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South Florida Sun

Editorial: Public deserves honest answer to question: What effect will U.S. Sugar deal have on other water restoration projects?

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04/06/2010

TCPalm.com

What projects will be delayed or not completed if the South Florida Water Management District consummates its \$536 million purchase of 73,000 acres of U.S. Sugar land for Everglades restoration?

The district's governing board needs to be forthcoming with the public on this issue.

The question — and answers — are important.

The agency's stated mission, in part, is to "manage and protect water resources of the region by balancing and improving water quality, flood control, natural systems and water supply. A key initiative is cleanup and restoration of the Everglades."

The proposed purchase of U.S. Sugar land has presented the district with an enormous opportunity to accelerate Everglades restoration. But at what cost to other components of the district's mission: improving water quality, flood control, etc.? And what effect would the U.S. Sugar purchase have on projects designed to help the St. Lucie estuary?

The \$536 million price tag may force the governing board to make difficult decisions about more than a dozen restoration projects, some of which already have begun and others that have been planned for years.

The public deserves to know what's at stake if the water management district completes this landmark deal.

Asked if the purchase will force the district to shelve other projects, Eric Buermann, chairman of the district's governing board, said "I don't think so."

Buermann's response sounded more hopeful than realistic.

In 2008, one month after Gov. Charlie Crist announced the deal to purchase U.S. Sugar land, the state suspended work on the 25-square-mile A-1 reservoir on the northeastern edge of the Everglades. Why? Concerns the district can't afford to complete both the \$800 million reservoir project and purchase U.S. Sugar property.

Last week, a federal judge ordered the state to resume work on the A-1 reservoir.

From the beginning of this process, we have championed the purchase of U.S. Sugar land for Everglades restoration. Acquiring that land and negotiating with Florida Crystals, another sugar company that owns property that should be transformed into a flowway reconnecting Lake Okeechobee to the Everglades, is critical to solving perhaps the deadliest ecological problem on the Treasure Coast.

Buermann is correct when he characterizes the proposed deal with U.S. Sugar as "the opportunity of the century." But critical decisions must be made — and the district's governing board needs to be honest and upfront with how, specifically, saving the St. Lucie and the Everglades will be accomplished.

OP-ED: Everglades land buy a great opportunity for public, environment

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04/06/2010

News-Press

Robert H. Buker, Jr.

U.S. Sugar was not for sale when Governor Crist approached us about buying out all our assets. We considered his proposal because he was the governor, and our owners believed that we could play a major part in resolving the huge problems of the Everglades, Lake Okeechobee, and the Caloosahatchee and St. Lucie rivers, a fitting legacy for our land.

Our business competitors have attempted to characterize this acquisition as a bail-out of a struggling company. That is a lie.

While our business had accumulated significant debt due to hurricanes and the multi-year construction of our state-of-the-art sugar factory, we have weathered storms like this since 1931. We prioritized spending and cut costs. Now our sugar factory is running smoothly, our refinery had record production, and we have the best sugar market in 30 years.

Today, U.S. Sugar is well capitalized and has retired over \$200 million of debt. Our new sugar factory, railroad and cost-reductions make us by far the lowest-cost U.S. producer of refined cane sugar. We expect strong sugar demand, sales and pricing to continue, and we're the lowest-cost producer of Florida not-from-concentrate orange juice. We also have the only disease-resistant citrus trees in the U.S.

Florida Crystals is spending tens of millions of dollars in court, in the Legislature and in the media opposing this transaction in an attempt to get some of U.S. Sugar's superior assets for themselves.

They have a history of just such sordid actions. They sued over the state's purchase of Talisman Sugar in 1999 and came away with land swaps and long-term leases. After Gov. Crist announced his bold vision, Florida Crystals secretly sent their own "sweetheart" proposal "to acquire a portion of the U.S. Sugar assets." When refused, they sued.

Due to the economy, we have twice re-negotiated this contract to make it more affordable to the state.

Public review and an extensive court process approved its public purpose. We are confident the Florida Supreme Court will uphold bond validation and then the South Florida Water Management District Governing Board can complete its budget process, making this acquisition a high priority without raising taxes.

All prior restoration projects had to be designed around the fact that no land was available in the Everglades Agricultural Area for re-connecting Lake Okeechobee with the historic Everglades.

The Comprehensive Everglades Restoration Plan consists of 68 small projects, each with only limited regional benefits. Acquiring this much land south of Lake O provides the opportunity to provide massive storage and treatment that will benefit not only Lake Okeechobee and the Everglades, but will also help prevent damaging releases to the St. Lucie and Caloosahatchee rivers and estuaries. That makes this a higher priority than projects with more limited benefits.

In addition, storing water on our land replaces the need for nearly \$2 billion of unreliable aquifer storage and recovery technology that provided the major storage component of Everglades restoration.

Florida has a rare opportunity to re-acquire a large swath of historic Everglades from a willing seller at a fair, independently appraised price.

