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Total Clips: 11

Headline	Date	Outlet	Reporter
Still a good, if much smaller, deal	08/16/2010	Miami Herald, The	
Crist's downsized Everglades restoration land deal still faces legal scrutiny	08/15/2010	Sun Sentinel - Deerfield Beach Bureau	Reid, Andy
Call off the pity party; there is something we can do about our rivers	08/15/2010	Stuart News	Samples, Eve
Ever-shrinking U.S. Sugar buyout means putting on happy faces	08/15/2010	Orlando Sentinel	Thomas, Mike
Land Deal To Help Save Everglades Moving Forward, But Scaled Back	08/15/2010	National Parks Traveler Blog	Repanshek, Kurt
 In the Everglades, the Miracle That Wasn't	08/14/2010	New York Times - Miami Bureau, The	Cave, Damien
Shrunken land buy still right for Everglades	08/14/2010	News-Press	Editorial Board
Crist speaks out on U.S. Sugar-Everglades deal	08/13/2010	Florida Independent, The	Chamlee, Virginia
Water Board Votes to Purchase U.S. Sugar Land Without Waiting for Judge	08/13/2010	Sunshine State News	Wright, Lane
Lost Hope for the Everglades? For the Everglades, a Dream Loses Much of Its Grandeur	08/13/2010	Sunshine State News New York Times - Miami Bureau, The	Smith, Nancy Cave, Damien

Still a good, if much smaller, deal

08/16/2010
Miami Herald, The

[Return to Top](#)

Still a good, if much smaller, deal

.OUR OPINION: cf,gtm U.S. Sugar land purchase will help Glades

What a roller coaster ride the U.S. Sugar land deal has taken. The South Florida Water Management District's board approved a much smaller purchase Aug. 12. While the pared-down deal remains controversial, it is still better to have the land in the public's ``bank" for future Everglades restoration projects than leave it in private hands.

Gov. Charlie Crist dropped a bombshell in 2008 when he announced that the state, via the district, had agreed to purchase the giant sugar company's property -- 180,000-plus acres -- for \$1.75 billion for conversion into reservoirs and pollution treatment marshes.

This drew strong protests and legal challenges from Florida Crystals and the Miccosukee Indian Tribe and equally strong praise from environmental groups. Critics called it a bailout for the financially strapped sugar giant.

Supporters hailed it as a stroke of genius by Mr. Crist that would dramatically improve the Everglades massive restoration plan.

Less than dazzling

Then the economy went sour. The deal got reduced in size and cost to \$536 million. But court rulings and a worsening economy further dimmed the once-dazzling deal.

So what the district board ended up agreeing to last week is a \$197 million cash purchase of 26,790 acres of citrus groves and cane fields.

The district won't raise taxes for this deal -- even if some politicians like Rick Scott keep harping that it will. And it has options to buy more land at \$7,400 an acre over the next three years or at market price over the next decade -- if the economy greatly improves or the federal government decides to pony up.

Pollution ``hot spots'

The two parcels -- 17,900 acres of groves in Hendry County and 8,900 acres of fields in the huge Everglades farming area -- will be used, eventually, to help clean up two ``hot spots" of pollution: in the C-139 basin, where phosphorus loads have been historically high, and in the Loxahatchee National Wildlife Refuge, which will comply with a recent court order to improve water quality.

Unfortunately, the truncated land purchase won't do much to improve water quality in Lake Okeechobee or the two estuaries the lake drains into.

In the short term, U.S. Sugar will lease back some of the land, paying the district \$1 million annually as well as property taxes and other assessments. That may seem unfair to taxpayers, but it isn't. It will take years for cleanup projects to be designed for the two parcels -- not to mention accumulating the money to pay for them. Meantime, the district gets \$1 million in annual revenue.

Mr. Crist's dazzler of a deal was perhaps way too ambitious for it ever to succeed. But we still think he deserves much credit for having the vision and chutzpah to try to pull it off. It was bold. Likewise, the district's board deserves credit for refusing to back away from the ever-diminishing goal despite bruising legal losses and criticism.

The land will one day help clean up the phosphorus that flowed from it during its days as farmland -- a win-win for Florida's River of Grass.

Read more: <http://www.miamiherald.com/2010/08/16/1777731/still-a-good-if-much-smaller-deal.html#ixzz0wktgJvUq>

Crist's downsized Everglades restoration land deal still faces legal scrutiny

08/15/2010

Sun Sentinel - Deerfield Beach Bureau

Reid, Andy

[Return to Top](#)

Crist's downsized Everglades restoration land deal still faces legal scrutiny
August 14, 2010|By Andy Reid, Sun Sentinel

A nearly \$2 billion land deal once described as the Louisiana Purchase of Everglades restoration ended up getting whittled away under the weight of a sinking economy and shifting political winds.

Now two years after Gov. Charlie Crist announced a blockbuster deal to buy out all of U.S. Sugar Corp.'s more than 180,000 acres, a radically reduced plan has emerged to acquire two strategically located pieces of the sugar giant's vast real estate holdings.

The new \$197 million deal for 26,800 acres — that the South Florida Water Management District approved Thursday — still has the chance to reshape Everglades restoration.

But that depends on state officials being able to convince two federal judges that the land deal has Florida going in the right direction to meet overdue Everglades restoration and water pollution control standards.

Florida Department of Environmental Protection Secretary Michael Sole said the latest version of the U.S. Sugar deal is "no less important" than the grander version proposed two years ago.

