



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

Total Clips: 6

Headline	Date	Outlet	Reporter
U.S. judge demands water district show it has money to undertake Everglades cleansing	09/15/2010	Palm Beach Post	Stapleton, Christine
EPA Orders Florida to Improve Everglades Water Quality	09/14/2010	Southeast Construction	Armistead, Tom
OP-ED: New sugar deal too bitter of a pill to swallow, as it won't help east, west coast estuaries	09/14/2010	Scripps Treasure Coast Newspapers	Wickstrom, Karl
OP-ED: Criticism of U.S. Sugar land acquisition ignores key facts	09/14/2010	Scripps Treasure Coast Newspapers	Kevin Powers
South Florida water managers tentatively pass \$1 billion budget	09/09/2010	Sun Sentinel	Reid, Andy
EVERGLADES: EPA smacks Fla. with commands for cleanup	09/08/2010	Greenwire	Quinlan, Paul

U.S. judge demands water district show it has money to undertake Everglades cleansing

[Return to Top](#)

09/15/2010
Palm Beach Post
Stapleton, Christine

A federal judge wants the South Florida Water Management District to explain where it will find the billions of dollars it needs to comply with his order to clean water headed to the Everglades, since the district's financial advisers told another federal judge it does not have the money.

In an uncommon legal move, U.S. District Judge Alan Gold on Tuesday issued an order based on testimony in an unrelated case. He warned the district and the U.S. Environmental Protection Agency to come to his courtroom on Oct. 7 prepared to explain how "specific milestones" are "directly linked to a meaningful financing plan" to reduce phosphorus levels in the Everglades.

Gold cited testimony in which the district's financial advisers estimated the cost buy the land and build the projects to comply with his order at \$2 billion to \$6 billion. The advisers also said, in that case being heard by U.S. District Judge Federico Moreno, that the district "does not have the financing capacity" to comply with Judge Gold's order.

What impact Gold's latest order might have on the district's plan to spend \$197 million on nearly 27,000 acres for Everglades restoration is not known. The district approved the purchase last month and the closing is scheduled for mid-October.

The district did not comment on the order but said through a spokesperson that the sale would be reviewed after the Oct. 7 hearing. Pulling out of the sale contract now would cost the district \$10 million, under terms of the contract.

Gold issued a scathing 48-page order in April, accusing the EPA, the district and Florida Department of Environmental Protection of deliberately ignoring and refusing to enforce the laws limiting the amount of phosphorus discharged into the Everglades. He set a deadline of Sept. 3 for the EPA to draft guidelines and deadlines for the district to use in building projects to lower phosphorus levels.

Those guidelines require work to be completed by 2020. In his order Tuesday, Gold cited the district's own Strategic Plan 2010-2020, which shows land-purchase and design schedules but "no construction in connection with the 'River of Grass' through 2020."

Gold said he fears that without a financing plan in place, work will be postponed and the water quality will continue to decline.

"What actions will the EPA require to assure that such a result does not occur?" Gold wrote. "And how does the EPA intend to enforce its requirement?"

EPA Orders Florida to Improve Everglades Water Quality

09/14/2010

Southeast Construction

Armistead, Tom

[Return to Top](#)

Bulldozers may soon be pushing dirt in the Everglades following the issuance Sept. 3 of new marching orders from the U.S. Environmental Protection Agency to the State of Florida to improve the quality of water entering the Everglades Protection Area. The agency was acting in response to pressure from an April U.S. District Court decision ordering EPA and the state to begin enforcing the water quality standards mandated by Florida's 1994 Everglades Forever Act and the Federal Clean Water Act.

To comply with the court order, EPA has notified Florida that clean water standards for phosphorus are not being achieved in all parts of the Everglades and that further reductions of phosphorus pollution are needed in the area south of Lake Okeechobee. Phosphorus is a naturally occurring nutrient, but the bulk of the phosphorus entering Okeechobee and the Everglades now is from runoff of farms north of the lake.

Artificial wetlands known as Stormwater Treatment Areas are the means of slowing the flow of water and cleaning it before it enters the sensitive Everglades ecosystem. EPA's order to the state, known as the Amended Determination, calls for adding 42,000 acres of STA to the 60,000 acres already in place. The federal agency said that land already in state ownership, plus the land that the West Palm Beach-based South Florida Water Management District recently agreed to purchase from U.S. Sugar Corp. of Clewiston, Fla., will accommodate the required STA expansion.

The Amended Determination includes a schedule with detailed milestone dates for permitting, design and construction of five separate projects. Design for the C-139 flow-equalization basin in Hendry County, for example, is to begin this November and construction of the final treatment area, STA 1W, is to be completed by November 2018.

