

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

NOTICE OF RULE DEVELOPMENT

RULE NO.:

40C-8.031, F.A.C.

RULE TITLE:

Minimum Surface Water Levels and Flows
and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to (1) adopt minimum water levels for the following lakes in the following counties: Lake Avalon and Lake Hiawassee in Orange County, and Johns Lake in Lake and Orange Counties; and (2) amend established minimum water levels for the following lakes in the following counties: Indian Lake in Volusia County, Lake Prevatt in Orange County, and Sylvan Lake in Seminole County.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would establish or amend established minimum water levels for the above listed lakes pursuant to the mandate of section 373.042, Florida Statutes. Each of the established or amended levels have an associated duration and return interval. The terms herein are already defined in chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. to 12:00 p.m. on October 19, 2010

PLACE: City of Sanford, 300 North Park Avenue, Sanford, Florida 32771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT

IS: Wendy Gaylord, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386) 326-3026 or email address wgaylord@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) through (3) No change.

(4) The following minimum surface water levels are established:

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Aphsawa North	Lake	Frequent High	85.0	Seasonally flooded	—	—
		Average	83.3	Typically saturated	—	—
		Frequent Low	81.3	Semipermanently flooded	—	—
Aphsawa South	Lake	Frequent High	86.0	Seasonally Flooded	—	—
		Average	84.7	Typically Saturated	—	—
		Frequent Low	83.2	Semipermanently Flooded	—	—
Argenta	Putnam	Frequent High	50.1	Seasonally Flooded	—	—
		Average	47.7	Typically Saturated	—	—
		Frequent Low	46.3	Semipermanently Flooded	—	—
Ashby	Volusia	Frequent High	12.3	—	60	2
		Frequent Low	11.1	—	120	5
Avalon	Orange	Frequent High	90.0	—	30	3
		Frequent Low	86.4	—	120	3
Banana	Putnam	Frequent High	38.0	Seasonally Flooded	—	—
		Average	36.2	Typically Saturated	—	—
		Frequent Low	34.4	Semipermanently Flooded	—	—
Bell	Putnam	Frequent High	42.5	Temporarily Flooded	—	—
		Average	40.5	Typically Saturated	—	—
		Frequent Low	38.7	Semipermanently Flooded	—	—
Big	Volusia	Frequent High	26.1	Seasonally Flooded	—	—
		Average	25.0	Typically Saturated	—	—
		Frequent Low	23.7	Semipermanently Flooded	—	—
Bird Pond	Putnam	Frequent High	41.8	Seasonally Flooded	—	—
		Average	39.5	Typically Saturated	—	—
		Frequent Low	38.1	Semipermanently Flooded	—	—
Blue Pond	Clay	Frequent High	174.1	Temporarily Flooded	—	—
		Average	173.3	Typically Saturated	—	—
		Frequent Low	171.7	Semipermanently Flooded	—	—
Boggy Marsh	Lake	Frequent High	117.3	Seasonally Flooded	—	—
		Average	115.9	Typically Saturated	—	—
		Frequent Low	114.5	Semipermanently Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Bowers	Marion	Frequent High	57.1	Temporarily Flooded	—	—
		Average	54.0	Typically Saturated	—	—
		Frequent Low	52.7	Sempermanently Flooded	—	—
Brantley	Seminole	Frequent High	46.3	Seasonally Flooded	—	—
		Average	45.6	Typically Saturated	—	—
		Frequent Low	44.1	Sempermanently Flooded	—	—
Brooklyn	Clay	Frequent High	114.6	Temporarily Flooded	—	—
		Average	108.0	Typically Saturated	—	—
		Frequent Low	101.0	Sempermanently Flooded	—	—
Broward	Putnam	Frequent High	40.0	Temporarily Flooded	—	—
		Average	38.2	Typically Saturated	—	—
