

40D-2.801 Water Use Caution Areas.

(3) The regions described in this rule have been declared WUCAs by the District Governing Board. This rule reaffirms the declaration of WUCAs and creates conditions to be applied to water users in those areas.

(b) Southern Water Use Caution Area (SWUCA). To address lowered lake levels, stream flows and ground water levels, water quality degradation and adverse impacts to water users, the Governing Board declared all or portions of Manatee, Sarasota, DeSoto, Hardee, Charlotte, Highlands, Hillsborough and Polk Counties within the District's boundaries a WUCA on October 26, 1992, pursuant to Resolution Number 92-10. (b) Southern Water Use Caution Area (SWUCA). To address lowered lake levels, stream flows and ground water levels, water quality degradation and adverse impacts to water users, the Governing Board declared all or portions of Manatee, Sarasota, DeSoto, Hardee, Charlotte, Highlands, Hillsborough and Polk Counties within the District's boundaries a WUCA on October 26, 1992, pursuant to Resolution Number 92-10.

1. As shown in Figure 2-1, the boundary for the Southern Water Use Caution Area is as follows:

All of Manatee, Sarasota, Charlotte, Hardee, DeSoto, and Highlands Counties within the boundaries of the Southwest Florida Water Management District, and that portion of Hillsborough County within the following sections (all Townships are South; all Ranges are East):

Township 29, Range 19: Section 21 East of the Hillsborough Bay Easterly Shoreline, Sections 22 and 23, Section 24 South of State Road 60, Sections 25 through 28, Section 29 East of the Hillsborough Bay Easterly Shoreline, Section 32 East of the Hillsborough Bay Easterly Shoreline and Sections 33 through 36;

Township 29, Range 20: All whole or partial Sections South of State Road 60;

Township 29, Range 21: All whole or partial Sections South of State Road 60;

Township 29, Range 22: All whole or partial Sections South of State Road 60;

Township 30, Range 19: Sections 1 through 4, Section 5 East of the Hillsborough Bay Easterly Shoreline and Section 7 through 36;

Township 30, Range 20: All Sections;

Township 30, Range 21: All Sections;

Township 30, Range 22: All Sections;

Township 31, Range 18: All Sections;

Township 31, Range 19: All Sections;

Township 31, Range 20: All Sections;

Township 31, Range 21: All Sections;

Township 31, Range 22: All Sections;

Township 32, Range 17: Section 36;

Township 32, Range 18: All Sections;

Township 32, Range 19: All Sections;

Township 32, Range 20: All Sections;

Township 32, Range 21: All Sections;

Township 32, Range 22: All Sections;

Township 33, Range 15: All Sections;

Township 33, Range 16: All Sections;

and that portion of Polk County within the Southwest Florida Water Management District and within the following sections:

Township 26, Range 25: Section 36 South of Interstate 4;

Township 26, Range 26: All whole or partial Sections 28, 29, 31 and 32 South of Interstate 4, and All of Section 33;

Township 27, Range 23: All whole or partial Sections South of Interstate 4;

Township 27, Range 24: All whole or partial Sections South of Interstate 4;

Township 27, Range 25: All whole or partial Sections South of Interstate 4;

Township 27, Range 26: Sections 4 through 9, Sections 16 through 21, Sections 28 through 36, and Partial Sections 25 through 27 South of State Road 600 (US Route 17/92);

Township 27, Range 27: Sections 25 through 28, Partial Sections 29 and 30 South of State Road 600 (US Route 17/92), and Sections 31 through 36;

Township 28, Range 23: All Sections;

Township 28, Range 24: All Sections;

Township 28, Range 25: All Sections;
Township 28, Range 26: All Sections;
Township 28, Range 27: All Sections;
Township 28, Range 28: All Sections;
Township 29, Range 23: All Sections;
Township 29, Range 24: All Sections;
Township 29, Range 25: All Sections;
Township 29, Range 26: All Sections;
Township 29, Range 27: All Sections;
Township 29, Range 28: All Sections;
Township 29, Range 29: Sections 19, 30, 31;
Township 30, Range 23: All Sections;
Township 30, Range 24: All Sections;
Township 30, Range 25: All Sections;
Township 30, Range 26: All Sections;
Township 30, Range 27: All Sections;
Township 30, Range 28: All Sections;
Township 30, Range 29: Sections 5, 6, 7, 8, 18, 19, 30, 31;
Township 31, Range 23: All Sections;
Township 31, Range 24: All Sections;
Township 31, Range 25: All Sections;
Township 31, Range 26: All Sections;
Township 31, Range 27: All Sections;
Township 31, Range 28: All Sections;
Township 31, Range 29: Section 6;
Township 32, Range 23: All Sections;
Township 32, Range 24: All Sections;
Township 32, Range 25: All Sections;
Township 32, Range 26: All Sections;
Township 32, Range 27: All Sections;
Township 32, Range 28: All Sections;

