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## Back bonds for sugar deal

Palm Beach Post Editorial

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If the opponents of the South Florida Water Management District's \$1.34 billion purchase of U.S. Sugar's land get their way, the three-day trial that begins today in Palm Beach County will be the debate that taxpayers never got.

In challenging the district's right to borrow up to \$2.2 billion, to pay for the land, opponents will portray the deal as a U.S. Sugar bailout that will not save the Everglades. If they succeed, Circuit Judge Donald Hafele could stop the deal by declaring that the district can't issue "certificate of participation" bonds, which don't require a public vote.

### U.S. Sugar deal



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The district, supported by Audubon of Florida, contends that it has every right to borrow the money even if the ultimate use of the land is not spelled out in fine detail. The district argument goes this way: Water storage and treatment benefit the public; the district has declared that it will use U.S. Sugar's land for water storage and treatment; therefore, buying the land will benefit the public.

But the district also must contend with time. Either side probably will appeal if it loses. Appeals to the Florida Supreme Court must be decided before the court's summer recess. If not, the district won't be able to borrow the money and close by the Sept. 25 deadline.

Lined up to stop the district are rival sugar grower Florida Crystals, the Miccosukee Tribe and Concerned Citizens of the Glades, based in U.S. Sugar's hometown of Clewiston. They argue that the cost will stop Everglades restoration efforts already under way, the price is too high and the lease that would let U.S. Sugar continue farming for seven years is too favorable. Even if the district can afford the land, Florida Crystals argues, it can't afford the estimated \$3 billion to restore it.

"The district will no doubt claim that eventually, some day, once money becomes available from some unspecified source, the land will be used to great public benefit," Florida Crystals' attorney Joe Klock wrote. "But, all they can offer now is mere speculation, artful maps and hopeful language with no inkling as to what or how anything will actually get built."

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The water district counters that most of those arguments are irrelevant. "Unquestionably, there might be disagreement," district attorneys Randall Hanna and Christine Lamia wrote, "even passionate and well-founded disagreement, over the technical, environmental, scientific, economic or other aspects of the proposed program - as there was among the members of the governing board itself." But that doesn't matter, they argue. To issue valid bonds, the district must show only that the buyout meets a public purpose.

And that's the key point. This newspaper believes that the district is paying too much, and that the lease is too generous. The Glades will need economic help from the state. But controlling these 180,000 acres hugging Lake Okeechobee would give the district a chance to preserve what remains of the Everglades and stabilize South Florida's future water supply. There is no doubt that this buyout has a public purpose.

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