

NOTICE OF RULE DEVELOPMENT

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

RULE NO.:

RULE TITLE:

40C-8.031, F.A.C.

Minimum Surface Water Levels and Flows  
and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to amend established minimum water levels for the following lakes in the following counties: Lake Geneva in Clay County, and Cowpen Lake and Lake Tarhoe in Putnam County.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would amend established minimum water levels for the above listed lakes pursuant to the mandate of section 373.042, Florida Statutes. Each of the 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.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386) 326-3026, or email address [wgaylord@sjrwm.com](mailto:wgaylord@sjrwm.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)
Apshawa North	Lake	Frequent High	85.0	Seasonally flooded	–	–
		Average	83.3	Typically saturated	–	–
		Frequent Low	81.3	Semipermanently flooded	–	–
Apshawa 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
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	–	–
Bowers	Marion	Frequent High	57.1	Temporarily Flooded	–	–
		Average	54.0	Typically Saturated	–	–
		Frequent Low	52.7	Semipermanently Flooded	–	–
Brantley	Seminole	Frequent High	46.3	Seasonally Flooded	–	–
		Average	45.6	Typically Saturated	–	–
		Frequent Low	44.1	Semipermanently Flooded	–	–
Brooklyn	Clay	Frequent High	114.6	Temporarily Flooded	–	–
		Average	108.0	Typically Saturated	–	–
		Frequent Low	101.0	Semipermanently Flooded	–	–
Broward	Putnam	Frequent High	40.0	Temporarily Flooded	–	–
		Average	38.2	Typically Saturated	–	–
		Frequent Low	36.5	Semipermanently Flooded	–	–
Burkett	Orange	Frequent High	53.5	Seasonally Flooded	–	–
		Average	52.6	Typically Saturated	–	–
		Frequent Low	51.2	Semipermanently Flooded	–	–
Charles	Marion	Frequent High	40.2	Seasonally Flooded	–	–
		Average	39.3	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	37.9	Semipermanently Flooded	–	–
Cherry	Lake	Frequent High	96.0	Seasonally Flooded	–	–
		Average	94.9	Typically Saturated	–	–
		Frequent Low	93.4	Semipermanently Flooded	–	–
Clear	Putnam	Frequent High	37.4	Temporarily Flooded	–	–
		Average	36.4	Typically Saturated	–	–
		Frequent Low	34.9	Semipermanently 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	Semipermanently Flooded	–	–
Como, Little Lake	Putnam	Frequent High	38.0	Seasonally Flooded	–	–
		Average	36.6	Typically Saturated	–	–
		Frequent Low	35.2	Semipermanently Flooded	–	–
Coon Pond	Volusia	Frequent High	35.7	Seasonally Flooded	–	–
		Average	34.6	Typically Saturated	–	–
		Frequent Low	33.1	Semipermanently Flooded	–	–
Cowpen	Putnam	<u>Infrequent High</u>	<u>92.3</u>	–	<u>30</u>	<u>25</u>
		Frequent High	89.1	Temporarily Flooded	–	–
		Average	85.7	Typically Saturated	–	–
		Frequent Low	84.2	Semipermanently Flooded	–	–
