

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.003 E911 State Grant Programs

PURPOSE AND EFFECT: This modification is an update to the existing E911 State Grant Program rule and application and includes changes required by 2013 Legislation Action (HB1309). Any Board of County Commissioners in the State of Florida is eligible to apply. The E911 State Grant Program will help maintain current private-sector employment level and investment for maintaining Florida's E911 system.

SUBJECT AREA TO BE ADDRESSED: Required update.

RULEMAKING AUTHORITY: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172(6)(a)3.b, 365.173(2)(i), 365.172(9)(a), (b), (c) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wink Infinger, Statewide 911 Coordinator, Florida Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 135C, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NOS.: RULE TITLES:

61G6-12.001 Requirements for Burglar Alarm System Agent Training Courses

61G6-12.002 Requirements for Fire Alarm System Agent Training Courses

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the requirements for Burglar Alarm System Agent Training Courses and to update the requirements for Fire Alarm System Agent Training Courses.

SUBJECT AREA TO BE ADDRESSED: Requirements for Burglar Alarm System Agent Training Courses. Requirements for Fire Alarm System Agent Training Courses.

RULEMAKING AUTHORITY: 489.507(3), 489.517, 489.518(1)(b), 489.521, 489.5185 FS.

LAW IMPLEMENTED: 489.507(3), 489.518(1)(b), 489.521, 489.5185 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:

62-302.200 Definitions

62-302.530 Table: Surface Water Quality Criteria

62-302.800 Site Specific Alternative Criteria

PURPOSE AND EFFECT: The Department is initiating rule development to more effectively and efficiently address bacteria impairments using modern scientific identification and investigation techniques. Specifically, the Department is initiating rulemaking to 1) revise the fecal indicator bacteria surface water quality criteria in Chapter 62-302, F.A.C., to reflect the current science, 2) revise the associated impaired water assessment methodologies in Chapter 62-303, F.A.C., to implement the updated fecal indicator bacteria criteria, 3) establish in Rule 62-304.900, F.A.C., a methodology that derives specific fecal indicator bacteria Total Maximum Daily Load (TMDL) pollutant reductions for any individual surface water segment based on the data used to verify the impairment of the waterbody, and 4) set forth restoration expectations by Rule that implement fecal indicator bacteria TMDLs.

The Department intends to convene a technical advisory committee (TAC) to provide technical assistance to the Department in developing the proposed rules. The Department will provide public notice of TAC meetings in advance of these meetings being scheduled.

SUBJECT AREA TO BE ADDRESSED: Rule development is intended to comprehensively revise fecal indicator bacteria surface water quality criteria and the associated impaired water methodologies, establish a methodology that derives individual fecal indicator bacteria TMDLs, and establish appropriate restoration actions to implement the TMDL. Separate notices are being published for the associated rule development in Chapters 62-303 and 62-304, F.A.C.

RULEMAKING AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021(11), 403.031, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708, 403.802 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Eric Shaw, Standards Development Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 6511, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-303.200	Definitions
62-303.320	Exceedances of Aquatic Life-Based Water Quality Criteria
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.390	The Study List
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.720	Delisting Procedure

PURPOSE AND EFFECT: The Department is initiating rule development to more effectively and efficiently address bacteria impairments using modern scientific identification and investigation techniques. Specifically, the Department is initiating rulemaking to 1) revise the fecal indicator bacteria surface water quality criteria in Chapter 62-302, F.A.C., to reflect the current science, 2) revise the associated impaired water assessment methodologies in Chapter 62-303, F.A.C., to implement the updated fecal indicator bacteria criteria, 3) establish in Rule 62-304.900, F.A.C., a methodology that derives specific fecal indicator bacteria Total Maximum Daily Load (TMDL) pollutant reductions for any individual surface water segment based on the data used to verify the impairment of the waterbody, and 4) set forth restoration expectations by Rule that implement fecal indicator bacteria TMDLs.

The Department intends to convene a technical advisory committee (TAC) to provide technical assistance to the Department in developing the proposed rules. The Department will provide public notice of TAC meetings in advance of these meetings being scheduled.

SUBJECT AREA TO BE ADDRESSED: Rule development is intended to comprehensively revise fecal indicator bacteria surface water quality criteria and the associated impaired water methodologies, establish a methodology that derives individual fecal indicator bacteria TMDLs, and establish appropriate restoration actions to implement the TMDL. Separate notices are being published for the associated rule development in Chapters 62-302 and 62-304, F.A.C.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.021(11), 403.062, 403.067 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Eric Shaw, Standards Development Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 6511, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-304.900	Statewide TMDLs

PURPOSE AND EFFECT: The Department is initiating rule development to more effectively and efficiently address bacteria impairments using modern scientific identification and investigation techniques. Specifically, the Department is initiating rulemaking to 1) revise the fecal indicator bacteria surface water quality criteria in Chapter 62-302, F.A.C., to reflect the current science, 2) revise the associated impaired water assessment methodologies in Chapter 62-303, F.A.C., to implement the updated fecal indicator bacteria criteria, 3) establish in Rule 62-304.900, F.A.C., a methodology that derives specific fecal indicator bacteria Total Maximum Daily Load (TMDL) pollutant reductions for any individual surface water segment based on the data used to verify the impairment of the waterbody, and 4) set forth restoration expectations by Rule that implement fecal indicator bacteria TMDLs.

The Department intends to convene a technical advisory committee (TAC) to provide technical assistance to the Department in developing the proposed rules. The Department will provide public notice of TAC meetings in advance of these meetings being scheduled.

SUBJECT AREA TO BE ADDRESSED: Rule development is intended to comprehensively revise fecal indicator bacteria surface water quality criteria and the associated impaired water methodologies, establish a methodology that derives individual fecal indicator bacteria TMDLs, and establish appropriate restoration actions to implement the TMDL. Separate notices are being published for the associated rule development in Chapters 62-302 and 62-303, F.A.C.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.
LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Eric Shaw, Standards Development Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 6511, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-13.002 Continuing Education Requirements for Reactivation

PURPOSE AND EFFECT: The Board intends to address continuing education requirements for reactivation of licensure.

SUBJECT AREA TO BE ADDRESSED: Continuing medical education (CME) requirements for reactivation of licensure.

RULEMAKING AUTHORITY: 459.009(2) FS.
LAW IMPLEMENTED: 459.009(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:
64B15-14.006 Standards of Practice for Surgery
64B15-14.007 Standard of Care for Office Surgery
64B15-14.0076 Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify standards of practice in surgery; to address clarification for transfer agreements and to update the medications utilized on the crash cart in office surgery settings. Additionally, the Board intends to clarify office registration requirements in certain liposuction procedures.

SUBJECT AREA TO BE ADDRESSED: The standards of practice for surgery or procedures; clarification of transfer agreement language; and update of the supplies and medications required on the crash cart. Additionally, the amendments will address registration of offices performing certain liposuction procedures.

RULEMAKING AUTHORITY: 459.005, 459.015(1)(z), 459.026 FS.

LAW IMPLEMENTED: 456.069, 459.005(2), 459.015(1)(g), (x), (z), (aa), 459.026 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
Proposed Rules**

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:
60Y-7.001 Complaints

PURPOSE AND EFFECT: The proposed rule amendment is sought in response to Chapter 2013-207, Laws of Florida, which became effective July 1, 2013. The new law passed Senate Bill 1464/House Bill 1147, which amended Florida Statute, chapter 760.34, as follows:

(4) If, within 180 days after a complaint is filed with the commission or within 180 days after expiration of any period of reference under subsection (3), the commission has been unable to obtain voluntary compliance with ss. 760.20-760.37, the person aggrieved may commence a civil action in any appropriate court against the respondent named in the complaint or petition for an administrative determination pursuant to Section 760.35, F.S., to enforce the rights granted or protected by Sections 760.20-760.37, F.S. If, as a result of its investigation under subsection (1), the commission finds there is reasonable cause to believe that a discriminatory housing practice has occurred, at the request of the person aggrieved, the Attorney General may shall bring an action in the name of the state on behalf of the aggrieved person to enforce the provisions of Sections 760.20-760.37, F.S.

