

Malcolm ABubba@ Wade Jr.  
EVG-5

Mr. Wade opens his interview by describing his job responsibilities at U.S. Sugar, as well as how he became involved in Everglades issues, on page 1. The 1988 federal-state lawsuit concerning the Everglades is treated at length (page 1-3), as well as the judicial consent decree in response to the lawsuit and the lawsuits stemming from the 1991 settlement agreement (4-6). Particular attention is paid to the issue of water-quality standards that triggered much dissension (page 6). Mr. Wade also talks about the science issues, particularly concerning Curtis Richardson, that became tangled up in Everglades planning (page 7-8).

On page 8-9, Mr. Wade discusses the Everglades Protection District, especially with regard to a 1993 mediation in which the Flo-Sun sugar company broke ranks and signed a separate settlement. This extends into a discussion of differences and similarities among the sugar-growers (page 9-10), including references to the Florida Sugarcane League (10-11). Mr. Wade responds to criticisms that the Everglades Forever Act too pro-sugar on page 11-13, noting that sugar is actually one of the lesser agricultural polluters in the Everglades (13-14). He also comments on the uses of technology that alleviate the effects of this pollution (page 14; see 21-22 for aquifer storage and retrieval), and offers his views on how environmental writers have treated the sugar companies (page 14-15)

On page 15-16, Mr. Wade touches on the Governor=s Commission for a Sustainable South Florida (which he had begun earlier) and the proliferation of different environmental groups involved in Everglades restoration (see also 40-41, particularly about Mary Barley). He shares his thoughts on Nathaniel Reed, environmental leader, on page 16-17, and discusses the Amendment Four and Five issues that the sugar-growers lobbied against at length (page 17-20, and the latter particularly in regard to public relations). He also talks about the Everglades Task Force and its lack of balance (page 21; 24) and the Army Corps of Engineers and Mike Davis (page 23).

On a more general level, Mr. Wade discusses the problems inherent in unified the disparate interests involved in resuscitating the Everglades on page 25, and the changes that came about to make such a project thinkable (page 26-27). He also talks about his criticism of the Everglades plan which he shared in Congressional testimony (page 27-28), how the plan subordinates economic water-uses (page 28), and his stress on maintaining fiscal responsibility in Everglades restoration (page 29). He gives his take on Bob Graham, Connie Mack and Terry Rice and their importance to Everglades restoration on page 30, as well as sugar=s relationship with the Miccosukee Indians (page 30-31). He also talks about the Talisman Purchase (page 31-33).

Mr. Wades= opinion on the first priorities for Everglades restoration can be found on page 33. He follows that with criticisms of flow-ways which are advocated by some environmentalists (page 33-34). He also converses on the best management practices his company uses (page 34-35), as well as controlled-burning (page 36), and methyl mercury poisoning (page 36). Page 37 contains his thoughts on the future of sugar-

farming, and page 38-39, the role that land-acquisition will play in restoring the Everglades. On page 39 and 43, he discusses the influence of politics on both the national and state level that impact the restoration efforts. By the interview's close, he presents his prognosis for the success of restoration efforts (page 42), his most important lessons learned from this process (page 43) and the need for responsible education for a larger public with regard to the complex issues of the Everglades (page 44).

EVG 5

Interviewee: Malcolm Wade, Jr.

Interviewer: Julian Pleasants

Date: April 3, 2001

P: This is Julian Pleasants, and it is April 3, 2001. I am in Clewiston, talking with Mr. Malcolm aBubba@ Wade, Jr. Would you give me your background with U.S. Sugar, when you first came to work, and your present position?

W: Yes. I had been with U.S. Sugar indirectly as a consultant [since] 1976 and came to work with the company in 1982, have been here ever since, and I am currently the senior vice president of sugarcane operations.

P: Could you give me a little more detail about what that latter title means?

W: That title I have had here just in the last year. Prior to that, it was senior vice president of administrative services. At administrative services, I was in charge of the civil engineering and heavy construction work that we do, the agricultural equipment shops that repair all of the mobile equipment in the farms, the purchasing and materials warehousing, the railroad departments, [and] the office services. With the sugarcane operations now, in the last year, I have picked up the agricultural department and all of the farm operations. The research department now reports to me, as well as grower-relations.

P: Let us talk a little bit about the Everglades management, the whole concept of restoring the Everglades. When did you first get involved in Everglades issues?

W: I first became involved in approximately 1990. The original lawsuit in 1988 involved the company. At that time, Bob Buker, who was the vice president of legal and corporate affairs, had been involved in the lawsuit. In 1990, the president then, Nelson Fairbanks, wanted me to become involved, because it was becoming almost 100 percent of Bob=s time to handle the lawsuit and the Everglades [matters], so he wanted to kind of try to spread out the work. His hopes were that it would be a small percentage of time for both of us, and as it turned out over the next couple years, it was probably 100 percent of both of our times. So I got started in 1990 and had been involved in the Everglades settlement agreement, the mediation, the Everglades Forever Act, CERP [Comprehensive Everglades Restoration Plan] and the re-study process, almost everything since that point.

P: Let me go back to the federal-state lawsuit. That is 1988.

W: Right.

P: Talk about Dexter Lehtinen, who brought that lawsuit, and what Sugar=s reaction

was to the original lawsuit?

W: This is kind of what I knew of it at the time, [as I was] not being directly involved. Dexter=s lawsuit originally was, as acting U. S. attorney, to sue the state of Florida for violating their own water-quality standards, for changes in the flora and fauna. It was not a numeric standard, but a standard that said that anything that caused a change in flora and fauna was a violation of water-quality laws, and they were claiming that the cattails that were growing in the conservation areas were a direct cause from the pollution coming from the Everglades Agricultural Area [EAA]. From the industry=s perspective, I think, at that time, and it was handled through the Florida Sugarcane League, the perspective was one of, at first, that the changes that were happening in those conservation areas were not solely attributable to what was happening with the phosphorus coming from the EAA; it had to do with many things, whether it be dividing the Everglades with roadways, change in the sheet-flow that used to occur, change by man controlling the water going into the conservation areas that affected the depth and the timing of when the water was there versus what happened naturally. There were a lot of different factors, fires and other things, that might have caused the different changes in the flora and fauna. But it became a heated debate, and we ended up with a settlement agreement between the agencies in 1991.

P: There was an initial settlement that you all did not accept.

W: Right.

P: Why was that?

W: The original settlement agreement, when the [law]suit originally happened, we made a motion to intervene, which was objected to by the federal government and the environmental parties. The judge allowed the environmental parties to have standing and intervene into the lawsuit, but would not allow the farmers, which was kind of ironic, since we were the ones whose water was claimed to have been directly impacting the Everglades, and we were not allowed in the suit. We were allowed in the suit right when Governor [Lawton] Chiles [Florida, 1991-1999] was elected. I guess that would have been November of 1990. In early 1991, February or so, Governor Chiles walked into the federal court and said he surrendered his sword and he was going to enter into an agreement with the federal government. For about three or four months, the state and the federal government hammered a settlement agreement. Well, the problems that the farmers had with the way that the settlement agreement was derived was the [laws of the] state of Florida had almost demanded that there be a public process and that the agencies have, out in the open, any laws or any rules or regulations that they are going to have apply to Florida citizens. In this case, it was a matter

of two agencies sitting in a room and negotiating a settlement that was going to [bind] other parties to certain things, and especially the farmers. We were going to be bound to certain criteria, certain things to meet, and one of the biggest problems we had was that it violated Florida law B it did not go through a public process, and it did not allow the public to have their say so before the regulators passed the law.

P: At one point, I believe Governor [Bob] Martinez [Florida, 1987-1991] had made an offer to settle all this at an earlier time. Were you aware of that or involved in that?

W: Only peripherally so. I was not involved at that time, and I think his settlement was more related to the Talisman acquisition. That was a Talisman sugar mill, which was about 52,000 acres and they had their own raw sugar mill [which] had been for sale for several years before that, in the late 1980s. The government and the environmentalists had been trying to figure out a way to acquire that and use it for storage, treatment areas, wetlands, whatever. The governor brought the parties together and had a deal that was going to be worked out that really was not as comprehensive as what was finally worked out here just a couple years ago; it was less acres, less money going to St. Joe [Paper Company] at the time. What ended up happening was, the deal was cut, and late at night, the environmental groups decided to back out of the deal and the deal fell apart.

P: So that was environmentalists, not sugar.

W: That is right. Now, everybody was at the table and everybody had agreed with the governor and all, but for whatever reason, the environmental interests decided that the deal was not going to fly and they backed out of it. I think what basically happened, which is kind of common in some of these kind of negotiations, is the environmental parties that were sitting at the table agreed, but then when they got back to their constituencies or to the other environmental groups, they saw it was not going to fly, they would not agree to it, and then they backed out of the table for them.

P: What had you done prior to this settlement in 1991 to clean up the phosphorus? What had been the program for the sugar company?

W: I only became involved in this aspect in 1990, so I am not really clear if there were attempts by the Water Management District to do anything. My understanding is that there was probably relatively little. But by the same token, until Dexter filed the lawsuit, there was relatively little or no request by the District or the agencies or anybody else for anybody to change anything that they were doing.

P: So that you were not breaking any environmental laws?

W: No. I think the perception would have been that what we were doing was not violating any laws at that time.

P: In the judicial consent decree of 1992, you were still not actively a part of that, were you?

W: That is right.

P: What was your reaction to that?

W: The lawsuits that started after the settlement agreement in 1991, which occurred around May or June of 1991, most of those lawsuits had to do [with], and were filed in, state court, because they violated state law by the agencies not having gone through the public process and binding taxpayers and citizens to things that the state had settled on, without ever considering talking to the legislature, talking to the public, whatever. Then they went on to a federal decree, saying, thou shalt do this, and those lawsuits just continued, because the position of the EAA farmers was that it was unconscionable for an agency to bind itself without having the legislature approve it or without ever having even listened to any of the farmers or the public. It is called the Florida Sunshine Law, putting it out in the sunshine and having public-opinion workshops so the agencies can get public input before settling things like that.

P: There were really, like, thirty-some lawsuits over a period of time. Is that correct?

W: They used to say thirty, but when you really boil down to it, it was five or six, or four or five, whatever, major lawsuits, and then everybody would count every appeal or every filing that was a spin-off of [those five or six] as an additional lawsuit. In essence, there were probably really only four or five significant lawsuits.

P: Who brought those lawsuits? Did sugar officially bring them representing farm interests?

W: No. As I remember, and this is kind of hazy, I mean, at one point we had a chart of all thirty and who started them. The sugar industry brought some in the state of Florida, I think the federal government actually brought some in the state of Florida, I believe even the Miccosukees or one of the tribes brought some of the suits, but there were suits brought about by a bunch of different parties and then others that would intervene in them. There were different things, like a suit for the agencies violating Florida Sunshine Law. There were suits for the federal agencies violating the NEPA [National Environmental Protection Act]

requirements, which are similar to the Sunshine Law, the federal counterpart that says federal agencies have to go through a public process before they can pass a law or bind the agencies. There were specific things that had to do with the pollution laws, Chapter 373, for water pollution or the Clean Water Act. There were different venues and different courts that people had sued on, and not all of them by the farmers. Some of them were by either the federal government or state agencies.

P: At this point, had they established the standard of ten parts per billion? Was that the default standard?

W: Not at the time of the settlement agreement. The default standard of the ten parts per billion actually came about after they passed the federal consent decree, which I guess was in 1992 or so. The mediation actually started, it was brought about by the Water Management District and started talking to the parties about mediation in late 1992. Early 1993, the parties started to get together, in January, February, and actually, I guess, hired the mediator, Jerry Cormick from Seattle, in sometime around February or March. Then the mediation started. At one point, there was up to twenty-something different parties involved in that mediation. That mediation took place for roughly six, seven months, all the way until November of 1993. The parties started meeting in Florida at first. The first thing we did in Florida was to decide the payment, who was going to pay, what the dollars were, those kinds of things. It then moved to Washington, in Interior, where all the parties were meeting.

P: Mr. Bruce Babbitt [Secretary of the Interior under President Clinton].