		<u>Infrequent Low</u>	<u>77.2</u>	–	<u>30</u>	<u>50</u>
Cow Pond	Volusia	Frequent High	40.5	Seasonally Flooded	–	–
		Average	39.8	Typically Saturated	–	–
		Frequent Low	37.6	Semipermanently Flooded	–	–
Crystal/Baker	Putnam	Frequent High	35.5	Seasonally Flooded	–	–
		Average	33.9	Typically Saturated	–	–
		Frequent Low	33.0	Semipermanently Flooded	–	–
Daugharty	Volusia	Frequent High	44.8	Temporarily Flooded	–	–
		Average	42.6	Typically Saturated	–	–
		Frequent Low	41.2	Semipermanently Flooded	–	–
Davis	Volusia	Frequent High	36.2	Seasonally Flooded	–	–
		Average	35.4	Typically Saturated	–	–
		Frequent Low	34.0	Semipermanently Flooded	–	–
Deep	Putnam	Frequent High	35.0	Seasonally Flooded	–	–
		Average	33.1	Typically Saturated	–	–
		Frequent Low	32.2	Semipermanently Flooded	–	–
Dias	Volusia	Frequent High	34.6	Seasonally Flooded	–	–
		Average	33.5	Typically Saturated	–	–
		Frequent Low	32.2	Semipermanently Flooded	–	–
Disston	Flagler	Frequent High	13.8	Seasonally Flooded	–	–
		Average	13.2	Typically Saturated	–	–
		Frequent Low	12.5	Semipermanently Flooded	–	–
Dorr	Lake	Frequent High	43.5	Seasonally Flooded	–	–
		Average	43.1	Typically Saturated	–	–
		Frequent Low	42.1	Semipermanently Flooded	–	–
Dream Pond	Putnam	Frequent High	49.0	Seasonally Flooded	–	–
		Average	47.5	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	46.0	Semipermanently Flooded	–	–
Drudy	Volusia	Frequent High	42.1	Seasonally Flooded	–	–
		Average	40.6	Typically Saturated	–	–
		Frequent Low	39.1	Semipermanently Flooded	–	–
Echo	Putnam	Frequent High	38.8	Seasonally Flooded	–	–
		Average	36.7	Typically Saturated	–	–
		Frequent Low	35.2	Semipermanently Flooded	–	–
Emma	Lake	Frequent High	94.1	Seasonally Flooded	–	–
		Average	92.5	Typically Saturated	–	–
		Frequent Low	91.1	Semipermanently Flooded	–	–
Emporia	Volusia	Frequent High	38.9	Seasonally Flooded	–	–
		Average	35.8	Typically Saturated	–	–
		Frequent Low	34.3	Semipermanently Flooded	–	–
Estella	Putnam	Frequent High	38.6	Seasonally Flooded	–	–
		Average	37.2	Typically Saturated	–	–
		Frequent Low	36.5	Semipermanently Flooded	–	–
Fox	Brevard	Frequent High	16.7	Temporarily Flooded	–	–
		Average	15.3	Typically Saturated	–	–
		Frequent Low	13.8	Semipermanently Flooded	–	–
Geneva	Clay	<u>Infrequent High</u>	<u>106.3</u>	–	<u>120</u>	<u>25</u>
		Frequent High	103.0	Seasonally Flooded	–	–
		Average	101.0	Typically Saturated	–	–
		Frequent Low	98.5	Semipermanently Flooded	–	–
		<u>Infrequent Low</u>	<u>83.3</u>	–	<u>90</u>	<u>17</u>
Georges Lake	Putnam	Frequent High	98.4	Seasonally Flooded	–	–
		Average	97.8	Typically Saturated	–	–
		Frequent Low	97.0	Semipermanently Flooded	–	–
Gertie	Volusia	Frequent High	27.5	Temporarily Flooded	–	–
		Average	25.6	Typically Saturated	–	–
		Frequent Low	23.3	Semipermanently 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	Semipermanently Flooded	–	–