		Frequent Low	36.5	Sempermanently Flooded	—	—
Burkett	Orange	Frequent High	53.5	Seasonally Flooded	—	—
		Average	52.6	Typically Saturated	—	—
		Frequent Low	51.2	Sempermanently Flooded	—	—
Charles	Marion	Frequent High	40.2	Seasonally Flooded	—	—
		Average	39.3	Typically Saturated	—	—
		Frequent Low	37.9	Sempermanently Flooded	—	—
Cherry	Lake	Frequent High	96.0	Seasonally Flooded	—	—
		Average	94.9	Typically Saturated	—	—
		Frequent Low	93.4	Sempermanently Flooded	—	—
Clear	Putnam	Frequent High	37.4	Temporarily Flooded	—	—
		Average	36.4	Typically Saturated	—	—
		Frequent Low	34.9	Sempermanently Flooded	—	—
Colby	Volusia	Frequent High	27.6	—	30	3
		Frequent Low	22.9	—	120	3
Como	Putnam	Frequent High	38.0	Seasonally Flooded	—	—
		Average	36.2	Typically Saturated	—	—
		Frequent Low	34.4	Sempermanently Flooded	—	—
Como, Little Lake	Putnam	Frequent High	38.0	Seasonally Flooded	—	—
		Average	36.6	Typically Saturated	—	—
		Frequent Low	35.2	Sempermanently Flooded	—	—
Coon Pond	Volusia	Frequent High	35.7	Seasonally Flooded	—	—
		Average	34.6	Typically Saturated	—	—
		Frequent Low	33.1	Sempermanently Flooded	—	—
Cowpen	Putnam	Frequent High	89.1	Temporarily Flooded	—	—
		Average	85.7	Typically Saturated	—	—
		Frequent Low	84.2	Sempermanently Flooded	—	—
Cow Pond	Volusia	Frequent High	40.5	Seasonally Flooded	—	—
		Average	39.8	Typically Saturated	—	—
		Frequent Low	37.6	Sempermanently Flooded	—	—
Crystal/Baker	Putnam	Frequent High	35.5	Seasonally Flooded	—	—
		Average	33.9	Typically Saturated	—	—
		Frequent Low	33.0	Sempermanently Flooded	—	—
Daugharty	Volusia	Frequent High	44.8	Temporarily Flooded	—	—
		Average	42.6	Typically Saturated	—	—
		Frequent Low	41.2	Sempermanently Flooded	—	—
Davis	Volusia	Frequent High	36.2	Seasonally Flooded	—	—
		Average	35.4	Typically Saturated	—	—
		Frequent Low	34.0	Sempermanently Flooded	—	—
Deep	Putnam	Frequent High	35.0	Seasonally Flooded	—	—
		Average	33.1	Typically Saturated	—	—
		Frequent Low	32.2	Sempermanently Flooded	—	—
Dias	Volusia	Frequent High	34.6	Seasonally Flooded	—	—
		Average	33.5	Typically Saturated	—	—
		Frequent Low	32.2	Sempermanently Flooded	—	—
Disston	Flagler	Frequent High	13.8	Seasonally Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	13.2	Typically Saturated	—	—
		Frequent Low	12.5	Sempermanently Flooded	—	—
Dorr	Lake	Frequent High	43.5	Seasonally Flooded	—	—
		Average	43.1	Typically Saturated	—	—
		Frequent Low	42.1	Sempermanently Flooded	—	—
Dream Pond	Putnam	Frequent High	49.0	Seasonally Flooded	—	—
		Average	47.5	Typically Saturated	—	—
		Frequent Low	46.0	Sempermanently Flooded	—	—
Drudy	Volusia	Frequent High	42.1	Seasonally Flooded	—	—
		Average	40.6	Typically Saturated	—	—
		Frequent Low	39.1	Sempermanently Flooded	—	—
Echo	Putnam	Frequent High	38.8	Seasonally Flooded	—	—
		Average	36.7	Typically Saturated	—	—
		Frequent Low	35.2	Sempermanently Flooded	—	—
Emma	Lake	Frequent High	94.1	Seasonally Flooded	—	—
		Average	92.5	Typically Saturated	—	—
		Frequent Low	91.1	Sempermanently Flooded	—	—
Emporia	Volusia	Frequent High	38.9	Seasonally Flooded	—	—
		Average	35.8	Typically Saturated	—	—
		Frequent Low	34.3	Sempermanently Flooded	—	—
Estella	Putnam	Frequent High	38.6	Seasonally Flooded	—	—
		Average	37.2	Typically Saturated	—	—
		Frequent Low	36.5	Sempermanently Flooded	—	—
Fox	Brevard	Frequent High	16.7	Temporarily Flooded	—	—
		Average	15.3	Typically Saturated	—	—
		Frequent Low	13.8	Sempermanently Flooded	—	—
Geneva	Clay	Frequent High	103.0	Seasonally Flooded	—	—