This is the right deal for the right conditions at the right time," said Sole, who was Crist's point man in pushing for the deal. "It will clearly benefit water quality [and] the Everglades."

Opponents, led by U.S. Sugar rival Florida Crystals and the Miccosukee Tribe, maintain that the watered-down version of the deal still costs taxpayers too much, uses tax dollars to prop up U.S. Sugar and takes money away from other long-planned Everglades restoration projects.

The Miccosukee last week asked a federal judge to stop the transaction before the deal closes on Oct. 11. A pending Florida Supreme Court ruling on a challenge from the Miccosukee and Florida Crystals still could scrap the deal.

Critics consider the latest version of the deal a way for Crist, a U.S. Senate candidate, to salvage a remnant of a pie-in-the-sky environmental proposal before Election Day.

"This is a sham," said Claudio Reyes, an attorney who once represented the Miccosukee in their legal fight against the U.S. Sugar deal. He told the Water District's board Thursday to, "stop being cheerleaders for Charlie and his PR factory."

Environmental groups counter that getting more land to store and clean stormwater to replenish the Everglades remains too valuable an opportunity to pass up — even though the scope of the deal and their enthusiasm for what might have been are diminished.

The Sierra Club issued a statement Thursday saying that with Crist leaving the governor's mansion, "it's time to close the deal or lose it forever."

On a scorching June day in 2008, Crist stood beside a stormwater treatment area in Palm Beach County and announced what once was unthinkable — a \$1.75 billion plan to use U.S. Sugar's land to build more filter marshes and reservoirs to recreate the flow of stormwater that once naturally reached from Lake Okeechobee to the Everglades.

The deal was hailed by environmental groups as a historic opportunity to reclaim a huge swath of former Everglades land that was drained through the decades to make way for sugar cane and other farming.

To clear the way for restoration, the deal called for taxpayers to buy all of U.S. Sugar's 187,000 acres, its sugar mill, railroad tracks and all facilities "down to the last tractor," U.S. Sugar Senior Vice President Robert Coker said at the time.

To pay for it all, the Water Management District — which leads Everglades restoration — planned to borrow the money, with South Florida property owners paying off the long-term debt.

Borrowing the money also avoided Crist having to ask the Legislature to approve the deal.

But in the months to come, the country got hit with the worst economic recession since the Great Depression. With that came plummeting property values and a corresponding drop in property tax revenues.

As the economic situation worsened, Crist's land deal with U.S. Sugar kept shrinking.

First, in November 2008, it was scaled back to \$1.34 billion for about 180,000 acres. In April 2009, it was cut more than 50 percent, becoming a \$536 million proposal to buy 73,000 acres with a 10-year option to buy the rest of the land.

On Thursday, the district board — appointed by Crist — approved the latest deal, that avoids borrowing money by using \$197 million in reserves to buy the 26,800 acres from U.S. Sugar.

The deal includes 17,900 acres of citrus land in Hendry County, beside a stormwater treatment area, and 8,900 acres of sugar cane land in Palm Beach County, east of Lake Okeechobee.

It also includes a 10-year option for the district to purchase U.S. Sugar's remaining 153,200 acres.

As in earlier versions, the deal allows U.S. Sugar to lease back much of the land for as long as 20 years, as the district phases in restoration efforts. U.S. Sugar would pay \$150 per acre for sugar cane land it leases back from the district, but would not have to pay for using the citrus land.

District Board Chairman Eric Buermann contends that the district was not swayed by the political pressures surrounding the U.S. Sugar deal. Buermann maintains the district ultimately cut a deal it could afford that will bring real benefits to the Everglades, and, by extension, to South Florida's drinking-water supply.

The chance to buy U.S. Sugar land so far hasn't impressed two federal judges charged with making sure that Florida keeps its Everglades restoration commitments and meets water-quality standards.

Reacting to restoration delays, U.S. District Judge Federico Moreno in March ruled that construction should resume on a partially built reservoir shelved in 2008 as the district tried to work out a deal with U.S. Sugar. The unfinished reservoir in western Palm Beach County already cost taxpayers almost \$280 million.

Moreno called for a special master assigned to the case to figure out how to get the reservoir work back on track. A report to the judge is due by the end of the month.

The district has been trying to convince the special master and the judge that the U.S. Sugar land offers better options to reach long-term Everglades restoration goals. The unfinished reservoir could be turned into a stormwater-treatment area or a shallower, less-expensive reservoir that better fits in with plans for storing and treating water on U.S. Sugar land.

In a ruling released in April, U.S. District Judge Alan Gold blamed the U.S. Environmental Protection Agency and the Florida Department of Environmental Protection for failing to follow his 2008 ruling, that directed the agencies to enforce water-cleanup standards that were supposed to start in 2006.

Gold ordered the EPA and DEP to immediately carry out his earlier mandates or face sanctions for violating the federal Clean Water Act. Gold singled out the Water Management District, saying the then-\$536 million U.S. Sugar deal could result in other restoration efforts being "indefinitely postponed."

Buying more land doesn't address the judges' concerns, according to Joseph Klock Jr., attorney for Florida Crystals.

"The Everglades are not served by this proposal to spend the limited available resources to purchase more land ... instead of building projects," Klock wrote in a letter to the district.

But supporters say getting the right land to put those reservoirs and treatment areas in the right places gives Everglades restoration a better shot at success.

