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Consider tax increase with U.S. Sugar deal

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In wake of U.S. Sugar deal, suit against reservoir may be 'moot'

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WEST PALM BEACH — A federal judge this morning suggested he will let events steer the fate of a lawsuit that has led South Florida water managers to halt construction of the world's largest free-standing reservoir.

Environmental groups sued the U.S. Army Corps of Engineers in May 2007, arguing that the multibillion-dollar project to restore the Everglades may end up being a ruse to fuel rampant development and farming. They demanded safeguards to keep that from happening.

In May of this year, the South Florida Water Management District's board voted to stop work on the 26-square-mile, 27-foot-deep reservoir being built on former sugar fields about 12 miles south of Lake Okeechobee's southeast shore.

It would hold 62 billion gallons of water for the Everglades and nearby farms.

The board said it did not want to continue construction "without legal certainty about the suit" - an explanation that baffled the environmentalists, who said they never intended to stop the project.

Then last month, the district and Gov. Charlie Crist announced a \$1.7 billion deal to buy U.S. Sugar Corp.'s 187,000 acres of sugar fields nearby for marshland to aid the Everglades.

Last week, the district passed a resolution suggesting the sugar deal would modify the district's need for the reservoir.

"Are events overtaking this?" U.S. District Judge Donald M. Middlebrooks asked this morning at a hearing in West Palm Beach.

He added: "Does it make sense to let events move forward that could resolve the issue?"

Ansley Samson, attorney for the Natural Resources Defense Council, told Middlebrooks she wasn't sure the U.S. Sugar deal would resolve all the issues in the suit the NRDC and the Sierra Club had filed. But she acknowledged that "significant events have happened since we were here last."

She suggested Middlebrooks wait at least until the fall, when the U.S. Sugar buyout should be firmed up, before making any orders.

"The U.S. believes this case is already moot," said Edward S. Geldermann, an attorney representing the corps, who asked the judge to dismiss the case. He said the environmental groups no longer can argue the potential for injury while the reservoir is suspended.

And water district attorney James Nutt said: "The probability of becoming moot is great. In what way, and in what scenario, we cannot say."

Nutt also noted that the district is being "whipsawed" because while it is fighting the environmentalists over its plans for the reservoir, the Miccosukee Indian tribe last week filed a motion to order the district to resume building the project.

Middlebrooks said the law appeared to be on the side of the environmental groups, but equity appeared to be on the side of the water district,

"If everybody wants an answer, that's something else," the judge said. "But sometimes legal solutions get in the way of things."

Lawsuit threatens Everglades restoration, water managers say

07/18/2008

South Florida Sun-Sentinel - Online

Andy Reid

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Andy Reid-South Florida Sun-Sentinel

South Florida water managers warned a federal judge Thursday that a lingering lawsuit threatens to cut off funding needed to speed up Everglades restoration.

In addition to stalling projects to store and clean water needed to revive the Everglades, the lawsuit could hurt the borrowing power of the , now negotiating to purchase U.S. Sugar, district representatives said.

The \$1.75 billion deal calls for the district to borrow money to acquire U. S. Sugar's 187,000 acres. The land would be used to help restore the flow of water between Lake Okeechobee and the Everglades.

On Thursday, district officials were in federal court in West Palm Beach trying to fend off a lawsuit filed over a massive reservoir already under construction in western . The Sierra Club, the Natural Resources Defense Council and the National Wildlife Federation filed suit trying to require the district to follow federal requirements intended to guarantee that the reservoir water goes to the Everglades.

Waiting for a report from the Army Corps of Engineers to meet that requirement threatens to add costs to the bonding program the district uses to pay for restoration work, including the reservoir, agency representatives argued.

Adding that requirement means the state's effort to fast-track Everglades projects 'will unravel,' district attorney James Nutt said.

Nutt said he wasn't sure whether that threatened funding anticipated for the U.S. Sugar deal. The district and U.S. Sugar are in negotiations to try to finalize the buyout, with a goal to close by Nov. 30.

The deal has already left the future of the proposed 16,700-acre reservoir in doubt, calling into question whether it is needed with all the storage possibilities the farmland offers.

With the U.S. Sugar deal still a secret, the district in June stopped

construction on the reservoir citing uncertainty over the lawsuit.

Taxpayers, who already invested \$250 million in the reservoir, are paying contractors \$1.9 million a month to stand by while water managers decide how to proceed. Work on the reservoir is likely to remain on hold through the end of the year while negotiations continue with U.S. Sugar, Nutt said.

U.S. District Judge Donald Middlebrooks criticized state and federal officials for taking nine years to produce the water protections sought by the environmental groups. However, he warned the environmental groups that winning the legal argument could derail Everglades plans and lead to the 'destruction of what you are trying to accomplish.' The lawsuit never called for stopping reservoir construction, just imposing requirements that the water doesn't end up diverted for irrigation or urban supplies, Sierra Club attorney Ansley Samson said.

Andy Reid can be reached at abreid@sun-sentinel.com and 561-228-5504.

GOP Hopefuls Stress Common Themes

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By Robin Williams Adams-The Ledger

LAKELAND | Florida roots, strong families and a focus on education, insurance reform and limited taxes are common themes in the Republican primary for Florida House District 64.

The three candidates want government to do more to keep property insurance companies in Florida. They want tax dollars spent wisely and taxes lowered when possible.

The civility was so strong Thursday, when they spoke to about 25 people at the Republican Women's Club of Lakeland luncheon, it almost seemed Phillip Walker, Kelli Stargel and Jack English weren't running against each other.

That could come from having agreed to the Florida Federation of Republican Women's United We Stand pact. It asks Republican candidates competing against each other in primaries to support the winning candidate in the general election.

For all their cordiality, however, each candidate wanted the audience to know who they are and where they come from.

English highlighted his Polk County roots, a great-great-grandfather who in the early 1900s homesteaded land north of Lakeland and was chairman of the Winston school district. He was an ancestor whose path English followed in 1998-2006 as a Polk County School Board member.

Stargel, who moved to Lakeland in 1992, said she's a sixth-generation Floridian whose ancestors settled the Orlando area in 1838. She was born in Tampa and wants children in District 64 to have the same

opportunities growing up that she did.

"I want them to be able to live in this area," said Stargel, 42. "I want them to be able to afford a home."

Walker, born in Lakeland, praised his mother for raising him and his five siblings as she worked as a maid and a housekeeper. She taught him the importance of a good education, he said, and "instilled in us the value of a hand up, not a handout."

Walker, 54, has an Allstate insurance agency and was a Lakeland police officer for three years before going into insurance.

"I'll work diligently to preserve what you've earned," Walker said, calling himself "a man focused on faith, family and his community."

He got a master's degree and is maintaining his business despite the tight economy, Walker said, noting that times weren't as tough when English sold his. "We've got to make sure businesses stay afloat," he said.

He said it's possible to balance encouraging business with maintaining proper growth management.

English, 57, who has a bachelor's degree, owned an Allstate agency until he sold it about two years ago.

His insurance work and his time on the School Board have shown him what hampers insurance companies from coming to Florida and the importance of maintaining a strong educational system, he said.

Although this is a primary in which only Republicans may vote, English said he wants to represent everyone.

"I did that in the School Board," he said. "I feel I can do that in the House of Representatives."

Stargel said she brings the "common sense approach" of a parent and property owner to the campaign, as well as having contacts from the time she spent in Tallahassee while her husband was a legislator. Her husband, John, held the District 64 seat for four years, stepping down in 2006.

She attended Tallahassee Community College and had such jobs as engineering secretary, administrative assistant and managing a baseball card shop. She home schooled four of their five children for some portion of their education, which included public and private schools.

Walker and English also are married and have children, whose experiences affect their views of education.

Each candidate refrained from criticizing the previous Republican-dominated legislature, leaving that to Paula Dockery, a Lakeland Republican who represents Florida Senate District 15.

"I am very disappointed in how our party has been governing at the federal and state level," Dockery said.

"I don't think we, as Republicans, cut the budget in the right places," she said, pointing out that education and health care took steep cuts while, "We did not cut one dollar from transportation and economic development."

She referred to the secrecy in which former Gov. Jeb Bush and others arranged to purchase CSX railway tracks, a move that has strong opposition in Lakeland because of a projected increase in downtown trains; as well as to secrecy in negotiating the U.S. Sugar purchase recently announced by Gov. Charlie Crist. The South Florida Water Management District expects to pay \$1.75 billion for 187,000 acres from U.S. Sugar to help restore the Everglades.

"We need to start taking back our party because, I'm telling you, there is a disconnect at the state level," she said.

Robin Williams Adams can be reached at robin.adams@theledger.com or 863-802-7558.