		Average	101.0	Typically Saturated	—	—
		Frequent Low	98.5	Sempermanently Flooded	—	—
Georges Lake	Putnam	Frequent High	98.4	Seasonally Flooded	—	—
		Average	97.8	Typically Saturated	—	—
		Frequent Low	97.0	Sempermanently Flooded	—	—
Gertie	Volusia	Frequent High	27.5	Temporarily Flooded	—	—
		Average	25.6	Typically Saturated	—	—
		Frequent Low	23.3	Sempermanently Flooded	—	—
Gore	Flagler	Frequent High	21.1	—	30	3
		Average	20.6	—	180	1.5
		Frequent Low	19.2	—	120	5
Grandin	Putnam	Frequent High	81.5	—	30	2
		Frequent Low	78.6	—	120	5
Halfmoon	Marion	Frequent High	49.7	Seasonally Flooded	—	—
		Average	47.9	Typically Saturated	—	—
		Frequent Low	46.5	Sempermanently Flooded	—	—
Helen	Volusia	Frequent High	46.1	Temporarily Flooded	—	—
		Average	44.2	Typically Saturated	—	—
		Frequent Low	43.6	Sempermanently Flooded	—	—
Hiawassee	Orange	Frequent High	76.4	—	30	3
		Frequent Low	72.9	—	120	3
Hires	Volusia	Frequent High	41.0	Seasonally Flooded	—	—
		Average	39.5	Typically Saturated	—	—
		Frequent Low	38.0	Sempermanently Flooded	—	—
Hokey	Volusia	Frequent High	35.4	Seasonally Flooded	—	—
		Average	33.7	Typically Saturated	—	—
		Frequent Low	32.3	Sempermanently Flooded	—	—
Hopkins Prairie	Marion	Frequent High	25.8	Seasonally Flooded	—	—
		Average	23.4	Typically Saturated	—	—
		Frequent Low	22.0	Sempermanently Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Howell	Putnam	Frequent High	34.5	Seasonally Flooded	—	—
		Average	33.6	Typically Saturated	—	—
		Frequent Low	31.8	Sempermanently Flooded	—	—
Howell	Seminole	Frequent High	53.7	Seasonally Flooded	—	—
		Average	52.9	Typically Saturated	—	—
		Frequent Low	51.5	Sempermanently Flooded	—	—
Indian	Volusia	Frequent High	<u>36.2-37.0</u>	Seasonally Flooded	<u>30</u>	<u>3</u>
		Average	<u>35.0-36.1</u>	Typically Saturated	<u>180</u>	<u>1.5</u>
		Frequent Low	<u>32.8-34.4</u>	Sempermanently Flooded	<u>120</u>	<u>5</u>
Irma	Orange	Frequent High	55.1	Seasonally Flooded	—	—
		Average	54.8	Typically Saturated	—	—
		Frequent Low	53.4	Sempermanently Flooded	—	—
Johns	Orange and Lake	Infrequent High	<u>96.3</u>	—	<u>120</u>	<u>25</u>
		Infrequent Low	<u>86.1</u>	—	<u>90</u>	<u>17</u>
Kerr	Marion	Frequent High	24.4	Seasonally Flooded	—	—
		Average	22.9	Typically Saturated	—	—
		Frequent Low	21.5	Sempermanently Flooded	—	—
Lizzie	Putnam	Frequent High	43.9	Seasonally Flooded	—	—
		Average	42.7	Typically Saturated	—	—
		Frequent Low	41.7	Sempermanently Flooded	—	—
Louisa	Lake	Frequent High	96.5	Seasonally Flooded	—	—
		Average	95.4	Typically Saturated	—	—
		Frequent Low	94.0	Sempermanently Flooded	—	—
Lower Lake Louise	Volusia	Frequent High	31.8	Seasonally Flooded	—	—
		Average	31.2	Typically Saturated	—	—
		Frequent Low	29.7	Sempermanently Flooded	—	—
Lucy	Lake	Frequent High	94.1	Seasonally Flooded	—	—
		Average	92.5	Typically Saturated	—	—
		Frequent Low	91.1	Sempermanently Flooded	—	—
Magnolia	Clay	Frequent High	124.7	Seasonally Flooded	—	—
		Average	124.2	Typically Saturated	—	—
		Frequent Low	121.4	Sempermanently Flooded	—	—
Mall, Little Lake	Putnam	Frequent High	38.7	Seasonally Flooded	—	—
		Average	36.8	Typically Saturated	—	—
		Frequent Low	35.2	Sempermanently Flooded	—	—
Margaret	Putnam	Frequent High	35.2	Seasonally Flooded	—	—
		Average	34.5	Typically Saturated	—	—
		Frequent Low	32.5	Sempermanently Flooded	—	—
Martha	Orange	Frequent High	53.5	Seasonally Flooded	—	—
		Average	52.6	Typically Saturated	—	—
		Frequent Low	51.2	Sempermanently Flooded	—	—
