

62-301.200 Definitions.

Definitions in other Chapters of the Department's rules may be used to clarify the meaning of terms used in this Chapter unless the terms are defined in Rule 62-3.021, F.A.C., or unless transfer of such definition would defeat the purpose or alter the intended effect of the provisions of this Chapter.

(1) "Acute Toxicity" shall mean the presence of one or more substances or characteristics or components of substances in amounts which:

(a) Are greater than one-third (1/3) of the amount lethal to 50% of the test organisms in 96 hours (96 hr LC50) where the 96 hr LC50 is the lowest value which has been determined for a species significant to the indigenous aquatic community; or

(b) May reasonably be expected, based upon evaluation by generally accepted scientific methods, to produce effects equal to those of the concentration of the substance specified in paragraph (a) above.

(2) "Dominance" shall mean the presence of species or communities in greater numbers, biomass, or areal extent than competing species or communities, or a scientifically accepted tendency of species or communities to achieve such a status under existing or reasonably anticipated conditions.

(3) "Landward extent of waters of the state as defined prior to October 1, 1984" is, pursuant to Section 403.817, F.S., that portion of a surface water body indicated by the presence of one or a combination of the following as the dominant species:

Submerged Marine species:

Batis	<i>Batis maritima</i>
Big cordgrass	<i>Spartina cynosuroides</i>
Black mangrove	<i>Avicennia germinans</i>
Black rush	<i>Juncus roemerianus</i>
Cuban shoalweed	<i>Diplanthera (Halodule) wrightii</i>
Leather fern	<i>Acrostichum aureum</i>
Manatee grass	<i>Syringodium filiformis</i>
Red mangrove	<i>Rhizophora mangle</i>
Rubber vine	<i>Rhabdadenia biflora</i>
Smooth cordgrass	<i>Spartina alterniflora</i>
Turtle grass	<i>Thalassia testudinum</i>
White mangrove	<i>Laguncularia racemosa</i>
Widgeon grass	<i>Ruppia maritima</i>

Submerged Freshwater species:

Alligator weed	<i>Alternanthera philoxeroides</i>
Arrowhead	<i>Sagittaria spp.</i>
Arrowroot lily	<i>Thalia geniculata</i>
Bald cypress	<i>Taxodium distichum</i>
Beak rush	<i>Rhynchospora tracyi</i>
Bladder wort	<i>Utricularia vulgaris</i>
Blue green algal mats	
Bullrush	<i>Scirpus americanus</i>
	<i>Scirpus validus</i>
Cattail	<i>Typha latifolia</i>
	<i>Typha angustifolia</i>
	<i>Typha domingensis</i>
Coontail	<i>Ceratophyllum demersum</i>
Duck weed	<i>Lemna spp.</i>
Florida elodea	<i>Hydrilla verticillata</i>
Golden club	<i>Orontium aquaticum</i>
Leather fern	<i>Acrostichum danaeifolium</i>
Maiden cane	<i>Panicum hermitomon</i>
Naiad	<i>Najas spp.</i>

Ogeeche tupelo	<i>Nyssa ogeche</i>
Pickerelweed	<i>Pontederia lanceolata</i>
Pond apple	<i>Annona glabra</i>
Pond cypress	<i>Taxodium ascendens</i>
Pondweed	<i>Potamogeton illinoensis</i>
Royal fern	<i>Osmunda regalis</i>
Saw grass	<i>Cladium jamaicensis</i>
Spatter dock	<i>Nuphar spp.</i>
Spike rush	<i>Eleocharis cellulosa</i>
Soft rush	<i>Juncus effusus</i>
Swamp lily	<i>Crinum americanum</i>
Swamp tupelo	<i>Nyssa biflora</i>
Tape grass	<i>Vallisneria neotropicalis</i>
Water ash	<i>Fraxinus caroliniana</i>
Water fern	<i>Salvinia rotundifolia</i>
Water hyssop	<i>Bacopa caroliniana</i>
Water lily	<i>Nymphaea spp.</i>
Water shield	<i>Brasenia schreberi</i>
Water tupelo	<i>Nyssa aquatica</i>
Water willow	<i>Justicia ovata</i>

or that portion of a surface water body up to the waterward first fifty (50) feet or the waterward quarter (1/4) of the entire area, whichever is greater, where one or a combination of the following are the dominant species:

Transitional Marine species:

Aster	<i>Aster tenuifolius</i>
Beach carpet	<i>Phloxerus vermicularis</i>
Button wood	<i>Conocarpus erecta</i>
Glasswort Annual	<i>Salicornia bigelovii</i>
Glasswort Perennial	<i>Salicornia virginica</i>
Key grass	<i>Monanthochloe littoralis</i>
Salt grass	<i>Distichlis spicata</i>
Sea blite	<i>Suaeda lindaris</i>
Sea daisy	<i>Borrchia frutescens</i>
	<i>Borrchia arborescens</i>
Sea grape	<i>Coccoloba uvifera</i>
Sea lavender	<i>Limonium carolinianum</i>
Sea purslane	<i>Sesuvium portulacastrum</i>
Switch grass	<i>Spartina patens</i>
Railroad vine	<i>Ipomoea pes-caprae</i>

Transitional Freshwater species:

Button bush	<i>Cephalanthus occidentalis</i>
Dahoon	<i>Ilex cassine</i>
Giant reed	<i>Phragmites communis</i>
Primrose willow	<i>Ludwigia peruviana</i>
St. John's wort	<i>Hypericum fasciculatum</i>
Switch grass	<i>Panicum virgatum</i>
Willow	<i>Salix caroliniana</i>

(4) "Landward extent of waters of the state" is, pursuant to Section 403.817, F.S., that portion of a surface water body indicated by the presence of one or a combination of the species listed in Rule 62-301.400, F.A.C., as the dominant species as determined

pursuant to Rule 62-301.400, F.A.C.

(5) “Predominantly Fresh Waters” shall mean surface waters in which the chloride concentration at the surface is less than 1,500 milligrams per liter.

(6) “Predominantly Marine Waters” shall mean surface waters in which the chloride concentration at the surface is greater than or equal to 1,500 milligrams per liter.

(7) “Surface Water” means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth’s surface.

(8) “Waters” shall be as defined in Section 403.031(3), F.S.

Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.031, 403.061, 403.085, 403.086, 403.087, 403.088, 403.502, 403.802 FS. History—New 5-29-90, Formerly 17-301.200.