"The only way to get [restoration] done is to buy some land," said John Marshall of the Arthur R. Marshall Foundation, an environmental organization that advocates for Everglades restoration. "The cost of not doing it is monumental."

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Call off the pity party; there is something we can do about our rivers

08/15/2010

Stuart News

Samples, Eve

Eve Samples: Call off the pity party; there is something we can do about our rivers

By Eve Samples

TCPalm

Posted August 14, 2010 at 3:34 p.m.

[Return to Top](#)

I was ready to send out invitations to a pity party last week.

The South Florida Water Management District had just approved a diluted deal to buy some of U.S. Sugar's land for Everglades restoration — but the purchase will provide no immediate relief from pollution to the St. Lucie River.

The Rivers Coalition Defense Fund, a group that once touted the deal as a way to send foul Lake Okeechobee water south (instead of east to our river) had revoked its support.

It felt like we were right back where we were two years ago, before Gov. Charlie Crist announced the U.S. Sugar buy as a “critical missing link” for Everglades restoration.

Yes, the district will have an option to buy more land that could someday create relief for the St. Lucie — but that option might never become reality.

Just as I was writing up my pity party guest list (fishermen, Realtors, boaters, kayakers ... they were all on it), I stumbled upon a bit of good news.

I put the party-planning on hold.

Late last month, while the rest of us were distracted by oil spills and gubernatorial races, the town of Sewall's Point quietly made a move that will improve the quality of our rivers. It approved an ordinance that limits the use of fertilizer within its limits.

After so many years of feeling powerless about the condition of the St. Lucie River and Indian River Lagoon, we finally have something to feel empowered about.

Jacqui Thurlow-Lippisch, the town's vice mayor, started pushing the ordinance several months ago, after hearing that Lee County passed similar restrictions. The more she read about it, the more it made sense.

“At the end of the day, there's so little you can control ... But you can control what's in your own backyard,” she told me.

The ordinance, approved July 21, means property owners and landscapers in the peninsula-town must avoid laying fertilizer within 10 feet of a waterway. They also are banned from applying fertilizers containing nitrogen or phosphorous from June 1 through Nov. 31, as well as any time outside that period when a flood watch or tropical storm or hurricane watch is in effect.

At least one employee from any landscaping company doing work in the town will have to get trained on the rules.

Anyone who violates the ordinance could face a \$100 fine.

The aim is simple: to keep harmful nutrients out of the rivers. Nutrients in fertilizers contribute to algae blooms, in turn contributing to the death of marine life.

“We've got a lot of people with some beautiful lawns,” Thurlow-Lippisch said. “The thing is, you can still have a beautiful lawn. You just have to fertilize differently.”

Such ordinances are not without controversy.

Pinellas County, which passed an ordinance earlier this year, went so far as to block the sale of fertilizer during the rainy summer months. The sales ban will be phased in next year, and state lawmakers unsuccessfully tried to outlaw it this spring in Tallahassee.

In Hillsborough County, local Tea Party groups came out against a summertime ban on fertilizer. In the end, the

county commission approved a watered-down ordinance.

Opponents are overlooking the fact that small amounts of phosphorous and nitrogen on every person's lawn have a huge cumulative effect.

"The state may not be in a position to control it, but the municipalities certainly are," said Tom Van Lent, a senior scientist with the nonprofit Everglades Foundation. He praised Sewall's Point.

Thurlow-Lippisch hopes Martin County and Stuart will follow suit. If that happens, we definitely won't need a pity party.

We will have occasion for a genuine celebration.

Ever-shrinking U.S. Sugar buyout means putting on happy faces

08/15/2010

Orlando Sentinel

Thomas, Mike

Ever-shrinking U.S. Sugar buyout means putting on happy faces

Everglades deal downsized yet again, but Crist, McCollum, lawyers, environmentalists all still get something August 14, 2010|By Mike Thomas, COMMENTARYThe latest sequel of "Honey, I Shrunk the Everglades Plan" premiered last week to rave reviews.

[Return to Top](#)

It was the most entertaining installment yet.

As you may recall, Charlie Crist announced his original "I Saved the Everglades" plan back in June 2008. He promised to buy out U.S. Sugar Corp. and return its 290 square miles to the gators, panthers and their new best friends, the pythons.

Chuck was a green superhero.

Problem is, his powers didn't include coughing up the \$1.7 billion to make the deal go down.

And so the plan was downsized to \$1.4 billion.

That, too, was a no-go, and so it was downsized again to \$536 million.

Still too much. So the South Florida Water Management District — a subsidiary of the Charlie-Crist-for-Senate campaign — downsized the deal a third time last week to \$197 million.

My prediction last year that we'd eventually end up with a barn and two acres for \$5,000 is starting to look pretty good. Whatever it takes to keep this dying dog of a deal breathing until Chuck gets to Washington.

If this version goes down, we will own 42 square miles of contaminated sugar fields and diseased orange groves.

But everyone involved is putting on their best, downsized happy faces.

For the greenies there is the promise of more green in the Glades.

For the lawyers and consultants, there is the promise of never-ending green in their bank accounts, because you can't have a new Everglades plan without lots more lawsuits.

And while U.S. Sugar Corp. was hoping to dump its entire farm off on taxpayers, it still gets to unload the flotsam and jetsam for top dollar. And if its biologists find \$1 billion in abandoned drug money out in the swamps, the district still plans to buy the rest of the farm in the next few years.

