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Red State, Green State

On a freezing morning in Jackson Hole, Wyoming, in 1971, President Richard Nixon stepped aboard a boat to take in the towering beauty of the Grand Teton Mountains—or at least, to make the American public think he could enjoy such a boat tour and the specter of the snowy, jagged range.

Late in the afternoon on the previous day, Nixon told his interior secretary, Rogers Morton, that he wanted an early-morning photo session out on the lake. It was, they had learned, the most photographic time of day, when the sun gave the signature 13,770-foot Grand Teton a golden hue.

The problem, Morton and his staff knew, was that morning temperatures were forecast in the twenties. Nixon disliked, and did not own, rugged outdoor garb. He was sure to insist on his ubiquitous shiny blue suit.

Nathaniel Reed was Morton's number two man at Interior. Reed went to work hunting sweaters, a great big coat, and a hat. He got the garments to the boat for Nixon's advance team, where the Secret Service searched them. The advance man made Reed get down in the bottom of the boat. The only two people who should be seen by the press, he said,

were the president and Morton. Reed snuggled in with all the warm clothes. Nixon arrived in the shiny blue suit, a blue tie, and white dress shirt with no undershirt. He refused to don anything more.

As they chugged away from the dock with a press boat on each side, Nixon pointed to the Grand Teton. "It is beautiful!" he exclaimed.

And in a whisper, "Nathaniel, it is cold as hell."

About four minutes out, another whisper: "I am freezing my ass off. Get the hell out of here."

"The president has a very important telephone call," a Secret Service agent blared through a microphone. "The photo session is now over."[1]

Nixon, the president, is credited with the most significant environmental policies in U.S. history. He understood that Americans wanted land preservation, clean water and air. And he wanted the legacy of giving these to them. The year before his Teton tour, he created the Environmental Protection Agency, declaring it "a coordinated attack on the pollutants which debase the air we breathe, the water we drink and the land that grows our food."[2] In the years that followed, he would sign into law the Clean Water Act, the Clean Air Act, and the Endangered Species Act. All were acts of political pragmatism, tools to associate himself, and the GOP, with environmental concern.[3]

Nixon, the man, cared little for nature—and he could not relate to those who did.[4] The president who famously walked California's beaches in black wingtip dress shoes could not imagine why his constituents would want wilderness areas in Alaska and the Everglades, which he helped save from a proposed jetport. He went along, partly as a way to "take the initiative away from the Democrats."[5]

The members of America's Bush dynasty are Republicans of a very different feather. The former president George H. W. Bush and the politicians among his sons, President George W. Bush and Florida Governor Jeb Bush, all love the feel of sand beneath their feet. The three men's tan faces and arms glow with their affinity for fresh air and warm sun. From California to Maine, the Bushes walk the beaches bare legged and barefooted. In addition to the family retreat in Kennebunkport, they vacation on the wide prairies of Texas, the striking blue waters of the Florida Keys. They like to fish and bike just as well as they like a round of eighteen holes.

The Bushes appreciate nature like a commercial fisherman loves the

spawning grounds, like a movie director relishes a misty swamp. Nature, for them, carries a value beyond that for ecosystems or personal appreciation. It has an economic worth that can be tallied up as easily as Cabela's annual revenues ($1.4 billion for the hunting-and-fishing superstores that have become must stops in GOP political campaigns[6]). This ideological conflict may be as old as stone tools. The nature-loving Romans mined each and every part of their empire for metals. Theodore Roosevelt, the American president who championed wilderness preservation, bagged big game. One of the most beloved naturalists in U.S. history, Aldo Leopold, was a game manager who spent his days figuring out the maximum numbers of deer or quail his hunting constituents could kill.[7]

So from the Arctic National Wildlife Refuge: oil. From the national forests: timber.

But the extraction of value from nature is a bit more complicated in Florida, whose core currency is natural amenities. Whimsical palm trees, white-sand beaches (okay, so those aren't natural), and balmy weather are its stock in trade. When it comes to environmental protection, this is often a good thing. Not only the aesthetic but the economic importance of Florida's beaches and parks means a politician cannot succeed without committing to protect them. In twenty-first-century Florida, Republicans and Democrats alike oppose oil drilling off the state's Gulf coast. They champion the restoration of the Everglades. They love water and land preservation. They vote for strict pollution controls. Their constituents, including Florida's most powerful industry—home builders—often insist on it.

Of course, those environmental issues often conflict with Florida's insatiable drive to keep growing its population and industry. And then, all bets are off.

THE MAKING OF A RED STATE

In his classic study of southern politics in 1949, the political scientist V. O. Key Jr. called Florida "The Different State." Key described Florida's political structure as "an incredible mélange of amorphous factions," most fighting among themselves within the Democratic Party.[8] Two key factors set the stage for two-party competition in the 1950s and 1960s. The first, says Florida historian David Colburn, was racial politics.