Everglades done taking its lumps U.S. Sugar selling to Florida

07/18/2008

Bizmology

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by Barbara Murray

Delighted dolphins, giddy gators, happy herons. What is all this wildlife wonderment about? It seems these and the many other species of fauna and flora that inhabit the Florida Everglades may have been given a pass from extinction. And for once, mankind is not the villain in this tale. In fact, one man, Florida governor Charlie Crist, might be its hero.

Seems the gov had a meeting sometime back with the nabobs at U.S. Sugar Corporation, the largest cane-sugar producer in the country. They, like all good Big Sugar companies are wont to do, went to call on Gov. Crist to complain about Florida enacting some laws that forbade the company from pumping its polluted water back into the Everglades.

Expecting due deference from the gov and a "pat on the back" solution allowing the sugar maker to skirt the new laws — they, again, like all good Big Sugar companies, being large contributors to political campaigns, mostly to pro-business Republican candidates — U.S. Sugar got instead an unexpected, nay, shocking offer. The governor suggested that Florida buy U.S. Sugar. No need to find a way around ever-increasing environmental regulations, just go out of business — and with a pretty penny in its pocket too — \$1.75 billion.

It's a nice bit of money for U.S. Sugar, which has suffered bottom-line woes due to increasing sugar imports from countries such as Brazil and Thailand, which have lower labor costs. (Not to mention having to do continual battle with both the state and the feds over water and land pollution and the rising costs of the clean-ups it is forced to make by these authorities.) The company is also involved in a nasty lawsuit brought by former employees, charging that the company bilked them out of their retirement funds. The deal offered by Crist amounted to some \$350 a share, far above other offers it has received over the years. So U.S. Sugar, which has operated on its land since 1931, said, yes, it would sell itself to the state.

And what does Florida get for its pot of gold? It gets, among other

assets, 187,000 acres (or about 300 square miles) of land north of Everglades National Park, which the state would turn over to its South Florida Water Management District for use as part of a plan to help restore the Everglades' pre-development ecosystem. (Cue the dancing endangered animals.)

The land would connect (or reconnect, actually) Florida's Lake Okeechobee with the so-called River of Grass, the swampy natural waterway that carries overflow from the lake to its natural runoff into the ocean. The waterway, which is made up of marshes and forests rich in reptile and bird life, has been unable to drain itself adequately for years due to development, including sugar farming, and that has led to the stagnation of Lake Okeechobee's waters.

So the Everglades' ghost orchids and royal palms can perhaps sway in joy; their death knell has been silenced. Maybe. You see, despite the efforts of the Caped Crusader of the Everglades, Gov. Crist, and the, ahem, pragmatic decision by the elders of U.S. Sugar to sell, the deal might not go through. It seems that U.S. Sugar is owned by its 1,700 employees through an employee-ownership plan. And while the buyout deal allows U.S. Sugar to operate for another six years in order to fulfill its long-term commitments, after that, its employees are facing certain unemployment. Saying it will be regulated out of business anyway, the company has offered its wage earners one year's pay as severance, with salaried workers being offered two years. The state has offered retraining. The deal is supposed to be finalized by November.

Put yourself in the place of a third-generation sugar worker, living in the small Florida town of Clewiston, being forced to weigh the relative merits of the survival of, oh, say, a rare panther and putting food on his or her family's table. It's a tough call.

TO HELP RESTORE THE EVERGLADES. ACCORDING TO OUR

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IT APPEARS HOMEOWNERS WHO LIVE IN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT WILL NOT HAVE TO PAY HIGHER TAXES BECAUSE OF A LAND DEAL BETWEEN THE STATE AND "U-S SUGAR CORPORATION. " ENVIRONMENTALISTS BELIEVE THE PROJECT WILL ALLOW CLEANER WATER TO FLOW INTO LAKE OKEECHOBEE AND TO HELP RESTORE THE EVERGLADES. ACCORDING TO OUR NEWS PARTNERS AT THE THE LAND DEAL COSTS NEARLY A-BILLION DOLLARS.

Land Deal Raises Hopes for Everglades Restoration

07/17/2008

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DATELINE: Washington, DC

The Everglades is a vast wetland that once covered most of South Florida. Since the 1800s, agriculture and other development have replaced much of the original wildlife habitat. Now, a proposal by the region's biggest sugar producer to quit farming and sell its land to the state for permanent conservation has raised new hopes for the Everglades ecosystem. And as Veronique LaCapra reports, it could give a big boost to restoration efforts.

The Florida Everglades is the largest remaining subtropical wetland in the United States. But over the past century or so, half of the floodplain has been drained for human use. In the late 1940s, a massive government engineering project built roads, canals, and levees, to make even more dry land and fresh water available for farming and other development. The project drastically altered the flow of water in the Everglades, destroying approximately 5,000 square kilometers of wildlife habitat.

All this has brought a rapidly expanding human population ' about 7.5 million people ' in close contact with an ever-more vulnerable ecosystem.

Nick Aumen is an aquatic ecologist for the Everglades National Park, which protects the southern part of the original Everglades. In what used to be the northern part of the wetland, a huge agricultural area now covers more than 2,800 square kilometers.

He says that in the Everglades Agricultural Area, crops can be grown almost year-round. 'We're a major source of winter vegetables for much of the United States, and South Florida's also a major producer of sugar ' of sugarcane, for the United States.' Producing sugarcane and other agricultural crops takes fertilizer ' plant nutrients, such as phosphorus. Mark Kraus is an ecologist with the Everglades Foundation, a non-profit organization that supports Everglades restoration. He says that while phosphorus may be good for sugarcane, it has been devastating for the Everglades' plants, which need very low levels of nutrients. 'The Everglades are adapted to about 10 parts per billion of phosphorus,' Kraus explains. 'When you add a lot of additional phosphorus, it promotes the growth of other plants that aren't natural to those low-nutrient systems.' Changes in water flow, nutrient pollution, and invasive species have all taken their toll on the Everglades, eliminating 90 percent of the wetland's former two million wading birds, and bringing almost 70 species ' including panthers, alligators, and crocodiles ' closer to extinction.

And as Nick Aumen explains, restoration projects have been expensive, and slow to show results. 'The Everglades are the site of some of the largest and most expensive restoration projects in the world.' Aumen says that perhaps the biggest restoration effort was begun in 2000, and is projected to take as long as 35 years to complete and is estimated to cost as much as \$18 billion.

Recent restoration efforts have focused on energy-intensive engineering projects, including a controversial plan to pump water from Lake Okeechobee in and out of underground aquifers to control flooding and water availability.

But according to Mark Kraus, a proposed land deal could change all that. 'This land purchase is going to allow us to restore the Everglades more quickly, in a much less engineered fashion, and in a much more sustainable way.' At the end of June, the state of Florida proposed to buy out U.S. Sugar Corporation, the largest sugarcane producer in the United

States. The deal would take more than 750 square kilometers out of production, to be replaced by large water storage areas and artificial wetlands.

Mark Kraus says the deal presents a really exciting opportunity for Everglades restoration. 'I have been involved in this Everglades restoration project for over 12 years now,' says Kraus. 'We always thought that the right way to do this would be to be able to acquire some agricultural land [...] and provide these large areas of water storage and water cleansing.' But the deal has its problems. Under agricultural cultivation, the area's peat soils have subsided by more than a meter, and getting water to flow south again will take some engineering.

What's more, U.S. Sugar's holdings are scattered throughout the region, so the state will have to negotiate land swaps with other sugarcane producers to recreate a continuous flow-way to the Everglades.

And under the current terms of the deal, no restoration projects will begin anytime soon: U.S. Sugar gets six years to transition out of farming.

Nick Aumen cautions that seeing environmental benefits from the more than 75,000 hectare buy-out could take even longer. A previous government land acquisition took ten years to start restoration in an area less than a third that size. 'So it would not be surprising for us if this took as long, especially because it's a much larger land area.' But Aumen and Kraus agree that if the deal between the state of Florida and U.S. Sugar is successful, it could bring about unprecedented environmental benefits to one of the world's most beautiful ' and threatened ' ecosystems.

Glades cities win planners' help to get inland port

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Chuck McGinness - Palm Beach Post

WEST PALM BEACH To help make up for the economic loss from the state's purchase of U.S. Sugar Corp. for Everglades restoration, Glades-area leaders urged 's transportation planning board Thursday to help them land a proposed inland port.

Several locations are being considered for the facility, including spots in Hendry, Glades and Martin counties. But putting the inland port in the Glades - possibly at the intersection of U.S. 27 and State Road 80 in South Bay - is vital to the community's survival, Belle Glade Mayor Steve Wilson said. 'Our caution to you today: We're going to be in this fight,' Wilson said. 'We want to be at the table to help make the decisions.' The Metropolitan Planning Organization, made up of city and county officials, needed little prodding to join the effort and agreed to send a 'strongly worded' letter to Gov. Charlie Crist.

