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**Everglades Projects See Some Progress**

01/11/2010  
Southeast Construction

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digital wire

By Curtis Morgan, The Miami Herald

Jan. 10--Ten years ago, giddy over passage of a landmark state-federal agreement to restore the Everglades, environmentalists set a sweeping, ambitious and impossible agenda for the coming decade.

Revive flows to parched Everglades National Park. Reverse declines in Lake Okeechobee. Manage suburban growth to protect wetlands and water. Build three-quarters of the reservoirs and enough projects to hit half the restoration targets for the River of Grass.

As the Everglades Coalition wraps up its 25th annual conference Sunday in Palm Beach Gardens, those lofty goals remain years away. Yet, after a decade marked by delay, lawsuits and red tape, not to mention a rocky state-federal partnership rumored on the verge of breakup more often than Brad and Angelina, Everglades advocates and restoration agencies spent the weekend professing they've regained their mojo.

Eric Draper, Audubon of Florida's state director, compared the Everglades effort to a football game. "We've been in the fight for 25 years. We're continuing to put points on the board."

In those sporting terms, a spurt of late fourth quarter scoring has rescued an otherwise fumbling decade. The Obama administration has come off the bench to pump some \$600 million of federal stimulus and budget cash into Glades projects.

The White House sent five high-ranking aides to the conference, the largest annual gathering of environmental groups in Florida, who all called the restoration a top environmental priority.

"The commitment is real. The money is real. The determination is real," said Thomas Strickland, an assistant U.S. Interior Secretary.

The federal money, over this year and next, finally began putting a dent in a 6-to-1 spending imbalance with the state. It also bankrolled two ground-breakings in the past two months on long-stalled projects -- the overhaul of Tamiami Trail and the reclamation of a defunct subdivision in the Picayune Strand in Southwest Florida. A third is near on repairs to the C-111 canal in South Miami-Dade, which has siphoned water from the park and Florida Bay.

In coming months, Strickland told coalition members, the administration hopes to unveil plans to add up to five more miles of bridges along the Trail and speed up projects to remove many of the levees and canals to the north of the historic road that bottle up the flow of the River of Grass.

Then there's Gov. Charlie Crist's still incomplete Hail Mary pass, the controversial \$536 million purchase of 73,000 acres of citrus groves and sugar fields from U.S. Sugar -- an acquisition that could help resolve water storage and quality issues that threaten the Glades.

Despite the recent progress and promise of a massive chunk of sugar land, coalition leaders acknowledge it will be a major challenge to continue the momentum.

The sugar deal, for starters, faces looming deadlines and legal challenges from the Miccosukee Tribe and rival grower Florida Crystals. Critics contend the sugar deal will push back restoration project already running years behind. Not a single of the 68 restoration projects has been built yet.

'A DISAPPOINTMENT'

Barbara Miedema, vice president of the Sugar Cane Growers Cooperative of Florida, said many farmers who once backed the effort now oppose it.

"It's been a disappointment," she said. "Nothing really has happened. It's been hopes and dreams, and nothing else has happened."

Finding funding will only get tougher. The coalition hopes for \$305 million in federal dollars this year. Nancy Sutley, chairwoman of the White House Council on Environmental Quality, pledged continued support but cautioned the budget, to be released in February, would be "tight."

Carol Wehle, executive director of the South Florida Water Management District, which manages restoration programs for the state, said Tallahassee is projecting a \$5 billion shortfall this year. Declining property values in South Florida

also will continue to cut into the district's budget.

"I thought last year was the worst yet," she said. "I think it's going to be this year."

## TOUGH ISSUES

Still, environmentalists and agency managers think they've worked through tough issues, such as cost-sharing, and they hope to reduce complex federal regulations that have slowed planning and project. With a change in administrations in Tallahassee and Washington easing strain between, they hope the train will pick up speed.

"We probably didn't appreciate 10 years ago how extraordinarily complex this was," said Stuart Applebaum, Everglades program manager for the U.S. Army Corps of Engineers, which is overseeing construction.

The decade also taught coalition leaders some hard political lessons. It won't get built all at once. The initial Tamiami Trail and C-111 projects are small, a fraction of the work environmentalists eventually hope to see. But instead of complaining, they're celebrating.

They're not big enough, or going in fast enough, but at least they finally can point to some things being built. Progress, at last.