Many rural Florida "Crackers," die-hard Democrats, felt betrayed by Governor LeRoy Collins's (1955–61) moderate approach to the *Brown v. Board of Education* school desegregation decision compared with his fiery southern counterparts. The racial reforms of Presidents John F. Kennedy and Lyndon Johnson further crumbled the Crackers' faith in the Democratic Party.[9]

The second factor was the 1967 reapportionment of the legislature, long ruled by the infamous North Florida "Pork Chop Gang," which kept Florida one of the least representative states in the nation. Despite enormous population growth in South Florida, the Pork Choppers who controlled reapportionment refused to give up any seats in the legislature. So a small percentage of the population in the north had the vast majority of voting power: In 1960, 12.3 percent of Florida's voters elected a majority of the state senate, 14.7 percent a majority of the house. The state's five most populous counties had more than half the population but only 14 percent of the senators.

After decades of fighting this injustice, first in the capitol and then in the courts, urban moderates finally won in U.S. district court in Miami, which in February 1967 ordered all incumbents thrown out of office. The judges called for new elections under new boundaries before the 1967 legislative session could begin. The resulting power shift was dramatic. Dade County alone "saw its delegation grow from one senator and three representatives to nine senators and twenty-two representatives."[10]

Florida politics had suddenly shifted: from north to south, from rural to urban. The new lawmakers "were more business-oriented, more people from out of state, more willing to move forward, and more willing to make this a modern state," remembered Wade L. Hopping, an adviser to Governor Kirk who worked on reapportionment and went on to become the top lawyer and lobbyist for developers in Florida.[11]

Kirk's stunning victory in 1966; Edward J. Gurney's U.S. Senate victory in 1968; and Nixon's carrying of the Sunshine State in that year's three-way race for president all foreshadowed Florida's ultimate shift from Blue to Red.[12] However, this trio's reputation in office—Nixon's arrogance, Kirk's buffoonery, Gurney's corruption—helped keep Democrats entrenched until the early years of the twenty-first century.

In 1986, Bob Martinez of Tampa became the first Republican governor elected in Florida since Kirk two decades before. But four years later,

Martinez could not fend off a challenge by a popular Democrat named Lawton Chiles. "Walkin' Lawton" was a wizened Cracker who had served in Congress for years and never lost an election. He was what southerners call a "Yellow Dog Democrat," one who thinks any Democrat—even an ugly, yellow dog—is better than a Republican.

Chiles kept a young challenger named Jeb Bush out of the governor's mansion, too, but only for a time. Bush's historic two terms in office would lead Florida to what Colburn describes as a Republican juggernaut: by 2005, the GOP controlled every major Florida office, had a substantial majority in the state senate, had a super majority in the state house, and held twenty-one of Florida's twenty-seven congressional seats.[13]

THE GREENING OF JEB BUSH

The youngest son of George H. W. and Barbara Bush, John Ellis Bush was a good fit for Florida governor in at least two ways. First, he is a developer, following in the tradition of several of his predecessors. Second, he is fluent in Spanish, comfortable spending an entire day in Little Havana without speaking a word of English. Bilingual candidates in Florida have considerable advantage over those who don't know *arroz con pollo* from *ropa vieja* (shredded beef). Cuban and other Latin Americans make up nearly 17 percent of the state's population today, and demographers predict that by 2030 one in every four Floridians will be Hispanic.[14]

Jeb Bush honed his Spanish-language skills in Mexico. When he was eighteen, he taught English there as part of an exchange program through his prep school, Phillips Academy in Andover, Massachusetts. In the town of León in Guanajuato, Bush fell in love with a girl who had been born there: Columba Garnica Gallo. He rushed through a bachelor's degree in Latin American studies at the University of Texas in Austin and brought Columba home to Texas to marry her.

Jeb and Columba Bush moved to Miami in 1980, when they were twenty-seven and twenty-six, to work on George H. W. Bush's first presidential campaign. The nomination, of course, went to Reagan. But Miami brought good fortunes to Jeb. A powerful Cuban-American supporter of his father's, Armando Codina, gave him a job in the classic South Florida profession: selling real estate. Soon, Codina added Bush's

name to his commercial real estate firm and gave him 40 percent of the profits. For the next decade, Bush followed the pages of his family's patrician playbook, in the words of the *St. Petersburg Times:* "hurry up and get rich, then go into public service."[15] In 1983, Bush told a reporter he was struggling to pay his bills. Ten years later, he was a millionaire.[16] At forty, he was ready to run for governor. Only in Florida, where most everyone is from somewhere else, could a candidate as inexperienced and new to the state as Bush be taken so seriously. His name did not hurt.

In his first bid for election in 1994, Bush challenged Governor Chiles and ran as an antigovernment, conservative firebrand. He did not have an environmental platform. In fact, he singled out the state's wildly popular land-preservation program, the largest and most successful in the nation, as a likely target for budget cuts.[17]

He also did not like Florida's development regulations. Having experienced the growth-management laws from the developer's perspective, Bush believed they were hurting Florida's economy, and he said so.