What happens with U.S. Sugar's 187,000 acres of farmland and its railroad network will affect the entire region, planning board Chairman Jeff Koons said. 'I just want to make sure what's left is sustainable for

the people of the region,' Koons said. Officials at the Port of Palm Beach have proposed the inland port project as a way of easing crowding at the Riviera Beach facility. Cargo arriving at the existing port could be transported to the new terminal, stored there, broken into smaller shipments if necessary and redistributed.

The new center would reduce freight traffic on busy highways and rail lines along the coast, transferring that traffic to less-used inland roads and rail lines. Most important, it would create hundreds of jobs.

About 1,700 jobs will be lost with the closure of the sugar company, along with about 2,000 service-related jobs, Wilson said. 'We need to be self-sufficient. We need to be up and going,' Pahokee Mayor Wayne Whitaker said. 'The Glades desperately needs the inland port.' Pahokee intends to ask the state for 2,000 of U.S. Sugar's acres to create a commerce park and help diversify its economy, Whitaker said.

But Greenacres Mayor Sam Ferreri said the region needs to think big and demand 10,000 to 20,000 acres to bring the cities together.

Many questions remain on what the creation of a continuous path of marshes and reservoirs connecting Lake Okeechobee with the Everglades will do to the regional transportation system. Will big money have to be spent to raise Tamiami Trail? Does a bridge have to be built between South Bay and Clewiston?

One thing is for sure about the deal, Ferreri said. 'The rich get richer,' he said.

Riverwatch: Opportunity Knocks

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Riverwatch: Opportunity knocks

River has economic strength

By Patty Brant

Caloosa Belle The Caloosahatchee River has always been a natural focus for people in this area and has an important role to play in the future.

From time immemorial it was an integral part of the natural water system that formed the Everglades. The meandering river was a natural filter for sheetflow coming from the north. Water flowed from the Upper Kissimmee area to Lake Okeechobee south to create the River of Grass. That natural flow was interrupted when the Caloosahatchee River was channelized and straightened, allowing water to flow directly from the lake to estuaries at the Gulf of Mexico and Atlantic Ocean.

In recent years, we have seen the devastation high water flows, containing large amounts of pollutants, have had on those estuaries and on the quality of river water itself.

Finding the solution to this problem has placed environmentalists, civic leaders and coastal and interior residents at odds.

With the recent announcement of United States Sugar Corporation's intention to sell its holdings out to South Florida Water Management District (SFWMD), environmentalists see great opportunities to restore the natural flow of water to the Everglades.

Forest Michael of Transystems, recently presented his vision of one

possible future with his CaloosaHatchee River-way project to the Riverwatch group. He feels his plan would enhance navigation, wildlife habitat and agriculture as well as benefit the area's people and the river itself. He made his presentation at the July 9 River-watch meeting. His plan includes "building" five lakes along the river - recre-ating Lakes Hickpochee, Bon-net, Flirt and Lettuce, and creat-ing a two-part lake called "Lake LaBelle."

These lakes would actually be reservoirs, but would use no concrete lining. He said they would be less expensive than conventional reservoirs like the C-43 Reservoir planned for the old Berry property west of La-Belle and would have the add-ed benefit of providing a better quality of life for all varieties of residents.

He visualizes Lake LaBelle as offering opportunities for camping, restaurant/lodges, re-tail business and concessions. There would be high sections and low sections that would not accommodate water all year.

The depth would fl uctuate naturally although he estimates

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Riverwatch/ John Capece

Riverwatch members and other interested parties intently listened to a July 9 presen-tation on one possible revamping on the Caloosahatchee River and surrounding area that could take the sting out of recent economic developments. Pictured from left: Keith Richter, candidate for State Rep, District 72, Joanna McCasy, Riverwatch Director, Mary Ruth Prouty, Riverwatch President, Leo Mayne, Riverwatch Director , Mary Rawl, River-watch Past President and Forest Michael, Landscape Architect, Transystems, Inc.

River

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it would average about 6 feet in depth.

There would be some natural seepage. The lower lake (closer to river) would hold water most of the year while the upper lake would be dry or marshy part of the year.

With the stoppage of work on SFWMD reservoir projects and the sugar deal, Mr. Michael feels this is a good time to rethink re-tooling this entire area as it fi ts into the big picture and in tune with how residents see their fu-ture.

The C-43 Reservoir is a single use structure like the Herbert Hoover Dike surrounding Lake Okeechobee, Mr. Michael point-ed out, and includes a fi ve-story pump facility and would be sur-rounded by ditches. Mr. Michael told the group his plan involves ecosystem restora-tion and storm water manage-ment without neglecting other needs like agriculture, parks and eco-tourism. It incorporates both ecology and the economy.

The plan extends south of the lake where he would put in a se-ries of waterways and small lakes surrounding the current cities of Clewiston and Belle Glade. His idea is to convert some of the ag-ricultural jobs to tourism-related work, but agriculture would also continue in the area.

Keith Richter, candidate for House District 72 (which em-compasses DeSoto County and parts of Charlotte and Lee) was on hand at the meeting, testifying to the interest in what happens to the Caloosahatchee, Lake Okeechobee and the sugar deal by west coast dwellers.

Mr. Michael told the group that the community needs to talk about options and break the current mold of thinking, letting SFWMD and the Department of Environmental Protection know what locals want.

Riverwatch's John Capece agreed that we need to invest in our natural systems and need to parallel them with creative agri-cultural systems.

He is in favor of paying farmers to store water on their land.

He added that we need to keep events in the larger world in mind because they also have a local effect.

Agriculture fills the basic need of feeding people and cannot be ignored or shoved off to other areas that might cause worse problems.

Riverwatch/ John Capece

This artist's rendering of a new Caloosahatchee Riverway was unveiled to the folks from Riverwatch at a July 9 presentation.

County Selects Outside Contract Attorney: Local Leaders Hire Lobbyist to Represent the Area and Its

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County selects outside contract attorney

Local leaders hire lobbyist to represent the area and its future

By Naji Tobias

Clewiston News HARLEM - The fight for survival is on and it's full steam ahead for local leaders.

During the Tuesday, July 8 Hendry County Commission Meeting at the Harlem Civic Center, the county's board of commissioners unanimously voted to approve the hiring of an outside contract attorney and lobbyist. The county selected Curtis Kiser, J.D. as its contracted attorney to represent them in efforts to finding out the details of the progress of the well-documented land deal between U.S. Sugar and the South Florida Water Management District (SFWMD). Not only that, Mr. Kiser is expected to meet and develop proper contacts and relationships with governmental officials from the local, regional and state levels.

The contract terms between Mr. Kiser and the county are set for at least two months and \$12,500 per month for the services.

County commissioners made it a point to note that after the two-month period expires, then the contract will be under review to see whether or not enough time has been put into the job description.

"Here in Clewiston, the citizens are concerned about their jobs and the land immediately surrounding the area," Mr. Kiser said. "I want to make sure the South Florida Water Management District and other agencies understand the concerns of Hendry County and Clewiston."

The contract is expected to be finalized by the end of this week, county officials said.

Mr. Kiser, who currently practices as a partner for the Holland and Knight law firm, served in the state senate from 1984-1994. The Florida State University College of Law graduate was honored as a Legislative Excellence Award recipient by the Florida Audubon Society for contributing to the improvement of the Everglades legislation and the support of the Preservation 2000 program.

Mr. Kiser was appointed by Jeb Bush, the state's former governor, as the chairman of the Governor's Commission on the Everglades in 1999. What's currently at stake are the 1,700 jobs at U.S. Sugar that could be greatly affected by the June 24 decision to sell all of its 187,000 acres of land and assets to the water district. The amount, originally set for \$1.75 billion, can cost the water district up to \$3.5 billion once it's said and done.

Local leaders and citizens are concerned about the operations of the

state-of-the-art sugar pro-
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cessing mill, which is worth approximately \$300 million and accounts for many of the 1,700 jobs at the sugar company.

The district said that it needs only 120,000 acres of the land in question, which will primarily be used in efforts to restore the Everglades. What will happen to the rest of the land and the sugar company's assets is unknown at this time, however.

"It's very important that the county commissioners are moving forward with an advocate to speak for us," said Mali Chamness, the mayor of Clewiston. "The county made a critical decision to safeguard the economic future of Hendry County."

"It was necessary to hire a legal counsel as we go through the next few weeks in the whole process of the sugar buyout," the Clewiston mayor continued. "The community's voices need to be heard by our governor. He's the one with the power to ensure there is a viable economical plan through OTTEP."

OTTEP stands for the Office of Tourism, Trade and Economic Development.

The framework of the contract, which is expected to be finalized in less than 75 days, calls for a six-year transition plan, which effectively means that U.S. Sugar will close all of its operations in 2014.