The Water Management District agreed in August to purchase 26,800 acres of U.S. Sugar land for \$197 million, with options to purchase as much as 153,000 acres more within 10 years. Closing is scheduled for October.

The court's April order was a "pretty momentous decision," says Thom Rumberger, chairperson of the Tallahassee, Fla.-based Everglades Trust, because it has forced the state and federal environmental agencies to accelerate their actions under threat of being ruled in contempt. "The issue as always is going to be money," he admits. Rumberger guessed the cost could run from \$1 billion to \$2 billion before all the work is done.

The organizations responsible for organizing, planning and executing the work are not saying much about the EPA order yet. Both SFWMD and the U.S. Army Corps of Engineers, the district's partner in the Comprehensive Everglades Restoration Plan, are studying the EPA determination and reviewing the projects it requires, according to their spokespeople.

OP-ED: New sugar deal too bitter of a pill to swallow, as it won't help east, west coast estuaries

[Return to Top](#)

09/14/2010

Scripps Treasure Coast Newspapers

Wickstrom, Karl

Very sadly, the grand sugar buyout, heralded worldwide two years ago, has turned so bitter it's indigestible.

We've been baited and switched. Again.

Now, with no flowway through Big Sugar anywhere in sight, our great St. Lucie and Caloosahatchee estuaries will continue to be pummeled with nasty farm discharges laden with phosphorous and other indignities.

As you probably know, if you've been able to tolerate all the switcheroos and political spin, the announced purchase of U.S. Sugar's 180,000 acres for Glades restoration was cut back to 75,000 acres and now to only 26,800 acres not connected to Lake Okeehobee and of dubious value unless you're a U.S. Sugar shareholder expecting to split up \$200 million.

Desperate for some kind of good cheer after so many losses, some environmental groups are doing their best to paint a happy face on the new acquisition. They point to supposed clean-ups of some phosphorous from ag country.

I'm afraid that our own face is anything but happy about the downsize, or evisceration.

Millions of people who enjoy fishing, boating, canoeing, swimming, birding and just plain enjoyment of the outdoors suffer from the degradation of the coastal estuaries and nursery areas along the coasts.

Caving in to the pollution establishment, our ever-so-friendly politicians allow the ruination of estuarine life even as they promise new long studies and make bogus claims that help is on the way.

"This new purchase plan (U.S. Sugar property) is but a fig leaf to cover politicians who promised real action and now will not deliver," said hydrologist-engineer Kevin Henderson of the Rivers Coalition in Stuart.

Henderson knows as well as anyone how the St. Lucie has been inundated by agricultural discharges over the three decades he has fought for help. Sure, it's a bit awkward to oppose this new mini-purchase after so strongly supporting the original deal that could have provided the flowway south. But, we have no choice. They're different proposals.

"The truth is we have been baited and switched again," Henderson stated. "This is a bad deal. Unfortunately, many environmental advocacy groups have trouble switching from support to damnation as quickly as private and political interests can change the deal, especially when those interests always have a head start behind closed doors.

"In this case, opposition is the only right thing to do. Kill this deal and start fresh. And do it quickly."

It's long past time that our elected and appointed office holders show at least a semblance of interest in the public good.

Let's put it this way:

"We'll have the flowway south, pretty please, or send you flowing, forthwith."

Wickstrom is founder of Florida Sportsman Magazine and coordinator of the Stuart-based Rivers Coalition Defense Fund. Online: RiversCoalition.org

OP-ED: Criticism of U.S. Sugar land acquisition ignores key facts

[Return to Top](#)

09/14/2010

Scripps Treasure Coast Newspapers

Kevin Powers

Advocates for the St. Lucie River cheered in June 2008 when the South Florida Water Management District began negotiating with the U.S. Sugar Corp., to acquire as much as 187,000 acres of land for Everglades restoration. For Martin and St. Lucie County residents, the proposed \$1.75 billion land acquisition offered an opportunity to provide much-needed water storage facilities south of Lake Okeechobee and to limit federal freshwater lake releases that have plagued the river and its estuary.

At its Aug. 12 meeting, the district governing board approved a scaled-down — but no less historic — agreement that is in line with the realities facing the agency today. Under the amended contract, the district will use \$197 million in cash already set aside for land acquisition and restoration projects to initially purchase 26,800 acres of land. The agreement includes options for up to 10 years for the district to purchase the remaining acreage should economic conditions allow.

Some Treasure Coast supporters of the original U.S. Sugar acquisition now oppose this latest agreement, claiming it will not do enough to protect the estuary. While this frustration is understandable, especially after this year's set of damaging lake releases, the criticism ignores several fundamental factors that have shaped the acquisition.

Most important, the immediate and necessary focus for the U.S. Sugar properties is to address pending federal court proceedings related to improving water quality in the Everglades. The acquisition will expand existing efforts to treat water moving through the South Florida ecosystem, which requires strategically located land.

