

**Rules of the
South Florida Water Management District**

**Water Reservations
CHAPTER 40E-10, F.A.C.**



Effective: July 16, 2014

**CHAPTER 40E-10
WATER RESERVATIONS**

- 40E-10.011 Policy and Purpose
- 40E-10.021 Definitions
- 40E-10.031 Water Reservations Implementation
- 40E-10.041 Water Reservation Areas: Lower West Coast Planning Area
- 40E-10.051 Water Reservation Areas: Upper East Coast Planning Area

40E-10.011 Policy and Purpose.

The purpose of this chapter is to define the quantity, location and timing of waters reserved from allocation for the protection of fish and wildlife pursuant to Section 373.223(4), F.S., for specified water bodies. Water reservations are implemented in the water use program pursuant to Chapter 40E-2, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended 7-14-14.

40E-10.021 Definitions.

(1) *Fakahatchee Estuary* – The area within the Ten Thousand Islands region including the following river/bay systems, from west to east: Blackwater River/Blackwater Bay, Whitney River/Buttonwood Bay, Pumpkin River/Pumpkin Bay, Wood River, Little Wood River and Faka Union Canal/Faka Union Bay, and Fakahatchee Bay as depicted in Figure 1-3 Fakahatchee Estuary.

(2) *Picayune Strand* – The area located southwest of the Florida Panther National Wildlife Refuge, north of the Ten Thousand Islands NWR, east of the South Belle Meade State Conservation and Recreation Lands (CARL) Project, west of the Fakahatchee Strand Preserve State Park, and northeast of Collier-Seminole State Park as depicted in Figure 1-2 Picayune Strand. The legal description of the Picayune Strand is contained in Appendix 1.

(3) *North Fork of the St. Lucie River* – The area that extends from the Gordy Road structure (state plane coordinates, x851212.831, y1116105.7470), to the confluence of the North Fork of the St. Lucie River and the C-24 canal (state plane coordinates, x873,712.20, y1064,390.41) as depicted in Appendix 2, Figure 2-1.

(4) *Nearshore Central Biscayne Bay* – The area within Biscayne Bay up to 1640 feet (500 meters) from the shoreline beginning south of Shoal Point extending southward to north of Turkey Point as depicted in Figure 3-1.

(5) *Caloosahatchee River* – The surface waters that flow through the S-79 structure, combined with tributary contributions below S-79 that collectively flow southwest to San Carlos Bay, as defined in subsection 40E-8.021(2), F.A.C.

(6) *Caloosahatchee River (C-43) West Basin Storage Reservoir* – A reservoir located in Hendry County, Florida, west of the City of LaBelle on the east side of the Townsend Canal and south of SR 80 as described in Appendix 1-12, and depicted in Figure 1-13 (also known as the ‘C-43 Reservoir’).

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended 3-18-10, 7-21-13, 7-16-14.

40E-10.031 Water Reservations Implementation.

(1) Applicants for consumptive use permits shall meet the requirements of this rule by providing reasonable assurances that Rule 40E-2.301, F.A.C., and Section 3.11 of the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rules 40E-2.091, F.A.C., are met.

(2) Water reserved for the protection of fish and wildlife contained within the Picayune Strand and Fakahatchee Estuary is defined in subsections 40E-10.041(1)-(2), F.A.C.

(3) Water reserved for the protection of fish and wildlife contained within the North Fork of the St. Lucie River is defined in subsection 40E-10.051(1), F.A.C.

(4) Water reserved for the protection of fish and wildlife contained within Nearshore Central Biscayne Bay is defined in subsections 40E-10.061(1)-(2), F.A.C.

(5) Water reserved for the protection of fish and wildlife contained within and released, via operation, from the Caloosahatchee River (C-43) west Basin Storage Reservoir is defined in subsection 40E-10.041(3), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended 3-18-10, 7-21-13, 7-14-14, 7-16-14.

40E-10.041 Water Reservation Areas: Lower West Coast Planning Area.

(1) Picayune Strand as defined in subsection 40E-10.021(2), F.A.C.:

(a) Surface waters:

1. All surface water contained within the Picayune Strand are reserved from allocation (see Figure 1).
2. All surface water flowing into the Picayune Strand identified below is reserved from allocation:
 - i. The surface water flows depicted on Figures 1-4.A, B, and C, simulated at weir ‘Miller2’ within the Miller Canal (see Figure 1-2);
 - ii. The surface water flows depicted on Figures 1-5.A, B, and C, simulated at weir ‘FU3’ within the Faka Union Canal (see Figure 1-2); and
 - iii. The surface water flows depicted on Figures 1-6.A, B, and C simulated at spillway ‘Lucky LA’ within the Merritt Canal (see Figure 1-2).

(b) Groundwater: All groundwater in the water table and unconfined portions of Lower Tamiami aquifer underlying the Picayune Strand is reserved from allocation.

Notwithstanding the above, presently existing legal uses for the duration of the permit existing on July 2, 2009 are determined to be not contrary to the public interest, pursuant to Section 373.223(4), F.S.

(2) Fakahatchee Estuary as defined in subsection 40E-10.021(1), F.A.C.:

(a) Surface waters:

The surface water flows into the Fakahatchee Estuary identified below are reserved from allocation:

1. The surface water flows depicted on Figures 1-7.A, B, and C simulated at Faka Union Canal at structure FU1 (See Figure 1-3);
2. The surface water flows depicted on Figures 1-8.A, B, and C simulated at ‘Miller@41’ transect (beginning at coordinate 471365.13N, 599423.29 E Southeast to 479226.67N, 595105.77E (delivering surface water to Blackwater Bay and Buttonwood Bay) see Figure 1-3);
3. The surface water flows depicted on Figures 1-9.A, B, and C simulated at ‘FU@41’ transect (beginning at coordinate 480427.89N, 595005.67E Southeast to 487735.34N, 592478.09E (delivering surface water to Pumpkin Bay) see Figure 1-3);
4. The surface water flows depicted on Figures 1-10.A, B, and C simulated at ‘Merritt@41’ transect (beginning at coordinate 490942.49N, 593218.49E flowing Southeast to 499050.54N, 590515.81E (delivering surface water to Faka Union Bay) see Figure 1-3); and
5. The surface water flows depicted on Figures 1-11.A, B, and C simulated at ‘Fakahatchee@41’ transect (beginning at coordinate 498623.81N, 587955.37E Southeast to 533587.95N, 575807.53E (delivering surface water to Fakahatchee Bay) see Figure 1-3).

(b) Groundwater: All groundwater in the water table and unconfined portions of Lower Tamiami aquifer underlying the Fakahatchee Estuary is reserved from allocation.

Notwithstanding the above, presently existing legal uses for the duration of the permit existing on July 2, 2009 are determined to be not contrary to the public interest, pursuant to Section 373.223(4), F.S. Reservations contained in this subparagraphs 1. and 2. above shall be reviewed in light of changed conditions or new information by December 31, 2014.

(3) Caloosahatchee River (C-43) West Basin Storage Reservoir:

(a) All surface water contained within and released, via operation, from the Caloosahatchee River (C-43) West Basin Storage Reservoir is reserved from allocation.

(b) The water reserved under this subsection will be available for fish and wildlife upon a formal determination of the Governing Board, pursuant to state and federal law, that the Caloosahatchee River (C-43) West Basin Storage Reservoir is operational.

(c) The reservation contained in this subsection and the criteria contained in Section 3.11.4 of the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to subsection 373.223(4), F.S., in light of changed conditions or new information and prior to the approval described in paragraph (3)(b) above.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended 3-18-10, 7-21-13, 7-16-14.

40E-10.051 Water Reservation Areas: Upper East Coast Planning Area.

North Fork of the St. Lucie River, as defined in subsection 40E-10.021(3), F.A.C.:

Surface waters up to and including the mean monthly flow of 130 cubic feet per second flowing over the Gordy Road Structure from November 1st through May 31st; see Appendix 2, Figure 2-2; are reserved from allocation. The water reserved under this Rule will be available for fish and wildlife upon formal determination of the Governing Board, pursuant to state and federal law, that any one or all of the Comprehensive Everglades Restoration Plan's C-23/C-24 North and South Reservoirs and STA Project are operational. Reservations contained in this Rule and the criteria contained in section 3.11.2 of the "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information and concurrent with the approval specified, above.

Notwithstanding the above, presently existing legal uses for the duration of a permit existing on March 18, 2010 are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New-3-18-10, Amended 7-21-13, 7-14-14.

40E-10.061 Water Reservation Areas: Lower East Coast Planning Area.

(1) Nearshore Central Biscayne Bay as defined in subsection 40E-10.021(6), F.A.C.:

All surface water contained within Nearshore Central Biscayne Bay is reserved from allocation (see Figure 3-1).

(2) Surface water flowing into Nearshore Central Biscayne Bay as identified below is reserved from allocation:

(a) Surface water flows depicted on Figures 3-2.A and 3-2.B through S-123 derived from the following contributing canal reaches:

1. The C-100A canal upstream of S-123 to S-120 including all integrated conveyance canals.
2. The C-100C canal upstream of S-123 to S-119 including all integrated conveyance canals.
3. The C-100B canal upstream of S-123 to S-122 including all integrated conveyance canals.
4. The C-100 canal upstream of S-123 to S-118 including all integrated conveyance canals.

