

## CHAPTER 62-42 MINIMUM FLOWS AND LEVELS

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### **62-42.100 Scope.**

(1) The purpose of this chapter is to set forth Department-adopted minimum flows and levels (MFLs) and the regulatory provisions of any required related recovery or prevention strategy as provided in Section 373.042(4), F.S.

(2) The Department recognizes that recovery and prevention strategies may contain both regulatory and non-regulatory provisions. The non-regulatory provisions are not included in this rule, and will be included in the applicable regional water supply plans approved by the appropriate districts pursuant to Sections 373.0421(2) and 373.709, F.S.

*Rulemaking Authority 373.026(7), 373.036(1)(d), 373.043, 373.171 FS. Law Implemented 373.023, 373.026, 373.033, 373.036(1)(d), 373.0391, 373.0395, 373.042, 373.0421, 373.0831, 373.086, 373.103, 373.106, 373.171, 373.175, 373.185, 373.1961, 373.223, 373.246, 373.250, 373.418, 373.451, 373.453, 403.0615(3), 403.064, 403.0891 FS., Section 38, Chapter 2002-296, Laws of Florida. History—New 11-26-14.*

### **62-42.200 Definitions.**

When used in this chapter, including materials incorporated by reference, the following words shall have the indicated meanings unless the rule indicates otherwise:

(1) Agency or Agencies: The Department and applicable water management districts acting under the authorities afforded by Part II of Chapter 373, F.S., as applicable.

(2) Authorized uses: Uses of water authorized by a consumptive use permit issued by the applicable District or Department, any general permit by rule of the Districts, or by statute.

(3) Consumptive use permit (CUP): a permit that authorizes the consumptive use of particular quantities of ground or surface water. The phrases “Consumptive Use Permit,” “Consumptive Use Permitting,” and “Consumptive Use Applicants” are synonymous with “Water Use Permit,” “Water Use Permitting,” and “Water Use Applicants,” respectively, as used by agencies implementing Part II of Chapter 373, F.S.

(4) District(s): A water management district established pursuant to Ch. 373, F.S.

(5) Domestic Use: Exempt water uses as defined in section 373.019(6), F.S. (2025). See also section 373.219(1), F.S. (2025).

(6) Implementation Strategy: A strategy designed to ensure that a minimum flow or minimum water level (MFL) Compliance Point meets its MFL in accordance with sections 373.042, 373.0421, and 373.805, F.S., as applicable.

(7) MFL Compliance Point: The gage at which an MFL is established in this Chapter.

(8) Outstanding Florida Spring (OFS): Springs as defined in Section 373.802(5), F.S.

(9) P50 flow: The flow of the spring or surface water that is equaled or exceeded 50 percent of the time as determined from the expressed long-term flow time series.

*Rulemaking Authority 373.026(6), 373.043, 373.171, 373.227, 373.250, 373.805, 373.813 FS. Law Implemented 373.016, 373.019, 373.023, 373.026, 373.042, 373.0421, 373.046, 373.086, 373.103, 373.106, 373.113, 373.116, 373.118, 373.171, 373.175, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.246, 373.250, 373.418, 373.451, 373.453, 373.62, 373.802, 373.805, 373.813, 403.064 FS. History—New 11-26-14, Amended 1-20-26.*

### **62-42.300 Minimum Flows and Levels and Recovery and Prevention Strategies**

The Department hereby establishes the following minimum flows and levels in accordance with Section 373.042, F.S.

(1) Lower Santa Fe and Ichetucknee Rivers and Associated Priority Springs: The minimum surface water flows for the Lower Santa Fe and Ichetucknee River and Associated Priority Springs are provided below:

