

Which voices matter on Rainbow Springs?

July 23, 2019



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As water management district lawyers put it, the district's plan falls into the "zone of interest" of big corporations but not regular Floridians.

Sadly, Dr. Palmer's observations show clearly once again that corporations run our state, our Legislature and our water district managers.

Little good it does to select and support people for key elected positions when once in the job they either fall to pressure or are muzzled by the powers that be.

That our water districts continually labor long and intensely to find ways to give every possible drop of water to private

interests is egregious and deplorable.

The original article can be seen in [the Tampa Bay Times](#).

Comments by OSFR historian Jim Tatum.

-A river is like a life: once taken, it cannot be brought back-

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Published Yesterday

Updated 1 hour ago

BY BOB PALMER

Special to the Times

Despite a long life of working in politics, I'm still one of those cock-eyed optimists who believe that most of the time our public servants are trying to do their best for most Floridians. By and large, those who toil away anonymously in our state agencies seem like pretty decent folks.

Lawyers at the Southwest Florida Water Management District burst my bubble last month.

We were at the start of a three-day administrative hearing – essentially a trial – to determine whether the state's plan for protecting flows on Rainbow Springs, which is north of Dunnellon, is protective enough. Rainbow has the largest flow of any spring in Florida and possibly the world. Its clarity is

unsurpassed, and it is designated as an Outstanding Florida Water, a Florida Aquatic Preserve and a National Natural Landmark.

The hearing was called because the district's plan is being challenged by the 230-member Rainbow River Conservation and by three citizens who live near the Rainbow and enjoy it frequently. The legal issue argued at the hearing was whether the district's plan would green-light groundwater pumping that would cause "significant harm" to that beautiful spring and river.

On June 10, the president of Rainbow River Conservation and the three citizens took the stand to explain why they were bringing the challenge. There were poignant pictures of grandchildren splashing in the river and tales of crystal-clear snorkeling trips. There were pictures of stinking algal mats and boats grounded on the river bottom in times of low flows. Surely, no one could doubt that these lovers of the Rainbow would be granted "standing" to challenge the district's plan.

Then one of the water management district's attorneys asked each of the four citizens whether they had a permit from the district to pump water. These water-use permits, required for groundwater extractions greater than 100,000 gallons per day, are enough for at least 40 households. All answered no, they had never had a reason to apply for that kind of profligate pumping.

Then the district's lawyers asked the judge to muzzle the four citizens and deny them standing, disallow their challenge and terminate the hearing. According to them, the Rainbow citizens don't really use the river. If any of them were a water-bottling company or a huge out-of-state agri-business, they could challenge the district's plan because it might affect their bottom-line. As water management district lawyers put it, the

district's plan falls into the "zone of interest" of big corporations but not regular Floridians.

Our state agencies are there to serve the interests of all Floridians. Our environmental agencies like the water management district exist to protect the state's water resources. The incident at this hearing in June in Brooksville made it clear the district's leadership doesn't understand those simple truths.

The administrative judge ultimately allowed the citizens to testify but deferred ruling on their standing until September. We hope he will affirm the rights of regular citizens to seek redress for a plan that will lock in further degradation of the Rainbow.

Bob Palmer is a board member of the Florida Springs Council and former staff director of the U.S. House Science Committee. He lives in Gainesville.

*Rainbow Springs is a registered natural landmark. [OCTAVIO JONES | Times (2012)]