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U.S. Sugar land for the Everglades

08/10/2009

Palm Beach Post

Opinion Staff

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It's kind of complicated, but it comes down to this: The South Florida Water Management District wants to spend hundreds of millions of dollars to buy 73,000 acres of U.S. Sugar land that the district says is needed for Everglades restoration. And Everglades restoration, the SFWMD maintains, clearly is a public purpose.

The state says buying U.S. Sugar land is essential to restoring the Everglades.

But opponents Florida Crystals and the Miccosukee Tribe say there's no public purpose in the sale at all and that Palm Beach County Circuit Judge Donald Hafele, who heard the case last week, should not let the water district issue \$650 million in special bonds to complete the purchase.

Opponents say, among other things, the purchase will leave the water district without enough money to actually construct the various projects necessary to make Everglades restoration effective. In short, if the water district buys the land it can't afford the restoration plan, so there actually is no public purpose to the land deal. From their perspective, it's all just a big bailout of U.S. Sugar.

And if there's no public purpose, issuing the bonds would not be legal.

Hey, we said it was complicated. But what do you think? Should the water district be able to buy the U.S. Sugar Land? Take our poll above.

EDITORIAL U.S. Sugar deal Good to go

08/10/2009

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Palm Beach Post - Online

Parties challenging the purchase of U.S. Sugar land had to prove that buying swaths of farmland in the historic path of the Everglades has no public purpose. They failed.

In closing arguments last week before Palm Beach County Circuit Judge Donald Hafele, the challengers argued that the South Florida Water Management District has no plan for the land and no money for the projects that would go on the land. Therefore, the only possible use for the land is the continued cultivation of sugar and citrus, which doesn't amount to the public purpose necessary to issue bonds to buy the land.

U.S. Sugar deal

Browse all the news, see photos and video, get facts about the company and the agreement plus more.

Crist downsizing the deal

Yes, it's complicated. But here's how the case breaks down:

The water district wants permission from Judge Hafele to issue \$650 million in certificates of participation (COP) bonds, which don't require voter consent, to buy 73,000 acres from U.S. Sugar. West Palm Beach-based Florida Crystals, the other large Everglades sugar grower, wants to sidetrack a deal that it believes is too generous to its competitor. The Miccosukee Tribe claims that the lack of a defined Everglades restoration plan created by using the U.S. Sugar land would harm the tribe's ancestral home.

But water district attorneys Christine Lamia and Fred Springer, aided by Audubon of Florida attorney Thom Rumberger, rebutted those arguments. They noted that the U.S. Sugar land is extraordinarily well-suited for Everglades restoration. The Miccosukees are working off the earlier restoration plan, which was written in the 1990s with no conception that the cane fields ever could be publicly owned. Barring incompetence or negligence bordering on the criminal, Everglades restoration will be enhanced, not harmed, if the plan is amended to include the U.S. Sugar land.

The district admits that it hasn't gone through the years of planning to say exactly what it would do with the land, what the work would cost and where the money would come from. The tribe's attorney, Dexter Lehtinen, and Florida Crystals' attorney, Joseph Klock, argued that the district will spend so much money buying the land that there won't be money to do anything with it, much less continue existing restoration efforts. So U.S. Sugar would have to keep farming it, and there would be no public benefit.

In fact, district officials know that they will use the land to store and cleanse water on its way to the Everglades. It will take time to work out the details. The district never will have enough money to do everything, but it would be correct to expect the federal government, the district's 50-50 restoration partner, to contribute.

The Palm Beach County state attorney, a party to the lawsuit and representing all the state attorneys in the water district's 16-county area, announced Thursday that the district had met its public purpose test.

Judge Hafele is being asked to apply the law to an argument that is more political than legal. The challengers are determined to block the best hope for Everglades restoration, no matter the public cost. Their politics don't belong in the courtroom.

Fresh hope for 'Glades in Sugar sale

08/09/2009

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Daytona Beach News-Journal, The

ERIC BUERMANN

By ERIC BUERMANN FLORIDA VOICE There is no mistaking the groundswell of support for the South Florida Water Management District's purchase of land from U.S. Sugar Corp. for Everglades restoration. Leaders in national, state and local governments have publicly endorsed the acquisition, calling it, in the words of the secretary of the U.S. Department of the Interior, "an historic turning point for the largest watershed restoration project in the world." Environmental groups, the watchdogs of restoration progress, have proclaimed this an important step forward, a "priceless, breathtaking opportunity." And newspapers from Miami to Pensacola, as well as others across the nation, agree with our view: that this is fresh hope for protecting and restoring America's Everglades.

