resistance, it goes to where the groundwater level is lower. Major problem.

It took us awhile, but finally we did convince the Corps [of Engineers] what was going on and that we had to increase the groundwater level in the headwaters of Taylor Slough in order to have a viable C-111 project, so that the water coming into the park would remain surface water and would flow down into Florida Bay and restore the flows there. Rock Salt was very instrumental in hearing that and crafting a design that would do that. That design raised a lot of concerns in the South Dade community because it meant creating a system of catchments that would try and separate, instead of managing groundwater level with one canal, where you have the park on one side and farmland on the other. It recognized the fact that you couldn't do it with one canal, so it called for the acquisition of the Frog Pond and land between the C-111 canal and the park [to] create a buffer zone and that buffer zone could be set up as impoundments, holding ponds. Instead of pumping into the park, you could recirculate and basically pump into those holding ponds, which would keep groundwater levels high in the park, because you'd keep water stacked up next to the park. You put it onto the surface where it could sit in a marsh and clean itself up if there were any water-quality issues. Then you could pump out of there into the park on the timing basis that was commensurate with what the natural flows down Taylor Slough would require. Very sound conceptual design to solve the problem.

[The] concern on the part of the farmers in the community in South [Dade] was that we were going to raise the canal levels on the canal next to them to a

point where there was no margin. If there was a heavy rain, the water that previously had been kept well below the root zone now would be kept closer to the root zone, which would be okay, unless there was a twenty-five-year or fifty-year rain event, at which point it would come up into the root zone and could kill their crops or their groves. Well, the issue for flood protection in South Florida is [that] people don't understand what it means. Everybody talks about it and everybody has their own expectation of what it means. To the Corps, it means providing protection for a one-in-ten-year event. It's not practical nor do they design for events that are larger in scale, which means the C&SF [Central and South Florida Project] system is designed not to keep everybody's feet dry all the time, just most of the time. You can have a twenty-five-year event or a fifty-year event, and you can have three of them in a row over three years. And in fact, Florida tends to go through cycles [of] seven to ten years of inordinately wet weather and then it goes through a dry period and then it gets into a wet period again. There tends not to be a normal year in Florida, it's either too dry or too wet. The system, which is designed only to prevent the normal fluctuations, when subjected to a greater drought or a greater flood year, can't handle it, which means there will be years when people's land floods and when the crops will flood. Well, that's not an economically acceptable situation for people who own homes or people who have crops. To them, flood protection means that if we're starting to get wet B the Corps and the Water Management District B need to operate the system to get [their] feet dry, for all it's worth. Well, if you do that, one of two things happens. You drain the canal levels low, which draws the groundwater down in the park [and] when it should be sending a good slug of water down to Florida Bay, it isn't. Or you keep the water levels high and you're just pumping the dickens out of the area to the east and stacking water that may have been a foot deep in that kind of an event in the Everglades, which is more than adequate for forage for wading birds. You could be making it two feet deep or three feet deep, which may be unnaturally deep. All of a sudden the habitat is cut off for a lot of the species that would normally live there and the production of the natural system drops through the floor.

When you operate the system to make it perform for one purpose or another, beyond what it was designed to do and to the exclusion of the other purposes, you can unbalance the benefits. There were two issues with C-111. One, could you design it in a way so that structurally it had the capability of balancing things better? The other issue is, no matter how you designed it, could you operate it on a day-to-day basis when those events occurred and withstand the pressure to forget the rules and just operate it for one purpose when people start screaming because you had a fifty-year event, a hundred-year event? We felt the design on C-111 was a very, very good one. It needed to be connected with the Modified Water Deliveries Project, because while they were in different basins, the two were integrally related. The two designs had been done independently, so there was a need to link the two up. But we were equally

concerned with what the operating rules were going to be on the C-111 system. Even if the design was the greatest, the issue is how [to] get operational guarantees that says the Corps or the Water Management District won't just throw the operating rule book out the window because there's a fifty-year storm down there and it's time to get everybody's feet dry and try to do it in three days instead of three weeks, even though the system wasn't designed to do it that way.

G: Did you get those guarantees? I believe there was some flooding later in the 1990s, did the system work as a design or as intended during that flood?

R: There was and there probably will be some of the greatest tension about that because we got assurances from the Corps and from the Water Management District that they would take care of those things. What that amounted to was their interpretation of what took care of us, what took care of the National Park. There were some roaring disagreements amongst the hydrologists over what would happen when you held the canal level at a particular point or when you pumped certain volumes of water here or there and the Water Management District and the Corps of Engineers particularly were, without a doubt, concerned about the Everglades. But they were also trying to balance benefits between three different interests, principally flood control and the environment, but there was a water supply issue there, as well. In our view at the time, there was a lot of, don't worry, we'll take care of you kind of language, as opposed to us saying, we'd like to have concurrence. We'll agree to the operating rules that you say we'll put in place, but if you're going to vary, we'd like to have a rule or an agreement in place where you call us and say, will you agree to go off that? That's what we said we wanted, because we wanted some assurance that the system would not be operated to the detriment of the park, in a way it wasn't conceived [to]. [There was] a great deal of reluctance on either the Corps or the Water Management District to give up that discretion they felt they had to retain on how to administer the benefits of the system. A long history of experience had been that no matter, what it was designed to do, as soon as you got into an extreme event, all bets were off, because people voted, the alligators didn't.

G: Did you ever get the assurance that you asked for, or did that not happen?

R: Hasn't happened yet. Let me say that the assurances we were looking for were binding agreements. The Department of Interior would have to concur if the Water Managers wanted to operate in a way that reduced the envisioned benefits to the park. We weren't looking for total control over the operating regime, but the C-111 operating rules that went in place with the environmental impact statement and the design said, this project is now going to produce these benefits [because] it's designed to produce these benefits for the park. We

wanted those quantified and we wanted some guarantee that before those benefits could be reduced, we had to concur. The Corps and the Water Management District [would] then ha[ve] all the flexibility they wanted, without talking to us, to manage the benefits as long as the benefits of the park didn't fall below a certain level. There's precedent for it in the minimum delivery schedule that Congress enacted, although that schedule was not well-informed, it wasn't the right amount of water at the right time, but there's precedent for that kind of statutory guarantee. The water managers did not want to provide those guarantees. They absolutely provided us assurances that they, in their discretion and judgment, would make sure that we got taken care of, but it tended to be taken care of in their judgment, not necessarily ours.

G: During the periods of flooding in the 1990s and in the period of drought, did the Water Management District and the Corps live up to the promises they made you? Were you happy with the way in which the C-111 was managed during those periods?

R: Absolutely not. Prior to the 1994-1995 time frame, there was just a litany of occasions where we felt the operations weren't occurring the way we felt they ought to occur. I refer you to Bob Johnson, who is the head of the Natural Resource Center at Everglades [National Park], who goes back through most of the 1980s and can tell you about that. There was, in statute, an experimental water deliveries program which says that they could vary the operating regime from what was on the books with the EIS [Environmental Impact Statement] for the C-111 system or, for that matter, even the water system, if they got three-party concurrence [between] the Corps, the Water Management District, and the park. If we all concurred, they could vary [from] their publicly established schedule. There were times when they convinced the park that it would work and there were times when we went back to them and said, no it wouldn't. Ultimately, the Water Management District and I think the Corps of Engineers both became exceedingly frustrated with trying to work with a three-party agreement on how the operating schedules would set up. Part of that was because there was distinct disagreement amongst the hydrologists over what the effects would be. I told you about the canal levels, with concern about the amount of water going into Taylor Slough, where you lower the canal level to keep the groundwater down and then you pump large volumes over into Taylor Slough. That was how we were told by the Water Management District, at one point, that they were taking care of Taylor Slough. We said, no you're not. That was one of the kinds of disagreements we talked about. Ultimately, through that period of time, we got to a point where both the Corps of Engineers and the Water Management District realized that what we were saying was correct and that led to a redesign of the C-111 project to address that concern. You can put the best plumbing system in the world in place and not deliver the water that it

was designed to deliver. Even with the new C-111 project designed to do the things that it was envisioned to do, how you put the operating schedule in place can make all the difference on whether or not it fulfills its design expectations. Even if you put the operating rules in place, if you don't stick to them when you're under pressure, you don't continue to meet the design expectations that were in place. There will always be operational pressure placed on the lower end of that system to balance the benefits, and there will always be a concern on the part of the park about whether or not the water managers B the Water Management District and the Corps of Engineers B have put an operating schedule in place that's good for the park and whether they continue to operate it the way it was designed when that system comes under pressure.

G: Could you talk a little bit about the Frog Pond area, its importance, and your efforts to acquire that territory?

R: The Frog Pond is a very low-lying area that Taylor Slough actually comes into at one point, just below the headwaters of Taylor Slough. It wanders a little bit to the east, comes into the west side of the Frog Pond and then moves down through the park to Florida Bay. It's relatively low-lying and it's west of the canal and levee system that was set up to provide flood protection and water supply benefits to the lands to the east, to the developed lands in South Dade. There's more to the history there. I think you can talk to folks in the Corps, [and] Bob Johnson. [at the park] particularly can give you chapter-and-verse on [the fact] that the C-111 project wasn't even put in place originally for flood protection. [In] the Frog Pond, we came to address the issue of how [to] keep the water table high in the park and low in the agricultural lands to the east. It became land in the middle. It was recognized [that] you couldn't do it, with one canal, to the land on either side of that one canal. So the C-111 canal, as it came down by the park, had the Frog Pond to the west and then the park, but it had agricultural land immediately to the east. The Frog Pond and actually the Rocky Glades area and the Eight-And-A-Half-Square-Mile-Area were all privately-owned lands that existed west of the main canal and levee system, but between there and the park. Those private lands had no flood protection authorized. The Corps was not authorized to build a system that provided them flood protection. But they were being developed as private properties for residential purposes and for agricultural purposes, and, of course, they did not like getting wet. The Frog Pond historically had been used for seasonal agriculture and sometimes it got dry at the end of November and stayed dry until May or June, sometimes it didn't get dry until January and it got wet again in April, and sometimes it never got dry in the dry season. That's just the normal fluctuations year-to-year on the variability of rainfall that occurs naturally in South Florida. We go through these wet and dry cycles. What happened traditionally in the Frog Pond was that people would plant when it got dry and they wouldn't plant until it got dry, and

sometimes they'd lose a crop and sometimes they'd have a short season and sometimes they'd have a long season. These [were] just risks associated with [farming these lands].