Chiles, in contrast, had spent decades perfecting every Florida politician's Janus pose: campaigning for both stronger environmental protection and more growth. He was responsible for a remarkable effort called the Governor's Commission for a Sustainable South Florida that forced sworn enemies, such as sugar barons and environmentalists, to sit at the same table until they came up with a restoration plan for the Everglades. But, like each and every governor in Florida history, he worked even harder to promote the state in an effort to lure more industry and residents.

That November, Bush lost to Chiles, who famously confounded his young challenger with these words on the night of their last debate: "The old he-coon walks just before the light of day." But Bush had made an impressive showing. It was the closest Florida gubernatorial race of the twentieth century. Bush knew that with a makeover he could move into the governor's mansion.

Over the next four years, Bush would transform himself into a moderate Republican. He greened considerably. In speeches, he began to recall the great environmental legacies of Republicans, including Nixon and Teddy Roosevelt.

Bush made his second bid for governor in 1998. This time, he proposed a bold successor to Florida's land-preservation program that would cost state taxpayers $1 billion. He vowed to fight for full funding for

Everglades restoration—at that time an $8 billion bill to state and federal taxpayers. These were not the passions of an antigovernment zealot. They were the promises of a savvy politician who had figured out the value of palm trees in a state that lures 70 million tourists a year. His new, green ethic helped send Jeb Bush to Tallahassee.

THE POLITICS OF COMPROMISE

Bubbling up from the depths of the cavernous Floridan Aquifer, nine pristine springs pump 233 million gallons of freshwater a day into the Ichetucknee River, making it the clearest, the coldest, and the cleanest in all the Sunshine State. In summertime, families from across the state, and the better-informed tourists, rent giant black inner tubes on the side of State Road 27 and float the afternoon away. The first mile down the river, those spring heads form deep, turquoise pools, icy oases in the humid North Florida woods. The river flows on for five more curvy miles, under canopies of ancient cypress and hardwood trees, before it meets up with the more-famous Suwannee. Belly-down on a tube, you don't even need a dive mask to see the white-sand river bottom. There, garfish nose around bright green grasses, red-eared cooters clamber over limestone rocks and cypress logs. If you're lucky, you'll see an otter.

In 1999, one of Florida's largest road-building companies, Anderson-Columbia, wanted to build a huge cement plant near Ichetucknee Springs State Park, the popular tube-launch spot. The plant would burn coal and old tires day and night to produce 1 million tons of cement a year, releasing hundreds of tons of pollutants in the process.[18]

The company had a long history of environmental violations. And Floridians from Miami to Pensacola—many more than the usual voices in the environmental community—flooded the office of the new governor, pleading with him to deny the permit.

Five months into his first term, Governor Bush canoed the Ichetucknee River during a press event. His newly appointed environmental chief, David Struhs, paddled nearby. At a bend in the gin-clear river, they stopped at a sandy bank to hold a press conference. Bush called the river "spectacular." He told reporters that tubers all along the route had signaled thumbs-down to the cement plant. So why not just say no to the permit? "We might," Bush said.[19]

Nine days later, Bush stunned Florida's environmentalists when he

Jeb Bush canoes the Ichetucknee River early in his eight-year tenure as governor of Florida. His change of heart to allow a giant cement plant near Ichetucknee Springs State Park was one of his more controversial environmental decisions. Bush was considered "more green than not," but his commitment to industry often trumped his environmentalism.
(Photograph by Alan Campbell, courtesy of *The Gainesville Sun*.)

did just that. His office announced it was denying Anderson-Columbia's air-quality permit. The decision hinged on a state rule that requires a company to make "reasonable assurance" it will not pollute. Struhs said the company's extensive environmental violations made such assurance doubtful. "This decision should place the regulated community on notice," Struhs said. "Compliance counts."[20]

Today, Struhs is vice president for environmental affairs at International Paper, the world's largest paper company and one of Florida's biggest polluters. Anderson-Columbia's cement plant, meanwhile, looms near the Ichetucknee River: a yellow behemoth belching tons of pollutants through tall smokestacks. Anderson-Columbia got to build it after filing a lawsuit against the state. In response to the suit, Governor Bush was the swing vote on a Florida cabinet decision to negotiate a compromise with the company and give it the permit, after all. The governor said Florida got more out of Anderson-Columbia than if the state had lost the law-

suit, and he said all indications were that the state would have lost. The company admitted past sins, put $1 million into a river-protection trust, donated land to the public, and agreed to sell the state a mine the company owned at the headwaters of the Ichetucknee. (Taxpayers paid 2,000 percent more for the mine than the company had paid for it.)