"We've matured," said Sara Fain, a coalition co-chair and Everglades manager for the National Parks Conservation Association. "We're taking things in steps."

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## Will court sour sugar deal?

01/14/2010

Palm Beach Post

Engelhardt, Joel

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The fate of Gov. Crist's landmark U.S. Sugar deal could come down to an obscure point of law that the Florida Supreme Court is likely to decide this month.

A ruling against the South Florida Water Management District could delay the closing on the \$536 million deal by a year. The contract for the district to buy 73,000 acres of the company's land calls for litigation to be over by March 31. If it's not, U.S. Sugar could cancel the deal. While that's unlikely, delay allows interference from other bidders or the Legislature, whose session begins March 2.

The deal has attracted dual claims from savvy and well-financed opponents, the Fanjul family-owned New Hope Sugar Co. and the Miccosukee Tribe.

In one case, the opponents claim that the district doesn't have authority to issue bonds to buy the land. They lost at trial, and the matter is before the Supreme Court.

In the other, the opponents claim that the district didn't have administrative authority to make the deal. After the district rejected the opponents' request for a hearing, the opponents appealed to the 3rd District Court of Appeal in Miami. That court refused to transfer the case to the Supreme Court and heard arguments on Dec. 2 but has not ruled.

On Dec. 7, the water district asked the Florida Supreme Court to use its power of "all writs" to take over the case from the 3rd DCA. If the court refuses and the appellate court rules against the water district, the U.S. Sugar deal will be delayed while an administrative law judge goes over substantially the same issues that are before the Florida Supreme Court.

In seeking high court intervention, the district appeals to common sense while the opponents argue legal technicalities. Since the issues are so similar, the district asks, should the Supreme Court decide the matter once and for all or make one decision now, only to see it undermined by the ruling of a lower court?

The district belittles the opponents for trying to hold one decision hostage to the other. "The respondents' strategy is obvious," the district states. "They hope to delay final resolution of this matter as long as they can, regardless of cost."

The opponents, however, argue that the Supreme Court has no authority over administrative challenges. Assuming that authority, they claim, would amount to an unmerited power grab. They didn't exactly say "power grab," but justices can read between the lines.

New Hope, part of West Palm Beach-based Florida Crystals, does not spare the rhetoric: The district has "tred (sic) upon the people's rights crassly in its headlong desire to validate bonds for its most generous 'take the money and stay' plan. ... Not one blade of saw grass will suffer if (the district) and its private partner have to wait for the judicial review of the very situation that both have created. In the interim, the people's money will remain in the people's pockets."

The dual approach represents an ingenious legal strategy that speaks to the vigor with which the rival sugar company and the tribe are trying to defeat a land buy environmentalists hail as the salvation of the Everglades. The strategy put the district in a bind. The district must ask the Supreme Court to merge cases that take very different paths to the same endpoint. "There is a distinct difference," New Hope argues, "between deciding whether a hearing should be granted to challenge a project administratively and whether the financing behind the project is proper."

But how can the Supreme Court clear the way for the bond issue with the lesser question unresolved? Though state law may allow airing of the same issues in different venues, the state's highest court doesn't have to let it happen.

Common sense doesn't always win courtroom battles, but it's hard to argue with the idea that if the Supreme Court is truly supreme it will snatch this opportunity to have the final say.

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## **Fitch Affirms South Florida Water Management District's COPs at 'AA-'; Outlook Stable**

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01/15/2010

Business Wire

New York-(Businesswire) Fitch Ratings takes the following rating action on South Florida Water Management District, Florida's (the district) certificates of participation (COPs) as part of its continuous surveillance effort:

--\$520.1 million COPs, series 2006 affirmed at 'AA-'.

The Rating Outlook is Stable.

### **RATING RATIONALE:**

--The COPs are payable from lease payments made from legally available revenues, subject to annual appropriation by the district's governing board.

--COP repayment is supported by the general creditworthiness of the district, including a history of sound financial management, healthy reserves and liquidity, and low debt.

--The district maintains significant resources to make lease payments including ad valorem tax revenue generated against a vast and wealthy tax base expanding 16 south and central Florida counties.

--The district's annual appropriation measure is supported by the highly essential nature of the lease purchased assets for the restoration of the Everglades ecosystem in addition to potential financial and operational consequences resulting from an event of non-appropriation or lease default.

