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Everglades Land Buy Will Start Small and Grow

04/02/2009

Engineering News-Record (ENR)

Thomas F. Armistead

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Bowing to the realities of a severely weakened economy and a ballooning budget deficit, the state of Florida has drastically revised its proposed purchase of agricultural land in the Everglades Agricultural Area south of Lake Okeechobee.

Buying only 72,500 acres now, Florida has an option to complete a planned purchase of 180,000 acres within 10 years.

The states goal continues to be to connect Lake Okeechobee with Florida Bay and restore the natural flow of water that created and sustained the vast Everglades ecosystem for thousands of years, said Gov. Charlie Crist (R) on April 1 in announcing the revised approach. In pursuit of that goal, Crist last June had announced that the state had reached an agreement with United States Sugar Corp., Clewiston, Fla., for Florida to buy the agribusiness assets and 187,000 acres of land for \$1.75 billion.

That plan subsequently was scaled down to acquire 180,000 acres of real estate only, at a cost of \$1.34 billion. The boards of the South Florida Water Management District and U.S. Sugar both approved the deal in December. Under the plan announced April 1, the state still intends to acquire the entire 180,000 acres, but in two phases over as much as 10 years.

In the first phase, U.S. Sugar will sell 72,500 acres to the state for \$533 million. This represents the largest single purchase of land in Florida history by Florida, Crist said, emphasizing that, even in its reduced scope, the purchase is twice the size of Orlando, but at a cost 60% less than the original proposal. The revised agreement gives the state a 10-year option, with right of first refusal, to purchase the remaining 107,500 acres of the U.S. Sugar land. Ten years will be more than enough time for the economy to turn around and allow the state to complete the plan, Crist said.

The revised plan meets the objections of critics who said the original purchase would overwhelm the South Florida Water Management District financially and severely disrupt the economy while throwing more than 1,000 U.S. Sugar employees out of work. I am very confident that this is a deal the Water Management District can afford, said Carol Wehle, the districts executive director.

The extended time for concluding the purchase will give regional planners time to mitigate the economic effects of the purchase, said other state officials. Furthermore, plummeting property values, which have helped to create a \$2.3-billion state budget deficit, could also make future acquisition of the land less costly.

The purchase also will not distract the state from its commitment to the Comprehensive Everglades Restoration Plan, the \$10.9-billion program of joint federal and state projects to restore the regions unique ecosystem, said Michael Sole, secretary of the Florida Dept. of Environmental Protection. I think what were doing is were expanding on CERP, and were adding to it, he said.

The revised deal could lead to resumption of construction on the Everglades Agricultural Area Reservoir A-1. SFWMD suspended construction of the \$300-million, 22-mile embankment around the 25-sq-mile reservoir in May 2008, pending mediation of a lawsuit related to the project. Wehle has said that the reservoir might be repurposed to become a stormwater treatment area if the states purchase succeeded. On April 1, she said the SFWMD governing board would take up the reservoir issue in its next meeting. A joint venture of Bozeman, Mont.-based Barnard Construction Co. and Pasadena, Calif.-based Parsons Corp. have a master contract with SFWMD for construction of the reservoir.

Everglades Restoration Plan Shrinks

04/02/2009

Environmental News Network – Online

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MIAMI The Everglades have become yet another victim of the shrinking economy.

Gov. Charlie Crist announced Wednesday that Florida would significantly scale back its \$1.34 billion deal to restore the Everglades by buying 180,000 acres from the United States Sugar Corporation.

At a news conference in Tallahassee, Mr. Crist outlined a far more modest proposal: \$530 million for 72,500 acres, with an option to buy the rest by 2019. &ct0=INSERT_CLICKURL_HERE' framespacing='0' frameborder='no' scrolling='no' width='300' height='250'> &ct0=INSERT_CLICKURL_HERE' framespacing='0' frameborder='no' scrolling='no' width='300' height='250'> 'We feel this is the best opportunity, the best financial scenario we can present,' Mr. Crist said, adding, 'The economy has been what it has been, and we have to deal with the parameters we are given.' The new proposal, if approved by the South Florida Water Management District and the board of United States Sugar, would amount to the

second major revision of a plan that began last June as a purchase of United States Sugar, all assets included, for \$1.75 billion.

Back then, state officials and environmentalists described the buyout as 'the holy grail' of restoration because it would put the countrys largest sugar grower out of business and revive the water flow between Lake Okeechobee and the Everglades.

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Governor Shares Proposal to Achieve Everglades Restoration

04/02/2009

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Strategy cuts initial investment by 60 percent, provides ready access to land, preserves jobs.

TALLAHASSEE After gathering key input from the public, legislators and South Floridas communities and in recognition of the nations current economic climate, Governor Charlie Crist today shared details of a revised strategy to acquire land for Everglades restoration from the United States Sugar Corporation. The approach incorporates todays fiscal realities by saving \$800 million at closing, providing ready access to strategically located acreage for restoration projects and preserving thousands of jobs.

By taking this fiscally conservative approach, we can secure this once-in-a-lifetime opportunity to restore and revive the Everglades despite continued economic challenges, said Governor Crist. The proposal represents a balance for both the environment and the economy by allowing us to acquire hundreds of square miles of prime property in affordable steps.

The proposed terms, which are subject to financing and approval by both the South Florida Water Management District Governing Board and the United States Sugar Corporation Board of Directors, would allow the district to fulfill the Governors vision to acquire huge parcels of agricultural land for Everglades restoration by purchasing 112 square miles of property immediately, with an option to purchase the remaining acreage when economic and financial conditions improve.

Under the proposal, the district would initially invest approximately \$530 million for 72,500 acres of property south of Lake Okeechobee a land mass nearly twice the size of Orlando. Approximately 32,000 acres of that land, currently in citrus production, would be available to the district within a year after closing. The United States Sugar Corporation would lease back the other approximately 40,500 acres of sugar cane land for \$150 per acre per year for at least seven years. The district would have an option to purchase the remaining 107,500 acres of United States Sugar Corporation property for restoration within the first 10 years after closing.

