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Legislators to meet in Homestead on Everglades restoration

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Florida lawmakers will hold a oversight hearing on Everglades restoration efforts Wednesday in Homestead.

The Florida House Joint Legislative Committee on Everglades Oversight, chaired by Rep. Julio Robaina, R-Miami, is seeing public opinions on an array of Everglades issues -- from the controversial \$536 million U.S. Sugar land deal to concerns about the C-111 canal overhaul increasing flood risks to South Miami-Dade farms to efforts to push Miami-Dade's urban development closer to Everglades National Park.

The meeting is scheduled for 4 to 6 p.m. at the John Campbell Agricultural Center, 18710 SW 288th St.

Legislators hold hearing on Everglades Restoration

12/02/2009
Associated Press (AP) - Tallahassee Bureau

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HOMESTEAD, Fla._A hearing has been scheduled to discuss Everglades restoration efforts in Homestead.

Florida lawmakers are set to meet Wednesday afternoon.

The Florida House Joint Legislative Committee on Everglades Oversight is seeing public opinions. Some Everglades issues include the controversial \$536 million U.S. Sugar land deal; concerns about the C-111 canal overhaul increasing flood risks to South Miami-Dade farms; even efforts to push Miami-Dade's urban development closer to Everglades National Park.

The committee is chaired by Republican Representative Julio Robaina of Miami.

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Federal court to hear arguments in Lake Okeechobee run-off case

11/30/2009

Scripps Treasure Coast Newspapers

Treadway, Tyler

MARTIN COUNTY — The Rivers Coalition and the Army Corps of Engineers are gearing up for a hearing Friday in the U. S. Court of Federal Claims in Washington, D.C., to determine the course of billions of gallons of water in South Florida.

Judge Lynn J. Bush will hear arguments in a lawsuit filed by the Stuart-based coalition on behalf of 22 Treasure Coast property owners to force the Corps to end discharges from Lake Okeechobee into the St. Lucie Estuary. Both sides are seeking summary judgments that would end the case filed Nov. 9, 2006.

About 10 Treasure Coast residents are expected to be in the courtroom for the hearing at 1 p.m. Friday, including Karl Wickstrom, head of the coalition's legal defense fund; Kevin Henderson, a coalition board member representing the St. Lucie River Initiative; Stuart Vice Mayor Michael Mortell; Martin County Commissioner Sarah Heard; and John Mildenberger, one of the plaintiff property owners in the lawsuit.

The Washington law firm of Marzulla and Marzulla represents the property owners and the Rivers Coalition, a group of Treasure Coast businesses, environmental groups and civic organizations.

The coalition's lawsuit claims the discharges of nutrient-rich freshwater from the lake pollute the estuary and the Indian River Lagoon and violate the riparian rights of the landowners.

"It's what's called a 'takings' case," said Leon Abood, chairman of the coalition, "in that when the Corps releases dirty water, they're denying property owners the right to use their property and reducing the value of that real estate."

Abood said the discharges affect both the quality of life and the "economic engine" of the entire Treasure Coast.

Attorneys from the Department of Justice will represent the Corps. Nanciann Regalado, a spokeswoman for the Corps, said its attorneys would not discuss ongoing litigation.

Paperwork filed by the government indicates the Corps has claimed the releases are made only in response to unusually high rainfall events, such as the hurricanes of 2004 and 2005 and Tropical Storm Faye in 2008, that threaten the dike surrounding Lake Okeechobee and so are beyond the Corps' control. The Corps also claims the influx of water doesn't constitute a "taking" of property because the water isn't permanent.

The plaintiffs are asking for a \$50 million award from the Corps, but Abood said any award will go toward river restoration.

"What we're really hoping for," he said, "is to stop the discharges and a court order to the Corps to move the (Okeechobee) water south."

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Such an order would dovetail into plans by the state to buy sugar company land south of the lake to re-establish the flow of water from Okeechobee into the Everglades.

"Federal court oversight of the acquisition of land and development of the flow way," Abood said, "would be a huge victory for the people of this area."

