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State Senate Bill Would Give Voters Say on US Sugar Deal

02/12/2009
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Anger in Tallahassee over Gov. Charlie Crist's \$1.34 billion bid to restore the Everglades could help a proposed law that threatens to block financing for the deal.

A newly introduced bill would require Crist's proposal - which calls for the South Florida Water Management District to buy 180,000 acres from U.S. Sugar Corp. - to face an up-or-down vote by residents in the district's 16 counties.

Crist and architects of the deal had planned to bypass voters and the legislature by financing the purchase using district-issued "certificates of participation."

Although similar to bonds, certificates do not require that taxpayers approve the borrowing in a referendum. They are more commonly used by school districts to finance school construction.

Under the bill filed Tuesday by state Sen. Mike Bennett, R-Bradenton, the state's water management districts would have to seek voter approval to borrow using certificates of participation.

Current law affords districts "unbelievable taxing power and authority," Bennett said.

"No constituents get a say, and that really bothers me," said Bennett. "That ain't right."

Unlike school boards, which are elected, the state's five water management districts are led by board appointed by the governor.

The South Florida district will spend more than \$3 billion in property taxes collected within all or part of 16 counties to pay down the debt over 30 years, provided the deal closes as scheduled in September.

But Bennett said it's not clear the bill would affect the U.S. Sugar deal, given that it would take effect in July, by which time financing may have been secured. What's more, Crist could veto the measure, Bennett said.

"Even if it passes the House and Senate, I still have to get it past the governor's veto pen," Bennett said today. "And he does love that sugar deal."

US Sugar land deal with South Florida Water Management District Requires Tougher Pollution Standards

02/12/2009

Sun Sentinel - West Palm Beach Bureau
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Farming on land intended for Everglades restoration remains a sticking point in the state's \$1.34 billion deal with U.S. Sugar Corp.

The deal calls for the South Florida Water Management District to buy 180,000 acres of the company's farmland and eventually use the property to clean and store water headed to the Everglades.

But the deal also allows U.S. Sugar to lease back its land for at least seven years, with the option to keep farming until the district is ready to start building reservoirs and treatment areas for Everglades restoration.

For the agreement to move forward, the state and U.S. Sugar still must reach an accord for tougher pollution standards for those 180,000 acres while the farming continues.

The new pollution standards seek to reduce the levels of phosphorus, which comes from fertilizer and other agricultural practices and washes off farms and into water headed to the Everglades.

Those standards were supposed to be approved this week, but instead are expected today to be delayed another month as the district and U.S. Sugar try to reach agreement on how to implement them.

The hang-ups have been how to measure whether farms are complying and whether all farms should be held to the same standards.

The \$1.34 billion deal would be the largest public land buy in state history and would be paid for by property taxes in the 16-county district from Orlando to the Keys.

Beyond just buying the land, the district faces multimillion-dollar costs of cleaning up after decades of agricultural pollution in addition to raising the money to build reservoirs and treatment areas.

The pollution standards, called "best management practices," are intended to lessen the agricultural pollution when the district takes ownership of the land.

For farmers on U.S. Sugar land, that could mean placing more controls on the phosphorus-laden water and sediment washing off their properties — potentially making their operations more costly.

Current phosphorus-reduction standards must be met by the farming region as a whole. The new rules for the U.S. Sugar land take that approach a step farther, water district board member Shannon Estenoz said.

"As a landowner, we could take a different approach ... farm by farm," Estenoz said.

"The cleaner that water is when it comes off those farms, the easier it is going to be," said Drew Martin, of the Sierra Club.

Aside from finalizing the pollution standards, significant financial hurdles remain for the U.S. Sugar deal.

Proposed Law Could Scuttle Everglades Land-Purchase Deal

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State legislators could use a bill filed Tuesday to try to cut off the money for Gov. Charlie Crist's \$1.34 billion Everglades land buy.

If approved, the bill would require that South Florida residents vote on whether to allow the South Florida Water Management District to borrow the money for what would be the largest public land buy in state history.

The deal proposed by the governor bypasses the Legislature and calls for the district to buy 180,000 acres of farmland from U.S. Sugar Corp. The land would be used to build reservoirs and treatment areas to reconnect water flows from Lake Okeechobee to the Everglades.

With the district paying for the deal, that means property taxes from residents in 16 counties from Orlando to the Keys would pay off a debt expected to grow to \$3 billion over 30 years.

State Sen. Michael Bennett, R-Bradenton, said he filed the bill to stop the blockbuster land deal, which comes amid a struggling economy and state budget crunch.

"Any water management district that has that much leeway should be brought under control," Bennett said Tuesday.