"All of us in local government mirror each other as to what we need to do for our constituents and our community," said Janet Taylor, the chairperson of the county commission and representative for District 1 (Clewiston and Harlem), "We are all on board to make sure that our communities are sustained and even improved. The only way this could happen is if all of us work together and get our voices heard by the state."

The next meeting regarding the U.S. Sugar land deal will be on Monday, July 21 at 10 a.m. in the John Boy Auditorium. Representatives from The Florida Heartland Rural and Economic Development Initiative (FHREDI), OTTEP, the water district, the sugar company and local leaders will be among those in attendance.

"It's important for the county's residents to come to this upcoming meeting with ideas to voice their thoughts for economic development and growth," Mayor Chamness said. "We hope everyone who can will attend."

Staff Writer Naji Tobias can be reached at ntobias@newszap.com.

New Everglades public area opens

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Okeechobee News

WEST PALM BEACH -- A new haven for outdoor enthusiasts opened on Wednesday, July 16, amid an expanse of wetlands constructed by the South Florida Water Management District (SF-WMD) to clean water for the Everglades.

"South Florida residents and visitors alike have yet another public oasis to escape the every-day hustle," said SFWMD Governing Board Vice Chair Shannon Estenoz. "Opening this land for recreation enables the people of Florida and beyond to further enjoy the national treasure we are working so hard to rehabilitate."

Located in central Palm Beach County, Stormwater Treatment Area (STA) 1 West features a new parking area leading to a 200-foot viewing platform and gazebos overlooking the watery expanse. The three-mile trail along a section of the levee surrounding the 6,670-acre STA offers hikers, bicyclists, photographers and bird watchers vast views of nature and wildlife such as great blue herons and mottled ducks. Fishing is allowed in the outer canal but not within the treatment area.

In keeping with an environmentally friendly mission, the land also boasts a restroom with a composting toilet.

The expanse is the third storm-water treatment area managed by the District to open for recreation. The 6,562-acre Stormwater Treatment Area 1 East, just across the massive Water Conservation Area 1, opened in May for similar outdoor activities. Future plans call for a 10-mile levee walking trail connecting STA 1 East and STA 1 West.

While recreation has become a staple on these public lands, the key purpose of stormwater treatment areas is to improve the quality of water runoff before it flows to the Everglades. The STAs are immense constructed wetlands full of aquatic plants. Those plants soak up phosphorus, a nutrient that helps vegetation grow but one that can harm the Everglades ecosystem.

Along with better farming practices, South Florida's 52,000 acres of STAs have prevented more than 2,600 metric tons of phosphorus from entering the Everglades, reducing phosphorus loads by 70 percent since 1994. The STAs have also attracted many native animal and bird species. The new STA 1 West recreation area is open from dawn until dusk, Friday through Monday.

For detailed information about recreational opportunities on District properties, including the STAs, visit www.sfwmd.gov and follow the recreation link.

211 Information Calls Contract Approved

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211 information calls contract approved

By Nena Bolan

Glades County Democrat GLADES COUNTY -- A county commissioners' meeting was held July 8, and several environmental and economic issues were on the agenda.

The additional muck removal plans for Harney Pond Canal were not completed before rain fell in the area. County manager, Wendell Taylor explained that there has already been equipment stuck in the deep, wet muck; and county attorney, Richard Pringle cautioned that contractors could be held responsible for leased equipment that cannot be used at all.

County government and water management are not positive the excavation could be finished by the assigned completion date of August 15, considering the amount of recent rainfall.

"It was not for lack of trying," said Gary Ritter, SFWMD.

A discussion of SFWMD acquisitions and projects in Glades County prompted the board to recommend Mike Pressley for consideration in the appointment to the SFWMD governing board. Bubba Wade, governing board member, recently resigned and the governor's office will decide who will fill that vacancy.

Commissioners also requested that the state become more transparent in divulging critical plans for Glades County's future. According to commissioner Butch Jones, county government has received very little information from state government; while Donna Long mentioned that Florida Heartland Rural Economic Initiative (FHREDI) and the Office of Tourism, Trade and Economic Development (OT-TED) may not have the means to be as helpful as the agencies hope to be.

Board chairman, Paul Beck, suggested the formation of a committee to recommend local needs to water management and the governor's office; and Tracy Whirls, economic development director, asked local businesses and planners for a list of necessities and suggestions. Commissioner Russell Echols expressed his concern for the magnitude of decisions and planning that the governor, SFWMD and United States Sugar Corporation must accomplish within several months.

"How can quality work be done by November?" Mr. Echols said.

The concerns of Glades County School District, the city council of Moore Haven and the Glades County Board of County Commissioners prompted them to create a resolution. It regards the acquisition of properties, including U.S. Sugar Corporation land, by government agencies such as SFWMD. The document refers to

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Resolution

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lack of information, planning assumptions, and necessary details required for the function of local government and education.

Some of the concerns were services for residents and visitors, reduction in ad valorem tax revenues, sustainable agriculture, loss of jobs, displaced families and loss of funding for education. The resolution asks that the county, city and schools be permitted representation, participation and collaboration on decisions that have a financial impact.

A second resolution was passed by the board which referred to the widening of S.R. 29 and alignment of a proposed Caloosahatchee River bridge. The Florida Department of Transportation has requested input from Glades County, and the purpose of the resolution presents the county's wishes. Included in the document is a map depiction of two possible bridge sites east of the old bridge in downtown La-Belle. One option places the site on Collingswood Parkway, and the other is on Birchwood Drive.

Commissioners approved a request from Angela Snow, emergency management director. The request calls for a contract with United Way

211/United Way of Lee, Hendry and Glades Counties. The non profit organization program helps reduce the abundant calls received by Emergency Operations Center (EOC) during a disaster. It will be used like a hotline of information for Glades County residents when they need updates on storms, shelters, evacuations, and sites for distribution of relief supplies.

Anyone can call 211 from a house phone, and there is no long distance charge. This frees up EOC phone lines so they may receive more information from agencies and public safety workers in the field. The United Way 211 program is only activated during a disaster. and the county will be reimbursed by FEMA.

Pete Quasius, Collier County Audubon, informed the county that he has been appointed as a member of the Water Resources Advisory Commission (WRAC). This is an advisory board that provides recommendations to the SFWMD governing board.

Staff writer Nena Bolan can be reached at nenabolan@yahoo.com

Caloosahatchee Riverway project, Restoration

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Caloosahatchee Riverway Project, restoration

By Patty Brant

Caloosa Belle The Caloosahatchee River has always been a natural focus for people in this area and has an important role to play in the future.

From time immemorial it was an integral part of the natural water system that formed the Everglades. The meandering river was a natural filter for sheetflow coming from the north. Water flowed from the Upper Kissimmee area to Lake Okeechobee south to create the River of Grass. That natural flow was interrupted when the Caloosahatchee River was channelized and straightened, allowing water to flow directly from the lake to estuaries at the Gulf of Mexico and Atlantic Ocean.

In recent years, we have seen the devastation high water flows, containing large amounts of pollutants, have had on those estuaries and on the quality of river water itself.

Finding the solution to this problem has placed environmentalists, civic leaders and coastal and interior residents at odds.

With the recent announcement of United States Sugar Corporation's intention to sell its holdings out to South Florida Water Management District (SFWMD), environmentalists see great opportunities to restore the natural flow of water to the Everglades.

Forest Michael of Transystems, recently presented his vision of one possible future with his CaloosaHatchee Riverway project to the Riverwatch group. He feels his plan would enhance navigation, wildlife habitat and agriculture as well as benefit the area's people and the river itself. He made his presentation at the July 9 Riverwatch meeting. His plan includes "building" five lakes along the river - recre-

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ating Lakes Hickpochee, Bonnet, Flirt and Lettuce, and creating a two-part lake called "Lake La-Belle."

These lakes would actually be reservoirs, but would use no concrete lining. He said they would be less expensive than conventional reservoirs like the C-43 Reservoir planned for the old Berry property west of LaBelle and would have the added benefit of providing a better quality of life for all varieties of residents.

He visualizes Lake LaBelle as offering opportunities for camping, restaurant/lodges, retail business and concessions. There would be high sections and low sections that would not accommodate water all year. The depth would fluctuate naturally although he estimates it would average about 6 feet in depth.

There would be some natural seepage. The lower lake (closer to river) would hold water most of the year while the upper lake would be dry or marshy part of the year.

With the stoppage of work on SFWMD reservoir projects and the sugar deal, Mr. Michael feels this is a good time to rethink retooling this entire area as it fits into the big picture and in tune with how residents see their future.

The C-43 Reservoir is a single use structure like the Herbert Hoover Dike surrounding Lake Okeechobee, Mr. Michael pointed out, and includes a five-story pump facility and would be surrounded by ditches.

