



SIERRA  
CLUB  
FOUNDED 1892

# Calusa Digest



VOLUME XXII, NUMBER 5

SERVING SOUTHWEST FLORIDA

MAY, 2000

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*Go to our website:*

<http://www.sierraclub.org/chapters/fl/calusa/index.htm>

*to view back issues of the Calusa Digest, and, beginning this month, worthwhile and/or expanded articles for which there was no room in the newsletter.*

## Executive Board Meeting

MONDAY

**MAY 8, 2000**

7:00 P.M.

NOTE: 2ND MONDAY THIS MONTH ONLY

**EVERYONE WELCOME!**

CALL ELLEN PETERSON

992-5455

FOR DIRECTIONS

## ONE HAPPY FIRE SALE IN TALLAHASSEE!

Meet the screw-YOU Legislature.

Sixty-three of 160 members face expiring term limits, so it's one happy fire sale in Tallahassee. Everything goes.

Seldom have so many elected officials so openly pimped for special interest groups. Seldom have so many greed sotted bills hurtled smoothly through committees at a time when most Floridians favor stronger growth-management measures.

An Ocala lawmaker seeks to gut the state's authority over community planning and give 67 politically slanted "reviewing councils" the power to approve major developments. It's a perfect recipe for chaos and corruption. Not surprisingly, the idea comes from Rep. George Albright, an attorney for developers. He is also a comedian. He says counties can be trusted to manage their own growth.

The GOP's trust in local authority does not, oddly, extend to farmlands. Sen. George Kirkpatrick of Gainesville is pushing a bill that would prevent counties from passing any laws to regulate agriculture. Didn't you always want to live next to a pig farm?

Not to be outdone, another Republican, J.D. Alexander of Frostproof, wants taxpayers to reimburse any landowner whose property gets zoned at less than one house per acre. The bill, hotly contested by counties and cities, would provide another windfall to Big Agriculture. Another surprise - Alexander's granddaddy was citrus tycoon Ben Hill Griffin Jr. Penalizing taxpayers for government zoning decisions is an audacious concept that cuts only one way. Conveniently, Anderson's bill wouldn't require big landowners to reimburse the public for new highways, drainage pipes and other goodies that increase the value of their holdings.

The phoniest "property rights" bill skating through this year's Legislature would give away 500,000 acres of state lands to cattle ranchers, lumbermen, miners and farmers. This shameless heist originated with two Republican House members, Paula Dockery of Lakeland and Adam Putnam of Bartow, both of whose families own farmland and would benefit sweetly from the giveaway. (A Senate version of the bill is sponsored by Skip Campbell, a Port Lauderdale Democrat.) The lands at issue are submerged at least part of the year as rivers, estuaries, lakes and tidal flats. These always have been open to the public for boating and fishing. But ranchers and farmers say that they hold title to this wet acreage, pay taxes on it and should be able to use it or sell it back to the state. Oppo-

*continued on p. 3*

## OUTINGS NEWS

### Calusa Group teams with Florida Trails Association

Collier-Seminole State Park boasts a little-known hiking trail of 6.5 miles, which is one of the most beautiful in the state. Since there is insufficient resources within the park to properly maintain the trail, the Calusa Group had a service outing in February, and cleared over 1.75 miles of the trail.

We were since contacted by Florida Trails association who wants to team with us in maintaining the entire 6.5 miles of trail. this will involve constructing three sections of boardwalk, and periodic trail maintenance. We are looking far a FEW GOOD people who want to help with the trail maintenance. The initial outings will take place in the near future, and no special skills are required. Please contact Charles Holmes at 941-540-0599 or email at [cfolmes@mindspring.com](mailto:cfolmes@mindspring.com). You will be rewarded with the satisfaction of seeing the results of your efforts, and knowing they will be enjoyed by other hikers.

## OUTINGS

**Apr 29 (Sat) Beginning Kayak Lesson** - A Women Only Group class. This class is located at Captiva Kayak Co. on Captiva Island. The cost for this class is \$25.00, which includes a bag lunch and a two hour lesson. Come join the fun and learn how to Kayak! Call Kris Decker, outings leader for details and to reserve a spot at 941-275-7831.

**May 5-7 (Fri-Sun) Cayo Costa Family Camping.** Our group will camp along the beach at the beautiful Cayo Costa State Park.

