

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 15-158
(Emergency Management - Severe Weather and Flooding)

WHEREAS, beginning on July 25th, 2015 and continuing through August 3rd, 2015, several weather systems moved into the State and brought heavy rainfall to portions of North and Central Florida; and

WHEREAS, during that time period, the National Weather Service issued Flood Warnings for Pasco, Hillsborough and Pinellas Counties as well as Flash Flood Warnings for Taylor and Dixie Counties; and

WHEREAS, as a result of these weather systems, total ten day rainfall amounts exceeded 10 inches for a majority of Dixie, Levy, Citrus, Hernando, Pasco, Hillsborough and Pinellas Counties and exceeded 20 inches in western Pasco County; and

WHEREAS, from July 24th to August 3rd, the National Weather Service gauge in Tarpon Springs (Pinellas County) measured approximately 18.54 inches of rain, while during that same time period the Tampa International Airport (Hillsborough County) gauge recorded approximately 14.59 inches of rain; and

WHEREAS, the Anclote River (Pasco County) experienced the seventh highest crest on record at 25.25 feet on August 4th, 2015, and the Steinhatchee River (Taylor County/Dixie County) experienced a top ten record crest at 15.71 feet on August 3rd, 2015; and

WHEREAS, the following rivers in Florida are still at some level of flood stage:

- The Anclote River near Elfers (Pasco County) is at moderate flood stage but was at major flood stage on August 4th and 5th;

- The Steinhatchee River west of Cross City (Taylor County/Dixie County) is at moderate/minor flood stage;
- Cypress Creek near Worthington Gardens (Pasco County) is at minor flood stage;
- The Hillsborough River at Morris Bridge (Hillsborough County) is at minor flood stage;
- The Santa Fe River near Graham (Alachua County/Bradford County) is at minor flood stage;
- The Little Manatee River south of Wimauma (Hillsborough County) is at minor flood stage;
- The Myakka River at Myakka River State Park (Sarasota County/Manatee County) is at minor flood stage;
- The Hillsborough River south of Zephyrhills (Hillsborough County) is at action flood stage but was at minor flood stage on August 4th and 5th;
- The Alafia River at Lithia (Hillsborough County) is at action flood stage but was at minor flood stage on August 4th and 5th;
- The Santa Fe River at Worthington Springs (Alachua County/Union County) is at action flood stage; and,
- The Peace River at Bartow (Polk County) is at action flood stage; and

WHEREAS, The NOAA Climate Prediction Center forecasts above normal rainfall to continue over Northeast Florida, the Florida Big Bend, and portions of western Central Florida through the next 14 days; and

WHEREAS, another frontal system is entering the region and is forecast to stall over northern Florida by Sunday, August 8th; and

WHEREAS, the approaching weather system has the potential to bring another round of locally heavy rainfall and severe weather; and

WHEREAS, another round of heavy rain could produce sufficient runoff to create significant flash flooding in areas already saturated from recent heavy rains; and

WHEREAS, due to heavily saturated grounds, any strong winds associated with the approaching system could bring down trees and damage public infrastructure; and

WHEREAS, as Governor, I am responsible to meet the dangers presented to this State and its people by this emergency; and

WHEREAS, I am responsible for assisting the affected counties in recovering from such storms and for ensuring that timely precautions are taken to protect these communities and families from the threat of additional severe weather.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1 of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that a state of emergency exists in the following counties: **Dixie**, **Hillsborough**, **Pasco**, **Pinellas**, and **Taylor** counties. I will continue to monitor the flooding situation in Alachua, Bradford, Citrus, Hernando, Levy, Manatee, Polk, Sarasota, and Union counties. Depending upon conditions and public safety concerns, I may expand the state of emergency to include additional counties at a future date.

Section 2. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans

necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)–(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact (“EMAC”) (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

C. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency.

D. Designate Deputy State Coordinating Officers. The State Coordinating Officer shall have the authority to enter such orders as may be needed to implement any of the foregoing powers.

Section 3. I also find that the special duties and responsibilities resting upon some state, regional, and local agencies and other governmental bodies in responding to the emergency may require them to waive or deviate from the statutes, rules, ordinances, and orders they administer. I delegate to the state and regional agencies the authority to waive or deviate from such statutes,

rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules, or orders that affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees. I delegate to county, regional, and local governmental agencies the authority to likewise waive or deviate from their respective rules, ordinances, or orders. Any waiver of or deviation from statutes, rules, ordinances, or orders shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty (30) days from the date of this Executive Order, unless extended by the agency in increments not exceeding thirty (30) days, and in no event shall remain in effect beyond the earlier of the date of expiration of this Order, as extended, or ninety (90) days from the date of issuance of this Order. All governmental agencies exercising this authority in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as is practicable.

Without limiting the generality of the foregoing, I order the following:

A. I give all agencies whose employees are certified by the American Red Cross as disaster service volunteers within the meaning of section 110.120(3), Florida Statutes, the authority to release any such employees for such service as requested by the Red Cross to meet this emergency.

B. I give all state agency heads the authority to suspend the effect of any statute, rule, ordinance, or order, to the extent needed to procure any and all necessary supplies, commodities, services, temporary premises, and other resources, including, but not limited to, any and all statutes, rules, ordinances, or orders which affect budgeting, leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees, but not limited to, any statute, rule, ordinance, or order shall be suspended only to the extent necessary to ensure the

timely performance of disaster response functions as prescribed in the State Comprehensive Management Plan, or as directed by the State Coordinating Officer. Any waiver of statutes, rules, ordinances, or orders shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty (30) days from the date of this Executive Order, unless extended in increments of no more than thirty (30) days by the agency, and in no event shall remain in effect beyond the earlier of the date of expiration of this Order, as extended, or ninety (90) days from the date of issuance of this Order.

C. I give all state agency heads the authority to abrogate the time requirements, notice requirements, and deadlines for final action on applications for permits, licenses, rates, and other approvals under any statutes or rules under which such application are deemed to be approved unless disapproved in writing by specified deadlines, and all such time requirements that have not yet expired as of the date of this Executive Order are suspended and tolled to the extent needed to meet this emergency.

Section 4. All public facilities, including elementary and secondary schools, community colleges, state universities, and other facilities owned or leased by the state, regional or local governments that are suitable for use as public shelters shall be made available at the request of the local emergency management agencies to ensure the proper reception and care of all evacuees.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and may be inadequate to pay the costs of coping with this disaster. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

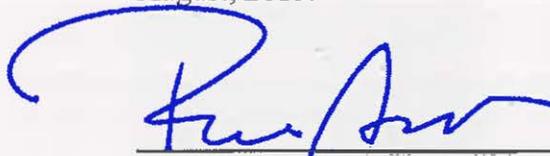
Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204, Florida Statutes, for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 8. All actions taken by the Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty (60) days from this date unless extended.

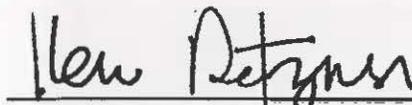


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 6th day of August, 2015.



GOVERNOR

ATTEST:



SECRETARY OF STATE

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TALLAHASSEE, FLORIDA

FILED