Even Bill McCollum is happy because he recently found about \$700,000 in his gubernatorial campaign account from U. S. Sugar. That might even be more than the company gave Charlie Crist. I guess buying a governor has a bigger payoff than buying a senator.

Bill is putting the money to good use, running ads that depict opponent Rick Scott as a corrupt toad who steals money from crippled seniors.

Scott retaliated last week by showing up at the water district's headquarters before the vote on the land purchase. He declared that Big Bill had been "bought and paid for" by Big Sugar. He was hoping to bond with a Tea Party crowd that had gathered to protest the deal. But one of them was a McCollum supporter who loudly heckled Scott. The candidate retreated to his car with the heckler in hot pursuit.

"The only thing we were missing were the elephants and pink tutus," said Barbara Miedema, vice president of the Sugar Cane Growers Cooperative. "Other than that we had the whole circus."

And that means the show must go on.

Land Deal To Help Save Everglades Moving Forward, But Scaled Back

[Return to Top](#)

08/15/2010

National Parks Traveler Blog

Repanshek, Kurt

Land Deal To Help Save Everglades Moving Forward, But Scaled Back

Submitted by Kurt Repanshek on August 15, 2010 - 1:37am

A \$197 million land purchase aimed at improving water flows through the Everglades has been approved by the South Florida Water Management District, but it falls far short of the original proposal. Still, groups are applauding it as a step in the right direction.

The purchase from U.S. Sugar Corporation involves just 26,800 acres, a far cry from the initial 187,000 acres Florida Gov. Charlie Crist envisioned back in 2008.

Still, proponents hope it will contribute to straightening out a kink in the natural plumbing of the region. Developments such as the sugar plantation have disrupted natural water flows from the lake into the park. Without them, the so-called "River of Grass" can't survive.

According to the South Florida Wildlands Association, "(D)rained of its water and filled with pollution (the Everglades has lost 90 percent of its wading birds and no fish caught within it are considered truly safe to eat), the ecosystem today is on life support."

South Florida Wildlands, along with other environmental organizations in south Florida, believe this deal will help improve water filtration in the ecosystem and provide needed lands for wildlife.

"Aside from allowing for 'filter marshes' capable of extracting huge quantities of runoff and other pollutants from Everglades water (which also happens to be the public water supply for most of south Florida), removing agricultural production is the best and possibly only hope for bringing the Everglades back from the brink," a release from the group said last week. "Part of the current purchase would also provide connectivity between Florida panther habitat in the southwest corner of Palm Beach County (in state Wildlife Management Areas well utilized by one of the most endangered species on the planet) and federal, state, and tribal lands (e.g. Big Cypress National Preserve, Big Cypress Seminole Reservation, and the Okaloacoochee Slough State Forest) to the south and west."

At the National Parks Conservation Association, Dawn Shirreffs said the land purchase approved by the water district is "a prudent investment in water quality that will make restoration possible."

"The River of Grass deal will acquire 26,800 acres of agricultural land essential to increase storage, improve water quality, and relieve damaging water releases to the Caloosahatchee and St Lucie Rivers," said Ms. Shirreffs. "Acquiring this land, from a willing seller, will secure key tracts of land at the lowest possible cost."

"We applaud the South Florida Water Management District's efforts to overcome a shifting financial climate to protect the natural environment vital to South Florida's economic growth. This cash acquisition eliminates risks associated with financing while preserving the future option to acquire additional lands from U.S. Sugar in the Everglades Agricultural Area," she added.

How much will this purchase help Florida's fabled River of Grass? That's a good question. More than a decade ago the Clinton administration promised to embark on an expansive, and expensive, plan to restore the Everglades. That project was seen as a way to restore, preserve, and protect the South Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection. With an estimated total cost of \$10.7 billion to the federal government and \$11.8 billion to the state of Florida, the initiative is the largest hydrologic restoration project in U.S. history.

While the massive restoration project has been moving forward in fits and starts, the Obama administration has promised to keep whittling away at it.

The Omnibus Appropriation Act for fiscal year 2009 provided a total of \$241 million for Everglades' projects, including \$118 million from the Department of the Interior and \$123 million from the U.S. Army Corps of Engineers. And last year another \$119.2 million was provided through the American Recovery and Reinvestment Act.

A significant step forward came late last year when funding was provided for a mile-long section of bridge along the Tamiami Trail to help improve water flows through the Everglades.

The Tamiami Trail was constructed in the 1920s with the intention of linking Tampa and Miami, hence its name. The latest bridge project, which is expected to be completed in May 2013, is located in Miami-Dade County, adjacent to the northern boundary of Everglades National Park.

The process to reach agreement on the bridge was at times complex and time-consuming, involving many stakeholders and subject to rigorous environmental review. In November, the Army Corps of Engineers awarded an \$81 million contract that includes constructing the bridge, and raising and reinforcing an additional 9.7 miles of the trail.

As a major component of the Modified Water Deliveries Project – also known as Mod Waters – the bridge will specifically restore more natural water flow to Northeast Shark River Slough, a portion of Everglades National Park that Congress added in 1989. Once completed, Mod Waters will provide a foundation for other restoration projects that will be implemented in the future to increase the quantity, quality, timing and distribution of fresh water to the Everglades.

In the Everglades, the Miracle That Wasn't

08/14/2010

[Return to Top](#)

New York Times - Miami Bureau, The
Cave, Damien

The aging environmentalist with the Abe Lincoln beard ambled to the podium on Thursday to tell water managers that he could no longer support their plan to buy land for the Everglades from United States Sugar. He sounded sad.