Don't allow that opportunity slip away because of some self-serving Palm Beach billionaires.

— Robert H. Buker, Jr., is president and CEO of U.S. Sugar.

OP-ED: U.S. Sugar deal is key to Everglades restoration

04/06/2010

Tallahassee Democrat

Eric Buermann

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On Wednesday, the Florida Supreme Court will hear oral arguments as it reviews a lower court's approval of the financing for the South Florida Water Management District's purchase of U.S. Sugar Corp. lands for Everglades restoration.

Last year, the lower court properly and thoughtfully ruled that the SFWMD met its legal requirements for issuing its financing, but special interests, mainly U.S. Sugar's longtime rival in the competitive sugar industry, appealed to the Florida Supreme Court.

Citizens following the U.S. Sugar acquisition have witnessed these special interests — and their lobbyists in Tallahassee — attempting to turn what is usually a routine legal review into a stage for distorting the facts surrounding the acquisition's purpose and terms. These opponents have tried to foster doubt about the public benefit from the lands and even personally disparaged those who champion the acquisition as part of Everglades restoration. It is ironic that the same thirst for profits that contributed to pollution of the Everglades is now obstructing restoration of the Everglades. Fortunately, none of these detractors, nor their well-publicized spin, will distract the court from its methodical legal review and, hopefully, will not fool the public that, for the large part, supports the purchase.

Simply put, the SFWMD will eventually have to buy more land for true restoration of the Everglades and its watersheds, whether it is from U.S. Sugar or another seller. The district is under increasing pressure from courts and federal regulators to add more storage and treatment areas beyond those originally contemplated in the state-federal Everglades restoration program.

Regrettably, the Herbert Hoover Dike surrounding Lake Okeechobee is in a weakened condition, preventing adequate water storage in the lake itself due to flood concerns. When a hurricane, tropical storm or even seasonal rain impacts South Florida, water must be released from the lake, mainly down its two estuaries to the ocean. There is no place to store it. These releases can cause tremendous damage to the environment, economies and quality of life along our coasts, and beyond.

Before the Everglades were drained to now only 40 percent of their original size, water overflowed the lake's southern rim, and the Everglades provided that storage. Indeed, if such land as U.S. Sugar's had been available when the current environmental restoration program was designed some 10 years ago, it would have been a showcase feature in lieu of certain existing components for providing storage and treatment.

The 73,000-acre acquisition under review is but the first phase of the 180,000-acre U.S. Sugar purchase to address these problems for South Florida. Water storage of this magnitude will significantly reduce freshwater releases into coastal estuaries and vastly improve water flow into the Everglades. Let's not forget that not only the environment but our water supply is at stake: South Florida, lacking mountains whose snowcaps melt into reservoirs, depends on rainwater flowing through the Everglades to recharge its underground aquifers.

How do we plan to use most of the initial 73,000 acres?

25,000 acres directly south of Lake Okeechobee for water storage and treatment.

20,000 acres for water treatment wetlands to improve water quality in an area south of the lake, where farm runoff pollution has been historically high.

10,000 acres to expand existing water treatment areas feeding the Loxahatchee National Wildlife Refuge.

10,000 acres near Lake Hicpochee to store and treat water, improving water quality flowing into the Caloosahatchee Estuary.

3,500 acres to store and treat water, significantly reducing the harmful effects of back-pumping polluted agricultural runoff into Lake Okeechobee.

To achieve these goals, a collaborative, public planning process is under way to identify specific projects for the acquisition lands, and there is no shortage of options. Stakeholders and citizens have been working with SFWMD engineers and scientists to evaluate all viable restoration proposals that an unprecedented 73,000 acres have to offer. It goes without saying that the first step is to buy them.

ABOUT THE AUTHOR

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

OP-ED: U.S. Sugar land is a good deal for Florida

04/05/2010

St. Petersburg Times

Robert H. Buker Jr.

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U.S. Sugar Corp. was not for sale when Gov. Charlie Crist approached us about buying out all our assets. We considered his proposal because he was the governor and our owners believed that we could play a major part in resolving the huge problems of the Everglades, Lake Okeechobee and the Caloosahatchee and St. Lucie rivers, a fitting legacy for our land.

Our business competitors have attempted to characterize this acquisition as a bailout of a struggling company. That is a lie.

While our business had accumulated significant debt due to hurricanes and the multiyear construction of our state-of-the-art sugar factory, we have weathered storms like this since 1931. We prioritized spending and cut costs. Now our sugar factory is running smoothly, our refinery had record production and we have best sugar market in 30 years.

Today, U.S. Sugar is well capitalized and has retired more than \$200 million of debt. Our new sugar factory, railroad and cost reductions make us by far the lowest-cost U.S. producer of refined cane sugar. We expect strong sugar demand, sales and pricing to continue. We're the lowest-cost producer of Florida not-from-concentrate orange juice. We also have the only disease-resistant citrus trees in the United States.