(b) Surface water flows depicted on Figures 3-3.A and 3-3.B through S-21 derived from the following contributing canal reaches:

1. The L-31E borrow canal upstream of S-21 to the canal terminus.
2. The C-1 canal upstream of S-21 to S-122 and S-149 including all integrated conveyance canals.
3. The C-1 canal upstream of S-21 to the C-1W canal and S-338 including all integrated conveyance canals.

(c) Surface water flows depicted on Figures 3-4.A and 3-4.B which is the combined flow through S-21A, S-20G, and S-20F as derived from the following contributing canal reaches:

1. The C-102 canal connecting to the C-102 N canal upstream of S-21A to S-195.
2. The C-102 canal upstream of S-21A to S-165
3. The L-31E borrow canal upstream of S-21A to its terminus near S-21 including the Gould's Canal.
4. The L-31E borrow canal upstream of S-21A south to S-20G.
5. The Military canal upstream of S-20G.
6. The C-103 canal upstream of S-20F to S-179.
7. The L-31E borrow canal upstream of S-20F to S-20G including all integrated conveyance canals.
8. The L-31E borrow canal from S-20F south to the North Canal.
9. The North Canal.
10. The L-31E borrow canal from S-20F south to the Florida City Canal.
11. The Florida City Canal from Southwest 107th Avenue to its confluence with the L-31E borrow canal.

Notwithstanding the above, presently existing legal uses for the duration of a permit existing on July 18, 2013, are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.

Reservations contained in the section shall be reviewed in light of changed conditions or new information.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History--New 7-21-13.

APPENDIX 1 LOWER WEST COAST PLANNING AREA

1-1 LEGAL DESCRIPTION OF PICAYUNE STRAND AS DEFINED IN SUBSECTION 40E-10.021(1), F.A.C.

A tract of land in Townships 50, 51 and 52 South, Ranges 27 and 28 East, Collier County, Florida, more particularly described as follows:

Beginning at the Southeast Corner of Section 25, Township 51 South, Range 28 East, Collier County, Florida, run S 89°10'50" W, 2659.84 feet to the South Quarter Corner of said Section 25; thence S 89°09'41" W, 2659.37 feet to the Southwest Corner of said Section 25; thence S 00°19'11" W, 2611.61 feet to the East Quarter Corner of Section 35 of said Township 51 South, Range 28 East; thence S 88°56'33" W, 2652.73 feet to the Northeast Corner of the Southwest Quarter of said Section 35; thence S 00°18'15" W, 2614.86 feet to the South Quarter Corner of said Section 35; thence S 88°54'23" W, 2650.59 feet to the Southwest Corner of Section 35; thence S 88°50'39" W, 2639.94 feet to the South Quarter Corner of Section 34 of said Township 51 South, Range 28 East; thence S 89°00'23" W, 2652.66 feet to the Southwest Corner of said Section 34;

thence S 88°44'21" W along the north line of the Northeast Quarter of Section 4, Township 52 South, Range 28 East, 1450.32 feet to the Northeast Corner of those lands described in Official Record Book 2624, Page 2509, Public Records of Collier County, Florida; thence S 00°27'37" E along the east line of said lands, 6308.01 feet; thence continuing along said east line, S 89°34'56" W, 16.37 feet;

thence continuing along said east line, S 00°25'04" E, 360.00 feet to the north right-of-way line of U.S. Highway 41; thence westerly along the north right-of-way line of U.S. Highway 41, S 84°52'54" W, 327.99 feet; thence N 05°07'06" W, 39.00 feet to a point on a non-tangent curve; thence westerly 900.69 feet along the arc of said curve, concave to the northeast, having a radius of 1835.08 feet, a central angle of 28°07'18" and a chord of 891.68 feet, bearing N 81°03'27" W;

thence S 23°00'12" W, 39.00 feet; thence N 66°59'48" W, 5570.19 feet to a point of curvature; thence northwesterly 800.00 feet along the arc of a curve, concave to the southwest, having a radius of 17224.80 feet, a central angle of 02°39'40" and a chord of 799.93 feet, bearing N 68°19'38" W to a point of tangency;

thence N 69°39'28" W, 6844.52 feet; thence N 20°20'32" E, 39.00 feet to a point on a non-tangent curve; thence northwesterly 671.08 feet along the arc of said curve, concave to the northeast, having a radius of 1835.08 feet, a central angle of 20°57'10" and a chord of 667.35 feet, bearing N 59°10'53" W; thence S 41°17'43" W, 39.00 feet; thence N 48°42'17" W, 6815.31 feet to a point of curvature; thence northwesterly 442.16 feet along the arc of a curve, concave to the southwest, having a radius of 725.20 feet, a central angle of 34°56'02" and a chord of 435.35 feet, bearing N 66°10'19" W to a point of tangency; thence N 83°38'20" W, 300.77 feet to the intersection of the north right-of-way line of U.S. Highway 41 with the west line of Section 36, Township 51 South, Range 27 East;

thence N 00°03'59" E along the west line of said Section 36, 1586.32 feet to the Northwest Corner of Section 36; thence N 01°15'40" W, 2658.40 feet, to the West Quarter Corner of Section 25 of said Township 51 South, Range 27 East;

thence N 01°17'06" W, 2656.42 feet to the Northwest Corner of said Section 25;

thence N 01°16'05" W, 2655.83 feet to the West Quarter Corner of Section 24 of said Township 51 South, Range 27 East; thence N 01°16'15" W, 2656.76 feet to the Northwest Corner of said Section 24; thence N 00°19'01" E, 2764.38 feet to the West Quarter Corner of Section 13 of said Township 51 South, Range 27 East; thence N 00°19'04" E, 2764.32 feet to the Northwest Corner of said Section 13; thence N 01°15'53" E, 2764.69 feet to the West Quarter Corner of Section 12 of said Township 51 South, Range 27 East; thence N 01°16'08" E, 2764.72 feet to the Northwest Corner of said Section 12; thence N 00°37'07" E, 2763.78 feet to the West Quarter Corner of Section 1 of said Township 51 South, Range 27 East; thence N 00°35'09" E, 2732.08 feet to the Northwest Corner of said Section 1; thence N 01°09'58" E, 2697.35 feet to the West Quarter Corner of Section 36 of Township 50 South, Range 27 East; thence N 01°14'25" E, 2554.73 feet to the Northwest Corner of said Section 36; thence N 00°49'11" E, 2618.76 feet to the West Quarter Corner of Section 25 of said Township 50 South, Range 27 East;

thence N 01°30'13" E, 2623.02 feet to the Northwest Corner of said Section 25;

thence N 01°14'51" E, 2643.78 feet to the West Quarter Corner of Section 24 of said Township 50 South, Range 27 East; thence N 00°55'45" E, 2647.27 feet to the Northwest Corner of said Section 24; thence N 89°04'28" W, 2655.08 feet to the South Quarter Corner of Section 14 of said Township 50 South, Range 27 East; thence N 89°06'09" W, 2673.56 feet to the Southwest Corner of

said Section 14; thence N 01°20'52" E, 2642.45 feet to the West Quarter Corner of said Section 14; thence N 01°02'27" E, 2638.34 feet to the Northwest Corner of said Section 14; thence S 88°57'18" E, 2650.45 feet to the North Quarter Corner of said Section 14; thence S 89°16'05" E, 2679.46 feet to the Northeast Corner of said Section 14; thence N 00°32'07" E, 2629.53 feet to the West Quarter Corner of Section 12 of said Township 50 South, Range 27 East; thence N 00°05'55" E, 2655.64 feet to the Northwest Corner of said Section 12; thence N 00°35'20" E, 2638.33 feet to the West Quarter Corner of Section 1 of said Township 50 South, Range 27 East; thence N 09°11'51" W along the west line of the Northwest Quarter of said Section 1 a distance of 2352.20 feet to the intersection with the south line of the south drainage right-of-way of Interstate 75; thence easterly along said line, N 89°40'16" E, 2640.00 feet; thence S 88°14'35" E, 2676.02 feet;
thence S 89°13'04" E, 2656.26 feet; thence N 89°51'50" E, 2650.84 feet;
thence N 89°28'53" E, 2647.15 feet; thence S 89°53'38" E, 2654.08 feet;
thence S 89°59'57" E, 2650.10 feet; thence N 89°51'03" E, 2650.97 feet;
thence S 89°32'18" E, 2648.17 feet; thence N 89°47'26" E, 2686.92 feet;
thence N 00°23'28" W, 124.56 feet; thence S 89°54'09" E, 2649.59 feet;
thence S 89°56'18" E, 2651.63 feet; thence N 89°41'16" E, 2652.50 feet;
thence S 89°49'15" E, 2651.54 feet to the intersection of the south line of said south drainage right-of-way with the east line of Section 1, Township 50 South, Range 28 East; thence S 00°18'22" E along the east line of the Northeast Quarter of said Section 1 a distance of 2460.78 feet to the East Quarter Corner of said Section 1; thence S 00°18'26" E, 2663.16 feet to the Southeast Corner of said Section 1; thence S 00°19'17" E, 2661.71 feet to the East Quarter Corner of Section 12 of said Township 50 South, Range 28 East; thence S 00°18'47" E, 2661.88 feet to the Southeast Corner of said Section 12; thence S 00°18'10" E, 2662.06 feet to the East Quarter Corner of Section 13 of said Township 50 South, Range 28 East; thence S 00°18'16" E, 2662.13 feet to the Southeast Corner of said Section 13; thence S 00°18'16" E, 2662.14 feet to the East Quarter Corner of Section 24 of said Township 50 South, Range 28 East; thence S 00°17'28" E, 2661.81 feet to the Southeast Corner of said Section 24; thence S 00°17'38" E, 2674.16 feet to the East Quarter Corner of Section 25 of said Township 50 South, Range 28 East; thence S 00°10'00" E, 2674.56 feet to the Southeast Corner of said Section 25; thence S 00°13'47" E, 2674.47 feet to the East Quarter Corner of Section 36 of said Township 50 South, Range 28 East; thence S 00°13'47" E, 2674.49 feet to the Southeast Corner of said Section 36; thence S 00°51'18" E, 2682.32 feet to the East Quarter Corner of Section 1 of Township 51 South, Range 28 East; thence S 00°51'18" E, 2682.32 feet to the Southeast Corner of said Section 1; thence S 00°28'26" W, 2596.09 feet to the East Quarter Corner of Section 12 of said Township 51 South, Range 28 East; thence S 00°41'47" W, 2598.68 feet to the Southeast Corner of said Section 12; thence southerly along the east line of Section 13, Township 51 South, Range 28 East, S 00°35'55" W, 5191.01 feet to the Southeast Corner of said Section 13; thence S 00°36'41" W, 2596.95 feet to the East Quarter Corner of Section 24 of said Township 51 South, Range 28 East; thence S 00°34'08" W, 2597.43 feet to the Southeast Corner of said Section 24; thence S 00°33'57" W, 2596.90 feet to the East Quarter Corner of Section 25 of said Township 51 South, Range 28 East; thence S 00°34'27" W, 2597.76 feet to the Southeast Corner of said Section 25 and the Point of Beginning.