The U.S. Department of Housing and Urban Development (HUD) has certified that the Florida Commission on Human Relations enforces the Florida Fair Housing Act which provides substantive rights, procedures, remedies and judicial review provisions that are substantially equivalent to the federal Fair Housing Act. As a certified agency, the Florida Commission on Human Relations receives referrals of housing discrimination complaints for investigation from HUD, and in return for investigating those complaints, the Florida Commission on Human Relations receives funding from HUD. HUD has expressed concern that the law change identified above will impact the Commission's substantial equivalency certification because of the possibility that if the Attorney General, in its discretion, decided not to bring a civil action in the name of the state on the aggrieved person's behalf, the aggrieved person would be left without appropriate redress and/or representation.

SUMMARY: The proposed rule would confirm that in those circumstances where the Attorney General decides not to bring a civil action in the name of the state on the aggrieved person's behalf, the Florida Commission on Human Relations will bring a civil action.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no applicable federal standards that relate to Rule 60Y-7.001, F.A.C.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 760.31(5) FS.

LAW IMPLEMENTED: 760.34 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cheyanne Costilla, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850) 488-7082, Cheyanne.Costilla@fchr.myflorida.com.\

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-7.001 Complaints.

(1) through (7) No change.

(8)(a)1. Notice to Respondent. When it is determined that a complaint is complete and has been timely filed, the Executive Director shall cause notice of the filing and a copy of the complaint to be served upon the respondent. Notice should be served within 10 days of the date of filing. An amendment likewise shall be served upon the respondent.

2. The notice shall advise the respondent of relevant procedural rights and obligations by referencing, for example, Sections 760.20-760.37, F.S., and Chapters 60Y-6, 60Y-7, 60Y-8, and 60Y-9, F.A.C.

3. The notice shall advise the respondent of the complainant's right to commence a civil action under Section 760.35, F.S., in court, not later than two years after the occurrence or termination of the alleged discriminatory housing practice. If filed in federal court under federal law, the notice will state that the computation of this two-year period excludes any time during which the matter is pending for administrative relief with respect to a complaint or charge based on the alleged discriminatory housing practice. The notice will also state, however, that the time period includes the time during which an action arising from a breach of a conciliation agreement under Section 760.36, F.S., is pending.

4. The notice shall advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or

conciliation under Florida’s Fair Housing Act is a discriminatory housing practice that is prohibited.

(b) Notice to Complainant.

1. The Commission shall serve notice upon the complainant acknowledging the filing of the complaint, advising the complainant of the time limits set forth in Rule 60Y-7.004, F.A.C.

2. The Commission shall serve notice upon the complainant advising the complainant of the statutory remedies and choice of forums by referencing Sections 760.34, 760.35 and 760.37, F.S., and by informing the complainant that Section 760.34, F.S., is neither an obstacle nor a prerequisite to commencement of a separate civil action on his own under Section 760.35, F.S.

3. The notice shall advise the complainant of his right to commence a civil action under Section 760.35, F.S., in a court, not later than two years after the occurrence or termination of the alleged discriminatory housing practice. The notice will state that, if filing in federal court under federal law, the computation of this two-year period excludes any time during which the matter is pending for administrative relief with respect to a complaint or charge, based on the alleged discriminatory housing practice. The notice will also state, however, that the time period includes the time during which an action arising from a breach of a conciliation agreement under Section 760.36, F.S., is pending.

4. The notice shall advise the complainant that retaliation against any person because he or she made a complaint or testified, assisted, or participated in an investigation or conciliation under Florida’s Fair Housing Act is a discriminatory housing practice that is prohibited.

5. Upon an investigatory determination of reasonable cause, the Commission shall serve notice upon the complainant advising the complainant that at the election of the complainant, the Attorney General may shall bring an action in the name of the state on behalf of the complainant to enforce the provisions of Sections 760.20-.37, F.S.

6. The complainant must make his election within 20 days after receipt of the notice. If an election is made for a civil action by the Attorney General, then a civil action may shall be commenced and maintained within a reasonable time from the date of the election. If the Attorney General, in its discretion, determines that it will not initiate a civil action on behalf of the aggrieved person, the Commission shall institute a civil action in an appropriate court.

7. In addition, complainant shall be advised that, as an alternative to the Attorney General bringing an action, the Commission petition for an administrative hearing and seek relief for complainant under Section 120.57, F.S., and prosecute the matter to a final agency order, which may include defending against an appeal by the respondent.

8. At all times, however, Complainant retains the right to seek administrative or judicial relief without governmental assistance.

(9) No change.

Rulemaking Specific Authority 760.31(5) FS. Law Implemented 760.34 FS. History—New 1-25-90, Amended 11-20-91, Formerly 22T-21.001, Amended 9-17-98, 12-31-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cheyanne Costilla

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michelle Wilson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2013

**Section III
Notice of Changes, Corrections and
Withdrawals**

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:
40E-6.361 Financial Assurances and Insurance
40E-6.521 Self Help

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 70, April 10, 2013 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Pari-Mutuel Wagering

RULE NOS.: RULE TITLES:
61D-14.003 Renewal of Slot Machine Licenses
61D-14.005 Occupational License Requirements for Individual Persons
61D-14.006 Occupational License Application Requirements for Business Entities
61D-14.011 Occupational License and Fingerprint Fees
61D-14.022 Slot Machine, Slot Machine Component, and Progressive System Requirements
61D-14.024 Logic Compartment
61D-14.041 Randomness Requirements and Game Play Auditing
61D-14.044 Identification of Program Storage Media, and Slot Machine Technical Requirements
61D-14.059 Slot Machine Licensee Personnel
61D-14.060 Business Entities, Internal Controls and Personnel Records

- 61D-14.075 Jackpot Payouts Not Paid Directly From the Slot Machine
 - 61D-14.080 Retention, Storage and Destruction of Books, Records, and Documents
 - 61D-14.081 Monthly Remittance Reports
 - 61D-14.200 Educational or Training Facilities
 - 61D-14.203 Certified Educational Facility License Application
- NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 97, May 17, 2013 issue of the Florida Administrative Register.

61D-14.003 Renewal of Slot Machine Licenses.

(1) through (2) No change.

(a) Any changes to the information previously submitted pursuant to Rule 61D-14.002, F.A.C.;

(b) No change.

(c) Certification of renewal of the surety bond, or proof of a new bond, meeting the requirements specified by Rule 61D-14.002(1), F.A.C.

(3) No change.

Rulemaking Authority 550.0251(2), 551.103(1), 551.122 FS. Law Implemented 550.0251(2), 551.103(1)(a), (b), 551.104(4), 551.105, 551.106, 559.79(2) FS. History–New 7-30-06, Amended _____.

61D-14.006 Occupational License Application Requirements for Business Entities.

(1) through (9) No change.

Rulemaking Authority 550.0251(2), 551.103(1), 551.122 FS. Law Implemented 550.0251(2), 551.103(1)(a), (b), 551.107, 559.79(2) FS. History–New 7-30-06, Amended 6-21-10, 8-14-11, _____.

61D-14.011 Occupational License and Fingerprint Fees.