Florida Crystals, our competitor, is spending tens of millions of dollars in court, in the Legislature and in the media opposing this transaction in an attempt to get some of U.S. Sugar's superior assets for themselves. They sued over the state's purchase of Talisman Sugar in 1999 and came away with land swaps and long-term leases. After Crist announced his bold vision, Florida Crystals secretly sent their own "sweetheart" proposal "to acquire a portion of the U. S. Sugar assets." When refused, they sued.

Due to the economy, we have twice re-negotiated this contract to make it more affordable to the state. Public review and an extensive court process approved its public purpose. We are confident the Florida Supreme Court will uphold bond validation and then the South Florida Water Management District Governing Board can complete its budget process, making this acquisition a high priority without raising taxes.

All prior restoration projects had to be designed around the fact that no land was available in the Everglades Agricultural Area for reconnecting Lake Okeechobee with the historic Everglades. The Comprehensive Everglades Restoration Plan consists of 68 small projects, each with only limited regional benefits. Acquiring this much land south of Lake Okeechobee provides the opportunity to provide massive storage and treatment that will benefit not only the lake and the Everglades. It will also help prevent damaging releases to the St. Lucie and Caloo- sahatchee rivers and estuaries. That makes this a higher priority than projects with more limited benefits. In addition, storing water on our land replaces the need for nearly \$2 billion of unreliable technology that provided the major storage component of the Everglades restoration plan.

Florida has a rare opportunity to reacquire a large swath of historic Everglades from a willing seller at a fair, independently appraised price. Don't allow that opportunity to slip away.

Robert H. Buker Jr. is president and chief executive officer of U.S. Sugar Corp.

Eve Samples: Wondering about Everglades restoration? Take a look at Lake O

04/05/2010

TCPalm.com

Eve Samples

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MARTIN COUNTY We didn't ask for a reminder.

But late last month, we got one.

When the Army Corps of Engineers opened the flood gates from Lake Okeechobee on March 27, resuming its practice of dumping billions of gallons of dirty water into the St. Lucie River, it reminded us why water managers must make Everglades restoration a priority.

In about a week's time, the releases from Lake O have lowered salinity levels in the St. Lucie River — levels that were already depleted after a rainy March.

They have threatened marine life such as oysters during their spring spawning season.

"We keep doing little feel-good projects, and they get people elected, but they don't get the discharges stopped," said Karl Wickstrom, founder of Stuart-based Florida Sportsman Magazine and a member of the Rivers Coalition, which has waged a legal battle to stop the Lake O releases.

Until the lake water flows south to the Everglades — instead of east to the St. Lucie River and west to the Caloosahatchee River — the estuaries will continue to suffer.

The South Florida Water Management District has a rare chance to stop the suffering by buying U.S. Sugar's vast holdings south of the lake, helping to create an all-important flow way to the Everglades.

Considering the cost of the investment, it won't be the most popular decision. But it's what's right for the Everglades and for the St. Lucie River.

The U.S. Sugar deal pitched by Gov. Charlie Crist has been criticized for its expense (\$536 million for the first 73,000 acres), panned by rival corporate interests (especially Florida Crystals) and stymied by a federal judge's ruling last week.

It faces another hurdle Wednesday as the Florida Supreme Court considers the validity of bonds the water management district intends to use to pay for U.S. Sugar's land.

But the potential benefits outweigh the negatives.

Buying the U.S. Sugar land would take vast swaths of farm land out of pollution-heavy production. And, most important for the St. Lucie River, it would provide a more logical place to send Lake O's surplus water.

"This is such a great opportunity that we can't pass it up. We have to do this because this is a way to get the water moving south to the Everglades, not east and west to the estuaries," said Mark Perry, director of Florida Oceanographic Society and a Rivers Coalition member.

Meanwhile, the Army Corps' series of three 13-day releases from Lake Okeechobee continue. They are particularly disturbing because the rainy season is yet to come.

Carol Wehle, executive director of the water management district, warned Martin County commissioners last week that more wet weather would complicate matters.

"I hope I'm wrong, but I'm just feeling a wet summer and some challenges." Wehle said.

That means more releases, and more damage.

Ed Killer, this news organization's outdoors and fishing columnist, has vowed to publicly keep tabs on the Corps' releases. Each week, he intends to print the updated amount of lake water that the Corps dumps into the St. Lucie River.

It's not pleasant reading, but it's important.

When you get tired of reading about it and seeing the damage, call or write to our water management district governing board members.

Remind them why we need a solution.

Eve Samples is a columnist for Scripps Treasure Coast Newspapers. This column reflects her opinion. For more on

Martin County topics, follow her blog at TCPalm.com/samples. Contact her at (772) 221-4217 or eve.samples@scripps.com.