With the sale of the land and the advent of South Dade [as] a winter vegetable market for the eastern seaboard, there was stronger and stronger pressure on the water managers to give them certainty that by November 15th every year, they'd be dry, and that they'd have a dry season through May. Well, you can manage that to achieve that just by keeping the canal level low and if you accommodate that demand, you're basically giving them flood protection. No one was ever authorized to do that, but the Water Management District and the Corps of Engineers did it over a period of time. They acceded to the pressure to do that. You can imagine that the effects on the park were significant, because when you lower the water table west of the canal C-111 canal, it lowers the water table in the park, in Taylor Slough. It became a major bone of contention with folks in the Frog Pond and the Eight-And-A-Half-Square-Mile-Area and the Rocky Glades, to a certainly lesser degree. [They were] ready to sue because the Water Management District was not giving them the protection that they needed and was damaging them economically or letting their homes flood. The park was saying, wait a minute, you never did an environmental impact statement that says that's what you were going to do, number one. And number two, you were never authorized to provide them flood protection, but that's the way you're operating the system and you won't bring it back up. At the same time, we learned that to try and put a design in place that would protect the lands (not the Frog Pond, but the lands to the east that were supposed to be receiving flood protection) we recognize that the only kind of design that we could all figure out [that] would be capable of accomplishing that was one that had a buffer zone of retention ponds that you could pump water [into] to keep the C-111 canal low, but keep the water table in the park high. You pump like hell out of the C-111 canal into these retention ponds, but that would stack the groundwater up high next to the park while you kept the water low in the C-111 canal. There's an inefficiency there, because it would tend to drain back in, but you had to just keep these pumps going to keep the water table down on that side. Then you'd have water there that you could either release back into that canal for water supply or pump it over into the park once it had sat in a marsh like that for a while and cleaned itself up to move down Taylor Slough.

Well, the only land that was around that you could do that with was the land between the C-111 canal and the park, it was the Frog Pond. The pressure was on with the C-111 design to acquire those lands, and the Water Management District stepped up to the plate. The Water Management District and the Corps both reached a decision and stuck to it through a lot of controversy. We [the NPS] did not acquire the Frog Pond. We pressed them [Corps and South Florida Water Management District] hard to come up with a

design that would work and move forward to implement it, and they did. I have probably come off sounding as though we had nothing but problems with the Corps of Engineers and the Water Management District. We certainly had our issues, but I also want to say that the Water Management District and the Corps both were trying to understand and meet their responsibilities. To the degree we all came to understand what the needs were, the Water Management District, particularly under Sam Poole's leadership as the executive director, truly stepped up to the plate and walked into some pretty heavy weather and controversy associated with securing the Frog Pond and the lands necessary to do the C-111 project. Rock Salt stepped up to the plate in terms of understanding the issue and moving forward to approving a design that could get the job done. Terry Rice, when he first came in after Rock was there, had to affirm that decision and he came down and looked into it and stood by it as well. The Water Management District and the Corps, on the C-111 project, came up with a damn good design and went through a hell of a lot of controversy to secure the land base and to begin to put it in place.

G: How much progress have we made today in dealing with the problems with Florida Bay? How would you evaluate its current status?

R: I'd offer several things. One is [that] we know what's going on in Florida Bay [as] the result of a very focused scientific effort to get at the causal relationships of what was going on down there, rather than just speculation that you hear from every individual. We know what the perturbations have been, we know how extensive, we know what their duration has been. We have created a knowledge base that does point to the causal links and also eliminates a number of allegations about what's going on down there and what's caused it. The science is incredible and that's the result of a cooperative effort between nine different agencies over a sustained period of time. Tough thing to do, but the knowledge base there is good and it's continuing, to the best of my knowledge. The second thing is, we've created the linkage so that we know, ecologically, we've pinned down that it's the water. It's the quantity, the timing, and the distribution of fresh water that comes into Florida Bay and circulates around it, principally out of the Everglades. We also know there's an effect that's occurred over the years, because the cuts have been filled in between the Keys, so that the circulation that historically occurred between the Atlantic Ocean and Florida Bay has been significantly cut off.

We know the relationship, we know the ecological effect, we know what the effect is on fishery spawning when it's all saltwater well up into the Glades versus when it's all fresh versus when it's brackish. We know what happens to the snook [fish]. The production of a variety of fish in there is directly related to the flows of freshwater through the Glades. We really understand that it's about the water. Knowing that, even before we had confirmed it, we believed it enough

to be working hard on the C-111 issues and the east Everglades addition and the modified water deliveries [project]. It simply helped build a fire under those projects to say how important it was to get them done. It also helped inform their design as we learned, so that they became better designed as a result. The C-111 project was redesigned to accomplish some things and we are learning more about how to operate it better in terms of the operating rules that are being placed with it. We learned that the Modified Water Deliveries Project had to be redesigned, particularly around the east side, around the Eight-And-A-Half-Square-Mile-Area. There are issues associated with the Tamiami Trail, [water flows] from the trail, that we know are necessary in order to make it possible not just to restore the ecological function of the east Everglades, the Rocky Glades area, [and] to be capable of moving the water down through the system. That gives Florida Bay, and the estuarial functions there along the edge of it, the water it needs to return to a good estuary; not a marine lagoon with a steady state seawater condition, but an estuary that fluctuates [gradually] through freshwater and hyper-saline conditions, but none so severe or so long that a diverse plant and marine-life culture can't survive in it.

G: Talk about your involvement with the Modified Water Deliveries Project.

R: The Modified Water Deliveries Project was authorized by the 1989 Everglades Expansion Act, [which] added 109,000 acres or so to the Everglades National Park in the northeastern part of Shark Slough, below Tamiami Trail. We had a major land acquisition issue to pursue. Because of subdivisions that occurred out there on real estate development speculation, that land had been divided into 7,000 or more parcels, some of which were just open standing marsh that were subdivided into quarter-acre lots. We had to move forward to acquire all those, which [was] the National Park Services' responsibility. Getting the money and getting the work done was a continuing struggle. But just acquiring the land didn't get the job done and the law recognized that, so it authorized the Modified Water Deliveries Project and asked the Secretary of the Army to modify the Central and South Florida Project with this Modified Water Deliveries Project [Mod Water Project] that would restore water to the park. That was the only purpose of that project, and that's important to remember, because it is not a multiple-purpose project like the rest of the Central and South Florida Project, which has purposes for water supply and flood protection. It's only purpose was, and is, to restore water to the Everglades National Park. Initially there was a design done for it and I will tell you that the Corps looked at it and said, here's what we need you to do. The park looked at it and said, here's what we need you to do. Everybody seemed to think it was workable. The summer I arrived, in 1992, the EIS was out for public comment and I didn't know much [about the] hydrology [of the Everglades], let alone the modified water deliveries at that point, and just as I was beginning to learn, my attention was diverted by

Hurricane Andrew. I learned more about wind that summer than I did about anything else.

Within a year, it became apparent to me that we had a [problem with] part of the solution related to how you treat the Eight-And-A-Half-Square-Mile-Area. The Corps, in the law, was directed to provide a flood protection system for the Eight-And-A-Half-Square-Mile-Area. Well, they took that to mean that they should look at it and it wasn't an absolute, you will provide them a one-in-ten-year flood protection; flood protection to them meant you went in and did a cost-benefit analysis to see what it made sense to do. They found that it was absurdly expensive to go in and try and provide them one-in-ten-year flood protection from a cost-benefit standpoint. So they simply said, they don't have flood protection now or this is how they flood in terms of current conditions, so there is no cost-benefit to provide them any enhanced flood protection, but what we will do is design a project that doesn't add any adverse effect to them. As we stack more water into Shark Slough, we're not going to make it better for the Eight-And-A-Half-Square-Mile-Area, because they don't come anywhere near to a cost-benefit relationship that we need in order to enhance their flood protection. But we will design a Mod Water project that doesn't make it any worse. That's what they did, and the design they came up with was exactly that. It was one that would not make it any worse. It was flood mitigation, not flood protection. It would mitigate any worsening effects that would occur as a result of implementing the rest of the Mod Water project, which would put more water into northeast Shark Slough.

After a couple of meetings on the subject with the Corps and people in the area, it occurred to me that people were using the term flood protection and flood mitigation interchangeably and nobody was explaining or understanding what that really meant. It became apparent to me that [people] in the Eight-And-A-Half-Square-Mile-Area either [did not] understand that things were not going to get better as a result of Mod Water, or if they did understand, they didn't accept it. These people had agricultural lots and home sites out there and they wanted what everybody east of the canal had, flood protection. They wanted their feet dry just like everybody else. The problem was, they flood routinely and regularly out there, and that's not acceptable to them. They either didn't understand that Mod Waters wasn't going to change that, or if they understood it, they didn't accept it. What I told the Corps was, your design, this Mod Water design, needs to be redone because it doesn't work. They said, of course it works. If you're an engineer, there's truth in that statement, because it will do exactly what it is designed to do. I said, it won't work in practice, in operation, because as that area develops and becomes more densely developed, you're just going to have an increasing irritant in your side that says, we're being flooded out. Lower the canal to the east. Pump this water out of here. If you did that, you can't put the water back into northeast Shark Slough, or whatever you do put in to northeast Shark Slough will be sucked right out again, instead of moving down Shark Slough towards Florida Bay. I said, it won't work in [practice]. [End of Tape B:

Side 3] We had some roaring disagreements with the Corps, because the Corps believed, and to some degree the Water Management District for a while said, that's just tough. In their deeds it says they [the Eight-and-a-Half-Square-Mile land owners] don't have flood protection. I said, you don't understand; point to me, anywhere in the state of Florida or anywhere else where there's been a residential community developed in an area that has no flood protection, where you've been able to make that stick in practice; you point it out to me and my comfort level will start to go up that this thing will Awork@ in practice. And nobody ever brought that to me. Once again, I think Sam Poole, the leader of the Water Management District at the time, [stepped] up to the plate. He understood that. The Corps felt that we could never work through an issue that would resolve that area, so we should just stick with the original plan and go forward with it.

Ultimately, the Water Management District attempted to just take it on and say to the Corps, we want to acquire that land because we agree it won't work, and acquiring it takes away the need to provide any flood mitigation there. We [National Park Service] got authority to help participate in that from a standpoint of contributions for land acquisition in exchange for guarantees with regard to how water management would occur up there. The Water Management District made the decision, they were sued for procedurally having violated the Sunshine Law and not going through all the necessary hoops. The Corps had to take what the Water Management District said to them, as a recommendation of the local sponsor, and walk back through a modification to the environmental impact statement for the Modified Water Deliveries Project. They did that, and by that time, Colonel [Joe] Miller [former commander and district engineer, Jacksonville District, Army Corps of Engineers] was in place and they went through a process and reached a decision that wasn't ideal. My own view is [that] nobody should live out west of the levee there, it's just not the right thing to do. What ended up was a design that acquired the western half, which was the lower-lying part of the area, and provided an internal drainage system as well as a western levee, so that we had what was essentially a flow-away zone and a bit of a buffer zone there. If designed and built the way that new decision was signed, I think in October of 2000, the month after I left, they finally signed it. If it's designed and built that way, and operated the way they designed it, it'll work. The people who still live out there will be dry to the same degree that the folks east of the canal will. To the degree that is done, it won't cause water to be drained out of the Everglades. The performance, in terms of modified water delivery, goes up from the original design dramatically in terms of how close you can get to the natural system model, targets for what historically occurred out there.