(1) through (7) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(1), (4)(a), (d), (7)(b), (d) FS. History–New 6-25-06, Amended _____.

61D-14.022 Slot Machine, Slot Machine Components, and Progressive System Requirements.

(1) through (18) No change.

(19) Software, software components, and hardware shall:

(a) through (b) No change.

(c) Be stored within a locked cabinet located at the designated slot facility with: ~~actual game title software and logic software secured within a dual locked cabinet accessible only by the slot licensee in the presence of a division representative.~~

1. Titles that require complete software reload and contain both game title and RAM clear software on the same piece of storage media along with other RAM clear software utilized

only for RAM clear purposes secured within a single lock cabinet accessible by the slot licensee.

2. Actual game title software and logic software secured within a dual locked cabinet accessible only by the slot licensee in the presence of a division representative.

(d) through (d)2. No change.

~~3.3~~, Software version;

(d)4. through (f) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (h), (i) FS. History–New 7-30-06, Amended 8-14-11, _____.

61D-14.044 Identification of Program Storage Media, and Slot Machine Technical Requirements.

(1) through (19) No change.

Rulemaking Authority 550.0251(2), 551.103(1), 551.122 FS. Law Implemented 550.0251(2), 551.103(1)(c), (d), (e), (f), (g), ~~559.79(2)~~ FS. History–New 8-13-06, Amended 6-21-10, _____.

61D-14.059 Slot Machine Licensee Personnel.

(1) through (3)(g) No change.

(h) Signed drug-free workplace agreement based upon the licensee’s established drug-testing program which shall include, at a minimum, the following elements:

1. A generalized list of substances for which licensees may be tested;

2. A timeline of when drug testing may occur; and

3. Disciplinary actions the slot machine licensee may take in the event of a positive test result; and

(i) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(g), (j) ~~(h)~~ FS. History–New 6-25-06, Amended _____.

61D-14.060 Business Entities, Internal Controls and Personnel Records.

(1) through (4) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), (i) FS. History–New 8-6-06, Amended _____.

61D-14.081 Monthly Remittance Reports.

(1) through (2)(b) No change.

(c) “Hand Pays” shall include all manual handpays less accumulated credit payouts.

(3) through (6) No change.

Rulemaking Authority 550.0251(2), 551.103(1), 551.122 FS. Law Implemented 550.0251(2), 551.103(1)(d), (g), 551.106(3), ~~559.79(2)~~ FS. History–New 7-30-06, Amended _____.

61D-14.200 Educational or Training Facilities.

(1) The following entities, upon division approval, may be permitted to have slot machines for educational or training purposes:

- (a) Certified educational facilities; and
- (b) Florida Department of Law Enforcement; ~~and~~
- (c) ~~The Department of Business and Professional Regulation.~~

(2) through (6) No change.

Rulemaking Authority 551.103(1), ~~(2), (5)~~, 551.109(2)(b), 551.122 FS. Law Implemented 551.103(1)(a), (b), (d), (e), (g), (i), (2), 551.107(2)(a)3., 551.109(2)(a), (b), 551.122, 849.15(2) FS. History—New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-302.532 RULE TITLE: Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 63, April 1, 2013 issue of the Florida Administrative Register.

The Department inadvertently left out an existing sentence and phrase in subsection 62-302.532(2), F.A.C., so that the notice read as follows:

(2) Estuarine and marine areas are delineated in the eight maps of the Florida Marine Nutrient Regions, all dated February 20, 2013, October 19, 2011, which are incorporated by reference. Copies of these maps may be obtained from the Department’s internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

Instead, subsection 62-302.532(2), F.A.C., should have read as follows:

(2) Estuarine and marine areas for the Southwest and South Florida estuaries listed in paragraphs 62-302.532(1)(a)-(j), F.A.C., are delineated in the eight maps of the Florida Marine Nutrient Regions, dated February 20, 2013, October 19, 2011, which are incorporated by reference. Estuarine and marine areas for the Panhandle estuaries listed in paragraphs 62-302.532(1)(k)-(p), F.A.C., are delineated in the six maps of the Florida Marine Nutrient Regions, dated October 1, 2012, which are incorporated by reference. Copies of these maps may be obtained from the Department’s internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs.htm> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER13-47 RULE TITLE: MEGA MILLIONS®.

SUMMARY: This emergency rule replaces Emergency Rule 53ER13-32, F.A.C., and sets forth the provisions for the conduct of MEGA MILLIONS®.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-47 MEGA MILLIONS®.

(1) Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Annuity prize – A Jackpot Prize paid in annual installments.

(b) MEGA MILLIONS Lottery or Lotteries- Lotteries that have joined under the MEGA MILLIONS Lottery Agreement; the group of lotteries that has reached a Cross-Selling Agreement with the MUSL Product Group for the selling of the MEGA MILLIONS Game.

(c) MUSL- The Multi-State Lottery Association.

(d) Product Group- The group of lotteries that has joined together to offer the MEGA MILLIONS lottery game under the terms of its Cross-Selling Agreement with the MEGA MILLIONS Lotteries, the MUSL Agreement and the MUSL MEGA MILLIONS Product Group rules.

(e) Set prize- All prizes except the Jackpot Prize that are advertised to be paid by a single lump-sum payment and, except as set forth in paragraph (7)(e), will be equal to the prize amount established by MUSL for the prize level.

(2) How to Play MEGA MILLIONS.

(a) MEGA MILLIONS is a multi-state lottery online terminal game. In MEGA MILLIONS, players select five numbers from a field of one through fifty-six and one number (the “Mega Ball”) from a separate field of one through forty-six.

(b) Players may make their ticket selections by marking a play slip or by telling the retailer their desired selections. There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost

\$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five numbers in the upper play area and one number in the lower play area from each panel played. Players may also mark the “QP” (Quick Pick) box located at the bottom of each play area for the terminal to randomly select one or more numbers from the applicable play area. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the number selected from the lower play area of the play slip.

(c) For an additional \$1.00 per play, players may mark the Megaplier® box to multiply the third through ninth prizes and increase the second prize. Megaplier will apply to all panels played.

(d) Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(e) Advance Play.

1. Commencing after the MEGA MILLIONS drawing break for the Tuesday, July 23, 2013, drawing and continuing through close of game on October 18, 2013, the number of consecutive MEGA MILLIONS drawings available for purchase will be reduced. The number of available drawings will be reduced from twenty six (26) to one (1) in accordance with the table set forth below (“Countdown”). Each advance play reduction will be effective on the Lottery’s gaming system after the game close for each MEGA MILLIONS drawing occurring during the Countdown period, except that on October 18, 2013, there will be no MEGA MILLIONS drawings available for purchase after close of game through 12:00 midnight. The MEGA MILLIONS advance play Countdown is in preparation for the anticipated October 19, 2013, launch of the new MEGA MILLIONS online terminal lottery game.