W: That is right. They had the announcement of the Statement of Principles in July of 1993, which basically laid out the foundation for who was going to pay, how much they were going to pay, those types of things. From then on, the things that had to be mediated or negotiated were things such as the permits, the length of the permits, what was the water-quality compliance going to be, how were those things going to be handled. At some point in November of 1993, the mediation talks broke down. As I remember it, it was primarily because of some factors, that had not been on the table before, that the federal government put on the table. EPA [Environmental Protection Agency] at one point came in and said how the Clean Water Act was going to be interpreted, and they had not said anything about that for the prior six or eight months. It caused a real dissension between all the different parties, so the talks broke off then, because, in essence, what it boiled down to was, they wanted us paying all this money, but they were going to give no assurances during the life of the project, or while it was being built, that you were going to get any protection from the standards. Then, what happened after it broke down in November was, most of the parties moved to Tallahassee in January or February of 1994 for the legislative session, where everything that

had been accomplished up through November of 1993 was moved right into the legislation, was kind of accepted as fact, so to speak, that the parties had already agreed on it, including the Statement of Principles. So it was a foundation for the Everglades Forever Act, and all the things that had not been decided were then decided in the legislative process. That was a pretty horrendous legislative session, if you can imagine, twenty-something different parties walking the halls and lobbying the legislators. I think what turned out at the end was a piece of legislation that was pretty balanced between all the different needs of the different parties. It was not just meeting with legislators. I mean, it was meetings with all the parties, just like in mediation, sitting down and talking around a table to try to hash out different aspects of the act.

P: With the legislators?

W: No. Primarily what would happen is there might be one or two legislators who were the key legislators, who were promoting the bill or pushing the bill through. They might be sitting at the table, but they were sitting at the table to make sure that all the parties sat down and tried to hammer out what the resolution was going to be to the certain issues. Ultimately then, we worked out the Everglades Forever [Act]. Your original question was the ten parts per billion. That came into play during the Everglades Forever Act as the default standard, when it became obvious that all we knew was, we could have a target standard of fifty parts per billion for the stormwater treatment areas, but nobody knew what the standard was ultimately going to be. What the act said was the agencies were obligated to go forward with the research to determine what the standard was going to be and they had to start studying the different technologies that might get you down to that low of a number. At that point, some of the scientists had already come out and said they believed that the natural background in the marsh was ten parts per billion or so in pristine areas of the marsh, so they suspected that the research would show ten parts per billion. So it was agreed to, that if we could not go forward, figure out the research, figure out the technology to get to that, pass the rules and regulations after having built all the STAs [stormwater treatment areas] and then completed the project, and if anybody came in and sued, the default standard applied. So if somebody tried to go in and hold things up, you would have to do that knowing that you were going to get the ten parts per billion standard.

P: But that standard does not really come into effect until 2003, does it?

W: That is correct. I think the agency is supposed to, by the end of this year, put forth a rule. By January 1, 2002, they are supposed to put forth a rule that will say what the standard is going to be and how it will be complied with. Then they have to go through the rule-making process with the workshops. 2003 was the absolute drop-dead date that you [had] to have all that completed, and that is a

pretty reasonable amount of time normally to get a rule done. You can actually, if there is not opposition, get it done quicker than that.

P: Where are you now in terms of the standard, how many parts per billion right now, would you say?

W: Some of the scientists have come out and said it is 7.62, and some have said 9.something, and the Miccosukee Indians have adopted a standard on their reservation of ten parts per billion. The Duke [University] Wetland Center, Curtis Richardson, who had been hired by the sugar industry to do studies for the last ten years in the Everglades to try to help figure out what phosphorus is causing and what [the] standard might be, his studies, I think right now, are showing something in the range of twenty parts per billion or so. The whole point is that it is not fifty, which was the interim standard for the stormwater treatment areas. That number, I think most people recognize, is going to be pretty low. Whether it is twenty or less, it is going to be a pretty low number.

P: Let me go back to Curtis Richardson. I guess in one of the lawsuits, you had Curtis Richardson, the government had Ron Jones, and they were presenting different....

W: Yes, and the District had their own scientist, doing their own thing. It was really a three-legged stool with the three different ones.

P: What was your strategy under these circumstances? What were you trying to demonstrate? Obviously, the information you presented was different from what the government was presenting.

W: Well, the industry, ever since the original lawsuit back in 1988, I mean, we were getting overrun with the propagand wars and the misinformation. What the industry decided back then was, we had to hire a reputable scientist, who could do independent reputable studies that ultimately, whether it be in court or wherever, the science was going to have to prevail. It could not be all the hoopla of the-sugar-is-killing-the-Everglades. What happened back then was the industry went to the [legislature] and formed the Everglades Protection District within the Everglades Agricultural Area. That was a self-taxing district that was set up for roughly 500,000 acres that could tax itself up to \$5 an acre per year with an elected board, five board members. I am currently serving as a board member. That taxing district was set up to tax itself for environmental purposes, and it could be anything from researching BMPs [best management practices]. Actually, the district paid for some of the injection wells, for some of the sewage-treatment plants around the lake to do deep-well injection, instead of having their effluent go right into the district canals. They paid for the original Everglades nutrient-removal project. They paid \$1 million to pay for the original start of what

was the research project, to determine what an STA could do. That was roughly a couple thousand acres of what is now a 12,000 acre STA or so. That protection district is the one that hired Curtis Richardson in 1990 or so. They decided real early on B it might have been even in 1989 B but they hired Curtis to come in and start doing studies in the Everglades to determine, what does it look like phosphorus does and how it impacts the marsh areas, what does it look like the marsh really can withstand and what would be the ultimate standard? All of those things, and he actually set up a dosing study down in the middle of Conservation Area 2, which was a pristine area, to try to dose with phosphorus, to try to figure out what happens in the marsh when it has different levels of phosphorus. That was done for us to try to figure out, what is the right science and the real science? It comes to Curtis having differences of opinion with Ron Jones or with the district scientists, because what really happened was the federal government had Ron Jones representing them, the industry had Curtis Richardson, and the state basically used the scientists at the Water Management District, who did not agree with either Ron Jones or Curtis Richardson, typically. So you had the three of them typically having differences of opinion. But our strategy right from the start was just to have the science, so we could have it ultimately out there on the table as opposed to what was going on with all the misinformation. What we learned very rapidly was that most scientists usually do not agree on anything. It became very obvious that one was doing the sampling wrong and the other was, you know, it just became kind of a nightmare when the scientists got together to try to talk about their science. But I guess time heals all wounds, and what you have seen over the ten years is a lot of that research starts coming together to some of similar-type conclusions.

P: Who was in this Everglades Protection District?

W: The Everglades Protection District was formed just in the Everglades Agricultural Area, and it had actual boundaries. The boundaries are a little different than the Everglades Agricultural Area, as defined in the Everglades Forever Act, because it includes some of the farmers to the west of the EAA, up close to the lake, who were not necessarily in the final Everglades Forever Act, because some of those farmers drain into the Caloosahatchee basin and not down into the Everglades. But for purposes of the Protection District, so that the farmers could tax themselves, it included those farmers also, so everybody in the EAA, plus some of those other farmers, encompass some 540,000 that could tax itself \$5 a year.

P: Let me ask you about the mediation effort that was going on in 1993. At one point, apparently Flo-Sun continued to negotiate and you all broke off negotiations. What was all that about?

W: Actually what happened was, in November, 1993, when I said that the mediation talks fell apart, Florida Crystals, I guess, continued to talk to the federal

government and actually had a signed settlement agreement with the federal government.

P: I believed they paid them \$4 million, did they not? They paid some sum.

W: I do not remember that. They may have. I do not think at the time that their settlement agreement was made public, and it was not well-known as to what the stipulations were. Sometime later down the road, a document surfaced, and we are not really sure if that was the only document, if there were more, or what the settlement really was. But at that point, the Florida Crystals group entered into an agreement with the federal government, [which] basically conflicted out our attorneys, whom we had been using jointly up until that time in the litigation. The United States Sugar Corporation and the Sugarcane Growers Cooperative, representing the growers throughout the area, had to proceed on in the legislative session. Florida Crystals typically took the position that they were not going to be a part of the legislative sessions. Although they had a presence and they discussed certain things, whatever their agreement was with Interior, they could not get involved in certain discussions, and they did not. It was kind of a mystery to us as to exactly what that settlement was back then. We did not know, they did not disclose it, and after a period of time, it really became a moot point.

P: So, in this case, you and George Wedgeworth and the co-op growers were together, and Florida Crystals had a different perspective on the settlement. Would that be correct?

W: Yes, that is true. George Wedgeworth and the Sugarcane Growers Cooperative and U.S. Sugar were moving through the legislative session to try to get the Everglades Forever Act, and the Florida Crystals group had somewhat taken a powder. Although they were involved a little bit, they were not really as active as the other two groups. The Sugarcane Growers Cooperative did have some different approaches or different opinions as to what should happen in that act than U.S. Sugar did, but as it all turned out in the end, I mean, we came up with the act, and I think both companies supported the act and endorsed it with the rest of the government agencies.

P: Since that time, have you cooperated with Florida Crystals?

W: Yes. I guess you would have to characterize the sugar industry here between us and Florida Crystals and the Sugarcane Growers Cooperative as, you know, we are neighbors and we are friends and we are fellow farmers but we all have differences of opinion on different subjects. In a lot of cases, the strategies that one wants to take are different than the other, but all in all, it is typically a unified approach, strategically, although tactically, when we do certain things, in a lot of cases, it is a different approach. Actually, at times, one will violently oppose or

disagree with the approach the other is taking.

P: So each has their own set of lobbyists?

W: Yes.

P: What is your assessment of the influence of the Fanjul brothers?

W: Influence...?

P: Politically, economically.

W: Politically, I guess in some instances when we lobby together on things, there are a lot of things like in the farm bill and the sugar program and all of that, that there is joint lobbying that happens, not just between the Florida group but the whole country, to try to protect the program that is here, which is primarily the border-protection program, with no real cash subsidies going to anybody. The Fanjuls, if they are doing something outside of that realm of the sugar act or the environmental things, which they may be B I mean, they do other things than just the sugar here B we would not know what the depth is of whatever they are doing politically. As it relates to the sugar program and the environmental things we have been involved in, typically it has been a joint approach. The case where they settled and broke off, we did not know what they were doing or why, but for the most part, on all other issues related to environment or political, it is mostly a joint strategy.

P: Surely, just in terms of their influence with people like Bob Graham [U.S. senator, D-Florida, 1987-present] and Connie Mack [U.S. senator, R-Florida, 1989-present] and on even a federal level, quite clearly in terms of subsidies and things like that, they have a pretty powerful impact, I would imagine, and I wonder how you would assess that compared to the impact U.S. Sugar has.

W: Well, I do not know. From U.S. Sugar=s standpoint, we give contributions, obviously to our own legislators from Florida and people we want to support the sugar program. I do not think any of the contributions we make, you know, people will talk about millions and millions, but it is not that type of thing. Whatever the Fanjuls are doing above and beyond what we do jointly, we would have no idea. I mean, they can have their own private meetings with any legislator they want to have, and so can we, vice-versa. We do not really have [common political interests], other than the farm bill and environmental-type things. For instance, last year, the WRDA [Water Resources Development Act] 2000, with passing this Everglades restoration plan, we had a presence there, jointly with the Cooperative, and the Fanjuls hired Dawson & Associates, consultants up there, which then later became a bigger coalition with other

utilities and farm groups and chambers of commerce and all of that, of which we were a part. The whole group was a part of that. But other than things to do with the Everglades or the environmental arena or the farm bill, you know, those things we are joint with. Whatever somebody is doing politically other than that, we would not have any knowledge of what they are doing, and they would not, vice-versa. For us, we do not really get involved. We are in the sugar business and agriculture and citrus business now, and we do not really have cause to get involved in anything else. At one time, the Florida Crystals group was into banking, and they have resorts in the Dominican Republic and sugar mills in the Dominican Republic, and they may have some other interests.

P: What is the Florida Sugarcane League, and what does it do?