Highlights of the proposed acquisition terms include:

Reducing the immediate public investment by 60 percent, or \$800 million, in addition to reducing annual debt service payments by an estimated \$65 million.

Tripling the land lease rate to \$150 an acre per year to generate a minimum of \$40 million in revenue and avoid at least \$11 million in land management costs.

Potentially freeing up revenue over the coming years for shovel-ready restoration projects that could create jobs and deliver environmental benefits to the Everglades Protection Area and Floridas coastal estuaries.

Sustaining regional agriculture.

Keeping 1,700 direct jobs intact and protecting 10,000 indirect jobs for at least another decade with the continued operation of the United States Sugar Corporations mill and refinery.

Restoring Floridas Everglades depends on acquiring the land needed to clean and protect water flowing through the ecosystem, said Manley Fuller, president of the Florida Wildlife Federation. The purchase of this land is a milestone for all who cherish the Everglades and its unique habitat for endangered species.

Governor Crist was joined for the announcement by Lt. Governor Jeff Kottkamp, Secretary Mike Sole of the Florida Department of Environmental Protection as well as environmental leaders: Charles Pattison, 1000 Friends of Florida; Thom Rumberger, Everglades Trust & Foundation; Janet Bowman, The Nature Conservancy; Eric Draper, Audubon of Florida; and Curt Kiser, Florida Wildlife Federation.

On June 24, 2008, Governor Crist announced that the South Florida Water Management District would begin negotiations with the United States Sugar Corporation to acquire vast tracts of land south of Lake Okeechobee for Everglades restoration. After extensive deliberation, due diligence and public input, the districts Governing Board voted to accept a proposal to acquire more than 180,000 acres of agricultural land for \$1.34 billion.

In light of changing economic conditions, the districts Governing Board added a clause to the contract to allow for the review of the most current financial conditions including interest rates and revenue streams before closing to verify the districts capacity to finance the purchase and accomplish its existing statutory and legal obligations. Since December, revenue projections have changed dramatically with economic forecasts indicating continued financial uncertainty over the coming months.

Because of the states strong commitment to this monumental vision for restoration, we are optimistic that this acquisition can be achieved under terms that are better matched to South Floridas current fiscal climate, said Florida Department of Environmental Protection Secretary Michael Sole. With the Governors support, the parties have explored alternatives that allow for the acquisition of strategic and desirable lands but under a schedule that reduces the taxpayers investment today; makes revenue available sooner for the realization of restoration projects and preserves jobs.

The details of the revised acquisition terms are still under

discussion. The final proposed terms will be reviewed and considered by the South Florida Water Management District Governing Board at its public meetings.

Environmental goals of the acquisition include:

Increasing the availability of water storage, significantly reducing the potential for harmful discharges from Lake Okeechobee to the St. Lucie and Caloosahatchee rivers and estuaries when lake levels are high.

Delivering cleaner water to the Everglades during dry times and greater water storage to protect the natural system during wet years.

Preventing tons of phosphorus from entering the Everglades every year.

Significantly reducing the need for back-pumping water into Lake Okeechobee from the Everglades Agricultural Area.

Relieving some pressures on the Herbert Hoover Dike while the federal government undertakes repairs by providing alternative water storage alternatives.

Improved flexibility in managing Lake Okeechobee levels in a more environmentally friendly way.

For more information about the acquisition, visit www.sfwmd.gov/riverofgrass.

WORLD & NATION UPDATE AT HOME

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In a defeat for environmentalists, the Supreme Court said yesterday that the Environmental Protection Agency may consider whether protecting fish and other aquatic creatures is worth the cost of advanced upgrades for older power plants. The court ruled 6-3 that such cost-benefit decisions are allowed under the Clean Water Act as the agency moved to require more than 500 older plants upgraded in how they draw water to cool machinery. Water-intake systems kill 3.4 billion fish and shellfish each year, the EPA estimated. But the new technology would cost about \$3.5 billion annually, the EPA said. Environmentalists argued that the Clean Water Act requires remedies that "reflect the best technology available for minimizing adverse environmental impact," and that Congress understood it was nearly impossible to put a monetary value on the loss of wildlife. But Justice Antonin Scalia wrote that even the environmentalists acknowledged some limit to whether the advanced technology was worth it.

Florida Gov. Charlie Crist's \$1.34-billion deal to buy 180,000 acres of U.S. Sugar Corp. land to help restore the Everglades is being scaled back by more than half because the state can't afford the

original deal, he announced yesterday. The state will now buy 72,500 acres of land for \$533 million, and hold a 10-year option to buy the remaining land. The original deal was hailed by environmentalists, but it now will be far less ambitious. U.S. Sugar, the nation's largest cane sugar producer, owns a vast amount of land between Lake Okeechobee and the Everglades. Environmentalists have long criticized the sugar industry for cutting off the flow to the River of Grass and contaminating it with fertilizer.

The police officer who pulled out his gun and threatened an NFL player with jail instead of allowing him into a hospital where his mother-in-law was dying resigned yesterday. Officer Robert Powell had been placed on paid leave pending an investigation of the March 18 incident. "I made this decision in the hope that my resignation will allow the Dallas Police Department, my fellow officers and the citizens of Dallas to better reflect on this experience, learn from the mistakes made, and move forward," Powell said in a statement. He had stopped Houston Texans running back Ryan Moats' SUV outside Baylor Regional Medical Center in suburban Plano after the vehicle rolled through a red light. The officer pulled out his gun and threatened Moats with jail as the player and his family pleaded to be allowed to go to the hospital. Powell continued writing a ticket and lecturing Moats even after a fellow officer confirmed that his mother-in-law was dying. Jonetta Collinsworth, 45, died of breast cancer before Moats was allowed in.

An Ohio man with a reputed Nazi past is asking the United States to block his deportation to Germany, citing humanitarian reasons. John Demjanjuk made the request yesterday with Immigration and Customs Enforcement. Demjanjuk, turning 89 tomorrow, is charged in an arrest warrant in Germany with 29,000 counts of acting as an accessory to murder while he was a guard at a Nazi death camp during World War II. John Demjanjuk Jr. said his father has chronic kidney disease and other ailments.