MEGA MILLIONS ADVANCE PLAY
COUNTDOWN

<u>MEGA MILLIONS Drawing Date</u>	<u>Maximum Number of Drawings Available for Purchase</u>
<u>Tuesday, July 23, 2013</u>	<u>26</u>
<u>Friday, July 26, 2013</u>	<u>25</u>
<u>Tuesday, July 30, 2013</u>	<u>24</u>
<u>Friday, August 2, 2013</u>	<u>23</u>
<u>Tuesday, August 6, 2013</u>	<u>22</u>
<u>Friday, August 9, 2013</u>	<u>21</u>
<u>Tuesday, August 13, 2013</u>	<u>20</u>

<u>Friday, August 16, 2013</u>	<u>19</u>
<u>Tuesday, August 20, 2013</u>	<u>18</u>
<u>Friday, August 23, 2013</u>	<u>17</u>
<u>Tuesday, August 27, 2013</u>	<u>16</u>
<u>Friday, August 30, 2013</u>	<u>15</u>
<u>Tuesday, September 3, 2013</u>	<u>14</u>
<u>Friday, September 6, 2013</u>	<u>13</u>
<u>Tuesday, September 10, 2013</u>	<u>12</u>
<u>Friday, September 13, 2013</u>	<u>11</u>
<u>Tuesday, September 17, 2013</u>	<u>10</u>
<u>Friday, September 20, 2013</u>	<u>9</u>
<u>Tuesday, September 24, 2013</u>	<u>8</u>
<u>Friday, September 27, 2013</u>	<u>7</u>
<u>Tuesday, October 1, 2013</u>	<u>6</u>
<u>Friday, October 4, 2013</u>	<u>5</u>
<u>Tuesday, October 8, 2013</u>	<u>4</u>
<u>Friday, October 11, 2013</u>	<u>3</u>
<u>Tuesday, October 15, 2013</u>	<u>2</u>
<u>Friday, October 18, 2013</u>	<u>1 (through close of game)</u>

2. In the event the new MEGA MILLIONS game launches after October 19, 2013, the above advance play Countdown schedule will apply, except that the number of drawings available for purchase for each Tuesday and Friday MEGA MILLIONS drawing occurring after October 19, 2013, will remain at one (1) through close of game on the date of the last MEGA MILLIONS drawing prior to the launch of the new MEGA MILLIONS game. There will be no MEGA MILLIONS drawings available after close of game through 12:00 midnight on the date of the last MEGA MILLIONS drawing prior to the launch of the new MEGA MILLIONS game.

3. To use the advance play feature, players may either mark the number of available drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played.

(3) Drawings.

(a) MEGA MILLIONS drawings shall be conducted two times per week, on Tuesdays and Fridays, at approximately 11:00 p.m. Eastern Time (ET).

(b) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket must match the official winning numbers in any order for the drawing date for which

the ticket was purchased, in one of the following combinations:

(a) Jackpot Prize: Five numbers selected from the first set of balls plus the number selected from the second set of balls.

(b) Second Prize: Five numbers selected from the first set of balls and not the number selected from the second set of balls.

(c) Third Prize: Four numbers selected from the first set of balls plus the number selected from the second set of balls.

(d) Fourth Prize: Four numbers selected from the first set of balls and not the number selected from the second set of balls.

(e) Fifth Prize: Three numbers selected from the first set of balls plus the number selected from the second set of balls.

(f) Sixth Prize: Two numbers selected from the first set of balls plus the number selected from the second set of balls.

(g) Seventh Prize: Three numbers selected from the first set of balls and not the number selected from the second set of balls.

(h) Eighth Prize: One number selected from the first set of balls plus the number selected from the second set of balls.

(i) Ninth Prize: No numbers selected from the first set of balls and the number selected from the second set of balls.

(5) Limited to Highest Prize Won. The holder of a winning ticket may win only one prize per play in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(6) Odds of Winning.

(a) The odds of winning the prizes described in subsection (4) are as follows:

1. Jackpot Prize – 1:175,711,536.00
2. Second Prize – 1:3,904,700.80
3. Third Prize – 1:689,064.85
4. Fourth Prize – 1:15,312.55
5. Fifth Prize – 1:13,781.30
6. Sixth Prize – 1:843.75
7. Seventh Prize – 1:306.25
8. Eighth Prize – 1:140.63
9. Ninth Prize – 1:74.80

(b) The overall odds of winning a prize in a MEGA MILLIONS drawing are 1:39.89.

(7) Prize Pool.

(a) Prize Pool. The prize pool for all categories shall consist of up to fifty-five percent of each drawing period's sales, but may be higher or lower based upon the number of winners at each prize level, as well as the funding required to meet a guaranteed annuity prize.

(b) Expected Prize Payout Percentages. The Jackpot Prize shall be determined on a pari-mutuel basis. Except as provided

in these rules, all other prizes awarded shall be paid as set prizes with the following expected prize payout percentages:

<u>Tickets Containing the Following in a Single Horizontal Row</u>	<u>Prize Category</u>	<u>Prize Payment</u>	<u>Approximate Percentage of Winnings Pool Allocated to Prize Category</u>
<u>Five first set numbers and the one number of the second set</u>	<u>Jackpot Prize</u>	<u>Jackpot Prize</u>	<u>63.60%</u>
<u>Five first set numbers and none of the second set</u>	<u>Second Prize</u>	<u>\$250,000.00</u>	<u>12.80%</u>
<u>Four first set numbers and the one number of the second set</u>	<u>Third Prize</u>	<u>\$10,000.00</u>	<u>2.90%</u>
<u>Four first set numbers and none of the second set</u>	<u>Fourth Prize</u>	<u>\$150.00</u>	<u>1.96%</u>
<u>Three first set numbers and the one number of the second set</u>	<u>Fifth Prize</u>	<u>\$150.00</u>	<u>2.18%</u>
<u>Two first set numbers and the one number of the second set</u>	<u>Sixth Prize</u>	<u>\$10.00</u>	<u>2.38%</u>
<u>Three first set numbers and none of the second set</u>	<u>Seventh Prize</u>	<u>\$7.00</u>	<u>4.58%</u>
<u>One first set number and the one number of the second set</u>	<u>Eighth Prize</u>	<u>\$3.00</u>	<u>4.26%</u>
<u>None of the first set numbers and the one number of the second set</u>	<u>Ninth Prize</u>	<u>\$2.00</u>	<u>5.34%</u>

(c) Prize money allocated to the Jackpot Prize category will be paid on a pari-mutuel basis, divided equally by the number of plays determined to be winners of the Jackpot Prize.

(d) The number of plays determined to be winners of the Second through Ninth Prize levels will be paid as set prizes, except as provided in paragraph (7)(e) below. If all or any portion of the set prize pool is not awarded in the current MEGA MILLIONS drawing, that portion of the set prize pool shall be carried forward to subsequent MEGA MILLIONS drawings.

(e) Liability Cap. If the total prize liability for all lotteries selling MEGA MILLIONS (exclusive of any jackpot prize carried forward) exceeds three hundred percent of drawing sales or fifty percent of drawing sales plus \$50,000,000.00, whichever is less (both hereinafter referred to as the "Liability Cap"), the Second through Fifth Prizes shall be paid on a pari-mutuel basis, provided, however, that in no event shall the pari-mutuel prize be greater than the official advertised prize.

The amount to be used for the allocation of such pari-mutuel prizes (two through five) shall be the Liability Cap less the amount paid for the jackpot prize and prize levels six through nine.

(f) In the event the Liability Cap is met, the amount to fund the Jackpot Prize together with the amounts to fund prize levels six through nine shall be first paid from the Liability Cap amount. The balance of the Liability Cap, after deducting the Jackpot Prize and payment for prize levels six through nine (hereinafter referred to as the "Liability Cap Balance"), shall be applied to prize levels two through five on a pari-mutuel basis in accordance with the following formula:

1. Prize level two (normally \$250,000.00) shall be an amount equal to 64.53% of the Liability Cap Balance divided by the number of winners in prize level two;

2. Prize level three (normally \$10,000.00) shall be an amount equal to 14.63% of the Liability Cap Balance divided by the number of winners in prize level three; and

3. Prize levels four and five (normally \$150.00) shall be an amount equal to 20.84% of the Liability Cap Balance divided by the number of combined winners in prize levels four and five.

(g) Any interest or earnings accrued on a set prize prior to prize payment shall accrue to the State of Florida and not to the winner.

(8) Jackpot Prize.