W: The Florida Sugarcane League is just [an association of Florida sugar growers] put together here. It has been in place since the late 1960s, and it was put together to represent the Florida industry on things we had in common, such as legislation efforts in Washington. Really, they started originally to get involved in things in Tallahassee, but being right here in Florida, most of the companies did that on their own. The Florida Sugarcane League represents growers, not just the three companies. When we talk about the three companies, just to note, we talk about the three companies because they are the sugarcane mills that produce the raw sugar. The Cooperative has one, U.S. Sugar has two, and the Fanjuls, directly or indirectly, have three. There are a multitude of other growers, who grow sugarcane in the EAA, who process their cane at one of those mills. The League was put together as a group to represent, not only just the mills, but all of the growers in the area, and they do things such as research programs, whether they research varieties of cane or ways to put out fertilizer. It is set up so that all the growers can have representation through the Florida Sugarcane League on those types of projects. They have an extensive air-monitoring program throughout the EAA, where they monitor the quality of the air and submit reports for EPA under the Clean Air Act as to how we are doing. They have [committees that monitor] the Clean Water Act and Clean Air Act for [issues at] the different mills, so that they can jointly be represented in workshops in rules and regulations with DEP and EPA on changes in laws on, you know, boiler permits, water permits, those kinds of things.

P: Let me go back to the Everglades Forever Act. A lot of the environmentalists, as you know, were unhappy with this act. One criticism said it was a bail-out to end the lawsuits. Dexter Lehtinen said it was an affirmative law permitting pollution. They argued that the act was primarily written by sugar. What is your reaction to those statements?

W: Those statements are all kind of hogwash because, you know, that is what they said at the time, Dexter=s reaction that it was a law that allows pollution. What he

and some of the environmentalists claimed was that everybody knew the standard was ten [parts per billion], it was common knowledge, although we had never done any research to prove it was ten, and therefore allowing discharges at a target of fifty parts per billion was criminal, because you were allowing pollution with the law. But when you go back and look back in time at where we came from, we knew there was a problem, we had to get phosphorus down, and when you look at it from a legislative standpoint, what are you going to do? What would Dexter and the environmentalists have wanted the legislature to do? I mean, so what, the standard is going to be ten parts per billion? Well, from a legislative standpoint, there is no authoritative research that says it is ten parts per billion. You have not passed a standard in the ERC or DEP to say it is ten parts per billion. So [the legislature] said, we are going to have to have a law that says we are going to do the standards over the next five, six years. We had no idea whatsoever of what the technology was going to be that would get you that low. So far, we had spent four years fighting to figure out whether it was STAs or chemical treatment or what we were going to do to get to fifty [parts per billion]. It ended up being STAs, because the agencies did not like, and the environmentalists did not like, anything like chemical treatment, because they said it was not good for the Everglades. So we had stormwater treatment areas. Well, in the world, they had only ever gotten phosphorus down to, like, fifty parts per billion, and that is why the standard or the target was set there. From a legislative standpoint, they had to look at it and say, we can only do what we can do, one step at a time. Let us build [stormwater] treatment areas, let us get it to fifty, let us finish the research, and then let us implement that, whatever that research concludes, and it is going to take ten years to do it.

P: One other criticism was that the industry paid something like \$320 million, and the argument was, that was not enough, that you needed to pay more since you were the primary polluter. What is your reaction to that statement?

W: That was the Mary Barley gang, which will claim today that you got to make the polluter pay and [which] passed Amendment Five to make the polluter pay and all that. [They] would like for the public to believe that, since we paid \$300[-plus] million and it was a \$700 million project, that we got off scot-free and the public accepted all the burden for us, but in reality what happened was all of the discussions and the fights in the mediation and the settlement agreement before that was exactly about that issue, who is going to pay what and what is the obligation of the sugar farmers? The first thing we did in the mediation was [we] went through and decided what is fair for people to pay. When you start talking about what is fair for people to pay on a \$700 million project, you got to start backing off the components, first of all, right off the top, what is not for the EAA farmers? STA-1 East, which is like \$150 million, is a stormwater treatment area to treat the urban coastal waters from West Palm Beach, because everything from [Route] 441 out to where the farms are was now going to be sent back into

this stormwater treatment area to go into the Loxahatchee. I mean, it is urban, Royal Palm Beach and Wellington, water [that] would come back in through this. Has nothing to do with the farmers, so should we pay for that? I do not think so, and neither did the legislative people, and neither did the agencies that we negotiated with in the mediation. STA-5, which treats what is called the C-139 basin, west of the EAA, is typically cattle, a little bit of sugarcane and row-crops, vegetables. That STA was determined not to be us, so it was backed out of the cost. When you back down all the costs that were not attributable to the sugarcane farmers... It was determined that hydro-period restoration was not the farmers= fault. I mean, we built canals that drained the system as a society, back in the 1940s. It was not the sugar farmers who did it, so they should not have to pay to correct that problem.

P: As a matter of fact, if the statistics are close, these other farmers pollute before it gets to you, right? I remember Stuart Strahl [Audubon Society] told me that sugar was one of the lesser polluters. Would that be correct? I do not know the statistics.

W: Let me finish the other point first, as far as the Mary Barley approach and did we pay a fair share or not. George Frampton, who was the Assistant Secretary of Interior at the time, in the press conference in 1994 when the act was passed, said and was quoted that he asked his attorneys, if they went through every legal battle they could imagine and won every fight, at the tail-end of it, how much do they think they could get the EAA sugar farmers to pay? The number came back at something like \$130 million to \$190 million. He is quoted as saying that. That made us all feel like dopes, because we had to come back home and explain why we agreed to \$300 million, but we did it, because we were getting killed in the public-relations wars and we would have never survived long-term. We had to settle for something. Frampton=s attorneys basically said that because there are other issues in law as to what causes what. One of the big issues that people need to really think about is, this system was designed by popular vote in the 1940s when the public, by popular referendum, voted to drain the Everglades and build this system. Part of the system was to put levees over on the coast, so that the water would no longer drain on the coast, build conservation areas to store water for the urban coast, build an agricultural area that would pump its water off and be stored in the conservation areas. Well, by design, it worked perfect[ly]. The problem was that the project never looked at the environmental ramifications of anything. Now, if agriculture was put there by popular referendum and by state and federal law and we were put in a system where we pump our water off into a government canal, which then delivers it to the Everglades, whose fault is that? That was one of the big stumbling-blocks that the federal attorneys had to face when they were trying to say that this was all caused by the EAA farmers. So you get into a real debate, a real issue, when you start talking about who is at fault and how much should somebody pay. When it relates to

Stuart's question, as far as who is really causing the pollution, and the EAA farmers are lower than some of the other farmers, when you look at, you know, this water system is all the way from Orlando [and] all the way down to Key West, when you start from Orlando and come south, if you think about it, the dairy farmers have a standard of 1,100 parts per billion off of their farms. Cattle farmers have a standard of 350 parts per billion off of their farms. The standard going into Lake Okeechobee is 180 parts per billion, which we have never met. We have been blowing that for ten years now, and the dairy and the cattle farmers have been having problems meeting their two standards. The water we receive from the lake typically averages 125, 130 parts per billion, so we receive water for our irrigation from the lake that is 130 parts per billion. It is supposed to go through us and go out of us at fifty parts per billion and going down to ten. We get that water at 130. Currently, today, we are discharging that water at about ninety-five parts per billion, so we are actually delivering water cleaner than we are getting it from Lake Okeechobee for our irrigation. So the question really starts to become, if we are getting our irrigation water at that level, and we are expected to clean it up and deliver it with a 25 percent reduction, which is the current way the thing works, and we deliver it into the STAs, what obligation does the sugarcane farmer really have to take water out of the system and clean it up down to ten parts per billion? So, yes, Stuart is right. I mean, what really happens is most of the water that comes on to us is a lot dirtier than what it is expected to be cleaned [to] down south. What people do not realize is, the water is actually going from us cleaner than we get it, but this whole debate is about what our discharge is. Our discharge is significantly cleaner than anything upstream from us.

P: Does the technology exist to get it down to twenty and ten parts [per billion]?

W: Right now, the stormwater treatment areas are designed for fifty parts per billion, but the actual experience so far out of the stormwater treatment areas is between twenty and twenty-five probably, roughly twenty-two parts per billion on average, coming out of them. That may not sustain long-term, but for right now, it is an indication they can get down pretty low. They are looking at several different technologies to get down lower than that, but none of those are perfected yet.

P: Another element that is generally forgotten is development. Development does a lot of polluting that people do not tend to factor in. They tend to look at just agricultural discharge. So that has to be another issue to look at, right?

W: Yes.

P: Talk about the impact that writers have had on this environmental issue, Carl Hiaasen, Martha Musgrove, Bob King, Bill Baggs. Do you think in their writings they have been fair to sugar?

W: It is getting better only because people are becoming, I think, more knowledgeable about the facts and how the system works. I think one of the best things that happened here, in this whole debate [over] the last ten years, was probably the Governor=s Commission for Sustainable Florida B Governor Chiles appointed fifty-something members B because people were forced to sit down at the table and start talking about how do things factually work. We actually had people who were shocked in that [commission] once they figured out what role sugar really played. They actually started to understand that the only way to have a sustainable South Florida is to have sugar there. You cannot move them out, because you cannot manage the land. You cannot put water on all the land, because evaporation eats it alive. What you need is a sugar industry that is responsible, that can do its part to clean up the water, use only the water that it needs, but keep that land managed in sugarcane. It is absolutely better than development. They quickly realized that having developed areas in the whole EAA was not good. I think the writers also at that time started to get more and more educated as to the facts of how things work. What happened before then was they succumbed to the same misinformation, the same myths, the same, you know, sugar-is-killing-the-Everglades and all that. What that Governor=s Commission helped everybody focus on was the problems in the Everglades are much, much more significant than just sugar farming. [End of Side 1, Tape A.] I think what the writers and everybody else had to finally realize was that the Everglades problems were things such as 5,000,000 people on the coast and developing every acre of land out to the conservation areas, digging canals through the Everglades and dissecting it, building roadways B U. S. 41, Alligator Alley, U. S. 27 B right through the heart of the Everglades and further dissecting it. The development definitely had a major impact. What people started to realize in this Governor=s Commission was, you know, the sugar farmers, if we corrected all of our problems in the sugar industry, if we got ten parts per billion going to the conservation areas, if we used only the water that we needed and no more B which, we really do not use much more than we need right now B but if we were absolutely, totally responsible, the Everglades problems are not solved; they are far from solved. They face a lot more tougher issues than just what sugar farming=s role is with the Everglades. Once people started getting knowledgeable of that, things started getting better from the writers= standpoint. I think what happens is most writers have a learning curve of about four or five years on these Everglades. Martha had been doing it ever since the 1988 lawsuit, and Martha certainly understood how it worked. Some of the others who come and go, what you do is you see the same, you know, they believe the myths at first when they get here, they start asking the reasonable questions and [unite] responsibly later on. But all in all, the press had been a problem in the whole battle, in the original battles to start with, because so much of it was misinformation and mischaracterized that it misled people in the public to believe that the solution was easy B get rid of sugar, and it is all over. I think what they

have come to learn now is those are not the facts.

P: While we are on that, let us go back to this Governor=s Commission for a Sustainable South Florida, of which you were a member. One of the things that perhaps surprised people was that the group was able to reach a consensus. How much, would you say, had to do with the leadership of Dick Pettigrew, or how much had to do with just the ability of the members to understand each other=s position. If I may, some of the environmentalists say, look, sugar is tough, they can be aggressive, they can be arrogant, but they are usually true to their word. Whereas there has been some argument that the sugar industry would like to meet some reasonable environmentalists.@ Could you comment on that?