He said that because the acquisition had been scaled back to 26,790 acres from what was initially a purchase of 187,000 acres, it no longer held the promise of true restoration.

Two disconnected parcels didn't cut it, he said; he wanted a flow-way, a corridor of slow-moving water following its original path from Lake Okeechobee to Florida Bay.

As I reported in Friday's Times, this was the dream that Gov. Charlie Crist's Everglades deal was supposed to fulfill when it was first announced two years ago, a vision that led public officials and environmentalists to describe the acquisition in messianic terms, even as it shrunk.

I didn't think much of this at first, all the talk of a "holy grail" and "saving," but after two years of reporting on the deal, I've started to think that the religious undertones were somehow relevant to the debate over purity that has been a big part of the Everglades restoration debate for decades.

Perhaps it is a conflict inherent to the idea of "restoration": how should it be defined after decades of man-made intrusion? But ever since Marjory Stoneman Douglas published her book "River of Grass" in 1947, lovers of the glades have fought about when the perfect is the enemy of the good in efforts to rescue what she described as "one of the unique regions of the earth; remote, never wholly known."

- In the 1990s, as the Everglades deteriorated to a point where Congress was about to get involved, there were long discussions about whether to push for outright condemnation of the land that had been the Everglades but was now owned by the big sugar companies, or whether to work around them with technology.

Deepwater wells, hundreds of them, were what ended up in the \$8 billion rescue plan signed into law in 2000 by President Bill Clinton. But what initially looked like a victory of the good over the perfect ended up looking far different later on. The technology ended up being too complicated for widespread deployment.

Congress fell short on its financing promises, and a decade after the plan was approved, the Everglades was still suffering and dying as farming and runaway development alternated between dumping dirty water in the glades and sucking water away in the dry season.

Enter United States Sugar. Big Sugar to its enemies. Environmentalists could hardly believe it when they heard in early 2008 that Governor Crist had suggested that the company sell its business to the state and that this could actually happen. Lawyers like David Guest of Earthjustice had been fighting the company for years over polluted farm runoff. United States Sugar's executives had contributed heavily to political candidates to protect their business, which since 1931 has been farming sugar in central Florida.

They were willing to sell? This was a conversion of the highest order. And when Paul Tudor Jones, the financier and patron of the Everglades Foundation, mentioned this possibility before it was announced, at the foundation's annual gala, Governor Crist quickly silenced him, two witnesses said. They said the news was just too big to believe.

And it was. But earthly details made it less surprising: the company was weak, saddled with \$550 million in debt, facing lawsuits from employees and tougher regulation of how it used water. Here once again, the perfect and the good were in conflict. Perfection called for a full buyout, which is what Governor Crist announced in June 2008, winning immediate accolades from environmentalists still smarting over the deep-water wells.

A good solution, a better solution perhaps, according to some current and former state and federal officials with the benefit of 20/20 hindsight, would have been smaller, more affordable and more inclusive of other landowners, including competing sugar companies with land better placed for restoration, and maybe even a flow-way.

Some critics of the deal contend that it should have been clear from the start that the original price tag of \$1.75 billion, to be paid for with bonds, was simply too high for 2008. The financial crisis had started to unfold, and the recession was already making a mark in Florida.

But even as the collapsing economy began to make its mark on the deal, which shriveled like a dried-out flower — first to 180,000 acres, then to 73,000 and now to 26,790 — the fortunes of United States Sugar began to improve. Judy Sanchez, a company spokeswoman, told me this week that with sugar prices at record highs and a new mill that has worked out its kinks, the company has paid down \$200 million of its debt since the first deal was announced.

Basically, the ideal moment when the company was at its weakest passed while Florida tried to figure out what it wanted or could afford. In the end, at Thursday's meeting where the new \$197 million purchase was approved, it was clear that United States Sugar was in the driving seat.

When one of the district's board members said he wanted the \$10 million penalty for backing out of the sales agreement dropped to \$1.8 million, other board members said the company's negotiators had made clear that they would walk away from the deal if there was the smallest change to the contract.

As a result, assuming the deal closes in October, the state will end up paying the same per acre price it agreed to two years ago, \$7,400, even though most of the land is citrus, which has dropped in value; even though the appraisals the district relied on are tied to sales from 2006.

Some environmentalists I've spoken to at senior levels of major organizations have expressed disappointment in the price and the process. But they would only do so anonymously. Indeed, all along, the vast majority of Everglades advocates have publicly marched in lockstep, supporting each iteration of the deal.

I've often asked those with criticisms of the process or the prices: Why? Why didn't you push for more?

Part of it, they said, is simply a desire to appear unified, to project professionalism as opposed to squabbling. And any land for water storage and treatment was viewed as a positive. But a few of Florida's more independent

environmentalists, those outside the usual big organizations like the Sierra Club or the Everglades Foundation, told me that it is more than that.

It is also a form of discipleship: the governor's decision to seek salvation for the Everglades rather than piecemeal assistance won many to his side for the entire journey. And that was only possible because their faith was waning.

"It's insecurity," said Alan Farago, the conservation chairman at Friends of the Everglades. He said that Florida's environmentalists would take whatever they could get because they felt so defeated after so many failed attempts to save the Everglades, after seeing algae blooms on their shores, after seeing developers given carte blanche while endangered species suffered.