There's one other piece to Mod Water that is still in play and that has to do with Tamiami Trail. About ten miles of [Tamiami Trail] between Dade Corner there and Thirty-Mile Bend, is about two feet lower than the road is from Thirty-Mile to Forty-Mile Bend, in front of the Miccosukee to the western side of the

Everglades there. To move the kind of water that the natural- system model says should be moving down through the Everglades, you've got to create a head difference in order to have that water pushed south in the volumes that it's needed. In order to do that B and again this became apparent as we were really looking into the modeling and had developed a lot more sophistication in our hydrologic modeling capability associated with the C&SF restudy B we found that in order to create the head in Water Conservation Area 3-B and in the canal immediately south of 3-B, principally the canal there, you had to raise that canal level to a point where it would routinely overtop [that section of Tamiami] in order to get the head pressure they needed to move water south and through the Everglades to a degree that was close to what the natural-system model said historically moved through there. The amount of water you could move through, based on the design of the original Modified Water Deliveries Project, wouldn't move anywhere near what [was] needed down through there. The Corps said, well, if we need to move the water level up, we'll just do that. Even if you don't overtop the road, you saturate the base of the highway to the point where any heavy trucks going over it will start hydraulic pumping action and you'll get a wave action start to form and deform the road surface, because the base for the road is saturated with water. No one sat down with the Florida Department of Transportation and said, is it okay if we do that? Well, the Florida Department of Transportation reasonably said, [if] you do it, you pay for it. That wasn't pinned down the way it needed to be, so the assumption related to how things could work up in the area of Tamiami Trail just weren't sound in the original Modified Water Deliveries Project. The performance that we wanted to get out of it wasn't as sound as our later modeling showed us it needed to be; it wasn't as close to the targets as our later modeling showed it to be. Between fixing the design problem of the original Mod Water design and enhancing the capacity to be as close to something that the Central and South Florida restudy needed, that road needs to be addressed.

One of the modifications that is in play and was in play when I left was, what do you do about that road? Do you simply elevate ten miles of it? Do you rip it out and bridge ten miles of it? Do you do some combination so you have the capacity to move [water past] it? How much of it is apportionable to the Modified Water Deliveries Project and how much of it is apportionable to the C&SF restudy? That led to other issues. If you move [the amount of] water through that the restudy talks about, do you stack water too deep in Water Conservation Area 3-B? The water [would be] at the elevation it historically was, but it's far deeper than it historically was because the peat there, the soil, in 3-B has [subsided]. You have an elevation that works for the downstream system to get the head to move the water down through the southern Everglades, but you have a water depth that is far too deep for what historically occurred in Water Conservation Area 3-B. You have ecological dysfunction there in order to move the water volumes that you need farther down to the south. How do you

reconcile that with the Florida [Department of] Fish and Game and the folks that are interested in seeing Water Conservation Area 3-B ecologically restored?

G: Which of those alternatives were you advocating while you were with Everglades National Park?

R: When I left, we were still looking at the range of choices. I don't think we'd come to a final conclusion on it, but I think we were leaning, at that point, to a significant amount of bridging. Not necessarily 100 percent, but it was a significant amount of bridging and then [maybe] elevation of the remaining [trail].

G: What has been the park's position on dealing with the Cape Sable sparrow, which also ties into this issue?

R: Oh, yes. Florida Bay was an action-forcing event for projects that had already been conceived that said, get off your ass and deal with them, get them done quicker, get them done now. It put pressure on to move them to the front burner and get them done. It also put pressure on as we learned more about their function, to design them better so that they would perform better. It put two extraordinary amounts of pressure on the system. What we learned about the Cape Sable sparrow in the last several years of the decade put pressure on not just to do that; it added to pressure to get these new systems in place, but it put even more extreme pressure on to operate the existing system in a different way because we were about to lose this species. Principles in the biological opinion were that we had to keep two viable, distinct populations, and while there were some sub-populations over on the east side, they all were close enough that they could intermix and one could restore itself from the other. The one on the west side of Shark Slough was a completely independent population, these birds don't move more than a couple of miles. So there's no intermixing. If you lose that separate, distinct population, then you're all at risk on one side. That's a crude way of laying out the biological risk there. Basically, we were being told if we didn't get the water redistributed back over to the east, because the water was coming down into Shark Slough and it was all being stacked up to the west, it was inundating the habitat for the western Shark Slough population of the Cape Sable sparrow. It was doing two things: it was preventing them from nesting and getting the nesting season they needed to maintain their population. Over time, it was also destroying the habitat, the habitat was just getting smaller. Both of those things had to stop.

The western population got so small that it could blink out in a year. The pressure [came] under Section 7 of the Endangered Species Act, when the Fish and Wildlife Service came on. We worked hand-in-glove with them to say, it's not just [that] we have to get it done, Mod Water and C-111, in the next five to seven years. We not only have to do that, we have to do emergency measures

right now, in terms of the way we operate the existing system and maybe putting in some temporary features in order to work that better. That caused an enormous meltdown, because it was pressing the Corps and Water Management District to do something that they were obligated to do under the Endangered Species Act or risk a significant exposure, [it was] asking them to manage the system for the benefits of the sparrow as part of the natural environment, [with a] system [that] was [principally designed to] provide benefits for flood protection and water supply that the project was designed to provide. At the same time, the Miccosukee right on the pathway along Tamiami Trail, were concerned about how water was being held, back up in the water conservation areas, instead of being released down into western Shark Slough. One of the operating ways you can address [the sparrow's needs in Western Shark Slough] is to not release the water south from the water conservation areas. It can stack up there and have ecological effects there, in order to keep the area dry for nesting in the western Shark Slough population. When you're having a wet year and you're in a wet cycle over several years, it all stacks up to be almost an impossible situation to deal with. It was extreme confrontation over the issues, but because we were about to lose one of the species we were trying to save, we were being told that if we didn't act on an emergency basis, the species wouldn't be around five years from now. I'm not being exact on the glide path that the biological opinion laid out, but it basically said that if we lost that western population, then the predictions for keeping a viable sparrow population were pretty grim. It was a confrontation.

G: There have been times when the National Park Service and Fish and Wildlife Service have been in disagreement with one another, the case of the snail kite [hawk] would be an example. How did you deal with cases where essentially you had two Interior Department agencies in disagreement? How did you handle those disagreements?

R: First, the snail kite issue occurred before I arrived, so I heard all the horror stories about it. I encourage you to talk [to] someone from the park about that particular instance. I'd refer you to Bob Johnson. What I understood was that there were these kinds of issues that came up and while we do have different missions and objectives, we are sister agencies within the same department and in fact, sister agencies under the same assistant secretary. I had learned elsewhere that the best approach is to sit down and find a way to link arms. With two of the state directors over there, first Craig Johnson [former supervisor, South Florida Ecosystem Office, U.S. Fish and Wildlife Service], who has since left the Fish and Wildlife Service, and then with Steve Forsythe [former supervisor, state of Florida and South Florida Ecosystem Office, U.S. Fish and Wildlife Service], who retired and works for the Nature Conservancy out in the Midwest right now. [We] sat down and said, look, we're both trying to go to the same place. We may have

different opinions about what biologically works, but we're both trying to go to the same place, number one. Number two, we've got hydrologic capability and analytical capability that you guys need, and you have capabilities that we desperately need. So let's agree to do this together. If we have disagreements, let's sit down, have them out in the open, broker [and resolve] them, but agree that when we step out, there'll be no daylight between us. We are sister agencies that are going to work out our views together, and then we're going to go sit at the table and deal as more of a department with the other players that are here in South Florida, for a couple of reasons. There should be no reason that we should have disagreements. If they're factual disagreements, they're ones that we ought to be able to find a way to get peer review or third parties in there to resolve for us. If they're policy disagreements, we shouldn't be seen out there coming from different places, not when we're part of essentially the same department. When we walk in there together, talking with the same voice, we have a lot greater likelihood of prevailing in terms of our position than if we walk in there alone, particularly if we're squabbling. Both Craig and Steve and their staffs responded to that, were committed to that, and in the time I was down there, we had an outstanding relationship. We certainly did have our concerns and issues and frustrations with each other, but we picked up the phone, called each other and said, let's sit down and settle them. We need to get to a point where we can go on the record with the Corps, the state, the Water Management District or someone else and I'm committed that we will be singing the same song when we do. It worked and I thought it was incredibly important to getting recognition and a serious response to a number of issues that we worked through down there.

G: End part one.

G: This is Brian Gridley conducting part two of an interview with Dick Ring in his office in Washington D.C. The date is July 25, 2002. Mr. Ring, would you describe your involvement in the process of setting up the Federal South Border Restoration Task Force?

R: I arrived in Florida to take on the job at Everglades in the late Spring of 1992 and I was immediately immersed in the sugar lawsuit which had built a very solid team amongst the federal agencies that were involved including the justice department, EPA, the Corps of Engineers, Fish and Wildlife Service, the Park Service, and the U.S. Attorney's Office. That really had begun to bring many federal players together working on issues that related to the functioning of the

ecosystem, although it was focused on the water quality and the litigation. After a dramatic interlude by being blown away by Hurricane Andrew, in January in the subsequent presidential election and the shift in administration in the Fall of 1992, in January of 1992, the newly appointed secretary of interior Bruce Babbitt came to the Everglades Coalition meeting in Tallahassee. He spoke to the group at lunch and I recall sitting next to Rock Salt, who was then the Colonel commanding the Jacksonville district of the Corps of Engineers. Jim Webb, who was with the wilderness society at that time, cornered me and said Dick, I'll grab Babbitt and you grab Rock and let's get them at the same table next to each other because these two folks we've got to arrange a colloquy with. So we did and Jim fended off everybody coming to Babbitt and I fended off everybody coming at Rock and we got them to sit at the same table at lunch. Rock basically was asked by Babbitt, what's the story with the restudy? He says well it's been authorized, but nobody's funded it yet. Babbitt said I'm going to write to the secretary of the army and tell him to get off his stick and put some money into this. Then he got up and talked to the group as a whole working off of the back of an envelope and said look, I've never been to Florida before, but I'm fascinated by this place and it seems to me you've got a situation here that's bigger than any single program or issue. You're dealing with a watershed scale situation. It's basically an entire ecosystem. You need to think of it in those terms, you need to organize to deal with it in those terms. I'm telling you right now, I'm going to organize the federal community. Buddy MacKay who was the lieutenant governor, later that day spoke to the group, of course he and Babbitt had met as a sidebar meeting, and Buddy picked up the gauntlet and said Secretary Babbitt, you're going to organize the federal community, I'm going to organize everybody else.