--Everglade restoration is a highly politicized and complex effort requiring substantial financial commitment and intergovernmental cooperation.

#### KEY RATING DRIVERS:

Fitch will consider the district's ability to maintain financial flexibility and to balance operating and capital needs against declining resources.

#### SECURITY:

The COPs evidence undivided proportionate interests in lease payments made by the district to the issuer, the South Florida Water Management District Leasing Corporation (the corporation), from legally available funds budgeted and appropriated for such purpose. In the event of non-appropriation, the district must surrender all facilities lease purchased under the master lease agreement to the trustee who may re-let or sell the facilities for the benefit of certificate owners.

#### CREDIT SUMMARY:

South Florida Water Management District is the local sponsor of the Comprehensive Everglades Restoration Plan (CERP) authorized by the U.S. Congress in 2000 in the Water Resources Development Act (WRDA). CERP is comprised of a series of projects designed to protect and enhance the Everglades ecosystem. The cost of the CERP, presently estimated at approximately \$12.5 billion over a 30-year time period, is divided between the federal government (50%), the state (25%) and the district (25%). In 2004 the district entered into a memorandum of agreement (MOA) with the state to accelerate development of eight critical components of the CERP largely by leveraging future taxpayer dollars through the issuance of COPs.

Though not legally pledged, the primary source for lease payments is the levy of ad valorem taxes by the general fund and Okeechobee Basin fund. These resources, a combined \$383.3 million in revenue in the fiscal 2010 budget, remain considerable relative to maximum annual debt service (MADS) on the 2006 COPs (\$35.5 million) but have declined over 16% since fiscal 2007 as property values have fallen sharply in the wake of the collapse of the housing market. An additional \$36.3 million in operating revenue is also reportedly available for COP lease payments including license, permits & fee revenue, certain interest income and a small portion of the 0.1 mill levy available under the 1994 Everglades Forever Act (EFA).

Fitch continues to view positively the district's healthy reserve levels. The combined unreserved fund balance of the general fund and Okeechobee Basin fund exceeds \$160 million or 35% of total spending in fiscal 2009 (unaudited). While largely dedicated to subsequent year's capital expenditures, these resources represent a considerable source of near-term financial flexibility for the district. Further, the district's balance sheet is very liquid, and the capital intensive nature of its operating budget, which is mostly cash-funded, affords it additional flexibility as initiatives can be deferred or scaled back to protect lease payments during periods of revenue stress.

The master lease structure provides appropriation incentive for the district because non-appropriation would force the district to surrender all leased assets to the trustee. Further, if as a result of a default or non-appropriation the trustee does not use the facilities sites for purposes consistent with the restoration of the Everglades, the district would be required to provide replacement land of at least equal fair market value pursuant to certain land grant agreements with the U.S. Department of the Interior (DOI). Fitch also notes that state law subjects the district's annual budget to approval, in whole or in part, by the governor of the state.

The 2006 COPs represent the first series of COPs delivered pursuant to the master lease agreement. The district contemplates issuing a second series of COPs in an amount not to exceed \$650 million to finance the purchase of 72,500 acres of land presently owned by U.S. Sugar. An appeal contesting the validation of the proposed COPs has been filed before the Florida Supreme Court. The proposed COPs would not materially affect the district's low debt ratios and debt carrying charges would remain manageable and comfortably within separate debt limitations imposed by the state and the district.

The district is the largest of five regional water districts created by the state in 1972 to provide regional flood control, water supply and water quality protection, and ecosystem restoration. The district covers all or parts of 16 south and central Florida counties and a total land area of 17,930 square miles. The counties of Miami-Dade (GO bonds rated 'AA-' by Fitch), Palm Beach ('AAA'), and Broward ('AA+') account for approximately 65% of the district's tax base. Taxable assessed value (TAV) has declined in excess of 16% since fiscal 2008 to \$783.8 billion in fiscal 2010. The state projects continued property value declines into fiscal 2011 and 2012. The combined population of the district's service area increased over 16% per year on average since 2000 to nearly 7.7 million people in 2008. The ability to

grow population over the near term will likely be challenged by the state's high unemployment rate, falling property values, and a rising tax and insurance burden. TAV per capita exceeds \$100,000 reflecting the above-average wealth of the tax base.

For additional rating information on the district, please see the press release titled 'Fitch Affirms South Florida Water Management District's Special Obligation Bonds at 'A-', dated Jan. 15, 2010.