This makes the legal challenge by a small minority of interests who oppose the land acquisition a frustrating step along the path to progress. To be clear, their challenge does not oppose environmental improvements. It does not question the need for more water storage and treatment. Instead, the challengers are using the procedural step of court validation of the District's bonds for financing the acquisition as an attempt to simply block the deal.

Let me remind the naysayers where this land purchase will take us. Owning vast acreage south of Lake Okeechobee presents an unprecedented opportunity for water storage and treatment -- the very backbone of restoration success. More reservoirs will mean fewer freshwater discharges from Lake Okeechobee into the St. Lucie and Caloosahatchee rivers and their fragile estuaries. More treatment marshes will improve delivery of cleaner water to the water conservation areas and Everglades National Park. And the once-common practice of "backpumping" water into Lake Okeechobee will become a thing of the past.

These environmental benefits are important to Florida's future, and we stand on the brink of acquiring the land to achieve them. At no other time in recent history -- including when the Comprehensive Everglades Restoration Plan (CERP) was developed in the 1990s -- has acreage of this magnitude been made available to the public to serve our collective needs. Indeed, if such acreage had been available when CERP was being designed, the framework of projects for Everglades restoration would have turned out very differently.

In negotiating this exceptional purchase, we at the district have prudently modified the contract terms to reflect changing fiscal realities. We have identified key parcels for the initial acquisition. And we have moved steadily forward with a public planning process to put the best project ideas on the table. When a once-in-a-lifetime opportunity like this arises, it takes vision and resolve to move forward despite attempts by a vocal minority to throw down roadblocks. I can assure you that we see the vision. And we are resolved to build a healthier environment for South Florida. Now is the time to make this happen.

Buermann is chairman of the South Florida Water Management District Governing Board.

Everglades land deal a sound investment

08/09/2009

Ocala.com

Andrew Hill

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The acquisition of U.S. Sugar Corp. property by the state of Florida has been viewed favorably by most conservation-minded organizations, yet there has been limited analysis of the financial benefits of the transaction. There is no better opportunity to apply "eco-economics" theories and engage in an objective cost-benefit analysis to demonstrate how this acquisition makes perfect sense.

The estimated cost to acquire the initial 73,000 acres is \$536 million. While it is a significant investment, it pales in magnitude compared to the economic value of eco-tourism and sport fishing in the Everglades. According to a recently published report on the economic value of the Everglades by Florida Atlantic University, the total annual impact of eco-tourism in 2007 was \$1.8 billion. In addition, the total annual expenditures of sport fishing in Florida are estimated to be between \$3.4 billion and \$5.6 billion.

With approximately 70 percent of the state's population residing near the Everglades region, sport fishing in the Everglades appears to be at least a \$2 billion annual business. Just looking at the estimated annual expenditures associated with eco-tourism and sport fishing, a combined \$4 billion, the initial acquisition cost of U.S. Sugar Corp. properties of \$536 million appears to be an economically justified investment. With the initial acquisition representing only 13 percent of the annual economic benefit of just two industries, the investment to improve the long-term health of this sustainable resource appears to be of sound judgment.

The long-term environmental benefits of re-establishing water flows from Lake Okeechobee to Florida Bay also includes minimizing unnatural water discharges, and the acquisition also mitigates other potential expenses. The red tide problems experienced a few years ago caused dramatic environmental and economic damage to the tourist business on the east and west coasts of Florida. Further, tourists who experienced nauseating fish kills and respiratory problems are unlikely to return to Florida. In addition, re-establishing a portion of the natural southern water flow will avoid some of the cost of expensive and unproven engineering techniques.

In summary, the U.S. Sugar Corp. acquisition will help ensure that we have a sustainable natural resource that is integral to the economy of the Everglades region. While the cost to finance the acquisition is significant - relative to the economic benefits derived from the Everglades region - the investment is a sound business decision that will pay dividends in the form of improving the quality of life and economic opportunity for Florida residents for generations to come.

Andrew D.W. Hill, C.F.A., is a senior portfolio manager with Comerica Asset Management in Naples and is vice chair of the Conservancy of Southwest Florida.

MICHAEL PELTIER Gov. Crist still upbeat on Everglades deal

08/09/2009

Naples Daily News - Online

MICHAEL PELTIER

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Despite legal challenges that may stall the project, Gov. Charlie Crist continues to support the \$536 million plan with U. S. Sugar Corp. to buy 73,000 acres in the Everglades.

As the governor touted the program last week, competitor Florida Crystals and the Miccosukee Indian Tribe were offering closing statements in a West Palm Beach court room in their attempt to scuttle the plan that calls for the South Florida Water Management District to purchase the land with an option for an additional 107,000 acres.