Coming out of that when George Frampton was nominated as the assistant secretary for Fish, Wildlife, and Parks, basically was the Park Service and the Fish and Wildlife Service, we were brought up to brief I think Brooks Yager who was one of the new political appointees with the office of policy, and George who had not been confirmed, so it was a briefing for him. In April, we briefed them on the status of the sugar lawsuit. Then, we briefed them on the status of the whole water situation there and they asked that we put together quickly by early June a meeting that we invited all of the federal parties to, and we did. The Everglades National Park organized it in Key Largo, Florida and we met with I think it was eleven different federal agencies representing five different departments. There was a meeting where it was basically show and tell, everybody went around the room saying here's what I'm doing in Florida. By the time we were done, everybody was sort of stunned because we'd outlined something close to $2 billion of authorized or approved programs and projects that were somehow related to the environment within the South Florida watershed. It sort of dawned on everybody after the show and tell that we didn't need to organize an ecosystem scale program, there was already one going on,

we just didn't recognize it and we weren't working it that way. There was a consensus among the group that we ought to think about coordinating this on a regular basis. We were charged within a month to call the players that were the field managers in Florida for these agencies together, and to craft a charter for how to do that. On the first and second of July that same year in 1993, we came together in Orlando and went through a facilitated process that we helped set up where we had each of the agencies present not only what they were doing, but we had to present their basic mission and layout what their objectives were without getting into the project listings. We went through a facilitated exercise that a couple of our Park Service people came to help with and that was to come up with a single statement on what our vision was and what our common objectives were. Then we crafted a charter that called for a two-tier organization amongst the federal community, which was the Ecosystem Task Force, and that was made up of the assistant secretary level representatives of the different departments involved and then a working group level which was made up of the senior managers in Florida of all the agencies within those departments. It started out as five and it went to six departments, and it started out I think as eleven different agencies. There was a five member task force at the assistant secretary level proposed, and then an eleven member working group at the field level in Florida to think about and start to work on all the South Florida federal effort on an ecosystem basis and on a coordinated basis. So we did that. It was brought up to Washington and the Department of Interior was asked to lead the effort, of course, and George Frampton was asked to lead it for the secretary of interior. We basically presented it to him and pulled the group together later I think in September, and signed a charter and set the group up.

G: As these discussions were going on, how receptive were some of the other agencies you were working with to having this interagency group?

R: Very receptive. We already had, of necessity, a good, tight working team that had to deal with the water quality lawsuit and the consent decree and settlement agreement that came out of it. Already, the Fish and Wildlife Service, the Park Service, the Corps of Engineers, the EPA, as well as the Department of Justice and the U.S. Attorneys, were meeting routinely and regularly to oversee the implementation of that. There was still litigation going on challenging the consent decree, so we were still very, very heavily engaged. We were routinely and regularly meeting and coordinating our actions so that there was one federal voice on that issue. Those players understood it and were more than interested in seeing the same kind of an approach to a broader range of issues related to the restoration. The NOA, the National Marine Sanctuary folks, were trying to establish the Florida Keys National Marine Sanctuary, enormously interested in having things happen there. We brought in BIA to the table on behalf of the two tribes, and they did not have a Florida based representative, they brought

somebody in from Washington there. There were USGS, which has a very large presence down there, was very much interested in helping to support looking at and thinking and studying about things on a larger scale than they were already engaged in. The National Marine Fisheries Service, so NOA had a couple of different representatives there. Brad Brown and his folks saw the ecological effects in the near shore water from what was happening on shore as being just an integral part of the ecosystem and needing to be dealt with that way. So a lot of enthusiasm, not really much in the way of resistance or folks who didn't get it, particularly at the field level. We met and consulted closely with the state representatives as we were organizing it so they didn't have a sense that we were trying to leave them out. In fact, what we said was in order to deal with the Federal Advisory Commission or to get a legislative authority for something broader than just the federal community, it would take some time and we wanted to get a coordination up and running as quickly as we could. So it was easy for us to sign an agreement amongst the federal agencies to coordinate our actions. They said that's fine, if that's the case then what we'll do is, the state determined to set up a Governor's Commission on a Sustainable South Florida where they would bring the state agencies and the various interest groups together to advise the governor on a consolidated basis. They appointed several *ex officio* members to the governor's commission from amongst the federal players. The Corps of Engineers was represented there, the Department of Interior was represented there, and I served as the Interior representative through the first governor's commission. The executive director of the ecosystem task force also served as well, and the head of the National Marine Sanctuary served, Billy Causy. They had some federal representation there, we did not vote, we were not voting *ex officio* members. As part of our office, we were on the governor's commission and we fully participated there.

By the Fall of 1993, we were getting ourselves organized at both levels and that's how it really got started. I helped convene the first working group meeting in October of 1993, and we worked on both organizing ourselves as a working group, as well as taking on a first work effort, which was to describe what we thought the problems of the systems were and what were the main things we needed to focus on in order to deal with the system as a whole. So we created a science subgroup of the working group, and in, I'm trying to think, we had a couple of meetings that fall, the first organizing one I think was in downtown Miami with the justice department's office. The second one was down in Key Largo where we had literally a working session where all the working group members, the managers, along with the science subgroup where we brought our scientists together, and in a matter of a couple of days produced a report, the science subgroup report, that characterized what we thought the basic problem was or problems were, what success would look like and what might be some alternatives to achieve that as a way to really set the mark on what we were trying to do, and brought that [out] I think by the end of November. I don't know if

you've ever seen that document, but I encourage you to take a look at it because for something that was produced that quickly, it was enormously accurate and it got it. You can read it today and it's just as true now in terms of what the problem was and what we had to do. The last part of it, which started to get into some different scenario solutions, was probably the least important part of the document, [yet] it's the one that ended up causing it to draw a fair amount of fire from the sugar industry and others.

G: That particularly proposal, didn't it propose flow-waves through the Everglades Agricultural Area?

R: Yeah. It didn't propose the solution as I recall it so much as to say here's a way you can do it. Here's one way of thinking about solving the problem as opposed to saying this is what you have to do.

G: You think we're fixated too much on that solution section and ignored the importance of the document?

R: Yes.

G: How would you characterize in general the working relationship between the working group and the task force? What was the division of labor there?

R: It was interesting because through those early years, there was not a sense of command and control coming out of Washington. What we heard from George Frampton and from Secretary Babbitt, and certainly that was my experience dealing with it from the Department of Interior, was they knew this was important, they were committing to a major initiative to help it happen, and then they acted on that by sitting us down and saying what do you need us to do. They very much were looking for a bottom-up kind of formulation of what the issues were and what steps needed to be taken. They didn't abrogate their responsibility to look at that critically and to assess the policy implications of it and to make decisions associated with it. They basically wanted to know, and through those years repeatedly said what do you think? What have we got here? How do you assess the problem? What do you think ought to be done? It was very much framed and worked as a bottom-up type of a process. They kept to a policy level oversight. They tasked us to do things and then left it to us to coordinate and accomplish, coordinate the federal mission. They relied on us to be the principle interface with our state counterparts, and they were very receptive B this is the assistant secretary level in the task force B were quit receptive to us initiating issues and discussions and bringing them proposals and recommendations.

G: How much input did you have into the selection of Colonel Rock Salt as the

executive director?

R: Some. By default, I served as the lead person on this effort for the department in the field because I was probably the senior field person for not only the Park Service, but also in the department down there because they made the Everglades job a senior executive position, and I had the biggest capacity in terms of an organization to get stuff done on the ground down there, and was very much one of the vested client interests with the department and represented Everglades National Park which is sort of an icon for the whole Everglades. I spent a lot of time working with the assistant secretary's office, with George Frampton and his staff, taking a lead on helping to get some of these steps done for him, which was fine, very enthusiastic about doing it and very enthusiastic about the effort. But, it also reached a point, and I think it was after we'd been at it for about a year, and I need to scratch my memory as to whether it was January of 1994 or January of 1995 as we moved through that. George said this is becoming a full time effort, we need somebody who can work this and coordinate it and support the efforts of the task force here in Washington and a working group as well. It needs staff support. It can't just happen by contributed time on the part of different folks. He asked my thoughts about it and actually asked if I was interested in stepping over and doing this full time, and I said I'll help any way I can and I'm pleased to do it, but I've worked for the Park Service my whole career and I've got a full time job doing Everglades as well, so I prefer staying there doing that. The discussion began and George was looking for someone to head that up, and there were a number of folks that expressed interest and a number of folks that were talked about and I was fortunate enough to be consulted in some of those conversations. At one point, the discussion was Colonel Salt has had his three years and he's either going to be moved or face the choice of retiring. I had a huge regard for Rock. As a colonel in the Corps of Engineers, he was unlike any thing I ever expected from a senior military person as I could think of. He was wide open to ideas and just wanted to focus in, loved the examination and the discussion of them and the debate around what was the right think to do.

There were just no walls with Rock, no barriers went up. It was how do you honestly understand the problem and solve it, so there wasn't any kind of a predisposition. He'd bring the case that he had learned but in a way to try to get you to give your perspective on it and he'd honestly just pick up what made sense. He was just a joy to work with. His name got thrown into the mix as a possibility and, as I recall, George came down and he talked to Rock about it at the Everglades Coalition meeting that happened in Miami, and that may have been January of 1994, I think that's when it was. Rock, who was going to be leaving later that year said that he had some interest in it and so that went along for awhile until George finally settled and made that announcement later that spring, and then Rock made the transition a little bit later that year with the

change of command ceremony to Terry Rice. He stayed as a serving Colonel, he did not retire. In the first year or so, he was simply seconded over to the Department of Interior to work on George's staff as a serving officer with the Corps of Engineers. After he retired, they transitioned him to a civilian appointment which he remains in. It was an interesting process and I think they got the right guy.

G: What was the impact of expanding the task force in 1996 to include state, local, and the tribal representatives?

R: All along, since there had been discussion on organizing a task force, the thought that all the players in government should be at the table, it shouldn't simply be a federal ecosystem task force. It wasn't just a federal ecosystem effort. It was an effort that should cut across all levels of government. There was an objective that was expressed from the outset that that's the way it ought to ultimately be organized and framed. It wasn't possible to do that at the outset if we wanted to get moving quickly. There was a value to organizing the federal community so that we could coordinate our efforts and sort out our own issues so that the federal community could end up speaking with one voice or developing a single position for one sovereign level of government. Then the Governor's Commission pulled together all the other levels of government, but then also other interests in trying to get the governor, the state of Florida to represent what it's position was as a sovereign, and that's what we could put in place first and that's what was done. We recognized the need to have that work be as closely connected as possible so we actually said, we're going to have the working group meetings occur at the same location that the Governor's Commission met on succeeding dates so that we would make the nature of what was going on as seemless as it could possibly be so that there wasn't competition, we weren't meeting in separate rooms at the same time, but if the Governor's Commission met on a Monday and Tuesday, then the working group met on Wednesday and Thursday or vice versa, we reversed the sequence, but we would all be in the same hotel at the same location. I think the working group met probably more frequently than the Governor's Commission, but whenever the Governor's Commission met, we were there. That was something that I helped frame so that all the people that were involved in the ecosystem effort were all wandering around the same hotel for a three to four day period whenever we met. Issues got raised, stuff got done, discussions happened, coordinations happened, debate occurred both publicly in the forms of the two, and on the side at dinner, breakfast, and twenty-four hours a day.