Mr. Michael told the group his plan involves ecosystem restoration and storm water management without neglecting other needs like agriculture, parks and eco-tourism. It incorporates both ecology and the economy.

The plan extends south of the lake where he would put in a series of waterways and small lakes surrounding the current cities of Clewiston and Belle Glade. His idea is to convert some of the agricultural jobs to tourism-related work, but agriculture would also continue in the area.

Keith Richter, candidate for House District 72 (which encompasses DeSoto County and parts of Charlotte and Lee) was on hand at the meeting, testifying to the interest in what happens to the Caloosahatchee, Lake Okeechobee and the sugar deal by west coast dwellers.

Mr. Michael told the group that the community needs to talk about options and break the current mold of thinking, letting SFWMD and the Department of Environmental Protection know what locals want.

Riverwatch's John Capece agreed that we need to invest in our natural systems and need to parallel them with creative agricultural systems.

He is in favor of paying farmers to store water on their land.

He added that we need to keep events in the larger world in mind because they also have a local effect.

Agriculture fills the basic need of feeding people and cannot be ignored or shoved off to other areas that might cause worse problems.

Riverwatch/ John Capece

This artist's rendering of a new Caloosahatchee Riverway was unveiled to the folks from Riverwatch at a July 9 presentation.

Riverwatch/ John Capece

Riverwatch members and other interested parties intently listened to a July 9 presentation on one possible revamping on the Caloosahatchee River and surrounding area that could take the sting out of recent economic developments.

CALL INTO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT TO

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WBBH

ALL THE RECENT RAINFALL MAY HAVE YOU RAISING QUESTIONS ON WATER RESTRICTIONS, SO WE PUT A CALL INTO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO ASK ABOUT THOSE RESTRICTIONS. THEY TELL US THE RESTRICTIONS ARE MEANT TO STAY IN PLACE YEAR-ROUND. SO THEYRE NOT CHANGING ANY TIME SOON. WE ALSO SPOKE WITH STATE REPRESENTATIVE TRUDI WILLIAMS, WHO REPRESENTS FORT MYERS.

Editorial Dampened but undeterred

07/17/2008

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Naples Daily News

Extremes.

Florida and its weather are full of them.

We can go from cool to freezing overnight.

We can go from idyllic to hurricane-lethal in a day.

And, as we learned this week, we can go from nearly bone dry to waterlogged in four days.

If only we could capture more of that precious water when we have such an over-abundance. Then again, some neighborhoods that could not handle the super-saturation and did flood only wish that more of it could have run off.

At least initially, water managers in Southwest Florida ought to be pleased. There were few reports of flooding to the point of doing actual damage, while there were plenty of demonstrations that neighborhood drainage systems need to be unclogged or beefed up.

Neighbors who pitched in to help neighbors with everything from towels and wet-vacs to tow trucks get a high-five.

Surely water managers and utility officials will be taking hard looks at what worked and what did not, and responding accordingly.

Mosquito control efforts will need to rev up.

The good news is that at least for a while many of us can save some money on irrigation - while still remembering to conserve water

elsewhere.

Perhaps the best news is that we get to see the sun again - oh, how spoiled we are - and it ought to be a long time before we again hear: "Is it wet enough for you?"

LAKE OKEECHOBEE, EXCELLENT NEWS, LAKE LEVEL IS UP TO 10 1/4 FEET ABOVE SEA LEVEL.

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NBC 6 News at 6 PM - WTVJ-TV

NICE DAY ON TAP TO FINISH UP THE WORKWEEK AND NICE DAY RIGHT INTO THE WEEKEND. LAKE OKEECHOBEE, EXCELLENT NEWS, LAKE LEVEL IS UP TO 10 1/4 FEET ABOVE SEA LEVEL. ABOUT 3 1/2 FEET FROM NORMAL. WE'RE GETTING BETTER AND IF WE KEEP THIS PATTERN UP, WE COULD BE IN MUCH BETTER SHAPE AS WE HEAD TOWARDS THE DRY SEASON FOR NOW.

MOTHER NATURE IS HELPING TO PUT MORE WATER INTO LAKE OKEECHOBEE.

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MOTHER NATURE IS HELPING TO PUT MORE WATER INTO LAKE OKEECHOBEE. THE SEVEN- HUNDRED THIRTY SQUARE MILE LAKE REACHED ITS LOWEST RECORDED LEVEL LAST JULY AT JUST UNDER NINE FEET. NOW THE LAKE IS MORE THAN TEN FEET DEEP. STILL ITS ABOUT TWO FEET LOWER THAN AVERAGE FOR THIS TIME OF YEAR FOR THE LATEST LAKE LEVELS JUST LOG ON TO OUR WEBSITE AND CLICK ON SITES ON SEVEN.

REMEMBER LAKE OKEECHOBEE AT ITS DRIEST LEVEL? THERE WAS GRASS GROWING ON THE RIVERBED.

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Good Morning America - ABC News Network

TIME NOW FOR THE WEATHER. THAT'S SAM CHAMPION. SAM? GOOD MORNING, AGAIN, CHRIS. WE'LL START TALKING ABOUT THE SOUTHEASTERN DROUGHT SITUATION, PARTICULARLY IN FLORIDA. REMEMBER LAST YEAR IT WAS SO BAD AND WE'VE PICKED UP A LOT OF RAIN AS OF LATE STARTING THIS YEAR, A LOT OF AREAS LIKE TAMPA, ORLANDO INTO MIAMI ARE RUNNING A BIT ABOVE AVERAGE IN RAINFALL THAT HELPED THESE FOLKS A LOT GET RID OF SOME OF THE EXTREME DROUGHT PROBLEMS. REMEMBER LAKE OKEECHOBEE AT ITS DRIEST LEVEL? THERE WAS GRASS GROWING ON THE RIVERBED. NOW WE'VE RECOVERED ABOUT 1 1/2 TO 2 FEET IN A LOT OF LOCATIONS. THIS IS THE RAIN BARREL FOR THE ENTIRE AREA OF FLORIDA.

THIS TIME LAST WEEK, WE HAD SEVERE DROUGHT CONDITIONS AROUND LAKE OKEECHOBEE.

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IN THE SOUTHEAST WE GO, AND YOU CAN SEE THAT WE DO HAVE THAT AREA OF LOW PRESSURE, BUT IT'S MEANDERED A BIT TO THE EAST OF JACKSONVILLE, AND IT'S BROUGHT IN A LOT OF RAIN, BETTY. AND RAIN IN PLACES THAT NEED IT, AND RAIN IN PLACES, NOT SO MUCH. LET'S SEE WHERE WE HAVE IMPROVED IN TERMS OF THE DROUGHT HERE ACROSS PARTS OF FLORIDA. SOME NEED IT, SOME DON'T. THIS TIME LAST WEEK, WE HAD SEVERE DROUGHT CONDITIONS AROUND LAKE OKEECHOBEE. THAT'S BEEN SCALED BACK TO MODERATE. AND A LOT OF THOSE ABNORMALLY DRY PLACES THE DROUGHT COMING TO AN END. AND WE'VE HAD A LOT OF DOWNPOURS IN TAMPA, FT. MYERS, GIVING US SURPLUSES FOR JULY. BUT SOME DECH SITS ON THE MAP, TOO. ORLANDO, WE COULD USE A LITTLE BIT MORE IN THE BUCKETS HERE. AND WE ARE IN LINE FOR MORE STORMS IN THE SOUTHEAST. WE COULD USE RAINS LIKE IN, SAY, ATLANTA. BUT THE FORECAST FOR TODAY IS ACTUALLY, MOSTLY A DRY ONE HERE. IT'S GOING TO BE WELL INTO THE SOUTHEAST COAST WHERE WE STAND THAT BETTER CHANCE OF SEEING ANY SHOWERS OR STORMS POP.

In the Know Reader wants to get connected to Imperial Parkway

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Naples Daily News

BRAD KANE

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Brad Kane-Naples Daily News

Q: The Shangri-La Road extension: When are we going to get connected to Imperial Parkway? - Carl Schwippert, Bonita Springs A: Bonita Springs city government is working on it but don't hold your breath; it's going to take awhile. If you're really adamant, Carl, about linking Old 41 Road and Imperial Parkway via Shangri-La Road, you'll want to talk to your City Council representative right away. Even better, show up next week when the Bonita City Council has its budget workshops.

Before the city budget started collapsing in on itself, the Shangri-La link was one of the top road construction priorities for the city. The council even set aside the money to do the design work.

The design work has been progressing slowly, and it's at 60 percent completion. That's enough for city contractor Agnoli, Barber & Brundage to submit a permit from the South Florida Water Management District, which it did June 23. That could be the last we hear about the Shangri-La extension for the immediate future.