W: Sure. I think the Governor=s Commission was probably the combination of a lot of things. You had some very, very intelligent people who were dedicated to what they believed in who all happened to get in the room at the same time, and it was just the dynamics of that group that kind of worked towards that goal. As far as Dick Pettigrew, Dick Pettigrew absolutely played a tremendous part in making that Governor=s Commission successful. You realize that even more so today, now that it is over and we not doing that anymore. Dick was a master at keeping that group on track, getting them back on track and getting them to that consensus. You got to give Dick one heck of a lot of credit in the success for that Governor=s Commission. Yes, I think it is probably true [that] the sugar industry, especially U.S. Sugar B and I do not mean the others are not B we have been here since 1931 and our philosophy has always been that, we live here in the Glades, we have always had a philanthropic philosophy of supporting the communities, always one of our-word-is-our-bond. We give our word we are going to do something, we might be tough, but we put it on the table and we tell it like it is. There is no beating around the bush when we are in one of those commission meetings as to what it is our position is, and we will fight for what we believe in. But once we do give our word, we are going to stick to it. I do believe the problem we run into with the environmentalists is... it is not ever one environmentalist, because most of them, when you sit down with them, [are] pretty honorable people. They really have goals they want to live by, and you can talk with them about how we should do things, and you can reach a conclusion with them. But what happens is, that person either is not there very long, or when he gets back with the rest of his constituency or with the other groups, they eat him alive. The rest of the groups will not ever buy into what another group went in and negotiated. You faced the same thing in the Governor=s Commission. You had Audubon [Society], [World] Wildlife Federation and a couple others there. Every time they would agree [on] something, you would see all the other ones firing bombs into the commission about, well, that was them, not us. We have seen it many, many times before. Governor Martinez, the discussion we had earlier, is a perfect example. The Everglades Forever Act and the mediation was

a perfect example.

P: They just walked out of that.

W: Those people who sat there on the stage with Bruce Babbitt [when the statement of principles was adopted in 1993], what happened was all the rest of the environmental groups just trashed the thing when it was done, and those people [who endorsed it with the mediation team] basically disappeared from the face of the Earth shortly thereafter. The problem with the environmental groups is you cannot ever bring them all to the table at once and get them to have a consensus on what they are going to do.

P: Which is surprising. Everyone assumes sugar has the same interests, everybody assumes environmentalists have the same interests, but they do not. What is your view of Nathaniel Reed and his influence on the environmental issues?

W: Nat was, I guess, on the [South Florida Water Management District] board when I first got involved. I met Nat and know him personally, and I think Nat truly has a sense of trying to do what is right for the environment in South Florida. I have got a lot of respect for him in that. I think most of the time, when he was on the board, Nat truly tried to have a balanced approach as to what the environment needed, while not totally ignoring what was needed for urban or agricultural, but just trying to fight for the environment, getting some piece of the pie there. I do think we have been a little disappointed, [as] it appears [that] Nat in the last couple years [has] moved a little bit away from that philosophy [and] has been more a part of the Mary Barley group and the Amendment Five group and the tax the sugar industry, the penny-a-pound [groups]. We have been a little disappointed in that. Nat has got to do what Nat wants to do, but I think too much of that group is fighting a war that has been over for eight years. It is time to move on and [seek] other solutions.

P: Let us talk about the Save Our Everglades group in 1996. There were two basic amendments, Amendment Four and Amendment Five. Talk about your reaction, particularly to Amendment Four, which was a penny-pound tax on sugar production to pay for Everglades restoration. What was your strategy to defeat that amendment?

W: The strategy was to defeat the amendment, because the amendment was an amendment that would have placed a tax on the sugar industry of some \$35 million a year for the next twenty-five years. Obviously, from an economic standpoint, that is a death-knell for the industry. We are looking at times right now, with the Freedom to Farm Act and with the NAFTA [North American Free Trade Agreement] free trade situation, where last year we saw our prices go to [a] historic low, to \$0.17. They are back up now, but we are looking at very, very

tough times the next several years. A \$35 million-a-year tax certainly makes you not competitive going into the future, and there would have been farmers who would have gone out of business, probably immediately, if that would have happened. It was not a fair thing. From a public-policy standpoint, nobody had actually looked and decided that the sugar industry should be paying that kind of tax for the restoration of the Everglades. When you look at where we are headed right now with the Governor=s Commission and people who have looked at how we are going to restore the Everglades and the part that sugar plays...

P: Now, you are talking about Governor [Jeb] Bush=s [Florida, 1999-present] commission, right?

W: No. Even the old commission, when they looked at who would pay for restoration of the Everglades, for the \$8 billion re-study or CERP project, the conclusion was that you could not pick out one person and say, they are to blame or this one is to blame, and it was decided that the funding for the whole project ought to be 50 percent state and 50 percent federal. Nowhere in that project are people looking at, should we go out and charge individual land-owners for a project that applies to them and have them pay a special tax and all. In their stormwater treatment areas in there, just like there are for the Everglades Agricultural Area, when you put that into context, the restoration plan for the Everglades, the \$8 billion project, assumes that all the EFA and the Everglades Agricultural Area projects are built and done. It is somewhat patently unfair for anybody to think that a \$35 million-a-year tax on the sugar industry, in addition to what we are already paying, the \$300 million, is fair, that [the sugar] industry should be singled out in all sixteen counties in South Florida, and that we ought to be paying every last dime and every last dollar for restoration coming from our area, when nobody else in the sixteen-county area is going to pay a dime, other than the general tax that the whole public is going to pay. Somebody has got to deal with the public-policy perspective, either legislatively or agency-wide, to say, here is how we are going to deal with Everglades restoration and here is how we are going to deal with the \$8 billion; we are either going to have it as a public project or we are going to tax individual land-owners if there are projects that apply to them. All the industry says is, however you are going to treat everybody else, treat us the same way. Everybody in this system has caused this [problem with] the Everglades, whether it is development on the east coast, development in Orlando or Kissimmee Valley, whether it is development in the EAA, none of us are any different. It is patently unfair for people to keep thinking that the EAA has to be singled out and pay every last dime for restoration that involves [us] when everybody else is just going to have the government paying for it. So, from our perspective, instead of talking penny-a-pound or how much are you going to tax sugar, the issue ought to be how much are all sixteen counties in the South Florida Water Management District going to pay for the projects that are going to be needed to restore South Florida and make it sustainable going into the future. However we are going to do

that, the EAA farmers should be treated exactly the same as everybody else.

P: What were the keys to the defeat of this amendment? Advertising?

W: Yes, absolutely. You know, when you [have] to go out and advertise in thirty-second commercials, it is really kind of deplorable what you got to do, on both sides of the fence, during an issue like this. You get thirty-second commercials to try to tell somebody the facts, and what really ends up happening is that the public that votes on this issue absolutely does not understand the first thing about Everglades restoration or what it means as far as the EAA part in Everglades restoration. All they know are the little common [sound-bites] they hear on TV in a thirty-second commercial. It is really kind of unconscionable that we can make a [constitutional] decision in Florida based on that kind of misinformation, and I say misinformation because you just cannot educate somebody in thirty seconds on what the issues are. It took that Governor=s Commission for Governor Chiles probably three years, in going around to all of South Florida, to be educated by people on how the different areas worked, whether it be dairy farmers, cattle farmers, vegetable farmers, sugar farmers, the urban coast, the fisheries [and] the national park. I mean, by the time people went around, it took three years probably for that Governor=s Commission to understand how this ecosystem really worked, and they still did not totally understand it. How can you expect somebody with ten thirty-second commercials to understand the issues and decide whether it is a fair tax or not for somebody to pay for a piece of that restoration?

P: Of course, the environmentalists say that you spent \$22 million and distorted the record. Your reaction to that charge?

W: We would say the other side spent \$16 million and distorted the record.

P: One thing they did that hurt them, they had an ad for dead deer and implied that it was killed by phosphorus, which, of course, was not correct. Do you think that may have hurt their cause?

W: Absolutely. That actually infuriated a lot of people, whether it be Governor=s Commission, legislators, [who]ever, because most people who know anything about this know that phosphorus is not going to cause deer to die in the conservation areas, which was the implication. It is unfortunate. I mean, that is the way these kind of TV wars and battles are fought. It was kind of unconscionable to do that. There were probably ads we had that people would say were unconscionable. But you got to try to get a message across in thirty seconds to somebody, and it is just unfortunate that that is the way our system has to work for an issue that is this significant.

P: Did you bring in some senior citizens and have the sugar workers go out and do some lobbying?

W: As far as the senior citizens, I do not....?

P: I understood that somebody said you had them brought in and gave them lunch and sugar and all that sort of...

W: Oh, no, no. With the senior citizens, back in the early 1990s, a little related to the Everglades, but we also were having labor problems with the lawsuits about the cane-cutters that we had coming from the islands who cut the cane during the season, we decided back in the early 1990s to have what we called an open harvest, which we invited the media, if they wanted to go anywhere on our property, to see anything we had. We allowed them to go into the villages to visit where the cane-cutters were housed, which for U.S. Sugar they are housed right in the same... we have got villages today where we house a significant amount of our domestic workers. We are starting to get out of that now, but at that time, we housed greater than 50 percent of our workers free, and the cane-cutters would be housed in the same villages in a different part of the village. We allowed the press and everybody to come in and talk to them, look at them, see the barracks....

P: But that is not related to Amendment Four.

W: No, but at the same time, we decided to start tours. We started having tours where, during our harvest season, we would arrange for the busses, and if they had groups that wanted to come out here and tour the industry, we would allow them [to come] B we would arrange for the bus, we would bring them out, we would take them on a tour of the field operations, the mills and all that. A significant amount of those were obviously retirees and people who had time during the week to come out here. We brought school-kids. We basically brought almost any group that wanted to come out. Because of cost ramifications, lower sugar prices the last couple years and all that, we discontinued the tours for the time being. But when people talk about bringing out senior citizens, we have been doing that probably since 1992.

P: What was your strategy about Amendment Five? Obviously, Amendment Five passed. Was that something you decided that you were not concerned with? You wanted to concentrate on Four?

W: Yes. You asked another question earlier, too. U.S. Sugar shut down, or we did not start our harvest in November of 1996, so that we could have all of our workers go out, and we tried to cover as much as we could in the sixteen-county area, primarily the metropolitan areas where [our employees] could cover a lot of

ground in one day. We literally sent all our workers to every city that was going to be voting and tried to go door-to-door to cover every single one of those areas so that the voters could actually see a sugar-worker standing there talking to them about what the issues were. That was probably one of the best things we did, because it put a face on it, and it helped to be able to explain to somebody some of the issues, if they wanted to ask the questions instead of listening to the thirty-second commercial that could nowhere begin to tell them what the issues were.

P: So you concentrated on Amendment Four rather than Five?

W: Absolutely. Four was the one that you kind of had to put all your marbles at, because Four was the one that was the immediate tax right away. The ramifications with that one, over the next twenty-five years for the industry, were significantly bad, so we had to fight that one tooth-and-nail.

P: Let me go now and talk a little bit about the new Everglades bill and the Everglades Task Force. What do you think are the major factors leading to the problems in the Everglades? We do not need to go all the way back to the Army Corps of Engineers, but, in more modern times, what are the major problems that have to be overcome?

W: Actually, also in your oral program you are putting together here, one of the other people you ought to think about talking to is Paul Larson, who is a consultant for the rock miners down in Dade [County]. In the Governor=s Commission, we set up a technical-advisory committee and charged them with the responsibility to try to put a report together that explained what happened to the Everglades and where we are today. Paul had a [subcommittee], where everybody on the commission could appoint somebody to that advisory committee. They sat there and hammered out a document, which even Nat Reed, when he was on the board at the Water Management District, said that it was one of the best reports he had ever seen in all his dealings in the Everglades. If you can talk to Paul and get a look at that document, it is a very good document for explaining what the problems are that have caused the Everglades to be in the state that it is in today. Roughly speaking, people like to point to the sugar industry, but when you really get educated on what has happened, you know, we have got all the development on both coasts, we have got the development all in the Kissimmee Valley, we have got the EAA. We have roughly taken 50 percent of what was once the natural ecosystem and the natural Everglades and either put farms on it or put asphalt on it. That has a significant impact. Every time you do that, you have to drain the water and pump it off quickly. So, we [have] to get rid of the water. We have dug the canals and the roads through the Everglades. When you talk about restoration of the Everglades, one thing we need to keep in mind is the Everglades, as people think of it 200 years ago, is dead, gone, never going to be here again. People might as well get that out of their minds, because we will

never have an Everglades like was there 200 years ago. What we have got to try to do is save the remnant Everglades. [They] are there right now today, hav[ing] been compartmentalized by canals and roadways, and we have got to try to make the remnant Everglades that are there function, to the greatest degree we can, like they used to function 200 years ago. But we will never see the Everglades like it was. You know, it used to be a mixture of the uplands and the marshes and the sawgrass prairies. What you have today, the uplands, for all practical purposes, are gone, the ones that existed along the eastern coastal areas. That part of the Everglades we will never see again. What we have got to try to do is the tree islands, the sawgrass marshes, the open marshes, we have got to try to preserve those in the remnant Everglades to the greatest degree we can.

