



Compiled by: South Florida Water Management District
(for internal use only)

Total Clips: 11

Headline	Date	Outlet	Reporter
Florida Tribe to Appeal Validation Of Water District's \$650M COP Issue	09/29/2009	Bond Buyer - Bradenton Bureau, The	Sigo, Shelly
US Sugar Workers Strike Deal In Buyout Dispute	09/28/2009	Law360	
Chamber Opposes SR 80 Site	09/26/2009	Town-Crier Newspapers, The	Diana Tashman
Tribe Appealing Everglades Ruling	09/26/2009	Ledger - Online, The	
Miccosukee Tribe is appealing decision on land buy	09/26/2009	BusinessWeek - Online	
Miccosukee Tribe is Appealing Decision on Land Buy	09/26/2009	WJXX-TV - Online	©2009 Associated Press. All rights reserved. This material
Latest News	09/26/2009	Ledger - Online, The	
Miccosukee Tribe is appealing decision on land buy	09/25/2009	Associated Press (AP) - Tallahassee Bureau	
Everglades restoration dispute heads to state's high court	09/25/2009	Palm Beach Post	Quinlan, Paul
Battle over Everglades land continues	09/25/2009	South Florida Business Journal	Brinkmann, Paul
Fight over deal to buy U. S. Sugar land goes to Florida Supreme Court	09/25/2009	Sun Sentinel	Reid, Andy

Florida Tribe to Appeal Validation Of Water District's \$650M

COP Issue

[Return to Top](#)

09/29/2009

Bond Buyer - Bradenton Bureau, The

Sigo, Shelly

Florida Tribe to Appeal Validation Of Water District's \$650M COP Issue

By Shelly Sigo

BRADENTON, Fla. - The Miccosukee Tribe of Indians in Florida has said that it will appeal last month's circuit court validation of \$650 million of certificates of participation requested by the South Florida Water Management District to purchase land that will help restore the Everglades.

The appeal, which was expected, goes directly to the Florida Supreme Court.

The Miccosukee Tribe simply informed the court of its intent to appeal by filing a notice. The basis for the appeal has not been filed. The tribe was among several entities that objected to the validation largely over the belief that the debt would be used to bail out a struggling company rather than for a true public purpose.

The district plans to use COPs to purchase land owned by U.S. Sugar Corp., whose farming along with others has contributed to the pollution of the Everglades, which is also known as the River of Grass. The district sought to validate \$2.1 billion of COPs, which would allow it to phase in purchasing the land and finance other projects in the future.

On Aug. 25, Palm Beach County District Judge Donald Hafel ruled that the district did have the lawful authority to sell the debt. However, he authorized the issuance of \$650 million of COPs instead of \$2.2 billion, which still allows the district to make an initial purchase of 72,500 acres for \$536 million, with an option to purchase another 107,500 acres within 10 years.

"The court was clear in its determination that the district demonstrated a valid public purpose, and complied with Florida law, for its financing program for the historic River of Grass land acquisition," the district said in a statement. "We stand ready to present to the Florida Supreme Court our arguments that the trial court was correct in concluding that the district's financing program and water resource projects are in the public interest and benefit our health, safety and welfare."

US Sugar Workers Strike Deal In Buyout Dispute

09/28/2009

[Return to Top](#)

Law360

A putative class of U.S. Sugar Corp. employee shareholders is seeking court approval of a settlement of up to \$15.9 million with the company and its executives over allegations that the agricultural giant rejected a lucrative buyout offer and kept it secret from the shareholders.

In a filing Friday, the plaintiffs asked Judge Donald Middlebrooks of the U.S. District Court for the Southern District of Florida to preliminarily sign off on the proposed deal, saying...

Chamber Opposes SR 80 Site

09/26/2009

[Return to Top](#)

Town-Crier Newspapers, The

Diana Tashman

Editors note: The following letter by Wellington Chamber of Commerce President Diana Tashman was addressed to County Commission Chairman Jeff Koons and the Solid Waste Authority Governing Board. It was written on behalf of the chambers board of directors.

Dear Chairman Koons and board members:

The Wellington Chamber of Commerce Board of Directors wishes to join the municipalities, organizations and individuals who have expressed opposition to a landfill being located along the State Road 80 corridor. We urge you to include in your measurable criteria for site selection, the visual and economic impacts on the western and Glades communities.

The economic linkage between the western communities and the Glades must be expanded in the future so that the economies of both areas can grow. The linkage between the western communities and the Glades communities will become paramount for the economic survival of the Glades should the sugar industry be reduced as part of Everglades restoration. Tourism, an inland port, housing and other economic links offer opportunities for the Glades communities. A landfill located along our gateway can only impede these economic links and economic development efforts.