The new bill takes aim at a land deal environmental groups have hailed as essential to restoring the "missing link" in the River of Grass.

"This is a full-blown attack," Everglades Trust Chairman Thom Rumberger said about the proposed legislation.

The district's governing board in December approved a contract with U.S. Sugar but included a provision that it can back out of the deal before the September closing deadline if the cost proves too high.

The district "is respectful of the legislative process and continues to work closely with the Florida House and Senate," district spokesman Randy Smith said about Bennett's bill.

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Bill could halt U.S. Sugar land purchase

02/11/2009

South Florida Business Journal - Online

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State Sen. Michael Bennett, R-Bradenton, has introduced a bill that could require voter approval of the South Florida Water Management Districts \$1.34 billion purchase. Bennetts bill (SB 1436) would require a referendum before any water district could issue bonds to fund projects. Some of us in the legislature believe these water districts have unbelievable taxing authority, he said Wednesday. If youre going to spend taxpayers money, especially of that magnitude, I think voters deserve a say. State Rep. Trudi Williams, R-Fort Myers, is introducing a similar bill in the House, Bennett said.

The South Florida Water Management Districts governing board voted 4-3 in December to approve the purchase of 180,000 acres of U.S. Sugars land. The goal is to boost clean water supply moving between Lake Okeechobee and the southern Everglades.

The district is now asking a Palm Beach County Circuit Court judge to approve the bond validation process. Florida Crystals, a U.S. Sugar competitor, is challenging the process in court.

Bennett said he supports Everglades restoration, but believes the district doesnt need to buy that much land. If Bennetts bill passes, Gov. Charlie Crist, who announced the land deal in July, would decide on whether to sign the bill into law.

A spokesman for the water district said it is limiting comment on Bennett's bill to the following: "The South Florida Water Management District is respectful of the legislative process and continues to work closely with the Florida House and Senate."

What's in a name? Crist's economic program, Bush's old Everglades initiative share similar labels

02/11/2009

Palm Beach Post - Online

PAUL QUINLAN

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For a case study in political sloganeering, look no further than the fall of 'Acceler8' and rise of 'Accelerate.' The former was the catchy moniker Gov. Jeb Bush attached to his October 2004 plan to speed up the rescue of the Everglades - a \$1.5 billion package of eight reservoir and marsh projects. (It was actually 12, but who's counting?) Bush signed the Acceler8 agreement during a news conference at a wildlife refuge near Boynton Beach, as staffers handed out clocks, pens, T-shirts and fans emblazoned with the Acceler8 logo. With Bush out, leaders of the South Florida Water Management District say, orders came down from Gov. Charlie Crist's office to stop using the term 'Acceler8' and start referring to the ex-governor's Everglades package by a decidedly less sexy name: 'Expedited Projects.' 'Quite frankly, the reason is that the governor's office needed the Acceler8 logo for a new initiative,' testified Ken Ammon, a district deputy executive director, during a recent deposition.

Sure enough, in August, Crist unveiled an economic stimulus plan called 'Accelerate Florida.' Crist spokesman Sterling Ivey could not say whether the new governor swiped the name of the old governor's program. But he surmised that the two proposals were not entirely mutually exclusive: Crist's 'Accelerate Florida,' which aims to expedite a \$28.6 billion state to-do list, includes water projects.

A more serious question is what will happen to the roster of Everglades projects that Bush wanted to - what's that word? - accelerate.

They included a 25-square-mile reservoir in western Palm Beach County, a pollution-capturing reservoir east of Indiantown and other water-related initiatives scattered throughout Central and South Florida.

Now the district says it may have to cut some of those projects to help pay for Crist's big Everglades initiative: a \$1.34 billion land deal with U.S. Sugar Corp. But water managers say it's too soon to say for sure.

Critics of the sugar deal are not amused. 'I don't need to be spun with my tax dollars,' said Joette Lorion, a spokeswoman for the Miccosukee Indian tribe. 'I like to see results and projects being finished.'

Everglades Cleanup Threatened by Financial Crisis

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American Scientist

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SCIENCE IN THE NEWS DAILY

from National Geographic News

Despite financial uncertainties and legal challenges, Florida officials are proceeding with a U.S. \$1.34-billion plan to restore the Everglades to something approaching its natural state. ...

The plan, to be decided by September, would see the state buy farmland, some of which would be converted into reservoirs, which would filter pollutants from water before it flows into the vast, troubled wetland.

The purchase would encompass 180,000 acres that the United States Sugar Corporation has used for decades to grow sugarcane in South Florida. Opponents of the Everglades plan, including sugarcane company Florida Crystals, say the deal would further strain government budgets already stressed by the recession and give an unfair subsidy to U.S. Sugar.