The two parcels in the amended U.S. Sugar purchase can achieve these water quality improvements in key areas. The district can immediately use the 17,900 acres of citrus groves in Hendry County and 8,900 acres of sugarcane land in Palm Beach County to expand the network of treatment wetlands that has proven so effective at cleaning Everglades-bound water.

To date, no other land options have been forwarded to the district to achieve these objectives in a better location at a better price. Without additional proposals, it is in the best financial interest of taxpayers to deal with willing sellers as opposed to the last resort, condemnation, which can cost millions of dollars in legal fees.

Additionally, the district must accomplish all of this in a vastly different economic climate than the one in which the original acquisition was proposed. Since 2008, the agency's revenues have declined by \$150 million. Recognizing those fiscal constraints, the Governing Board has taken great care to honor its pledge to complete the land purchase without increasing the burden on taxpayers or impairing the district's ability to meet its core missions. This amended purchase also preserves funding for constructing water quality improvement projects in the future.

It is important not to make the mistake of viewing the initial 26,800-acre acquisition as a last step. The district has another decade to buy the remaining acreage. But even if all the land was available now, it would not provide instant relief for the estuary without storage and water quality improvement projects.

The St. Lucie estuary is a natural treasure that is key to our way of life on the Treasure Coast. As a Martin County resident, I believe the estuary should enjoy the same water quality protections afforded the Everglades. At the moment, however, federal and state laws dictate that the quality and quantity of water flowing south to the Everglades is subject to stricter regulations than that dumped on our estuary. This must change.

The district is working to achieve water quality improvements for the St. Lucie, with limited resources and a vast South Florida ecosystem that needs our help. To that end, we continue to look for new and innovative ways to store water north and south of the lake to help protect our unique and precious estuary.

Powers, partner in the Indiantown Realty Corp., sits on the governing board of the South Florida Water Management District.

South Florida water managers tentatively pass \$1 billion budget

09/09/2010

Sun Sentinel

Reid, Andy

[Return to Top](#)

An Everglades restoration land deal with U.S. Sugar Corp. moves forward — without raising property tax rates — under a \$1 billion budget initially approved Wednesday by the South Florida Water Management District.

The district's proposed budget includes \$197 million to buy 26,800 acres of farmland from U.S. Sugar that would be used to store and clean water to replenish the Everglades.

In addition to the U.S. Sugar deal, the district's budget includes \$60 million to refurbish the canals and levees that protect South Florida from flooding and more than \$100 million to expand stormwater treatment areas that filter pollutants out of water headed to the Everglades.

Under the proposed budget, the property tax rate levied by the district would remain about 62 cents per \$1,000 of taxable value for Broward and Palm Beach counties along with most of the agency's 16-county region.

For a home assessed at \$230,000 and eligible for a \$50,000 homestead exemption, district taxes for residents in Broward and Palm Beach Counties would be about \$112 a year.

Final approval for the budget would come at the district board's Sept. 21 meeting at the agency's West Palm Beach headquarters.

The district is moving ahead with a scaled-down version of the U.S. Sugar deal, even though declining property values in the midst of a struggling economy are projected to leave the district with about \$61 million less in property tax revenue for the budget year that begins in October.

During the past two years, the district's property tax revenue and state funding declined by nearly \$300 million.

Environmental groups have largely supported the U.S. Sugar deal as a valuable chance to acquire farmland once considered off-limits to restoration.

Opponents to the land deal, lead by U.S. Sugar rival Florida Crystals and the Miccosukee Tribe, say it costs taxpayers too much, unfairly enriches U.S. Sugar at taxpayers' expense and threatens to take money away from other, long-planned Everglades projects.

Tea Party activists who this summer protested the U.S. Sugar deal were nowhere to be seen at the district's budget vote on Wednesday.

District officials say they can still afford to acquire the U.S. Sugar land without raising property taxes.

During a time of declining tax revenues, the district's financial planners succeeded in "squeezing every penny that they could" out of the proposed budget, said Tom Olliff, the district's assistant deputy director.

Gov. Charlie Crist in June 2008 first proposed buying all of U.S. Sugar's more than 180,000 acres to build a series of reservoirs and stormwater treatment areas to help hydrate the Everglades and boost South Florida water supplies.

The souring economy led to the once \$1.75 billion land deal being downsized three times to the new \$197 million version. The deal, which still faces legal challenges, includes a 10-year option for the district to buy the rest of U.S. Sugar's land.

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

EVERGLADES: EPA smacks Fla. with commands for cleanup

09/08/2010

Greenwire

Quinlan, Paul

[Return to Top](#)

After three-and-a-half years of watching from the sidelines while Florida state agencies wrestled over expensive proposals and battled environmentalists in court, U.S. EPA has slapped Florida with new orders aimed at restoring the Everglades.