Big issues fatten PAC coffers of state's top legislators

04/05/2010

TCPalm.com

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TALLAHASSEE — When powerful industries push their agendas in the Capitol, they start cutting big checks to the little-known political committees of top Florida legislators who spend the money to help each other and themselves.

The total contributed to the committees since the end of the 2008 elections: \$4.1 million, according to a St. Petersburg Times/Miami Herald analysis of the 36 committees tied to sitting legislators.

The largest amounts come from industries with the most business before the Legislature: health (\$830,000), retail and general business (\$811,550), and building and real estate (\$373,348).

About 42 percent of the money flowed to four committees tied to one lawmaker, Sen. Mike Haridopolos, R-Melbourne, who will lead the Florida Senate in November. And Haridopolos is pushing for even more fundraising power. He helped pass a bill two weeks ago that could increase — by a factor of 100 — the power of legislative leaders to directly contribute money to a candidate's campaign.

The money trail reveals at least one reason why some big issues dominate this lawmaking session. And it shows how legislators spend the cash of others by campaigning for friends, hiring consultants and dining around the state, from Cracker Barrel in Vero Beach to Urbane, an upscale Tallahassee restaurant.

"When I go on the road, I should pay for that?" Haridopolos, whose district includes a large portion of Indian River County, responded when asked if some lawmakers are using special interest money for regular living expenses. "My role is to help people get elected."

Not all the committees tied to Haridopolos are solely under his control. Two are run with other lawmakers. A few other committees — Florida Mainstream Democrats and the Florida Hispanic Legislative Caucus — also involve multiple lawmakers.

None of the lawmakers, however, has raised as much as Haridopolos. He points out that he follows legislative rules and state law by posting on each committee's Web site all expenditures or contributions within 10 days of the transaction.

"I didn't hide any of our money," Haridopolos said. "Every dollar I raised was out there for everyone to see."

But every dollar spent isn't so easy to track because lawmakers funnel money from one political committee to another.

Consider Haridopolos' Freedom First Committee. It gave \$735,200 to another committee that gave money to yet another committee to support the successful Oct. 6 Senate campaign of Republican John Thrasher of St. Augustine. A third committee that also received Freedom First cash, Don't Bank on Sink, launched a now-defunct Web site criticizing Democratic gubernatorial candidate Alex Sink, the state's chief financial officer.

About \$295,000 of Freedom First's money came in six checks from the Florida and U.S. Chambers of Commerce. An additional \$105,000 came from Blue Cross and Blue Shield of Florida.

The business group and the health insurance company gave the most to the lawmaker committees. They supported Thrasher because he was taking fire from their deep-pocketed opponent, the trial lawyer lobby.

"John Thrasher is family," said Michael Hightower, the Blue Cross lobbyist who wrote the checks to Freedom First.

Mark Wilson, president and CEO of the Florida Chamber of Commerce, said the group and its national partner have targeted Florida for tort reform.

"We need a Legislature full of people who have run a business before, not just sued business," Wilson said.

On March 1, the day before the 60-day legislative session began — during which fundraising by legislators is banned

— the committees raised \$380,950.

The largest check, for \$50,000, was from the Florida Retail Federation and went to Liberty Fund, controlled by future House Speaker Dean Cannon, R-Winter Park.

The retail federation is the third-largest contributor to the lawmakers' committees. Its top agenda: a sales-tax holiday and tort overhaul, specifically limiting slip-and-fall lawsuits. Those items look likely to pass this year.

Some contributors are waging war on each other in the Capitol. The Florida Medical Association (\$85,000 donated to the committees) is fighting the Florida Optometric Committee (\$115,000) over eye-doctor procedures. And Florida Crystals (\$32,500) is trying to stop a state buyout of most of U.S. Sugar (\$70,000).

"The contributions that they are making, candidly, are because they want you to know that they're supporting you," said Rep. Bill Galvano, R-Bradenton, who operates the Innovate Florida committee.

In a sign of how much Republicans control the Capitol, only three active committees are controlled by Democrats: Mainstream Democratic Alliance, Florida Mainstream Democratic Forum and Victory 2010, which is controlled by Ron Saunders, D-Key West. Since the 2008 elections, they have raised just \$116,320 — 43 percent of it from a single Blue Cross check.

Rick Kriseman, D-St. Petersburg, runs the Mainstream Democratic groups but said they might close because it's hard to raise money in a slow economy.

Kriseman said a decision by Republicans to give leaders more fundraising power "opened up a huge can of worms."

Haridopolos and Cannon stand to benefit most from the bill, which awaits Gov. Charlie Crist's consideration. It would allow Republican and Democratic leaders to raise and spend money with special new accounts, known as leadership funds, through their respective political parties.

Now, the lawmakers can raise unlimited sums through three types of political committees: Committees of Continuous Existence, which are regulated by the state, and 527s and 501c4s, which are named for provisions of the federal income tax code.