Diana Tashman, President, Wellington Chamber of Commerce

Tribe Appealing Everglades Ruling

09/26/2009

Ledger - Online, The

The Miccosukee Tribe is appealing a judge's decision that would allow Florida water managers to move ahead with a \$536 million deal to buy land from U.S. Sugar Corp. for restoring the Everglades.

The appeal was filed on Wednesday with the Florida Supreme Court.

The lower court ruling being appealed gave the South Florida Water Management District permission to move forward with plans to buy 73,000 acres of farmland from U.S. Sugar to build reservoirs and water treatment marshes intended to clean water and restore natural flow through the Everglades.

[Return to Top](#)

Miccosukee Tribe is appealing decision on land buy

09/26/2009

BusinessWeek - Online

The Miccosukee Tribe is appealing a judge's decision that would allow Florida water managers to move ahead with a \$536 million deal to buy land from U.S. Sugar Corp. for restoring the Everglades.

The appeal was filed on Wednesday with the Florida Supreme Court.

The lower court ruling being appealed gave the South Florida Water Management District permission to move forward with plans to buy 73,000 acres of farmland from U.S. Sugar to build reservoirs and water treatment marshes intended to clean water and restore natural flow through the Everglades.

The estimated pricetag for a joint deal between the state and federal government to fix the Everglades has tripled from its original cost to roughly \$22 billion today.

[Return to Top](#)

Miccosukee Tribe is Appealing Decision on Land Buy

09/26/2009

WJXX-TV - Online

©2009 Associated Press. All rights reserved. This material

Chris Turner Created: 9/26/2009 10:34:12 AM Updated: 9/26/2009 10:37:19 AM

[Return to Top](#)

TALLAHASSEE, FL -- The Miccosukee Tribe is appealing a judge's decision that would allow Florida water managers to move ahead with a \$536 million deal to buy land from U.S. Sugar Corp. for restoring the Everglades.

The appeal was filed on Wednesday with the Florida Supreme Court.

The lower court ruling being appealed gave the South Florida Water Management District permission to move forward with plans to buy 73,000 acres of farmland from U.S. Sugar to build reservoirs and water treatment marshes intended to clean water and restore natural flow through the Everglades.

The estimated pricetag for a joint deal between the state and federal government to fix the Everglades has tripled from its original cost to roughly \$22 billion today.

Latest News

09/26/2009

Ledger - Online, The

Tribe Appealing Everglades Ruling Sep 26, 2009 3:58 am

[Return to Top](#)

The Miccosukee Tribe is appealing a judge's decision that would allow Florida water managers to move ahead with a \$536 million deal to buy land from U.S. Sugar Corp. for restoring the Everglades.

The appeal was filed on Wednesday with the Florida Supreme Court. [read more. . .](#)

Miccosukee Tribe is appealing decision on land buy

09/25/2009

Associated Press (AP) - Tallahassee Bureau

TALLAHASSEE, Fla._The Miccosukee Tribe is appealing a judge's decision that would allow Florida water managers to move ahead with a \$536 million deal to buy land from U.S. Sugar Corp. for restoring the Everglades.

The appeal was filed on Wednesday with the Florida Supreme Court.

The lower court ruling being appealed gave the South Florida Water Management District permission to move forward with plans to buy 73,000 acres of farmland from U.S. Sugar to build reservoirs and water treatment marshes intended to clean water and restore natural flow through the Everglades.

The estimated pricetag for a joint deal between the state and federal government to fix the Everglades has tripled from its original cost to roughly \$22 billion today.

Copyright © 2009 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

[Return to Top](#)

Everglades restoration dispute heads to state's high court

09/25/2009

[Return to Top](#)

Palm Beach Post

Quinlan, Paul

Gov. Charlie Crist's mammoth land deal with the U.S. Sugar Corp., a \$536 million bid to restore the Everglades, is headed to the state Supreme Court.

U.S. Sugar rival Florida Crystals and the Miccosukee Tribe, which lives in the Everglades, have filed appeals to Palm Beach Circuit Judge Donald Hafele's decision last month to allow the state to borrow \$650 million to buy 73,000 acres of sugarcane fields and citrus groves from the sugar giant.

Crist and environmentalists argue that the U.S. Sugar deal, which would rank as the state's most expensive conservation land deal ever, will enable the state to re-establish the historic flow between Lake Okeechobee and the southern Everglades. They say the southward flow would re-hydrate the parched Everglades during dry times and eliminate the need for fish-killing and algae-bloom-inducing releases of polluted Lake Okeechobee water to sea via the St. Lucie and Caloosahatchee estuaries during wet times.

Florida Crystals and the Tribe contend that the land deal is a corporate bailout in disguise - an irresponsible, half-baked plan that would saddle the state with debt and delay other projects that would bring more immediate benefit to the fast-dying Everglades.