Over the past two years, the Bonita Springs government budget shrunk drastically, and there's very little money to provide anything but the basic services. For the next Bonita Springs budget cycle, which starts in October, there isn't any money set aside yet to finish the design work or acquire needed property, and both must be complete before construction can begin.

Starting Tuesday, the City Council will meet to discuss its project funding for next year. There's only so much available, so if you really want the city to focus on Shangri-La, Carl, then the council will need to hear from you before its decisions are final.

Until that link is complete, the only way Bonita residents can hook up with Imperial Parkway is at Bonita Beach Road, Dean Street and East Terry Street. Q: After surviving not one, but three different college town residences - where Kinko's RULED the world - I was ecstatic to see the new FedEx Kinko's going in at Williams Road and U.S. 41 in Estero. It's less than 10 minutes from my home. As a musician-teacher and business owner, I have spent many a sleepless night making the copies at Kinko's in Fort Myers and Naples (as well as Athens, Ga., and Champaign, Ill.) and have been saved by last-minute project managers at both locations. Here's what I want to know: Does FedEx Kinko's plan to launch another location closer to Florida Gulf Coast University? Why in the world would they locate themselves in the side-yard of America's newest university and NOT be opened 24 hours? Thanks! - Julie A: The Fort Myers and Naples locations are the only 24-hour FedEx Kinko's in Lee or Collier.

The company has no intention of opening up another store in Lee or Collier counties, Julie, even with FGCU and its many students working odd hours and in need of last-minute copying.

If you notice, the new FedEx Kinko's location in Estero is much smaller than the usual 24-hour center and is more retail oriented. This store is geared more toward mobile professionals.

Looks like FGCU students, along with the rest of us, are stuck going north or south for late-night copying.

Brad Kane is a staff writer for the Daily News. E-mail him In the Know

questions at bjkane@bonitanews.com

Earthjustice Files Federal Lawsuit to Stop Toxic Algae Blooms

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Weak rules lead to contaminated drinking water, closed beaches

Tallahassee, FL -- Pollution-fueled algae blooms are fouling Florida's beaches, lakes, rivers, and springs more each year, threatening public health, closing swimming areas, and even shutting down a southwest Florida drinking water plant serving 30,000 people.

Today, five environmental groups filed a major lawsuit to compel the federal government to set new limits on the nutrient poisoning which triggers harmful algae blooms.

The public interest law firm Earthjustice is representing the Florida Wildlife Federation, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. John's Riverkeeper, and Sierra Club in the case, which will challenge a decade-long delay by the state and federal government in setting limits for so-called nutrient pollution.

Every time it rains, run-off from factory farms, fertilized landscapes, and agricultural operations pour fertilizer and animal waste residue into Florida's rivers and lakes. These contaminants nourish algae blooms and therefore are referred to as 'nutrients.'

'As the old saying goes, this stuff tends to flow downhill. Unfortunately, national treasures like the Chesapeake Bay and the Gulf of Mexico are being overloaded,' said Earthjustice attorney David Guest. 'Measurable standards are the first step in restoring the quality of our nation's rivers, lakes and oceans.'

The lawsuit has nationwide implications. Currently, Florida and most other states have only vague limits regulating nutrient pollution. Today's legal action seeks a court order requiring that the U.S. Environmental Protection Agency impose quantifiable -- and enforceable -- limits for those contaminants in Florida.

The EPA gave Florida a 2004 deadline to set limits for nutrient pollution, which the state disregarded. The EPA was then supposed to set limits itself, but failed to do so. EPA recently approved a plan that would have limits, at best, being 'proposed' by 2011.

'Each time an extension is granted, it essentially guarantees these contaminants will continue to flow into our rivers, lakes, and oceans -- endangering our wildlife and threatening our economy,' said Manley Fuller, president of the Florida Wildlife Federation.

Clearly, nutrient contamination is altering water bodies all over Florida. As Earthjustice notes in a letter it sent to the EPA:

'Potentially toxigenic cyanobacteria have been found statewide, including river and stream systems such as the St. Johns River in the Northeast

Region, the Caloosahatchee River in the Southwest Region, and the Peace and Kissimmee Rivers in the Central Region. In the Southeast Region, toxin levels in the St. Lucie River and estuary during an algae bloom in 2005 were 300 times above suggested drinking water limits and 60 times above suggested recreational limits. Warning signs had to be posted by local health authorities warning visitors and residents not to come into contact with the water. Lake Okeechobee, which is categorized under state regulations as a drinking water source, is now subject to almost year-round blue-green algae blooms as a result of nutrient pollution.'

Inland freshwater resources are also affected by pollution from agricultural runoff and other sources: half of the state's rivers and more than half of its lakes were found to have poor water quality in a 2006 report by the state Department of Environmental Protection. The problem is compounded when nutrient-poisoned waters are used as drinking water sources. Disinfectants such as chlorine and chloramine can react with the dissolved organic compounds, contaminating drinking water with mutagenic chemical byproducts.

'EPA has admitted that excessive levels of nitrogen and phosphorus are a direct cause of toxic blue-green algae blooms,' Earthjustice wrote to the EPA. 'Exposure to these blue-green algae toxins through ingestion, skin contact or inhalation can cause rashes, skin and eye irritation, allergic reactions, gastrointestinal upset, serious illness, and even death. Last month, a water treatment plant serving 30,000 Florida residents was shut down after a toxic blue-green algae bloom on the Caloosahatchee River threatened the plant's source water supply.'

'This level of pollution is hard to believe in modern America,' said Frank Jackalone of the Sierra Club.

'We have drinking water plants being shut down because the water is poisoned with algae,' added Andrew McElwaine of the Conservancy of Southwest Florida. 'It is time for the federal government and Florida to step up to the plate and enforce clean water standards for the public. Citizens shouldn't have to resort to lawsuits to get the government to make sure they have clean water, but unfortunately, that's what we have to do today.'

The lawsuit was filed in federal court for the Northern District of Florida.

Read the lawsuit(PDF)

Contact:

David Guest, Earthjustice, (850) 681-0031

Environmental groups suing the EPA

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WBBH

FORT MYERS: Polluted water is shutting down local beaches and putting your health at risk. Now, some local environmental groups are suing the federal government to put a stop to dangerous algae blooms. NBC2 found out why they're turning to a lawsuit to get results.

Whether it's the mounds of algae washing ashore or the blooms clogging the Caloosahatchee, officials with five conservation groups say they have had enough. 'Those standards are long overdue,' said Andrew McElwaine of the Conservancy of Southwest Florida.

Together, the groups have slapped the Environmental Protection Agency with a lawsuit alleging it failed to set nutrient pollution standards.

It's those nutrients that cause algae blooms - blooms like the one in June that shut down the Olga Water Treatment Plant and left 30,000 people without drinking water. 'A major part of the problem is how the U.S. government and state of Florida manage major water bodies like Lake Okeechobee. They need to bring down the amount of nitrogen and phosphorous coming down the Caloosahatchee in high water events,' said McElwaine. The EPA gave Florida a 2004 deadline to set stricter pollution limits. The state failed to do so.

The EPA was then supposed to set limits itself, but it didn't. Now, the EPA has approved a plan for 2011. But the groups say that's too little, too late. 'Everyone comes here in part for the water and to see it degraded and to have to shovel algae off the beach to get access is just not something we want to live with,' said McElwaine. He says it is something that doesn't bode well for Southwest Florida's economy or ecosystem.

Environmentalists sue EPA for cleaner water rules

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Skoloff, Brian-A/P

WEST PALM BEACH, Fla. -- Five environmental groups sued the U.S. Environmental Protection Agency on Thursday, claiming the federal government is violating the Clean Water Act by failing to set standards for farm and urban runoff that is polluting Florida's waterways.

The plaintiffs hope a favorable ruling would force the EPA to implement standards for every state, most of which have only vague limits on such pollution, said Earthjustice attorney David Guest.

The groups say rain sends the runoff, which includes fertilizers and animal waste, into rivers and lakes, contaminating waterways and nourishing algae blooms that poison the ecosystems.

"This is endemic throughout the United States," Guest said. "When you fertilize the water, it makes it so that only one instrument in the ecological orchestra can play. Where you used to have this vast ecological orchestra, now it's only the algae playing."

He said the runoff can also contaminate drinking water supplies and sicken or kill people.

The federal lawsuit was filed in Tallahassee by the Florida Wildlife Federation, the Sierra Club, the Conservancy of Southwest Florida, the Environmental Confederation of Southwest Florida and the St. Johns Riverkeeper.

Guest said the algae blooms are fueled by nutrients from the runoff, which spread throughout waterways, then die and suck up all the oxygen, killing most other life.

EPA spokeswoman Enesta Jones said in an e-mail the agency would "carefully review the lawsuit and respond in a timely manner."

Florida's Department of Environmental Protection is still working to set guidelines, which are complex because the agency hasn't determined exactly how much runoff can continue without harming ecosystems, spokeswoman Dee Ann Miller said.