(a) The prize money available in the Jackpot Prize pool will be divided equally among all jackpot prize winning plays in all participating lotteries. Jackpot prizes won shall be funded in accordance with the formula set by the MEGA MILLIONS Lotteries. The minimum guaranteed annuity prize amount is \$12 million. If the Jackpot Prize is not won in a drawing, the prize money allocated for the Jackpot Prize shall roll over and be added to the Jackpot Prize pool for the following drawing.

(b) Players can choose one of two payment options for receiving their portion of the MEGA MILLIONS Jackpot Prize. Payment options are "Cash Option" and "Annual Payment."

(c) Jackpot Prize winners have sixty days after the winning draw date to choose between the two payment options. Once the Jackpot Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed except as provided in paragraph (8)(j) below.

(d) In order to select the Cash Option, the Jackpot Prize winner must submit his or her ticket for payment within sixty days after the winning draw date. If the Jackpot Prize winner does not elect the Cash Option within sixty days after the

winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(g) below.

(e) A Jackpot Prize winner who chooses the Cash Option will be paid in a single cash payment, less applicable withholding taxes. The Cash Option amount offered shall be the amount determined by multiplying the annuitized prize amount by a discount value set by the MEGA MILLIONS Lotteries Finance Committee prior to each drawing, divided by the number of total individual winner's shares for the MEGA MILLIONS game.

(f) If a Jackpot Prize winner elects the Annual Payment option, his or her share of the Jackpot Prize will be paid in twenty-six equal annual installments, each less applicable withholding taxes. The initial payment shall be paid upon completion of internal validation procedures. The subsequent twenty-five payments shall be paid annually to coincide with the month of the Federal auction date at which the bonds were purchased to fund the annuity. All such payments shall be made within seven days of the anniversary of the annual auction date. MUSL shall purchase securities through a competitive purchase with a minimum of three primary brokerage firms of its choice.

(g) If individual winners' shares of the cash held to fund Annual Payments are less than \$250,000.00, the Product Group is authorized to pay the winners their share of the cash held in the Jackpot Prize pool.

(h) Annuitized payment of the Jackpot Prize or a share of the Jackpot Prize will be rounded to facilitate the purchase of an appropriate funding mechanism. Rounding differences on an annuitized Jackpot Prize win shall be added to the first cash payment to the winner or winners. Prizes other than the Jackpot Prize, which under this rule may become single-payment, pari-mutuel prizes, will be rounded down so that prizes can be paid in multiples of whole dollars. Rounding differences resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(i) The Florida Lottery will make the initial and any subsequent payments of a prize upon receipt of funds for such prize from MUSL.

(j) In the event of the death during the annuity payment period of a MEGA MILLIONS winner who elected the Annual Payment option, the estate of the deceased winner (the "Estate") may file a petition with the Florida Lottery to accelerate payment of all the remaining prize proceeds to the Estate. Such petition will be forwarded by the Florida Lottery to MUSL for processing.

(k) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(l) Any interest or earnings accrued on a MEGA MILLIONS Jackpot Prize prior to prize payment shall accrue to MUSL and not to the winner.

(9) MEGA MILLIONS Megaplier®.

(a) The Megaplier option shall be available in association with the MEGA MILLIONS game.

(b) At the time of purchasing a ticket, a player may choose the Megaplier feature for an additional \$1.00 per play for each play on the MEGA MILLIONS ticket to increase the guaranteed prize amount for the second through ninth tier prizes.

(c) Megaplier drawing. A separate random Megaplier drawing will occur before every MEGA MILLIONS drawing to determine one multiplier number for that drawing, which will be either a 2, 3, or 4. The multiplier number drawn will be used to multiply the value of the prizes for the third through ninth tiers. In the event the multiplier drawing does not occur prior to the MEGA MILLIONS drawing, the multiplier number will be a 4. The multiplier number may also be referred to as the Megaplier number.

(d) The following table sets forth the probability of the various multiplier numbers being drawn during a single Megaplier drawing.

Multiplier	Probability of Prize Increase
4X	12 in 21
3X	7 in 21
2X	2 in 21
Multiplier numbers do not apply to the MEGA MILLIONS Jackpot Prize or to the Match 5+0 Prize.	

(e) Application of multiplier number.

1. Third through Ninth Prizes. The multiplier number selected is the number that is used to increase the prize amount, for the Third through the Ninth Prizes. A Third through the Ninth Prize winner who purchases the Megaplier feature with his or her MEGA MILLIONS ticket shall be paid a prize in the amount of the guaranteed prize amount multiplied by the multiplier number for that drawing.

2. Second Prize. The Second Prize for a winning MEGA MILLIONS with Megaplier ticket will always be a \$1,000,000.00 prize, except as provided in (9)(i) and (j). The multiplier number drawn does not apply to, affect or alter the Second Prize.

3. Jackpot Prize. The Megaplier feature does not apply to the Jackpot Prize.

(f) The Product Group is authorized to conduct sales promotions in which the multiplier numbers and/or the Match 5+0 Megaplier prize amounts are increased.

(g) MEGA MILLIONS tickets that win the Second through Ninth Prizes with the Megaplier option will pay the amounts shown below:

Match	Prize	Without Megaplier	With Megaplier 2X	With Megaplier 3X	With Megaplier 4X
Match 5+0	Second	\$250,000.00	1,000,000.00	1,000,000.00	\$1,000,000.00
Match 4+1	Third	10,000.00	\$20,000.00	\$30,000.00	\$40,000.00
Match 4+0	Fourth	\$150.00	\$300.00	\$450.00	\$600.00
Match 3+1	Fifth	\$150.00	\$300.00	\$450.00	\$600.00
Match 2+1	Sixth	\$10.00	\$20.00	\$30.00	\$40.00
Match 3+0	Seventh	\$7.00	\$14.00	\$21.00	\$28.00
Match 1+1	Eighth	\$3.00	\$6.00	\$9.00	\$12.00
Match 0+1	Ninth	\$2.00	\$4.00	\$6.00	\$8.00

(h) The prize pool for Megaplier set prizes shall consist of up to fifty-five percent of each drawing period's sales. The Megaplier prize pool shall be carried forward to subsequent drawings if all or a portion of it is not needed to pay the Megaplier prizes awarded in the current drawing.

(i) If, with respect to a single MEGA MILLIONS drawing, the total of the MEGA MILLIONS set prizes and the Megaplier prizes awarded in a drawing exceeds the percentage of the prize pools allocated to the set prizes, and there are insufficient funds from all sources to pay the set prizes for a particular MEGA MILLIONS drawing (including Megaplier prize amounts), then the prize levels two through five shall become pari-mutuel prizes. The MEGA MILLIONS and Megaplier prize pools shall be combined when the set prizes are paid on a pari-mutuel basis, so that the multipliers will remain in effect for all applicable prize levels. For example, if the Match 4+1 MEGA MILLIONS set prize amount of \$10,000.00 becomes a pari-mutuel prize of \$5,000.00, a Megaplier player winning that prize amount with a 4X multiplier would win \$20,000.00 (\$5,000.00 x 4), and the Match 5+0 prize with the Megaplier option that normally pays \$1,000,000.00, will be reduced by the same percentage that the Match 5+0 \$250,000.00 prize is reduced.

(j) MEGA MILLIONS set prizes that become pari-mutuel will be rounded down so that they can be paid in multiples of whole dollars. Funds remaining after rounding shall be carried forward to the prize pool for the next MEGA MILLIONS drawing.

(k) MEGA MILLIONS with Megaplier prizes shall be paid in single, lump-sum payment.

(10) MEGA MILLIONS Rules and Prohibitions.