On Friday, at the behest of a federal judge, EPA issued directives and deadlines aimed at returning the slow-moving waters of the River of Grass to health by 2020. It came in response to a scathing order from U.S. District Judge Alan Gold that demanded EPA Administrator Lisa Jackson appear before him next month and blasted her agency for choosing to "drag its feet" in a "dereliction of duty ... contrary to the Clean Water Act."

Environmentalists say the order promises to break through the impasse that has resulted as the state has pushed for deadline extensions, promised grandiose restoration projects and wrangled over the merits of a billion-dollar land deal that was repeatedly delayed and downsized and has yet to close.

"Getting Region 4 of the EPA to act on something is like trying to steer a water bed that's rolling down a hill, and you can see this in what happened," said David Guest, the Earthjustice attorney who has long litigated for faster Everglades cleanup. "This is a very dramatic change in policy."

The plan released Friday, which the court must still approve, calls on Florida to roughly double the size of its billion-dollar spread of man-made pollution-filtering marshes to more than 100,000 acres. It calls on the state to correct "deficiencies" in its monitoring and reporting of pollution levels.

EPA's order lays out a matrix of deadlines under which the state must purchase land, complete design, obtain permits and finish construction of the filter marshes.

It also endorses the state's controversial land deal with U.S. Sugar Corp., the object of two years of heated public debate and litigation. EPA said the new marshes could be "largely accommodated" with land the state already owns, as well as the 27,000 acres that Gov. Charlie Crist (I) and state water managers have agreed to purchase for \$197 million next month.

Everglades Foundation CEO Kirk Fordham cheered the new EPA restoration blueprint for its "ambitious deadline" and for what he characterized as an "emphatic declaration that the U.S. Sugar land acquisition is central to the success of Everglades restoration."

EPA's Acting Region 4 Administrator Stan Meiburg said the order complied with the law but also acknowledged that the federal and state governments "must do more together to restore clean water to the Everglades."

The Florida Department of Environmental Protection and the South Florida Water Management District, the local agency responsible for Everglades restoration, both issued statements saying EPA's order, which gives the state 60 days to respond with alternative proposals, remains under review.

But the district also said it was "encouraged by the determination's apparent flexibility," particularly for encouraging the state to propose water storage alternatives in certain areas.

Despite spotty but improving performance, the artificial marshes remain the best available weapon for combating phosphorus, the fertilizer constituent that washes off farms and urban areas and represents the primary pollution threat to the Everglades. Phosphorus has triggered soupy algae blooms and caused cattails and exotic weeds to choke out essential native plants in the once 4,000-square-mile marsh, which has been reduced to half its original size, slowly poisoned by farms, urban sprawl and rock mining.

Sugar land deal

EPA's action marks the second major endorsement for Crist's controversial U.S. Sugar land deal in recent weeks.

In another Everglades case, a special master to U.S. District Judge Federico Moreno issued a recommendation saying the state is correct to halt construction of a 25-square-mile reservoir, the largest of its kind in the world, despite having already invested a quarter-billion dollars in the project.

Moreno's special master, John Barkett, sided with Everglades Foundation scientists and other environmentalists who argued that the state's decision was wise and that the reservoir land would be better used as a pollution treatment marsh, given the U.S. Sugar acquisition.

Attorneys for U.S. Sugar's chief rival, Florida Crystals Corp., and the Miccosukee Tribe of Indians, which lives on land in the Everglades and operates a casino on its outskirts, had argued that halting the reservoir would set back

Everglades restoration for decades.

First unveiled by Crist in June 2008, what began as the South Florida Water Management District's shocking \$1.75 billion total buyout of the sugar giant was downsized three times, to the purchase of just 27,000 acres of citrus fields and other lands.

Frustrated by the slow progress and second-guessing, Moreno issued an order in March that seemed a death knell to the deal, writing that he was "now uncertain as to what role the downsized land purchase will play in Everglades restoration." But after hearings this summer, Barkett took a decidedly different tack.

"It would be both disappointing and surprising if the State and the United States did not figure out a way to assist the District in truly recreating the River of Grass," Barkett wrote. "Everglades? or Neverglades? At some point, political and business leaders have to implement their commitment to save this Florida and United States ecological treasure; promises just won't do anymore."

Miccosukee attorney Sonia O'Donnell did not return a call for comment.

Fordham, of the Everglades Foundation, said the report and EPA's order last week together marked a sea change in both regulators' and the courts' view of what was best for the ecosystem.

"They're very much aligned in the direction that Everglades restoration now needs to move in," Fordham said. "If we can continue the harmonious relationship between the state of Florida and the federal government, we have an opportunity to really advance key water quality improvements over the next five to seven years."