Figure 1-2

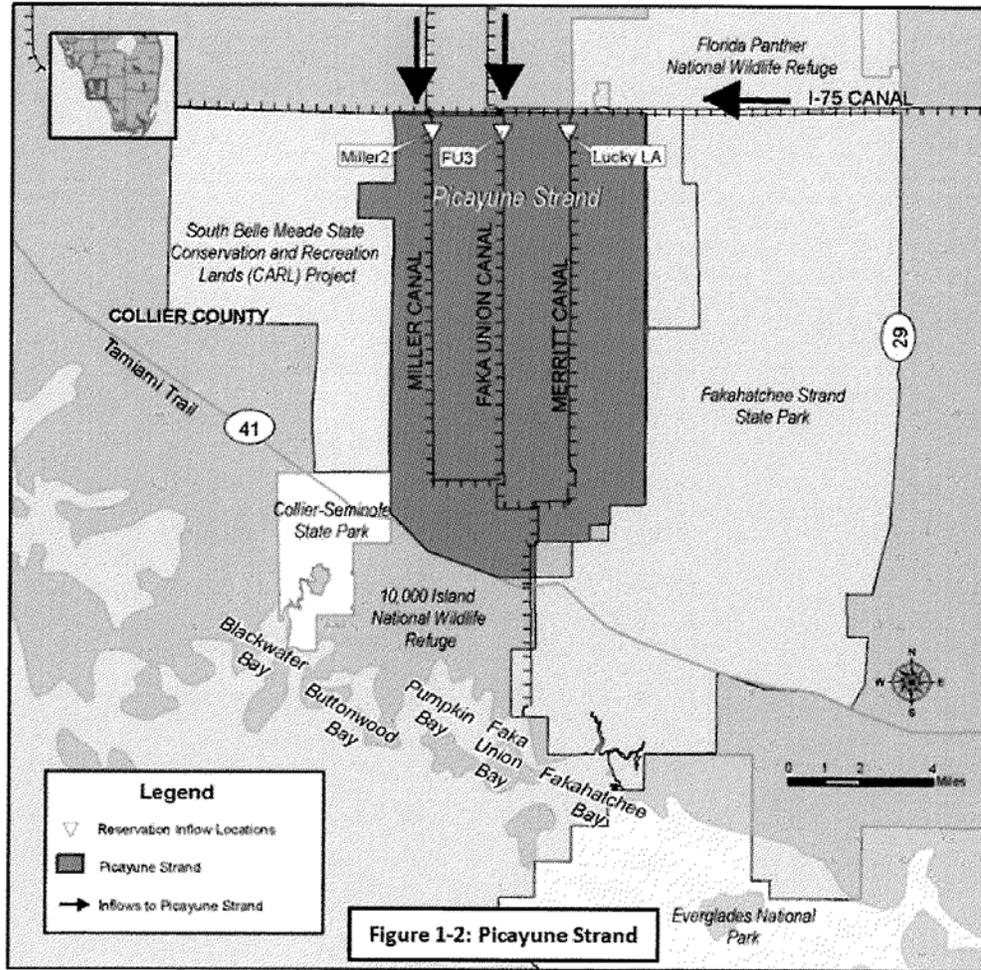
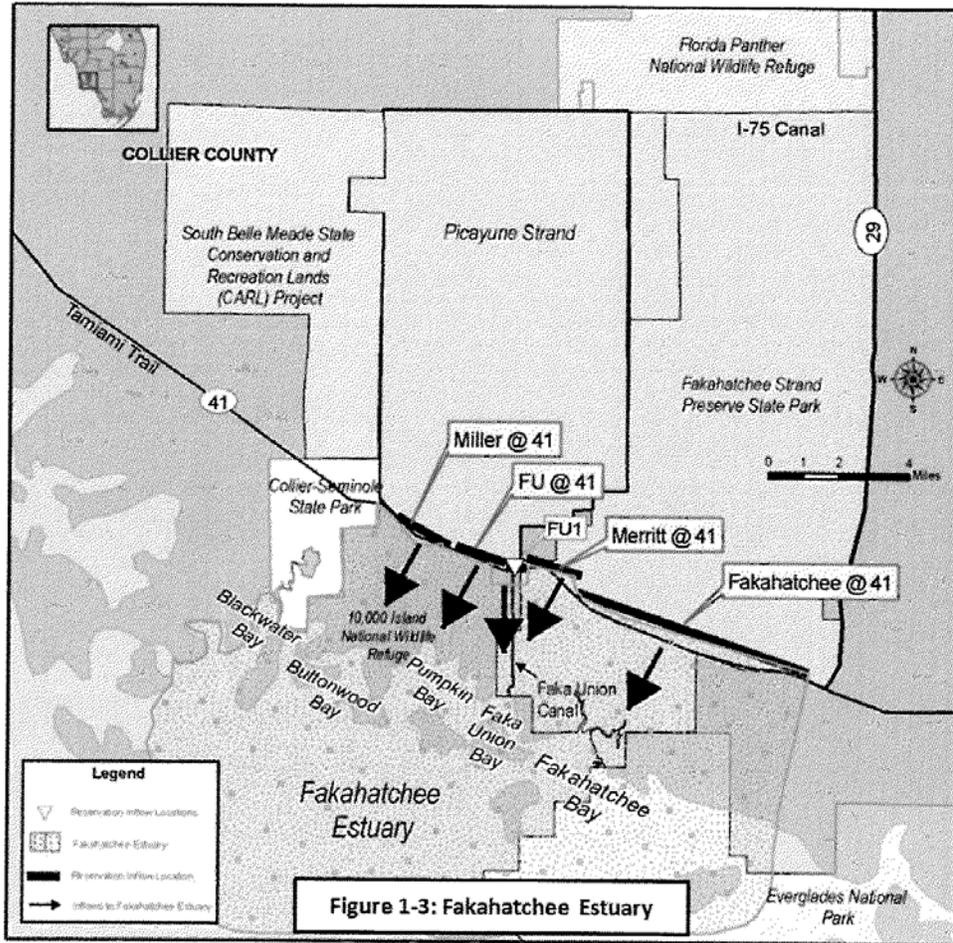
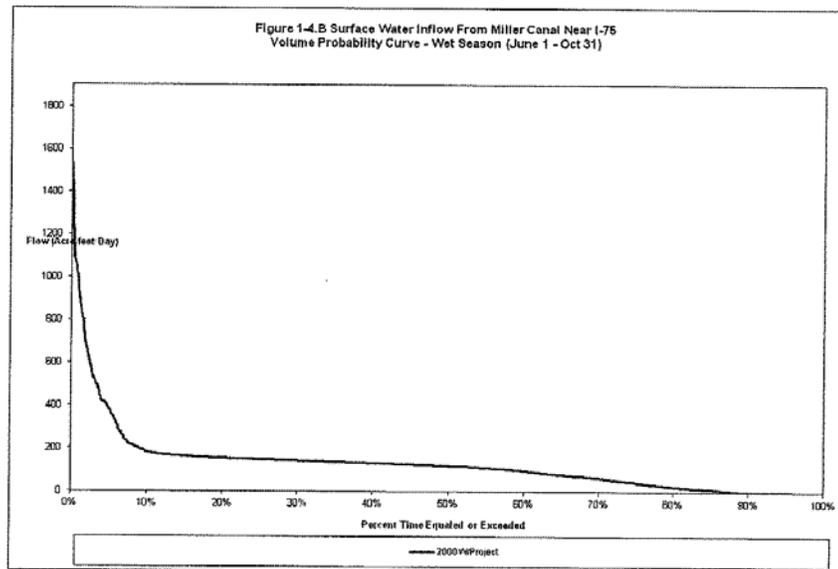
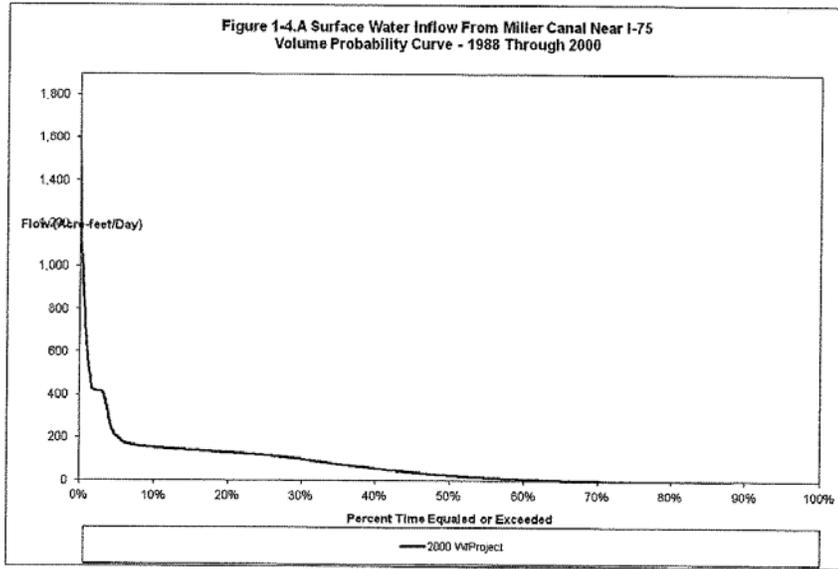