Helen	Volusia	Frequent High	46.1	Temporarily Flooded	–	–
		Average	44.2	Typically Saturated	–	–
		Frequent Low	43.6	Semipermanently Flooded	–	–
Hires	Volusia	Frequent High	41.0	Seasonally Flooded	–	–
		Average	39.5	Typically Saturated	–	–
		Frequent Low	38.0	Semipermanently Flooded	–	–
Hokey	Volusia	Frequent High	35.4	Seasonally Flooded	–	–
		Average	33.7	Typically Saturated	–	–
		Frequent Low	32.3	Semipermanently Flooded	–	–
Hopkins Prairie	Marion	Frequent High	25.8	Seasonally Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	23.4	Typically Saturated	-	-
		Frequent Low	22.0	Semipermanently Flooded	-	-
Howell	Putnam	Frequent High	34.5	Seasonally Flooded	-	-
		Average	33.6	Typically Saturated	-	-
		Frequent Low	31.8	Semipermanently Flooded	-	-
Howell	Seminole	Frequent High	53.7	Seasonally Flooded	-	-
		Average	52.9	Typically Saturated	-	-
		Frequent Low	51.5	Semipermanently Flooded	-	-
Indian	Volusia	Frequent High	37.0	Seasonally Flooded	-	-
		Average	36.1	Typically Saturated	-	-
		Frequent Low	34.4	Semipermanently Flooded	-	-
Irma	Orange	Frequent High	55.1	Seasonally Flooded	-	-
		Average	54.8	Typically Saturated	-	-
		Frequent Low	53.4	Semipermanently Flooded	-	-
Kerr	Marion	Frequent High	24.4	Seasonally Flooded	-	-
		Average	22.9	Typically Saturated	-	-
		Frequent Low	21.5	Semipermanently Flooded	-	-
Lizzie	Putnam	Frequent High	43.9	Seasonally Flooded	-	-
		Average	42.7	Typically Saturated	-	-
		Frequent Low	41.7	Semipermanently Flooded	-	-
Louisa	Lake	Frequent High	96.5	Seasonally Flooded	-	-
		Average	95.4	Typically Saturated	-	-
		Frequent Low	94.0	Semipermanently Flooded	-	-
Lower Lake Louise	Volusia	Frequent High	31.8	Seasonally Flooded	-	-
		Average	31.2	Typically Saturated	-	-
		Frequent Low	29.7	Semipermanently Flooded	-	-
Lucy	Lake	Frequent High	94.1	Seasonally Flooded	-	-
		Average	92.5	Typically Saturated	-	-
		Frequent Low	91.1	Semipermanently Flooded	-	-
Magnolia	Clay	Frequent High	124.7	Seasonally Flooded	-	-
		Average	124.2	Typically Saturated	-	-
		Frequent Low	121.4	Semipermanently Flooded	-	-
Mall, Little Lake	Putnam	Frequent High	38.7	Seasonally Flooded	-	-
		Average	36.8	Typically Saturated	-	-
		Frequent Low	35.2	Semipermanently Flooded	-	-
Margaret	Putnam	Frequent High	35.2	Seasonally Flooded	-	-
		Average	34.5	Typically Saturated	-	-
		Frequent Low	32.5	Semipermanently Flooded	-	-
Martha	Orange	Frequent High	53.5	Seasonally Flooded	-	-
		Average	52.6	Typically Saturated	-	-
		Frequent Low	51.2	Semipermanently Flooded	-	-
Marvin	Putnam	Frequent High	38.6	Seasonally Flooded	-	-
		Average	37.3	Typically Saturated	-	-
		Frequent Low	36.3	Semipermanently Flooded	-	-
McGrady	Putnam	Frequent High	41.5	Seasonally Flooded	-	-
		Average	39.9	Typically Saturated	-	-
		Frequent Low	37.8	Semipermanently Flooded	-	-
McKasel	Putnam	Frequent High	36.7	Seasonally Flooded	-	-
		Average	35.5	Typically Saturated	-	-