Florida politicians got a lot out of the company, too. The *Miami Herald* broke the story that within two days after cementing the deal that allowed the plant, Anderson-Columbia executives and lawyers donated $190,000 to the state GOP and President George W. Bush's presidential campaign, which Governor Bush was running in Florida at the time.[21]

Bush's flip-flop on the Ichetucknee was one of the most controversial environmental decisions in his eight-year tenure as governor. It is the one that bothers him the most, too, but not for the reasons you might think. He insists that giving Anderson-Columbia its permit was in the best interests of Florida. What he regrets is that it left him with an antigreen reputation even though he carried Florida over tall environmental hurdles, cinching the multibillion-dollar federal deal to restore the Everglades, for example, and overseeing the largest land-preservation buy in state history. "It would have been politically correct to get sued and lose, which would have happened," Bush says. "We have made great progress in lowering air pollution and improving water quality, but we don't get credit because of press coverage based on symbolism rather than actual results."[22]

It is true that by the end of his eight years in office, the conservative zealot who had first run for governor of Florida with his ax sharpened to slash environmental regulations and preservation budgets had become one of the GOP's greener governors. Bush pushed an environmental agenda comparable to those of former New Jersey governor and EPA administrator Christine Todd Whitman, New York's George Pataki, Minnesota's Tim Pawlenty, and Arnold Schwarzenegger in California. These governors tried to achieve goals such as cleaner air and water and decreasing wetlands losses in ways that, as Whitman described it, "didn't rely on the heavy hand of government but would instead build partnerships around shared goals for a better environment."[23]

So was the environment better off as a result of these partnerships—the politics of compromise that marked environmental policy in Florida and the nation in the late twentieth and early twenty-first centuries? The answer will not be clear for a decade or maybe two. That is when, at least

in the case of Florida, citizens will be able to judge three things: (1) whether the plan to restore the Florida Everglades was really as much about environmental protection as it was about increasing water supply for southeast Florida's booming population, (2) whether a shift in land-preservation buys toward conservation easements that relied on private property owners to conserve sensitive areas led to stewardship or swindle, and (3) whether compromises that let developers make up for their destruction of wetlands in new ways resulted in the national goal of "no net loss" of wetlands set by Jeb Bush's father, George H. W. Bush, when he was president. The jury is still out on numbers 1 and 2.

As for number 3, it was looking as bad . . . well, as bad as a bulldozed swamp.

THE POLITICS OF WETLANDS

Florida has lost more wetlands cover than any other state, with 9.3 million acres filled in or paved over by the late 1980s.[24] Every law put in place to try to stave off draining and filling has failed—squeezed between massive population growth and political pressure from the very lawmakers who passed the statutes in the first place. After Congress passed the Clean Water Act in 1972, federal and state agencies came up with requirements for "mitigation"; that is, developers had to create new wetlands if they paved others over. But regulators frequently did not enforce the law. Meanwhile three-fourths of the artificial wetlands failed. And many of the mitigation projects initially thought successful were later found to be ecologically worthless because they were so small and isolated.[25]

By 1989, disappearing wetlands had become a crisis nationwide, one that former president George H. W. Bush vowed to reverse with a new wetlands policy called "No Net Loss." Bill Clinton and George W. Bush carried on the goal. It, too, is a failure.

Just before she left office in early 2006, President Bush's interior secretary, Gale Norton, released a report that told a surprising turn-around tale for the nation's wetlands. Between 1998 and 2004, she announced, the United States gained 191,750 acres of wetlands. "For the first time since we began to collect data in 1954," Norton said, "wetland gains have outdistanced wetland losses."[26] The report counted wetland-mitigation projects. More and more studies show that these constructed wetlands

do not come close to matching real wetlands in function or value.[27] Astoundingly, the report also counted the following as wetlands: ornamental lakes in residential developments, storm-water retention ponds, wastewater treatment lagoons, aquaculture ponds, and golf course water hazards. Only by digging into the 112-page report could a reader figure out that actually more than half a million acres of naturally occurring wetlands had been lost in the six years covered.[28]

According to the study, the U.S. regions that experienced the greatest losses were the Atlantic and Gulf coastal plains. Losses also were significant in the Great Lakes states and in rapidly developing urban areas. Indeed, a regional study of southeastern Virginia between 1994 and 2000 showed a net loss of nearly 2,100 acres of wetlands, a 1.3 percent decline in wetlands in just six years. In southern Michigan, a joint report by Ducks Unlimited and the Fish and Wildlife Service documented a net loss of 30,311 acres between 1978 and 1998.[29]

As these numbers indicate, No Net Loss is a shell game. And nowhere is the game as popular, or as devastating, as in Florida. A 2005 investigation by the *St. Petersburg Times* that used satellite imagery of Florida's land cover found that in the fifteen years since No Net Loss had been in effect, at least 84,000 additional acres of Florida wetlands had disappeared. The investigation, by environmental reporters Craig Pittman and Matthew Waite, found the Army Corps approved more permits to destroy wetlands in Florida than in any other state, and allowed a higher percentage of destruction in Florida than nationally.[30]