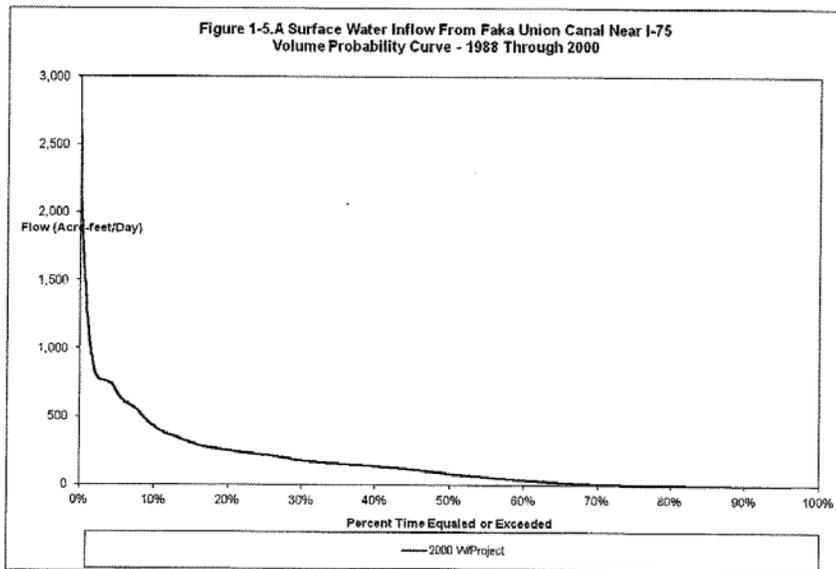
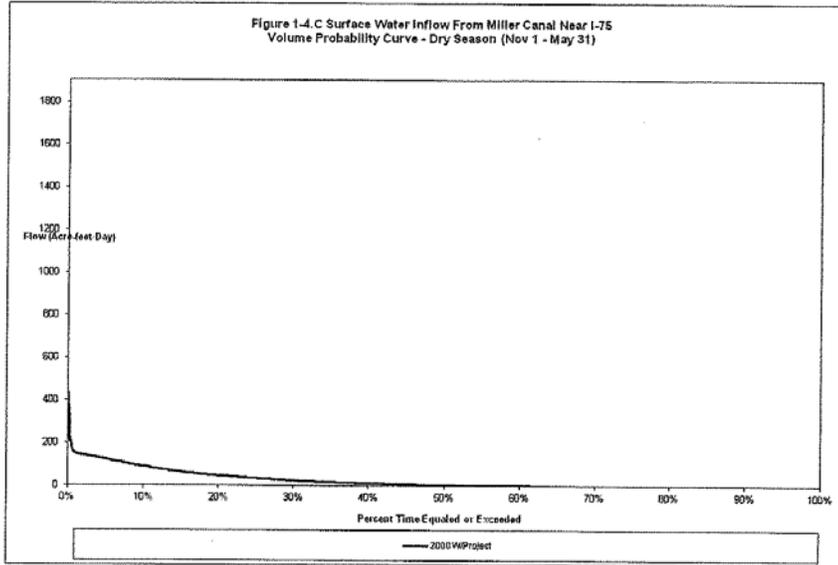
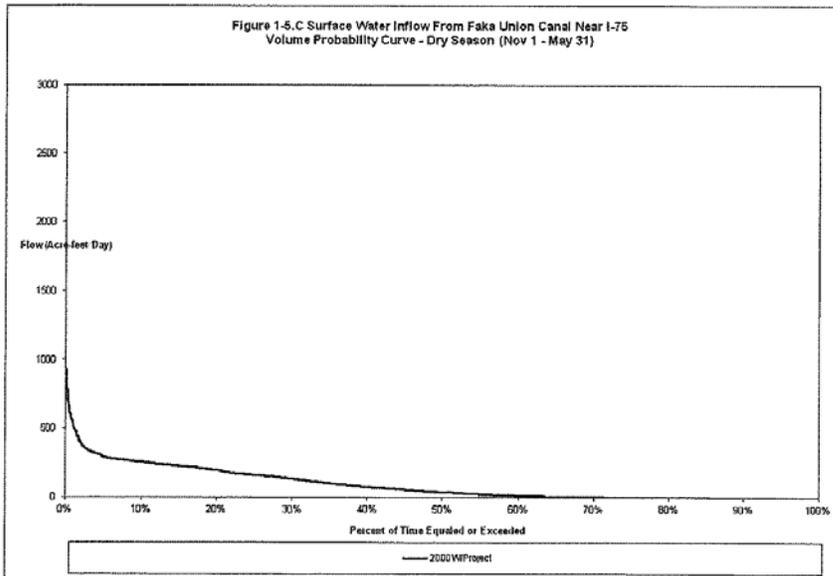
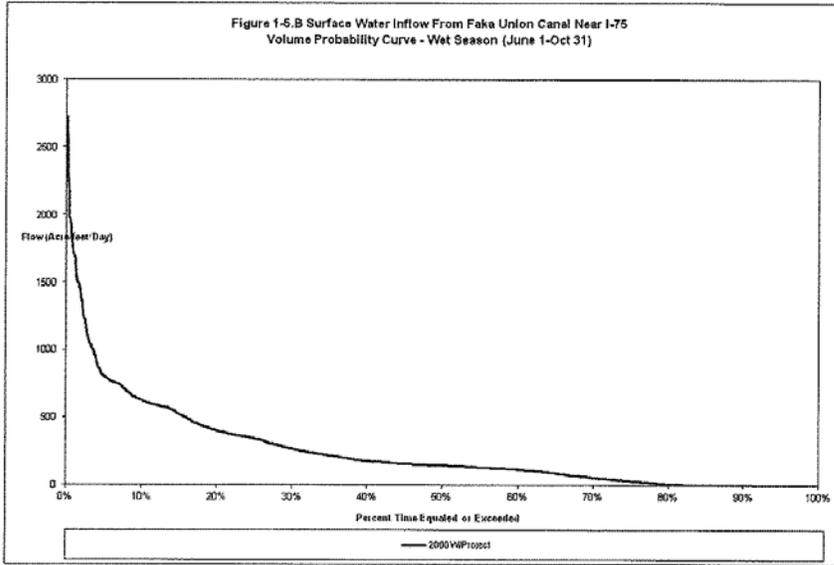


