

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

In Re:

ORDER NO. 2022-067-DAO

**EMERGENCY AUTHORIZATION
TEMPORARILY CLOSING SFWMD
MANAGEMENT LANDS MADE NECESSARY
BY SUBTROPICAL STORM NICOLE**

**RECEIVED
DISTRICT CLERK'S OFFICE**

4:26 pm Nov 10, 2022

**SOUTH FLORIDA
WATER MANAGEMENT DISTRICT**



**ORDER TERMINATING EMERGENCY AUTHORIZATION
TEMPORARILY CLOSING SFWMD MANAGED LANDS**

The South Florida Water Management District enters this Order terminating Emergency Order No. 2022-066-DAO, which authorized temporarily closing SFWMD Management Lands due to the impacts of Hurricane Nicole.

FINDINGS OF FACT

1. On November 8, 2022, SFWMD issued SFWMD Order No. 2022-066-DAO (“Emergency Order”), temporarily closing public access of all District Lands¹ in Orange, Osceola, Polk, Highlands, Okeechobee, Glades, Hendry, St. Lucie, Martin, and Palm Beach counties (“Emergency Areas”) due to the serious threat to public health, safety, and welfare from Hurricane Nicole.

2. Upon continued review of the conditions of all District Lands, the SFWMD finds that all District Lands are now safe for public access.

¹ “District Lands” means all land owned by or leased to the District, including lands managed in partnership with Florida Fish and Wildlife Conservation Commission, but not including lands that District leases to other entities for management purposes.

3. The Executive Director has determined that an immediate danger to the public health and safety or other substantial loss to the public justifying closure of District Lands no longer exists.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

4. 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.

5. Based upon the findings above, the Executive Director concludes that because Hurricane Nicole and its impacts to District Lands no longer pose a serious threat to the public health, safety, and welfare, the Emergency Order temporarily closing District Lands should be terminated immediately.

ORDER

THEREFORE, IT IS ORDERED that:

Emergency Order No. 2022-066-DAO is terminated, effective immediately. All District Lands in the Emergency Areas are hereby open.

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review under Section 120.68, Florida Statutes, by filing a written 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 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 30 days after this Order is filed with the Clerk of the SFWMD.

DONE AND ORDERED on this 10th day of November, 2022, in West Palm Beach,
Florida.

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT



Drew Bartlett
Executive Director