2. As shown in Figure 2-1, the area for the MIA of the Southern Water Use Caution Area is as follows:

Township 30, Range 19, Sections 2 through 36;
Township 30, Range 20, Sections 17 through 22; and 27 through 36;
Township 31, Range 18, All Sections;
Township 31, Range 19, All Sections;
Township 31, Range 20, All Sections;
Township 31, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
Township 32, Range 17: Section 36;
Township 32, Range 18, All Sections;
Township 32, Range 19, All Sections;
Township 32, Range 20, All Sections;
Township 32, Range 21, Sections 5 through 7;
Township 33, Range 17, All Sections;
Township 33, Range 18, All Sections;
Township 33, Range 19, All Sections;
Township 33, Range 20, All Sections;
Township 33, Range 21, Sections 19, 30, 31;
Township 34, Range 15: All Sections;

Township 34, Range 16, All Sections;
Township 34, Range 17, All Sections;
Township 34, Range 18, All Sections;
Township 34, Range 19, All Sections;
Township 34, Range 20, All Sections;
Township 34, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
Township 35, Range 16, All sections;
Township 35, Range 17, All Sections;
Township 35, Range 18, All Sections;
Township 35, Range 19, All Sections;
Township 35, Range 20, All Sections;
Township 35, Range 21, Sections 5 through 8; 17 through 20; and 30;
Township 36, Range 17, All Sections;
Township 36, Range 18, All Sections;
Township 36, Range 19, Sections 1 through 24; and 27 through 32;
Township 36, Range 20, Sections 2 through 10; and 17 and 18;
Township 37, Range 17, Sections 1 through 18;
Township 37, Range 18, Sections 1 through 10; and 17 and 18.

3. The Ridge Lakes are those lakes located anywhere within Highlands County and Polk County within the boundaries of the Southwest Florida Water Management District within the following Sections:

All of Highlands County within the boundaries of the Southwest Florida Water Management District, and that portion of Polk County within the Southwest Florida Water Management District and within the following sections (all Townships are South; all Ranges are East):

Township 26, Range 25: Partial Section 36 South of Interstate 4;
Township 26, Range 26: Partial Sections 28, 29, 31, and 32 South of Interstate 4 and whole Section 33;
Township 27, Range 25: Partial Sections 1, 2, 7, and 8 South of Interstate 4 and whole Sections 9 through 29, and 32 through 36;
Township 27, Range 26: Sections 4 through 9, 16 through 21, and 25 through 36;
Township 27, Range 27: Sections 25 through 36;
Township 27, Range 28: Section 31;
Township 28, Range 25: Sections 1 through 4, 9 through 15, 22 through 26, 35 through 36;
Township 28, Range 26: All Sections;
Township 28, Range 27: All Sections;
Township 28, Range 28: Sections 6 through 7, 17 through 22, 27 through 32, and Section 34;
Township 29, Range 25: Sections 1, 2, and 11 through 14;
Township 29, Range 26: Sections 1 through 18, and 23 through 24;
Township 29, Range 27: All Sections;
Township 29, Range 28: Sections 6 through 7, and 18 through 36;
Township 29, Range 29: Sections 19, 30, 31;
Township 30, Range 27: All Sections;
Township 30, Range 28: All Sections;
Township 30, Range 29: Sections 5 through 8, 18, 19, 30, 31;
Township 31, Range 27: All Sections;
Township 31, Range 28: All Sections;
Township 31, Range 29: Section 6;
Township 32, Range 27: All Sections;
Township 32, Range 28: All Sections.

4. Regulations applicable to this WUCA are specified in this Chapter and in the WUP Applicant's Handbook Part B Section 3.9.2, and are in addition to all other regulations set forth in Chapter 40D-2, F.A.C., and the WUP Applicant's Handbook Parts B and D. Those amendments and regulations relating to SWUCA effective on January 1, 2003, and January 1, 2007, are not intended

to affect, and shall not be construed to affect, any WUP that does not have a withdrawal point within the SWUCA.

5. Any permit with a withdrawal point located within the boundaries of the SWUCA is deemed to be within the SWUCA. Permits with permitted withdrawals in more than one (1) WUCA shall be subject to the conservation and reporting requirements of the WUCA within which the majority of permitted quantities are withdrawn, or projected to be withdrawn, in addition to all other rule criteria, including MFL requirements, as set forth in Chapter 40D-2, F.A.C., and the WUP Applicant's Handbook Part B. Nothing in the rules and WUP Applicant's Handbook Part B specific to the SWUCA shall be interpreted or applied in any manner that would interfere with the Comprehensive Plan for the Northern Tampa Bay Area as outlined in Rule 40D-80.073, F.A.C.

6. All WUPs with withdrawal points within the SWUCA are hereby modified to conform with this paragraph 40D-2.801(3)(b), F.A.C., except as provided in subparagraph 5., above, and the applicable SWUCA criteria specified in the WUP Applicant's Handbook Part B, are incorporated into all such WUPs.

7. The SWUCA is a water resource caution area for purposes of Chapter 403, F.S. and Chapter 62-40, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.216, 373.219, 373.223 FS. History—New 10-5-74, Formerly 16J-3.30, Amended 10-1-89, 11-15-90, 3-1-91, 7-29-93, 1-1-03, 1-1-07, 10-1-07, 2-13-08, 4-7-08, 5-26-10, 6-16-11, 10-14-12, 5-19-14.