

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**In re:**

**EMERGENCY AUTHORIZATION FOR  
PROTECTION OF MAJOR STRUCTURES  
IN ST. JOHNS COUNTY MADE NECESSARY  
BY HURRICANE IRMA**

**OGC NO. 17-1001**

**AMENDED EMERGENCY FINAL ORDER**

Under Sections 120.569(2)(n), 252.36, and 252.46, Florida Statutes, and upon consideration of the State of Florida Executive Order No. 17-235, the State of Florida Department of Environmental Protection (Department) enters this Amended Emergency Final Order, amending and extending Emergency Final Order 17-1001, issued on September 18, 2017, in response to the imminent or immediate danger to the public health, safety, and welfare of the citizens of the State of Florida posed by Hurricane Irma (hereinafter “the Hurricane”). This Amended Emergency Final Order hereby adopts and incorporates the Findings of Fact and Conclusions of Law made in Emergency Final Order 17-1001, issued on September 18, 2017, and finds that those conditions caused by the Hurricane continue to exist.

***THEREFORE, IT IS ORDERED THAT THE EMERGENCY FINAL ORDER ISSUED SEPTEMBER 18, 2017, IS AMENDED AS FOLLOWS:***

**A. COASTAL ARMORING FOR MAJOR STRUCTURES LOCATED IN THE EMERGENCY AREA:**

Paragraph A. is amended to include the following paragraph:

3. **For temporary emergency armoring only**, Rule 62B-33.008(3)(d), F.A.C., requiring that a permit application include “written evidence, provided by the appropriate local governmental entity having jurisdiction over the activity, that the proposed activity, as submitted to the Department, does not contravene local setback requirements or zoning codes.” This waiver does not relieve a permit applicant from the need to obtain any required applicable Federal, state,

or local permit or authorization for the proposed activity, it merely waives the requirement that permit applicants provide written evidence, from the local government, of the activity's compliance to the Department for temporary emergency armoring.


All other terms of the Emergency Final Order, as executed on September 18, 2017, remain in full force and effect; permit applications submitted pursuant to this Emergency Final Order must be received by the Department on or before November 3, 2017. This Amended Emergency Order shall expire on November 3, 2017, unless modified or extended by further order.

### NOTICE OF RIGHTS

Pursuant to Section 120.569(2)(n), Florida Statutes, any party adversely affected by this Order has the right to seek an injunction of this Order in circuit court or judicial review of it under Section 120.68, Florida Statutes. Judicial review must be sought by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the Department.

**DONE AND ORDERED** on this 4<sup>th</sup> day of October 2017, in Tallahassee, Florida.

FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

  
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Noah Valenstein, Secretary  
3900 Commonwealth Blvd  
Tallahassee, FL 32399-3000

FILED on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
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CLERK

DATE 10/04/2017