The 527s and 501c4s can't expressly advocate for candidates. The CCEs can contribute only \$500 to a candidate.

But with leadership funds, legislative leaders will have the power to raise unlimited sums and directly contribute \$50,000 — 100 times the current limit — to any candidate on behalf of a party. Each political party can directly contribute \$50,000 now, but legislative leaders — who have private party accounts now — need permission to spend some of the money.

Currently, the political party money raised and spent by legislative leaders isn't clearly marked. That would change with leadership funds, which would have more disclosure.

"I could not ask for a better piece of legislation," Haridopolos said on the Senate floor March 24. "This is transparency that everyone is looking for."

WHO'S PAYING WHILE BUSINESS IS PENDING

The top contributors to the 36 lawmaker political committees since the last election all have important business before the current session of the Legislature. They are:

U.S. and Florida Chambers of Commerce, \$320,000

Blue Cross and Blue Shield of Florida, \$155,000

Florida Retail Federation, \$146,500

Hospital Corporation of America, \$145,500

Florida Optometric Committee, \$115,000

The Petway Cos., \$100,000

Florida Medical Association, \$85,000

AT&T, \$79,500

Florida Education Association Advocacy Fund, \$72,000

Florida Police Benevolent Association, \$70,000

U.S. Sugar Corp., \$70,000

Web sites of 36 lawmaker-controlled Committees of Continuous Existence, 527s and 501c4s.

BLOG: Sugar wars move to the airways with Everglades Trust ad

04/05/2010

St. Petersburg Times - Online

Klas, Mary Ellen

In the latest salvo in the sugar wars between U.S. Sugar and Florida Crystals over the troubled Everglades deal, the Everglades Trust is airing this 60-second radio spot in Tampa/St. Petersburg, Orlando and Daytona media markets.

"The proposal to buy 100 square miles of property from US Sugar is the best, cheapest way to save the storied River of Grass," writes Thom Rumberger of the Everglades Trust in a statement. "But a faction of disgruntled sugar growers and their friends are trying hard to stop it...The 60-second spots remind voters in key legislative districts that the same polluters who nearly destroyed the Everglades are now threatening to ruin our best chance to save them."

Hear the ad at: <http://miamiherald.typepad.com/files/evergladestrust-rev60.mp3>

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Commentary: Land purchase a victory for state, not a bailout for U.

S. Sugar

04/03/2010

Palm Beach Post

Robert Buker

Most criticism aimed at the state's acquisition of U.S. Sugar lands for restoration is fueled by our largest business competitor, Florida Crystals, and a few politicians highly motivated by their campaign contributions. They have falsely characterized this acquisition as a bailout of a struggling company.

U.S. Sugar never solicited this proposal. We were not for sale. Then Gov. Crist approached us with the proposal to acquire all of U.S. Sugar and its 180,000 acres of strategically located land for Everglades restoration.

The only reason we entertained Gov. Crist's proposal was that it came from the governor and our owners believed the transaction would play a major part in resolving the huge problems of the Everglades, Lake Okeechobee and the Caloosahatchee and St. Lucie rivers, a fitting legacy for our land.

While it was true that our sugar business had at that time accumulated significant debt due to several hurricanes and the monumental, multiyear construction of our state-of-the-art sugar factory, that is not the whole story.

Our company has been in business since 1931, and we always have weathered the storms. So, we made hard decisions, prioritized spending and cut costs. In its third year of operations, our new sugar factory is running smoothly and our refinery has had record production.

Today, U.S. Sugar is well-capitalized and we have retired more than \$200 million of debt. Our owners, shareholders and bankers are very pleased and proud of what we have accomplished. We never violated any of our banking and loan covenants.

Because of our new sugar factory, railroad and cost reductions, we are by far the lowest-cost producer of refined cane

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sugar in the United States

We expect strong sugar demand, sales and pricing for at least 2010 and 2011.

Florida Crystals is spending tens of millions of dollars in court, in the Legislature and in the media opposing this transaction in an attempt to get some of U.S. Sugar's superior assets for its business. Its actions are certainly in keeping with its history of trying to force a better deal for itself. Just as it did when it sued the state for its purchase of Talisman Sugar in the southern Everglades Agricultural Area for restoration a decade ago, Florida Crystals is angling for its own "sweet deal" in this case.

When Gov. Crist first announced this historic acquisition, Florida Crystals spokesman Gaston Cantens was quoted in the Miami Herald, stating they "view this as an opportunity to resolve some of these lingering environmental issues and create some long-term stability in this area.' In fact, Florida Crystals officials secretly sent their own proposal to the South Florida Water Management District — "to acquire a portion of the U.S. Sugar assets" and "join in pursuit of the state's goals." They demanded their offer be kept confidential, and when their terms were refused, they filed lawsuits opposing this acquisition.

While calling the contract "too sweet" for U.S. Sugar, Florida Crystals was attempting to force an even "sweeter" deal for itself.