Camping is rustic, but there are modern bathrooms with an outside shower. Come experience this beautiful barrier island, walk it's miles of beaches and hike miles of trails through the interior. Bring your own gear and food. Ice is available from the ranger station. The cost is \$20 per adult/\$10 per child under 12 for the weekend. Reservations are required by May 1st. There is also a \$20 round trip ferry charge to the island. Call Lynn Livingston for details and directions at 941-289-6645.

**May 12-14 (Fri-Sun) Myakka State Park Alligator Mating Season Weekend.** We will arrive the evening of the 5th for this special Mother & Daughter outing. Join us for car camping, hiking & camaraderie. Be prepared for some excitement with the gators! Call Julia Habel (941) 432-0111 or Kris Decker (941) 275-7831 for particulars.

**May 19th (Fri) Full Moon Hike at 6 Mile Cypress Slough.** We'll meet at approximately 8 pm. Call Charles Holmes at (941) 540-0599 or email [cfolmes@mindspring.com](mailto:cfolmes@mindspring.com) for details.

**May 20 (Sat) Calusa Gear Swap Meet.** Got some old camping gear you don't need? Do you need some new gear for your outdoor travels? Then come to the Gear Swap meet at Koreshan State Park. Call Julia at 941-432-0011 to sign up for your own table and for details.

**May 24 (Wed) Monthly Membership Meeting.** 7 pm at FGCU. Refreshments will be served during our social hour. An environmental program will follow at 7:30 pm. Come meet your fellow members, officers and enjoy the program. The meeting is in bldg. 3, room

121. Please park in Lot #2. FGCU is just east of exit 19 off I-75. Turn left at the sign to FGCU just past the outlet mall. Go down the road a mile or so and turn right at the light toward FGCU. Turn left at the stop and lot 2 is the first parking lot on the right.

**Jun 3-4 (Sat-Sun) Group Campout at Caloosahatchee Regional Park.** Experience the beauty of this brand new county park, a short drive from Ft Myers. Rustic camping with outdoor showers at your campsite. Call Kris Decker for details at 941-275-7831.

**Jun 20 (Tue) Solstice Celebration/Potluck dinner.** (replaces monthly membership meeting) We'll meet at Bonita Beach Park where Bonita Beach Rd meets the Gulf. Call Cheryl at 941-540-0905 to set up a dish to bring, or to just get more details. Bathing suit optional!

Yes, I want to join the Sierra Club! My check is enclosed.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Introductory  \$25 Phone (Optional) ( \_\_\_\_\_ )

Individual  \$40 Joint  \$50

Contributions, gifts and dues to the Sierra Club are not tax deductible; they support our effective, citizen-based advocacy and lobbying efforts. Your dues include \$7.50 for a subscription to *Sierra* magazine and \$1.00 for your Chapter newsletter.



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Please mail this to Sierra Club, P.O. Box 52968, Boulder, Colorado, 80322-2968

## Calusa Group Membership Meeting

The May general membership meeting will be held at FGCU on May 26 at 7 pm. Since the meetings started in January, they have been well attended, with some very interesting topics which are very pertinent to our own southwest Florida environment.

We are planning to have Roger Clark of Lee County Parks and Recreation and Land Stewardship as this month's program speaker. In addition, refreshments will be served as usual, and this is a great time to meet your fellow Sierra Club members.

We have had over a 20% growth in membership in the Calusa Group over the past year. This is encouraging and indicates that a lot of you care about our environment. There will be a Conservation table and outings table where you can meet the group leaders, and get more information on what environmental issues your group is working on, as well as upcoming events. See you there! Call Cheryl White at 540-0905 for additional information.

The meeting is in bldg. 3, room 121. Please park in Lot #2. FGCU is just east of exit 19 off I-75. Turn left at the sign to FGCU just past the outlet mall. Go down the road a mile or so and turn right at the light toward FGCU. Turn left at the stop and lot 2 is the first parking lot on the right.

*continued from p. 1*

nents say those old legal claims - dating to the 1800s - are flimsy and that property below the high water line always has been "sovereign." Judges considering the dispute have ruled in favor of the state. The most famous example is Fisheating Creek in Southwest Florida, a slender waterway that had been blocked to public access by the powerful Lykes Brothers company. After losing that case and others, farm and mining companies devised an end-run around the courts. They went to Tallahassee, where their money always talks loudly. Today the Dockery-Putnam land grab is rolling through committees of both the House and the Senate. It is opposed by 19 conservation and environmental groups, as well as four of seven members of the Cabinet, sitting as trustees for Florida's public lands. Such a law would impact every Floridian who loves the outdoors, because there would be a lot less outdoors to love.