This rating action reflects the application of Fitch's current criteria which are available at 'www.fitchratings.com' and specifically include the following reports:

--'Tax-Supported Rating Criteria', dated Dec. 21, 2009;

--'U.S. Local Government Tax-Supported Rating Criteria', dated Dec. 21, 2009.

Additional information is available at 'www.fitchratings.com'.

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## Judah addresses Beach and environmental issues

01/15/2010

CaptivaSanibel.com

BOB PETCHER

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Lee County Commissioner Ray Judah centered on Fort Myers Beach and environmental issues during his 25-minute speech as guest speaker of the Greater Fort Myers Beach Area Chamber of Commerce Thursday at Luna Rossa Mediterranean Bistro. Judah, who has served on the Board of County Commissioners for more than 20 years, praised Beach council members on their diligent public service work before touching on several subjects. He began with the Times Square properties which underwent foreclosure recently. "We're going to work through those legal entanglements," said Judah. "You now have the support of the Board of County Commissioners to proceed with making the initial inquiries with Fifth Third Bank that has re-taken over the property. We can now discuss our options and opportunities to enhance public beach access to the acquisition of the undeveloped parcels. That would be a wonderful, aesthetic enhancement for the Beach community. This is a once in a lifetime opportunity to overall strengthen the economic vitality of Fort Myers Beach. Stay tuned." Next issue discussed was the beach restoration plan. "Unfortunately, the Beach continues to remain vulnerable," said Judah. "While we are not going to be able to move forward with the comprehensive beach restoration project (Bowditch Point Park to Sterling Ave.), we are still going to proceed with a beach re-nourishment project. We have one last opportunity to secure \$2 million the state has obligated to this project. Unless some other things fall into place where we get the easements from certain large business owners and residents, it looks like the scaled-down version will allow for us to proceed with the beach re-nourishment from Bowditch to the fishing pier." Judah reiterated the fact to prevent the continued excretion of sand in the pass, a groin is needed to be built on the northern end of Bowditch. "This groin will play a huge, pivotal role in maintaining the navigation of that pass and ensure us of any future maintenance dredging projects that we would have to address in the future," he said. Regarding Estero Boulevard, the commissioner pointed out the county is still proceeding with the survey of the entire corridor to determine the extent of the right-of-way and encroachments within. "As we move forward with the town council on improvements such as crosswalks trolley pull-overs and drainage improvements, we'll be able work with a clear understanding of what work can be done in the county ROW," said Judah. Other pertinent issues included the upcoming SharkFest (chase boat with a film crew; satellite transmitters on sharks to be monitored by scientists); international travel; everglades coalition conference; and the serious pursuit of the South Florida Water Management District purchasing 73,000 acres from U.S. Sugar. Judah then discussed the use of stimulus dollars to help complete construction in developing bio-fuels at the Florida Bio-fuels Plant at 2744 Edison Ave (Unit 8) in Fort Myers. As part of the American Recovery and Reinvestment Act, Lee County received \$3,046,600 in federal stimulus dollars from the U.S. Department of Energy to help turn vegetable oil into bio-diesel fuel. "By April, they will be up and running to utilize grease and waste oil to make bio-diesel," he said. "I think it's a good investment on the part of the county and from an environmental standpoint. The children in our school buses will be protected from those toxic diesel fuels. We'll be able to use the bio-diesels in our fleet of LeeTran Buses and utility vehicles. It also may well save the shrimping industry. If they can start using the bio-diesels, it hopefully will help them from a financial standpoint." Ethanol was then brought up as an alternative to fossil fuel. "They produce it from algae," Judah said. "The sugar that is the byproduct of photosynthesis is then fermented, creating a gas which is then liquified. The ethanol can also be used by companies that we're working very hard in attracting, and that's herbal sciences. They utilize the molecular components of the plants to be able to search for cures for cancer, but in a very holistic way. It's not chemical per se as much as it is biological." Judah said this new industry may encourage at least

1,000 job opportunities in the area.

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## Judah addresses Beach and environmental issues

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Lehigh Acres Citizen - Online

BOB PETCHER

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## Old Cutler Road-Biscayne Bay wetlands conservation deal mired in limbo

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01/16/2010

Miami Herald - Online, The

CURTIS MORGAN

## BISCAYNE BAY

After three years of negotiations, a proposed deal to buy a key piece of Biscayne Bay wetlands remains unresolved.

