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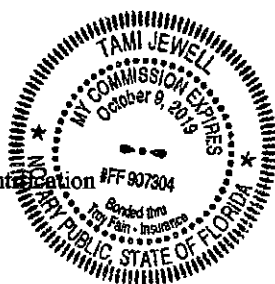
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# After a battering year, the American system still stands

As this appalling year limped to a close, with President Trump consistently underperforming even the lowest of expectations, a note of holiday cheer: Our country's institutions and values have, so far, proven remarkably resilient.



Ruth Marcus

This resilience was not a given: Complacency that it will continue would be dangerous. And yet, after nearly a year of Trump, the wrongs about unprincipled feuds in which strongmen acquire power feel overblown. I suspected so from the start, but I wasn't sure — nor should we be cocky about the future.

Still, for most, there are reasons for optimism in the performance of the media, the courts and, yes, even the Republican-dominated Congress — undegraded and reinforced by the American people.

On the media: How many it is to have a president who declares us "the enemy of

the American people." To have a cable news network that inflames his worst instincts and recklessly flings suggestions of a "coup" by special counsel Robert Mueller. To have nearly half the public, egged on by Trump's bellying about "fake news," hectoring that reporters simply invent negative stories about the president.

But while Trump & Co. went to war against the press, we went to work, to paraphrase Washington Post Executive Editor Martin Baron. Without that work, the public would likely not know about former national security adviser Michael Flynn's contacts

with the Russians, Donald Trump Jr.'s "I love it" meeting with a Russian lawyer peddling dirt on Hillary Clinton, and the president's efforts to mislead people about the event; Trump's description of fired FBI Director James Comey as a "nut job" in a meeting with Russian officials in which he also divulged highly classified information. The list goes on.

And for all the Trump-fueled anger at and distrust of the media, the president has stirred up something else. For the first time in my career, people are thanking me and my colleagues for what we do, a development that is as encouraging as unsettling. (It's our job.) Digital subscriptions are soaring at the Post and The New York Times, which helps provide the resources for more rigorous reporting.

The courts have also stood their institutional ground — notwithstanding, and perhaps in response to,

Trump's demonstrated contempt for an independent judiciary. All three versions of Trump's subpoenaed effort to ban entry of citizens from certain Muslim-majority nations have been struck down by courts, although the Supreme Court has slowed the fastest way to take effect while the litigation continues. So was his attempt to deny federal funding to so-called sanctuary cities. So was his cruel, ignorant effort to ban transgendered people from serving in the military. So was his bid to prevent undocumented teenagers from exercising their right to abortion.

All of this could be expected, an ideological balance of the Supreme Court is precarious, and the seat that was denied to Barack Obama (and Merrick Garland) and occupied by Justice Neil Gorsuch will matter long after we are rid of Trump. In contrast to Trump's incompetence in staffing

up the executive branch, and with the exception of a few jaw-droppingly unqualified lower-court nominees, the Trump team has been diligent in filling the judicial vacancies that Senate Majority Leader Mitch McConnell empaneled to leave for him.

It is beyond naive to think that these changes won't matter. But I am not — not yet! — disillusioned enough to believe this transformation will leave the separation of powers. And the rule of law defenseless. A Trump-infused judiciary will not always rule the way I would like, but I remain confident that even unresponsive judges and justices would resist his most authoritarian, unconstitutional impulses.

And speaking of separation of powers, there is Congress. It may strain optimism to avoid congressional Republicans, with their rammed-through tax bill and favoring abstinence to

Trump, as any kind of bulwark against his excesses.

Yet we have seen repeated episodes of congressional resistance, enough of it to make a difference, whether to manifestly unqualified judicial nominees or to ill-intentioned efforts to dismantle the health care law. Even this Congress, even before the clanging that 2018 may bring, has pursued investigations into Trump's Russia ties and would ratchet any effort to fire Mueller or obstruct his probe, despite the current outcry.

I am not saying this has been a good year. Indeed, it was dreadful. But if Trump was exactly what we expected, our system, imperfect and faltering as it is, withstood the onslaught. This is a terrible moment in our nation's history, but I am betting it is just that — a moment, not a death knell.

Ruth Marcus' email address is rthmarcus@washpost.com.

# Environmentalists should just take the win for Lake O

Closing the book on 2017, among the most notable political battles centered on Lake Okechobee water issues. While lawmakers reached a compromise earlier in the year, the food fight may be far from over.



Peter March

Last session, environmental activists, working with Senate President Joe Negron, hammered out a bill that set one point called for buying up to 60,000 acres of working farmland south of Lake O.

But an equally vocal group of Everglades farmers, joined by local leaders and community advocates, strongly opposed the plan, pointing out the negative economic impact that Negron's land buy would have on the Glades farming community.

What the Legislature ultimately approved — in the form of a somewhat more palatable Senate Bill 10 — was piloted by environmental activists, limiting interests (including the sugar industry), local and state leaders.

It heralded a "grand compromise," SB 10 began the process of building a new southern reservoir, settling the issue once and for all.

Or so many thought. With a lower price tag than originally proposed, SB 10 called for using only state-owned land, closing the door on eminent domain to take privately-held acreage.

Arguably, it was the most significant victory of Negron's Senate presidency, paving the way for construction of up to 350,000-acre feet (an acre of water, 1 foot deep) of water storage, which could help tackle future algae blooms, like those that plagued his district a year earlier.