In my view, it tended to achieve the spirit that we had said we wanted from the outset which is to have everybody involved. We were able to adapt the federal task force with the passage of the Unfunded Mandates Act because it provided for federal advisory commissions to appoint representatives of elected

officials from other governments without viling the federal advisory committee act. At that point, we extended the invitation to have state, local, and I believe tribal members come to the table as part of the working group, not officially as members of the working group, but as advisors to the working group. They were there at the table in our formal sessions hearing public comment, rolling up their sleeves, right involved in the debate and the discussion. If it came to a vote on what the federal community was going to do, it had to be just the federal agency representatives, so there was still that distinction, but for all intensive purposes, it became one that functioned that way. Then with the passage of the WRDA act in 1996 I think it was, we had an opportunity legislatively to create what we had always wanted which was a true task force that was represented by all three or four sovereigns B the federal government, the state government, and the two tribes B in a seemless way. We did some negotiation on the drafting of that with the committees over exemptions to the federal advisory committee act that kept the spirit of that act, but gave us some procedural exemptions in terms of how the task force worked. So I think it shifted in the end of 1996, beginning of 1997, it shifted into the task force that it is now.

G: How would you compare the leadership styles within the task force of George Frampton to Patricia Beneke?

R: They were different without a doubt. George had a very easy way. He was very concerned with and very knowledgeable about the policy issues involved and very easy with managing confrontation. He didn't seem to have any anxiety about it, wasn't all that concerned with walking into a room where lots of problems were going to be raised, he just waded through it. He said let's just deal with what do we got, okay now what do we do? There was sort of a comfort about or confidence that whoever came up everybody would sort of have their say and we'd figure out where we could go and move on from there. In a very engaging again hoping and wanting to hear from others what the issues and problems were. Intellectually, my own opinion is that he is that bright. He got what he was hearing sometimes quicker than the rest of us, a lot of times quicker than the rest of us. He just had a wonderful sense of what the goals were and an openness about learning and crafting the direction based on what appeared. It just seemed to work. Patty was drawn into it I think because of her role of Secretary for Water and Science, so the position moved out of the part of interior that represented the client interest of the department, which was Fish, Wildlife, and Parks where the national parks and the wildlife refugees, really the land base where the Interior had a vested interest in the outcome of all these issues over to the Secretary for Water and Science, which was more understanding the water policy issues on a nation wide basis and dealing with the science, but there wasn't an advocacy of client orientation. It's more of a step back and an objective and more of a dispassionate perspective from the standpoint of USGS.

Really, like if you're a reclamation, none of the major water projects of the Department of Interior are in South Florida.

While the policy issues are understood, there is no on the ground presence on the part of the water side of that, assistant secretary. The science side was routinely represented by USGS in South Florida from the perspective of we don't have a policy position in anyway, shape, or form, we'll do the science for everybody just to make sure that the facts are right. That's important, but the ecosystem effort and the restoration effort with the best science in the world ultimately gets down to policy choices so judgements have to be made and advocated and debated, and that was less present from Water and Science. I think Patty also did not have the benefit George had of being there to help form the thing from the outset. There's an inherent understanding and comfort level with the players and the process and the like that comes from being there at the outset, that if you come in once it's up and running and gotten fairly complicated and developed it's own cultures and attitudes and ways of doing business, you're walking in and you're getting to a degree a bucket of cold water thrown on you and you're scrambling trying to catch up and figure out what the state of play is on issue after issue after issue, and I think Patty had to deal with that as well. She brought I think both a different perspective and style, but she walked into the middle and for a period of time was trying to learn a lot about what was going on as opposed to having helped craft it and put it in place at the outset.

G: You think that made the task force less effective during her leadership period?

R: She came in right at the turn when it became the state-federal-tribal task force, as opposed to the, as I recall... I think it made it more difficult for her yes, but there was something else that made it more difficult and that was that it became officially this federal-state-tribal task force. That raised issues that I'm not sure we had all thought through as well as we should have that made and, I believe, probably continues to make the task force function difficult, extremely difficult, and that is that as a federal task force, you can coordinate and you ultimately are responsible to the president through oversight from CEQ. If there are debates and differences... and they seldom become irreconcilable differences because it can work up through the process through CEQ and to the White House and somebody makes a call for the administration to balance out the interests of the United States and you can move forward. When you have a task force made up of four different sovereigns, even though it's in federal law that it will be done like that, the state hasn't given up any sovereignty to the United States because this thing was enacted in federal law. The tribes haven't given up anything.

Ultimately then, there's not a similar kind of a structure where if the sovereigns disagree, there's anybody presiding over it all who can say okay, that's fine, but we're going to make this choice and move on. There's more potential for an impass to occur because there's no generally acknowledged and

legally sound way that you can resolve those impasses unless you go to litigation and ultimately reach the courts and ultimately the Supreme Court, you can resolve things that way, but no one has given up their sovereignty. None of the major players have given up their sovereignty. The next is that the task force... before the United States was represented by the senior field managers in Florida, the working group. We worked individually and collectively with the leaders of the other sovereigns, the principle representatives of the other sovereigns who are local, the state and then the two tribes. With the legislation on the task force, those cross-over points all shifted because a commissioner for the state of Florida where a field manager for the United States on an agency would normally be the spokesperson in dealing with that individual. Now in the ecosystem effort, that person is dealing with an assistant secretary out of Washington. The working group because less effective. The people that came on to the working group from the state and the tribes were not the senior decision makers that we had previously been working with. They were staff or subordinate folks that may have had some delegated authority to make decisions and to agree for the their agency to coordinate agents and actions, whereas with the task force right now, that lineup has shifted so that instead of a working group basically that principle entity that identified issues and resolved them, this nature of the structure right now tends to drive all that to the task force. Between those two things, you've got a much more difficult circumstance to have an efficient and coordination effort going on, and also a way to resolve difference amongst sovereigns versus amongst the federal family where there's somebody who presides over it who can say okay, enough, this is the decision.

G: Do you think it was a mistake to have expanded the task force include the non-federal players?

R: At the time, I was very much an advocate for it. Looking back, I would say that the federal task force and the Governor's Commission working the way they did was far more effective.

G: How much direct involvement did Secretary Babbitt have with the task force?

R: He had a lot of involvement in Florida. He kept himself closely apprised of what was going on in terms of the major issues. He visited frequently and learned about the range of issues that the working group and the task force were dealing with so I would say he was very involved. On occasion he was there for task force meetings. His first two years running he was at the Everglades Coalition meeting speaking to folks. He played a very involved role. [End of Tape C, side 5]

G: What would you identify as being the primary contribution of the task force to the

overall restoration effort?

R: First, it pulled the federal family together so that the United States was able to look at it's interests as a sovereign, not as a series of different agencies all pulling in for their own mission. It helped, and I only say helped because I think the Governor's Commission was equally if not more so responsible for getting everybody to agree on some fundamentals. One, things were very, very broke and not sustainable, and that the only way to solve them is with a whole solution, not pieces and parts, so I think it helped facilitate that. The other think I think, at least with the federal task force and my role in the working group, it through out into the open B and actually the Governor's Commission had a different way of doing it, but did in its own way too B it lent a sense of excitement and a sense of accomplishment to all the players that have been trying to deal with different parts of the problems in South Florida and gave them a single place to come and present them.

Frankly, it was an interesting dynamic because a number of times folks said B we had roaring disagreements between agencies and we'd come to a meeting ready to air them, and of course the meeting was open to the public B and some agencies would say that shows us disagreeing and you're saying that we're wrong and we can't have that out in public. I think that those things came out in public and there were vehement disagreements that were publicly aired at those meetings, was startling to the public that my gosh they'd actually publicly disagree with each other, they must be getting ready to melt down. What I think the public saw, and it actually helped them gain trust in the working group task force process and the Governor's Commission was that my gosh, these people are just like us, they don't always agree, and when they don't agree, they tell it like it is and at the end of the day, they have somehow worked out a compromise or worked out a way to proceed to go off and examine the problem or bring more facts to the table or what have you, so there was something real about that that the people tended to trust the outcome because it was the way you normally, I don't know about you, but it's the way life occurs. There was a sense that the real work was going on in this form as opposed to behind the scenes, and there was a sense that these folks are honestly airing their differences, but they're all trying to find their way through to a right answer. They're not stonewalling each other or playing the games, they're having roaring debates over whether the water should be four feet high or three feet high, or whether the following effects would occur, and when they'd get to that point, they'd say how do we resolve this, and somebody would say we need to have a team go off and get this additional study done or we need to bring somebody who has the expertise that can come in and tell us what they know or we need to hear from people about they think. They saw us grappling with this stuff and working it through in a way that seemed to have it's eye on a star, on the goal. I think it created a sense that things were going to get done because there was movement and there was a

place where they could see and hear all the real issues and all the real concerns being weighed and discuss.

G: You've mentioned the Governor's Commission a couple of times now. How would you characterize the contribution of the Governor's Commission established by Lawton Chiles?

R: Enormous, absolutely enormous. The federal ecosystem task force was important because it brought the United States interest into focus and helped create a forum for coordination and issue resolution on a huge federal interest down there, but by itself, even when all that was done, that could only really bring one part of the picture into focus. The Governor's Commission is the forum that brought all the rest of it together and Dick Pettigrew is the chair, did a masterful job of presiding over the debate and the forum there. There was some pretty lively debate and discussion that ultimately ended up in a concept that was an agreement on major, major principles in questions, and ultimately a consensus on a concept of how to go about solving. So it was fundamentally important.

G: Could you tell me a little bit more of a process that went into developing, I believe you're referring to the Conceptual Plan here?

R: Certainly the consensus around some of the principles related to it. In other words, if the Governor's Commission formed a concept that the Corps then took and developed into the CERP.

G: How is that done? How did you get unanimous consent among all the different players here in order to reach agreement on that Conceptual Plan? What were some of the big issues that had to be overcome to get there?

R: Trust was probably the biggest issue that had to be overcome. Here were a lot of parties that had either been beating each other up in court over different issues, or beating each other up publicly, and tended to mistrust. The urban areas were concerned that the environmentalists and the land management conservation agencies just wanted to shut off their water supply so that they could put it back in the Everglades. The agricultural interests were concerned that the environmentalists wanted to just drive them out of business to prevent pollution that really they weren't responsible for and acquire all their land and recycle it back into the Everglades. Then folks were concerned that we wanted to bring so much water back into the Everglades that it was going to do was just take away the flood protection to a lot of the built areas. There was a lot of mistrust associated with both and vested interests and perceived vested interests that it built up over time. Working through that so that a consensus could be reached on a number of issues was a long, deliberate process. It was predicated

on a few thing and I would say if you haven't talked to Dick Pettigrew and got him on tape you darn well should because he led that effort, he managed it, and I would say he probably can give you the best perspective of how it was done and hard it was too.

