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Facts Don't Change: Everglades Needs Land

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Palm Beach Post

Much has changed in the two years since Gov. Crist stood on the edge of America's Everglades and called upon the South Florida Water Management District to negotiate a historic land acquisition with U.S. Sugar Corp. that would help restore this national treasure.

Since 2008, the district has lost \$150 million in tax revenue. Legal challenges have drawn the acquisition out in the courts. Recent federal court rulings have changed the landscape of restoration planning. What has remained constant is the need for more land south of Lake Okeechobee, whether through this acquisition or from another willing seller, to achieve water quality improvements.

A second amended acquisition, just approved by the district governing board and U.S. Sugar's board of directors, keeps that dream alive while addressing new fiscal constraints and legal obligations. The modified contract calls for the district to use \$197 million in cash on-hand - already reserved for land acquisition and restoration projects - to purchase approximately 26,800 acres. The agency retains options over t0 years to acquire U.S. Sugar's remaining 153,200 acres, should economic conditions allow.

The acquisition consists of two strategic parcels. One, just west of two of the agency's water treatment wetlands, is 17,900 acres of citrus land in Hendry County. This site will be used to improve water quality in the C-139 agricultural basin. The second parcel is 8,900 acres of sugar cane land in Palm Beach County. This will be used to enhance treatment wetlands to help meet federally mandated water quality targets in the Arthur R. Marshall Loxahatchee National Wildlife Refuge.

Along with achieving important water quality benefits, this latest version of the purchase fulfills the governing board's pledge not to increase taxes or hamper the district's ability to carry out its core missions. By paying for the initial acreage with cash saved during better times, the district saves taxpayers millions of dollars that would have been spent on debt payments.

New realities have forced the district to rethink how to approach the River of Grass acquisition in a fiscally responsible way. However, the benefits of this rare opportunity remain as clear as ever.

ERIC BUERMANN

Editor's note: Eric Buermann is chairman of the South Florida Water Management District Governing Board

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Cape Coral Daily Breeze

Alfino, Emilie

Florida settles for less for Everglades, estuaries
Opinions divided on downsized purchase of land from U.S. Sugar Corporation

By EMILIE ALFINO, sancapnews@breezenewspapers.com

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Some environmental groups called the drastically downsized land purchase deal approved last week by the South Florida Water Management District a "scary mini-purchase." They said it would do nothing to advance the formation of the critically needed flow way to relieve destructive discharges to the Caloosahatchee and St. Lucie estuaries.

The approved purchase is one-sixth the size of the plan Gov. Crist proposed two years ago when he said it was "as monumental as the creation of the nation's first national park."

Many other environmental organizations, though, supported the smaller deal, including the Sanibel-Captiva Conservation Foundation, Everglades Foundation, Audubon of Florida, Conservancy of Southwest Florida, and the Sierra Club. Also supporting the purchase were the U.S. Fish and Wildlife Service; the Superintendent of Everglades National Park Dan Kimball; and Michael Sole, Secretary of Florida's Department of Environmental Protection. All these groups had representatives speak in favor of the deal at the meeting of the water management district's governing board Aug. 12 prior to its unanimous vote of approval, with one abstention.

Sanibel Vice-Mayor Mick Denham said he is disappointed but not surprised.

"I am disappointed that the vision of Gov. Crist for a much larger land purchase to help protect our estuary could not be realized, but with the state of the economy it is not surprising that a smaller purchase is now planned. But it is a first baby step toward redirecting the polluted discharge from Lake Okeechobee south where nature intended it to go. This purchase, however, should not distract the estuary community from continuing to push the South Florida Water Management District to right the inequities our region endures. There is just too much water released to our estuary, damaging the environment and economy of southwest Florida and that really isn't fair."

The PURRE Water Coalition, in a message to its members, said the once historic deal, which "would have provided the greatest opportunity we could ever have to store, treat water and move water south," had been "looted" and now provides "virtually no assistance to the Caloosahatchee River." But the statement went on to say, "Is this remnant of Gov. Crist's brave deal of 2008 better than nothing? Yes, it is. But we will not allow this deal to end here without a fight to acquire all the necessary option land to restore the historic flow through the River of Grass to Florida Bay to save the Caloosahatchee and the west coast estuaries, and join with our east coast friends in their quest to save their precious water resources."

