

Florida: Nixon Halts Canal Project, Cites Environment

Environmentalists fighting the Cross-Florida Barge Canal last week applauded President Nixon's order halting construction on the canal but said they would press on with action aimed at obtaining permanent judicial sanctions against the project.

The President's order broke with precedent, since some \$50 million in federal funds were already committed, and also violated political protocol, since it meant canceling a congressionally authorized project whose total cost was put at \$180 million.

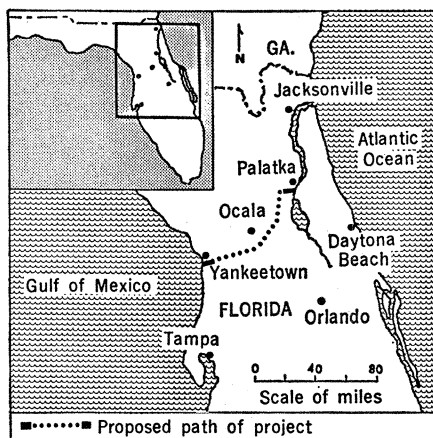
In addition to federal expenditures, the State of Florida has spent some \$12 million to buy rights of way; some local governments have invested heavily in barge terminals and other canal facilities.

In a statement made when he issued the order, Nixon said he was stopping work on the canal "to prevent potentially serious environmental damages." He noted that the Council on Environmental Quality had recommended that the project be halted and "I have accepted its advice." The council was created in the National Environmental Policy Act of 1969 to assist the President with environmental quality matters.

Injunction Obtained

The President's statement on 19 January did not mention the efforts of opposition to the project in Florida or the fact that the Environmental Defense Fund (EDF) and its Florida allies, Florida Defenders of the Environment, won a preliminary injunction halting the project on 15 January. The injunction, obtained by EDF attorneys in Federal District Court in the District of Columbia against the Army Corps of Engineers, stopped work and indicated that EDF had established to the court's satisfaction that it had a case.

EDF spokesmen say they seek a judicially ordered permanent halt, since they don't have great faith in the permanence of political decisions and want to insure against the possibility of a change of heart by the President or by a subsequent Administration. Members of the Florida delegation in Congress are reportedly organizing to exert pres-



sure in behalf of the project. And environmentalists note that the Corps of Engineers had indicated it would appeal the preliminary injunction.

EDF attorneys have not determined what the next legal step will be, but it seems likely they will seek a permanent injunction either by a motion to the court for an injunction based on the President's order or through the longer route of a trial.

There seems no question, however, that the President's order stops construction, and the immediate issue for environmentalists is what can be done to restore areas already adversely affected by construction operations. In his order the President said he was asking the "Secretary of the Army to work with the Council on Environmental Quality in developing recommendations for the future of the area." Work already done affects about one third of the 107-mile length of the planned canal. Environmentalists' concern has centered on the Oklawaha River (which the President called a "uniquely beautiful, semi-tropical stream, one of a very few of its kind in the United States") and particularly on a 13,000-acre reservoir created near Ocala in preparation for building locks and dams for the canal. Environmentalists hope to have the water level reduced and to have this and other areas restored as nearly as possible to their original state. Some sort of specific appropriation or congressional action authorizing use of other funds for the work would be necessary.

Those arguing against the canal asserted that cutting the 12-foot deep, 150-foot wide waterway would have drowned a hardwood forest through which the Oklawaha flows, threatened vegetation and wildlife, which depends on an annual flooding cycle, and upset the hydrologic equilibrium of the area. Environmentalists claimed that water hyacinth and other weeds would grow in the waters of the canal and reservoirs and would necessitate use of herbicides and pesticides, which in turn would pollute the area's aquifer.

Active opposition to the barge canal has been carried on since the early 1960's when federal funding for the project became available, but EDF became active in the matter much more recently. EDF followed its frequent practice of encouraging formation of a local group around the issue. Florida Defenders of the Environment is comprised largely of people who have been fighting the canal for 5 or 6 years.

Analysis from University

EDF's executive director, Roderick A. Cameron, says that an important contribution to the campaign against the canal was a thorough ecological and economic analysis of the project done by volunteers at the University of Florida at Gainesville. The study covered aspects of the project ranging from hydrologic effects to economic cost-benefit analysis.

Construction of the canal was originally authorized in 1942 as a means of shortening shipping distances at a time when German submarines were taking a heavy toll. But the project was finally funded two decades later for the purpose of cutting transportation costs. In his message, the President said, "The purpose of the Canal was to reduce transportation costs for barge shipping. It was conceived and designed at a time when the focus of the Federal concern in such matters was still almost completely on maximizing economic return. In calculating that return, the destruction of natural, ecological values was not counted as a cost, nor was a credit allowed for actions preserving the environment."

—JOHN WALSH