(a) By purchasing a MEGA MILLIONS ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) Florida MEGA MILLIONS prizes shall be claimed only through a Florida Lottery retailer or Lottery office beginning on the day following the drawing. The Florida Lottery is not authorized to accept claims or pay prizes for MEGA MILLIONS tickets purchased in other jurisdictions. MEGA MILLIONS prize payments shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, MEGA MILLIONS lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, ET. Ticket sales for a specific MEGA MILLIONS drawing will close at 10:00 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next MEGA MILLIONS drawing date.

(d) MEGA MILLIONS tickets cannot be canceled. Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c) (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 7-23-13, Replaces 53ER13-32.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 23, 2013

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER13-48 POWERBALL®.

SUMMARY: This emergency rule sets forth the provisions for the conduct of POWERBALL® and replaces Rule 53ER12-53, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-48 POWERBALL®.

(1) Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Annuity prize – A Jackpot Prize paid in annual installments.

(b) MUSL – The Multi-State Lottery Association.

(c) MUSL Powerball Product Group (“Product Group”) – The group of lotteries that have joined together to offer the POWERBALL lottery game under the terms of the MUSL agreement and MUSL Powerball Product Group rules.

(d) Selling Lottery – A lottery authorized by the Product Group to sell POWERBALL tickets.

(e) Set prize – All prizes except the Jackpot Prize that are advertised to be paid by a single lump-sum payment and, except as set forth in paragraph (6)(e), will be equal to the prize amount established by MUSL for the prize level.

(2) How to Play POWERBALL.

(a) POWERBALL is a multi-state lottery online terminal game. In POWERBALL, players select five (5) numbers from a field of one (1) through fifty-nine (59) and one (1) Powerball number from a separate field of one (1) through thirty-five (35).

(b) Players may make their POWERBALL ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$2.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers (five (5) in the upper play area and one (1) in the lower play area) from each panel played. Players may also mark the “QP” (Quick Pick) box located at the bottom of each play area for the terminal to randomly select any or all of the six numbers from either or both play areas. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a POWERBALL ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the Powerball number selected from the lower play area of the play slip.

(c) Players may mark the 5, 10 or 20 “Quick Picks” box to receive a ticket(s) with the selected number of sets of six (6) randomly selected numbers for the next POWERBALL drawing.

(d) Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(e) Players may play up to fifty-two (52) consecutive POWERBALL drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive

drawings marked will include the next available drawing and will apply to each panel (A-E) played.

(3) POWERBALL Drawings.

(a) POWERBALL drawings shall be conducted by MUSL two (2) times per week, on Wednesday and Saturday, at approximately 10:59 p.m., ET.

(b) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket must match the official winning POWERBALL numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

(a) Jackpot Prize: Five (5) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(b) Second Prize: Five (5) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(c) Third Prize: Four (4) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(d) Fourth Prize: Four (4) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(e) Fifth Prize: Three (3) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(f) Sixth Prize: Three (3) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(g) Seventh Prize: Two (2) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(h) Eighth Prize: One (1) number selected from the first set of balls plus the Powerball number selected from the second set of balls.

(i) Ninth Prize: No numbers selected from the first set of balls and the Powerball number selected from the second set of balls.

(5) POWERBALL Odds of Winning.

(a) The odds of winning the prizes described in subsection (4) are as follows:

1. Jackpot Prize – 1:175,223,510.0000
2. Second Prize – 1:5,153,632.6471
3. Third Prize – 1:648,975.9630
4. Fourth Prize – 1:19,087.5283
5. Fifth Prize – 1:12,244.8295
6. Sixth Prize – 1:360.1420

7. Seventh Prize – 1:706.4325

8. Eighth Prize – 1:110.8129

9. Ninth Prize – 1:55.4065

(b) The overall odds of winning a prize in a POWERBALL drawing are 1:31.8464.

(6) POWERBALL Prize Pool.

(a) Prize Pool. The prize pool for all prize categories shall consist of approximately 50% of each drawing period's sales.

(b) Expected Prize Payout Percentages. The Jackpot Prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages:

<u>Tickets Containing the Following in a Single</u>	<u>Prize</u>	<u>Prize</u>	<u>Approximate Percentage of Winnings Pool Allocated to</u>
<u>Horizontal Row</u>	<u>Category</u>	<u>Payment</u>	<u>Prize Category</u>
<u>Five first set numbers and the Powerball number</u>	<u>Jackpot Prize</u>	<u>Jackpot Prize</u>	<u>63.9511 %</u>
<u>Five first set numbers</u>	<u>Second Prize</u>	<u>\$1,000,000</u>	<u>19.4038%</u>
<u>Four first set numbers and the Powerball number</u>	<u>Third Prize</u>	<u>\$10,000</u>	<u>1.5409%</u>
<u>Four first set numbers</u>	<u>Fourth Prize</u>	<u>\$100</u>	<u>0.5239%</u>
<u>Three first set numbers and the Powerball number</u>	<u>Fifth Prize</u>	<u>\$100</u>	<u>0.8167%</u>
<u>Three first set numbers</u>	<u>Sixth Prize</u>	<u>\$7</u>	<u>1.9437%</u>
<u>Two first set numbers and the Powerball number</u>	<u>Seventh Prize</u>	<u>\$7</u>	<u>0.9909%</u>
<u>One first set number and the Powerball number</u>	<u>Eighth Prize</u>	<u>\$4</u>	<u>3.6097%</u>
<u>The Powerball number</u>	<u>Ninth Prize</u>	<u>\$4</u>	<u>7.2194%</u>

(c) Prize money allocated to the Jackpot Prize category will be paid on a pari-mutuel basis, divided equally by the number of plays determined to be winners of the Jackpot Prize.

(d) The number of plays determined to be winners of the second through ninth prize categories will be paid as set cash prizes, except as provided in paragraph (6)(e) below. If all or any portion of the set prize pool is not awarded in the current POWERBALL drawing, that portion of the set prize pool shall be carried forward to subsequent POWERBALL drawings.

(e) If the total of the set prizes awarded in a POWERBALL drawing exceeds the percentage of the prize pool allocated to the set prizes, including Power Play prizes, and there are insufficient funds from all sources to pay the set prizes, then the highest set prize shall become a pari-mutuel

prize. If the amount of the highest set prize, when paid as a pari-mutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining set prizes, the next highest set prize shall become a pari-mutuel prize. If necessary, and under the same test conditions set forth in the preceding sentence, each succeeding set prize level shall be converted to a pari-mutuel prize, in order, until all set prizes become pari-mutuel.

(f) Any interest or earnings accrued on a POWERBALL set prize prior to prize payment shall accrue to the State of Florida and not to the winner.

(7) POWERBALL Jackpot Prize.

(a) Players can choose one of two payment options for receiving their portion of the POWERBALL Jackpot Prize. Payment options are "Cash Option" and "Annual Payment."

(b) Jackpot Prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Jackpot Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed except as provided in paragraph (7)(i) below.

(c) In order to select the Cash Option, the Jackpot Prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot Prize winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(f) below.

(d) Shares of the Jackpot Prize shall be determined by dividing the cash available in the Jackpot Prize pool equally among all winning plays of the Jackpot Prize in all participating lotteries. A Jackpot Prize winner who chooses the Cash Option will receive his or her share of the cash available in the Jackpot Prize pool in a single cash payment, less applicable withholding taxes.

