

Loxahatchee Refuge Licensing Agreement

U.S. Fish and Wildlife Service Failing to Control Invasive Plants in Arthur R. Marshall Loxahatchee National Wildlife Refuge as Required

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Due to the failure of federal funding obligations, the Wildlife Service has not met its contractual obligation to control invasive plants, putting critical Everglades restoration funded by state taxpayers in jeopardy and severely impacting Florida's native habitats and wildlife. For more information on the Wildlife Service's failure to control invasive plants in the Refuge visit www.sfwmd.gov/loxrefuge

Answer the Questions

What is the Arthur R. Marshall Loxahatchee National Wildlife Refuge Licensing Agreement?

- A 1951 licensing agreement* between the South Florida Water Management District (SFWMD) and U.S. Fish and Wildlife Service (USFWS) established the 143,954-acre Loxahatchee National Wildlife Refuge within Water Conservation Area 1.
- The USFWS is required by contract with SFWMD to control invasive plants the Arthur R. Marshall Loxahatchee National Wildlife Refuge.

**A licensing agreement gives the U.S. Fish and Wildlife Service a non-exclusive right to the use of the property in question. As a consequence of this Agreement, USFWS operates and staffs the Refuge.*

How has the USFWS Failed to Meet the Requirements of the Licensing Agreement?

- **Last renewed in 2002**, the Agreement states the USFWS is responsible for controlling invasive exotics in the Refuge such as Old World climbing fern.
- As part of the Agreement, a Comprehensive Conservation Plan (CCP) -- developed by USFWS with public input and consultation with SFWMD -- included the following requirements:
 - USFWS was to hold public meetings every five years to report on progress. (*No meetings held since 2007*)
 - USFWS agreed to control 10 percent of Old World climbing fern infestation by 2007. (*Concern over lack of progress raised in 2008 by SFWMD*)
 - USFWS agreed to control 50 percent of Old World climbing fern infestation by 2012. (*Not met*)
 - USFWS agreed to control 100 percent of Old World climbing fern infestation by 2017. (*Will not be met*) -- See [letters](#) from SFWMD Executive Director and reply from USFWS.

Why is the USFWS Not Meeting Requirements of the License Agreement in the Loxahatchee Refuge?

- Currently, Congress is not allocating enough funding to gain control of the invasive species.

- Dedicated annual funding from the USFWS for management is unchanged, at approximately \$1 million, despite a significant spread in the Refuge of Old World climbing fern and other invasive plants.

How Much Funding is Needed to Control Invasive Plants in the Loxahatchee Refuge?

- Initially, a total of \$25 million (according to science-based estimates) is required to gain control of invasive plants as required in the License Agreement. This equates to an additional \$5 million per year needed for the next five years.
- After this five years of the initial intensive treatment, an estimated \$3–\$4 million annually will be needed to prevent invasive plants from returning.

What is Congress Doing to Fund Invasive Plants in the Loxahatchee Refuge?

- The USFWS 2015- 2016 budget request was for \$249.8 million, representing an increase of \$19.4 million. Only \$1.4 million was allocated to Wildlife and Habitat Management for *invasive species* such as Asian carp, constrictor snakes, brown tree snakes and cheat grass. *Invasive species did not include Old World climbing fern.*
- Nationwide, U.S. Fish and Wildlife Service’s (USFWS) performance goals for invasive plant control identifies that only 2.3 percent of the 2.2 million acres within the refuge system infested with invasive plant species are controlled. USFWS anticipates no improvement in 2016.

How is SFWMD Helping Control Invasive Plants in the Loxahatchee Refuge?

- Because the USFWS has failed to meet its obligations and protect the Refuge, state agencies – including Florida Fish and Wildlife Conservation Commission and SFWMD – established a memorandum of understanding in April 2015. The two state agencies have invested millions of dollars toward exotics treatment in the Loxahatchee Refuge.
- The MOU also establishes coordinated treatment plans for invasive plants in the Refuge through the 2017-2018 fiscal year.

What are the Consequences of the USFWS Not Meeting Obligations in the Refuge?

- A recent aerial survey documented a 600-percent increase in the infestation of Old World climbing fern compared to 20 years ago -- across the Everglades Protection Area south of Lake Okeechobee. Most of expansion occurred within the Loxahatchee Refuge.
- An August 2015 survey found high abundances of melaleuca and Old World climbing fern, particularly in the northern half of the Refuge.
- Invasive plants will continue to expand, further degrading wildlife habitat and displacing native plants, as a consequence of insufficient congressional funding.
- The SFWMD may be required to either amend the licensing agreement governing the USFWS’s use of the Refuge, require the USFWS to develop a recovery plan or send the USFWS a Notice of Default for its failure to live up to its obligations in the agreement.