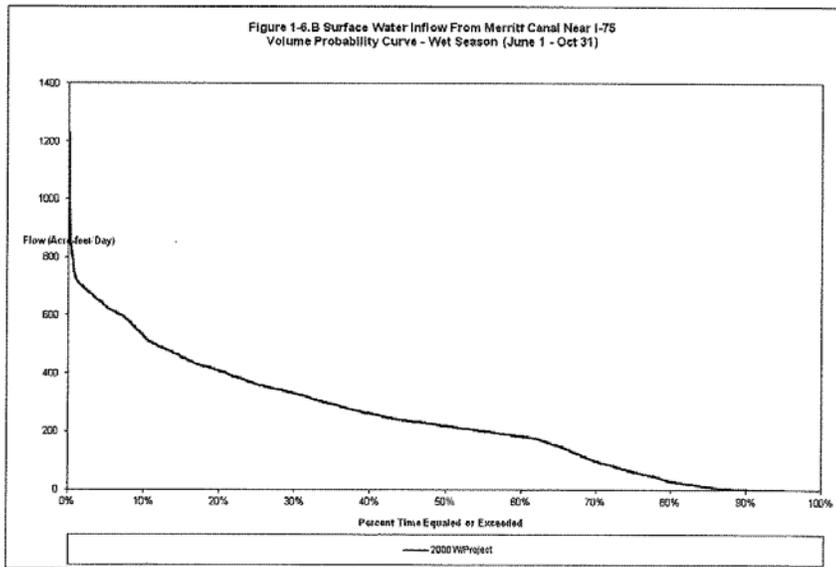
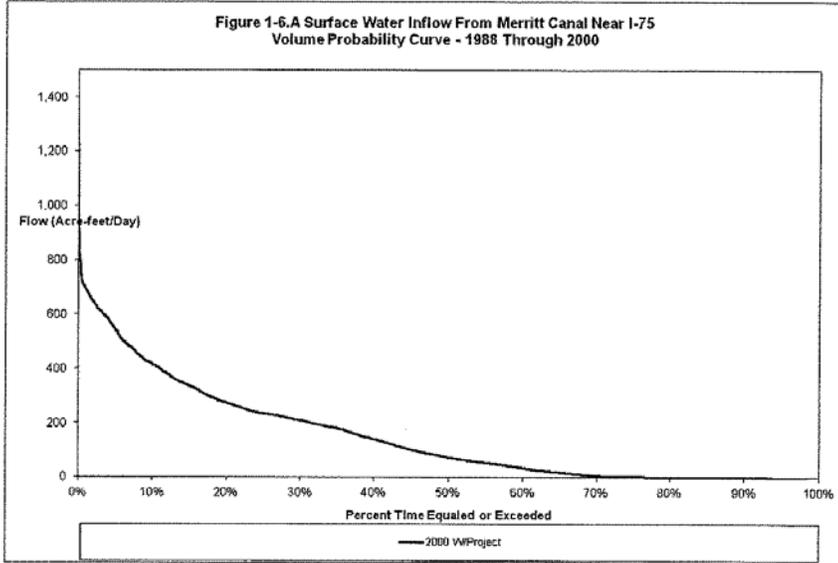
Figure 1-3











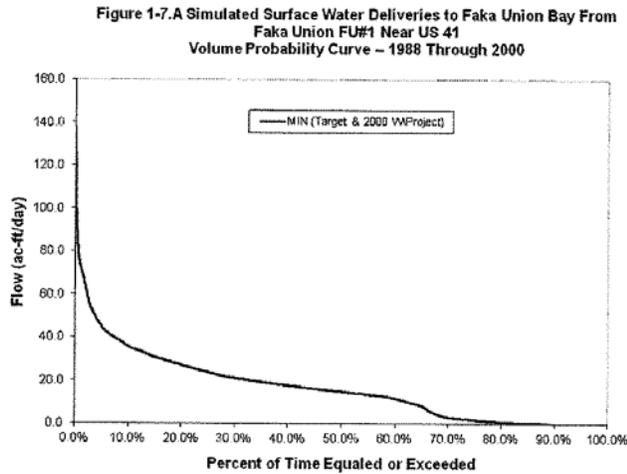
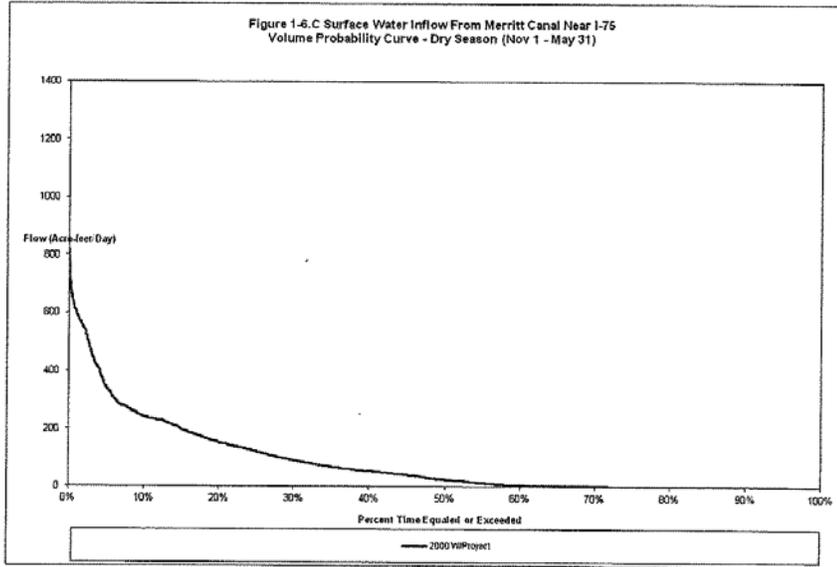


Figure 1-7.B Simulated Surface Water Deliveries to Faka Union Bay from Faka Union FU#1 Near US 41 Wet Season Volume Probability Curve – (June 1 - Oct 31)

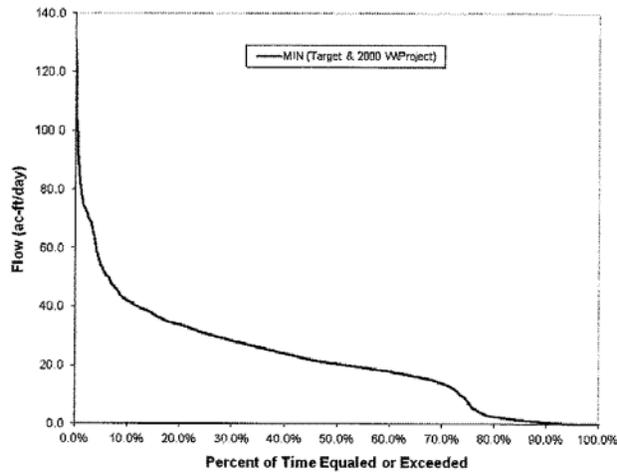
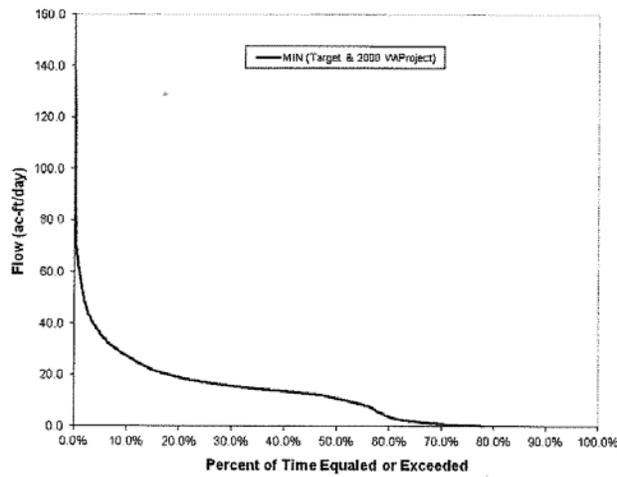
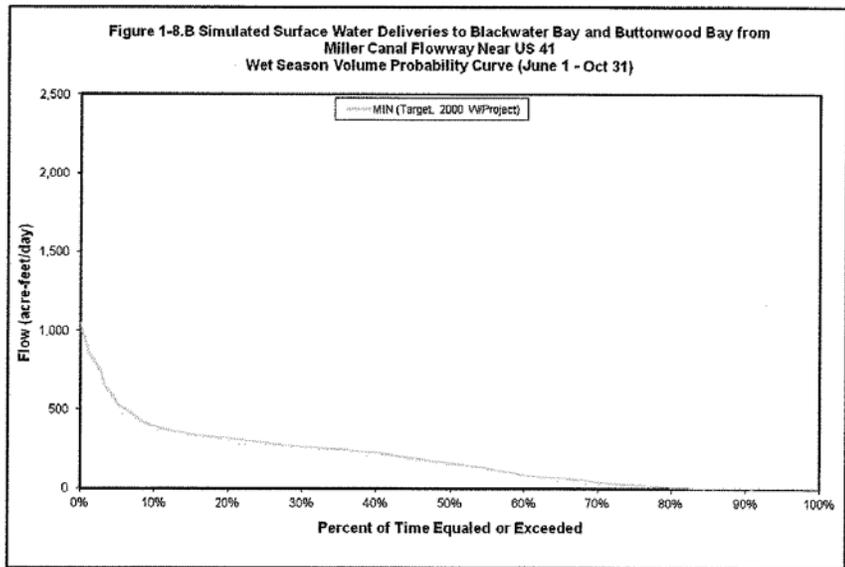
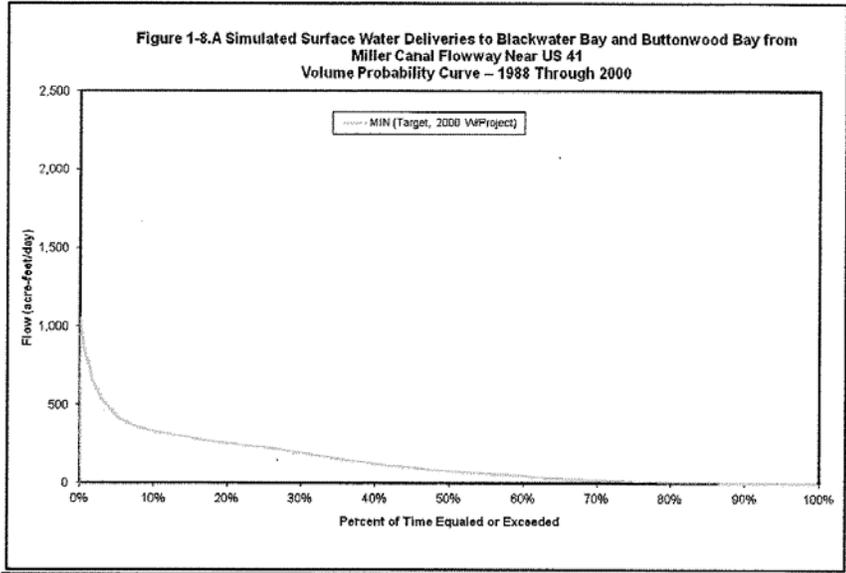


