



PUBLIC HEARING ON THE LOWER SANTA FE AND ICHETUCKNEE RIVERS MINIMUM FLOWS AND LEVELS RULES

62-42.200 and 62-42.300, F.A.C.

Office of Water Policy and Ecosystems Restoration
Florida Department of Environmental Protection

December 5, 2025



LOWER SANTA FE AND ICHETUCKNEE RIVERS MINIMUM FLOWS AND LEVELS PUBLIC HEARING AGENDA

- 1. Call to Order.**
- 2. Certification of Notices.**
- 3. Swearing-in of Witnesses.**
- 4. Staff Presentation.**
- 5. Public Comments.**
- 6. Meeting Wrap-up, Adjourn.**



PROPOSED RULES:

62-42.200 – DEFINITIONS

- **This rule establishes definitions applicable to all rules in the chapter:**
 - Agency/Agencies
 - Authorized Uses
 - Consumptive Use Permit
 - Districts
 - Domestic Use
 - Implementation Strategy
 - MFL Compliance Point
 - Outstanding Florida Spring
 - P50 Flow



PROPOSED RULES:

62-42.300(1)

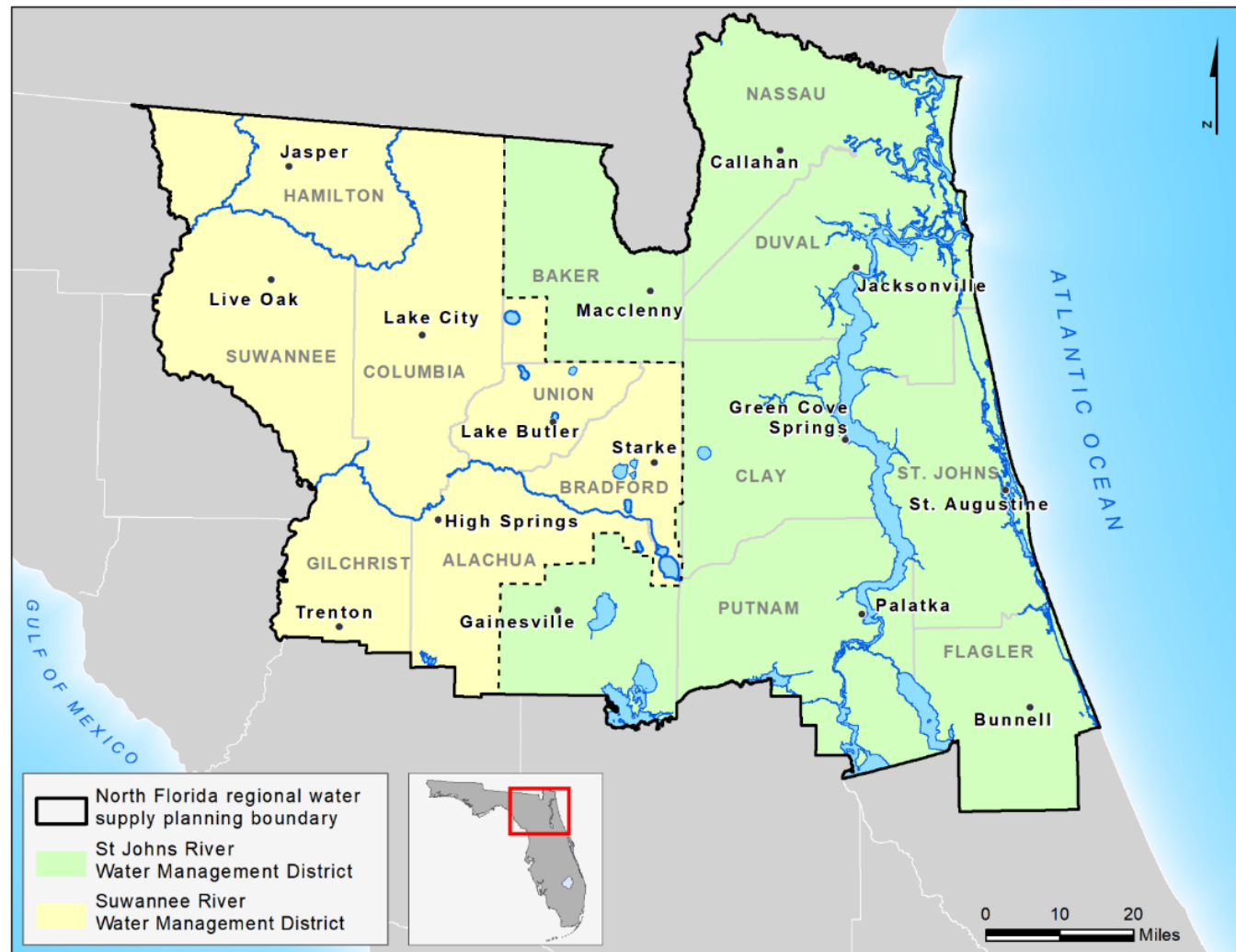
Table 1-2 Minimum Flows for the Lower Santa Fe and Ichetucknee Rivers