P: When you look at the Task Force, one of the proposals, as you know, is this aquifer-storage concept. Do you think that will work? Obviously, there are going to be some pilot projects. I understand that.

W: When we talk about the CERP, or the Comprehensive Everglades Restoration Plan, there are basically three main technologies that we rely on. Those are the aquifer storage and recovery, the above-ground reservoirs, and seepage barriers along the eastern coast. The aquifer storage and recovery wells, when we first started this process, we almost had to forget them, because the current EPA regulations would not allow you to put the water into the ground untreated. They have since, as a result of this process, softened up on some of that, and it looks like they are going to allow that. The key issue with an aquifer storage and recovery well is, they assume a 70 percent recovery when you put the water down in the ground, you are going to get it back. They assume treatment of a certain level when you bring it back up, so that the waters, you know, they take all the contaminants out that might pull up from the groundwater. Is it going to work? Nobody knows. Aquifer-storage wells have been used for water-treatment plants in several places throughout the state, and they work okay for that. When we talk about putting 200 of these wells B I think they are 5,000,000 gallon-a-day wells around Lake Okeechobee B who knows what the impact is going to be in putting all those around the lake? I think everybody who has been involved says we got to get the answers as quick as we can and do the pilot studies. Seepage barriers, you know, you are basically putting a curtain wall or a concrete or rock wall down a couple hundred feet to stop the seepage from the conservation areas on the coast, but you are running that wall for 100 miles or so. Is that going to work? I mean, I do not think anybody knows what the impact is going to be if you start cutting or messing with the seepage that has always historically gone under the levees and made its way to the coastal area. That seepage is a tremendous water loss in the system right now, because the conservation areas store it, it goes through the levees, goes out into the urban areas and is pumped to Biscayne Bay or to the ocean. And above-ground reservoirs, everybody thinks,

oh boy, reservoirs, we are going to store the water and hold it. That is great when you are out in Colorado or somewhere with a granite canyon that is totally impervious and holds water, but when you are building an above-ground reservoir, subjecting it to evaporation in South Florida with sandy soils and with rock that we know is not impervious, what we know from our ponds that we have already in our citrus groves and in our cane fields and all, where we had to put in detention or retention ponds, is, when it is real wet, they are real wet, and when it is dry, they are real dry. The water does not stay there. Even right now, in the drought conditions we are having right now, those things would be bone-dry. So, is a storage-reservoir really going to work in South Florida? I do not know. We are talking about [240,000] acres of storage reservoirs, 60,000 in the EAA. 60,000 acres of storage reservoirs is about the size of Fort Lauderdale. What is going to happen when you start storing that kind of water? Is it going to be there when you need it? Is it really going to have a function when you need it? I do not know.

P: Then you have to determine who gets the water.

W: That has all got to be decided. Most of that is kind of determined as to how they are going to function for those reservoirs. Their specific purpose, whether it be in the Caloosahatchee River or the St. Lucie or whatever, that water is to be put there and stored to be released back out for the purposes that exist today, whether it be for the potable-treatment plants on the coast, or whether it be for salinity, to stop the salinity from intruding upstream and into the estuaries, it will be used for the same purposes, but is it going to be there when you need it?

P: Do you have confidence that the Army Corps of Engineers...obviously obeying orders caused some of the problems, do you see that they are going to be effective in changing their attitude and solving the problem?

W: First of all, I do not believe that the Army Corps of Engineers caused anything. The Army Corps of Engineers is the biggest scapegoat for all of the past evils. All the Army Corps of Engineers was an absolutely great servant that went out and did exactly what it was told to do and followed its orders. If you look at the system that was built in South Florida that, in 1947, a popular vote said, let us have the Corps go build it, they built a great system. It was perfect, does exactly what it was set out to do. It keeps the coastal areas totally flood-control free, except it was designed for a much smaller population and today you do get some flooding, only because it was designed for a different size. The agricultural area pumps its water into the conservation area to be stored; the levee on the lake keeps people from being flooded around the lake; the water in the lake is discharged through the man-made rivers and the Caloosahatchee and St. Lucie, which did not normally connect to the lake, and the Kissimmee River was straightened so that the water would come down very rapidly and drain the marshes in into the lake. It

worked perfect[ly]. But back in the 1940s, we were shortsighted and did not look at environmental concerns. Can we blame the Corps, because nobody else looked at the environmental concerns? No. No, the Corps did a great job of building what they were set out to build.

P: So you assume they will do a great job with this project?

W: Yes, though I think these days the Corps is trying to be a little more environmentally-friendly in the design and what they are doing in those projects and tend to get caught up in the process of what are we going to build, as opposed to back then, they would wait for somebody to say, we have decided and this is what you are going to build, go build it and design it. So they tend to be attacked a little more in trying to talk about how they could build it or what they could do. We have got a lot of respect for the Corps here. Typically in dealing with them, they are straightforward, they are upfront. Most of their people are typically very honest. You ask a question, it is out on the table, and they are telling you the answer. Should they be the scapegoat for having built what got built in the past? No.

P: What is your assessment of Mike Davis?

W: I like Mike. Mike, I think, was a political appointee in the Army Corps. He was not typically what we would see as the traditional Corps folks we would deal with down here, out of the Jacksonville district. Mike got caught up in a lot of what the administration wanted the Corps to do, which we, a lot of times, were not necessarily in agreement with. Mike was a pretty honorable guy, though, in dealing with everybody.

P: How was the current Task Force chosen? Who made the decisions?

W: The Task Force was chosen, I guess, in the 1996 or 1997 WRDA Bill that set out the parameters for the Everglades restoration and set up the Task Force. It was set up in legislation as to what secretaries of the different departments were going to be members of the Task Force. I forgot in the legislation if it called for Rock [Salt, director of Army Corps of Engineers]=s position to be appointed by Interior or not, but Rock=s position, you know, was appointed by the Secretary of Interior to coordinate the Task Force. Then I think it was also set up to have the Working Group, which are the local representatives of those different agencies.

P: So that is how they were chosen, in effect, to represent various interests.

W: Yes. Well, it was chosen by Congress. It is in the WRTA Bill, the statute that creates and says, these agencies will be on the Task Force. So the Task Force is created by legislation.

P: Is it balanced, in terms of business and environmental and other interests?

W: No. Rock will shoot me for saying this, but I say it publicly at other times and Rock and I have debates afterwards. But from the sugar industry, a land-owner=s, a taxpayer=s perspective in South Florida, I do not think we view the Task Force or the Working Group as the bodies that represent the South Floridian=s interest. They tend to be heavily weighted to the [federal] agency side. They do not have a lot of stakeholders on the Working Group or the Task Force. You can say all you want to about, well, you have every opportunity to go in for public-input or whatever. These days, public-input at an agency meeting is looked at as almost nothing. Most people have the feeling that your public-input is, so that they can just satisfy the laws and say they got public-input and then move and do whatever it was they were going to do anyway. I think the Governor=s Commission was looked at by its stakeholders as the opportunity for the South Floridian stakeholders to have their voice heard, to have a forum for it to be heard, for it to be presented to the legislators, so that, from the state perspective, our legislators and our governor could hear from a body to say, here is what the stakeholders in South Florida want to be done. I think most of those stakeholders look at the federal Task Force and the Working Group as federal agencies, bureaucrats, whatever you want to say, as the opportunity for them to do what they think is right and to keep the process going, and they tend to not ever get anything done, as opposed to, I think, most of the stakeholders want a process where it can be a little quicker, faster, get-something-done-type-thing and have their voice heard by somebody.

P: So federal and state bureaucracies dominate the Task Force.

W: I believe that most of the stakeholders in South Florida view it that way.

P: The question always comes up, how can you ultimately integrate the needs of the EPA and the South Florida Water Management District and the Miccosukees and sugar and citrus and the state and all these environmental groups? I mean, they are so disparate in terms of what their specific interests are. How can you ever ultimately come to a uniform solution?

W: That is a good question. The way the thing is structured is, you know, the 50-50 partners, in moving forward with the CERP, is the South Florida Water Management District as the local sponsor and the Army Corps of Engineers as the federal agency that are going to make the decisions. From a state perspective, I think that what most of us feel is that some venue like the Governor=s Commission has got to happen, to be able to advise the Water Management District on what citrus, cattle, vegetables, sugar, urban, utilities, [etc.], what their combined interests are. The district is now setting up another

commission, to replace Bush's commission, that is going to sunset in June. The Water Management District is right now setting up another commission to try to function or serve that same role. I think it has got to be some process like that where input can be given to the agencies. If the federal Task Force and the Working Group want to give it to the Corps and this other commission gives it to the Water Management District, I mean, those two agencies are the ones that have to decide where we are moving forward from here anyway.

P: Who makes the final decision?

W: Typically, the Water Management District is going to make the final decision.

P: Do you mean specifically the South Florida Water Management District?

W: Yes, and the South Florida Water Management District has legislation now in Florida that basically says what it can do or not do and what has to go to the legislature or not, and there is an Everglades oversight committee set up in the legislature...

P: It is a little complicated.

W: It gets very complicated, but from the Water Management District perspective, they are the local sponsor. If they do not support something and do not want to pay the money, it is not going to get done. Now, likewise, if the Corps disagrees with what the Water Management District wants to do and does not want to go to Congress, it does not get done either. But from the state side, the Water Management District has to approve and go forward with something before it is going to go forward.

P: Now, you were once on the board of the South Florida Water Management...

W: No.

P: You have never been?

W: No.

P: Okay. But you are obviously pretty familiar with what they do.

W: Yes.

P: One of the criticisms has been that they do not pay enough attention to science. Do you think that is a valid criticism?

W: No. I think, unfortunately, this is the war we got caught up in since 1988 and the early 1990s, and the science is catching up with us now. I do think that they try to look at the science with their staff and with other people and try to make decisions based on sound science and engineering and all. I do not believe that the Water Management District boards try to ignore science.

P: Let me try to understand the changes that have come about. How did we get to this ultimate achievement of passing this billion-dollar restoration of the Everglades? Who were the key players? What specific events changed so that we could come to at least this unanimous conclusion?

W: When you say billion, are you talking about the \$8 billion?

P: Yes.

W: Really, the way that we got there, it was right around the same time that mediation broke down on the EAA stuff in November of 1993 that I think they announced that they were going to start the re-study effort. That was when they appointed the team with the Corps that was going to go around South Florida and do workshops and obtain information and try to figure out what needs to be built and what needs to be done to change the project. Actually, their objective back then, that was set out for them legislatively, was to do a re-study of the original Central and South Florida Flood Control Project to figure out what changes need to be made to it so that it can be a sustainable system for the next fifty years. Well, in doing that, they started going around South Florida, workshopped, trying to figure out what is the starting point, what do we need to build, where are the problems and so forth. In 1994, when the Governor=s Commission started, it was not long before the two of them kind of melded together. That process, and with the Task Force that was set up later and the Working Group, you know, it all kind of melded into one. The Governor=s Commission set out a lot of basic groundwork for that re-study project, analyzed what are the components that need to be built. There were seventy-two different components, [and] those were all looked at. Now, the commission did not look at them in any depth, did not look at them in any scientific or engineering or technological [way]. We had to have the experts say, here is what we think potentially could be done.

P: Is this ultimately the chief=s report, what was his name, Joe Ballard?

W: Joe Ballard, yes.

P: Is that what ultimately came out of this?

W: No. Actually, the Governor=s Commission came out with a consensus report that they recommended to the chief. The chief incorporated a significant amount of

that Governor=s Commission consensus report and recommendation. The chief had his own report that went to Congress, which had been circulated and there were aspects people did not like, but most of that got changed. There was a letter the chief did, which caused the Miccosukee Indians and the sugar industry to sue on the chief=s report, because it had inconsistencies between the cover letter and the body of the chief=s actual report and the Governor=s Commission report. But, ultimately, last year what got passed in the legislature ignored the things that were in the chief=s letter. Realistically, what happened is all those groups kind of came together, and this consensus now has given the foundation for passing what was passed last year in the law. Keep in mind when we talk about this, now, the re-study project right now and the CERP project is nothing more than a theoretical plan. So what the group did was come up with a theoretical plan. Now what has got to happen is the meat has got to be put to the bones. They have got to actually go through the detailed design of each one of these projects, figure out how they fit in together, and go back to Congress for authorization [and] money for each different component as they move down the track with this project.