A deal to preserve one of the last big chunks of coastal mangroves along south Biscayne Bay has gone 'round and 'round for three years now, and when it will stop nobody still knows.

The mayors of two towns -- Palmetto Bay and Cutler Bay -- a county commissioner, the superintendent of Biscayne National Park, assorted community leaders and environmentalists threw their collective clout at the South Florida Water Management District this week, urging board members to buy a 138-acre tract along Old Cutler Road that a developer has slated for homes and shops.

Negotiations continued into the Thursday meeting, but, for the umpteenth time, no deal was reached.

``This is like the movie Groundhog Day. You come in, and it's the same day over and over," said Beth Kibler, a Palmetto Bay teacher who has led a grass-roots effort that deluged board members with more than 100 e-mails.

In September 2007, water management district officials said they would negotiate to buy the land because it lays within a 6,400-acre swath they declared a no-development zone, to protect an Everglades restoration project intended to restore freshwater flows to Biscayne Bay.

But water managers couldn't reach a deal with the developer, Cutler Properties, which sued to seek additional money to cover the cost of delay.

A year later -- six months after Gov. Charlie Crist announced a blockbuster land deal with U.S. Sugar -- the board rescinded its no-build policy. Water managers said the land was too expensive, instead embracing a plan allowing 41 acres of building but preserving the best wetlands.

Now the district wants to deny the permit and, again, buy the land. Howard Nelson, an attorney for the developer, would not discuss how far the parties are apart on price, but said his client had first filed for a permit in 2005 and lost costly years trying to work out a deal.

Proponents say the land is vital to helping restore freshwater flows into Biscayne Bay, where coastal shallows have turned salty and lifeless.

Laura Reynolds, executive director of Tropical Audubon, warned that compromising with a developer on an Everglades project would ``set a dangerous precedent."

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## Everglades momentum brings cautious signal

01/16/2010

Florida Keys Keynoter

Nothing talks quite like money. This helps explain the optimism at the annual Everglades Coalition's 29th annual conference last weekend in Palm Beach Gardens.

The mood was generally upbeat thanks to the Obama administration's \$600 million infusion into the lagging Everglades cleanup plan.

The word "momentum" got a good workout at the conference, too, because the federal government finally stepped up to the plate as a full partner, along with the state, in funding of the Comprehensive Everglades Restoration Plan. The recession must not stop that momentum.

The \$600 million triggered groundbreaking on two long-delayed projects with a third about to be launched. The first is elevation of a one-mile stretch of the Tamiami Trail, which has greatly limited sheet flow to parched Everglades National Park and Florida Bay.

The administration hopes to add up to five more miles of bridges to the road to increase water flowing southward and to speed up removal of canals and levees north of the trail that also trap water.

The second project is reclaiming a failed subdivision in the Picayune Strand in Southwest Florida. Looming is a third --

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crucial repairs to the C-111 Canal in south Miami-Dade, which has long diverted water from the park.

Scientists say that restoring Florida Bay is impossible without fixing the C-111 canal system, which is blamed for diverting fresh water from the Everglades and negatively impacting the marine environment in Florida Bay.

The \$600 million in federal dollars restored Florida officials' faith in the federal government keeping its share of the bargain struck by the state and Congress in 2000 to the cleanup and to restore the River of Grass. Through 2008, however, the state had outspent the feds by a 6:1 ratio.

Still pending is an ambitious plan authored by Gov. Charlie Crist to buy 73,000 acres of U.S. Sugar property for \$536 million for increasing water storage and water quality. There are legal challenges to the purchase, but South Florida Water Management District officials hope to see these resolved this year.

The quicker the better to keep the momentum -- and the water -- flowing.

Reprinted from The Miami Herald; supplemented with information from Keynoter archives.

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## Finally, the 'River of Gra\$\$'

01/16/2010

Palm Beach Post

Swartz, Sally

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It looked like a ho-hum gathering of environmentalists at last weekend's recent Everglades Coalition Conference at PGA National Resort. But it was historic, even exciting.

The feds, Florida's longtime partners in restoring the Everglades, finally showed up. They brought money. They promised to bring more. After eight years of talk and no cash under George W. Bush, President Obama included Everglades restoration in his budget and in the first round of economic stimulus grants — more than \$600 million over the next two years. More money could be available in the next round of stimulus grants.