At the same governing board meeting that Florida Crystals' spokesman Cantens publicly complained about U.S. Sugar's \$150-per-acre lease rate, Florida Crystal's leases with the SFWMD were approved at \$59 per acre.

Mr. Cantens uses the EAA-A1 reservoir on Talisman land to claim U.S. Sugar's deal delays other restoration projects when his own company sued the SFWMD to stop that reservoir construction. They forced a settlement, got an \$8 million payout and still farm more than 20,000 acres of state-owned Talisman .

Florida Crystals' secret proposal to the SFWMD offered a "sweetheart deal" to relinquish its Talisman leases only in exchange for U.S. Sugar land that is 50 percent more productive than its own.

Florida Crystals ran commercials claiming that restoration dollars are better spent north of Lake Okeechobee at the same time it presented a plan that has the SFWMD buying some of its land south of the lake rather than U.S. Sugar's.

At the SFWMD's request, due to the economic downturn, we have twice renegotiated this contract so that it was affordable to the state while still providing a fair return to our shareholders. A public review and extensive court process approved its public purpose, all over Florida Crystal's objections. We are confident that the Florida Supreme Court will uphold the bond validation and that the governing board will complete its budget process, making this a high priority without raising taxes.

The bottom line: Florida has a very rare opportunity to reacquire a large swath of the historic Everglades from a willing seller at a fair, appraised price that will advance Gov. Crist's Everglades restoration plan.

Robert H. Buker Jr. is president and CEO of U.S. Sugar Corp., based in Clewiston.

EDITORIAL: Let sugar deal slide

04/02/2010

News Herald, The

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EDITORIAL: Let sugar deal slide2010-04-02 16:59:50

A ruling by a Miami federal judge this week might signal the end for a controversial Big Sugar land deal that should not have been approved in the first place.

On Wednesday, Chief U.S. District Judge Federico Moreno issued a ruling that should see deadlines set for restarting construction of a city-size reservoir in the Everglades. The \$800 million reservoir project was halted in May 2008 to clear the way for Gov. Charlie Crist's questionable land deal with U.S. Sugar to restore part of the Everglades.

U.S. Sugar rival Florida Crystals and the Miccosukee Tribe of Indians have opposed Crist's plan saying that it represented a bailout for an agricultural giant with political influence because the state would spend \$536 million buying 73,000 acres from the nation's largest cane sugar producer.

Crist's initial plan was even bigger, calling for the state to spend \$1.75 billion to buy all of U.S. Sugar's 180,000 acres and assets in the Everglades. The original plan had appeal because U.S. Sugar would have been liquidated, removing a major industrial presence from the fragile Everglades ecosystem.

But in the two years since Crist announced his intentions, the deal has gone sour.

The water management district that Crist tapped to finance the plan had previously said that it likely could not afford both the land deal and the reservoir project.

Then Florida took a hard hit during the economic downturn, causing a scale back of the land purchase to 73,000 acres — less than half its original size — and instead of closing, U.S. Sugar would continue operations. This gives credit to opponents' bailout claims because the government would seem to be helping one grower's bottom line, while not inviting its rival to the party.

The sugar land deal could also face another blow based on the outcome of a hearing before the Florida Supreme Court next week. After a lawsuit brought by the tribe and Florida Crystals in 2009, the district had seen its credit line cut by two-thirds, according to the Miami Herald. And on Tuesday, the court will hear an appeal from the South Florida Water Management District to approve funding the purchase with bonds.

The reservoir project also faces legal uncertainty because the judge's ruling could reopen a lawsuit by the Natural Resources Defense Council, questioning whether the water would go to the Everglades and not urban development.

But there is debate about whether Crist's plan would even aid Everglades restoration. The tribe and Florida Crystals have argued that the land deal would set restoration plans back decades. And a member of the water management district's board contends that most of the tracts for sale aren't needed and are in the wrong place to facilitate Everglades restoration. The district could be buying 73,000 acres it doesn't really need with money it doesn't have.

As the judge did not order an immediate restart of the reservoir project, Crist and district officials should ensure that the any plan to meet the state's environmental goals represents the best terms for public dollars and not a bailout for private business.

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EDITORIAL: Preserve Everglades purchase

04/02/2010

News-Press

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The troubled plan to purchase U.S. Sugar property to help restore the Everglades is worth saving; it's that important to Southwest Florida to repair damage done to one of America's great natural systems.

The \$536 million plan to buy 73,000 acres from U.S. Sugar has run into heavy financial, legal and political flak. It has already been trimmed back twice, and may need further cuts, among other modifications.

It has become a political hammer for Gov. Charlie Crist's political opponents.

A federal judge has now ruled that the state must restart an \$800 million reservoir construction project designed to store and clean water. It was probably postponed in part to free up money for the U.S. Sugar purchase.