Between 1999 and 2003, the Corps approved more than 12,000 wetland permits for Florida. It rejected one.[31]

In recent years, the most widespread paving over of wetlands in Florida occurred on the fast-growing southwest coast, along the western edge of the Everglades. In other words, just as the Corps and the South Florida Water Management District were spending billions of dollars to fix the drainage and fill problems that destroyed the swamp to the east, both agencies were permitting the same sort of damage to the west. Even assuming perfect execution of Corps' mitigation requirements, a National Wildlife Federation study found the net loss of wetlands around Fort Myers and Naples over a recent four-year period was more than 2,700 acres, or more than 600 acres a year. Annual permitted wetlands destruction for entire states is typically much lower than the 900-plus acres a year the Corps is permitting in southwest Florida.[32]

The problem is never really the Corps. It's the politicians who pressure Corps' officials, in phone calls, in e-mails, in letters, and in person, to grant permits they should not, or to otherwise bend rules. Pittman and Waite found countless examples of powerful lawmakers from both parties who leaned on the Corps to hurry up permitting. During just one three-month period in 2004, U.S. senators and members of Congress called the Corps' Florida headquarters in Jacksonville thirty-four times and wrote thirty letters about pending applications to destroy wetlands.[33]

Simply put, Florida's developers have the political power of a Category 5 hurricane. In the early years of this century, they passed farmers as the second-biggest economic driver in the state, with a $42 billion impact, behind tourism.[34] In 2005, Florida's top three political leaders were all in the business: the governor a real estate developer, the senate president a home builder, and the house Speaker a paving contractor. It was no wonder regulators were not just bending the rules but, in the last undeveloped part of Florida, letting a major developer not even follow them.

A MILLION ACRES

Since the Great Depression, Florida's largest private landowner has been a company called St. Joe. The timber-and-paper conglomerate was built up by a shrewd financial genius named Ed Ball, who famously offered up this bourbon toast each night: "Confusion to the enemy!" Ball bought up acreage during Florida's real estate bust years in the 1920s and 1930s, a time when some settlers saw sandy beaches as useless because they were not fit for growing potatoes. He picked up the company's twelve miles of oceanfront property, for example, for less than $15 an acre.[35]

Thanks to Ball, St. Joe would come to own an unmortgaged million acres in Florida's sleepy, undeveloped panhandle. Also thanks to him, the company would wield political influence in Tallahassee wide as its massive forests of planted pine. So it made sense that, in the 1990s, the company would begin to turn from trees to towns. In 1997, St. Joe bought real estate powerhouse Arvida, developer of Weston, and a month later became partner in Miami-based Codina Group, Governor Bush's old company.[36] In short order, St. Joe became the state's most ambitious developer since Hamilton Disston.

These days, St. Joe officials call the company JOE, its symbol on the New York Stock Exchange. They are transforming a rustic, rural region

the size of Long Island into upscale communities worthy of the pages of *Coastal Living* (in which they are heavily advertised). JOE has twenty developments in various stages of planning and construction in the panhandle, with permits to build more than 10,000 homes, and many more on the way.[37] The company is building hotels, hospitals, schools, golf courses, shopping centers, theaters, restaurants, offices, and industrial parks.[38] "I'll tell you what the historians will say 100 years from now," the then U.S. representative Joe Scarborough told the *St. Petersburg Times.* "They'll say that St. Joe finally put northwest Florida on Florida's map."[39]

That statement is no doubt true; whether for good or for bad remains to be seen. Like its forerunners in the nineteenth and twentieth centuries, JOE has Florida's leaders convinced that its brand of growth will benefit the panhandle, with well-planned communities that spark high-end economic development. Also like the development companies of old, JOE uses the irresistible promise of the fortunes of growth to land significant subsidies from taxpayers, such as the relocation and huge expansion of an airport on land it donated, and significant exceptions to environmental regulations. Nowhere is the last point more clear than in the case of state and federal wetland laws.

In 2004, Florida's Department of Environmental Protection signed an unprecedented agreement that freed St. Joe from standard wetlands permits. In exchange for the conservation of 20,000 acres, the Department of Environmental Protection gave St. Joe a blanket permit to fill wetlands in other parts of its holdings. Governor Bush's environmental regulators hailed the agreement as a model for regional growth that would protect a huge chunk of wetlands rather than fragments.[40] The deal illustrates the funny math inherent in No Net Loss. As Stetson University environmental law professor Royal Gardner, a former Army Corps lawyer, puts it: "If a developer fills five acres of wetland in exchange for agreeing to preserve ten acres, the immediate net result is still a loss of five acres."[41]

After initially saying no way to the St. Joe deal, Army Corps officials agreed to the variance after three years of closed-door meetings. Instead of a permit for each project, which would require public notice and input from neighbors and environmental groups, the Corps gave the company broad approval to destroy 2,000 acres of wetlands in various places.[42]

Supporters of the plan had an excellent point: the laws on the books were not working to protect Florida's wetlands, so why not try something new? It is also true that JOE is an environmentally aware development company, "intent on doing it right," in the words of CEO Peter Rummell. Because of its large, contiguous holdings, "JOE has the chance to avoid many of the problems that have plagued other parts of Florida through planning that carefully considers community and environmental impacts."[43]

Florida's environmental history is filled with intentions to get it right. The question is not Rummell's intent but whether JOE's shareholders will remain satisfied with the company's performance to see it carried out.