One issue was an agreement that if there was a problem, people would bring it to the table and say it. It wouldn't be end runs, that people wouldn't ignore that forum and just try to work to their own ends. If somebody was going to break ranks, that was going to be the death of the process. Unless there was a consensus building process that people committed to, we couldn't get there. There was a sense among the representatives that that was an important thing that people had to make a commitment to. There was a sense of getting to know each other. The first year that the commission was in place, a lot of it was spent hearing about B we'd sit together and we'd get presentations on what some of us knew, but others didn't, and the next time it would be something that somebody else knew and you didn't. The point is we had to walk through a learning process together, so we were all working off the same body of knowledge. We had to get the whole commission to a level of understanding. Equally important during that time, we were spending days and days in a room together and drinking in the bar after the meeting was over and going on field trips together and breaking bread, so there was personally a sense of just getting to know each other. That all these folks who represented all these other interests had kids growing up and were dealing with the same kinds of issues, we got to know each other personally through that time, and that was equally important to creating a climate where people would trust each other, that they'd honestly represent their position, not necessarily agree with each other, but they'd trust entering into a debate in good faith with each other. So that was real important. I also think that there was sense of all right, we're going to do this, but nobody gets left behind. There was a sense of we need a sustainable South Florida, and I think there was an agreement, one o the first things that was generally understood and agreed upon was that if you solve it for the Everglades in a way that doesn't solve it for urban water supply. You haven't created a sustainable South Florida because what's going to happen is that very shortly, one part of the ecosystem is going to act in a way to upset the needs and the solution in another part. You had to have a solution that worked for all the major needs and all the major dynamics functioning in that watershed whether it be the natural environment or the human environment. There was a sense of okay, that's the challenge, how do you craft something that does it all. I think those laid the foundations for then a working process where we started to zero in on the major components that we had to have. The Corps of Engineers said we're trying to come up with a range of alternatives so we're just going to marry our process here to the Governor's Commission process and the sherettes they helped support, the sherettes where people were trying to lay out and come to an agreement on what a conceptual design might look like that resulted I think in 1996 with the Governor's

Commission report that basically framed here's kind of what we think a solution might look like, and they mapped it out. It didn't say this much water could be handled here and economically it would cost too much there, it didn't have a feasibility assessment with it. The sense of the group was that yeah, we might be able to do something like this. That followed also another set of recommendations that simply had looked at sustainability in every aspect of South Florida and had come out with 100 pages of recommendations saying there are just a whole bunch of things that really ought to be done to help make South Florida somewhat more sustainable, and there's just heavy negotiation and debate over those recommendations. So a lot of engagement as that process went on.

G: In 1996, the same time that the conceptual plan came out, that was the same year that some environmental groups were pushing the penny per pound tax as a constitutional amendment. To what extent, if at all, did that make it more difficult to reach an agreement on the conceptual plan and undermine the trust that you were describing?

R: It certainly made it more difficult, but let me say that there was a lot of pressure coming from a variety of different sources that was continuing to go on that tended to press people to action or to defense. The litigation and the challenges associated with the water quality lawsuits were still going on. There were and there are challenges galore over the lake levels in Okeechobee and water quality going out to the estuaries from the lake, and Gees fisheries in the Florida Keys. There were a myriad of pressure points that were being brought to bear legally, publicly from the standpoint of the media, and politically in Tallahassee that we're all trying to improve one position or another associated with all the problems. An indication of the systemic nature of the failure that was going on down there. When the federal task force formed, and when the Governor's Commission formed, a lot of those things had been engaged. Nobody gave them up, nobody said we declare and truce in everything because we think this is going to be the best way to do it. Everybody came to the table and agreed that they would engage in a debate and a forum, but it was one that didn't surrender any of their interests or their opportunities to protect their interests, so a lot of that went on, including the penny a pound. There were folks that absolutely believed that the sugar industry was the source of all of the problems and George Barley routinely publicly cried out that the systemic disruptions and ecological collapse in Florida Bay was because nutrients from the Everglades Agricultural Area were getting into the Florida Bay causing the algae blooms and the complete collapse of the system there. Science never held up that point of view, never affirmed that point of view, which is a polite way of saying he was dead wrong.

We, being caught in the middle of that, we said George why is it you think this is the case? He'd tell us, and we'd say we don't have any evidence to that

effect, and we focused on bringing together the science committee on Florida Bay, nine agencies and a tremendous amount of scientific effort was brought to bear down there that helped to try and figure out what was going on and I think we finally got to the major drivers, but it wasn't that. Nonetheless, it was one of the principle drivers behind going after the sugar industry and a penny a pound to make them pay for everything. That's just one of a whole host of different B albeit it was a high profile one B it was only one of a whole host of different engagements that were going on through that time. It brought a lot of pressure to bear on the federal task force and the Governor's Commission particularly on working through things to find a solution that would get people to get behind going forward as opposed to just trying to win against each other.

But around that Governor's Commission, and moreso than the federal task force, but certainly around the task force too, there were a whole bunch of people watching what was going on and trying to affect it and weren't necessarily seated at the table even though there were representatives of their interests at the table. The environmental community was not one voice. The environmental coalition, Everglades Coalition, like thirty-five or forty different organizations and they fractured and split and went different ways all the time on issues. The agricultural industry was not one voice. There were folks that were wanting to sit down and work things through and there were folks that were just going to fall on their sword and burn the house down around them. The tribes, the Miccosukee tribe and the Seminole tribe had completely different ways of approaching the issues and the problems. Federal agencies were different and the constituents associated were different. Even the local communities up and down the east coast there, they didn't speak with one voice. There was I think a conscience effort on the part of Governor Chiles and Lieutenant Governor MacKay. Lieutenant Governor MacKay had the lead on this through the entire process. He was the one that kept the connection with the task force, but I think they sought membership and appointed people who were from all those interests, those major interest areas, but were folks who were moderate and constructive in terms of wanting to try and find solutions as opposed to just going to war. A lot of those other interests continued to flare and work around this process as it went on, and it actually brought a lot of pressure to bear on the Governor's Commission process and the task force process to find a through to a solution that would may ease some of these pressures.

G: How would you evaluate the restudy process that led to the development of the Comprehensive Plan?

R: How would I evaluate the restudy process?

G: The actual process that the Corps of Engineers used to create the Comprehensive Plan?

R: Massive. Overly weighted to a time frame. Actually, it was constructed in a way that I fundamentally had problems with.

G: Did you have problems with the process that it was being developed, or just the end product of the plan that was proposed?

R: I had less problems with the end product. I should qualify that, of course I had problems with the end product, I wouldn't have signed that December _____ letter when they came out with the draft saying we don't know what this is, but it isn't restoration.

G: Let's start with the process first. What was the problem with the process that you saw?

R: First, it was an absolutely brutally punishing time frame to do something this important. When you're trying to build consensus, you don't super glue the release valve on the pressure cooker and expect to get good results. You need to take time so that people get to where they need to go, and you need to give them time to talk through these issues to come up with a creative way to address them or solve them. You just can't say there will be consensus by June 30. Oh yeah? Okay. Because that in many ways because more important than getting to the right answer. It's getting to an answer by a date certain. That was a monolithic cloud that hung over this process. I also know that the Corps was told you will have it done by date certain, well the Corps, their culture is to salute and follow orders, as opposed to turning around and saying that's nice, but you can't get done that soon, not if you want something this good that everybody's going to support. I'm used to an Interior culture that definitely tries to get things done when expected, but if that's not realistic you go back and you say that isn't going to work, we need this, we need to do this. The other is, they took it on on a sequence that we had fundamental problems with. They built their alternatives over a period of time for a NEPA. In an environmental impact statement, you're supposed to come up with a range of motion alternatives. What I'm used to use is you come up with a variety of scenarios that you can consider to address the problems you're trying to solve, or the objectives you're trying to achieve.

In some cases, they highlight your choices like under scenario A, we get everything done for the natural system, but we may not be able to get everything done for flood control or urban water supply. Under scenario B, we get all the water supply we need, but we may not be able to get everything done for flood control or for the environment. Under scenario C, we're able to get everything we want for flood control, but only if we're able to deal with more water conservation or reverse osmosis or something like that on the water supply. Then you say, what are the merits and impacts of those. Then you craft one that

says what's the one that gets everything for everybody? The Corps came out it in a sequence that says our first alternative is going to be how do we assure water supply. Once we've got that done, our second scenario is how do we add to that, stack on top of that? On the alternative that gets everything that needs to happen for flood protection. They said now that we've got that, now let's add on top of that everything we can get done for the environment. Each sequential alternative had to keep everything that was in the previous alternative and add to it, so it was an additive set of alternatives, not a range of choice. Guess what? If you have a finite capacity to get everything done, and that capacity is less than what the aggregate need is for all the interests you're trying to achieve, the last interest you look at gets short changed, and that's what happened.

I believe, and you may hear vehement disagreement on this, but my sense is the Corps was in a tough place, is in a tough place. Their interest is to do for their local sponsor. None of these projects can go ahead without a local sponsor that's the state. There has to be widespread political support. The built environment is the one that's populated with people who vote and make a case for whether or not local sponsorship and money is going to be put on the table. If you're going to create a plan that has an opportunity of succeeding as opposed to one that simply will get the job done on the basis of the objective or could get the job done, you want to make sure that those interests are taking care of so that there will be the political support to make it happen. Their approach in my view was first things, let's lay the foundation on what benefits we're going to achieve. We've got to make sure we have water supply for the next fifty years, we have to make sure we have flood protection for the next fifty years and can accommodate that growth. Then, on top of that, let's see how much we can do for the environment. When you can't meet everything that everybody's asking for for the environment, you've got a gap there, you've got a problem. You either claim that you've done it off of the environment so you ignore that gap and simply say we did a lot for the environment and it's enough and that's restoration because restoration isn't putting back what was there 100 years ago, restoration is getting back the same function, good function within that. There's all kinds of room to work over what's enough there and what constitute restoration and the scientists and the policy people can have a healthy debate and there's a lot of room to obscure what the real result is. Or, you simply say we had a plan that does a lot and it gets to a lot of benefits for these areas in the system, but if you don't call it restoration, there's not a lot of chance of your getting federal money because at a national level, there's not much interest in putting $4 billion into the state of Florida for a flood protection project or an urban water supply project. The national interest is to restore the Everglades, not just retard the deterioration of it. When we looked at an end, you couple that with this Draconian deadline where we were coming in at the end saying you've gone through several more alternatives and you've tried to add benefits onto the stack here, but you're not there. We were told I know, but we've got to go to print on this draft

environmental impact statement so this is all we can do because we've run out of time, and don't worry, we'll take care of you between the draft and the final. We'll keep working on it and we'll take care of those things between the draft and the final. When we did an analysis of the draft, we said well, if we finish the modified water deliveries for Everglades National Park, we finish the modified water deliveries and the C-111 project which were not part of the CERP but things that had already been authorized and we were going to work through the designs. We'd get at about 60 percent of the flows that we had under the national system model that historically came down through that part of the system.