According to the lawsuit, the EPA acknowledged 10 years ago that Florida needed to promptly develop runoff standards to meet the requirements of the Clean Water Act.

The EPA noted in 1998 that "nutrient pollution is the leading cause of impairment in lakes and coastal waterways," according to the lawsuit. At the time, the agency also said the nutrients in runoff had been linked to so-called "dead zones" in the Gulf of Mexico and outbreaks of *Pfiesteria*, a microscopic organism that lives in estuaries and could harm humans and fish.

Congress enacted the Clean Water Act in 1972 "to restore and maintain the chemical, physical and biological integrity of the nation's waters."

But Guest noted that the Chesapeake Bay, for instance, has been suffering for years from toxic algae blooms caused by water pollution and runoff from development. At times, large swaths of the bay contain so little oxygen that little life remains.

"No other life can live there besides the algae," Guest said. "This is about fertilizing water, and when you fertilize water, algae goes crazy and everything else gets pushed out."

On the Net:

http://www.earthjustice.org/library/legal_docs/complaint-and-exhibit-sfwf-v-usepa-07-17-08.pdf

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Federal lawsuit filed over Florida's pollution

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South Florida Sun-Sentinel - Online

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By LINDA KLEINDIENST-South Florida Sun-Sentinel

TALLAHASSEE - Charging that contaminant-laden runoff from cities and farms is fouling Florida's beaches and waterways, five environmental groups on Thursday sued the federal government for failing to set tough pollution limits.

Filed in federal court in Tallahassee, the lawsuit claims state and federal authorities have failed for more than a decade to fix limits on nutrient pollution that triggers harmful algae blooms. It asks the court to order the U.S. Environmental Protection Agency to impose quantifiable and enforceable standards for Florida.

The legal challenge was filed by the Earthjustice law firm on behalf of the Florida Wildlife Federation, Conservancy of Southwest Florida, Environmental Confederation of Southwest Florida, St. John's Riverkeeper and Sierra Club.

The groups claim that every time it rains, runoff from dairy farm, cattle ranches, fertilized land and agricultural operations carry fertilizer and animal waste into Florida's rivers and lakes, nourishing algae growths that shut down drinking water plants and swimming areas and threaten public health. 'As the old saying goes, this stuff tends to flow downhill. Unfortunately, national treasures like the Gulf of Mexico are being overloaded,' said Earthjustice attorney David Guest.

According to the lawsuit, the EPA acknowledges that nutrient pollution causes toxic blue-green algae blooms, degrading lakes and waterways and leading in humans to rashes, skin and eye irritation, allergic reactions, gastrointestinal upset 'and even death.' 'This level of pollution is hard to believe in modern America,' said Frank Jackalone of the Sierra Club.

The EPA gave Florida a 2004 deadline to set limits for nutrient pollution but the state's Department of Environmental Protection is still working to set guidelines, said agency spokeswoman Dee Ann Miller. Federal limits are supposed to be proposed by 2011.

Group files suit to enforce EPA water standards

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Naples Daily News

MICHAEL PELTIER

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Michael Peltier - Naples Daily News

TALLAHASSEE - Angered over inaction to reduce pollution in the Caloosahatchee River and the Gulf of Mexico, a coalition of environmental groups Thursday filed suit in federal court to force the federal government to reduce nutrient levels it says are killing Florida's waters. Contending federal officials have done little to comply with the U. S. Clean Water Act, the group wants specific nutrient level caps set on Florida waters, including those that flow from Lake Okeechobee into the St. Lucie and Caloosahatchee rivers.

The lawsuit, filed in federal court in Tallahassee, asks the court to force the Environmental Protection Agency to live up to the 1998 ruling to set numeric limits on deposits of phosphorus and other nutrients into these and other state waters.

Failure to set limits has resulted in red tide events, water plant closings and fish kills while leaving state officials with few enforcement tools, plaintiffs in the case said Thursday. "It's like not having a speed limit if you don't have numeric limits on pollutants," said David Guest of EarthJustice, a Tallahassee-based plaintiff in the case. "You don't really have any standards at all." The group expressly cited last month's closure of the Olga water treatment plant on the Caloosahatchee, calling it evidence that clean water standards have not been enforced and stricter standards are needed. The plant, which supplies water to about 30,000 customers, shut down temporarily following an algae bloom. "It is readily apparent that the Florida's narrative nutrient standards have not been protective of the river's use as a drinking water source," the suit contends. "The purpose of EPA's requirement that states must set numeric standards was to prevent exactly such an event from occurring." The suit comes two months after the coalition, including the Sierra Club, the Florida Wildlife Federation and the Conservancy of Southwest Florida, informed the EPA that it intended to sue unless immediate action was taken. "Regulations are tightening as the problems grow worse, but regulations are not keeping up with the problems," Guest said. "Sixty percent of the lakes in Florida are impaired." Though some criteria exist, the state Department of Environmental Protection says it has not yet developed numeric limits for all Florida waters. "The complexity of defining this relationship is due to the fact that other naturally occurring variables influence the biological response," DEP spokeswoman Amy Graham said via e-mail Thursday.

Reclaimed Wastewater Benefits Florida's Citrus Orchards

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ScienceDaily

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The Sunshine State has seen rapid growth in population during the last 50 years. The 1997 U.S. Census showed that the population of Florida increased more than five-and-a-half times from 1950 to 2000. Naturally, along with population increases, Florida is experiencing an increase in the amount of municipal waste. Studies confirm that the amount of wastewater generated by cities in Florida has increased more than fivefold since 1950.

Environmental concerns about pollution of surface waters by treated wastewater have caused many communities to consider alternate ways to use secondary-treated, or reclaimed, wastewater. Before 1986, the city of Orlando and Orange County were discharging wastewater into a creek that flows into Lake Tohopekaliga in central Florida. To address concerns that the process would affect the quality water in the lake, city and county officials, along with the U.S. Environmental Protection Agency, devised a plan to use the wastewater for agricultural irrigation.

According to a 2005 report by the Florida Department of Environmental Protection, there are currently 440 'reclaimed water reuse systems' in Florida, irrigating thousands of acres of golf courses, public land, and residential landscapes with 2,385 million liters of reclaimed water per day. Reclaimed wastewater is also being used to irrigate some of Florida's world-renowned citrus orchards. Because yearly rainfall in Florida is seasonal, with 75% of annual rainfall usually occurring between June and September, citrus growers rely on supplemental irrigation for healthy citrus crops.

In a study supported by the City of Orlando and Orange County (FL), researchers set out to determine whether long-term irrigation with treated municipal wastewater reduced citrus tree health, (appearance and leaf nutrient content), decreased fruit loads, impacted fruit quality, or created increases in soil contaminants. Dr. Kelly T. Morgan, a scientist at the University of Florida's, Southwest Florida Research and Education Center, published the study report in the April, 2008 issue of HortScience.

Dr. Morgan explained, 'Increased water use by the growing population and localized water shortages during low rainfall years have resulted in the development of water use restrictions and decreases in permitted water use for agriculture. Increased use of reclaimed water for agricultural irrigation would not only reduce the wastewater disposal problem for urban areas, but could also reduce the amount of water withdrawn from Florida's aquifers used for irrigation.'

The yearly monitoring project, which began in the 1990s and ended in 2004, concluded that using reclaimed water for irrigation of citrus orchards showed few detrimental effects on the orchards. Morgan commented, 'Appearance of trees irrigated with reclaimed water was usually better, with higher canopy, leaf color, and fruit crop ratings than orchards irrigated with groundwater. Although there was higher weed growth in reclaimed water-irrigated orchards due to higher soil water content, growers apparently have made adequate adjustments to their

herbicide practices.'

Researchers concluded that long-term citrus irrigation with high-quality reclaimed water on well-drained sandy soils did not significantly reduce tree viability or yield and required relatively little adjustment in crop production practices: good news for the environment and citrus producers alike.

Journal reference:

Morgan, Kelly T., Wheaton, T. Adair, Parsons, Larry R., Castle, William S. Effects of Reclaimed Municipal Waste Water on Horticultural Characteristics, Fruit Quality, and Soil and Leaf Mineral Concentration of Citrus. HortScience, 2008 43: 459-464 [link]

ON A PATH TO SUCCESS

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A network of off-road trails and bike paths connecting parks, nature preserves and civic and cultural destinations is taking shape in southern Palm Beach County.

County officials have spent more than a year identifying natural corridors along canal banks, utility easements and roads that can provide recreation and another way to get around, besides by car. The Palm Beach Metropolitan Planning Organization will review the proposed network at 9 a.m. Thursday at the Palm Beach County Government Center, 301 Olive Ave. The meeting is open to the public.