The problem is precisely the same when it comes to conservation easements, a relatively new tool in land preservation. When a government enters into a conservation easement, it does not buy land outright but instead purchases development rights—allowing private landowners to continue activities such as timber harvesting or cattle ranching. The easements look good today, allowing Florida, other states, and the federal government to conserve thousands of acres for far less than it would cost to buy them free and clear. But how heirs and other unknowns will shape these lands tomorrow is anybody's guess.

IN PERPETUITY?

Florida Forever, the current name of the state's land-buying effort that dates back to 1964, is widely regarded as the most successful such program in the United States. Funded by a documentary-stamp tax on real estate transactions, the program and its predecessors have spent nearly $4 billion to conserve nearly 4 million acres of the sort of land that makes Florida Florida. Over four decades, the programs have saved wildlands all over the state, from the Florida Keys ecosystem on the southernmost tip to Perdido Key in the westernmost corner.

In recent years, skyrocketing land prices and fast-shrinking numbers of large, environmentally sensitive parcels have presented the state tough choices about how to get the most for its preservation dollars. Governor Bush pushed the Department of Environmental Protection to recalibrate its acquisition strategy: to focus less on ecologically pristine jewels and more on large tracts to protect vast acreage for less money. Many of

those, such as a tract called Picayune Strand in Collier County, are crucial water-storage areas. Bush also pushed the state toward conservation easements. Florida bought its first easement in 1999. By the end of 2005, it had entered into 77 of them.[44]

Supporters of easements say they are often the only way the government can protect conservation land, at half as much as it would cost to buy it outright. But the easements also limit public access to lands, an ostensibly important criterion for Florida Forever buys. And although they are written in perpetuity, "everyone is concerned about the next generation," acknowledges Richard Hilsenbeck, who helps broker preservation-land buys for Florida's chapter of the Nature Conservancy. Most of Florida's easements are with longtime farm families whose land is well managed. But in some parts of the United States, heirs have sued estates to challenge the easements. New owners or heirs also have terminated easements, knowing they could make far more from violating them than they would be penalized.[45]

Perhaps more worrisome is this: some of the easements give up so much to developers that they are beginning to look like the land giveaways that got the state into so much trouble in the nineteenth century.

In 2004, Bush and the Florida cabinet approved what may be the weirdest land deal ever in a state whose history is full of them. The $18 million deal would save Cypress Gardens, a down-on-its-luck, 1930s-vintage theme park near Winter Haven known for its champion water-skiers, hoop-skirted Southern belles, and lush botanical gardens. Flagging attendance forced the family that owned Cypress Gardens for nearly seventy years to put it on the market. To keep the park from being paved over for subdivisions, the state partnered up with a man named Kent Buescher, president of a Valdosta, Georgia, theme park called Wild Adventures. Buescher paid only $7 million to become the new owner of the 150-acre park. Using Florida Forever funds (which can be spent to save cultural resources), the state paid $11 million for a conservation easement that preserves 30 acres of gardens and lakefront and puts deed restrictions on the remaining 120 acres.

The easement may prevent rooftops, but roller coasters are okay. The deed restrictions let Buescher build a new amusement park, roller coasters and all, on the 120 acres. "Granted," said Governor Bush just before the vote to save the amusement park, "in nowhere but Florida would this be a cultural resource."[46]

To his credit, Jeb Bush also pushed through the biggest, and the most expensive, land-preservation deal in Florida's history. The 91,000-acre Babcock Ranch, straddling Charlotte and Lee counties on the fast-growing southwest coast, had been on Florida's preservation wish list for years, the final link in a 65-mile-long corridor of preserved land from Lake Okeechobee to Charlotte Harbor. The ranch is home to panthers, black bears, and wood storks, and it is an enormous water-storage area in a region whose cities are running dry.[47]

The Babcock family, well-known environmental stewards, had run the ranch since 1918. In a familiar Florida story, when the patriarch died in 1997, his heirs decided to sell. The state tried to buy the ranch outright for $455 million, but the family said no. Selling would mean too steep a tax bill. Instead, they agreed to a complex conservation easement in which they sold the ranch to a Palm Beach developer who would, in turn, sell most of the land to the state for preservation but develop 18,000 acres and use some of his profits to pay the Babcock family's taxes. Florida was able to preserve 74,000 acres for $350 million. On the remainder of the land, the developer planned a brand-new town with 19,500 homes—all in the middle of the boondocks.[48]

The increasing reliance on conservation easements and the Babcock deal were examples of the politics of compromise that marked Florida and U.S. environmental policy in the early years of the twenty-first century. The massive project to restore America's Everglades was the ultimate example.

