

Last year's BMAP challenge

May 19, 2020

The following notice is from the Florida Springs Council. OSFR was a challenger, as was one individual board member.



Florida Springs Council's legal team in action in November of 2019. Photo by John Moran.



This week marks SIX MONTHS since the Florida Springs Council wrapped up a legal challenge against the Florida Department of Environmental Protection on behalf of Florida's Springs.

Many of you were following along, sending legal fund donations and notes of encouragement (thank you!) But some of you may have missed the excitement.

Let's recap:

What was the case about?

The short answer is that the state failed to meet their legal obligation to provide a plan that would address the nitrate pollution degrading Florida's springs. So the Florida Springs Council organized a legal challenge to force them back to the drawing board.

The slightly longer answer is that a 2016 law (the Springs and Aquifer Protection Act) identified 30 springs that by law would need a plan (called a Basin Management Action Plan, or "BMAP") drafted by the Department of Environmental Protection (DEP) to reduce those springs' nitrogen pollution and meet water quality standards over 20 years. When these plans were finally published the Florida Springs Council and many other organizations saw that DEP had misinterpreted the law, played loose with science, and skewed data to create the required plans, with apparently no concern over whether the plans would actually work.

What was the verdict??

Well, six months later we're still waiting.

It was a complex case, a full year in the making, with 7 regional organizations coming to the defense of the the springs they've pledged to protect, testifying to a long list of utter inadequacies of 5 different plans to clean up 15 Outstanding Florida Springs. That's a lot of information for a judge to consider.

When will you hear more news?

Though we cannot say exactly when we expect to receive the judge's decision, it should be soon. And we look forward to sharing that news with you.

Keep an eye on your inbox and on our social media accounts. We will be revisiting details of the case and letting you know as soon as there is a verdict.



FSC convened meetings of springs protection organizations across the state to discuss what to do about the inadequate state plans.



Our legal team spent seven long days in court questioning expert witnesses and cross-examining DEP scientists.



Nature photographer John Moran gave closing statements, providing visual documentation of the continuing decline he has seen in our state's springs.