Figure 1-7.C Simulated Surface Water Deliveries to Faka Union Bay from Faka Union FU#1 Near US 41 Dry Season Volume Probability Curve (Nov 1 - May 31)





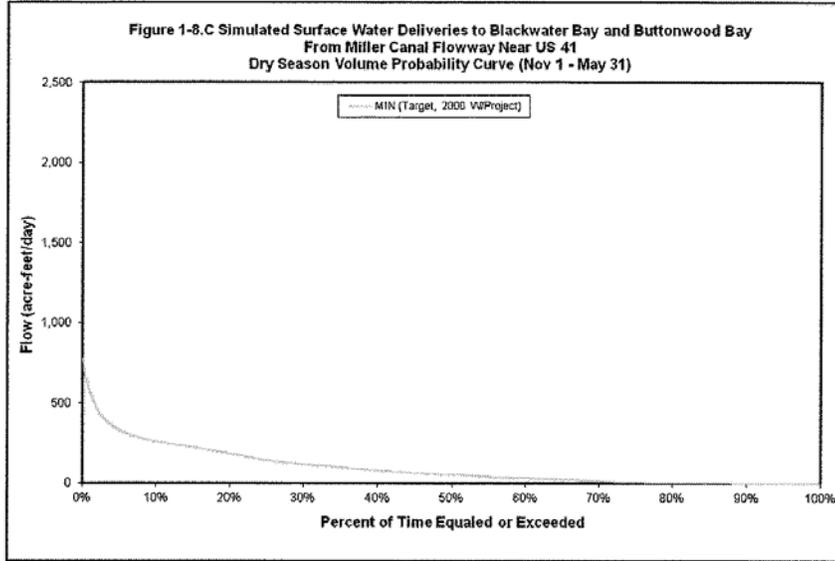


Figure 1-9.A Simulated Surface Water Deliveries to Pumpkin Bay From Faka Union Flowway Near US 41 Volume Probability Curve - 1988 Through 2000

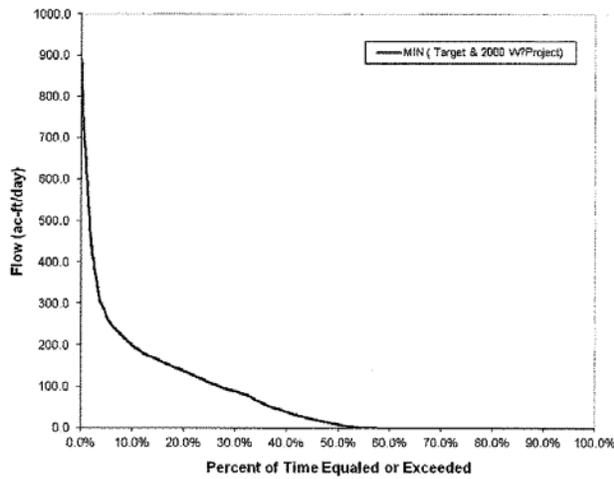


Figure 1-9.B Simulated Surface Water Deliveries to Pumpkin Bay from Faka Union Flowway Near US 41 Wet Season Volume Probability Curve (June 1 - Oct 31)

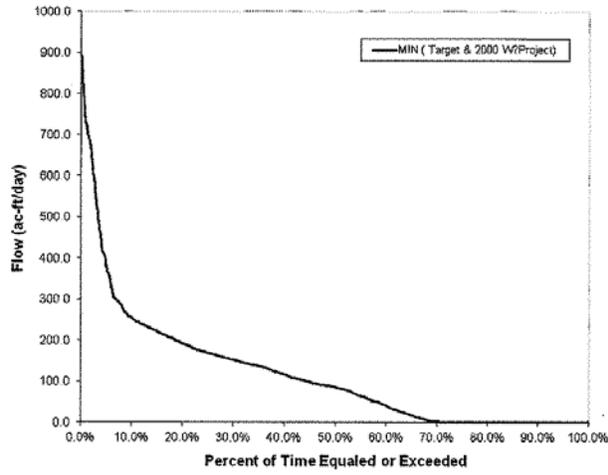


Figure 1-9.C Simulated Surface Water Deliveries to Pumpkin Bay from Faka Union Flowway Near US 41 Dry Season Volume Probability Curve (Nov1 - May 31)

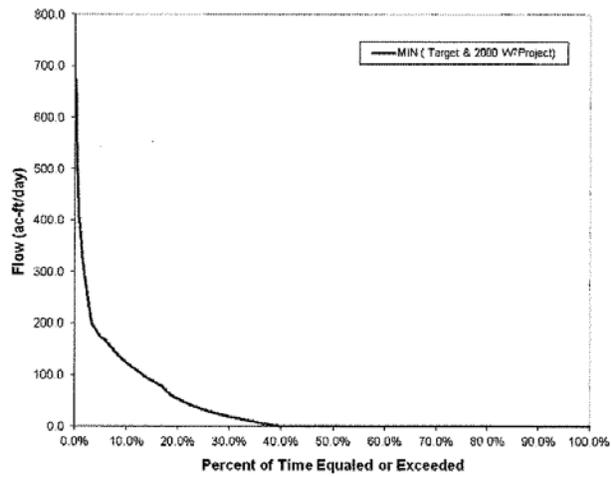


Figure 1-10.A Simulated Surface Water Deliveries to Faka Union Bay From Merritt Canal Flowway Near US41 Volume Probability Curve – 1988 Through 2000

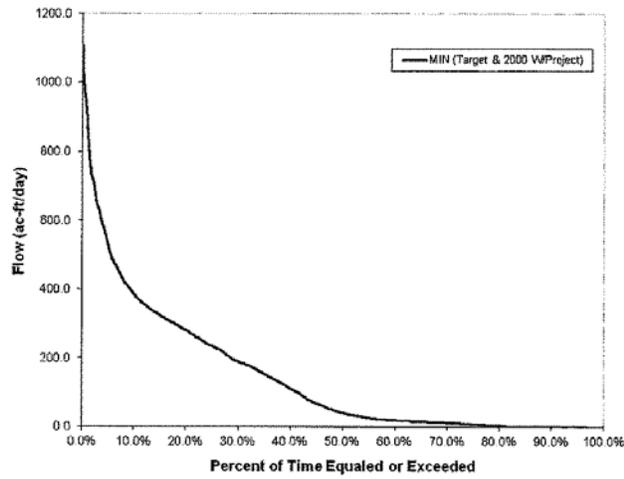


Figure 1-10.B Simulated Surface Water Deliveries to Faka Union Bay from Merritt Canal Flowway Near US41 Wet Season Volume Probability Curve (June 1- Oct 31)

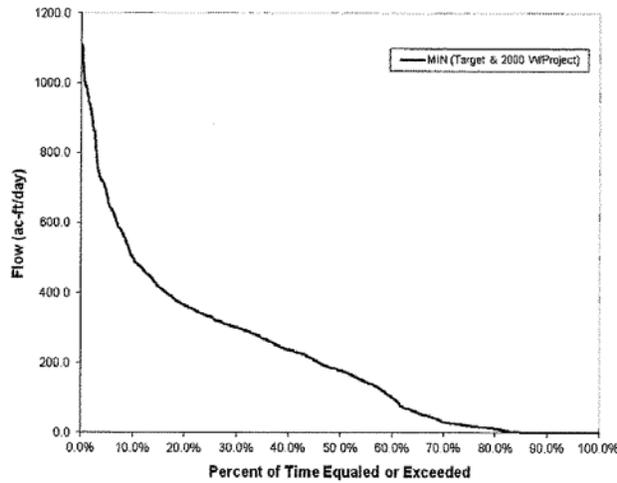


Figure 1-10.C Simulated Surface Water Deliveries to Faka Union Bay from Merritt Canal Flowway Near US41 Dry Season Volume Probability Curve (Nov 1 - May 31)

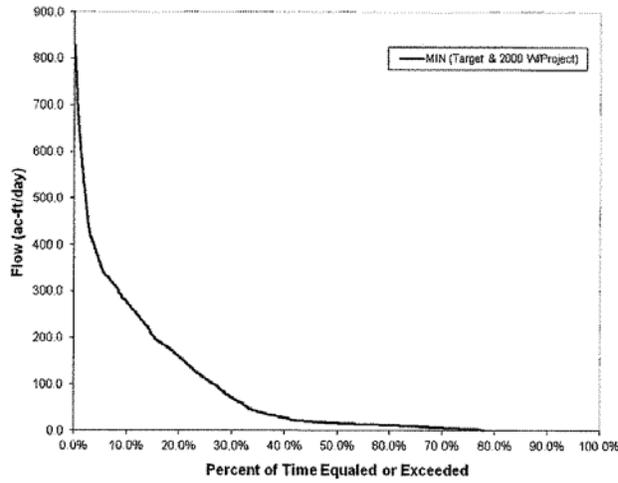


Figure 1-11.A Simulated Surface Water Deliveries to Fakahatchee Bay From Fakahatchee Strand Volume Probability Curve – 1988 Through 2000