WATER FOR MAN, WATER FOR NATURE

In November 2000, as the nation was paralyzed with the uncertainty of whether Albert Gore Jr. or George W. Bush would be moving to the White House, a smiling Jeb Bush joined Bill Clinton in the Oval Office as the outgoing president signed the bill to approve the Comprehensive Everglades Restoration Plan. It would be the largest public works project ever undertaken. The plan, passed unanimously by the Florida legislature and overwhelmingly by Congress, was a remarkable political feat considering the longtime enemies who formed a coalition to support it: from sugarcane growers to environmentalists to developers.

Two decades after Bob Graham painted the possibility of a restored Everglades and another decade after the late Lawton Chiles brought

together the coalition that came up with a way to do it, Jeb Bush spent enormous political capital convincing Congress to approve the plan. It was a tricky sell. Congressional leaders and federal taxpayers might go for a bold project that would fix America's Everglades and develop the management and science for restoring the Chesapeake Bay, Great Lakes, and Louisiana's wetlands. But "the last thing Congress wanted to do was spend federal money to supply the rich cities on the southeast coast of Florida with drinking water," said former U.S. senator Bob Smith, the New Hampshire Republican who chaired the Senate Natural Resources Committee and helped sell the plan to his colleagues.[49] (Ranked the most conservative and frugal member of the Senate by various right-wing groups, Smith, who called for Clinton's impeachment and once brandished a plastic fetus on the Senate floor,[50] retired to Sarasota and now heads the Everglades Foundation, a bipartisan environmental philanthropy committed to restoring the swamp.)

But of course, species that will benefit from Everglades restoration include humans. The plan aims to ensure water for nature, for farms, and for cities. Had this not been the case, the plan never would have made it out of Chiles's work group. "Really what's at stake is whether people can live in south Florida," said Lawrence Belli, deputy superintendent of Everglades National Park.[51]

The Comprehensive Everglades Restoration Plan is a complicated interlay of 68 major environmental projects over 35 years. But at its most basic, the plan aims to "get the water right." It takes back the 2 billion gallons of water a day that would flood the farms and cities of southeast Florida were it not locked up in 1,000 miles of canals, 720 miles of levees, and 200 control structures. The plan proposes to capture most of this water in hundreds of thousands of acres of restored wetlands, in huge reservoirs, and in more than 300 underground wells.

Instead of pushing the water through canals out both sides of the peninsula and into the sea, water managers will send some of it flowing into the 2 million acres that remain of the Everglades, where 69 species are endangered due to disappearing habitat. And they will send some to the cities of southeast Florida, which need 50 percent more water to accommodate projected population growth. The tension in the Everglades plan, through all those years negotiating it and probably for the next three decades carrying it out, is the balance. How much water will go to lawn sprinklers, and how much to the spoonbills?

AND THE WINNER IS . . . THE LAWN SPRINKLERS

Florida's politicians are all for the spoonbills; the whimsical pink birds represent the water and the sun and all the other natural amenities that make Florida the destination for 70 million tourists a year and the home to 17 million people and climbing. But the politics of compromise almost always put the spoonbills second. It does not matter which political party is in power. It does not matter how green the reputation of the current governor.

In the years after Congress passed the restoration plan, it began to look more and more like "a massive urban and agricultural water supply project," Richard Harvey, the EPA's South Florida director, told the *Washington Post.*[52] Two factors helped tip the scales toward water supply. First, South Florida's water crisis was growing worse by the day. Lake Okeechobee water pumped east and west to sea was causing deadly algae blooms and fish kills on both coasts. Meanwhile state environmental officials told Miami-Dade commissioners they could take no more groundwater; they had to find new water sources or stop approving new subdivisions. Second, Congress was not anteing up its half of the restoration money in time for the major projects in the plan to get started.

Three weeks before the November 2004 election that would keep his brother in the White House, Governor Bush announced an ambitious plan for Florida to borrow money and begin building some of the Everglades projects without the federal government. Called "Acceler8," the plan aimed to complete eight major projects to expand water storage, improve water quality, and restore water flows ten years ahead of schedule. It included reservoir capacity for 418,000 acre-feet of water—equal to 6 million residential swimming pools. Environmentalists worried that Acceler8 focused too heavily on urban water supply, and that it did not include projects with the most direct benefit to the Everglades, especially Everglades National Park. But without it, Bush retorted, no projects would be built at all. "We don't need their (environmentalists) permission to save the Everglades," Bush reportedly told his aides.[53]

In his book *Nixon and the Environment,* J. Brooks Flippen argues that single-minded environmental activists with unrealistic demands killed the blossoming bipartisan support for the environment in the United States. Toward the end of Nixon's first term, environmentalists criticized

him bitterly, with no appreciation for what he had already achieved and no capacity to accept his business constituency. The activists "did not know how to say thank-you to Nixon," said David Brower, the former Sierra Club leader who died of cancer in 2000 after seventy years of environmental activism. The Republican president "had great promise and did great things," Brower said, "but we deserted him."[54] In response, Nixon deserted the environmentalists and sided with polluters to oppose any further environmental reforms for the remainder of his days in the White House.

