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Stick up for the St. Lucie River: Continue lawsuit against federal government

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02/03/2010

Palm Beach Post

Stick up for the St. Lucie River: Continue lawsuit against federal government

By The Palm Beach Post

Posted: 6:41 p.m. Tuesday, Feb. 2, 2010

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What would you do if the decision by some anonymous bureaucrats turned the canal behind your home the color of split pea soup? Nearly two dozen homeowners in Martin County and their allies decided to sue.

Those bureaucrats worked for the U.S. Army Corps of Engineers. With the South Florida Water Management District, the corps regulates the level of water in Lake Okeechobee. From the late 1990s until the middle part of the last decade, the plaintiffs argued, the corps kept the lake level too high. When that high water threatened the Herbert Hoover Dike that surrounds the lake, the corps released large amounts of dirty lake water east into the St. Lucie River, and from there into the Atlantic Ocean.

At various times, those discharges created a disgusting pollution plume in the ocean and left a coating of toxic algae on the river and area waterways. The suit, filed in late 2006 by the Rivers Coalition, sought \$50 million — the appraised value of the 22 homes. The lawsuit, however, also aimed to get the government's attention. And even though the plaintiffs lost in federal claims court last week, the suit made its point. The corps recently pledged to keep the lake no higher than 15.5 feet; sometimes, it's been 2 feet higher. More releases began going west through the Caloosahatchee River, where people are organizing as the Rivers Coalition did more than a decade ago.

The real problem is twofold: The water entering the lake is too polluted, and there isn't a good way to send water south. If summer rains swell the lake, the level must drop to avoid the danger from hurricanes. Relief, though, could come if the water district buys 73,000 acres from U.S. Sugar. All that land is south of the lake, and one key use of the land would be to store and treat lake water that the corps otherwise would have to flush into the rivers.

Based on comments from the plaintiffs, they intend to appeal. The Rivers Coalition, made up of individuals and businesspeople, saw the lawsuit as the best response to years of the corps ignoring the public. The decision made sense then. So does filing an appeal now. The push is for more than a single court decision; it's for a wider change in policy. The Treasure Coast has heard lots of promises from those in charge of the lake, but the dirty water keeps coming. The lawsuit is one means of applying public pressure.

Florida Supreme Court to hear case over U.S. Sugar land deal

02/03/2010

Miami Herald, The

Morgan, Curtis

Florida Supreme Court to hear case over U.S. Sugar land deal

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BY CURTIS MORGAN

cmorgan@MiamiHerald.com

Even before its justices rule, the Florida Supreme Court has erected a potential legal hurdle to Gov. Charlie Crist's \$536 million land deal with the U.S. Sugar Corp.

The court has agreed to hear a challenge of plans to bankroll the \$536 million purchase with bonds issued by the South Florida Water Management District. But the hearing date, April 7, comes a week after a deadline for having a court "validate" the financing.

That won't necessarily derail the blockbuster land buy, but it could force water managers and the sugar giant to alter deadlines -- something both sides have already agreed to do once.

U.S. Sugar spokeswoman Judy Sanchez signaled that the company was open to extensions to complete the purchase of 73,000 acres of sugar fields and citrus groves. Water district spokesman Randy Smith issued a brief statement that water managers were pleased the Supreme Court had set a hearing date.

Thom Rumberger, chairman of the Everglades Trust, said environmentalists were disappointed the court had not agreed to take up the case earlier, but he was hopeful the district would agree to extend deadlines, which might require another vote by the governing board on the controversial deal.

Water managers say the land, which eventually will be used for reservoirs and pollution treatment marshes, is critical to resolve water supply and quality problems that have long plagued the Everglades, Lake Okeechobee and coastal estuaries.

The Miccosukee Tribe and U.S. Sugar rival Florida Crystals Corp., which filed a lawsuit challenging the deal, argue the land deal is a multibillion-dollar boondoggle for taxpayers and that the financially strapped state doesn't have money to build Everglades restoration projects on the land.

Industry News - Florida Supreme Court to hear case over U.S. Sugar land deal

02/03/2010

Water Environment Research

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Florida Supreme Court finally takes up fight over U.S. Sugar deal

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02/02/2010

Sun Sentinel - Deerfield Beach Bureau

Reid, Andy

Florida Supreme Court finally takes up fight over U.S. Sugar deal

> Posted by Andy Reid on February 1, 2010 07:36 PM

The Florida Supreme Court on Monday announced that on April 7 it would hear the legal challenge to Gov. Charlie Crist's pending \$536 million Everglades restoration land deal.

The land deal, first proposed in June 2008, calls for South Florida taxpayers to pay for buying 73,000 acres from U.S. Sugar Corp. that would be used for restoring water flows to the Everglades.

U.S. Sugar-competitor Florida Crystals and the Miccosukee Tribe are challenging the financing for the deal, arguing it would cost taxpayers too much and further stall already-overdue Everglades restoration plans.

Environmental groups and other supporters call the deal a historic opportunity to acquire strategically located land to build reservoirs and stormwater treatment areas.

The Supreme Court hearing date comes after the March 31 deadline called for in the deal to get court approval for the financing plan. The contract with U.S. Sugar sets a June deadline to close on the deal. U.S. Sugar representative Judy Sanchez said Monday the company is willing to extend the deal if necessary due to the "lengthy litigation process."