However, the purchase should take priority. The Legislature should stick by plans to appropriate the necessary money and fight whatever legal battles are needed to make the land buy happen.

The purchase is the opportunity of a lifetime to re-establish the natural southerly flow of summer floodwaters through marshes and reservoirs where they can be stored and cleansed for release into Everglades National Park and other areas starved of water by irrigation projects.

That's what gives: Everglades restoration a chance of real success.

It can help prevent the release of polluted water into our Caloosahatchee River when Lake Okeechobee rises too high. Those releases, laden with agricultural nutrients, have devastated the river and Lee County's priceless coastal estuary, a nursery for marine life. A healthy estuary is critical to our seafood and tourism industries, as well as our residents' cherished recreation.

The deadline for closing on the purchase has been extended to allow the legal challenges to be resolved, and perhaps to permit more modifications of the deal. Critics say it's too favorable to U.S. Sugar.

Urge our legislators to do what's necessary to preserve the essence of this epic project.

U.S. Sugar: Deal's Not Dead

04/02/2010

Sunshine State News

Lane Wright

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A spokeswoman for giant U.S. Sugar said Thursday the \$536 million deal between her company and Gov. Charlie Crist to sell the state 73,000 acres of mostly-citrus land in the Everglades is far from dead.

U.S. Sugar spokesperson Judy Sanchez wasn't fazed by the fact that a federal judge Wednesday overturned Crist's decision to put the massive A-1 reservoir project on hold while the state and U.S. Sugar worked on the land purchase.

"This does not preclude the state from moving forward with the U.S. Sugar purchase," Sanchez said.

While federal Judge Federico Moreno did rule that the A-1 reservoir project, started under the Jeb Bush administration, should be resumed, Sanchez says he did not set a specific timetable to get that done, opening up the possibility of more delay.

Add to that the fact that it was turned over to the Special Master to consider different remedies, and Sanchez says U. S. Sugar is swimming in the familiar waters of continued litigation and delays.

"The judge's ruling simply directs the state to get the restoration going," said Sanchez.

Aside from this lawsuit brought by the Miccosukee tribe and won Wednesday, there is another involving U.S. Sugar waiting to be heard in the Supreme Court that could have a more direct impact on the deal.

In that case, the Supreme Court has to decide whether the deal has a valid public purpose and if it's possible for the South Florida Water Management District to fund it and still be able to maintain its mission of flood control and water supply.

Crist's office has said the governor's staff is reviewing the court's ruling and looking into the next steps for the state.

The Florida Supreme Court hearing is scheduled for April 7.

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Lake Okeechobee water levels rising, raising flood control concerns

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04/02/2010

Sun Sentinel

Reid, Andy

Lake Okeechobee's yo-yoing water level is on the rise again, renewing safety concerns about the aging dike relied on to guard against flooding.

That has the Army Corps of Engineers dumping lake water out to sea, wasting water relied on to back up South Florida supplies in order to ease the strain on the 70-year-old dike.

The Herbert Hoover Dike is considered one of the country's six most at-risk of failing, and is in the midst of a decades-long rehab project to strengthen the earthen structure.

To lessen the dike's load, the corps — which oversees the dike and lake levels — has dumped 22 billion gallons out to sea since Jan. 1. That's enough to fill more than 33,000 Olympic-sized swimming pools.

Dry spring weather usually lowers the lake, allowing room for the water expected during the stormy summer months to come.

But this year, a rainy spring washed away South Florida's usual "dry season" and instead of receding, the lake rose about a foot during the past 30 days.

"As the lake level increases, the concern about the Lake Okeechobee dike also increases," said Luis Alejandro, the corps' Lake Okeechobee basin manager.

On Thursday, the lake measured 14.63 feet above sea level, about 2.5 feet higher than this time last year and more than 4 feet higher than in 2008.

The corps tries to keep the lake between 12.5 and 15.5 feet.

Sugar cane growers and other farmers, who tap Lake Okeechobee water for irrigation, in recent months have questioned whether the corps is draining too much lake water too early in the November-to-May dry season.

Growers support releasing lake water to protect the dike, but the lake's current water level shouldn't have the corps "overly excited" about draining away water, said Barbara Miedema, vice president of the Sugar Cane Growers Cooperative of Florida.

"You look at Lake Okeechobee as your bank account," Miedema said. "We think they should be cautious in their releases."

Current lake levels are not necessarily a threat to the lake's environmental health or the safety of the dike, but that can quickly change, Audubon of Florida scientist Paul Gray said. He pointed to Tropical Storm Fay's 4-foot boost to the lake in 2008.

"We are only one [tropical] storm away from being in really bad shape," Gray said. "We don't have to panic now ... but you also can't sit around with your hands in your pockets."

In addition to guarding against erosion and flooding, the project to strengthen the Herbert Hoover Dike eventually could allow more water to be stored in Lake Okeechobee.