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Analysis Legislature 2009 at the halfway mark

04/02/2009

Sarasota Herald-Tribune

Lloyd Dunkelberger

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The 2009 Florida legislative session reached its halfway mark this week. Here is where major legislation stands, along with the H-T Capital Bureau's assessment on chances for passage:

Budget

Issue: The dominant issue. The recession has caused a steep decline in state revenue, leaving lawmakers with as much as a \$6 billion hole. The state's share of the federal stimulus package will offset about half of that deficit, but lawmakers still face difficult decisions on budget cuts and tax and fee increases.

Action so far: The Senate and House have embraced the federal financial aid, although not as aggressively as Gov. Charlie Crist, who used nearly \$5 billion in federal money in his budget proposal. The Senate has signaled its willingness to look at new revenue sources, ranging from a gambling agreement with the Seminole Tribe to a \$1-a-pack cigarette tax, while the House has been more conservative.

Prospects: Lawmakers have to pass a new budget, which takes effect July 1. The only question remains is whether they can settle their differences by the scheduled May 1 end of the 60-day session. While the new budget is likely to contain some steep cuts in state programs, lawmakers have made it clear one of their goals is to keep education funding intact.

Taxes

Issue: The Legislature is seriously looking at tax increases for the first time in more than a decade.

Action: A bill to increase the state's 33.9-cents-a-pack cigarette tax by \$1 is moving in the Senate, although House leaders have resisted. Other proposals include the elimination of sales tax exemptions, including the sales of bottled water, and a host of fee increases that would impact everything from renewing driver's licenses to filing civil lawsuits.

Prospects: Some tax and numerous fee increases are likely given the state's financial predicament. Crist has softened his opposition to a cigarette tax, saying he could accept it if it were viewed as a "user's fee." Property insurance

Issue: Lawmakers may let state-backed Citizens Property Insurance, the largest home insurer, raise its rates, which critics say are not adequate to pay claims if the state is hit by a major hurricane. Another provision would reduce the hurricane catastrophe fund, which was expanded to \$28 billion in 2007.

Action: The Senate has a bill that would let Citizens raise its rates by as much as 10 percent for individual homeowners and would cut the so-called CAT fund back to \$16 billion over the next six years.

Prospects: Insurance lobbyists and state regulators support plans to let Citizens raise its rates on a "glide path." But both measures would mean higher property insurance rates for many Floridians during a difficult economic recession. Opposition from the governor and key senators could scuttle the move this spring, although lawmakers would be left with the question of what will the state do if it is hit by a big storm in the fall.

College tuition

Issue: Lawmakers want to give all 11 state universities the ability to raise tuition by as much as 15 percent a year until tuition rates equal the national average. Significantly, the so-called "differential" tuition would not be covered by the Bright Futures program.

Action: The bills are moving quickly through the Legislature with support from top leaders.

Prospects: With the backing of Crist, the academic community and business leaders, the tuition bill appears to be a near certainty in this session. It also has the additional attraction of providing extra money in a tight budget year.

Class size

Issue: Some lawmakers and school districts want to ease the 2002 constitutional amendment that will require districts by the fall of 2010 to keep class sizes at 18 students in pre-kindergarten-3rd grade, 22 students in grades 4-8 and 25 students in high schools.

Action: The House and Senate are moving amendments that would allow the districts to calculate class sizes based on school averages rather than the actual classrooms.

Prospects: U.S. Rep. Kendrick Meek, D-Miami, who championed the 2002 amendment, opposes the revision, meaning it could face significant opposition from the Democrats. But if the Republicans remain united, they have enough votes to put the measure back on the ballot, where it would have to receive 60 percent support before it could be changed.

Everglades

Issue: Heading into the session, Crist outlined an ambitious plan to buy 180,000 acres of land in the Everglades from the U.S. Sugar Corp. to restore the vast South Florida wetlands.

Action: Facing opposition from some lawmakers who questioned the \$1.34 billion purchase during a difficult economic time, Crist scaled back the proposal to a \$533 million purchase of half as much land.

Prospects: The more modest plan makes it less likely that lawmakers will use the session to raise objections to the proposal.

Energy

Issue: As part of his energy initiative, Crist wants lawmakers to impose tailpipe pollution standards on cars and light trucks and to create a renewable energy standard for the state's utilities. Action: The Senate has moved the bills through committees, but the House has yet to take up the legislation.

Prospects: It may take a heavy lift by the governor to get the bills passed this spring, particularly the car pollution bill which is being heavily opposed by auto manufacturers and dealers.

Florida Forever

Issue: The \$300 million Florida Forever environmental land-buying program is in jeopardy.

Action: Preliminary House and Senate budget would not authorize funding for the program, which is considered the largest public land acquisition program in the country.

Prospects: Lawmakers decided to cut funding in a special session earlier this year, but Crist restored it with a budget veto. It may take Crist's efforts again to keep the program intact. Gambling Issue: Crist wants to let the Seminole Tribe expand its gambling operations to include card games, like blackjack, in exchange for paying the state more than \$100 million a year.

Action: The Senate has a bill that would not only let the tribe expand its gambling but would also let the horse tracks, jai alai frontons and dog tracks expand their gambling operations too. The move could yield up to \$1 billion in new revenue, although economists believe the financial impact will be much more modest. The House has balked at any gambling expansion.

Prospects: There may be some middle ground between the Senate's expansive plan and the House's dim view of gambling, with the incentive being lawmakers need the gambling money to shore up the budget. Worker's compensation Issue: A state Supreme Court ruling has struck down part of a 2003 worker's compensation law that capped lawyers' fees in cases involving injured workers.

Action: The House has backed a bill that will return the law closer to its 2003 version, while the Senate is taking a slower approach.

Prospects: As a top priority for the state's powerful business lobbies, it appears likely some revision of the law will pass. The key will be the Senate where lawmakers are more sympathetic to arguments raised by trial lawyers on behalf of the injured workers.

