

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

IN RE:

DECLARATION RESCINDING WATER SHORTAGE
ORDER IN CHARLOTTE, CITRUS, DESOTO,
HARDEE, HERNANDO, HIGHLANDS,
HILLSBOROUGH, LAKE, LEVY, MANATEE,
MARION, PASCO, PINELLAS, POLK, SARASOTA,
AND SUMTER COUNTIES

ORDER RESCINDING WATER SHORTAGE ORDER NO. SWF 23-041

During a public hearing held at its regularly scheduled meeting on October 22, 2024, at the Southwest Florida Water Management District's (District) Tampa Service Office in Tampa, Florida, the District's Governing Board received data and recommendations from District staff and provided an opportunity for public comment regarding hydrologic conditions and other pertinent facts regarding a water shortage within the District. Based upon testimony, data, staff recommendations, and public comment, the Governing Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On November 14, 2023, the Governing Board issued Water Shortage Order No. SWF 23-041, declaring a modified Phase I water shortage across portions of the District. Phase II water shortage restrictions, including limitations on residential lawn and landscape irrigation, went into effect in Hillsborough, Pinellas, and Pasco Counties.
2. The Governing Board extended the water shortage for all areas on February 27, and subsequently extended Phase II water shortage restrictions for Hillsborough, Pinellas, and Pasco Counties on June 25 and August 27, 2024. These restrictions were to remain in effect until December 23, 2024, unless modified or rescinded by the Governing Board.
3. The District's Water Shortage Plan, adopted as Chapter 40D-21, Florida Administrative Code (F.A.C.), specifies that the District will collect water resource data and water demand data to evaluate Drought Indicators, current regional lake levels, current and recent U.S. Drought Monitor values, current precipitation outlooks, and public supply storage status. The District has continued to monitor conditions according to the Plan.
4. Since the issuance of the June 25, 2024 Second Modification to Water Shortage Order No. SWF 23-041 the District has experienced several severe storm events. The factors the District uses to evaluate hydrologic conditions have substantially changed.

5. The District has experienced severe hydrologic conditions that necessitate reconsideration of the water shortage restrictions.

6. As of October 14, 2024, the storage volume of the C.W. Bill Young Regional Reservoir was at 14.99 billion gallons, or 97% full, due to high rainfall received from Hurricanes Debby, Helene, and Milton.

7. In consideration of the above-described circumstances and based on a review of the relevant factors from Chapter 40D-21 F.A.C., there is no further need to continue Water Shortage Order SWF 23-041.

CONCLUSIONS OF LAW

8. Pursuant to Section 373.246(4), Florida Statutes (F.S.), a declaration of water shortage and any measures adopted pursuant thereto may be rescinded by the Governing Board.

9. Considering all relevant information, there is no further need to continue any provisions of Water Shortage Order SWF 23-041.

Based upon the foregoing, it is hereby **ORDERED**:


10. All terms of SWF Order No. 23-041, either previously expired by operation of law or are now rescinded by this Order.

11. Specifically, Phase II water shortage restrictions for Hillsborough, Pinellas, and Pasco Counties are hereby rescinded.

12. All counties within the District's jurisdiction shall return to the District's Year-Round Water Conservation Measures as of October 22, 2024.

DONE AND ORDERED in Hillsborough County, Florida, on this 22nd day of October 2024.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

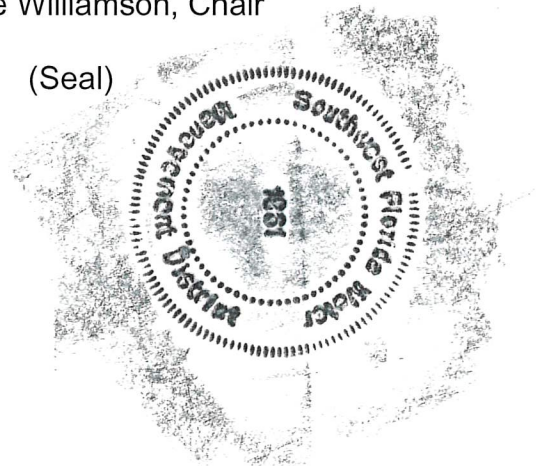
Approved as to Legal Form & Content


Attorney

By: 

Michelle Williamson, Chair

(Seal)



Filed this 23rd day of
October, 2024.



Deputy Agency Clerk

NOTICE OF RIGHTS

Persons whose substantial interests are affected may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, Florida Administrative Code (F.A.C.). A request for a hearing must: 1) explain how the petitioner's or other person's substantial interests will be affected by the District's action; 2) state all material facts disputed by the petitioner or other person, or state that there are no disputed facts; and 3) otherwise comply with Chapter 28-106, F.A.C.

A request for hearing must be filed with and received by the Agency Clerk at the District's Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759, or by facsimile transmission to the Agency Clerk at (813) 367-9788, within twenty-one (21) days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or any other person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Mediation pursuant to Section 120.573, F.S., and Rule 28-106.111, F.A.C., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

In accordance with subsection 120.569(1), F.S., the following additional administrative or judicial review may be available.

A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.