"This deal is a disaster for Everglades restoration, period," said Crystals spokesman Gaston Cantens.

Hafele's decision granted the South Florida Water Management District, which oversees Everglades restoration for the state, only part of what they had asked for.

The agency originally sought to borrow \$2.2 billion, money it hoped to use to exercise a three-year option to purchase U.S. Sugar's remaining 107,000 acres and begin construction of the reservoirs and pollution-filtering marshes needed to begin flowing water across the sugar land.

The water agency said in a press release it "remains committed to completing this historic acquisition to provide lasting benefits to South Florida's environment and her citizens."

Battle over Everglades land continues

09/25/2009

[Return to Top](#)

South Florida Business Journal

Brinkmann, Paul

The Miccosukee Tribe of Indians is not ready to give up its legal fight to block bonding for the state's purchase of Everglades agricultural land from U.S. Sugar Corp.

The tribe has filed a notice of appeal to the Florida Supreme Court in the battle over the issuance of \$650 million in bonds to pay for the purchase of 73,000 acres for Everglades restoration.

The notice, filed Sept. 23 in Palm Beach County Circuit Court, provides little detail about its grounds for appeal, but indicates the massive land purchase is still under the cloud of a legal challenge.

In August, Palm Beach County Circuit Judge Don Hafele approved the purchase, but limited the South Florida Water Management District to \$650 million in bonds to pay for 73,000 acres. The district had originally asked to acquire 180,000 acres.

Gov. Charlie Crist announced the deal in June 2008, but it was downsized several times because of the recession.

On Friday, the water management district issued a statement saying it would defend itself.

"The [lower] court was clear in its determination that the [district] demonstrated a valid public purpose, and complied with Florida law, for its financing program for the historic River of Grass land acquisition," the statement reads. "These lands will be used to better revive, restore and preserve America's Everglades and to protect Florida's coastal estuaries

and Lake Okeechobee.”

In a phone interview, tribe attorney Dexter Lehtinen said the arguments on appeal will hinge on state laws requiring direct public benefit from the issuance of bonds, and whether a referendum should be required.

“We’re confident we have a case before the Supreme Court,” he said.

In the lower court case, U.S. Sugar rival Florida Crystals Corp. joined the tribe in objecting. The tribe and Florida Crystals both indicated they would appeal.

The bond is expected to cover the \$536 million price tag for the land, plus additional fees and costs.

Several environmental groups had praised Hafele’s ruling, saying further challenges would be a waste of time.

Fight over deal to buy U.S. Sugar land goes to Florida Supreme Court

[Return to Top](#)

09/25/2009

Sun Sentinel

Reid, Andy

The legal fight over Gov. Charlie Crist’s half-billion-dollar Everglades restoration land deal now moves to Florida’s highest court.

Opponents trying to torpedo the deal for 73,000 acres of U.S. Sugar Corp. farmland this week filed their anticipated notices to appeal, which puts the case in the hands of the Florida Supreme Court.

Crist proposes that South Florida taxpayers pay \$536 million to buy land that could be used to build reservoirs and treatment areas to restore water flows from Lake Okeechobee to the Everglades.

The Miccosukee Tribe and sugar producer Florida Crystals are fighting the deal, arguing it costs taxpayers too much with no guaranteed results and that it takes money away from other stalled Everglades restoration projects.

The legal fight centers on the South Florida Water Management District’s ability to borrow the money to pay for the land. The district leads Everglades restoration and South Florida property taxpayers would end up paying off the long-term debt.

Palm Beach County Circuit Court Judge Donald Hafele in August ruled that the district should be able to borrow \$650 million to buy the 73,000 acres and cover other transactional costs. Hafele, however, struck down the district’s bid to borrow as much as \$2.2 billion to help with future land deals and construction costs.

The Miccosukees, who live in the Everglades, and Florida Crystals, which competes with U.S. Sugar, are trying to convince the state Supreme Court that the costly land deal doesn’t serve a public purpose.

“We are going to get the Supreme Court to see that there was no merit,” Miccosukee attorney Dexter Lehtinen said. “They have no money to build the projects.”

The two sides now will present back-and-forth legal briefs arguing their sides. Lehtinen said he hopes to be arguing the case before the state Supreme Court before the end of the year.

The district’s deal with U.S. Sugar gives the agency until June 2010 to shore up its financing and close on the land deal. Crist in June 2008 first announced his plans to buy U.S. Sugar land and twice had to scale down the purchase because of the faltering economy.

“The District remains committed to completing this historic acquisition to provide lasting benefits to South Florida’s environment and her citizens,” according to a statement the agency released Friday.

Andy Reid can be reached at abreid@SunSentinel.com or 561-228-5504.