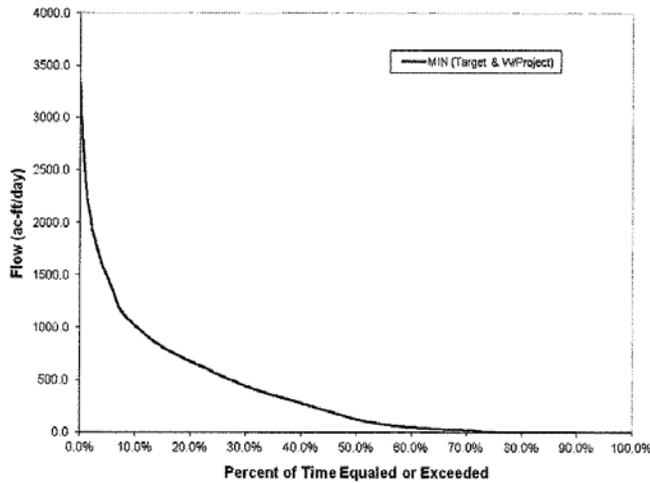


Figure 1-11.B Simulated Surface Water Deliveries to Fakahatchee Bay from Fakahatchee Strand
Wet Season Volume Probability Curve (June 1- Oct 31)

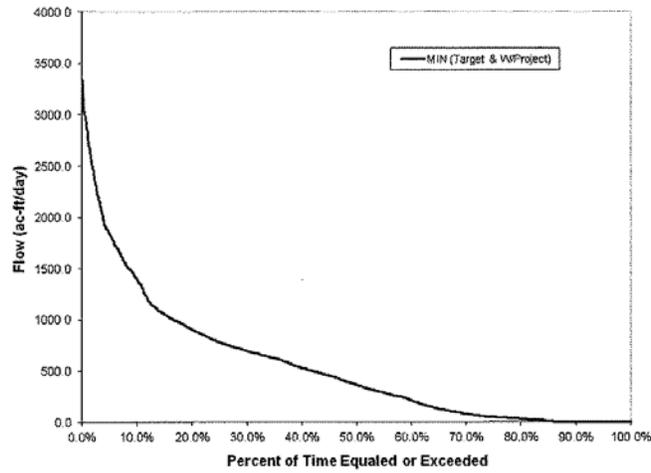
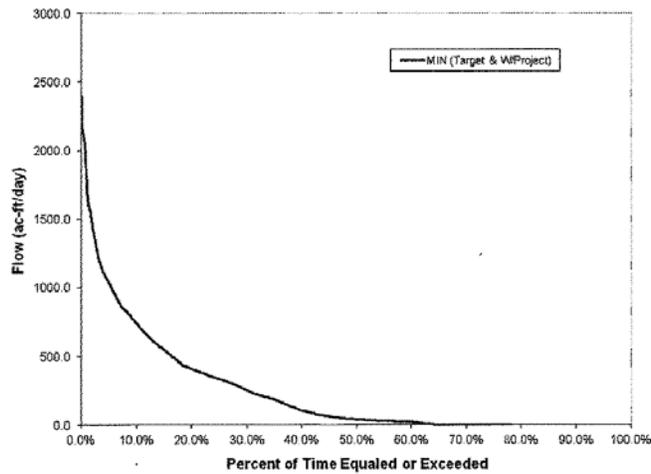


Figure 1-11.C Simulated Surface Water Deliveries to Fakahatchee Bay from Fakahatchee Strand
Dry Season Volume Probability Curve (Nov 1 - May 31)



**1-12 LEGAL DESCRIPTION OF CALOOSAHATCHEE RIVER C-43 WEST
BASIN STORAGE RESERVOIR**

Caloosahatchee River

C-43 West Basin Storage Reservoir

A parcel of land lying in Sections 31, 32, 33, 34, 35, and 36, Township 43 South, Range 28 East, Section 31, Township 43 South, Range 29 East, Section 6, Township 44 South, Range 29 East, and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Township 44 South Range 28 East, Hendry County Florida, being more particularly described as follows:

Beginning at the Northwest corner of the East 1/2 of said Section 31, Township 43 South, Range 28 East; Thence, S89°51'14"E, along the North line of said East 1/2, a distance of 2,635.83 feet to the Northwest corner of said Section 32;

Thence, N89°26'04"E, along the North line of the Northwest 1/4 of Section 32, a distance of 2,650.29 feet to the North quarter corner of section 32;

Thence, N89°27'01"E, along the North line of the Northeast 1/4 of Section 32, a distance of 2,651.17 feet to the Northwest corner of said section 33;

Thence, N89°39'17"E, along the North line of the Northwest 1/4 of Section 33, a distance of 2,644.00 feet to the North 1/4 corner of Section 33;

Thence, N89°40'58"E, along the North line of the Northeast 1/4 of Section 33, a distance of 2,644.65 feet to the Northwest corner of said Section 34;

Thence, N89°24'50"E, along the North line of the Northwest 1/4 of Section 34, a distance of 2,644.35 feet to the North 1/4 corner of Section 34;

Thence, N89°25'57"E, along the North line of the Northeast 1/4 of Section 34, a distance of 2,644.21 feet to the Northwest corner of said Section 35;

Thence, N89°13'34"E, along the North line of the Northwest 1/4 of Section 35, a distance of 2,652.53 feet to the North 1/4 corner of Section 35;

Thence, N89°25'25"E, along the North line of Northeast 1/4 of Section 35, a distance of 2,650.20 feet to the Northwest corner of said Section 36;

Thence, N89°39'37"E, along the North line of the Northwest 1/4 of Section 36, a distance of 2,642.30 feet to the North 1/4 corner of Section 36;

Thence, N89°39'50"E, along the North line of the Northeast 1/4 of Section 36, a distance of 1,436.88 feet to an East corner of the Berry land as described in Official Record Book 605, page 1149, public records of Hendry County;

Thence, continue N 89°39'50"E, along said North line 1205.97 feet to the Northwest corner of said Section 31, Township 43 South, Range 29 East;

Thence, N89°39'59"E, along the North line of said Section 31, Township 43 South, Range 29 East for 1878.01 feet to an intersection with a line parallel with and 1,877.97 feet Easterly of, as measured perpendicular to the West line of said Section 31, Township 43 South, Range 29 East;

Thence, S00°09'39"E, along said parallel line for 5298.32 feet to an intersection with a line parallel with and 1877.97 feet Easterly of, as measured perpendicular to the West line of said Section 6, Township 44 South, Range 29 East;

Thence, S00°13'51"E, along said parallel line for 5241.63 feet to an intersection with the South line of the Southwest quarter of said Section 6, Township 44 South, Range 29 East;

Thence, N89°53'18"W, along said South line for 1878.00 feet to the Southwest corner of said Section 6 also being the Northeast corner of said Section 12, Township 44 South, Range 28 East;

Thence, S00°33'18"E, along the East line of Section 12, a distance of 5,310.64 feet to the Southeast corner of Section 12;

Thence, S89°30'12"W, along the South line of the Southeast 1/4 of Section 12, a distance of 2,634.72 feet to the South 1/4 corner;

Thence, S89°09'14"W, along the South line of the Southwest 1/4, a distance of 2,632.48 feet to the Southeast corner of said Section 11;

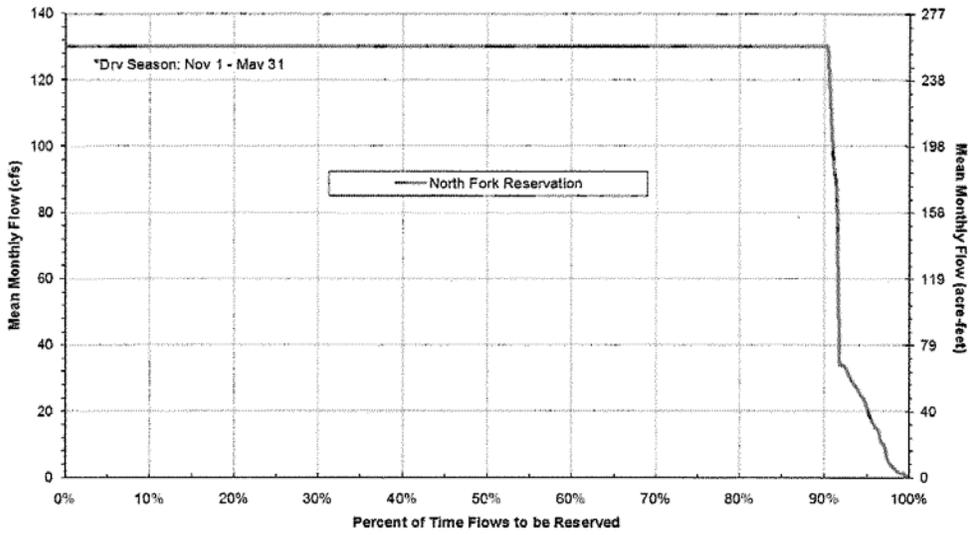
Thence, S87°42'48"W, along the South line of the Southeast 1/4 of Section 11, a distance of 2,640.48 feet to the South 1/4 corner of section 11;

