

3:54 pm Mar 30, 2026

STATE OF FLORIDA
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

SOUTH FLORIDA
WATER MANAGEMENT DISTRICT



Order No. 2026-038-DAO-WS

IN RE:
Rescission of Water Shortage
Warning for All Water Use Classes
Withdrawing Groundwater from the
Biscayne Aquifer in Miami-Dade and
Monroe Counties

_____ /

ORDER RESCINDING WATER SHORTAGE WARNING

The Executive Director of the South Florida Water Management District (“District”) hereby rescinds SFWMD Order No. 2026-012-DAO-WS pursuant to sections 373.083 and 373.246, Florida Statutes (“Fla. Stat.”), and Chapter 40E-21, Florida Administrative Code (“Fla. Admin. Code”). Based upon the recommendations of staff and being otherwise fully apprised, the Executive Director orders as follows:

FINDINGS OF FACT

1. On February 5, 2026, the District issued SFWMD Order No. 2026-012-DAO-WS, declaring a water shortage warning for all use classes withdrawing groundwater from the Biscayne aquifer in Miami-Dade and Monroe Counties.
2. Recent rain events in Miami-Dade and Monroe Counties have produced approximately 3 to 6 inches of rainfall, representing roughly 300 percent of normal and a surplus of approximately 2 to 4 inches.
3. During the month of March, groundwater levels in the Biscayne aquifer in Miami-Dade County experienced a significant increase above normal dry-season

levels. In addition, urban areas of Monroe County receive drinking water from the Florida Keys Aqueduct Authority, which relies on a Biscayne aquifer wellfield in Miami-Dade County and those wells have rebounded to safe levels.

4. Based on increased rainfall and improved groundwater conditions, sufficient water is expected to be available in Miami-Dade and Monroe Counties to meet anticipated demands through the transition to the wet season without causing harm to water resources.

5. The District has monitored water resource conditions and user needs in Miami-Dade and Monroe Counties pursuant to Rule 40E-21.221, Fla. Admin. Code, and finds that rescission of SFWMD Order No. 2026-012-DAO-WS is warranted.

CONCLUSIONS OF LAW

6. The District's water shortage plan, set forth in Chapter 40E-21, Fla. Admin. Code, governs the withdrawal and use of water and the protection of water resources. See §373.246, Fla. Stat.

7. The Executive Director is authorized to rescind Order No. 2026-012-DAO-WS because the monitoring of the District's water conditions and implementation of the Water Shortage Plan demonstrated that a rescission of the Order is necessary.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is
ORDERED:

- a. SFWMD Order No. 2026-012-DAO-WS is hereby rescinded.
- b. This Order shall become effective upon execution.
- c. A Notice of Rights is attached as Exhibit A.

DONE AND SO ORDERED in West Palm Beach, Florida, on this 30th day of
March, 2026.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
By its Executive Director



Drew Bartlett

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.