In Florida, as environmentalists seemed to be losing the tug-of-war in the Everglades between water supply and restoration, they began to wonder if they should have gone along with the grand Comprehensive Everglades Restoration Plan in the first place. The issue was one of many that revealed the waning influence of environmentalists in a state whose activists had been at the national vanguard for most of the twentieth century, ever since Florida outlawed plume hunting in 1901. Particularly powerful in the 1970s, Florida's environmentalists had stopped the jetport proposed for the middle of the Everglades. They had halted construction of the Cross-Florida Barge Canal, an east-west waterway that would have cut the state in two, a dream of Florida's promoters since statehood. A group called Conservation 70s was so effective that it shepherded 41 environmental bills through the legislature in 1970 alone. Environmentalists had so much muscle in Askew's time that the massive land and water bills of 1972 passed almost entirely under developers' radar screen. "The business community was just outgunned," remembered Hopping, the developer lobbyist.[55]

It was somehow symbolic that around the turn of the new century, Florida lost its three grand dames of conservation: Marjory Stoneman Douglas in South Florida, Gloria Rains on the southwest coast, and Marjorie Harris Carr in North Florida. Just as their peers at the national level were lamenting "the death of environmentalism" after losing an all-out battle to stop President Bush's reelection,[56] Florida's next generation of environmental leaders seemed to be in a crisis of confidence.

Florida's environmentalists had succumbed to the politics of compromise in an effort to achieve their ultimate dream of saving what remained of the Everglades. Whether that decision would turn out to be a save or a sell-out remained to be seen. But it was clear that in a newly Red state, environmentalists had to start winning Republican hearts. Governor

Bush's record in Florida "has been more green than not," said Eric Draper, policy director for Audubon of Florida. "Governors are a product of their times," he said. "Even if Bush had been a great environmentalist in the vein of Graham or Askew, the legislature and the development community would have never let him get away with it."[57]

A JOB FOR THE GOP

Jeb Bush put unprecedented focus on building new water-supply projects outside the Everglades, as well—all over Florida. This is apparently in the job description for Republican governors in the Sunbelt. When he was governor of Texas, President Bush signed Senate Bill 1, the biggest change in water law since the Rule of Capture (known as the Law of the Biggest Pump) affirmed by the Texas Supreme Court in 1904 gave landowners the right to suck up unlimited amounts of groundwater even if it hurt their neighbors. The biggest pump still rules in Texas, but Senate Bill 1, carried by Senator J. E. "Buster" Brown of Lake Jackson, set up sixteen regional planning districts and charged them with coming up with water development and conservation plans to prepare for droughts and ensure future supplies for people, economic development, agriculture, and nature.

Early in his reelection year of 2006, California Governor Schwarzenegger proposed a massive public works project he called his "strategic growth plan" to upgrade everything from highways to levees. The $222.6 billion plan included money for huge new reservoirs and dam upgrades. Peter Gleick of the Pacific Institute told California's Senate Committee on Natural Resources and Water that the water-infrastructure plans were wrongheaded when the Golden State's water use was decreasing all the time, even with population growth. The proposal for new dams and reservoirs "is a serious financial, environmental and political mistake," he testified. "The same amount of money spent on reducing water waste would be far more productive." California's Department of Water Resources projected that the state's water demand will decline over the next quarter century because of efficiencies and conversion from agricultural to urban uses. Water use in California was less in 2001 than in 1975 even as the population increased 60 percent in the same period.[58]

While California had kicked the assumption that population and eco-

nomic growth had to increase water demand, Florida seemed to be growing more addicted to it. Environmental regulators and water managers could point to a barrage of conservation programs. But they had not begun to lower Florida's per capita consumption, the trend in the rest of the nation.

In 2005, Governor Bush and a Republican Florida senator named Paula Dockery from Polk County, where water is increasingly scarce, led a major revision of Florida water law that put unprecedented focus on finding new water. Senate Bill 444 required Florida's regions to work together to plan long-term for water supply and build infrastructure fast, before the next drought. The new law allocated at least $100 million a year for grants to help Florida communities build up new supplies, like desalination plants. It may not have seemed conservation-oriented, says Dockery, "but what could be more conservation-oriented than getting people off groundwater?"[59]

The state's powerful home builders were insisting that Florida's leaders find them more water. And, despite water shortages, they were insisting the leaders work to lure more people down to Florida, too. Only with increasing population and new water supplies could Florida grow its most important crop: rooftops.