P: When you testified before Congress on January 7, you had some criticisms. Was this of the re-study plan?

W: Yes.

P: Would you comment a little bit about that? Obviously, you had several areas that you thought needed to be modified and changed. Comment a little bit on your criticisms and then what ultimately came out of your criticisms.

W: There was a lot of detail that I testified on, but in general, one of the things the industry did not like, and that a lot of the stakeholders did not like, was that what the federal agencies were trying to endorse, and the Governor=s Commission did to a certain degree, was to call this a plan, have Congress approve it, and then say that approval gave the agencies the authority to just go on ahead and build and implement. Our problem was that this was nothing more than a theoretical plan and that the industry and the stakeholders in South Florida are comfortable with the process that normally has to go through for a specific project, to go through all of the design-work and all that the Corps has to do and things they have to satisfy before going to Congress to say, we have done all the homework and here now is the detailed engineering design, here is how the project is going to work, and now we want your authorization to go on ahead and build it and to appropriate the funds to build it. That process gives people some comfort that there are going to be some bells-and-whistles you got to go through to be able to say, okay, we appropriate \$500 million, now go build it. It is a little scary thought to think that the legislature would just say, or Congress would say, here is \$8 billion, we trust you, the Corps, and you, EPA, and you, Interior, to go

do the right thing, just go build it. Well, that does not give much comfort to a landowner or stakeholder in South Florida. So most of our [assertion] was, you cannot just [assume] *carte blanche*, and I think what has happened is they have not *carte blanche* approved it. Basically, Congress felt kind of the same way. They wanted to have some of those controls and some of those [subsequent approval steps] that had to be gone through before they would appropriate funds and approve projects.

P: When I read your testimony, obviously a lot of it had to do with pilot projects, reallocation of water-user supplies, cost-sharing, follow the state condemnation procedures, that sort of thing.

W: Right.

P: In other words, you were literally trying to be fairly precise in your recommendations as to what this plan ought to entail.

W: That is right.

P: The key issue apparently was also that there was an increase in the water supply of 20 percent, and it tended to subordinate the economic users. That was a problem that you saw then. Do you still see that as a problem?

W: Yes, absolutely. The real characterization of it is this: the Corps believes, or their team said, that this would create X percentage more water for the system, and therefore if they changed it all this way, there would be plenty of water for everybody; what the stakeholders in South Florida are concerned about is everybody has got permits for a certain amount of water use, and what they did not want was for those agencies to have *carte blanche* authority without going back to Congress to start building components and projects without making sure B and it was called the water assurance to users B without assuring water users, who existed in the system today, that, once they started building components, that your water does not disappear, that they would do the components in the projects, or build other components as they changed certain ones, so that the new components could supply you with your water, and not build one that took your water away and there you are, you got a permit, but you do not have any water.

P: You need replacement water, in effect.

W: Yes. A good example is Lake Okeechobee; if they decide to run Lake Okeechobee different or send the water somewhere or do something different, everybody that is around Lake Okeechobee [or] the Lake Okeechobee service area, if they do not have some other project in place for their water supply, you

know, they are dead. What those water users wanted to have some assurances of, is, that is fine to say we are no longer reliant on Lake Okeechobee, because we are going to build you a reservoir, but do not build the first one without having the second one in place, so that there is some assurance that they will have water supply from some component in the system.

P: Now, another proposal you made, you were really interested in a one-year line-item budget kind of proposal, whereas the environmentalists were talking, well, we need a three-year, five-year plan. Why did you have differences on the time span?

W: I adamantly believe, and you can see it in what is happening right now in the budgets, I mean, we are currently spending money, and what have we spent it on? We have spent it on a bunch of meetings and design and whatever, and all we have is a theoretical plan. I believe that for all government agencies, whether it be the Water Management District, the Corps, or whatever, as we move forward in this, I want to see a detailed line-item budget that says, here is the \$400 million we are going to get for next year, and here is what we are going to spend it on. Because I will assure you, what will happen is, if we have a three- or five-year period where we go back and look at it, we are going to hit year three or five and look back and say, where did my billion two go, and we are going to have done nothing but more meetings and built nothing. I want to see the results. I want to hold them accountable and see that if I give them \$400 million for next year, I want to hold them accountable at the end of the year and say, where did it go, what did you spend it on, and now what is the next \$400 million going for?

P: Did your proposals have any impact?

W: I do not know if it was mine. I think there is a general belief from most stakeholders in South Florida, from Congress and everybody else, that, that same thing has got to happen. You have got to have a budget, and you have got to hold those agencies accountable for what they spent that money on. Otherwise, we are going to have an \$8 billion project that is going to be \$20 billion. I think just the fiscal controls, everybody wants to see them in there. [End of Side 2, Tape A.]

P: What individuals have had the most impact on the development and the fruition of the Everglades restoration project?

W: Jeez, I do not know if I could sit here and say that off-the-cuff. I would have to go think about it.

P: Well, let me start with some names. Bob Graham.

W: Oh, absolutely. I mean, there is no doubt. He has been looked at as looking out for the interests of the Everglades since the early 1980s. He has always been somebody who, whether it be sugar or whether it be the environmentalists, whatever, I do not think Bob takes any sides, and when you want to go have a meeting, it is a meeting with all the groups there in front of him, and he tries to get consensus and move down the road to somewhere where we can get progress.

P: Connie Mack.

W: Connie, same thing. I mean, every time we have had something going on with the Everglades, actually, most of the times when we had something going on with the Everglades in the last eight years or so, both Connie=s staff and Graham=s staff jointly have been working with all the different parties to try to come to some resolution of whatever issue it is that we are working on. Both Connie and Bob join in on the meetings when it is time to fish-or-cut-bait and make a decision. Both their staffs jointly have worked on almost everything in the last eight years that we have had to work on.

P: Terry Rice.

W: You know, the colonels with the Corps, Rock Salt, Terry, Joe, and I guess Joe is now working in Jacksonville... It would have been something if Joe would have come down and been in the Everglades, too, because then we would have had the three past colonels, I guess, down here. Terry Rice, he was a wonderful colonel when he was there at the Corps, definitely. He was on the Governor=s Commission. Had his heart and soul into what the Everglades issues were, and he is continuing. I talk with Terry periodically now. I get e-mail from him all the time. He is continuing to move forward with what he is looking for in the Everglades, and he is representing the Miccosukees now, I guess. I got a lot of admiration for Terry.

P: How do you get along with the Miccosukees? Do you discuss issues with them?

W: Actually, the Miccosukees and the sugar industry probably, when this thing first started, were seen as kind of the opposite end[s] of the spectrum. I was not really sure why. But as things progressed, what we found out more and more in meetings was that there was more and more of a common interest as to what we both wanted, whether it be clean water in the Everglades or whatever. A lot of the common thread was both of us were tired of the bureaucracy and dealing with the government and things never getting done and trying to figure out some way to jointly try to get them pushed, the solutions for some of these things.

P: Another issue I want to take up, and I want to get back to these Task Force issues in a minute, but I want to talk a little bit about the Talisman land purchase.

Talk a little bit about how that actually began. What was the original concept, and how involved was the sugar industry? Obviously, you are going to buy the land from St. Joe [Paper Company]. Take me through the process, if you would.

W: St. Joe had announced that Talisman was for sale back in the early 1980s, I think, so it had been up for sale for a long time. The industry had looked at it several times. When I say the industry, individual companies, jointly, whatever, had gone and talked to them and all, but with the asking price and with the ability to grind and all that, I mean, a lot of business reasons, it just did not make sense to buy it. The government got interested, I guess, originally with Martinez, in forming some sort of reservoir on the Talisman property. As we talked about earlier, that situation fell apart, because the environmental community could not get consensus at the last minute on, did they buy in or not buy in, so the whole thing kind of fell apart. That continued on into the 1990s, and it got jump-started once or twice. As a matter of fact, in the mid- to late-1990s, when it started becoming an issue again, probably Senator Bob Graham was the one who went around to the parties again and said, we have got to figure something out with this Talisman thing. It does not make sense that there is something for sale, going to be sold, and that we are not going to take an advantage of some significant land that could be used for environmental purposes. One of the issues with the industry was that Talisman's property was not really located where it was needed for the environmental purposes. U.S. Sugar and Florida Crystals had significant landholding south of the Talisman property that was more located in the right place for what was needed. The negotiations started probably in 1996 and went on for several years, jump-started, until I guess the federal government actually went in and offered a price that was really kind of outrageous, way, way more than anything the industry had ever talked about. Then the industry started discussions about swapping land. Why not let us swap the lands that we have south of the Talisman [properties] for the lands, and the government could have our lands, which is where they need it, right on the border of the conservation areas. The government was not headed down that path, except they said that they were going to consider that after the sale and they would talk to us [later] about swapping. Well, that does not put you in a very good position. I mean, one of the concerns from the industry was they take the Talisman land, then the next thing they know they want to condemn our land or take our land and put all that in the marsh, and significant amount of cane-holdings for us are lost when none of the science really pointed to that they needed all that much land. The environmentalists talked about 150,000 to 200,000 acres. Long story short, after a couple years, what really ended up in the CERP was you could justify 60,000 acres but not [150,000 to 200,000 acres].

P: Yes, they asked for too much, originally.

W: Absolutely, and our fear when all that was going on, with the 150,000 and 200,000 is, they take Talisman, and the next thing you know, they want to

condemn our lands. So what made sense was, start with the first 52,000 from Talisman, and we will swap our lands for that. We ended up suing in federal court for the NEPA violations [of] the federal agencies in acquiring the Talisman property and ended up ultimately negotiating [with] the agencies and St. Joe for ultimately what ended up being swaps of our property for the Talisman property, and then the government took over our property and got the same [52],000 acres. So they got the land they wanted, we got to swap land and not be threatened anymore by taking more land, and the government ends up with approximately the 60,000 acres, in the locations that it needs, to have the future reservoir sites if they elect to put the reservoirs in.

P: What is being done on that land currently?

W: The issue that was worked out between us and the agencies was that we would be allowed to stay on those properties and farm them, that the government owns, for a period of five years in most cases B 10,000 acres of it is eight years B but stay on it through 2005, and then they had a right to go on ahead and build if they were ready to build. If they were not ready to build, we would start paying fair-market value lease-values for the land. Once again, what we found in these government issues like this in acquiring land is, they need somebody to manage the property until they are ready to take it over.

P: Are you paying lease fees now?

W: No. Actually, part of the whole settlement or the agreement in working the swaps out and how much cash was paid and all that, part of the consideration was not paying the rent up through, I think it is, 2004.

P: It seems to me at one point, Florida Crystals sued to stop this sale because they had not done an economic-impact study or something like that.

W: That is right.

P: And you did not enter into that suit, is that right?

W: They filed the original suit, I think, with the co-op, and we enjoined two weeks later. I forget the time-frames, but it was right around Christmas of 1988, I think.

P: And the end result of that, ultimately, is this agreement, right?

W: That is right.

P: In the long term, do you believe both sides now are satisfied with the Talisman agreement?

W: Oh, yes. Absolutely. I think the way that it worked out ultimately was a win-win for everybody.

P: Let me get back to discussing a little more about the concept of this Everglades restoration. What should at this point be the first priority?

W: For the Everglades restoration or the CERP project, I guess?

P: Yes.

W: I will tell you, I think one of the first things... and if we set up this commission at the Water Management District, my goal would be to... that commission needs to make sure that we get a handle on where these agencies are going, what the priority projects are, what is the sequence of building the priority projects, and then start holding somebody accountable to try to stick to that track. Because I believe that what we have right now in this restoration process is a whole ball of wax of seventy-two different projects. We got people scurrying out there, working, some or all of them with no real plan, on what we are going to build when and what the time-frames are. I would like to see a more concrete thing of, you know, where are we spending our dollars the first year, now that we have the funding, what are we going to start building first, and how is it going to be spent for the next five years or so?

P: Another issue, some environmental groups have advocated the creation of these flow-ways. What is your reaction to that?