GOVERNOR HALVES U.S. SUGAR GLADES DEAL

04/02/2009

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Gov. Charlie Crist gave his controversial Big Sugar land deal a political and pragmatic repackaging Wednesday, announcing that the state would buy less than half of U.S. Sugar's sprawling fields for Everglades restoration, but at a third of the price.

The governor said the new offer - \$533 million for 72,500 acres of citrus groves and sugar fields, with a 10-year state option to buy more - would cut taxpayer costs, save 1,700 farming jobs in Clewiston, preserve his goal of creating a crucial Everglades corridor and still remain the largest conservation land buy in state history.

"Even though it's scaled down, it's still the biggest ever," he said. "It's about twice the size of Orlando."

But it's also not much more than half the amount environmentalists contend is needed to supply the Everglades with plentiful clean water and divert polluted runoff strangling Lake Okeechobee and rivers on both coasts.

Tom Van Lent, chief scientist for the Everglades Foundation, acknowledged the initial buy would fall short of the now-dead \$1.34 billion bid to buy U.S. Sugar's entire 181,000 acres, but credited Crist for preserving what would still rank as a "significant accomplishment."

"Overall, it is a big step toward restoring the Everglades and estuaries," he said.

The state's slumping economy and plummeting tax revenues forced the major makeover, the third since Crist announced the blockbuster proposal in June. But it also includes changes clearly intended to address criticism of the deal.

Lawmakers, rival growers, Glades community leaders and the Miccosukee Tribe had attacked the deal as an expensive corporate bailout, charging it would ravage rural economies and towns, saddle the South Florida Water Management District with budget-busting debt and pick the pockets of taxpayers in 16 counties, including Miami-Dade and Broward, who pay the district's bills.

Barbara Miedema, vice president of the Sugar Cane Growers Cooperative of Florida, said the new deal was now "potentially affordable" and toughened a sweetheart lease that rival growers contend would have given U.S. Sugar a competitive edge. The new deal would triple the \$50-an-acre annual rate U.S. Sugar was to pay to farm its own land until restoration projects are built.

But she argued that the state was still overpaying at \$7,350 an acre, didn't have a plan or cost estimate for projects, and that the scattered parcels would not provide what Crist and environmentalists had promised - a "connection" between Lake Okeechobee and the Everglades.

"You're giving a company \$500 million to stay on the land for the next seven years with evergreen renewals. They're probably going to farm the land for the next 20 years, and you're not going to build anything until then," she said.

Miccosukee tribe attorney Dexter Lehtinen echoed the concerns, saying the deal would extend damaging sugar farming, divert

scarce money from other projects and delay Everglades restoration by years.

"We're abandoning reservoirs now for reservoirs later," he said.

Flanked by a giant photo and two oil paintings of the River of Grass, Crist acknowledged what lawmakers and other critics had said for months - the faltering economy made the megadeal impossible. The governor said the downsizing would still secure key pieces and provide the option to phase in more as the economy improves.

Over the next 10 years, the state could buy all 107,500 remaining acres owned by U.S. Sugar - though even environmentalists are targeting only about half that land. Overall, they aim to convert about 120,000 acres into reservoirs and pollution treatment marshes.

Under the new terms, which must be approved by U.S. Sugar's board of directors and the water district's governing board, the company would continue using the 72,500 acres for at least seven years or until a water project is ready for construction.

The state could take 32,000 acres of citrus groves with a year's notice and up to 10,000 acres of cane with two years' notice - giving the state the option of earlier access to four times as much acreage as the previous deal.

U.S. Sugar vice president Robert Coker said the company could continue farming and operating as it has "with economic certainty" while negotiating with the state to buy the remaining land in years ahead. The company has also agreed to refuse to sell its land closest to Lake Okeechobee, which is sought by other buyers, for the next three years, and the state will have the first option if U.S. Sugar gets any other offers for the remaining property for the next 10 years.

There are still many questions - including whether Florida Crystals, the region's second largest grower and owner of the most attractive swaths for restoration projects, will eventually play a role. The company issued a short release saying it was reviewing the deal and continuing to work with the governor.

There are also questions about securing financing, with the bond issue facing legal challenges that could push any closing beyond U.S. Sugar's September deadline. But Coker said the deadline could be flexible if both sides agreed.

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U.S. Sugar will sell almost half, not all land; Residents split on decision

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WINK-TV

Christina Hernandez

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U.S. Sugar will sell almost half, not all land; Residents split on decision

By Christina Hernandez, WINK News

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CLEWISTON, Fla. - Residents in Clewiston are split when it comes to a new deal between U.S. Sugar and the state. The state had originally wanted to buy all of the company's land. Now, it's offering to buy less than half.

Some say it will ruin their economy, and others think because the land will be put toward restoring the Everglades - it's the best of both worlds.

Mary Ann Martin is the owner and operator of Roland Martin's Marina. She says her existence in life is getting Lake Okeechobee cleaned up. Right now, she likes the state's proposal.

"You really never know until it happens. Of course, I am all for a clean lake. I've always fought for this lake," Martin said.

Cleaning up the lake is one environmental benefit of the plan, but others in the community think the economy will go downhill after the sale is made. Martin disagrees.

She said, "Agriculture is still going to be here. It's not going anywhere and we have a lot of support for the farmers."

U.S. Sugar supports ACE Hardware.

"We sell them a lot of high grade nuts and bolts and pesticides and repair equipment," Manager Nevin Rosas said.

Because the plant itself won't be downsized, the hardware store isn't worried about losing business.

"I think that the plant is going to still run strong and I think that people are still going to have jobs, and in the long term, I don't think it's going to be negative because the land can be used for something else that's more productive and better for the community," Rosas said.

Those are improvements residents want to see sooner than later.

"What I don't want to see, is to buy property and sit on it for ten years. We want something to happen," Martin added.

The South Florida Water Management District would acquire more than 72,000 acres for 530 million dollars.

