SJR #2026-081

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

In Re:

Declaration of a Modified Phase II Severe Water Shortage Within Alachua, Baker, Bradford, Clay, Duval, Flagler, Marion, Nassau, Putnam, and St. Johns Counties

F.O.R. No. 2026-0005

WATER SHORTAGE ORDER PARTIALLY RESCINDING AND MODIFYING WATER SHORTAGE DECLARATION FOR ALACHUA, BAKER, BRADFORD, CLAY, DUVAL, FLAGLER, LAKE, MARION, NASSAU, PUTNAM, AND ST. JOHNS COUNTIES

This matter came before the Executive Director of the St. Johns River Water Management District ("District") on November 9, 2026, at District Headquarters in Palatka, Florida. After consideration and being fully apprised of the matter, the Executive Director issues this Order containing the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The Governing Board issued an Order declaring a Phase I Moderate Water Shortage within Alachua, Baker, Bradford, Duval, and Marion counties on February 10, 2026 ("Phase I Water Shortage Order").

2. On February 23, 2026, the Executive Director issued an Amended and Restated Order ("Amended Order") adding Clay, Flagler, Nassau, Putnam, and St. Johns counties (together with Alachua, Baker, Bradford, Duval, and Marion counties collectively referred to as "Counties of Concern") to the Phase I Water Shortage Order.

3. On March 2, 2026, the Executive Director issued a Water Shortage Order Declaring a Modified Phase II Severe Water Shortage Within Alachua, Baker, Bradford, Clay, Duval, Flagler, Marion, Nassau, Putnam, and St. Johns counties ("Modified Phase II Water

Shortage Order"), which was concurred to by the Governing Board on March 10, 2026, in its Order Concurring with Water Shortage Order Declaring a Modified Phase II Severe Water Shortage Within Alachua, Baker, Bradford, Clay, Duval, Flagler, Marion, Nassau, Putnam, and St. Johns Counties ("Order Concurring With Water Shortage Order").

4. On May 11, 2026, the Executive Director issued a Water Shortage Order Declaring a Phase III Extreme Water Shortage Within Alachua, Baker, Bradford, Clay, Duval, Flagler, Lake, Marion, Nassau, Putnam, and St. Johns counties ("Phase III Water Shortage Order").

5. The District's Water Shortage Plan, adopted as Chapter 40C-21 of the Florida Administrative Code (F.A.C.), provides that the District will periodically evaluate water conditions within the District and use that information to determine whether and to what extent a water shortage should be declared.

6. As of November 3, 2026, the past-year county average rainfall is less than 40 inches for Bradford County, while the past two-year county average rainfall is below 84 inches for Alachua and Baker counties and below 79 inches for Bradford County.

7. Additionally, as of November 4, 2026, multiple groundwater monitoring locations in Baker County show groundwater levels at or below the 15th percentile.

8. An additional consideration for declaring a water shortage concerns the interagency agreements the District has entered into with neighboring water management districts. These agreements were created because jurisdiction over certain counties, such as Alachua County, is split between the District and a neighboring water management district. As a result of this split, the agreements clarify which water management district is responsible for declaring a water shortage in these counties.

9. In July 2012, the District entered into an interagency agreement with the Suwannee River Water Management District concerning jurisdiction over Alachua County.

10. In April 2026, the SRWMD issued a Modified Phase II Water Shortage Order for the entire area within its jurisdiction, which remains in effect.

11. The SRWMD notes that, while the increased rainfall in October has improved drought conditions within its jurisdiction, many lakes and groundwater monitoring wells remain below their long-term average and, therefore, it does not anticipate rescinding its Modified Phase II Water Shortage Order.

12. While drought conditions in Alachua, Baker, and Bradford counties are improving, there is still a need for a Water Shortage Declaration to protect water resources from serious harm. However, modified Phase II restrictions will be sufficient to prevent serious harm to water resources.

13. Because of the overall increase in rainfall, which has raised groundwater and surface water levels, there is no longer a need for a Water Shortage Declaration in Clay, Duval, Flagler, Lake, Marion, Nassau, Putnam, and St. Johns counties to protect the water resources from serious harm.