W: They are absolutely stupid. I mean, it makes no sense. Originally when they brought it up in the early 1990s, the Corps, after a period of time, responded. The whole issue with storing water in the Everglades Agricultural Area is, as you build bigger and bigger reservoirs, you subject more and more water, that was not above ground before, to evaporation, and you actually hurt the water supply. Whether you build that reservoir in the south part of the system and have a line vertically across the EAA or whether you build that reservoir horizontally in the EAA makes no difference; it is the amount of acreage that you are taking out of production and putting now into, subjecting it to, evaporation. Once you do that, you hurt the water supply. A reservoir like it is going to be with the Talisman Reservoir, eight-foot-tall levees and storing water in there, they have already done the studies with the Corps that say up to 60,000 acres does not negatively impact the South Florida water supply, but above that it does. Well, when you build a flow-way with the intent of keeping it wet all the time, and trying to drain water from the lake and keep it wet and send it south, you are talking about flow-ways that are 100,000 plus acres.

P: Plus a lot of evaporation.

W: You do not have the water to keep it wet all the time. If you do not keep it wet all the time, you are going to subject yourself to fires, exotic species moving in, not having the vegetation that you want in the thing, not being able to control it, because you do not have the water to put on it and keep it wet. You got to keep in mind when they talk about a flow-way, too, that sounds great to somebody that we are going to restore the natural flow from the lake to the conservation areas, [but] we have, because of subsidence in the EAA, a shallower land-mass than you have in the lake or in the conservation areas. It is a fact. We wish we did not have it, but it exists. We have got a shallower bowl there than in Lake Okeechobee or in the conservation areas. In order to let water out of the lake, you have got to pump it somewhere or discharge it through a pipe somewhere to get around U.S. 27 and then redistribute it so that its sheet flows down this massive land. You have already got dikes, levees, farm canals, whatever. You have got railroads. You have got highways that you are going to have to figure out, do we build bridges, what do we do with them to create a flow-way? Once you get the flow-way down, if you assume that you got it to where it got down to the conservation areas, you do not get a sheet-flow into the conservation areas, because now you have got a land-mass that is lower than the conservation areas. So you have got to put pumps in again, lift the water up, pump it over into the conservation areas and once again have established sheet flow again with spreader canals. They can say what they want, and they can mislead the public into thinking they are going to have some natural flow-way that is going to just flow out of the lake into the conservation areas, but it will be another man-made construct of some philosophical thing that is not going to work.

P: Talk about best management practices that you are currently using. One of the things that interested me is this laser-leveling. Exactly what is that and what benefits do you get?

W: First of all, on the best management practices in the Everglades Forever Act, the whole philosophy in getting down to fifty parts per billion target level is that the farms will reduce their phosphorus by 25 percent what historically used to go off the farms, and the stormwater treatment areas would reduce 50 percent of what historically went out of the area. That total of 75 percent gets you down to those fifty parts per billion. So, in order for us to get down the 25 percent, there is a whole array of BMPs, or best management practices, that we are doing. One of them, the laser-leveling, is a concept that none of the sugar farmers used to use for years, but the vegetable farmers were using it. It is a concept where you put a laser out in the field & actually, the plow that you have has the receiving laser on it & it sets so that the two lasers hit each other and that plow is kept at the same depth in the field so that when it goes across and plows the field, when it is done, you can look across it and it looks almost as flat as a parking lot. The

whole concept is when we used to just disk with disks, it would be uneven and you would have rivulets through the field and it would just wash the soil off into the canals. One of the major issues that we deal with in the phosphorus going south is not fertilizer, like everybody believes, but these muck soils are rich, rich, rich in phosphorus, and not having paid attention to that soil getting into the water column before...most of our phosphorus going south is because of soil- erosion into the canals. Our main strategy has been to try to stop soil-erosion through a bunch of different techniques. The laser-leveling is one. If you can have those fields flat, you do not get as much erosion off into the ditches. We also clean the ditches out now every year or two, as opposed to before [when] we would only do it when something plugged up. So we try to lift that soil back out of the ditches and canals and throw it back on the land. We also changed pumping practices. We used to always, when it looked like it was going to rain, pump the ditches down to the bottom, get ready for the rain. If we did not get rain, we would open back up and have irrigation water come in, because we always wanted to have maximum flood-control protection. We do not do that anymore. We leave the water in the canals, [and] we do not start the pumps until we hit a certain elevation in the canal. We then pulse-pump down to a certain elevation, because there are sediments in the bottom of that canal, and if you draw it down too low, all it does is cause those sediments to start moving down the canal. So, the whole name of the game is to stop all those sediments in those canals from making their way to the pumps, ultimately to the district canals and then down into the Everglades.

P: Another thing, you use aquatic crops to absorb the phosphorus. Does rice absorb phosphorus at all?

W: Yes. The rice will have the water put on it. Actually, that is good for the soils, for subsequent crops and all. It also keeps the water in the system so that you are not discharging the water. Then what we will do, typically, with rice is, we will push up dikes with a bulldozer and, with the muck soils, hold the water in there and then gradually release the water once we are done with the crop. U.S. Sugar does not do any rice anymore to speak of, but some of the others, Florida Crystals, still has a significant amount of rice.

P: What is the impact of your burning on the environment, and what do you do to try to restrict that impact?

W: Actually, we work real close with the Division of Forestry on the burn program [and] have for some time. Some of the countries around the world have tried to get away from burning and have found it almost impossible. Burning of sugarcane is done for economic reasons; if you did not burn the cane, it would almost be uneconomical to be able to harvest it and grind it, so there are burn programs to be able to burn off all the foliage that slows machines down and

slows the mill down. The Division of Forestry in the early 1990s worked with us on regulations. They were getting complaints from the coastal areas as to the smoke and ash. We now have strict guidelines and zones where, in the zones closer to the east coast, we cannot burn if there is an easterly wind or if there is a wind greater than X miles an hour. In Zone 2, which is a little farther west, you can burn when it is a little higher mile-per-hour and all. Then, ultimately, you cannot burn at all if there are certain conditions in the environment. Typically with wind direction and wind speed, everything is done so that we do not affect any more of the urban folks on the coast. Typically with a cane fire, when you light it off, it gets real hot and sends some smoke up into the atmosphere. The ashes typically fall out within a mile or two of the fire. We are required to have air monitoring throughout the Everglades Agricultural Area, and I cannot remember whether they are PM 10s or 4s, but that network monitors the air-quality in the EAA and sends it into EPA and the Division of Forestry at the end of every year. That air-quality has actually been found to be better in the EAA than the air-quality on the urban coastal areas. The conclusion has been that the burning in the area does not significantly impact the air-quality. So we have a lot of things in place to make sure that there is not an impact and work closely with the Division of Forestry to make sure there is not.

P: What about methyl mercury poisoning? What can be done about that?

W: For me, methyl mercury poisoning is something I better get a scientist in here to talk about because methylizing mercury and what it takes to do it and all... I do think one thing when we talk about methyl mercury, [and that is] something is happening, you know, it does not occur in the EAA, does not occur in Lake Okeechobee, yet it occurs as you go farther south in the conservation areas, in the pristine areas. There are several assumptions that are out on the table now. Some are that sulphur from the fertilizer might be causing something to methylate. Most of the scientists I have talked to believe that it will not be just that one issue B it is going to be temperature, it is going to be [water], it is going to be phosphorus. There appears to be that when you have these impact-zones where you have the phosphorus and all, when you have those kind of conditions, it does not methylate the mercury, and it only starts methylating down when it starts getting into the more pristine areas. So it seems to me like there is a lot more research [that needs to be done] before anybody is going to be able to conclude where that really is coming from. Methyl mercury is something that is a problem all over the country, all over the world, and not just here in the Everglades.

P: What is the future of organic sugar farming?

W: Probably limited. I mean, it is like organic anything else, vegetables or anything else. The American consumer is used to going into a grocery store and seeing nice leafy heads of lettuce and celery, and unless they want to start seeing much

more smaller things and whatever... Organic is a niche market, and most American consumers are not going to care about it.

P: How long can you continue to grow sugar in this area?

W: People continue to ask that question, because primarily of subsidence. Organic soils subside. At one point, there were at an average of one and a half inches per year. Now, it is roughly three-quarters of an inch and, we hope, dropping still. The question is, will you get to some point where you cannot farm that anymore? Our scientists have always believed that, on the land we are on, as you get closer B there is mineral content in all the soil B as you get closer and closer to all the muck subsiding, you will have a mineral soil left that you will still be able to farm in. It is no different than the mineral soils in Homestead or wherever else in the country. We believe we will still be able to farm that, you know, to infinity.

P: And how will the restoration project affect that?

W: With the restoration project, one of things we were looking at was cane that is water-tolerant, if we could breed a cane-variety. It typically takes us, if we start from scratch, ten years to breed a new cane-variety. If we could find a variety that the root system is not as susceptible to disease or rotting or whatever if the roots are wet, we would be able to keep more water on our land, and the higher the water table, the less subsidence you get on the soils. So we are already working on things that, hopefully, if we can be successful in them, we can have higher water-tables, still have the same crops, the soils do not subside, we can keep sugar in the EAA and [keep] development out. That is the win-win situation for South Florida, to have responsible farming here in the EAA, not development, not commercial, not anything else. I think South Florida is better for it in the future.

P: Part of the problem is, obviously, sugar needs a lot of water, but not too much.

W: That is right.

P: So you have to make that balance.

W: Yes. Right now, it is just like any other plant. You cannot get the root-system wet or the plant is going to die. But everybody believes that, over time, we will be able to breed varieties that will be able to produce with a more wet [root]-zone. One of the strategies in the Governor=s Commission is to try to figure out, if you have 500,000 acres in the EAA, if you can raise the water-table a foot, you have just stored 500,000 acre-feet of water. So, from a storage standpoint, if we can resolve that issue with the plant, we can figure out a way to store a significant amount of water here in the EAA.

- P: What is the best way to get the additional land you are going to need for this marsh-technology? Should it be purchased under Preservation 2000? Who should purchase it? Who makes the decision about what lands should be purchased?
- W: On which purchases?
- P: Just additional land for this marsh-technology.
- W: When you say the marsh technology, are you talking about for the EAA?
- P: Both the EAA and the entire Everglades project.
- W: Okay. Well, when you talk about the marsh-technology, basically all the land for the EAA projects, the stormwater treatment areas and the Talisman reservoirs, for the reservoirs, is all bought. The government already owns it. There are other lands they are going to have to buy for reservoirs or stormwater treatment areas in the rest of South Florida that they do not own, in the Caloosahatchee Basin, north of the lake, the St. Lucie River [and] the buffer areas along the east coast. The Governor=s Commission tried to address those issues of who is going to pay for what and basically came to the conclusion that it has got to be 50 percent state and 50 percent federal, and it has got to be obtained through some sort of taxing-mechanism or general-revenue fund. It was unfair to try to figure out ways to tax individual land-owners, because the system is so interwoven that it is hard to start describing one component and say, that is all these people from this boundary to this boundary and nobody else, because one aspect of the project benefits everybody else. It is very tough to pick out and say, local sources are going to pay for their own projects.
- P: One issue, obviously, is the condemnation of this land. In 1999, the legislature passed a bill in which you were involved, which stated B and I believe this is correct B if you condemn land, it is heard in state court and the attorneys fees are paid. Is that right?
- W: Yes.
- P: That is obviously something that would be beneficial to land-owners.
- W: Right. I think the main issue with the condemnation is whether it is the state process or the federal process. The federal process does not allow for a land-owner to have his attorneys= fees paid, other things like appraisal fees and those type of things. It became a very, very big issue in the Kissimmee Valley restoration. Some of folks up in Okeechobee were having their land condemned

and having to go out and hire an attorney and hire an appraiser, because it was being proposed under federal-condemnation statutes. Most of the landowners in Florida feel like, if you are taking my land and you are taking it for a restoration project for South Florida, it ought to be Florida law that governs. They should not have to go out and hire an attorney and an appraiser to fight the government that wants to take their property, that it should be Florida law to reimburse them for those kind of expenditures.

P: Of course, the critics say, well, that is an additional cost to the taxpayers.