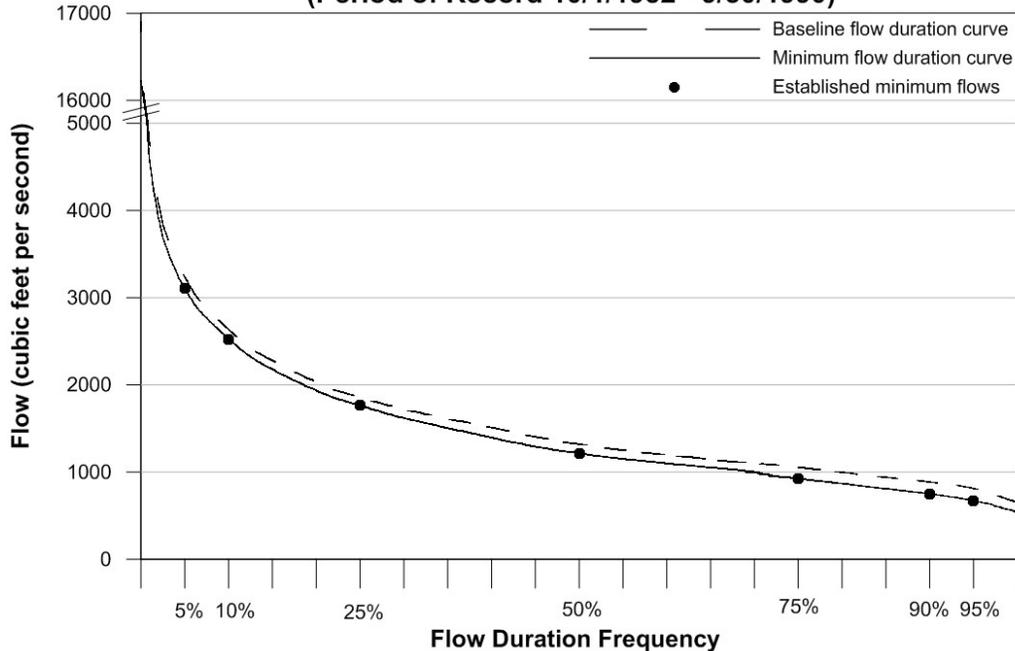
(a) The minimum surface water flows for the Lower Santa Fe at the Santa Fe River near Ft. White, FL (USGS Gage No. 02322500) are:

1. 3,101 cubic feet per second (cfs) for a flow duration frequency of five percent,
2. 2,523 cubic feet per second (cfs) for a flow duration frequency of 10 percent,

3. 1,768 cubic feet per second (cfs) for a flow duration frequency of 25 percent,
4. 1,214 cubic feet per second (cfs) for a flow duration frequency of 50 percent,
5. 920 cubic feet per second (cfs) for a flow duration frequency of 75 percent,
6. 749 cubic feet per second (cfs) for a flow duration frequency of 90 percent,
7. 672 cubic feet per second (cfs) for a flow duration frequency of 95 percent,

The minimum flows expressed above were derived from baseline and minimum flow duration curves, shown on Figure 1a below, which were based on a period of record of daily mean flows from October 1, 1932 to September 30, 1990 at the Santa Fe River near Ft. White, FL (USGS Gage No. 02322500). Only the flows and associated frequencies listed in subparagraphs (1)(a)1.-7. above, are the established minimum flows.

**Figure 1a**  
**Baseline and Minimum Flow Duration Curves**  
**for the Santa Fe River near Fort White**  
**(Period of Record 10/1/1932 - 9/30/1990)**

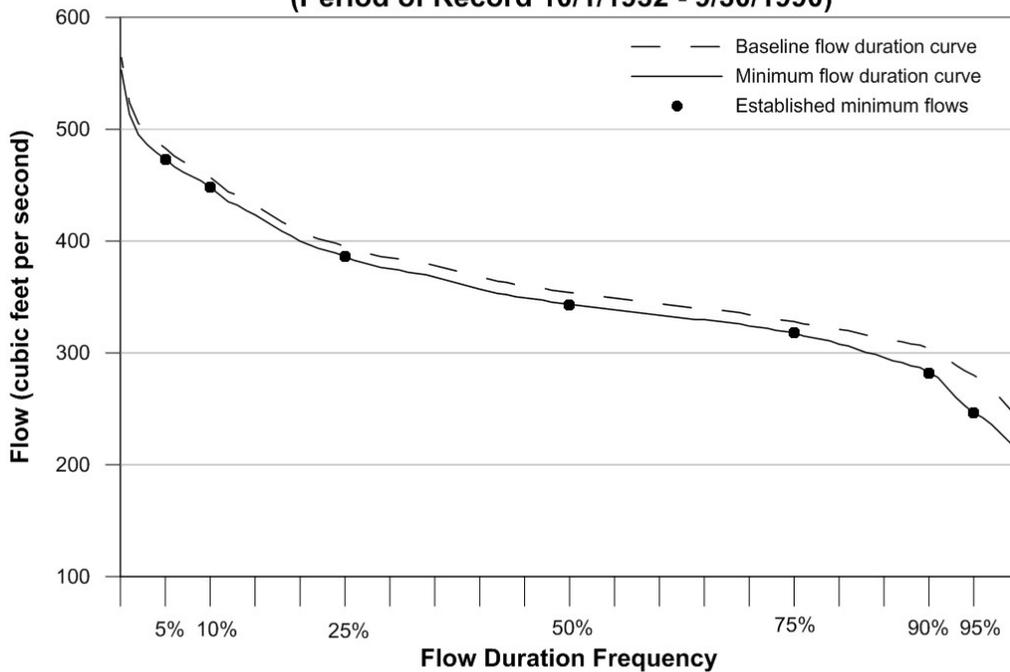


(b) The minimum surface water flows for the Ichetucknee River at U.S. Highway 27 (USGS Gage No. 02322700) are:

