

For Immediate Release

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****PRESS RELEASE****

Our Santa Fe River & Florida Springs Council File Legal Challenge to Seven Springs Consumptive Use Permit

Advocacy Groups' Challenge Argues Water Use Permit Violates District Rules and State Law

Gainesville, FL – Today the Florida Springs Council (FSC) and Our Santa Fe River (OSFR) filed a legal challenge seeking to overturn the Suwannee River Water Management District (SRWMD) Governing Board's approval of a consumptive use permit for Seven Springs Water Co. to provide nearly a million gallons of water per day to Nestle's bottled water operation.

The petition for administrative hearing argues that the SRWMD was required to deny the consumptive use permit for two reasons.

First, Seven Springs Water Co., who applied for the permit, does not own or control the bottling facility where the water use will occur. Under SRWMD rules, Seven Springs Water Co. therefore does not have the legal right to conduct the water use. Without the actual water user, Nestle, as the permit applicant the SRWMD has no way to assure that the allocated water will be used in a reasonable and beneficial manner and no way to require compliance with SRWMD rules.

Second, the SRWMD Governing Board failed to consider whether issuing the consumptive use permit was "consistent with the public interest" as required by SRWMD rules and Florida Statute. The SRWMD rules define "public interest" as the "broad based interests and concerns that are collectively shared by members of a community or residents of the District or State."

There have been over 19,000 comments submitted to the District expressing the interests and concerns of the community and residents of the State, yet these interests and concerns were not addressed in the permit application or by the SRWMD Governing Board in making their decision to grant consumptive use permit.

Our Santa Fe River President and petitioner Mike Roth said, “Our Santa Fe River has been working to protect the Santa Fe and its springs for more than a decade. Over that time, we have seen flows decline and pollution increase as more and more corporations come to our area to exploit our waters for profit. We believe the District and Courts mishandled this permit application and are asking the public to suffer the consequences.”

Our Santa Fe River advocacy director Merrilee Malwitz-Jipson, who is also a business owner along the Santa Fe River, said, “The Suwannee River Water Management District has been duped by a private company who managed to questionably secure an extremely profitable water use permit which will further degrade our already imperiled river and springs. This scheme needs to be stopped. Water is for the birds, the fish, the river, the springs and us. Nature and local communities need the water more than Nestle.”

“We have already passed the point of sustainable withdrawals in the Santa Fe River Basin because our water management districts have been asleep at the wheel. Once again, non-profit advocacy groups like the Florida Springs Council are stepping in where our state agencies have failed,” said Florida Springs Council Executive Director Ryan Smart. “It’s time to draw a line in the sand and say no more. If Nestle wants our water, we are going to make them come and take it.”

A copy of the petition can be found here: <https://www.floridaspringscouncil.org/press-resources>

Background:

The Florida Springs Council and Our Santa Fe River are represented by attorneys Doug MacLaughlin, John Jopling (Dell Graham), and John Henry November (Anderson November) with assistance from Florida Springs Council staff and a team of expert volunteers.

Our Santa Fe River (www.oursantaferiver.org), an all-volunteer 501(c)(3) organization dedicated to education, stewardship and advocacy for the Santa Fe River and its springs, has had representatives appeal to the District Board numerous times over the last two years, facilitated the delivery of 400,000 petitions directly to the Board (in addition to the roughly 19,000 online comments), and has written extensively about the dangers of overconsumption and pollution presented by the Seven Springs permit. Last summer, OSFR tried to join the administrative lawsuit both as participant and as intervenor to introduce science and public interest to the otherwise administrative-only arguments, but was rebuffed both times.

The Florida Springs Council is the only statewide advocacy group focused exclusively on protecting Florida's springs and spring-fed rivers. FSC has worked extensively on issues affecting the Santa Fe River, including organizing a 2019 challenge to the Santa Fe River Basin Management Action Plan with Our Santa Fe River and Ichetucknee Alliance. You can find out more about FSC's work at FloridaSpringsCouncil.org.

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