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	34.1	Semipermanently Flooded	–	–
Melrose	Putnam	Frequent High	105.2	Seasonally Flooded	–	–
		Average	104.2	Typically Saturated	–	–
		Frequent Low	102.8	Semipermanently Flooded	–	–
Mills	Seminole	Frequent High	42.5	Seasonally Flooded	–	–
		Average	41.4	Typically Saturated	–	–
		Frequent Low	39.9	Semipermanently Flooded	–	–
Minneola	Lake	Frequent High	96.0	Seasonally Flooded	–	–
		Average	95.3	Typically Saturated	–	–
		Frequent Low	93.9	Semipermanently 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	Semipermanently Flooded	–	–
Nicotoon	Marion	Frequent High	54.7	Seasonally Flooded	–	–
		Average	53.3	Typically Saturated	–	–
		Frequent Low	51.9	Semipermanently Flooded	–	–
Norris	Lake	Frequent High	30.5	Seasonally Flooded	–	–
		Average	29.7	Typically Saturated	–	–
		Frequent Low	29.1	Semipermanently Flooded	–	–
North Como Park	Putnam	Frequent High	41.3	Seasonally Flooded	–	–
		Average	39.7	Typically Saturated	–	–
		Frequent Low	38.5	Semipermanently Flooded	–	–
North Talmadge	Volusia	Frequent High	55.6	Seasonally Flooded	–	–
		Average	54.4	Typically Saturated	–	–
		Frequent Low	52.9	Semipermanently Flooded	–	–
Omega	Putnam	Frequent High	57.4	Temporarily Flooded	–	–
		Average	56.1	Typically Saturated	–	–
		Frequent Low	54.0	Semipermanently Flooded	–	–
Orio	Putnam	Frequent High	37.1	Seasonally Flooded	–	–
		Average	35.6	Typically Saturated	–	–
		Frequent Low	34.7	Semipermanently Flooded	–	–
Pam	Putnam	Frequent High	39.3	Seasonally Flooded	–	–
		Average	37.5	Typically Saturated	–	–
		Frequent Low	36.1	Semipermanently Flooded	–	–
Pearl	Orange	Frequent High	53.5	Seasonally Flooded	–	–
		Average	52.6	Typically Saturated	–	–
		Frequent Low	51.2	Semipermanently Flooded	–	–
Pierson	Volusia	Frequent High	34.4	Seasonally Flooded	–	–
		Average	33.8	Typically Saturated	–	–
		Frequent Low	32.4	Semipermanently Flooded	–	–
Pine Island	Lake	Frequent High	107.7	Seasonally Flooded	–	–
		Average	106.8	Typically Saturated	–	–
		Frequent Low	105.4	Semipermanently Flooded	–	–
Prevatt	Orange	Frequent High	56.0	Seasonally Flooded	–	–
		Average	53.0	Typically Saturated	–	–
		Frequent Low	50.9	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Prior	Putnam	Frequent High	42.3	Seasonally Flooded	–	–
		Average	40.0	Typically Saturated	–	–
		Frequent Low	39.0	Semipermanently Flooded	–	–
Purdom	Volusia	Frequent High	37.0	Seasonally Flooded	–	–
		Average	36.4	Typically Saturated	–	–
		Frequent Low	35.0	Semipermanently Flooded	–	–
Sand	Putnam	Frequent High	40.9	Seasonally Flooded	–	–
		Average	39.0	Typically Saturated	–	–
		Frequent Low	36.6	Semipermanently Flooded	–	–
Sand Hill	Clay	Frequent High	132.0	Seasonally Flooded	–	–
		Average	131.6	Typically Saturated	–	–
		Frequent Low	129.5	Semipermanently Flooded	–	–
Savannah	Volusia	Frequent High	31.1	Seasonally Flooded	–	–
		Average	29.5	Typically Saturated	–	–
		Frequent Low	28.0	Semipermanently Flooded	–	–
Scoggin	Volusia	Frequent High	35.0	Seasonally Flooded	–	–
		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	40.4	Seasonally Flooded	–	–
		Average	38.9	Typically Saturated	–	–
		Frequent Low	37.5	Semipermanently Flooded	–	–
Tarhoe	Putnam	Frequent High	<del>36.6</del> 37.0	Seasonally Flooded	30 –	3 –
		Average	<del>35.1</del> 36.0	Typically Saturated	180 –	1.7 –

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	33.835.2	Semipermanently Flooded	120 –	5 –
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	–	–
Tuscawilla	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	–	–
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	–	–

(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,\_\_\_\_\_.*