1. 473 cubic feet per second (cfs) for a flow duration frequency of five percent,
2. 448 cubic feet per second (cfs) for a flow duration frequency of 10 percent,
3. 386 cubic feet per second (cfs) for a flow duration frequency of 25 percent,
4. 343 cubic feet per second (cfs) for a flow duration frequency of 50 percent,
5. 318 cubic feet per second (cfs) for a flow duration frequency of 75 percent,
6. 282 cubic feet per second (cfs) for a flow duration frequency of 90 percent,
7. 246 cubic feet per second (cfs) for a flow duration frequency of 95 percent,

The minimum flows expressed above were derived from baseline and minimum flow duration curves, shown on Figure 1b below, which were based on a period of record of daily mean flows from October 1, 1932 to September 30, 1990 at the Ichetucknee River at U.S. Highway 27 (USGS Gage No. 02322700). Gaps in the flow record prior to 1975 were filled using linear interpolation. Gaps in the flow record from 1975 through 1990 were filled using a simple linear regression where flow was a function of groundwater levels at SRWMD well ID No. S041705001. Only the flows and associated frequencies listed in subparagraphs (1)(b)1.-7. above, are the established minimum flows.

**Figure 1b  
Baseline and Minimum Flow Duration Curves  
for the Ichetucknee River at Highway 27  
(Period of Record 10/1/1932 - 9/30/1990)**



(c) The minimum surface water flows for the Priority Springs are established as a percent reduction from the median baseline flow contribution of each spring to the flow at the respective river gages listed in paragraphs 62-42.300(1)(a) and (b), F.A.C.:

1. Lower Santa Fe River Priority Springs:
  - a. Santa Fe Rise: Eight percent,
  - b. ALA112971 (Treehouse): Eight percent,
  - c. Hornsby: Eight percent,
  - d. Columbia: Eight percent,
  - e. Poe: Eight percent,
  - f. COL 101974 (Unnamed): Eight percent,
  - g. Rum Island: Eight percent,
  - h. July: Eight percent,
  - i. Devil's Ear (Ginnie Group): Eight percent,
  - j. GIL.1012973 (Siphon Creek Rise): Eight percent.
2. Ichetucknee River Priority Springs:
  - a. Ichetucknee Head: Three percent,
  - b. Blue Hole: Three percent,
  - c. Mission: Three percent,
  - d. Devil's Eye: Three percent,
  - e. Grassy Hole: Three percent,
  - f. Mill Pond: Three percent.

(d) Pursuant to Section 373.0421, F.S., the Department hereby adopts and incorporates by reference Section 6.0, entitled Supplemental Regulatory Measures, effective date June 10, 2015. Copies of Section 6.0 entitled Supplemental Regulatory Measures are available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05105>, or on the Department's website at <http://www.dep.state.fl.us/water/waterpolicy/pubs.htm>. The Minimum Flows and Levels adopted in paragraphs 62-42.300(1)(a)

through (c), F.A.C., above, and the Section 6.0 Supplemental Regulatory Measures adopted herein are inseverable, shall be construed as a whole, and are adopted simultaneously pursuant to subsection 62-40.473(5), F.A.C.

(e) Upon completion of the North Florida Southeast Georgia Regional Groundwater Flow Model currently under development, the Department, in coordination with the Suwannee River Water Management District and the St. Johns River Water Management District, shall re-evaluate the Minimum Flows and Levels and the present status of the Lower Santa Fe and Ichetucknee Rivers and Associated Priority Springs pursuant to Section 373.0421(3), F.S., using the best available scientific or technical data, methodologies, and models. No later than three years from the publication of the final peer review report on the North Florida Southeast Georgia Regional Groundwater Flow Model, or by December 31, 2019, whichever is earlier, the Department shall:

1. Publish a Notice of Proposed Rule to strike paragraphs 62-42.300(1)(a) through (d), F.A.C., and re-propose for adoption Minimum Flows and Levels for the Lower Santa Fe and Ichetucknee Rivers and Associated Priority Springs and any associated recovery or prevention strategies; and,

2. Adopt the proposed rule in accordance with the timeframes provided in Section 120.54(3), F.S.

*Rulemaking Authority 373.026(7), 373.036(1)(d), 373.043, 373.171 FS. Law Implemented 373.023, 373.026, 373.033, 373.036(1)(d), 373.0391, 373.0395, 373.042, 373.046, 373.0831, 373.086, 373.103, 373.106, 373.171, 373.175, 373.185, 373.1961, 373.223, 373.246, 373.250, 373.418, 373.451, 373.453, 403.0615(3), 403.064, 403.0891 FS., Section 38, Chapter 2002-296, Laws of Florida. History—New 6-10-15.*