Marvin	Putnam	Frequent High	38.6	Seasonally Flooded	—	—
		Average	37.3	Typically Saturated	—	—
		Frequent Low	36.3	Sempermanently Flooded	—	—
McGrady	Putnam	Frequent High	41.5	Seasonally Flooded	—	—
		Average	39.9	Typically Saturated	—	—
		Frequent Low	37.8	Sempermanently Flooded	—	—
McKasel	Putnam	Frequent High	36.7	Seasonally Flooded	—	—
		Average	35.5	Typically Saturated	—	—
		Frequent Low	34.1	Sempermanently Flooded	—	—
Melrose	Putnam	Frequent High	105.2	Seasonally Flooded	—	—
		Average	104.2	Typically Saturated	—	—
		Frequent Low	102.8	Sempermanently Flooded	—	—
Mills	Seminole	Frequent High	42.5	Seasonally Flooded	—	—
		Average	41.4	Typically Saturated	—	—
		Frequent Low	39.9	Sempermanently Flooded	—	—
Minneola	Lake	Frequent High	96.0	Seasonally Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	95.3	Typically Saturated	—	—
		Frequent Low	93.9	Sempermanently Flooded	—	—
Monroe	Seminole and Volusia	Frequent High	2.8	—	30	2
		Average	1.2	—	180	1.5
		Frequent Low	0.5	—	120	5
Nettles / English	Putnam	Frequent High	44.3	Seasonally Flooded	—	—
		Average	42.7	Typically Saturated	—	—
		Frequent Low	41.7	Sempermanently Flooded	—	—
Nicotoon	Marion	Frequent High	54.7	Seasonally Flooded	—	—
		Average	53.3	Typically Saturated	—	—
		Frequent Low	51.9	Sempermanently Flooded	—	—
Norris	Lake	Frequent High	30.5	Seasonally Flooded	—	—
		Average	29.7	Typically Saturated	—	—
		Frequent Low	29.1	Sempermanently Flooded	—	—
North Como Park	Putnam	Frequent High	41.3	Seasonally Flooded	—	—
		Average	39.7	Typically Saturated	—	—
		Frequent Low	38.5	Sempermanently Flooded	—	—
North Talmadge	Volusia	Frequent High	55.6	Seasonally Flooded	—	—
		Average	54.4	Typically Saturated	—	—
		Frequent Low	52.9	Sempermanently Flooded	—	—
Omega	Putnam	Frequent High	57.4	Temporarily Flooded	—	—
		Average	56.1	Typically Saturated	—	—
		Frequent Low	54.0	Sempermanently Flooded	—	—
Orio	Putnam	Frequent High	37.1	Seasonally Flooded	—	—
		Average	35.6	Typically Saturated	—	—
		Frequent Low	34.7	Sempermanently Flooded	—	—
Pam	Putnam	Frequent High	39.3	Seasonally Flooded	—	—
		Average	37.5	Typically Saturated	—	—
		Frequent Low	36.1	Sempermanently Flooded	—	—
Pearl	Orange	Frequent High	53.5	Seasonally Flooded	—	—
		Average	52.6	Typically Saturated	—	—
		Frequent Low	51.2	Sempermanently Flooded	—	—
Pierson	Volusia	Frequent High	34.4	Seasonally Flooded	—	—
		Average	33.8	Typically Saturated	—	—
		Frequent Low	32.4	Sempermanently Flooded	—	—
Pine Island	Lake	Frequent High	107.7	Seasonally Flooded	—	—
		Average	106.8	Typically Saturated	—	—
		Frequent Low	105.4	Sempermanently Flooded	—	—
Prevatt	Orange	Frequent High	55.8-56.0	Seasonally Flooded	30	2
		Average	53.0	Typically Saturated	—	—
		Frequent Low	50.4-50.9	Sempermanently Flooded	120	5
Prior	Putnam	Frequent High	42.3	Seasonally Flooded	—	—
		Average	40.0	Typically Saturated	—	—
		Frequent Low	39.0	Sempermanently Flooded	—	—
Purdum	Volusia	Frequent High	37.0	Seasonally Flooded	—	—
		Average	36.4	Typically Saturated	—	—
		Frequent Low	35.0	Sempermanently Flooded	—	—
Sand	Putnam	Frequent High	40.9	Seasonally Flooded	—	—
		Average	39.0	Typically Saturated	—	—
		Frequent Low	36.6	Sempermanently Flooded	—	—
Sand Hill	Clay	Frequent High	132.0	Seasonally Flooded	—	—
		Average	131.6	Typically Saturated	—	—
		Frequent Low	129.5	Sempermanently Flooded	—	—
Savannah	Volusia	Frequent High	31.1	Seasonally Flooded	—	—
		Average	29.5	Typically Saturated	—	—
		Frequent Low	28.0	Sempermanently Flooded	—	—