Sugar Deal May Be Downsized

04/02/2009

Glades County Democrat

Gawda, Pete

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Sugar deal may be downsized

By Pete Gawda

INI Florida The purchase of U.S. Sugar by South Florida Water Management District (SF-WMD) for Everglades restoration may not be as sweet a deal as originally announced. In response to published speculations that economic conditions have forced the sale to be downsized from 180,000 acres to 75,000 acres, Deena Reppen, SFWMD's deputy executive director for governmental and public affairs, admitted that high level talks are going on.

Her remarks came during the Friday, March 27 meeting of the County Coalition for Responsible Management of Lake Okeechobee, St. Lucie and Caloosahatchee Estuaries and Lake Worth Lagoon. This organization is made up of county commissioners representing 10 counties in South Florida. The assembled commissioners also heard a report on the condition of Lake Okeechobee by Susan Gary of SFMWD and a report on the rehabilitation of Herbert Hoover Dike by Ingrid Bon of the U. S. Army Corps of Engineers (COE). Ms. Reppen told the commissioners that they would be informed of any decision made. She also said that any proposed changes would have to be approved by the SFWMD Board of Governors. The sale was to originally consist of all U.S. Sugar's assets of 180,000 acres for \$1.34 billion. Speculation is that the sale would be reduced to 75,000 acres. Lee County Commissioner Ray Judah expressed the opinion that if the sale were reduced to 75,000 acres, there would not be enough land for water treatment. He said that amount of land would be needed for water storage alone. Ms. Reppen said the sale is proceeding toward a closing date of Sept. 25. Of the 180,000 acres under consideration, certain tracts would be available for local government use. Pahokee, Belle Glade, South Bay Clewiston and the Florida Inland Navigation District have requested tracts of land. Hendry County Commissioner Kevin McCarthy noted that if the sale were reduced to 75,000 acres, the lands being considered for local government use would not be involved in the sale. If the originally announced 180,000 acre sale goes through, all land in sugar production could be leased back to U.S. Sugar for seven years. Mr. McCarthy said that in that case the lands being considered for local government use are in sugar cane production and would not be available for seven years.

Ms. Reppen addressed the concern expressed about the economic impact of the sale on the area. In this year's budget she said SFWMD has set aside \$2 million from projects and salary to fund capital improvements and infrastructure in the local communities affected by the sale. There is also a potential for other sources of funds to help the communities involved offset the loss of income that would be caused by the closing of U.S. Sugar. The governor's proposed fiscal year 2009/10 budget contains \$5 million to help areas impacted by the land acquisition. The governor's Office of

Tourism Trade and Economic Development has visited the area to be impacted and is working to provide economic assistance.

Turning from the acquisition process, Tom Teets, Everglades policy manager gave an overview of the process to develop a plan to use the land once it is acquired. Public meetings were held to get the input of all interested parties. Next modeling will be done to look at different configurations of land possible. In June a draft of possible configurations will be presented to the SFWMD Governing Board. The draft will be refined in July and a final draft of land configuration and preliminary costs will be given to the board of governors in August before the closing in September.

Dr. Susan Gray of SFWMD urged water conservation noting that rainfall in the 16 county area served by SFWMD is below average and more dry weather is expected. She said that Lake Okeechobee has a re-surgence of submerged vegetation and the quality of the lake water is improving. She said water quality is fairly good for this time of year. However, she said the salinity levels are increasing in the St. Lucie River. Turning to dike rehabilitation, Ms. Bon noted that the lake can fill up six times faster than water can be let out. The dike was completed in 1962. In the 1980s COE began to see problems with it. In the 1990s studies were done and in 2005 construction was started on dike rehabilitation. After Hurricane Katrina, further study was done. The section between Port Mayaca and Belle Glade is being rehabilitated now by installing cutoff walls in the center of the dike to prevent seepage. This section is scheduled to be completed by 2013. The Moore Haven to Belle Glade section is scheduled for rehabilitation next.

Commissioner Judah expressed his thanks that SFWMD and COE were working together to try to restore the pulse releases to the Caloosahatchee River in response to higher salinity level. Commissioner Russell Echols of Glades County thanked SFWMD for their help with the Moore Haven and Pierce Canal projects.

U.S.S.C. Agrees To Amended Acquisition Terms

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U.S.S.C. agrees to amended acquisition terms
Affordable two-step acquisition protects jobs and environment

Submitted by U.S. Sugar

CLEWISTON --- U.S. Sugar Corporation agreed to the proposed amended terms for the South Florida Water Management District's acquisition that allow the District to acquire the Company's land in two smaller phases and enable the Company to continue its operations.

"The Governor's bold vision for our property remains the same as announced in June. We're just being realistic in light of the economy-- the acquisition will be made in two steps rather than one," said Robert Coker, Senior Vice President, Public Affairs. "Even so, this historic acquisition still provides great benefits for the environment and a fair value for our Company. With property values and tax revenues falling, this became a matter of what the District realistically could afford," Coker said.

"Obviously, neither party gets everything they wanted at closing, but over the next ten years the state can still acquire a large portion of historic Everglades and U.S. Sugar property can still provide the legacy footprint for significant restoration," Coker said.

Under the proposed amended terms, the SFWMD would acquire an initial 72,500 acres of the Company's land for approximately \$530 million with an option to acquire the remaining 107,500 acres for up to ten years. The company would continue to farm the 72,500 acres through a 7-year lease that may be extended under certain circumstances.

"The two-step approach provides a greater degree of certainty for our business-es, our employees and also our communities by keeping our farming and processing operations viable," said Robert Coker, senior vice president, public affairs.

Coker said that U.S. Sugar will lease back the cane land for \$150 per gross acre for the initial seven-year period. The SFWMD can take 32,000 acres of citrus land with one year's notice. The SF-WMD also may take up to 10,000 acres of cane land in the first ten years with a two-year notice for approved and funded projects.

Up to 3,000 acres of transition lands may be transferred to local municipalities immediately if the land is not in sugarcane production. "Both U.S. Sugar's Board of Directors and the SFWMD's Governing Board must still approve these proposed amended terms," Coker said.