Supporters insist that the companies have no intention of fencing off lakes, rivers and shorelines. Of course not! That's why they're going to all this trouble to get their mitts on these unspoiled areas - not to exploit them, but to preserve them for future generations. What a joke. Lots of people stand to make millions off the Dockery-Putnam giveaway. For example, according to The Palm Beach Post, the Lost Tree Village Corp. could rake in up to \$80 million by developing low-lying islets in the Indian River Lagoon, near fast-growing Vero Beach. That such an awful bill attracted 63 co-sponsors in the House and 10 in the Senate is all you need to know about what's happening in the capitol this spring.

The short-timers are open for business, it's not really a legislature so much as a flea market.

*Published Wednesday April 12, 2000. in the Miami Herald*

### EXECUTIVE COMMITTEE

SIERRA CLUB, CALUSA GROUP

<http://www.sierraclub.org/chapters/fl/calusa/index.htm>

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*Calusa Digest is a publication of the Calusa Group of the Sierra Club, and is published ten times yearly. Subscription is included with Sierra Club dues or can be obtained by non-members from the Calusa Group for \$5/year.*

## CALL TO ACTION!

### FARM BUREAU FOLLOW UP

STOP THE FB'S RELENTLESS ATTACKS ON ENDANGERED SPECIES RECOVERY!

Folks,

On Sunday, April 9th, 30 million Americans watched a CBS "60 minutes" expose on the American Farm Bureau leadership. This broadcast presented striking evidence that the leadership of the nations most powerful farm organization has abandoned their farmer members and is profiting while farmers sink in debt. On Monday, April 10th, Defenders of Wildlife released a report on the American Farm Bureau Federation called, "Amber Waves of Gain." This report chronicles the farm bureau policies and business structure and is available on the web at < [www.defenders.org](http://www.defenders.org) >

On Tuesday April 11th, GREEN (GrassRoots Environmental Effectiveness Network) organized seven news conferences around the nation which presented a letter signed by 180 organizations calling for an investigation into the leadership of the American Farm Bureau Federation. It is terrific to see that we each have the ability to make a difference but we can't stop now. One of the reasons we targeted the Farm Bureau is because of their "relentless attacks on endangered species recovery efforts." If we are to succeed in getting the attention of Congress we need to be even more relentless in demanding that the Farm Bureau is held accountable. Thanks again for your support and all your hard work.

The Calusa Group has ordered a video of this broadcast to be presented at one of the General Meetings in the near future. Stay tuned.

### WHAT TO DO

1. Contact your elected officials and demand an investigation into the American Farm Bureau Federation leadership. Congressional recesses start this week so you can call them in their district offices or in Washington, D.C. Let them know you are upset and if they say they don't know about what the Farm Bureau is doing send them a copy of the Defenders' report. (Available on the web [www.defenders.org](http://www.defenders.org) ). Call your legislators NOW at: (202) 224-3121 !

2. Write or email a letter to "60 Minutes" and let them know how you feel about the show. Without a healthy and vital press, no republic remains free.

The following address gets you right to a formatted page at CBS where you can send a letter to 60 Minutes. Make sure you CHOOSE "60 Minutes" in the "Select a Program" box at the top of the page, type in your letter, then send. It's that easy!

<http://cbsnews.cbs.com/feedback/frameset/0,1712,412,00.html>

OR you can mail a letter to: 60 Minutes; 524 W. 57th Street; New York, NY 10019

To order a transcript call: 1 800 777 TEXT To order a video tape call: 1 800 848 3256

3. BE NOISY ABOUT THIS ISSUE. It is rumored the Farm Bureau is spending millions of dollars in damage control because of the weeks activities. Don't let them purchase public opinion! Write letters to the editor, call you local radio talk show, set up a visit with your local editor(s). AND call your neighbors and have them do the same.