CONCLUSIONS OF LAW

14. Pursuant to section 373.246(1), Florida Statutes (F.S.), the Governing Board of the District shall formulate a plan for implementation during periods of water shortage to regulate the withdrawal and use of water to protect the water resources of the District. The District's Water Shortage Plan (Chapter 40C-21, F.A.C.) was adopted to accomplish this purpose.

15. Section 373.246(4), F.S., and subsection 40C-21.291(6), F.A.C., authorize the Governing Board to modify or rescind a declaration of water shortage and any restriction adopted pursuant thereto.

16. The District has monitored and evaluated water conditions within the District as required by rule 40C-21.221, F.A.C., and the conditions in Clay, Duval, Flagler, Lake, Marion, Nassau, Putnam, and St. Johns counties have improved sufficiently to warrant rescission of the Phase III Water Shortage Order as to those counties.

17. The District has monitored and evaluated water conditions within the District as required by rule 40C-21.221, F.A.C. Conditions in Alachua, Baker, and Bradford counties have improved but not enough to warrant a full rescission of all water shortage restrictions. Therefore, conditions are such that the Governing Board may modify the current Phase III Water Shortage Order.

18. For a declared water shortage, the District will assign a specific water shortage phase based on Tables 21-1 and 21-2 in Chapter 40C-21, F.A.C., and the factors listed in subsection 40C-21.251(4), F.A.C. An analysis of the tables and factors indicates that re-implementation of the restrictions contained in the Modified Phase II Water Shortage Order should be assigned to the declared water shortage in Alachua, Baker, and Bradford counties.

19. Rule 40C-21.631, F.A.C., contains water use restrictions and measures that will be in effect when a Phase II Severe Water Shortage is declared, unless otherwise provided in this Order. The District has determined that the water use restrictions and measures set forth below are warranted, given conditions in Alachua, Baker, and Bradford counties.

20. Pursuant to sections 373.609 and 373.613, F.S., every state and county attorney, sheriff, police officer, and other appropriate city and county official has the authority to enforce this order.

21. The Phase III Water Shortage Order is currently in effect.

22. Pursuant to the Governing Board actions taken on February 10, 2026, and on March 10, 2026, the Executive Director has been delegated the authority to declare a water shortage in additional areas, change the drought condition level (i.e., phase), and rescind a water shortage declaration, as necessary, to address changing circumstances.

ORDER

Based on the Findings of Fact and Conclusions of Law, the District orders as follows:

1. The Phase III Water Shortage Order is hereby rescinded as to Alachua, Baker, Bradford, Clay, Duval, Flagler, Lake, Marion, Nassau, Putnam, and St. Johns counties.
2. A Modified Phase II Severe Water Shortage is declared for all sources of water within the following areas:
    a. Those portions of Baker and Bradford counties located within the District.
    b. Those portions of Alachua County located within the District, except for the unincorporated areas, for which water shortage-related orders have been delegated to the Suwannee River Water Management District.
3. All classes of water users are encouraged to reduce their water use and conserve water to the maximum extent possible.
4. All classes of water users are encouraged to proactively plan for extended severe drought conditions, and additional mandatory water use restrictions should this Modified Phase II

Severe Water Shortage Order be modified or advance to a Phase III Extreme Water Shortage Order.

5. Wasteful and unnecessary water use is prohibited regardless of the phase of water shortage. Such wasteful and unnecessary water use includes, but is not limited to:

   a. Allowing water to be dispersed without any practical purpose to the water user, regardless of the type of water use.

   b. Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use.

   c. Allowing water to be dispersed to accomplish a purpose for which water use is unnecessary or which can be readily accomplished through alternative methods of significantly less water use.

6. The following restrictions and measures, as detailed in rules 40C-21.601, 40C-21.631, and 40C-21.641, F.A.C., are imposed for all sources and uses of water, including those exempt from permitting pursuant to Chapter 40C-2, F.A.C., except for the domestic use of water as defined in section 373.019(6), F.S., and users whose sole source of water is reclaimed water or seawater.

7. Public Supply Uses

   a. All public supply water consumptive use permittees should institute or accelerate system-level water conservation measures that can help manage demand.