After spending $7.8 billion based on what the draft said, we'd have 70 percent of the flows. We said we don't know what that is but number one it isn't restoration because you don't get an ecological function back until you get a lot higher to the timing and the volumes that you need, that historically drove the biological system. While it's an improvement, it's a 10 percent improvement for $7.8 billion and it's being characterized as an Everglades restoration plan. We said sorry, but our analysis of the draft of what you've got is what we told you the preceding summer and fall when you said we've run out of time, we've got to print this thing, we've got to tell you that it isn't good enough, and we did. There were some very, very upset people. The Corps never wanted us to publicly criticize the draft. They wanted to provide us behind the scenes assurances that they would work things out for us between the draft and the final, and we said that's great, but you need to understand, when you put it on the street, we have to say what it is we understand it is and it will do. It caused a huge furor. This is a long winded way of answering your question, but the approach to how the plan was crafted was a cumulative one that if you combine that with a Draconian deadline, you run out of time. The last interest you're trying to take care of usually gets short changed in that kind of a scenario. That's what happened in my view here. What happened after that is there were several weeks worth of explosions going off as people were all over us for trying to destroy the whole effort, bring it to its knees, including many in the environmental community. Fortunately, the scientists that we had working on it had good analytical work done and scientific work done to back up our evaluation. It began to dawn on people that some things needed to change so a number of negotiations went on between the draft and the final on how to move it forward to enhance the benefits which ultimately I think brought it to a final plan which in my view, if it's implemented, can restore the Everglades. I don't say it will, I said it has the capacity to do it if it is implemented the way it was characterized in the plan. But there's a lot of devils in the detail over a thirty year implementation that they'll either keep faith with the original concept or compromise it back and only time of thirty years will tell whether or not the concept that was put on the table is put in place.

G: Let me break down some of this and get you to comment a little further. Were

you given opportunities to be part of the process as the restudy was unfolding initially before the draft came out? Did you get a chance to have input into that process?

R: Sure.

G: So you weren't completely surprised when the back report came out?

R: No, I do not want to represent that at all. There were working groups and sessions and discussions that went on over that time that we were very much a part of. But I will also say that a number of our folks raised concerns in those forums and what was reported out was the group met and decided this was the way to go. In that group, somebody was raising their hand saying wait a minute, that's a problem. Well, the group voted and decided that's the way it is. We had a lot of frustration that this wasn't... We had raised concerns at every step along the way. Folks will say no we did because you didn't have people in these meetings and people didn't raise their hands in these meetings, but we raised issues and concerns all along the way both in those sessions and in informal meetings with the Corps. Frankly, there was progress being made as a result of that. In the May-June time frame of [1997]... the draft came out in early December of 1997 wasn't it?

G: The draft of the Comprehensive Plan came out in 1998 it would have been, October of 1998 I believe.

R: It was that preceding May-June when all the different modeling scenarios on the alternatives had to come to closure in order to get to that publication date on the draft. Everything was backed off against that July 1, 1999 when it had to be up to Congress. In order to do that, the Corps ran out of time to continue to try and develop different modifications on the alternatives to get more benefits out of them and then do the model runs on them to assess what the results would be in like the May-June time frame. There was progress being made because there were two or three different additional alternatives that were adding more features, more adjustments on in order to get more environmental benefits out. There were a couple more that went on like that, but then it ran out of time. So there was progress being made. I don't want to imply that we were sitting there saying hey, you need to pay attention to these things and everybody was just saying go away, we're not going to do anything about it. It's the debate and discussion that results in people learning more and when you say wait a minute, there's something left off the table and you make sure that you continue to represent that, that it may be quick, it may be gradual, but people begin to address it. When you run out of time, you put a cap on that process, which prevents it from getting to where it needs to go. It just says we know there are these things that

still need to be done, but this is the best we can do. Why is that? Because we ran out of time, we have to get it out. Wait a minute, then it's not necessarily the best you can do, it's all you're going to do because what's more important is to get it there on time than to get it where it needs to go. That was one of the frustrating things to us about where it ended up and why we had to say the result that you've got gets you here, but from a number of perspectives, that doesn't constitute anything that's close enough to restoration in our view. Our concern with the process, as I said, you can't put an additive process together that is coupled with that time frame as just a shut off and have a lot of hope for meeting all the needs. [End of Tape C, side 6]

G: Your primary concerns with the end product, that actual draft proposal that was issued in late of 1998 was primarily an issue of water quantity and distribution for the park? As I understood what you said earlier, is that a correct evaluation?

R: The water issue always comes down to four factors, QQTD, quantity, quality, timing, and distribution. It was about all of those, but principally in the area of Northeast Shark Slough which I referenced the 60, 70 percent characterization, which is one result of our evaluation, it wasn't the only thing that we raised as areas of concern, but that was mostly about quantity, timing, and distribution in that area.

G: You're talking in that respect about what modified water deliveries would do. Your concern with the actual draft plan is that it wouldn't do much more than that, it would only increase another 10 percent?

R: Right.

G: Was that the essence of the Park Service's critique or were there other concerns the Park Service had with the draft restudy plan?

R: I think we felt that there was a level of compartmentalization that was kept in place that was not appropriate. I think we felt there wasn't enough water, that more water needed to be recaptured that was going to tide. There wasn't enough water being moved down through the system, as well as where it was being delivered to and when it was being delivered. Those are very much linked up through the system.

G: Can you talk to me a little bit about the process of negotiations that then took place between you and the Corps and what type of issues were discussed and who was involved and what were the end products in those discussions?

R: I'd add one other thing. I think we had significant concerns about the type and the amount of water that was being provided to Biscayne Bay.

G: When you say type, you're talking about water quality?

R: Yeah. It was basically effluent from waste water treatment was the concept.

G: Again I'll ask about the process that happened next. Can you tell me a little bit about those discussions after the draft plan was issued and prior to the submission of the final plan to Congress?

R: There were a lot of discussions with the Corps within the federal community and with the water management district and the state that proceeded pretty rapidly over a period of couple three months as the Corps was analyzing all the public comment that came in and coming up with a final plan, discussions including conversations in CEQ within the federal community over what if [any] modifications to the draft should be made in order to put a final plan out.

G: How responsive did you find the Corps to the concerns you were expressing at that time?

R: During that couple month period in March, I think it was March-April time frame, I recall a number of meetings that where representatives from CEQ as well as the senior leadership of the Corps and the Department of Interior and some of the other federal agencies were there. At a policy level within the administration, very receptive to getting to the bottom of some of the concerns that were raised and trying to figure out if there are ways that they can be addressed in final planning.

G: Who were some of the key people that you were working with during that time period from the other agencies as you're discussing these issues?

R: The leading people were certainly Bill Leary over at CEQ and Michael Davis certainly for the Corps were probably the two principal players and I recall being there. Then of course, Colonel Miller from the Jacksonville district and I believe we had folks there from EPA as well. There were a whole host of folks there, staff from B not from the Water Management District, some of the sessions there were folks from the Water Management District involved.

G: Earlier you said that the final plan that was submitted was a better plan that you at least have hope that might bring about restoration. Why was the final plan submitted to Congress, in your view, a better plan? What specific changes were made from the draft that made it more acceptable in your view?

R: There was a commitment, as we understood it, a recognition of the need for the

addition water in Northeast Shark Slough, and the need for that additional water would be needed for Biscayne Bay as well. There was a commitment identified as to where that water could be pulled from and added back into the system so that aggregate amount of water would be enough to meet all those needs. While there was concern about whether or not the science actually would uphold that water was actually needed, there was a commitment to do a focus study on that Northeast Shark Slough area to both the firm that the natural system model and what it said needed to some down through there was accurate, and to try and address what were legitimate concerns about how do you do that without having adverse ecological effects up in water conversation area 3B because there's been so much subsidence there that if you get the level of water right to push the right flows down through Everglades National Park, you may have excessive depth of water in 3B because the soil had subsided in 3B. You might get historic levels, but greater depths in 3B than could sustain the natural vegetative community and the ecology that existed there.

G: The commitments then were primarily commitments to do additional studies and research and not specific commitments?

R: We understood them to be commitments to deliver that water subject to studies that would confirm both the need and the method for doing it that did not cause dysfunction somewhere else in the system.

G: Did those commitments get included in the WRDA 2000 legislation that authorized the plan?

R: In my view, not well enough, but they were memorialized.

G: What I'm trying to understand here is the distinctions between what actually got included in the plan and what got mentioned and what became known as the Chief's Report. The commitments that you're talking about, were they actually in the plan that got adopted by Congress, or were these in the Chief's Report that accompanied the plan, but were not actually part of the legislation that was passed?

R: The legislation basically referred to the final plan. I'd need to go back and reexamine some documents, but my understanding is that the aggregate set of documents that included the Chief's Report and all that was what the final plan was, and that the legislation referred to it.

G: So you believe the commitments in the Chief's Report actually did get embraced in the legislation?

R: That's certainly what was represented to me at the time.

G: Why do you think the Chief's Report became so controversial?

R: There will be a number of people who probably can shed better light on that. We were accused of never having raised the concerns that we put in writing in commenting on the draft plan before and our belief we had routinely and regularly, certainly with the poor. Then I believe that there was a concern that somehow we had stepped around the other players in negotiating out changes with the Corps between the draft and the final that was somehow not part of the open public process.

G: How involved, if at all, were you in the process of developing the WRDA 2000 legislation and the effort to get congressional approval for that?

R: I was involved along with Steve Forsythe, my counterpart with the Fish and Wildlife Service, and several members of my staff were involved with working with solicitors and the policy leads here Mary Doyle, Don Jodgry principally over in working through evaluating and discussing what options were and proposals on language that were being floated and what the implications would be, analyzing those and what the implications of those would be, and discussing what language ought to be offered in return.

G: How did you evaluate the final product, that final comprehensive plan that got enacted in the WRDA 2000 legislation?

R: I stood up and said I support it because my understanding is that the commitments to cure, or at least if not completely cure, substantially cure the issues that we had raised concerning [that] the draft had been memorialized in a way that we're deemed part of the plan and the commitment to go forward, and that adequate provision was made to have the allocation of water worked out in a way that provided guarantees and that provided that a role within the federal family could be a strong one on the part of the Department of Interior, that all of that was possible. It was a plan that could deliver, that had the potential to deliver restoration benefits and there was nothing in there that precluded that from happening.

G: As the implementation of a plan begins to move forward, how should we evaluate its success or failure?

R: My own view is that you put the intended benefits up on the wall as the marks and you assess whether or not the features as they're brought online achieve or exceed those intended benefits. It's real simple. And whether or not you stay on

track with the timelines that were laid out to do that. And number three, whether or not the process of getting into the details of the project designs and moving the effort forward is truly an iterative process, not a compromising one. The litmus test to that is whether or not the designs and the benefits coming from each of the projects meets or exceeds what was intended in the conceptual plan or alters or reduces those benefits.

G: Some of the flesh of that process of how that's going to be done is incorporated into what the Corps is now designing that's called the Programmatic Regulations. What's you evaluation of the initial draft of the Programmatic Regulations and do you think it's going to help accomplish the goals?

R: The one that just came out?

G: There was a draft released last December and more recently just this past week, you may not have had a chance to look at that one, a revised version of the Programmatic Regulations.

R: I have not.

G: But as you know of them already, do you think that process is appropriate to what you were just describing as necessary in meeting the goals of the Comprehensive Plan?