## CALL TO ACTION!

PLEASE REVIEW THE TWO AMENDMENTS BELOW, FILL OUT THE PETITIONS ON PAGE 6 AND MAIL THEM TO THE ADDRESSES LISTED

### PEOPLE OVER POLITICS People Protection, Not Politician Protection *Amendment 1*

TITLE: STANDARDS TO BE FOLLOWED IN APPORTIONING OR CREATING LEGISLATIVE OR CONGRESSIONAL DISTRICTS

SUMMARY: Establishes additional standards for legislative or congressional reapportionment beyond existing equal population requirement; districts shall be compact and composed of contiguous territory, avoiding division of counties where possible; districts shall not dilute voting strength of any group based on race, religion or national origin; districts shall not be drawn

to favor or disfavor any incumbent, political party or other person.

FULL TEXT OF THE PROPOSED AMENDMENT:

Add a new subsection (\*) to Article III Section 16:

"(\*) STANDARDS FOR REAPPORTIONMENT. In apportioning the legislative and congressional districts, in addition to the population requirements provided in the constitutions of the United States and this state, the following standards shall be followed:

"(1) All legislative and congressional districts shall be compact in form, and composed of contiguous territory. Where possible, division of counties and other political subdivisions shall be avoided.

"(2) Districts shall not be drawn so as to dilute the voting strength of any group based upon race, religion or national origin. "(3) Districts shall not be drawn so as to favor or disfavor any incumbent, political party or other person.

Ha. Stat. Section 104.185 - It is unlawful for any person to knowingly sign a petition or petitions for a particular issue or candidate more than one time. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.084.

*Fla. Stat. Section 104.185 - It is unlawful for any person to knowingly sign a petition or petitions for a particular issue or candidate more than one time. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.084.*

## **Amendment 2**

**TITLE:** CREATES INDEPENDENT NONPARTISAN COMMISSION TO APPORTION LEGISLATIVE AND CONGRESSIONAL SEATS WHICH REPLACES APPORTIONMENT BY LEGISLATURE.

**SUMMARY:** Creates 17-member commission replacing legislature to apportion legislative and congressional districts following census; state officials, members of congress, lobbyists, party officers, relatives or employees are ineligible; commissioners swear not to seek office in such districts or be paid lobbyists for four years; 16 members selected equally by majority and minority parties who select 17th member; all actions require 3/5 vote; not adopting districting plan within 180 days requires state supreme court to apportion.

### **FULL TEXT OF THE PROPOSED AMENDMENT:**

Delete current Article ifi, Section 16, and insert the following:  
Section 16. Legislative apportionment.— “(a) APPORTIONMENT AND DISTRICTING COMMISSION. In the year following each decennial census or when required by the United States or by court order, a commission shall divide the state into not less than 30 or more than 40 consecutively numbered senatorial districts of either contiguous, overlapping or identical territory, and not less than 80 or more than 120 consecutively numbered representative districts of either contiguous, overlapping or identical territory as provided by this constitution or by general law and shall divide the State to create as many congressional districts as there are representatives in congress apportioned to this state. Districts shall be established in accordance with the constitution of this state and of the United States and shall be as nearly equal in population as practical.

“(1) On or before June 1 in the year following each decennial census, or within 15 days after legislative apportionment or congressional districting is required by law or by court order, 16 commissioners shall be certified by the respective appointing authorities to the custodian of records. The president of the senate and the speaker of the house of representatives each shall select and certify four commissioners. Members of minority parties in the senate shall elect one from their number who shall select and certify four commissioners. Members of minority parties in the house of representatives shall elect one from their number who shall select and certify four commissioners. Within 21 days after the 16 members are certified to the custodian of records, the commissioners by affirmative vote of 11 members shall elect the 17th member, who shall be a registered voter who for the previous two years was not registered as an elector of any political party having a member holding office in the appointing legislature. If no selection is

made, then the chief justice of the supreme court shall select the 17th member from a list of four persons, who shall be registered voters who for the previous two years were not registered as electors of any political party having a member holding office in the appointing legislature, two selected by the speaker’s and president’s commissioners, and two by the minority parties’ commissioners.

“(2) a. No commissioner shall have served during the two years prior to his or her certification as an elected state official, member of congress, party officer or employee, paid registered lobbyist, legislative or congressional employee, and no commissioner shall be a relative, as defined by law, or an employee of any of the above.