W: Yes, and that sounds great when you are a critic whose property is not being taken. But when you are one of those folks sitting there with a notice on your door saying you got to be out within such a period of time, it does not seem very fair that you have to go out and hire an attorney and an appraiser to fight the people who want to take your land.

P: How do you think things will change in Washington now that the [George W.] Bush administration is in and the Clinton administration is out. Do you think the EPA will be any different under Christie Whitman [new head of the EPA and former governor of New Jersey]?

W: Yes. I think in general terms you are going to see a change in philosophy, probably, in EPA and Interior maybe. As it relates to the Everglades, I would not envision any less support or any monumental significant change because, first of all, the whole delegation here with the congressmen and senators in this state are all supportive and behind Everglades restoration, and they battle very hard when they get to Washington for that. You know, a lot of the battles are just with all the agencies and all the different parties as to how should that ultimately be decided. But as far as supporting restoration here and supporting their constituency in Congress, or senators, or in the administration, they are going to be supportive of it, and so are the agencies. So, I would not see that much changing with Everglades restoration just with the change in the administration.

P: Make one comment on the impact that Jeb Bush has had on all this process.

W: I think Jeb and his folks have had a real positive impact, and I do not think that you would say that he was a lot better than Chiles or a lot worse or anything. I think he has continued to support this entire process just like Chiles tried to do. I think Jeb Bush has tried to be a strong supporter of keeping this Everglades restoration movement going. You know, he set up his own commission. That one is probably going to sunset, because everybody is [saying], it is better at the District, it is better happening as a South Florida thing. But Jeb, with his DEP folks and his board appointments and the Water Management District, he has not missed a beat as far as keeping the momentum up and keeping restoration for

the Everglades going.

P: How critical was the passage of the bill where the state committed the funds? This is obviously before the Congress votes on the bill.

W: That was absolutely critical. It was critical that the state show a sign to Washington that they were supportive of the restoration, that they were going to do their part and they were going to move forward. It sent the signal pretty loud and clear. Jeb actually went up to Washington and testified himself, which was a clear message. I think all of that has been a critical part in the state letting Washington know that we are serious about [restoration].

P: You see him continuing to do that?

W: Absolutely. I think he has made that very apparent, that he wants his agencies and the Water Management District, the DEP, to not miss a beat, to keep moving forward with this restoration process.

P: Another issue I wanted to bring up about the environmentalists, I notice that Bob Buker had criticized people, particularly like Mary Barley, as being more anti-sugar than being pro-environment. Do you see that there are some elements in the environmental community that are more inflexible, a little more radical?

W: Oh, yes.

P: Could you comment on the environmental group in general and give me some sense of how you view each of these groups, like the Audubon Society and 1,000 Friends of Florida and that sort of thing.

W: Yes. All those groups, you know, when you get the one group by themselves and you talk with them, or you are in Governor=s Commission meetings and there is a group there, typically you can come to some consensus with them or reach some agreement. They are typically pretty responsible about what they want to do, whether it be National Audubon [Society], [the World] Wildlife Federation, the Florida Wildlife Federation that was on the Commission. Those members were pretty reasonable as far as trying to reach consensus. The problem that you always run into with the environmental community is, there is never consensus in the environmental community, never. There is always some group that is out there throwing rocks or throwing hand grenades in with the rest of the group. You know, how dare they have this settlement or met with sugar or did this kind of stuff. What will typically happen is you can reach consensus with a couple of them, but then the other ones just go around to the legislators and lobby a different thing. So, unless you found some way to herd every environmental group in a room and have them sign on the dotted line that they are supportive of

something, it is very, very difficult to say that you have ever reached consensus with the environmental community. And you will get the Mary Barley types. Mary Barley does not even understand Everglades restoration, does not know the details. She is absolutely on a vendetta against the sugar industry. I mean, she does not attend meetings of the Governor=s Commission and all the other [fora] to keep abreast of where the restoration process is going and has no real knowledge of how the system works, yet she is viewed as an environmentalist who has a part in the Everglades restoration. Her acts are really against the sugar industry, for whatever reason. I do not know why she is carrying on supposedly what her husband started, but we met with her husband, and her husband actually did not have an ax to grind with the sugar industry and made it clear what his objective was. He said, I am afraid you guys in this process, back in the Everglades Forever Act, are going to get all the money for restoration and there will not be anything left for Florida Bay, which was his big thing. And, he said, I am not going to see you guys get all the money until I know that Florida Bay is going to be resolved. So, that was his ax to grind, and that is why he was against Everglades Forever Act and all the money coming to us and us not paying [the total] \$700,000. It was clear where he was and he said, look, we get this resolved and I am out of your hair. Well, unfortunately George had the accident and passed away and now Mary, for whatever reason, thought... either George did not tell her or she did not understand the program, because her vendetta against the industry has carried on ever since.

P: Do you see this as a problem with Everglades restoration, that there are going to be these environmental groups that are going to be protesting decisions?

W: Absolutely. All it does is once again confuse the issue, because the several of them that will spend the time to understand the system and interact with the other groups and then come to some agreement, we will accept this in exchange for this and the bargaining that has got to take place in order to have a solution... the others that do not spend the time to do that are the ones that start trashing it and throwing the hand grenades and doing commercials and whatever, and all that tends to do is confuse the public and mislead them as to really what is going on and what the right thing is.

P: But obviously a lot of progress has been made. I was talking to Stuart Strahl and he said, I can talk with Bubba Wade, we have different views, we have different science, but we came to an accommodation B we understood what they want, they try to understand what we want, and, on a reasonable basis, people who understand the issues can come to a conclusion that will ultimately be best for the state of Florida.

W: Yes, and I agree with that. I mean, the Stuart Strahls, the Jack Mollers, [the Debra Harrelsons] who sat in on the Governor=s Commission meetings, they did not agree with everything, but they at least agreed in the consensus in the end

product, and there were several other environmental groups that were there. They agreed to the consensus, but it was all the others ones outside the room that [would] not [agree] on it that started trashing it and then sent in press releases and all that kind of stuff. Unless you have them all in the consensus process, you are going to continue to get [nowhere]. You will get reporters who, because they were not in the room, will quote Sierra Club and Sierra Club says, this is absolutely horrible, and they are against the re-study and it does not do this and it does not do that. What message does that send to the public. You got a consensus group that agreed, but here are all these environmental groups that are saying the re-study is bad for the Everglades.

P: What is your prognosis for the restoration, and I use that term advisedly, of course. How long do you think it will take before we will see some real progress here?

W: I think we have seen progress just by the fact of where we have come from in the last couple years and some of the consensuses that have been reached. Getting this WRTA 2000 passed last year was a pretty big thing. We got to keep that momentum going. We have got to have commissions of the district, we have got to have people who keep moving this process forward. The instant we blink and people let the guard down and slow down with it, you know, the biggest issue we are going to have probably is going to be funding. We are going to have to figure out ways through the state and the federal government to make sure that things continue to be appropriated and that we get the funding we need to do to keep moving forward with the projects. I mean, we are talking about twenty years at \$400,000[,000] a year.

P: If the economy continues to go bad and they want to make some cuts, they might make cuts.

W: And the problem is when people know that there is \$400,000[,000 per year] out there being dedicated from both the state and federal levels, a lot of the senators, congressmen, legislators, who do not have an ax to grind in South Florida, it is a source to steal money. It is something that South Floridians and the Florida delegation are going to have to be guarded against for the next twenty years.

P: What is your assessment of Bill Nelson [U.S. senator, D-Florida]? Do you think he will be supportive of the project?

W: Yes, absolutely. He has been involved enough in Florida politics to know. I think he knows how important the Everglades and the restoration process is here. I think you can count on him as being as strong as an advocate as Bob Graham is.

P: Let me go back and talk a little bit about Connie Mack. Obviously, from the

Republic side, without Connie Mack and Bob Smith, senator from New Hampshire, it would have been almost impossible to get this bill passed, would it not have been?

W: Will you say that again?

P: Connie Mack obviously influenced the Republicans to support this...

W: Right.

P: ...and without Republican support, particularly Bob Smith, who was chairing the committee, that probably never would have passed.

W: That is absolutely true. Fortunately, while all this has been going on in the last eight or ten years, both Connie Mack and Bob Graham, you know, they may have their differences on other things, but when it came to Everglades, they were typically in there pitching... I mentioned this earlier, both staffs would typically be in the room together working towards a common objective with all the parties, for both Graham and Mack. So I would suspect Nelson is going to be the same way.

P: When you look back over your experience with all of this Everglades business, all the way back to Sustainable South Florida, what are the most important lessons you have learned?

W: Two things, and there are probably more than that, but two come to my mind right away. Number one, you have got to get the parties in the room dealing with each other on a face-to-face basis, because it is not until you sit down and work as a group [that you] realize that the person across the table has just as much wants, desires, whatever, as you do, and you got to satisfy theirs at same time yours, and it has got to be a give-and-take process like that Governor=s Commission thing was. It does not work by everybody going off on their own, trying to influence a legislator to do something; you just do not get things done that way, and it will not get done the right way. You have got to have a process set up whereby the parties can somehow vent, negotiate, reach consensus. It has got to happen, it has got to be an important part. It cannot just be the agencies meeting and deciding how to do it. Number two, one of the most important things that has got to happen is education, education of everybody out there. I mean, the general public, the stakeholders. You know, there are too many of them who do not understand really how the system works and factually how it works out there. The sugar industry is one that is a common misperception. What the agencies found, what the environmentalists found, was in the early 1990s, they did such a good job at convincing South Florida that, if they could just get the sugar industry the hell out of here, that the Everglades would be saved, that when it came time to start convincing them they needed to

fund the re-study, they had a significant problem, because now they had to educate the public on why it was not just the sugar industry and why the Everglades was a much bigger problem. It became a significant problem. All the polls showed that the public was not interested in paying any more than \$5 a year or \$10 a year to support Everglades restoration. Well, part of the problem was, they did not understand that they had as much of a responsibility in what caused the Everglades problems as the sugar industry or anybody [other South Floridian]. It is that education-process that has to take place so people understand, how do we all fit into this ecosystem in South Florida and what is our responsibility?

P: Plus, in the long term, if we do not have clean water to drink, it is a disaster.

W: Absolutely. The whole part with sustainability was, how do we do water-quality and what the environment needs and water-supply and all for the urban and agricultural areas and mix the whole thing together?

P: Who is responsible for that education?

W: All of us, actually. Who is going to do it? I am not sure. That is one of the things that we have got to tackle. Like I said, the re-study plan or the CERP plan is only a theoretical plan right now. One of things the Governor=s Commission pointed out clearly was, we have got to have education, but there were no suggestions as to how we carry out that education. One thing we have got to do, though, is we have got to stop allowing the myths to continue about what the problems are, who caused them and whatever. We have got to start having responsible press, and we have got to have the agencies reporting on it responsibly and stick to the facts.

P: It seems to me it would be very important, from the point of view of the Task Force, to have some group do just that, present information B what they have done, what is next, what studies have shown, the whole process B and let the public know what is going on, what the problems are [and] how they are dealing with them because the public, I can tell you, has no idea.

W: Absolutely. I will give you a good for-instance: in a lot of the schools on the east coast right now, they are in classes doing projects and doing things about sugar farming in the Everglades and is it bad, is it whatever, and it is almost creating, in the kids and everybody, this mentality, once again, that sugar-farming is what is bad for the Everglades, and if you get rid of sugar-farming the Everglades are safe, and it is the farthest thing from the truth. Like I said before, if you took sugar-farming and just assumed for a second, totally responsible, we got everything cleaned up [and] no problem being caused from the EAA, the Everglades is still doomed. It has got significantly more problems, and the

coastal areas and the urban areas have just as much a part as the sugar farmers do.

P: Is there anything that we have not touched on and discussed that you would like to comment on?

W: No. We covered a pretty large waterfront.

P: The only other one little thing that is in the back of my mind, and I cannot remember why, is your relationship with the Citizens for a Sound Economy. Who are they, and what kind of relationship do you have with them?

W: I never myself dealt with them, so I do not know...

P: Okay, that is fine.

W: I mean, others did, Buker, whoever at the company. I never got involved much.

P: Never mind, that is fine. Well, on that note, I want to thank you very much for your time.

W: You bet.

[End of Interview.]