Florida Crystals says the proposal, reduced in scope from its original footprint in response to a tightened state budget, is still too expensive and will not have the intended effect. Speaking to reporters in Tallahassee, Crist said he hoped the court would uphold the proposed purchase, a much smaller endeavor than the \$1.3 billion proposal first aired more than a year ago.

"It's important that we do whatever we can to preserve the Everglades, that's why we pushed so hard in this administration to do so," Crist said. "I'm very grateful for the progress that has been made ... and I'm optimistic about the court case."

The plan calls for using the U.S. Sugar purchase to help connect Lake Okeechobee to the Everglades. The tract is part of a multi-billion project to build reservoirs and treatment areas to restore water flow to the River of Grass.

To pay for it, the water management district agreed to sell bonds and repay the debt through taxes levied on property owners in the 16-county district.

The original plan called for spending \$1.34 billion to purchase 180,000 acres. In December, the water management board voted 4-3 to approve the parcel purchase, a 300-square mile region.

The original plan drew criticism from a number of fronts, including local officials in Clewiston and Sen. Mike Bennett, R-Bradenton, who tried unsuccessfully to block the water management board's ability to purchase land without local voter approval.

In response to such criticism and the state's tight budget, the project was retooled and reduced to include what state environmental officials said were the most critical acres needed to connect water sources with lands farther south.

Martinez replacement: Crist won't appoint himself

Shortly after U.S. Sen. Mel Martinez announced Friday that he was stepping down early, Crist said he would begin the search for a temporary replacement but hinted it could take a little while.

"We will immediately begin the process of selecting an appropriate replacement to serve the remainder of Sen.

Martinez's term and I look forward to making an announcement in the coming weeks," Crist said in a statement.

Taking note from some infamous predecessors, Crist, who is running to fill the seat in 2010, earlier told reporters that he is not a candidate for the interim position.

Martinez said earlier that he had informed Crist of his decision to leave office about 16 months early, citing the desire to return to private life in Orlando.

Former Minnesota Gov. Wendell Nelson made that mistake when he named himself to replace Walter Mondale in 1976 as the latter became a vice presidential candidate. Voters didn't think much of the move and made sure Anderson did not return to office two years later.

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Florida Crystals Supports True Everglades Restoration

08/09/2009

PR-Canada.net

Posted by Editor

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Florida Crystals has supported and continues to support true Everglades restoration. We recognize that restoration of the Everglades is critical for long-term sustainable agriculture in South Florida.

As an advocate for true Everglades restoration, we were compelled to challenge, along with the Miccosukee Tribe of Indians, the proposed bond validation to finance the acquisition of U.S. Sugar lands, because it is a gross misuse of public funds and a departure from the Everglades restoration plan the state and federal governments and all other interested stakeholders, including farmers, have been working toward for more than a decade. The proposed deal is a substantial road block to the implementation of projects that would have a meaningful impact on restoration.

The District's proposed acquisition will essentially divert all available funding to a land purchase without a purpose. District witnesses admitted in Court that, after incurring the purchase debt, the District will have no financial ability to do anything with the land.

Many proponents of this deal have claimed it will benefit water supply, estuary relief and water quality, but the District's Executive Director admitted under cross examination that none of these benefits will result naturally from this land purchase. All would require the planning, construction, operation and maintenance of massive public infrastructure that the District has no ability to undertake and no plan to build or finance. The land purchase, therefore, serves no purpose except to terminate or indefinitely postpone decades of planned projects that could provide meaningful restoration.

Florida Crystals has participated fully and exhaustively in the District's public planning process for Everglades restoration. Florida Crystals has publicly proposed alternatives that would require far less land, have a fraction of the total cost and provide better benefits to both the Everglades and to Lake Okeechobee, which is suffering from severe nutrient enrichment problems from northern basins.

We are hopeful that, regardless of the outcome of the current court proceedings, the District will go back to the drawing board to craft a realistic and fiscally prudent plan that can actually be implemented and provide real benefits.

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Judge to rule on Everglades land deal in 2 weeks

08/08/2009

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BusinessWeek - Online

A Palm Beach County judge says he'll make a ruling in about two weeks on whether Florida's planned \$536 million deal to buy land from U.S. Sugar Corp. for Everglades restoration can move forward.

District Judge Donald Hafele announced his decision Thursday after listening to two and a half hours of closing arguments.

South Florida water managers plan to buy 73,000 acres of farmland from the company to construct reservoirs and water treatment marshes. The deal also leaves open the option for the state to purchase more land from the nation's largest cane sugar producer.

But U.S. Sugar's main rival, Florida Crystals, and the Miccosukee Indians claim it is an irresponsible use of taxpayer dollars and could further delay Everglades restoration efforts.