Plan Shrinks States First Land Purchase in Deal with U.S. Sugar

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Plan shrinks state's first land purchase in deal with U.S. Sugar Change due to economy

By DREW WINCHESTER, dwinchester@breezenewspapers.com
POSTED: April 1, 2009

Gov. Charlie Crist announced revised plans Wednesday for the Everglades Restoration plan, one that reflects the hardships of an ailing economy.

The plan scales back the state's initial purchase from 180,000 acres to 72,500 acres of property south of Lake Okeechobee at a price of \$530 million.

It is the first step in a plan that stretches over a decade, allowing the U.S. Sugar Corporation to lease land back from the state, gradually reducing its operations.

According to a prepared statement from Crist's office, the revised plan eases the burden on sugar workers in the town of Clewiston, all of whom will eventually be put out of work.

State DEP Secretary Mike Sole said the plan is designed to help the town of Clewiston, and to reduce the burden on state taxpayers.

"With the governor's support, the parties have explored alternatives that allow for the acquisition of strategic and desirable lands but under a schedule that reduces the taxpayer's investment today," he said.

In Lee County, the move to restore the natural flow of water in the Everglades helps to protect local water quality.

In years past, especially during the hectic hurricane seasons of 2004-2005, high water levels in Lake Okeechobee have forced the South Florida Water Management District to release water into the Caloosahatchee River.

The water releases are filled with nutrients from U.S. Sugar's farming operations south of Lake Okeechobee. The nutrients have been responsible for red drift algae, fish kills and damages to local estuaries.

Though the plan has been revised, it still gets support from local conservation groups like PURRE, or People United to Restore our Rivers and Estuaries.

"The way they structured the deal, we have no problem with that," said Mike Valiquette, PURRE's chairman. "We really didn't need that much land ... our position has been get what you can and lease back what you don't need."

He said the new deal includes a crucial piece of land, the 32,000-acre Diston Island tract, that would allow for water storage during the release events from Lake Okeechobee.

"We're confident we're going to have what we need to move water south," Valiquette said.

The revised plan also allows the state to retain a 10-year option to purchase the rest of the originally targeted acreage.

The new deal still has to meet the approval of the U.S. Sugar board of directors.

Lee County Commissioners Ray Judah and Bob Janes did not return calls seeking comment Wednesday.

Crist shouldnt cut Everglades funding

04/03/2009

Independent Florida Alligator, The
ERIC CHIANESE

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When one thinks of the Everglades they tend to conjure imagery of nothing but giant swamps unappealing and, honestly, a bit of a waste of space.

Nothing could be further from the truth.

Among other things, the Everglades are a designated World Heritage Site, a haven for rare and endangered species and one of the few places in the world where one can see the stunning ghost lily.

Right, enough with the environmentalist pitch. Well I only urge all of you to go out and see the Everglades because the way things are looking, the opportunity may be gone some day.

Apparently, the economic crisis, which has been so much fun for all of us which has lead to such fantastic popculture memes as Rock Santellis Wall Street populism howl and Jon Stewart giving a healthy dose of fear, trembling and sickness unto Jim Cramer has claimed another victim.

On Wednesday, Gov. Charlie Crist announced that, due to budgetary problems, Floridas longoverdue plan to buy 182,000 acres of Everglades land from the United States Sugar Corporation will be significantly scaled back. Instead, less than 73,000 acres will be purchased less than half of the specified amount in the original proposal.

Dont think I dont see where the state is coming from. With people losing their jobs, we have to save money where we can. Its just something of a shame.

This is actually the second time the plan has been scaled back, and Im not optimistic that there wont be more.

Things are looking bleak for the Everglades. Already under siege from industrial developers and environmental problems, the land has lately fallen victim to a series of invasive species like the Burmese python, the outbreak of which was parodied on The Daily Show and now it seems the cavalry has been delayed. If we dont fight to create a future, writes Neil Gaiman in his charming story Strange Little Girls, there will not be a future for any of us.

This announcement, ironically coming just on the heels of Earth Hour, has set me to thinking about this place that Ive always

known about but so seldom had any interest in. It makes me wonder, as well, what will be next. Maybe the upkeep of Yellowstone will get too expensive. Maybe filling up the Grand Canyon will be the governments next shovelready project.

I feel the urge to get out and see these places while I have the chance. Ah, if only it werent for finals.

Theres a fantastic exhibit at the Florida Museum of Natural History that you should check out if you want to get a feel for the real beauty and majesty that the Everglades hold.

It consists of a series of large black and white photos by a talented photog named Clyde Butcher, and a series of color prints by his protg, Jeff Ripple. Both men are extremely talented and capture the serenity of the unspoiled parts of this increasingly spoiled landscape. Theres another section where you can learn about the things threatening the Everglades and how to help.

I know it sounds educational, but check it out. It might be the closest to the real thing you get.

Eric Chianese is an English junior. His column appears weekly.

Editorial Keep full U.S. Sugar buy alive

04/03/2009

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Now that the state has scaled its U.S. Sugar land purchase back for the time being to less than what's needed for full Everglades restoration - and to protect the Caloosahatchee River system - future purchases are vital. The cutback to 72,500 acres of sugar cane and citrus to be bought now includes land near the Caloosahatchee that could be used to store and treat runoff before it pollutes that river and its estuary.

That's good, but there's little of the land that would be needed south of the lake to create a flow way for flood years. The dumping of such water west into the Caloosahatchee in 2004 and 2005 created environmental havoc in Lee County.

The state plans to acquire the remainder of the original 180,000 acres, still needed if the once-bright potential of this purchase is to be eventually realized.

The cutback was necessary as state revenues collapsed.

Now the challenge will be to keep the drive alive until more money becomes available, and to push for land purchase as a high priority for a state likely to be in a financial squeeze for years.

Crist hedges on vow for U.S. Sugar deal

04/03/2009

Palm Beach Post - Online

MICHAEL C. BENDER

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TALLAHASSEE Gov. Charlie Crist said Thursday that the initial 72,500-acre Everglades purchase announced this week could be paid for without raising property taxes, but he could not make that promise if the state were to buy all of U.S. Sugar Corp.'s land holdings. Crist said he hopes to buy all 180,000 acres from U.S. Sugar 'sooner rather than later' and that he would not increase property taxes to do so.