The Rivers Coalition Defense Fund came out strongly against the revised deal and issued a scathing statement before the meeting calling on the district to "kill this deal and start fresh." Signed by the defense fund board of directors, the statement said the new plan "would not move forward at all toward connecting the Glades and Lake Okeechobee. "We may now expect to face massive additional degradations as our political system fails once again to consider the public good over private profits for a relative few."

At the meeting, Ted Guy of the Rivers Coalition came to the podium clearly emotional. "The Everglades Agricultural Area should pay for this purchase since it benefits only them," he said. "If we're going to support anything, we have to see a timetable pointing toward a flow way. Nothing else is going to work for the Everglades."

Kirk Fordham, CEO of the Everglades Foundation, didn't see it that way. "Every one of the concerns of the critics of this plan has been satisfied," he told the governing board. "It's been two years. It's time."

Drew Martin, chairman of the Everglades Committee for the Sierra Club, compared this purchase to the Louisiana Purchase and urged the Water District governing board to be as bold as Thomas Jefferson. "If he hadn't done it, we would now be 13 colonies along the eastern seaboard," Martin said. "Purchasing land is a good idea."

"There is nothing, nothing you could do that would be better to serve all the purposes of Everglades restoration than to acquire land," echoed Erick Lindblad, executive director of the Sanibel-Captiva Conservation Foundation. "We are 100 percent supportive."

The amended purchase agreement provides for the initial purchase of approximately 26,800 acres of land with options to purchase another 153,000 acres should economic conditions allow in the future.

Under the amended terms, the district would initially invest approximately \$197 million in cash to immediately acquire 26,800 acres, or 42 square miles, of land in the Everglades Agricultural Area and C-139 basin for water quality and environmental restoration projects. The district would have options to purchase the remaining 153,000 acres of land from U.S. Sugar for up to 10 years.

Included in the deal is an exclusive 3-year option to purchase either a specifically identified 46,800 acres or the entire 153,000 acres at a fixed price of \$7,400 per acre the same price agreed to two years ago, even though the land has dropped in value and the appraisals being relied on are tied to sales from 2006. After criticisms at the board meeting that the district should have gotten new appraisals, district governing board chair Eric Buermann quipped, "Can you tell us if Thomas Jefferson got an updated appraisal in 1803 for [the Louisiana] purchase?"

Still, there are some who feel the deal is nothing more than a bailout of U.S. Sugar Corporation, including the Tea Party in Action and Florida Crystals, U.S. Sugar's competitor. But Jennifer Hecker, natural resources policy manager for the Conservancy of Southwest Florida, told the governing board, "As we see it, the only thing getting a bailout is the Everglades."

"The new terms allow the district to move forward with this opportunity to restore the River of Grass in a way that both better fits Florida's current economic climate and also addresses important federal mandates related to the Everglades," Buermann said in the district's news release. The pared-down deal avoids new debt for the district. "This is what we can afford to bite off," Buermann said.

Highlights of the amended acquisition, as reported in the district's news release, include:

n Acquisition of 17,900 citrus acres in Hendry County to improve water quality in the C-139 basin, where phosphorus loads have been historically high. This parcel, just west of thousands of acres of existing constructed wetlands, can be used for water storage and treatment facilities that would improve the quality of water flowing into the Everglades.

n Purchase of 8,900 acres of sugarcane land in Palm Beach County to benefit the Loxahatchee National Wildlife Refuge by expanding existing storm water treatment areas and increasing water quality treatment for the S-5A basin, just east of Lake Okeechobee.

n An exclusive 3-year option to purchase either a specifically identified 46,800 acres or the entire 153,000 acres at a fixed price of \$7,400 per acre. U.S. Sugar could sell the option property to a third party but must retain the district's option.

n After the exclusive option period, a subsequent 2-year, non-exclusive option to purchase the approximately 46,800 acres at fair market value. U.S. Sugar could sell all or part of the option property, but subject to a right of first refusal by the district.

n A subsequent 7-year, non-exclusive option to purchase the remaining acres at fair market value. U.S. Sugar could sell all or a part of the option property, but subject to a right of first refusal by the district.

Under the revised contracts, closing on the 26,800 acres would take place in October 2010