Restoring the Everglades is a high priority for the White House, said Tom Strickland, assistant secretary of the interior. Nancy Sutley, chairwoman of the White House Council on Environmental Quality, calls the Everglades an "iconic ecosystem." Mr. Strickland seemed impressed with the coalition's longevity, and said citizen backing for restoration could be an example for other ecosystems in trouble, such as the Great Lakes. Everglades restoration "is important to the country, but beyond that, it's important to the world."

Fresh from a groundbreaking at the Picayune Strand project, President Obama's enviros seemed at home among the hundreds gathered for the coalition's 25th annual conference. The coalition includes more than 50 environmental groups. Government agencies and a few corporations that work in environmental restoration also had booths.

Conference-goers paid \$150 to \$190 to attend. The fee covered a fancy burlap tote bag to carry away literature. Even bagless, I collected 1½ pounds of reading material, from the U.S. Army Corps of Engineers' spiffy color booklet, *The Journey of Wayne Drop to Lake Okeechobee*, to an Audubon of Florida update on sewage sludge disposal near the lake.

I stopped by a few sessions to hear the latest on cleaning up the lake, ending discharges of lake water to east and west coast rivers and other restoration topics. I wasn't the only one puzzled by the presence of a stuffed Florida bear cub at the Defenders of Wildlife booth.

Mark Perry, Florida Oceanographic Society director and co-chairman of the Coalition, had to be pleased. Mr. Perry went to Washington in 2000 to suggest that sugar farms were killing Lake Okeechobee, the St. Lucie and Caloosahatchee Rivers and starving the Everglades of clean water. Buy land from sugar farmers, he said, add marshes to clean the water and send it south to the Everglades. That's what Gov. Crist's plan envisions, if it survives lawsuits from some growers.

Once almost exclusively a gathering of gray- and white-haired individuals, a majority of those at this conference were in the 20 to 40 age bracket. The cost of restoration has increased from \$7.8 to \$12.5 billion in a decade. If the money keeps coming, restoring the "River of Grass" is expected to take more than 30 years, so those fresh young faces are a welcome sight. With Washington finally writing checks, a real state-federal partnership at last could become reality.

Sally Swartz is a former member of The Post Editorial Board. Her e-mail address is [sdswartz42@comcast.net](mailto:sdswartz42@comcast.net)

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## Old Cutler Road-Biscayne Bay wetlands conservation deal mired in limbo After three years of negotiat

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01/16/2010

WaterWorld

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Negotiations continued into the Thursday meeting, but, for the umpteenth time, no deal was reached.

"This is like the movie Groundhog Day. You come in, and it's the same day over and over," said Beth Kibler, a Palmetto Bay teacher who has led a grass-roots effort that deluged board members with more than 100 e-mails.

In September 2007, water management district officials said they would negotiate to buy the land because it lays within a 6,400-acre swath they declared a no-development zone, to protect an Everglades restoration project intended to restore freshwater flows to Biscayne Bay.

But water managers couldn't reach a deal with the developer, Cutler Properties, which sued to seek additional money to cover the cost of delay.

A year later -- six months after Gov. Charlie Crist announced a blockbuster land deal with U.S. Sugar -- the board rescinded its no-build policy. Water managers said the land was too expensive, instead embracing a plan allowing 41 acres of building but preserving the best wetlands.

Now the district wants to deny the permit and, again, buy the land. Howard Nelson, an attorney for the developer, would not discuss how far the parties are apart on price, but said his client had first filed for a permit in 2005 and lost costly years trying to work out a deal.

Proponents say the land is vital to helping restore freshwater flows into Biscayne Bay, where coastal shallows have turned salty and lifeless.

Laura Reynolds, executive director of Tropical Audubon, warned that compromising with a developer on an Everglades project would "set a dangerous precedent."

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## A partial Everglades answer: It can't replace U.S. Sugar deal, but it can help

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01/17/2010

Palm Beach Post

Cleaning and storing water that flows into Lake Okeechobee from the north isn't the whole solution to Everglades water needs south of the lake. Still, it's part of the Everglades solution. In addition to being worthwhile, the idea to work with cattle ranchers and farmers might be innovative.