"The environmentalists have been sitting on the floor under the table waiting for crumbs to fall on them for years," said Sydney Bacchus, a hydro-ecologist and frequent expert witness in Everglades cases. "I don't blame them for cheering about these lands being purchased — it's a crumb they've been tossed off the table and they're grabbing at it frantically because they haven't even gotten crumbs for years."

At the time she said this, the land deal was in its penultimate form, with a \$536 million purchase of 73,000 acres. But the issue she had identified — when should an environmentalist be satisfied? — re-emerged again and again during the public hearing before Thursday's vote, and will be with the Everglades as long as it is an ecosystem in need of help.

And while Governor Crist is still speaking in the grandest of terms — "The longest journey begins with a single step," he said Thursday, quoting Lao-Tzu — what may never be known is this: What would have happened if the governor started with a different first step two years ago?

For the Everglades, might there have been a better result with a little less faith and a little more reason?

Shrunken land buy still right for Everglades

08/14/2010

News-Press

Editorial Board

Shrunken land buy still right for Everglades: Editorial

Editorial • news-press.com • August 14, 2010

[Return to Top](#)

It's a shocking shadow of the epic land deal announced two years ago, but the state purchase of 26,800 acres from U. S. Sugar to restore the Everglades and help protect Southwest Florida from pollution is still a good first step.

The \$197 million buy approved Thursday by the South Florida Water Management District will in part help redirect flood waters south from Lake Okeechobee.

That southern flow way for excess lake water is crucial for Southwest Florida. The Caloosahatchee River and its estuary were devastated in 2004 and '05 by polluted lake water that had to be released to prevent damage to the dike which protects lakeside communities.

Historically, such water moved south. If that flow way is restored, the Caloosahatchee can stop serving as a sewer. Two years ago, Gov. Charlie Crist announced plans to buy all of U.S. Sugar's more than 180,000 acres. Since then, water management district revenues have plunged 30 percent, forcing the plan to be scaled back several times. The district still has a 10-year option to purchase U.S. Sugar's remaining 153,200 acres.

"(The 26,800 acres) provides us a framework for acquiring the rest of the land," said Jonathan Ullman of the Sierra Club. "It gets the ball rolling."

The economy will have to recover a lot for more land to be bought, and even the scaled-back deal faces criticism that it is a bailout for U.S. Sugar. There are legal challenges as well.

But this a first step in a long journey to a healthier environment for southern Florida.

Crist speaks out on U.S. Sugar-Everglades deal

08/13/2010

[Return to Top](#)

Florida Independent, The
Chamlee, Virginia

Crist speaks out on U.S. Sugar-Everglades deal

By Virginia Chamlee 8/13/10 8:06 AM 1diggdigg

A little over a week after the South Florida Water Management District published a revised "Sugar Deal," Gov. Charlie Crist is voicing his thanks for the contract, which will likely lessen the impact of heavy fertilizers on Florida's Everglades. In a Thursday press release, Crist made a statement regarding the modified contract, which proposes \$197 million for about 26,800 acres (along with an option to buy the remaining land at \$7,400 per acre):

I am grateful to the members of the South Florida Water Management District Governing Board for their unanimous vote and unwavering commitment to Everglades restoration and fiscal responsibility. 'The longest journey begins with a single step' (Lao-tzu) and the state recognizes the monumental restoration advances we can make with this land. We are pursuing the acquisition with the fiscal responsibility expected of Florida's leaders and stewards of the environment. This acreage will provide important opportunities for water storage and treatment and better revive, restore and preserve one of America's greatest natural treasures – the Everglades.

The Sugar Deal originally began as a would-be \$1.75 billion purchase of 187,000 acres of land belonging to the United States Sugar Corporation. Two years later, the deal has been steeped in controversy and economic delays, but is still a much-needed step toward healing the Everglades, which was recently added to the World Heritage in Danger list by UNESCO.

Water Board Votes to Purchase U.S. Sugar Land Without Waiting for Judge

[Return to Top](#)

08/13/2010

Sunshine State News
Wright, Lane

Water Board Votes to Purchase U.S. Sugar Land Without Waiting for Judge

By : Lane Wright

A month ago, the South Florida Water Management District Board said they didn't want to make a decision on Gov. Charlie Crist's U.S. Sugar land deal until they heard more from the federal judges who are making decisions that could affect the deal.

Those judges have yet to make their decisions, but Wednesday the board voted anyway to use about \$200 million, nearly all their cash reserves, to go ahead with the purchase.

In March, a judge ruled that the decision to resume an Everglades reservoir project had been put on hold because of the sugar land deal, but the decision was appealed. Now, the judge's final decision is only waiting on a report from the Special Master.

Supporters say the deal is good for the environment and the recently reduced acreage and cost should appease taxpayers, but both of those claims are disputed by opponents of the deal.

"The land is improperly, badly located. They have no money to build anything on it when they waste the money to buy [it]," said Dexter Lehtinen, a former attorney for the Miccosukee Tribe. "They did not do appraisals, they don't know the value of it. And they've abandoned the congressionally mandated restoration projects."

Skeptics say the roughly 27,000 acres of land is not in a location, nor is it nearly enough, to help restore a natural flow to the Everglades. SFWMD Board Chairman Eric Buermann acknowledges that, saying it would be used in a series of pumps to clean the water and transport it from the north to the south. Other supporters, like Jonathan Ullman from the National Sierra Club say this smaller land purchase will open the door for the district to buy the rest of U.S. Sugar's land, which it would need to do to even begin to have the impact environmentalists are hoping for.