In June, following a high-profile bill signing on the banks of Lake O, bringing together Gov. Rick Scott, Negron, Everglades Foundation CEO Eric Elkayberg, Glades leaders and others, it seemed as if happy days were here again. With chowhows of Kumbyaya and ball-djajats ready to break out, construction of

the reservoir was about to begin. Rick Scott visits Lake Okechobee ahead of the ceremonial bill signing of SB 10, which authorizes a reservoir to collect runoff south of Lake O.

All seemed good, right? Wrong. Since then, a handful of environmental organizations — the Everglades Foundation, the Sierra Club, Bullsugar among others — began raising concerns over the South Florida Water Management District's easement used to develop the reservoir.

They just don't use enough land, the environmentalists say. As outlined in SB 10, SFWMD developed four models for a southern reservoir for presentation to the Legislature by Jan. 9. Ranging in cost from \$1.4 billion to \$1.9 billion, each model includes an above-ground storage reservoir on adjacent state-owned land south of Lake O ... exactly how the Legislature — led by Negron — first envisioned.

So why now the red flag? Is it possible that, after a rare legislative success, these environmental groups are seeking further reassurance? Or are they so bent on buying land, they will risk a full Mary pass to get what they want — and lost — in the Legislature?

Perhaps these concerns:

are less about the survival of the Everglades than they are about the survival of the Everglades Foundation (and its satellite organizations)?

Attempting to quell the anger from environmental groups, Negron wrote a letter to the SFWMD in early December, asking if it had enough land to construct the reservoir. In response, SFWMD Executive Director Eric Marks said that the district indeed has more than enough property to do the job.

To follow SB 10, all SFWMD needs to do is construct slightly higher reservoir embankments. In addition, using state-owned lands set out in the bill will also keep costs down, officials said.

Nevertheless, these environmental groups refused to be satisfied, moving the goal posts by demanding more land.

A recent Facebook post from Bullsugar highlighted concerns of the Friends of the Everglades, which allege among other things, that the SFWMD's reservoir models violate federal water quality standards.

This tactic is nothing new. Environmentalists have intervened before to block construction of a southern reservoir.

In 2008, the National Resources Defense Council,

Sierra Club, and others went to court to stop a similar project. The Everglades Trust, led by the late Thom Rumberger, decided that reservoir as "unnecessary and expensive."

The same day with an ill-fated 2008 U.S. Sugar deal struck with then-Gov. Charlie Crist, succeeded in halting work on the reservoir, which is still virtually unstarted and available. This time up land became a key talking point in the debate over SB 10.

In January 2017, SFWMD officials publicly challenged the science used by the Everglades for a "study" on a southern reservoir. SFWMD hydrology and Hydrologic Bureau Chief Akintunde O. Ovwaisi wrote a scathing letter to Everglades Foundation activist Thomas Van Lent, declaring "The assumptions you made in the model input were obviously selected to reduce northern storage and create an outcome in favor of southern storage."

In the end, neither the Legislature nor the SFWMD used the Foundation models — widely denounced as flawed — for SB 10. Instead, they returned designs after four other district projects, including Scott's much-branded Restoration Strategies Water Quality Plan and the C-43 storage

reservoir — long supported by environmental groups.

Snatching defeat from the jaws of victory, environmental activists raise these concerns — objecting to the project size and water quality — just as long-awaited reservoir appears to be finally within reach.

These latest complaints, advanced only six months after signing SB 10, will ring hollow in the halls of the Florida Capitol. And Senate leaders, such as newly-minted Appropriations Chair Rob Bradley (an SB 10 sponsor) will have little interest in revisiting the issue, especially in an election year.

Putting it bluntly, it's dumb to cast doubt on Negron's signature policy achievement, but it is also unsurprising for a group already known for its political envy. Instead of congratulating Negron and Speaker Richard Corson for their

efforts, environmental groups criticize that it simply wasn't good enough. Besides showing a great deal of ingratiation, not just to Negron and Corson, but also a slap in the face to incoming leaders like Sen. Bill Galvano and Rep. Jose Oliva.

As 2017 winds down, Elkayberg (and others) should consider having a bit more gracious and take the win.

Also, they should be wary of any attempt to rank and file members to pull the football away from Lucy with Charlie Brown before reaching the end zone.

Peter March is the President of Extensive Enterprises and is the publisher of some of Florida's most influential new media outlets, including SouthDawgBlog.com, Florida Politics, Okaloosa Rising and Sunburn, the morning read of what's hot in Florida politics.

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## NOTICE OF PUBLIC HEARING

The DeSoto County Board of Adjustments (BoA) of DeSoto County, Florida will consider the adoption of ordinances and resolutions regarding the planning requests below. The ordinances and resolutions will be considered at regularly scheduled Public Hearing Meetings of the Board of Adjustments on the dates listed and at the times listed below, or as soon thereafter, as they may be heard on that date. All public hearings will be held in the County Commission Meeting Room 103, Administration Building, 201 E. Oak Street, Arcadia, Florida. Copies of the petitions and staff reports are available at the Development Department Room 204, Administration Building, 201 E. Oak Street, Arcadia, Florida.

Board of Adjustments: Thursday, January 11, 2018 9:30PM meeting.

1. VAR 2017-01 Gary L. Heerne, Trustee  
A Resolution of the DeSoto County Board of Adjustment approving to Gary L. Heerne, Trustee, a variance from Land Development Regulations Section 20-131(2)b to allow within the RMF-M Residential Multifamily Mixed district a 4.7-foot setback instead of the required 7.5-foot setback for property located at 11648 SW Spring Lake Drive and is identified as tax id number 28-39-23-0362-00C0-1070, Arcadia, Florida; Incorporating the Development Department Report.

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