Watercourse	MFL Compliance Point	Minimum P50 Flow in cubic feet per second (cfs)
Lower Santa Fe River and Santa Fe River Rise, Treehouse Spring, Hornsby Spring and Columbia Springs	Lower Santa Fe River at the HWY 441 gage/USGS Gage No. 02321975	502
Lower Santa Fe River and Poe Spring, COL101974 Spring, Rum Island Spring, Gilchrist Blue Spring, Devil's Ear Spring, July Spring and Siphon Creek Rise	Lower Santa Fe River at the Ft. White, FL gage/USGS Gage No. 02322500	1,167
Ichetucknee River (Ichetucknee Springs Group)	Ichetucknee River at the HWY 27 gage/USGS Gage No. 02322700	346



PROPOSED RULES:

62-42.300(2)



- Identifies the applicable area as the North Florida Regional Water Supply Partnership area, which includes all of Alachua, Baker, Bradford, Clay, Columbia, Duval, Flagler, Gilchrist, Hamilton, Nassau, Putnam, St. Johns, Suwannee, and Union counties.



PROPOSED RULES:

62-42.300(3)

- (a) All Authorized Uses shall be considered consistent with the Implementation Strategy and will not be subject to revocation in whole or in part on the basis of this rule where the permittee is in compliance with this rule. Permits that do not meet the requirements within this rule will be subject to revocation in whole or in part. Nothing in this rule shall be construed to alter an Agency's authority to enforce or modify a permit under circumstances not addressed in this rule.
- (b) When necessary to provide reasonable assurance that the proposed use will be in accordance with the MFL or Implementation Strategy, quantities of water will be authorized in incremental amounts by year(s) based upon the projected need....



PROPOSED RULES:

62-42.300(4) - PRIVATE RESIDENTIAL IRRIGATION WATER USE

- **Applies to water use from a private residential irrigation well in the Floridan Aquifer where the residence is otherwise supplied by Public Supply (i.e., a utility).**
- **Requires a no-fee noticed general permit.**
 - Permit requires water conservation and leak detection devices.
 - Permit requires homeowner acknowledge days of the week restrictions, comply with other watering restrictions, and identify the well driller license number and well permit number.
 - Permits have a duration of 10 years and carry forward to subsequent owners for the duration of the authorization.
- **Incorporates new form:**
 - Form 62-42.300(4) - No-Fee Noticed General Consumptive Use Permit



PROPOSED RULES:

62-42.300(5) - MONITORING AND REPORTING REQUIREMENTS

- **Provides for monitoring and reporting requirements.**
 - Individual permits must measure the quantity of water used and must assure certain level of accuracy.
 - Provides requirements for monitoring based on permit size and timelines based on permit status (i.e., new, existing, modification).
 - Requires compliance monitoring and reporting of water use.
- **Incorporates new forms:**
 - Form 62-42.300(5)(a) - Water Use/Pumpage Report Form (EN-50)
 - Form 62-42.300(5)(b) - Annual Statement of Continuing Use
 - Form 62-42.300(5)(c) - Flow Meter Accuracy Report Form
 - Form 62-42.300(5)(d) - Alternative Method Flow Verification Report Form



PROPOSED RULES:

62-42.300(6) - WATER CONSERVATION REQUIREMENTS

- **Incorporates Water Conservation Requirements.**
- **Water Conservation Requirements includes components related to:**
 - Public Supply.
 - Agricultural.
 - Other Use types:
 - Commercial/Industrial/Institutional (CII).
 - Landscape Recreation (LR).
 - Mining/Dewatering (MD).



PROPOSED RULES:

62-42.300(6) - WATER CONSERVATION: PUBLIC SUPPLY

- **1.0 Public Supply Water Conservation Requirements**
 - Amendments to the standard and goal-based conservation plans.
 - Adds a residential per capita water use goal.
 - Submittal of Public Supply Annual Report (PSAR).
 - Submittal of a water conservation report every 5 years.