Thence, S87°51'34"W, along the South line of the Southwest 1/4 of Section 11, a distance of 2,641.90 feet to the Southeast corner of said Section 10;

Thence, N89°40'57"W, along the South line of the Southeast 1/4 of Section 10, a distance of 2,643.20 feet to the South 1/4 corner of Section 10;

Figure 2-2: Water Reserved for the North Fork of the St Lucie River

Figure 2-2: Water Reserved for the North Fork of the St Lucie River



APPENDIX 3: LOWER EAST COAST PLANNING AREA

Figure 3-1 Nearshore Central Biscayne Bay Reservation Water Body and Protected Canal Reaches

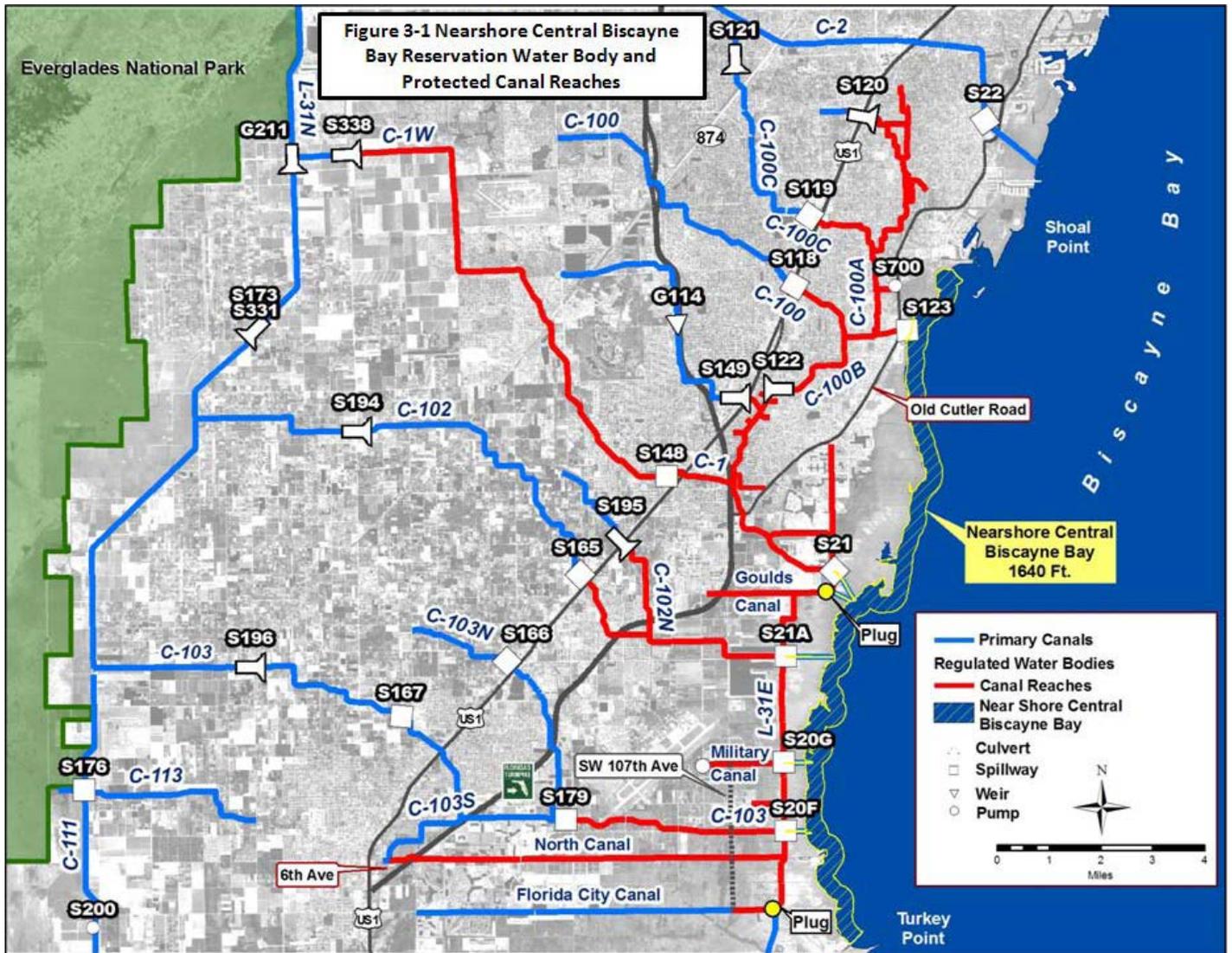


Figure 3-2.A Surface Water Flow from the C-100 canal through S-123 into Biscayne Bay during the Wet Season (June-October) (1986-2011)

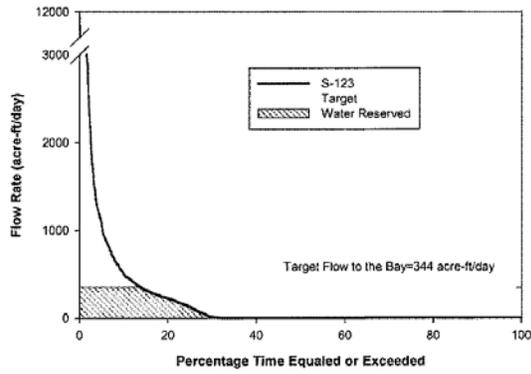


Figure 3-2.B Surface Water Flow from the C-100 canal through S-123 into Biscayne Bay during the Dry Season (November-May) (1986-2011)

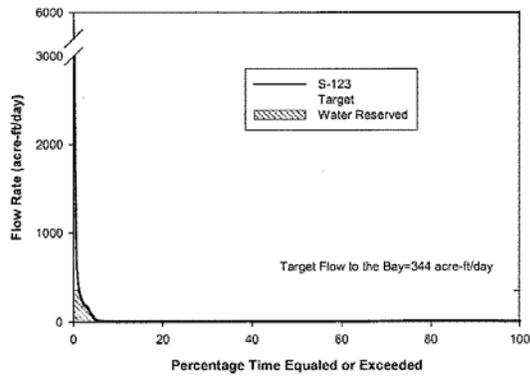


Figure 3-3.A Surface Water Flow from the C-1 canal through S-21 into Biscayne Bay during the Wet Season (June-October) (1986-2011)

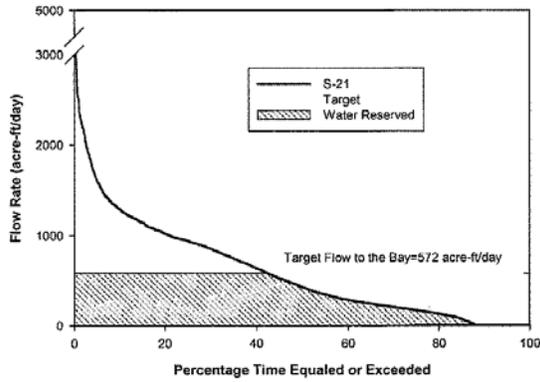


Figure 3-3.B Surface Water Flow from the C-1 canal through S-21 into Biscayne Bay during the Dry Season (November-May) (1986-2011)

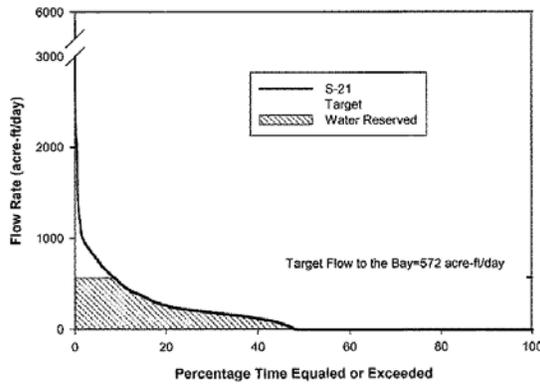


Figure 3-4.A Surface Water Flow from the C-102+Military+C-103 Canal through S-21A+S-20G+S-20F into Biscayne Bay during the Wet Season (June-October) (1986-2011)

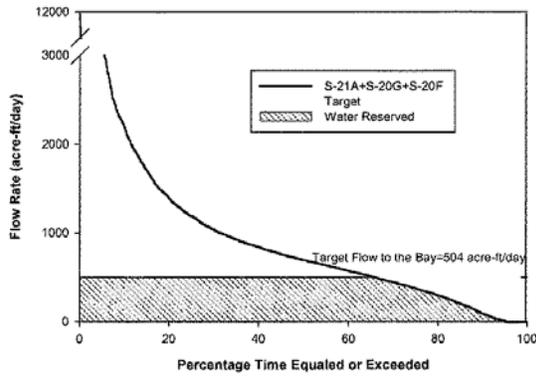


Figure 3-4.B Surface Water Flow from the C-102+Military+C-103 Canal through S-21A+S-20G+S-20F into Biscayne Bay during the Dry Season (November-May) (1986-2011)