R: I do not have a detailed knowledge of either the first draft or the second and I haven't even read the second draft. I know what I've been told by others, but I'm not sure it's fair to just pass along that kind of commentary.

G: Some critics have suggested that the Park Service has not always been a team player and has put it's interests and the interests of the park above that of broader restoration goals. How do you respond to that criticism?

R: I would say we have been a strong advocate for the interests of the park and should be. We have been a strong an advocate as we could possibly be on meeting those interests, but not at the expense of the other interests that are trying to be met. We simply have said when the dust settles, all of our needs must be met too. It's not all of our needs must be met and somebody else has to give, we've been an advocate of a plan that gets the whole job done and we have not accepted someone else's evaluation about whether or not Everglades National Park's needs are met. The National Park Service will be the determinant of that.

G: During your time as superintendent, how would you characterize the relationship between the management level and the scientists within the park?

R: During my time, I thought it was a very good relationship. They were an enormously talented group of folks who beat themselves to death trying to accomplish more than was humanly possible given the number and the funding that was available to them with the time frames that were pressed upon them. I only hope I kept faith with them and kept faith with what they found and didn't compromise their findings in representing them on behalf of the park.

G: Is it possible to separate the politics from the science when it comes to restoration?

R: It's possible to keep a sense of which is which, but at some point, you have to translate the knowledge into a public policy position. Science isn't worth a thing unless you analyze what it means and apply to a public policy objective. You've go to apply it, and you've got to have scientists who are capable of understanding what the policy objectives are for the respective agencies and provide council on how the science, what kinds of solutions or what kinds of action will achieve those based on the scientific knowledge that either they've developed or is available.

G: Do you think that recognition is there? Do you think the scientists understand the fact that there's a connection between what they're doing and the politics of some of these decisions?

R: I think they understand there's a connection. Some of them are even willing to work in that connection, some don't want anything to do with it. They want to gather the knowledge and hand it over to somebody else to do something with.

G: During your time as superintendent, you were also a fairly strong advocate of including social science analysis and bringing that into the restoration process.

R: You bet.

G: Why did you think social science analysis was important and did you try to do to bring this into the restoration discussion?

R: I think it's important because these are all decisions about an ecosystem that includes 7 million people. The condition that those 7 million people are in and the things that affect them are as important to understand if you're going to be making public policy decisions about how the whole watershed should be physically arrayed and how it should function. It's as important as understanding the biology and the behavior of the Cape Sable sparrow or the Florida panther if not more so. You've got to have facts. You've got to have equally as much knowledge about the human circumstance, the physical, socioeconomic, cultural

circumstance that they're in to be able to guide your decisions and to create your range of choice, or you're flying blind with public policy discussions and decisions that affect one of the most important elements of it. Of course you have to have that. We are notoriously deficient in our commitment to developing that kind of knowledge and understanding to inform these kinds of decision processes. It's a sensitive topic, people are very sensitive about what knowledge you've developed about them, but they're critically important to the comportent of the ecosystem and understanding how they will be affected. You have to have a scientifically developed knowledge base in order to do that. What do we do? I was very much an advocate associated with the working group to do a research plan for the South Florida ecosystem that identified the areas of knowledge and questions that might help inform that process better. We brought together an interagency effort to lay out a social science research plan for the South Florida ecosystem which is a guide as to the kind of science that ought to be done there. We advocated routinely to have a portion of the science budget that we got allocated to do that some of that work and we were not always successful.

G: How well do you think that human dimension has been addressed by the restoration effort, whether it's the comprehensive plan or some of the other associated programs that are out there?

R: Nowhere near as well as some of the other physical and biological systems have been addressed.

G: Since returning to Washington, how actively involved have you continued to be in Everglades related issues?

R: Not much at all. I have a set of responsibilities that are far field and more focused on the day to day operations of parks. Everything from law enforcement to education programs to concessions management to overflights and wildfire and all the facility management and programs, so it's a wide ranging set of issues that I'm consumed with everyday. Occasionally, I'll get drawn into a discussion, but I have no programmatic responsibility. That actually is a place here in Washington with Mike Sukiff, the individual I mentioned to you earlier who's the Natural Resource and Science associate director for the Park Service who used to work for me as my chief of science at Everglades National Park. So he's very knowledgeable about these issues as well.

G: The Park Service, like many other governmental agencies, has this policy of rotating key personnel. What impact, if any, do you think this change in personnel had on the restoration effort?

R: Actually we do not have a policy of rotation if you're likening it to the military, not

at all. People apply for and are considered for jobs pretty much at their own initiative, that's principally how the system works. Every job until I'm currently in that I've ever had in the Park Service has been one where I've moved because I've seen an opportunity for career advancement or growth and responsibilities in a different and have thrown my hat in the ring for it. The job I'm in now I was asked by the former director Stanton to come up and take on this responsibility here.

G: I stand corrected so let me rephrase the question. How much of a problem, based on your experience, was the turnover. You mentioned the building of trust and how difficult that was. As people began moving out of positions, how difficult was it to maintain the momentum?

R: It places a significant burden on it as those players change. If too much of it happens at one time, my view is you can lose the bubble on things. If not enough happens, you can see people fall into fixed positions and relationships that can stagnate and not bring any new information or new energy or creativity to a situation that folks have just been back through for the hundredth time and they've formed up their view on things. You've got to have some turnover, you've got to have some new players coming in. If you have too much of it all at once, you can really lose a lot of institutional knowledge and you can lose the ability to move forward as too many have too B you lose the critical mass I guess is the right way to phrase it. But if you don't have that turnover, the prospects can go stale too and doesn't get the new perspective it needs on whether or not it's maybe heading down a direction they should rethink.

G: I'd like to mention some specific groups and organizations and ask you to comment on their overall impact on the Everglades restoration effort starting with the Corps of Engineers. Overall, how would you evaluate the Corps of Engineers contribution to the restoration process?

R: Enormous, fundamental. Can't happen without them. It's an engineered system down there. It was ever since they put in the first ditch and started draining things and it became truly a complex system with the authorization of the Central and South Florida Project back in the late 1940s, same time the Everglades National Park was established, and the water management district was established. They are fundamentally important if there is going to be a federal role in how water is managed in Florida and I think it's long been established that there has to be.

G: The South Florida Water management District?

R: Again fundamental. Florida was enormously far seeing when it created a water

management district along the watershed lines that included all of South Florida. That it began to think and act in relationship to the management of water in that way and with those boundaries was fundamentally important. They are critically important players on behalf of the state.

G: The sugar industry.

R: The sugar industry itself, their presence or absence is probably not fundamentally important to whether restoration occurs or can occur. I would broaden it to say the agricultural industry because the Everglades Agricultural Area is not at all just sugar. It's mostly sugar and there are significant agricultural interests in South Dade and up along the St. Lucie and the Caloosahatchee rivers there as well that aren't sugar interests. Agriculture, and I'll include within that broad group the dairy interests in north Lake Okeechobee, their presence there makes it absolutely critical that they play an important and proactive role in restoration mostly related to water quality. They are an area that has water needs both in terms of flood protection and water supply, those needs aren't growing like the Everglades. Fifty years from now there probably won't be a lot more water needed by the agricultural industry. If the footprint of the agricultural industry doesn't expand, they'll need what they need today. The same with the Everglades. The Everglades fifty years from now isn't going to need anymore water than it needs today. Where the expansion need is occurring is in the developed growth that occurs where there's water consumed by every new resident that comes into Florida. As that growth goes from 6 or 7 million to 12 to 15 million over the next fifty years, that's where the growth and water demand occurs. The agricultural interests, they have to be proactive in terms of best management practices and their techniques of using water and their techniques of using nutrients and fertilizers and how they run off and affect areas in the Everglades, so they're a real important player there. If they weren't there, the area would either go back to natural or go back to a natural-like condition, or it would be converted to another use which is likely to accommodate development in human populations which can bring a whole lot more complicated problems than sugarcane and agriculture does.

G: The Seminole and Miccosukee tribes?

R: They are and will be important players. They are two other sovereigns that somehow the relationships between the federal government, the state government, and those two entities need to settle into a workable pattern and I don't think that's entirely happened yet.

G: At times, you've had some run ins with the Miccosukee, particularly with the issue of billing housing in the Everglades National Park. Could you talk in a little

bit more detail about the challenge of working with the tribe, particularly the Miccosukee tribe?

R: The Miccosukee tribe is very confrontational over their interests and don't feel that they've been adequately considered or involved in decisions that affect their lives and their future. Their culture is such that they have been all through their history... That they are where they are is historically related to the fact that in the Seminole wars they were hunted into...These were the folks that retreated into the Everglades to escape the military during the Seminole wars. So there's not a sense of trust or a sense of belonging and there is, it seems to me, a sense that they have to stick up for their rights in ways that are as confrontational as they need to be.

G: Looking toward the future, what should be the most important goals and priorities of the restoration project?

R: First, the goals that were set out in the CERP plan need to be achieved, they cannot be compromised. If the going gets tough, and it will repeatedly, it can't be compromised as they're implemented and they can't be ignored or stepped around. If it gets tough to accomplish, you can't just declare success when one hasn't occurred. There's a litmus test of performance that needs to be real clearly established and achieved with no compromise. It needs to deliver all the benefits for all the interests, and not accept anything less than that. Beyond that, they need to understand that for sustainable South Florida, water's only one of the issues. Unless people focus on the built environment and manage the growth and population in a way that is sustainable, none of the $8 billion, even if it is an uncompromising success, is going to mean a thing fifty years from now. That issue has not been engaged in a comprehensive way the way the water issue has been engaged.

G: Final question. What are the most important lessons that you have personally learned from your experiences with the Everglades?

R: I've learned a lot of lessons. I was there for eight and a half years and I learned so many things in so many different areas, it would be hard for me to even begin to list them. I think some that would stand out are how difficult it is to manage a science driven public policy effort, and to keep faith with that science when it's telling you things that aren't necessarily where you're consistent with where you're headed or with what's going to make it easy for you to successfully reach an agreement with everyone on what a solution is. So I learned a lot about how to focus on what work needed to be done and how to keep faith with the results. I learned that it is about the people. With the federal task force as we came together, it was about getting to know each other and personally committing to

the goals of, not only your own agency, but each other's agency and agreeing and committing to working in good faith with each other. It is personal and that's okay. I described to you before, I learned and had affirmed to me that it is absolutely okay as a government agency to do things in full public view. The debate, the discussions, the disagreements aren't well served by keeping them hidden under a lid. I learned that the public does not fault you for having those disagreements, they fault you for hiding them. There's just so many, just a host of things. I wouldn't trade those times for anything. I've been privileged to be associated with two of the most important conservation projects I think of this country in this country's history. The first one, I went up to Alaska in 1981 to set up the operation Gates of the Arctic National Park as a result of the Alaska lands act, and set up the operation there and take it through it's first planning. An eight and a half million acre wilderness area and being part of that whole Alaska conservation. Second, to have been privileged enough to have been in Florida at the time the idea of approaching restoration and conservation holistically on an ecosystem scale gelled and stepped out and started to move. Those are just two rare privileges.

G: End interview.