Under a \$5 million demonstration project led by the World Wildlife Fund, eight landowners have been implementing relatively simple steps, such as filling ditches or adding culverts, creating wetlands to trap stormwater before it gets flushed quickly down river to Lake Okeechobee. By saturating pastureland that often is too wet for grazing during the rainy season, the approach recreates animal habitat and removes damaging concentrations of phosphorous and nitrogen left by fertilizer and manure.

The public, however, has to understand what the approach is not. This plan will not reduce the amount of land needed south of the lake to store water for release into the Everglades during droughts. Therefore, the program north of the lake would not reduce the need for the \$536 million U.S. Sugar land deal. And even if the approach were started now, it would be very hard to carry it out on a scale needed to help the state meet its 2015 phosphorous-reduction goal for Lake Okeechobee. That deadline already has been extended by a decade.

Critics — notably U.S. Sugar's biggest competitor, Florida Crystals — suggest that the U.S. Sugar deal will shortchange water storage north of the lake while failing to meet the needs south of the lake. Florida Crystals consultant Sam Poole, a former South Florida Water Management District executive director, made that argument Monday to the Joint Legislative Committee on Everglades Oversight. Florida Crystals, however, is looking to disrupt the U.S. Sugar deal, which it views as the state bailing out a financially struggling rival.

The push for more water storage north of the lake has the initial backing of the water management district, which matched a \$1 million federal grant in 2005. The plan calls for entering into contracts with landowners to manage the land, but the World Wildlife Fund has not yet calculated how much it would cost to conduct the program on a large scale.

To be effective, it would have to cost less than buying land and building costly above-ground reservoirs. A similar proposal from The Nature Conservancy calls for the purchase of easements, instead of annual contracts. Both proposals give ranchers an incentive to continue managing their lands — relieving the water district of a major expense — while resisting pressure to sell to developers. The vast region north of the lake includes the proposed city of Destiny at Yeehaw Junction and the Heartland Parkway, a highway contrived to develop rural lands. Destiny would be the wrong city in the wrong place.

The proposal also would offer more control over the flow of water into Lake Okeechobee, which environmentalists argue persuasively needs to be kept at a depth of between 12.5 feet and 15 feet. If water comes in more slowly, the lake won't rise so quickly. The proposal wouldn't meet needs south of the lake because ranchlands would dry up every year, with the expectation of being replenished during the rainy season.

The district has disputed Florida Crystals' suggestion that there can't be water storage both north and south of the lake. If the district continues to get positive reports from the demonstration project north of the lake, though, the district will have to find the money to do both.

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## **Everglades advocates raise concerns about Palm Beach County Commission**

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01/19/2010

Sun Sentinel - Deerfield Beach Bureau

Reid, Andy

Everglades advocates are increasingly pointing to the Palm Beach County Commission as an impediment to restoring South Florida's famed River of Grass.

They blame development decisions by the County Commission in recent years for threatening to get in the way of using western agricultural land for Everglades restoration.

The state is in the midst of a half-billion-dollar effort to buy up 73,000 acres in the Everglades Agricultural Area from U. S. Sugar Corp. to build reservoirs and water treatment areas that would help restore water flows from Lake Okeechobee to the Everglades.

Despite warnings from environmental groups, the commission during the last few years approved the expansion of rock mining as well as the creation of a new "inland port" industrial distribution center in parts of the vast Everglades Agricultural Area – which stretches over almost 700,000 acres south of Lake Okeechobee.

During this month's 25th Annual Everglades Coalition Conference, held Jan. 7-10 in Palm Beach Gardens, speakers on numerous occasions criticized the Palm Beach County Commission for supporting zoning changes and other development approvals that would allow more mining and industrial development in the agricultural area that was once part of the Everglades.

"Stop the industrialization of this area," Drew Martin of the Sierra Club, told state officials attending the Everglades Coalition conference.

The coalition has called for a regional approach to development decisions in the Everglades Agricultural Area, potentially adding more state oversight to the local decision-making process. The idea appears to at least be gaining some traction with state leaders.

"It is a land use issue I think we need to do a better job on," Department of Environmental Protection Secretary Mike Sole said about the Everglades Agricultural Area. "The ad hoc way is probably not the smartest way."

The South Florida Water Management District, which leads Everglades restoration, is considering playing a more vocal role in land use decisions in Palm Beach County and elsewhere, Executive Director Carol Wehle said.

"We can do more to communicate our message to local government ... to ensure that we don't have further degradation to the environment," Wehle said at the conference.