But Crist has less than two years left in his first term and is considering a campaign for the U.S. Senate in 2010.

If he were elected to another four-year term as governor in 2010, term limits would force him out of office five years before the state's option to complete the purchase expires in 2019. If the second half of the deal were left to the next governor, there would be no way for Crist to prevent a tax increase.

Crist announced Wednesday that the economic meltdown in Florida and across the country had forced him scale back a \$1.34 billion deal to buy all of the Clewiston-based farming giant's land holdings. Instead, the new deal calls for the South Florida Water Management District to buy 72,500 acres for \$533 million with an option to complete a purchase for all 180,000 acres within 10 years. The deal lets U.S. Sugar lease back its land until the state starts a restoration project. 'We'll be able to keep property taxes from going up,' Crist said Thursday. 'And I am hopeful that we'll be able to exercise that option sooner than later.' State Sen. Paula Dockery, R-Lakeland, said the revised deal 'is better, but I still have major concerns.' 'I don't understand why we're rushing into it when we're going to allow (U.S. Sugar) to continue their operations,' Dockery said. 'In a year from now that price will be even lower.' She also said the state didn't need to buy all 180,000 acres for Everglades restoration. 'I thought that was the whole purpose' of a smaller deal, she said.

Crist, however, said Thursday that the water district needs to buy all the land to meet his goal of restoring flows from Lake Okeechobee to the Everglades and eventually to Florida Bay.

There is little land included in the 72,500-acre purchase that would let the state reach that particular goal.

Instead, Crist said he hopes to buy all 180,000 acres from U.S. Sugar and use some of that property as 'leverage' to obtain land directly south of the lake. 'The acreage that is most important to me, obviously, is that that is directly south of the lake and goes directly into Florida Bay,' Crist said. 'By having the land that I think we'll be able to have as a result of that deal, it will give us the opportunity to have the leverage to get it,' he said. 'That's the hope.'

A Times Editorial Sweeter Glades deal

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A Times Editorial
Sweeter Glades deal

In Print: Friday, April 3, 2009

The state of Florida has addressed the most troubling aspects of its deal to buy U.S. Sugar land to replumb the Everglades. The proposal, unveiled Wednesday, is fairer to taxpayers and more affordable. And it balances phasing in Everglades restoration while phasing out the agricultural operations that pollute Florida's River of Grass. After three tries, Gov. Charlie Crist has a proposal that offers both fiscal sense and a road map for moving ahead.

Under the new offer, the state would pay \$533 million to buy 72,500 acres of citrus groves and sugar fields from U.S. Sugar. About half the land, currently used for citrus production, would be available to the state within a year. U.S. Sugar would lease back 40,000 acres of sugarcane land for at least seven years. Within the first 10 years, the state could buy the remaining 107,500 acres it originally sought. It also would retain the right of first refusal should another party offer to buy the property.

The new proposal does not provide the state an opportunity to replumb the Everglades in a single swoop. But that was not going to happen anyway, even before the recession took hold. The footprint now is big enough to begin a restoration effort that inevitably will take decades to complete. By shaving two-thirds off the initial purchase price, the state accomplishes two things: It allows for phasing in restoration projects as they are designed and funds become available, and it makes it likelier that the agency in charge, the South Florida Water Management District, will be able to undertake the massive effort without compromising its core mission of managing water resources across South Florida.

The terms are also better. The new deal would triple the \$50-an-acre rate that U.S. Sugar would pay to lease the land until restoration begins. It also removes a clause that gave U.S. Sugar the seventh year of its lease rent-free. U.S. Sugar has agreed not to sell its land closest to Lake Okeechobee for the next three years. That provision buys the state time for the economy to recover and to buy additional land if the price is right.

The water district's governing board, which is scheduled to take up the proposal Thursday, still has questions to answer. It needs to confirm the assessment by its executive director, Carol Wehle, that taxpayers in the 16-county district can afford the purchase even if the recession continues to depress property tax collections for another couple years. The board needs to assure the public that it can manage both the restoration and its larger obligations. There should also be a timetable for acquiring the additional lands. After all, the whole point is to piece together a footprint that is large and integrated enough to restore some natural flow to the South Florida ecosystem. Now that it has more time, the state also needs to help

Okeechobee basin communities craft a strategy to sustain jobs and the tax base once farming ends.

The current deal, too, has an escape clause if the financing does not add up for the district. Board members should realize by now, with this third iteration, that deadlines to close the deal are less important than getting it right. They need to reassure an understandably skeptical public — the same public that realizes it's cleaning up pollution from an industry propped up by federal price supports — that the terms are fair. But the state is working from a better starting point. Now it is time to vet the details.

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EDITORIAL: Smaller deal, better deal?

04/03/2009

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Palm Beach Post Editorial

Thursday, April 02, 2009

With criticism growing and resources dwindling, Gov. Crist cut in half his signature Everglades land deal and made it sound as big and grand as ever. It's not clear, however, that the new proposal to buy U.S. Sugar farmland for Everglades restoration is any better than the old one.

The deal still comes from a governor who wants an environmental legacy for a Senate run and is tight with lobbyists for U.S. Sugar. Since U.S. Sugar has agreed for the third time to change the terms of the deal, the company really must want to unload its land. The need for land south of Lake Okeechobee remains, as does the main question since last June: Is it a fair deal for taxpayers of the South Florida Water Management District?

Under the first deal, the district would have paid \$1.34 billion for all of the company's 180,000 acres. The new deal calls for the water district to pay \$533 million for 72,500 acres. For 32,000 acres of citrus, the district is offering \$198 million, the higher of its two appraisals from last year. The rest of the land, which includes 25,500 acres of cane land immediately south of the lake and commercial land near the Glades communities, would sell at a premium because U.S. Sugar is removing its bulk discount.

While the district would pay more per acre up front, it would get a far better rate for leasing the land back to U.S. Sugar to continue farming for at least seven years. The new deal increases the rent to \$150 an acre from \$50, eliminating a provision that drew criticism from, among others, the district's governing board.