Lost Hope for the Everglades?

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Smith, Nancy

Lost Hope for the Everglades?

U.S. Sugar deal diverts money from concrete solutions

By: Nancy Smith | Posted: August 13, 2010 4:05 AM

Tags: Allapattah, Bill McCollum, Charlie Crist, Drew Martin, Eric Buermann, Everglades, Everglades Agricultural Area, Henry Dean, Jeb Bush, Kirk Fordham, News, Paula Dockery, Reservoir, River of Grass, SFWMD, South Florida Water Management District, Tom Kenny, U.S. Sugar, ColumnsMore land to no purpose, more government waste in Florida. Thursday's South Florida Water Management District vote was all that and so much more.

The unanimous vote of the governing board turned the ailing Florida Everglades – a natural masterpiece without equal – into little more than a gold chip in a game of greed and ambition.

And frankly, it made me sick.

Back on April 1, when I wrote about Judge Federico Moreno ordering construction to resume on the 16,700-acre A-1 reservoir, I believed – just as former Gov. Jeb Bush, former executive director of the Water Management District Henry Dean, and many others – that the Everglades had a chance again.

Finally, I thought, we're going to build restoration projects again, just as we were doing before we got sidetracked on Gov. Charlie Crist's U.S. Sugar deal.

But I should have known better.

It took a newspaper from New York City to show Floridians that U.S. Sugar was taking them for a ride. And even then, they wouldn't believe it. Land is the thing. Gotta have land. And so, with the governor's encouragement, the U.S. Sugar deal continued through two down-sizings.

Well, I spent a lot of years as an editor and columnist in Stuart writing about the folly of land purchased for something that turned into nothing – the millions of dollars spent on the Inlet State Park that never became one, the property for a public golf course that lapsed into a preserve, the rights of way purchased for roundabouts that were engineered and then canceled on a commission's whim.

But I've never seen anything to match the sheer dimwitted absurdity of handing over \$197 million, the sum total of all your cash – as the Water Management District did Thursday – to a seller holding a gun to your head.

On Aug. 4 the seller, U.S. Sugar, gave the district one day to agree to the deal, and a week to get the board to Thursday's "decision meeting." It's that or nothing, U.S. Sugar said. And if you agree to the \$197 million for 26,800 acres but have to back out of the deal later, you owe us \$10 million – no excuses, no "out" clause. (The district says, yes, there is an "out" if the deal is blocked in court; attorneys say, no, there is no exception.)

And for \$197 million, you get to let U.S. Sugar use 17,900 acres of dead citrus land for free, for as long as 20 years; and 8,900 acres of the sugar land for a \$150 an acre. Bottom line, you empty your pockets, U.S. Sugar fills theirs, you come to a dead stop, they keep on truckin'.

You've created one happy seller because now you can't afford to develop any part of the Everglades restoration project. You're broke, they're flush, and unless you raise some taxes with – say, the help of a supportive, friendly governor – then you aren't going to phase in too much restoration.

Interestingly, most defenders of the U.S. Sugar deal Thursday were establishment people – government workers and members of A-list environmental organizations.

My personal favorite speaker was Drew Martin from the Sierra Club. He somehow found a way to compare the Sugar deal with the Louisiana Purchase of 1803. I guess in Martin's mind, board Chairman Eric Buermann is Thomas Jefferson and U.S. Sugar is France.

Before Thursday's vote was taken, the smart folks asked the Water Management District to wait. Wait to see if the

[Return to Top](#)

three Indian burial mounds on the property can be moved. Wait to see what's involved in cleaning up the two polluted parcels. Wait to see if the federal judge is going to grant the Miccosukee Tribe's request to halt the sale. The Miccosukees have a point, after all. If the sale goes through, where's the money going to come from to build a reservoir?

Here's where I came unglued:

Kirk Fordham, CEO of the Everglades Foundation said, "We can't afford to wait any longer. You can't build [restoration] projects without land."

Really? The Water Management District has land all over the place. Even if we ignore the 233,000 acres the district owns for Everglades restoration already, what about the property mostly north of the lake, bought-and-paid-for, to help clean the polluted water now flowing into the lake and save the St. Lucie River and Estuary?

This is something I know about. In 2002 Martin County paid \$2,500 an acre for 13,000 acres of Allapattah Ranch. In 2007 – when real estate was at its peak – Martin shelled out \$12,800 an acre for the last \$7,000-plus acres of the ranch. We all cheered both purchases. Anything to help the Everglades and our sick river.

We bought the need for those land buys back then, just as the supporters of the U.S. Sugar deal did Thursday. But check it out. Allapattah is now in the U.S. Army Corps of Engineers' hands for God-knows-what federal purpose.

Tom Kenny, a former Martin County commissioner, told me Thursday night, "Martin has about \$43 million so far in land buys it made for the Everglades."

Allapattah isn't the only property bought as part of the Comprehensive Everglades Restoration Project (CERP). In all, there are some 130,000 must-have-but-no-rush acres, including the Everglades Agricultural Area (31,600 acres), and Indian River Lagoon parcel (26,800 acres).

I asked Sen. Paula Dockery, R-Lakeland, what she thought of Thursday's unanimous vote. "I'm disappointed but not surprised," she said. "I'm a great supporter of Everglades restoration, somebody who sponsored Everglades Forever. But this is the wrong land, wrong time, wrong price.