Scoggin	Volusia	Frequent High	35.0	Seasonally Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	34.1	Typically Saturated	—	—
		Frequent Low	32.7	Semipermanently Flooded	—	—
Shaw	Volusia	Frequent High	36.7	—	30	3
		Average	35.4	—	180	1.7
		Frequent Low	33.7	—	120	3
Silver	Putnam	Frequent High	36.8	Seasonally Flooded	—	—
		Average	35.1	Typically Saturated	—	—
		Frequent Low	33.7	Semipermanently Flooded	—	—
Smith	Marion	Frequent High	54.6	Temporarily Flooded	—	—
		Average	51.4	Typically Saturated	—	—
		Frequent Low	50.0	Semipermanently Flooded	—	—
South	Brevard	Frequent High	16.7	Temporarily Flooded	—	—
		Average	15.3	Typically Saturated	—	—
		Frequent Low	13.8	Semipermanently Flooded	—	—
South Como Park	Putnam	Frequent High	38.1	Seasonally Flooded	—	—
		Average	36.7	Typically Saturated	—	—
		Frequent Low	35.3	Semipermanently Flooded	—	—
Star	Putnam	Frequent High	77.5	Seasonally Flooded	—	—
		Average	75.4	Typically Saturated	—	—
		Frequent Low	74.0	Semipermanently Flooded	—	—
Stella	Putnam	Frequent High	39.4	Seasonally Flooded	—	—
		Average	38.6	Typically Saturated	—	—
		Frequent Low	37.2	Semipermanently Flooded	—	—
Sunset	Lake	Frequent High	85.9	Temporarily Flooded	—	—
		Average	83.5	Typically Saturated	—	—
		Frequent Low	81.0	Semipermanently Flooded	—	—
Swan	Putnam	Frequent High	93.0	Temporarily Flooded	—	—
		Average	90.3	Typically Saturated	—	—
Sylvan	Seminole	Frequent High	41.2-40.4	Seasonally Flooded	30	5
		Average	38.9	Typically Saturated	180	1.7
		Frequent Low	36.7-37.5	Semipermanently Flooded	120	5
Tarhoe	Putnam	Frequent High	37.0	Seasonally Flooded	—	—
		Average	36.0	Typically Saturated	—	—
		Frequent Low	35.2	Semipermanently Flooded	—	—
Three Island Lakes	Volusia	Frequent High	23.7	—	30	5
		Frequent Low	19.4	—	120	10
Trone	Putnam	Frequent High	37.5	Seasonally Flooded	—	—
		Average	35.7	Typically Saturated	—	—
		Frequent Low	34.3	Semipermanently Flooded	—	—
Trout	Volusia	Frequent High	23.3	Seasonally Flooded	—	—
		Average	20.9	Typically Saturated	—	—
		Frequent Low	17.7	Semipermanently Flooded	—	—
Tusawilla	Alachua	Frequent High	77.6	Seasonally Flooded	—	—
		Average	74.6	Typically Saturated	—	—
		Frequent Low	73.2	Semipermanently Flooded	—	—
Upper Lake Louise	Volusia	Frequent High	35.3	Seasonally Flooded	—	—
		Average	34.6	Typically Saturated	—	—
		Frequent Low	33.2	Semipermanently Flooded	—	—
Washington	Brevard	Frequent High	15.6	Seasonally Flooded	—	—
		Average	14.2	Typically Saturated	—	—
		Frequent Low	12.8	Semipermanently Flooded	—	—
Wauberg	Alachua	Frequent High	67.4	Seasonally Flooded	—	—
		Average	67.1	Typically Saturated	—	—
		Frequent Low	65.6	Semipermanently Flooded	—	—
Weir	Marion	Frequent High	57.2	Seasonally Flooded	—	—
		Average	56.4	Typically Saturated	—	—
		Frequent Low	54.9	Semipermanently Flooded	—	—

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Winnemissett	Volusia	Frequent High	59.5	Seasonally Flooded	—	—
		Average	57.8	Typically Saturated	—	—
		Frequent Low	56.0	Semipermanently Flooded	—	—
Winona	Volusia	Frequent High	36.1	Seasonally Flooded	—	—
		Average	33.5	Typically Saturated	—	—
		Frequent Low	32.0	Semipermanently Flooded	—	—
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(5) and (6) No change.

Rulemaking Authority: 373.044, 373.113 FS. Law Implemented: 373.042, 373.0421, 373.103, 373.415 FS. History--New 9-16-92. Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03, 11-10-03, 01-12-04, 2-1-06, 12-03-06, _____

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