“b. As a condition of appointment, each commissioner shall take an oath affirming that the commissioner will not receive compensation as a paid registered lobbyist, or seek elected office in any legislative or congressional district for a period of four years after concluding service as a commissioner.

“(3) The commission shall elect one of its members to serve as chair and shall establish its own rules and procedures. All commission actions shall require 11 affirmative votes. Meetings and records of the commission shall be open to the public and public notice of all meetings shall be given.

“(4) Within 180 days after the commission is certified to the custodian of records, the commission shall file with the custodian of records its final report, including all required plans.

“(5) After the supreme court determines that the required plans are valid, the commission shall be dissolved.

“(b) FAILURE OF COMMISSION TO APPORTION; JUDICIAL APPORTIONMENT, if the commission does not timely file its final report including all required plans with the custodian of records, the commission shall be dissolved, and the attorney general shall, within five days, petition the supreme court of the state to make such apportionment. No later than the sixtieth day after the filing of such petition, the supreme court shall file with the custodian of records an order making such apportionment.

“(c) JUDICIAL REVIEW OF APPORTIONMENT. Within 15 days after the final report of the commission is filed with the custodian of records, the attorney general shall petition the supreme court to review and determine the validity of the apportionment. “(d) EFFECT OF JUDGMENT IN APPORTIONMENT. A judgment of the supreme court determining the apportionment to be valid or ordering judicial apportionment shall be binding upon all citizens of the state. Should the supreme court determine that the apportionment made by the commission is invalid, the commission, within 20 days after the ruling, shall adopt and file with the custodian of records an amended plan that conforms to the judgment of the supreme court. Within five days after the filing of an amended plan, the attorney general shall petition the supreme court of the state to determine the validity of the amended plan, or if the commission has failed to file an amended plan, report that fact to the court.

“(e) JUDICIAL APPORTIONMENT. Should the commission fail to file an amended plan or should the supreme court determine the amended plan is invalid, the commission shall be dissolved, and the supreme court shall, not later than 60 days after receiving the petition of the attorney general, file with the custodian of records an order making such apportionment.

*Fla. Stat. Section 104.185 - It is unlawful for any person to knowingly sign a petition or petitions for a particular issue or candidate more than one time. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.084.*

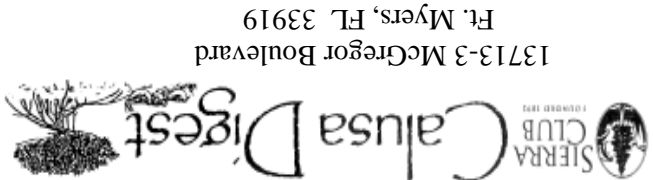
Please review the information concerning Amendments 1 and 2 on pages 4 and 5, fill out the petition below, and mail it to the address at the bottom of the coupon.

I am a registered voter of Florida and hereby petition the Secretary of State to place  
\_\_\_\_\_ AMENDMENT I - STANDARDS TO BE FOLLOWED IN APPORTIONING OR CREATING LEGISLATIVE OR CONGRES-  
SIONAL DISTRICTS and/or  
\_\_\_\_\_ AMENDMENT II - CREATES INDEPENDENT NONPARTISAN COMMISSION TO APPORTION LEGISLATIVE AND  
CONGRESSIONAL SEATS WHICH REPLACES APPORTIONMENT BY LEGISLATURE to the Florida Constitution on the ballot in  
the general election.  
(Please print information as it appears on voter records.)

Name \_\_\_\_\_  
Street Address \_\_\_\_\_  
City \_\_\_\_\_, FL Zip Code \_\_\_\_\_  
County Precinct \_\_\_\_\_ Cong. Dist. \_\_\_\_\_  
Voter Registration No. (OR) Date of Birth \_\_\_\_\_  
Signature \_\_\_\_\_ Date Signed \_\_\_\_\_  
Is this a change of address for voter registration?                     Yes  No

Mail to: People Over Politics, P. O. Box 1079, Tallahassee, FL 32302-1079

**ARTICLES THAT DIDN'T MAKE IT INTO THE NEWSLETTER**  
"Another Bad Bill, SB 2556"  
"Capital Dances to the Music of Money" from the Tampa Tribune, April 15, 2000  
Read these on our website: <http://www.sierraclub.org/chapters/fl/calusa/index.htm>  
in the May Calusa Digest "EXTRA"



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