

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

**IN RE:**

**EMERGENCY FINAL ORDER  
RESCINDING EMERGENCY FINAL ORDER 20-0002  
FOR COVID-19 RESPONSE**

**ORDER NO. 2021-04**

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**EMERGENCY FINAL ORDER**

Under the authority of the State of Florida Executive Order numbers 21-101 and 21-102, Chapter 373 and sections 120.569(2)(n) and 252.36 of the Florida Statutes ("F.S."), and considering the following findings of fact, Hugh Thomas, Executive Director of the Suwannee River Water Management District ("District"), at 9225 County Road 49, Live Oak, Florida, rescinds Emergency Final Order 20-0002 addressing continuity of operations due to the Coronavirus Disease 2019 ("COVID-19").

**FINDINGS OF FACT**

1. On March 9, 2020, the Governor of Florida issued Executive Order No. 20-52, as extended by Executive Order No. 20-114, 20-166, 20-213, 20-316, 21-45, and 21-94 declaring a state of emergency in the State of Florida based upon the serious threat to the public health, safety, and welfare posed by the Public Health Emergency as a result of COVID-19.
2. On March 9, 2020, the District issued Emergency Final Order 20-0002, as extended by District Emergency Final Orders 20-0005, 20-0006, 20-0008, 20-0010, 20-0013, 20-0017, 2021-01, 2021-02, and 2021-03 to address District continuity of operations due to the imminent or immediate danger to the public health, safety, and welfare of residents within the District associated with COVID-19.
3. On May 3, 2021, the Governor of Florida issued Executive Order No. 21-101 invalidating all remaining local Emergency Orders based on the COVID-19 emergency due to the significant steps taken by the State to protect its most vulnerable population and rapidly offer vaccines to every eligible resident who desires one.
4. On May 3, 2021, the Governor of Florida issued Executive Order No. 21-102 suspending all remaining local government mandates and restrictions based on the COVID-19 state of emergency due to a select number of local governments continuing to impose mandates and business restrictions without proper consideration of improving conditions without end.

**CONCLUSIONS OF LAW**

5. As set forth in State of Florida Executive Order numbers 21-101 and 21-102, it is unnecessary for the District to continue to impose COVID-19 mandates and restrictions and the District's Emergency Final Order 20-0002, as extended by District Emergency Final Orders 20-0005, 20-0006, 20-0008, 20-0010, 20-0013, 20-0017, 2021-01, 2021-02, and 2021-03 shall therefore be rescinded.

**NOW, THEREFORE, I, HUGH THOMAS**, as Executive Director of the District, hereby rescind Emergency Final Order 20-0002, as extended by Emergency Final Orders 20-0005, 20-0006, 20-0008, 20-0010, 20-0013, 20-0017, 2021-01, 2021-02, and 2021-03 effective May 17, 2021.

**NOTICE OF RIGHTS**

Persons to whom this Executive Director Order is directed, or whose substantial interests are affected, may request pursuant to Section 373.119(3), Florida Statutes, to petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes, and Chapter 28-106, F.A.C. A request for a hearing must: (1) explain how the petitioner's or the 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.

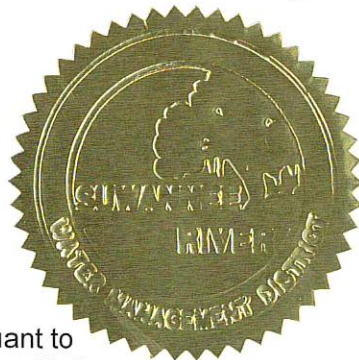
A request for hearing must be filed with and received by the Agency Clerk of the District at the District's address within 21 days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for 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, Florida Statutes.

Mediation pursuant to Section 120.573, Florida Statutes 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 Section 120.569(1), Florida Statutes, 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, Florida Statutes, 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.

PURSUANT TO SECTION 373.119(3), FLORIDA STATUTES, AND NOTWITHSTANDING ANY OTHER PROVISION UNDER CHAPTER 120, FLORIDA STATUTES, PERSONS TO WHOM THE ORDER IS DIRECTED SHALL COMPLY THEREWITH IMMEDIATELY, AND THE TIMELY FILING OF A PETITION SHALL NOT STAY SUCH PERSON'S OBLIGATION TO MAINTAIN SUCH COMPLIANCE DURING THE PENDENCY OF ANY ADMINISTRATIVE PROCEEDING.

**DONE AND ORDERED** in Suwannee County, Florida, on this 17th day of May 2021



Suwannee River Water Management District

By:

Hugh Thomas, Executive Director

Filed this date, pursuant to Section 120.52, F.S., with the Designated District Deputy Clerk, receipt of which is hereby acknowledged.

Warren Zwanka  
Deputy Clerk  
Date: 5/17/2021