Ultimately, the Palm Beach County Commission must approve the plan, which is expected to go to commissioners in the fall.

Highlights of the plan: A trail that would connect the Green Cay Nature Center with the Wakodahatchee Wetlands, west of Delray Beach. An off-road trail along the C-51 Canal, which runs parallel to Southern Boulevard, would connect the western communities to the east coast.

Altogether, the proposed South County Greenways and Trails Plan consists of 12 greenways for hikers, 11 blueways (a water-based recreational trail) for boaters, and 16 paved paths for cyclists and walkers. It encompasses the area south of Southern Boulevard to the Broward County line.

The county won't have to purchase land to create the trails and greenways. Most of the projects identified by the county are on public land, canal embankments and Florida Power & Light Co. utility corridors.

PHOTO: MAP: South Palm Beach County trail plan. Source: Palm Beach Metropolitan Planning Organization. Staff graphic/Renee Kwok

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State objects to Callery-Judge development

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South Florida Business Journal

Brian Bandell

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South Florida Business Journal - by Brian Bandell

The state issued a scathing list of rejections to comprehensive plan amendments in Palm Beach County, including the development of Callery-Judge Groves and the county's water supply plan.

Florida's Department of Community Affairs filed a report on July 11 warning that numerous development plans in Palm Beach County don't comply with state laws. The county has 60 days to decide whether to send those plans back to the state, which could block them unless substantial changes are made.

The state's stance created another setback for the development of Callery-Judge, a 3,746-acre site just outside Royal Palm Beach where its agricultural owners want to build 2,996 homes and 235,000 square feet of commercial space. After a more intense plan was rejected by county commissioners, the revised plan got county approval based on a state agricultural enclave law that the owners of Callery-Judge lobbied for.

This law allows an agricultural site surrounded by homes to be developed with the same density as the adjoining residential lands. But the DCA says Callery-Judge stretched the boundaries too far.

The agricultural enclave law limits eligible sites to 1,280 acres, unless the density of the surrounding property exceeds 1,000 residents per square mile. In its application, Callery-Judge met this density measurement because it considering everything in a five-mile radius the surrounding property. However, the DCA said a one-mile radius is the correct distance.

Considering a smaller surrounding area with less density would disqualify Callery-Judge from the agricultural enclave law, the DCA says. That means it must account for traffic, school and water impacts.

"The amendment has not demonstrated that there are adequate public facilities, such as roads, potable water and wastewater facilities, available or that they will be available to meet the demand this site will have when developed," the DCA says about Callery-Judge.

"The school district has no funding available to fund any new facilities, nor are there any planned for in the immediate future," the DCA added.

The DCA also objected to Callery-Judge seeking a designation of new urbanism, saying the development would result in urban sprawl. The developers promoted putting commercial centers in the middle of the residential community as new urbanism, but the DCA says the plan didn't show any significant internal capture of traffic and the commercial centers were too small to serve that purpose.

The state also poked holes in Palm Beach County's plan to provide water service for the growing population through 2025. The county didn't demonstrate that it could provide enough water, according to the DCA.

While the county's plan mentioned "reclaimed water facilities" and "Floridan aquifer projects" it didn't specify where those projects would be, when they would be built and how much they would cost, the DCA says. The costs and timeline for improvements to its existing water reclamation facilities aren't detailed either. In addition, the county must demonstrate that it will collect enough in utility fees to pay for all of these projects, the DCA says.

The DCA asked Palm Beach County to clarify its projection of future water demand. One part of the county's plan said it would need 104 million gallons a day in 2025, but another section put that figure at 113 million gallons a day.

Water supply and major development will go hand-in-hand in South Florida. The DCA recommended that Palm Beach County adopt a policy, as required by state law, that won't allow the approval of building permits unless local governments determine the projects will have adequate water supplies available when they get their certificate of occupancy.

We think: Before allowing withdrawals, water managers must ensure they're safe

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Orlando Sentinel

They've got things backward at the St. Johns River Water Management District. Managers there are charged by law to determine the minimum water levels in rivers and lakes, below which the fragile ecosystems around them would suffer. Those levels are supposed to then guide the managers in determining whether it's safe for them to hand out permits to governments and others wanting to draw down the waterways.

But -- whoops -- the District, which is duty bound to safeguard the water supply in its 18 counties, has been encouraging folks to stick a straw in its rivers and lakes before determining how much is appropriate or too much.

That needs to stop -- and hopefully will -- thanks to others also charged with protecting lakes and rivers who are saying "Enough," and making waves by taking legal action against the district.

Take a look at what the district has been up to, or neglecting to do, around Lake Apopka and the Harris Chain of Lakes to its north:

Last year it indicated it would let the city of Apopka gulp 5 million gallons a day from Lake Apopka.

It is currently reviewing an application from Minneola to withdraw 20 million gallons a day from Lake Apopka.

And it appears eager to let Eustis take 2 million gallons a day from Lake Yale and Lake Eustis.

Not only is it doing this without following rules on first authoritatively

determining safe withdrawal levels, but the consequences of that could prove extraordinary. One hundred million dollars already have gone toward restoring Lake Apopka and other nearby lakes, for example. Allowing wholesale drawdowns there could wash away progress rehabilitating them.

Hopefully, the action brought against the district by the Lake County Water Authority will get it to change course -- determining safe withdrawal levels and then, if appropriate, issuing permits. But there's no guarantee it will.

The state Department of Environmental Protection has written the district time and again, asking it to determine safe water levels -- but without success.

Legal action sometimes has gotten the St. Johns and other water managers that also have poor records in determining safe withdrawals to do their jobs better.

But the districts now are under increasing pressure to find alternative water sources to the Floridan Aquifer, which, come 2013, new developments won't be allowed to tap. So in lieu of the aquifer, they're eyeing the lakes and rivers, rather than doing as much as they should encouraging conservation and other less destructive alternatives. What do they want the water for?

Primarily irrigating lawns -- hardly a compelling reason for forsaking waterways wildlife depend on and people enjoy.

Hopefully, the Lake County Water Authority's action will get the district to do what's required. If not, it may fall to the governor and his Cabinet to show it the way.

Time to Time, we hear media's gong of gloom

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Charlotte Sun & Weekly Herald

OUR POSITION: Sure, Florida's got problems. Who doesn't? We're just easy to pick on.

Greetings, Time magazine readers, from sunny Florida, where the winters really are great and the rest of the year probably beats what you're used to.

You may have perused the long article about our state's troubles that appeared recently in your favorite weekly newsmagazine. Did we say "troubles?" Maybe we should rephrase: Let's think of these circumstances as challenges.

We've got challenges, we know that. But why single us out?

Why the funny headline: "Is Florida the Sunset State?" Hardy-har!

Why the snide references, "trouble in paradise" and that sort of thing?

Did they really have to liken popular first-term Gov. Charlie Crist to "human Prozac?" Just because he's got an unusually sunny outlook about life on this large peninsula? Does he not just reflect the natural optimism of the fair people of Sunshine (not Sunset!) State?

Did you Time readers take into consideration the fact that Time's headquarters is in New York City? Who'll be laughing in January?

This is all we need right now, frankly, a five-page slam fest in a glossy national magazine.

OK, let's take a look at the list of challenges:

Florida faces the "worst real estate meltdown since the Depression," according to Time. That hardly makes us unique. Just ask homeowners in Michigan or Pennsylvania or California or anywhere else in the lower 48, for that matter. At least we're crawling off of the bottom (we think.)

Florida is "second in foreclosures" in the nation. See above.

We're "last in high school graduation rates." This, the week FCAT scores rose all over the state.

"Population growth is at a 30-year low." Considering we had been growing at 400,000-plus people per year for a decade, is this a bad thing? Now, we're about at half that. Sounds like controlled growth to us.

Our "elaborate water-management scheme ... has been stretched beyond capacity, yo-yoing between brutal droughts and floods." Floods? Missed that one, Noah. And, yes, the two-year-long drought was trying, but it certainly got water district managers moving quickly on viable long-term solutions. (Anyhow, we seem to be back in the old afternoon shower weather pattern.)

"The land of Disney dreams for the middle class is now a high-cost, low-wage state with Mickey Mouse schools and Goofy insurance rates, living beyond its environmental and economic means in harm's way," says Time. Sez you, we say.

Our "barrier islands could be under water within decades." OK, there's that. But that goes for Japan and England, too.

To be fair to the esteemed glossy news magazine, the author does squeeze a few bright rays among the gloom: the state's announced purchase of U.S. Sugar Corp. land to restore the Everglades, and the fact that \$82 million people visited "The Sunset State" last year. Nice sunset!

And Time points out that soon after another Florida "Paradise Lost" story in 1981, the state took off on another major boom. Boom and bust, that's us. So thanks for our big-time feature, Time. We're ready for the next ride up.

And for you Time readers, see you next winter.