- **New Water Conservation Forms (incorporated by reference):**
 - Form 62-42.300(6)(a) - Public Supply Annual Report
 - Form 62-42.300(6)(b) - Public Supply Five-Year Water Conservation Report



PROPOSED RULES:

62-42.300(6) - WATER CONSERVATION: AGRICULTURAL

- **2.0 Agricultural Water Conservation**
 - Includes distribution uniformity provisions.
 - Includes implementation of water conservation measures appropriate to field conditions to the maximum extent environmentally, economically, and technically feasible.
 - Includes water conservation reporting.
 - Includes water conservation measures for small agricultural uses.
- **New Water Conservation Form (incorporated by reference):**
 - Form 62-42.300(6)(c) - Agricultural Water Conservation Report



PROPOSED RULES:

62-42.300(6) - WATER CONSERVATION: ALL OTHER USE TYPES

- **3.0 Commercial/Industrial/Institutional (CII) and Mining/Dewatering (MD), and Landscape Recreation (LR) Water Conservation**
 - Includes utilization of the most water conserving practices in all processes and components of water use that are environmentally, technically and economically feasible.
 - Includes water conservation reporting.
- **New Water Conservation Form (incorporated by reference):**
 - Form 62-42.300(6)(d) - CII/MD/LR Water Conservation Report



PROPOSED RULES:

62-42.300(7) – OFFSET REQUIREMENTS

- **Incorporates Offset Requirements.**
- **Includes key concepts such as:**
 - Demonstrated 2025 Demand
 - Elimination or Offset of Potential Impacts Above the Demonstrated 2025 Demand
- **MFL impacts are evaluated based on changes to flow at the applicable MFL Compliance Points.**



PROPOSED RULES:

62-42.300(7) – OFFSET REQUIREMENTS

- **“Demonstrated 2025 Demand”** is the quantity of water needed to meet 2025 demands for an existing Individual Permit, as of [effective date] at the average (5-in-10 year) rainfall condition.
 - This quantity of water is for use in calculating the amount of offset that may be needed at the MFL Compliance Point(s).
 - The Demonstrated 2025 Demand will be calculated utilizing the methodologies described in the District’s Applicant’s Handbooks.



PROPOSED RULES:

62-42.300(7) – OFFSET REQUIREMENTS

- **Existing Permittees**

- Consistent with the Implementation Strategy if they do not exceed the Demonstrated 2025 Demand under average rainfall and otherwise meet rule requirements.
- If an allocation exceeds Demonstrated 2025 Demand, unless otherwise provided by law, an existing permittee must:
 - Identify a project within 5 years that offsets impacts above the Demonstrated 2025 Demand.
 - Implement the project as soon as practicable based on the time required for design, receipt of necessary authorizations, and construction of the project and in no case more than 20 years from the effective date.



PROPOSED RULES:

62-42.300(7) – OFFSET REQUIREMENTS

- **New Permittees**

- Unless otherwise provided by law, for applications with a potential impact (calculated at average rainfall condition where applicable), applicants must provide reasonable assurance of eliminating or offsetting that impact.
- Offsets must be in place before withdrawal, except when participating in a Regional Project.

- **Renewals and Modifications**

- Unless otherwise provided by law, for applications with a potential impact (calculated at average rainfall condition where applicable) based on total requested allocation, applicants must provide reasonable assurance of elimination or offset of that portion of the requested allocation that exceeds the Demonstrated 2025 Demand.
- Offsets must be implemented as soon as practicable based on the time required for design, receipt of necessary authorizations, and construction of the project and in no case more than 20 years from the effective date.



PROPOSED RULES:

62-42.300(7) – OFFSET REQUIREMENTS

- **Offsets may come from:**

- Participation in Regional Projects
- Use of lower quality water source or an alternative water supply source
- Water resource development projects
- Retirement of existing consumptive use permits
- Other projects or strategies that eliminate or offset potential impacts at the MFL Compliance Points
- Where offsets are determined by the District(s) to be available from that portion of a Regional Project funded by the District(s) or by other State of Florida partners, unless otherwise provided by law, the rule establishes the order such offsets are available for use by permittees and applicants.



PROPOSED RULES:

62-42.300(8) – DELEGATION TO DISTRICTS

The Department delegates to each District the authority to accept and grant, where conditions have been met, applications for extension pursuant to section 373.805(5), F.S.



PUBLIC COMMENTS

When called, please step up to the microphone and give your name and affiliation.

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Start



THANK YOU

Office of Water Policy and Ecosystems Restoration
Florida Department of Environmental Protection

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