The lower cost is easier to finance without stopping other district projects. Rather than pay \$108 million in annual debt service, the district estimates that it would pay \$43 million. Various properties that make up the 72,500 acres are strategically located to meet

specific district needs.

The deal, however, still doesn't answer how the district would obtain the rest of the land - most of it belonging to rival grower Florida Crystals - needed to form a connection for water between Lake Okeechobee and public lands to the south, a key factor in making Everglades restoration work. Gov. Crist described a 10-year option to buy U.S. Sugar's remaining 107,000 acres. But the option isn't really an option. It's a right to match other offers. If the district has no money, it can't outbid competitors. Only on one critical portion south of the lake would the district hold a true exclusive option, and only for three years. Since Florida Crystals is not a willing seller, the district planned to use surplus U.S. Sugar land to entice land swaps. The new deal signals the failure of that approach and the district's willingness to move forward without Florida Crystals land.

Also, Clewiston and other lake communities will not be mollified by the promise of seven more years of farming if, at the end, the U.S. Sugar mill closes and jobs still disappear. No deal that takes sizeable amounts of land out of production will help those towns, which is why Gov. Crist has to come up with an economic plan to protect them.

Gov. Crist believes that he has shrunken the deal to fit the water district's finances. But the governor hasn't yet shown how the shrunken deal will be as valuable to the Everglades as he says it will be.

Questions grow as deal shrinks EVERGLADES: Does Crist's scaled-back rescue plan leave out the rescue

04/03/2009

Sarasota Herald-Tribune
Spinner, Kate

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By Kate Spinner

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Gov. Charlie Crist's shrunken \$533 million Everglades land deal will not restore the River of Grass and would leave the state with thousands of acres of low-value orange groves.

The disjointed, 72,500-acres of U.S. Sugar property spans three counties and lies outside the path of a flowway planned to reconnect the remaining Everglades and its historic headwaters. The disconnect has some environmental leaders questioning whether the revised, economy-driven deal is worth the price.

"I don't think the plan for getting clean water from Lake Okeechobee down to the Everglades included buying a big piece of citrus land," said Eric Draper, policy director for Audubon of Florida, which had strongly backed Crist's original plan to buy U.S. Sugar

and 187,000 acres of its land for \$1.7 billion. "On this one, because the deal is getting smaller and there is less money, I do think we have to ask hard questions about which pieces of land are being purchased."

Despite the questions, supporters say the scaled-down acquisition is important because it would allow for expanding constructed marshes that are too small to clean dirty Lake Okeechobee water before it pollutes the Everglades.

"It doesn't get us where we need to be," said Ray Judah, a Lee County commissioner and staunch Everglades advocate. "But it's a good first step. We've got a long ways to go."

The muted environmental community reaction speaks volumes about the changes to Crist's deal proposed last summer and raises fundamental questions about the Everglades restoration plan.

The Everglades once stretched from Lake Okeechobee to Florida's southern tip before settlers converted the land south of the lake into sugar farms, citrus groves and communities. Environmental groups have long blamed sugar growers for severing that link and polluting the 'Glades with fertilizer runoff.

Crist's original plan would have put one of those polluters out of production and give the South Florida Water Management District enough land for a massive network of reservoirs and treatment marshes between Lake Okeechobee and the Everglades, an element missing from restoration plans dating back two decades.

To create the link, the state planned to swap land with Florida Crystals, a rival of U.S. Sugar's.

The latest plan leaves no land for trading, said Gaston Cantens, a Florida Crystals spokesman and vice president. He said the company is not interested in the orange groves, which make up about 32,000 acres of Crist's proposed deal.

Cantens said Florida Crystals would sell its land directly to the state, but the state has refused to negotiate with the company because U.S. Sugar opposes a three-party deal.

Last June, and in November, when the plan shrunk to 181,000 acres because of the declining economy, environmental groups used words like monumental, breathtaking and historic to describe Crist's proposal.

But Crist's announcement Wednesday brought conspicuous silence. Calls to numerous environmental groups for comment were not returned, including the Sierra Club, World Wildlife Fund, National Resources Defense Fund, National Oceanographic Society and EarthJustice.

Audubon was one of the biggest proponents of Crist's original plan, and is still supportive, Draper said. Others characterized the new plan as a more incremental improvement.

"I don't think you can use the word breathtaking, but it certainly is a tremendous step in the right direction," said Tom Van Lent, senior scientist for the Everglades Foundation. "We still need to do more."

The new plan still calls for at least one land swap, said Van Lent.

A large parcel of rich sugar land near Lake Okeechobee is likely to be traded for acreage near Loxahatchee Wildlife Refuge farther south, to expand treatment marshes.

The southernmost parcel in Hendry County could also expand treatment marshes. Unfiltered pollution causes algae blooms and promotes cattail growth that chokes the 'Glades' natural sawgrass.

A small parcel west of the lake could treat polluted agricultural water pumped back into the lake. And a cluster of orange groves east of the lake, along the Caloosahatchee River, could be converted into a reservoir.

Van Lent said the orange groves were likely an "all-or-nothing deal" included in the bargain.

Still, he said, the pollution problems the state could fix with the other U.S. Sugar land is important.

"Water quality issues have been litigated since 1988. We can argue where the priority was, but having the district take a step to resolve all the water quality issues is a pretty significant step," Van Lent said.

Restoring the Everglades requires capacity to store and clean 1 million acre-feet of water, demanding about 100,000 acres of land, Van Lent said.

Crist's deal represents a shift in priorities, based on land that U.S. Sugar was willing to sell, advocates said.

"This is the land that we could get U.S. Sugar to sell to us, so even though we haven't previously planned to do something there, we'll come up with a plan to justify buying that particular piece," Draper said.

Kirk Fordham, CEO of the Everglades Foundation, said the deal was likely driven in part by U.S. Sugar's ability to continue making a profit.

The company needs enough sugar land in production to support its mill. It also has a rock mine on the preferred property between the Miami Canal and U.S. 27.

"It probably has more to do with economics than necessarily any other factor here," Fordham said.

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