"We should never have switched from building projects, from a reservoir that was nearly built, that we had already put \$300 million into, to buying land that brings us to a halt."

Asked if there's anything that can be done to get Everglades restoration back on track, Dockery said, "It's up to the governor. The governor can make it or break it.

"But let's be honest, U.S. Sugar handed \$680,000 over to Bill McCollum for his campaign. And that's just the money we know about.

"I think, when this deal closes, U.S. Sugar and Bill McCollum will owe 18 million Floridians a gigantic 'thank you.'"

There you have it. That gold chip of greed and ambition – a sugar giant and a gubernatorial candidate playing for some very high stakes. They want it all and, apparently, they don't think it matters how transparent their motives are.

Meanwhile, the Everglades. What chance for the River of Grass?

For the Everglades, a Dream Loses Much of Its Grandeur

08/13/2010

New York Times - Miami Bureau, The
Cave, Damien

[Return to Top](#)

For the Everglades, a Dream Loses Much of Its Grandeur

By DAMIEN CAVE

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WEST PALM BEACH, Fla. — In the end, Gov. Charlie Crist's effort to buy huge swaths of sugar company land for the Everglades restoration was just too much: too much money, too much land to handle, and too much of a fight with critics and the courts.

A vote on Thursday by the South Florida Water Management District — to scale back the deal for a third time — is expected to finally end negotiations, but it also amounted to an admission of overreaching. What began two years ago as a stunning \$1.75 billion purchase of the United States Sugar Corporation and all its assets, including 187,000 acres of land, is now set to close in October at a fraction of its original size, with 26,790 acres being sold for \$197 million.

Eric Buermann, chairman of the advisory board at the water district, which will buy and manage the land, said the end result was simply a product of economics. "This is what we can afford to bite off," he said.

But to some degree, the deal has also been defined by shortsightedness. Internal records and interviews show that the governor and the district repeatedly underestimated the purchase's financial and environmental complications, leading to the costly suspension of projects with more immediate benefits, and to the alienation of potential partners.

Ultimately, they left the Everglades with delays in exchange for majestic dreams, now unlikely to be realized.

It all got started with the desire for a single act that would save one of the world's most treasured wetlands, along with its endangered plant and animal species. When Mr. Crist, standing at the edge of a man-made wetland in June 2008, announced the proposed deal, he called it "the holy grail" of restoration. And indeed, there was a lot of potential. Scientists have long maintained that there is nothing the Everglades — hurt by more than a century of dredging and development — needs more than space to store and clean water.

Never before had so much land north of Everglades National Park been made available, and the ecosystem was desperate: an \$8 billion plan to save the Everglades, approved by President Bill Clinton in 2000, had been faltering for years.

But over time, it became clear that other motivations were also in play. Putting United States Sugar out of business appealed to environmentalists who had been feuding with the company, as well as to the governor, a moderate, who was eager for publicity in his quest to become Senator John McCain's vice-presidential running mate.

In the fizzy moment of negotiations, little thought seemed to have been given to affordability, or to long-term plans. What would the state do with all the company's farm equipment that was among the assets? What about the thousands of rural Floridians who would eventually be put out of work when farming stopped on United States Sugar's 187,000 acres?

Mr. Crist was immediately inundated with complaints from the counties that would be affected. Farmers and local officials lined up at public meetings during the next year to demand an economic plan. "Please don't let us down," said Mali Chamness, the mayor of Clewiston, the small town where United States Sugar has been based since 1931.

The next deal, unveiled on Nov. 11, 2008, was smaller: a \$1.34 billion purchase of just over 180,000 acres. The assets were no longer included and Mr. Crist called the new deal "miraculous." But to truly restore the north-to-south "river of grass" from Lake Okeechobee to Florida Bay, land swaps with a competing company, Florida Crystals, would be necessary. The swaps fell through before negotiations were able to get off the ground, in part, interviews show, because United States Sugar did not want a competitor involved; the governor went along.

When dwindling tax revenues led to a third deal — a proposed \$536 million purchase of 72,800 acres announced in April 2009 — Mr. Crist made it clear that he wanted the deal approved when he replaced two of the district's board members, including a vocal critic. Yet once again, he had misjudged the road ahead: the district's financial advisers said the purchase threatened vital water supply operations, and this year judges in two federal lawsuits demanded that state and federal officials do more to improve the Everglades' water quality.

The smaller deal, according to the district, is in part an effort to address those lawsuits. "It's a very strong signal that we're heading in the right direction," said Shannon Estenoz, a board member.

Governor Crist, in a statement praising the vote, quoted the philosopher Lao Tzu: "The longest journey begins with a single step."

For many, the smaller acquisition — with an option to buy more land later — brings a sense of relief. With the larger deals, “there was a concern that we were going to spend a lot of time trying to figure out how to make things work,” said Eric Draper, executive director of Audubon of Florida. He called the deal approved Thursday a success because the district can afford it, and the land can be used for restoration relatively quickly.

Yet for critics (including some new arrivals from the Tea Party), it is still too much, too late. Dexter Lehtinen, a lawyer who has been involved in several lawsuits pushing for Everglades restoration since the 1980s, said the district was “taking money that could be spent on projects and spending it on land acquisition.”

Rosa Durando, a longtime environmentalist who has been demanding specific solutions since the first deal was announced, said she was still not satisfied. “I see a lot of pie in the sky,” Ms. Durando said, “but I don’t see how it would work on the ground.”