Since 2007, crews have built about 5 miles of an eventual 22-mile stretch of reinforcing walls extending through the middle of the earthen dike. The plan is to finish the walls for the dike's most vulnerable section, along the southeastern rim, by 2013.

Beyond 2013, work would continue to build a berm along the outside base of the dike to help control seepage. How soon the corps can get to the rest of the 140-mile long dike depends on federal funding.

Pahokee Mayor J.P. Sasser suspects that South Florida's competing water supply needs, not just flood protection for lakeside communities, is the "driving force" of dike repairs.

"When the rainy season comes ... it kind of narrows the choices," Sasser said about what to do with lake water. "The politics start getting in the middle of it. Whoever hollers the loudest gets the attention."

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Supporters Say Everglades Land Deal Not Dead

04/02/2010

Southeast Construction

Andy Reid

digital wire

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Despite a federal judge's ruling threatening to torpedo Gov. Charlie Crist's stalled Everglades land deal, supporters contend they aren't beaten yet.

U.S. District Judge Federico Moreno surprised the environmental community Wednesday by ordering the South Florida Water Management District to resume work on a massive Everglades restoration reservoir that was shelved by Crist's proposed \$536 million land deal with U.S. Sugar Corp.

The district, which leads Everglades restoration, said it couldn't afford to finish building the \$800 million reservoir and buy the 73,000 acres from U.S. Sugar that would reshape old restoration plans. The unfinished reservoir in western Palm Beach County already cost taxpayers almost \$280 million.

But on Thursday, district board Chairman Eric Buermann said the judge's ruling does not have to mean the end of the U.S. Sugar deal.

In addition to appealing the judge's ruling, the district could try to rework the restoration agreements that the judge is charged with enforcing.

"I don't think it's the death knell for the sugar transaction by any means," Buermann said. "The judge left some openings for future discussion. ... We need to carefully assess what it all means."

The district has argued for building reservoirs on the U.S. Sugar land, closer to Lake Okeechobee, and using the unfinished reservoir property to build a less-expensive treatment area to filter pollutants from water headed to the Everglades.

Buermann said that if the district does end up having to finish the reservoir, the timing of completing the U.S. Sugar deal and getting the reservoir project up and running again could allow for paying for both.

Representatives for Audubon of Florida and the Everglades Foundation both called for keeping alive the U.S. Sugar land deal, which they see as a better alternative for restoration.

"I don't think this is the end of the saga," Kirk Fordham, CEO of the Everglades Foundation, said about the judge's ruling.

The Miccosukee Tribe, which opposes the U.S. Sugar land deal, persuaded the federal judge to call for restarting the reservoir project.

Miccosukee attorney Dexter Lehtinen said he doesn't expect the district board, appointed by the governor, to give up on the land deal that the tribe blames for stalling the reservoir and other overdue Everglades restoration projects.

"I don't know that they will do anything" about the reservoir, Lehtinen said about district officials. "I don't think the law matters to these guys."

The 16,700-acre Everglades Agricultural Area Reservoir in western Palm Beach County was intended to hold water that could be used to replenish the Everglades, which is suffering from decades of draining for agriculture and development.

But the district board in 2008 stopped the project, blaming a lingering legal challenge filed by environmental groups. Yet a few weeks after construction was put on hold, Crist's proposed U.S. Sugar land deal became public.

The deal calls for using U.S. Sugar's land - once off limits to restoration - to reconnect water flows from Lake Okeechobee to the Everglades.

Since stopping the reservoir, cost concerns and legal fights with the Miccosukee Tribe and U.S. Sugar-competitor Florida Crystals have stalled the U.S. Sugar deal. It was twice downsized because of the economic downturn and faces a hearing before the Florida Supreme Court on Wednesday.

Buermann said Lehtinen, the Miccosukee Tribe and Florida Crystals, owned by the politically connected Fanjul family, shouldn't get too excited about the ruling.

"Mr. Lehtinen and the Fanjuls seem to be dancing some kind of victory jig," Buermann said. "That may be a little premature."

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Palm Beach Co. Zoning Panel Advances Rock-Mining Expansion Plan

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04/02/2010

Southeast Construction

South Florida Sun

digital wire

By Andy Reid, Sun Sentinel, Fort Lauderdale, Fla.

Apr. 2--A company's push to expand its rock mining west of Royal Palm Beach won the endorsement of the Palm Beach County Zoning Commission on Thursday.

The proposal to add 2,300 acres of rock mining is scheduled to go before the Palm Beach County Commission on April 22.

Environmental groups oppose more rock mining, saying digging threatens to pollute underground water supplies and tie up land that could be needed for Everglades restoration.

Palm Beach Aggregates counters that its plan to mine Florida Crystals' sugar cane fields would stay away from areas targeted for Everglades restoration and that the rock would continue to supply roadbuilding and other construction needs.

The county in recent years has allowed new or expanded rock mines on almost 12,000 acres of western agricultural land.

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