Fla. Supreme Court to hear Everglades case

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02/02/2010

Associated Press (AP) - Tallahassee Bureau

TALLAHASSEE, Fla._The Florida Supreme Court has agreed to hear a legal challenge to a state deal aimed at buying 73,000 acres of farmland from U.S. Sugar for Everglades restoration projects.

The court says it will hear the case on April 7.

The deal calls for the state to pay \$536 million for the land. The state plans to use it to build reservoirs and water treatment marshes intended to clean water and restore natural flow through the Everglades. The deal also leaves open the option for the state to buy more land from the nation's largest cane sugar producer.

U.S. Sugar's main rival, Florida Crystals, and the Miccosukee Indians, who live in the Everglades, have argued the deal is an irresponsible use of taxpayer dollars and could further delay Everglades restoration.

Information from: South Florida Sun Sentinel, <http://www.sun-sentinel.com>

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Fla. Supreme Court to hear Everglades case

02/02/2010

Bradenton Herald - Online

South Florida Sun Sentinel

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CHARGE.

THE EVERGLADES RESTORATION PLAN IS HEADED TO THE SUPREME COURT. THE STATE'S HIGH COURT WILL HEAR A LEGAL CHALLENGE TO THE PLAN ON APRIL 7th. AT THE CENTER OF THE CHALLENGE. FLORIDA'S OFFER TO BUY 73,000 ACRES OF LAND FROM U.S. SUGAR OPERATION. FLORIDA CRYSTALS IS SUING TO HALT THE TRAIL. THE LEGAL TUG OF WAR OVER DICTATOR NOREGA CONTINUES. PROSECUTORS ASKED THE JUDGE TO CHEER THE WAY FOR HIS EXTRADITION TO FRANCE WHERE HE FACES MONEY LAUNDERING CHARGES. HIS ATTORNEY SAYS THE DICTATOR SHOULD REMAIN IN THE UNITED STATES WHILE HIS CASE IS APPEALED HERE. LAST WEEK THE SUPREME COURT REFUSED TO HEAR HIS REQUEST TO BE RETURNED TO PANAMA.

BEGINNING OF THE END ON THE CONTROVERSIAL DON'T ASK DON'T TELL LAW. 11, 000 TROOPS HAVE BEEN DISMISSED UNDER THAT LAW THAT ALLOWS GAYS TO SERVE ONLY IF THEY DO NOT REVEAL THEIR SEXUAL PREFERENCE. GAYS SHOULD BE ALLOWED TO SERVE ONLY IN UNIFORM ARGUING IT IS THE RIGHT THING TO DO.

NO MATTER HOW I LOOK AT THIS ISSUE, I CAN NOT ESCAPE BEING TROUBLED BY THE FACT THAT WE HAVE IN PLACE A ANALYZE FORCES YOUNG MEN AND WOMEN TO LIE ABOUT WHO THEY ARE IN ORDER TO DEFEND THEIR FELLOW CITIZENS. CONGRESS IS NOT EXPECTED TO CONSIDER REPEALING THIS LAW UNTIL AFTER NOVEMBER'S MIDTERM ELECTIONS.

PRESIDENT BARACK OBAMA WAS BACK ON THE ROAD TODAY.

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Florida Supreme Court to hear Everglades case

02/02/2010

Gainesville Sun - Online, The

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U.S. Sugar's main rival, Florida Crystals, and the Miccosukee Indians, who live in the Everglades, have argued the deal is an irresponsible use of taxpayer dollars and could further delay Everglades restoration.

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Fla. Supreme Court to hear Everglades case

02/02/2010

Ledger - Online, The

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02/02/2010

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News Press - Online

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Fla. Supreme Court to hear Everglades case

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Palm Beach Post - Online

South Florida Sun Sentinel

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Fla. Supreme Court schedules Everglades hearing

02/02/2010

South Florida Business Journal - Online

South Florida Business Journal

The Florida Supreme Court has scheduled oral arguments for April 7 in the legal battle over funding to purchase 73,000 acres of the Everglades Agricultural Area for Everglades restoration projects.

The Miccosukee Tribe of Indians and West Palm Beach-based Florida Crystals have challenged the state's ability to issue bonds to fund the purchase of the acres from U.S. Sugar Corp. and subsequent restoration.

In September, the tribe filed a notice of appeal to the state's highest court in the battle over the issuance of \$650 million in bonds to pay for the purchase.

In August, Palm Beach County Circuit Judge Don Hafele approved the purchase, but limited the South Florida Water Management District to \$650 million in bonds to pay for 73,000 acres. The district had originally asked to acquire 180,000 acres.

Gov. Charlie Crist announced the deal in June 2008, but it was downsized several times because of the recession.

The South Florida Water Management District, the state entity handling the purchase, has pledged to defend the bonding program in court, saying the land will "be used to better revive, restore and preserve America's Everglades and to protect Florida's coastal estuaries and Lake Okeechobee."

The bond is expected to cover the price of the land, plus additional fees and costs.

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WBBH-TV - Online

South Florida Sun Sentinel

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South Florida Sun Sentinel

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State court to hear challenge to Everglades deal

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Tampa Tribune - Online

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