8. Commercial/Industrial/Institutional Uses

   a. Whether or not a Consumptive Use Permit authorizes a commercial/industrial/institutional water use activity with associated landscape irrigation, the landscape irrigation component is separately regulated for purposes

of this Order and is subject to the Landscape Irrigation and Uses restrictions outlined below.

b. All commercial/industrial/institutional water use should be voluntarily reduced.

c. For all commercial/industrial/institutional water use, the following demand management measures should be implemented as applicable:

i. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

ii. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

iii. Maximize the use of the least restricted Source Class to which there is access.

9. Agriculture Uses

a. Whether or not a Consumptive Use Permit authorizes an agricultural water use activity with associated landscape irrigation, the landscape irrigation component is separately regulated for purposes of this Order and is subject to the Landscape Irrigation and Uses restrictions outlined below.

b. The following demand management measures should be implemented, as applicable:

i. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

ii. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

iii. Maximize the use of the lesser or least restricted Source Class to which there is access.

10. Landscape/Recreation/Aesthetic Uses

a. Landscape Irrigation and Uses

i. The following restrictions and measures shall apply to all landscape uses, as applicable:

1) All landscape use should be voluntarily reduced.

2) All of the following demand management measures shall be implemented, as applicable:

a) Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b) Recycle water to the extent economically, environmentally, and technically feasible.

c) Maximize the use of the least restricted Source Class to which there is access.

b. Golf Courses

i. The following water use measures shall apply to all golf courses:

1) All golf course water use should be voluntarily reduced.

2) The following demand management measures should be implemented, as applicable:

a) Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b) Recycle water to the extent economically, environmentally, and technically feasible.

c) Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

d) Maximize the use of the least restricted Source Class to which there is access.

c. Recreational Areas

i. The following water use measures shall apply to all recreational areas, such as playgrounds, football, baseball, and soccer fields, but do not apply to golf courses.

1) All recreational area water use should be voluntarily reduced.

2) The following demand management measures shall be implemented, as applicable:

a) Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b) Recycle water on-site to the extent economically, environmentally, and technically feasible.

c) Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

d) Maximize the use of the least restricted Source Class to which there is access.

3) Applications of fertilizers, herbicides, and pesticides should be coordinated with irrigation schedules.

d. Water-Based Recreation

i. All pools shall be maintained in a manner that minimizes the need for make-up water. Examples of such actions include, but are not limited to, the prompt repair of leaks, optimum scheduling of backwash filtration, and the use of shade or covers to reduce evaporation.

ii. Commercial and institutional uses of water for recreational purposes shall comply with the requirements outlined in the Commercial/Industrial/Institutional Uses section above.

e. Aesthetic Uses

i. Aesthetic uses of water are prohibited.

11. Other Uses

a. Except as provided in this section, all other uses of water should be voluntarily reduced, and the following demand management measures shall be implemented, as applicable:

i. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

ii. Recycle water to the extent economically, environmentally, and technically feasible.

iii. Maximize the use of the least restricted Source Class to which there is access.

b. Washing or cleaning of buildings, structures, and outdoor impervious surfaces:

i. Pressure washing of buildings or other structures in preparation for painting, sealing, or as a construction practice is allowed.

ii. Pressure washing driveways, sidewalks, and other impervious surfaces is allowed for necessary maintenance, such as to either maintain a warranty or remove mold, mildew, and other potentially hazardous materials that cannot be removed by mechanical means (such as a broom or leaf blower), and as a construction practice (such as cleaning a concrete surface before painting or sealing). Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

c. Mobile equipment washing

i. Commercial car washes, hand-detailing operations, and similar establishments shall comply with the requirements outlined in the Commercial/Industrial/Institutional Uses section above.

d. No person or entity, like a homeowner's association or property manager, shall enforce any deed restrictions or other community standards that would cause a violation of this Order.

12. The Executive Director requests that every city and county commission, state and county attorney, sheriff, police officer, and other appropriate local governmental official assist in the implementation and enforcement of this Order.

13. This Order shall supersede the Phase III Water Shortage Order, and shall become immediately effective once executed by the Executive Director and rendered by the District Clerk.

Done and Ordered this 9th day of November, 2026, at Palatka, Florida.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373, F.S.

BY: _____
Michael A. Register, P.E., Executive Director

RENDERED this 9th day of November, 2026.

BY: _____
Courtney Waldron, District Clerk