

RECEIVED
DISTRICT CLERK'S OFFICE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road
West Palm Beach, Florida

8:44 am Nov 8, 2022

SOUTH FLORIDA
WATER MANAGEMENT DISTRICT



IN THE MATTER OF:

SFWMD ORDER NO. 2022-060-DAO

EMERGENCY AUTHORIZATION FOR
PUMPING AND OTHER MEASURES
TO ADDRESS FLOODING CAUSED
BY STORM IAN

**ORDER TERMINATING EMERGENCY AUTHORIZATION FOR PUMPING AND
OTHER MEASURES TO ADDRESS FLOODING CAUSED BY HURRICANE IAN**

The South Florida Water Management District ("SFWMD") enters this Order terminating Emergency Order Nos. 2022-046-DAO and 2022-051-DAO, which authorized pumping and other emergency measures to address the impacts of Hurricane Ian.

FINDINGS OF FACT

1. On September 23, 2022, the Governor of Florida issued Executive Order 22-218, declaring that a state of emergency existed in 24 counties in the State of Florida, based upon the serious threat to the public health, safety and welfare posed by then-Tropical Storm Ian. On September 24, 2022, the Governor of Florida issued Executive Order 22-219, expanding the state of emergency to the entire State of Florida.

2. On September 24, 2022, the SFWMD Executive Director issued Emergency Final Order No. 2022-046-DAO ("Order"), an Emergency Final Order authorizing pumping and other emergency measures to address the impacts of Tropical Storm Ian across the entire jurisdiction within the SFWMD. The Order expires on November 22, 2022, unless terminated earlier.

3. On October 1, 2022, the Executive Director issued SFWMD Order No. 2022-051-DAO, which amended Emergency Final Order No. 2022-046-DAO to narrow the geographic scope of the Order to include only Orange, Osceola, Polk, Okeechobee, Highlands, Glades, Hendry, Charlotte, Lee, and Collier counties.

4. The Executive Director has determined that Order Nos. 2022-046-DAO and 2022-051-DAO are no longer required because an immediate danger to the public health and safety or other substantial loss due to Hurricane Ian no longer exists.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

5. Section 373.119(2), Florida Statutes, authorizes the Executive Director to issue emergency authorizations whenever the Executive Director finds that an emergency exists requiring immediate action to protect the public health, safety, or welfare.

6. Based upon the findings above, the Executive Director concludes that the Orders authorizing pumping and other emergency actions made necessary by Hurricane Ian should be terminated immediately.

ORDER

THEREFORE, IT IS ORDERED:

That Emergency Order Nos. 2022-046-DAO and 2022-051-DAO are terminated as of 12:00 p.m., Tuesday, November 8, 2022.

DONE AND ORDERED on this 8th day of November, 2022, in West Palm Beach, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

By: _____



Drew Bartlett
Executive Director

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review of it under section 120.68, Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the SFWMD at 3301 Gun Club Road, West Palm Beach, Florida 33406, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the SFWMD.