(e) If a Jackpot Prize winner elects the Annual Payment option, his or her share of the Jackpot Prize will be paid in thirty (30) graduated annual installments that will increase by 4 percent each year, less applicable withholding taxes. The first installment will be paid at the time the prize is claimed. The amount of the prize shall be determined by multiplying the winner's share of the Jackpot Prize pool by the MUSL annuity factor. The MUSL annuity factor is determined by the best total securities price obtained through a competitive bid of qualified, pre-approved brokers made after the prize is claimed. MUSL shall purchase and hold the investments that shall fund the Jackpot Prize winner's prize payments. Neither MUSL nor the Selling Lotteries shall be responsible or liable for the difference between the advertised or estimated annuity prize amount and the actual amount that is purchased after the prize payment method is known to MUSL.

(f) If individual shares of the cash held to fund Annual Payments are less than \$250,000, the Product Group, is authorized to pay the winners their share of the cash held in the Jackpot Prize pool.

(g) Annuitized payment of the Jackpot prize or a share of the Jackpot prize will be rounded down to the nearest one thousand dollars (\$1,000) to facilitate the purchase of an appropriate funding mechanism. Rounding differences on an annuitized Jackpot prize win shall be added to the first cash payment to the winner or winners. Prizes other than the Jackpot prize, which become single-payment, pari-mutuel prizes, will be rounded down so that prizes can be paid in multiples of whole dollars. Rounding differences resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(h) The Florida Lottery will make the initial and any subsequent payments of a prize upon receipt of funds for such prize from MUSL.

(i) In the event of the death during the annuity payment period of a POWERBALL winner who elected the Annual Payment option, the estate of the deceased winner (the "Estate") may file a petition with the Florida Lottery to accelerate payment of all the remaining prize proceeds to the Estate. Such petition will be forwarded by the Florida Lottery to MUSL for processing.

(j) If the Jackpot Prize is not won in a drawing, the prize money allocated for the Jackpot Prize shall roll over and be added to the Jackpot Prize pool for the following drawing.

(k) Guaranteed Jackpot Prize. The Product Group is authorized to offer guaranteed minimum Jackpot Prize amounts or minimum increases in the Jackpot Prize amount between drawings for sales promotional purposes. If a minimum Jackpot Prize amount or a minimum increase in the Jackpot Prize amount between drawings is offered, the Jackpot Prize shares shall be determined as follows:

1. If there are multiple Jackpot Prize winners during a single drawing, each selecting the Annual Payment option, then a winner's share of the guaranteed Jackpot Prize shall be determined by dividing the guaranteed Jackpot Prize by the number of winning plays.

2. If there are multiple Jackpot Prize winners during a single drawing and at least one of the Jackpot Prize winners has elected the Annual Payment option, then the best bid submitted by MUSL's pre-approved qualified brokers shall determine the cash pool needed to fund the guaranteed Jackpot Prize.

3. If no winner of the Jackpot Prize during a single drawing has elected the Annual Payment option, then the amount of cash in the Jackpot Prize pool shall be an amount equal to the guaranteed amount divided by the average annuity

factor of the most recent three best quotes provided by MUSL’s pre-approved qualified brokers submitting quotes.

4. In no case shall quotes be used which are more than two weeks old and if fewer than three quotes are submitted, then MUSL shall use the average of all quotes submitted.

(l) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(m) Any interest or earnings accrued on a POWERBALL Jackpot Prize prior to prize payment shall accrue to MUSL and not to the winner.

(8) Power Play® Option.

(a) The Power Play option shall be available in association with the POWERBALL game. The Power Play option will be conducted in accordance with the POWERBALL rules. The POWERBALL Jackpot Prize will not be eligible for increase under the Power Play option.

(b) At the time of purchasing a POWERBALL ticket, a player may choose the Power Play option for an additional \$1.00 per play for each play on the POWERBALL ticket.

(c) POWERBALL tickets that contain the Power Play option and one or more plays eligible for POWERBALL set prizes shall be entitled to a prize as follows:

Match	Prize Amount
Match 5+0	\$2,000,000
Match 4+1	\$40,000
Match 4+0	\$200
Match 3+1	\$200
Match 3+0	\$14
Match 2+1	\$14
Match 1+1	\$12
Match 0+1	\$12

(d) The prize pool for Power Play set prizes shall consist of up to 49.96% of each drawing period’s sales. The Power Play prize pool shall be carried forward to subsequent drawings if all or a portion of it is not needed to pay the Power Play prizes awarded in the current drawing.

(e) If, with respect to a single POWERBALL drawing, the total of the POWERBALL set prizes and the Power Play prizes awarded in a drawing exceeds the percentage in the prize pools allocated to the set prizes and there are insufficient funds from all sources to pay the set prizes for a particular POWERBALL drawing and the associated Power Play prizes, the highest set prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If the amount of the highest set prize, when paid as a pari-mutuel prize, is less than or equal to the next highest set prize and there are still not

sufficient funds to pay the remaining prizes, the next highest set prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If necessary under the same test set forth in the preceding sentence, each succeeding set prize level shall be converted to a pari-mutuel prize, in order, until all set prizes become pari-mutuel. POWERBALL and Power Play prizes will be reduced by the same percentage.

(f) Power Play set prizes which become pari-mutuel will be rounded down so that they can be paid in multiples of whole dollars. Funds remaining after rounding shall be carried forward to the prize pool for the next drawing.

(g) Except as otherwise provided, all Power Play prizes shall be paid in a single, lump-sum payment.

(h) When the POWERBALL set prizes become pari-mutuel, the POWERBALL set prize amounts will be less than the amount shown in paragraph (6)(c) above and the Power Play prizes shall be changed to an amount announced after the drawing.

(9) POWERBALL Rules and Prohibitions.

(a) By purchasing a POWERBALL ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) Florida POWERBALL prizes shall be claimed only through a Florida Lottery retailer or Lottery office beginning on the day following the drawing. The Lottery is not authorized to accept claims or pay prizes for POWERBALL tickets purchased in other jurisdictions. POWERBALL prize payments shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and on-line system availability, POWERBALL lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET). Ticket sales for a specific POWERBALL drawing will close at 10:00 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next POWERBALL draw date.

(d) POWERBALL tickets cannot be cancelled.

Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c) (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 7-23-13, Replaces 53ER12-53.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 23, 2013

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 RULE NO.: RULE TITLE:
 62-528.645 Plugging and Abandonment Permit for Class V Wells
 NOTICE IS HEREBY GIVEN that on July 22, 2013, the Department of Environmental Protection, received a petition for a variance from subsection 62-528.645(3), F.A.C., which requires that owners or operators of Class V underground injection control wells provide evidence that a surveyor’s plot of the location of the abandoned well has been recorded in the county courthouse property records. The activity is associated with the abandonment of Class V, Group 3, underground injection control wells throughout Monroe County as required by Section 403.086(10), F.S. The petition has been assigned OGC File No. 13-1100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Division of Water Resource Management, Mail Station 3530, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Attn: Joe Haberfeld, telephone (850)245-8655, joe.haberfeld@dep.state.fl.us, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 Family Safety and Preservation Program
 RULE NO.: RULE TITLE:
 65C-15.015 Policies and Practices
 NOTICE IS HEREBY GIVEN that on April 22, 2013, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(2), Florida Administrative Code, from Children's Home Society of Florida and Mary Skinner. Subsection 6C-15.017(2), F.A.C., requires agency staff responsible for supervision shall have a bachelor’s or master’s degree in social work or related area of study from an accredited college or university and at least two years of experience in human services or child welfare programs. Four years of experience in human services or child welfare programs may be substituted.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
 Division of Administration
 The Florida Agricultural Museum announces public meetings to which all persons are invited.
 DATE AND TIME: Thursday, August 8, 2013, 12:30 p.m.
 PLACE: Palm Coast Holdings, 145 City Place, Suite 300, Palm Coast, Florida 32164
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Insurance Committee, 12:30 p.m.; Strategic Planning Committee, 1:00 p.m.; Resource Development Committee, 1:00 p.m.; Executive Committee, 3:00 p.m.
 A copy of the agenda may be obtained by contacting: Bruce Piatek at (386)446-7630 or by email: BPiatek@MyAgMuseum.com.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Bruce Piatek at (386)446-7630 or by email: BPiatek@MyAgMuseum.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS
 South Florida Water Management District
 RULE NOS.:RULE TITLES:
 40E-1.021 Definitions
 40E-1.602 Permits Required
 40E-1.603 Application Procedures for Processing Permit Applications or Notices of Intent
 40E-1.6065 Consideration of Intended Agency Decision on Permit Applications
 40E-1.607 Permit Application Processing Fees
 40E-1.6107 Transfer of Environmental Resource, Surface Water Management, or Water Use, or Wetland Resource Permit
 40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern
 40E-1.659 Forms and Instructions
 40E-1.715 Civil Penalty Calculation
 The South Florida Water Management District announces a workshop to which all persons are invited.
 DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes the following through this rulemaking process: 1) delete references to Chapter 40E-20, F.A.C., which is being repealed through this rulemaking process; 2) streamline the application procedures for processing permit applications or notices of intent; 3) streamline the types of permits the Governing Board shall consider; 4) add fee categories for individual permits, except mining/dewatering and include a lower filing fee for applications filed electronically; and 5) replace water use forms (Tables A through K) with water use permit supplemental forms.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's

Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

- 40E-2.011 Policy and Purpose
- 40E-2.041 Permits Required
- 40E-2.061 No-Notice General Permit by Rule
- 40E-2.071 Noticed General Permits and Individual Permits
- 40E-2.091 Publications Incorporated by Reference
- 40E-2.101 Content of Application
- 40E-2.301 Conditions for Issuance of Permits
- 40E-2.321 Duration of Permit
- 40E-2.331 Modification of Permits
- 40E-2.381 Limiting Conditions

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules and add a new rule regarding Noticed General Permits and Individual Permits as part of a statewide effort headed by the Florida Department of

Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes the following through this rulemaking process: 1) identify procedural requirements for noticed general permits; 2) add general permits by rule for specific activities; 3) add a new rule regarding Noticed General Permits and Individual Permits; 4) incorporate provision from Rule 40E-20.301, F.A.C., requiring uses with a recommended allocation which exceeds 100,000 GPD or uses within a mandatory reuse zone to make use of a reclaimed water; 5) revise and rename the current "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" to "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District" and incorporate the same as well as related forms; and 6) include conditions for permit modifications by letter for achieving demonstrable water savings.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or

Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-3.011	Policy and Purpose
40E-3.021	Definitions
40E-3.040	Scope of Part I
40E-3.051	Exemptions
40E-3.301	Conditions for Issuance of Permits
40E-3.451	Emergency Authorization

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes to delete references to repealed Chapter 40E-30, F.A.C., and 40E-20, F.A.C., which is proposed for repeal through this rulemaking process.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-5.011 Policy and Purpose

40E-5.041 Permits Required

40E-5.301 Conditions for Permit Issuance

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes the following through this rulemaking process: 1) delete references to Chapter 40E-20, which is proposed for repeal through this rulemaking process; and 2) rename the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" to "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District."

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-8.011 Purpose and General Provisions

40E-8.421 Prevention and Recovery Strategies

40E-8.431 Consumptive Use Permits

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg, 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes the following through this rulemaking process: 1) update statutory reference; 2) delete references to repealed Chapter 40E-20, F.A.C., which is proposed for repeal through this rulemaking process; and 3) rename the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" to "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District."

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District,

3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-10.011 Policy and Purpose

40E-10.031 Water Reservations Implementation

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

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of

Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes the following through this rulemaking process: 1) delete references to Chapter 40E-20, F.A.C., which is proposed for repeal; and 2) rename the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" to "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District."

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-20.010 Review of General Water Use Permit Applications

40E-20.011 Policy and Purpose

40E-20.061 Delegation of Authority Pertaining to General Water Use Permits

40E-20.091 Publications Incorporated by Reference

40E-20.101 Content of General Water Use Permit Applications

40E-20.301 Conditions for Issuance of General Water Use Permits

40E-20.302 Types of General Water Use Permits

40E-20.321 Duration of General Water Use Permits

40E-20.331 Modification of General Water Use Permits

40E-20.351 Transfer of General Water Use Permits

40E-20.381 Limiting Conditions

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes to repeal this rule chapter as its substance will be moved to Chapter 40E-2, F.A.C. through this rulemaking process.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:RULE TITLES:

40E-24.011 Policy and Purpose

40E-24.101 Definitions

40E-24.201 Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Aug 12, 2013, 10:00 a.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 19, 2013, 1:00 p.m.

PLACE: John D Campbell Agricultural Center, 18710 SW 288th Street, Homestead, FL 33030

DATE AND TIME: August 22, 2013, 1:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

DATE AND TIME: August 23, 2013, 9:30 a.m.

PLACE: Osceola County Commission Chambers, 4th Floor – Admin Bldg., 1 Courthouse Square, Suite 4100, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes to amend these rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP) program. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

The District proposes to delete references to repealed Chapter 40E-20, F.A.C., which is proposed for repeal through this rulemaking process.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop. The South Florida Water Management District's draft rule language will be posted on the District's website at www.sfwmd.gov/rules, on August 1, 2013.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6299 or 1(800)432-2045, ext. 6299, email: jsluth@sfwmd.gov. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk's Office, (561)682-2087 or 1(800)432-2045, ext. 2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2133 or 1(800)432-2045, ext. 2133, email: smemberg@sfwmd.gov, Elizabeth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6257 or 1(800)432-2045, ext. 6257, email: bross@sfwmd.gov or Jennifer Bokankowitz, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406,

(561)682-2258 or 1(800)432-2045, ext. 2258, email: jbokanko@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Elder Affairs, Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that the following change has been made to the Notice of Public Hearing in Vol. 39, No. 139, July 18, 2013, issue of the Florida Administrative Register.

The correct date and time of the Public Hearing will be August 9, 2013, 9:00 a.m. – 11:00 a.m. The correct location of the Public Hearing is: Department of Elder Affairs, Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399.

The purpose of the public hearing is to discuss a Petition to Initiate Rulemaking filed with the Department by Douglas D. Adkins pursuant to Section 120.54(7), Florida Statutes. The petition asks the Department to initiate rulemaking to implement, interpret or prescribe policies regarding Section 429.28(1)(j), Florida Statutes, which states that every resident of an assisted living facility shall have the right to: "Access to adequate and appropriate healthcare consistent with established and recognized standards within the community." The public hearing will also address the possibility of initiating rulemaking to implement, interpret or prescribe policies regarding Section 429.28(1)(a), Florida Statutes, which states that every resident of an assisted living facility shall have the right to: "Live in a safe and decent living environment, free from abuse and neglect."

A copy of the agenda may be obtained by contacting: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, nelsonj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, nelsonj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, nelsonj@elderaffairs.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 15, 2013, 9:00 a.m. (only)

PLACE: Marjorie Stoneman Douglas Building, Conference Room A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The previously noticed meeting of the Acquisition and Restoration Council (ARC) for the purpose of conducting business will proceed as scheduled and public testimony will be heard on the above date. The public hearing for Friday, August 16, 2013 has been cancelled.

A copy of the agenda may be obtained by contacting: Amanda Marsh, Office of Environmental Services at (850)245-2784 or on the web at www.dep.state.fl.us/lands/arc_calendar.htm

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Amanda Marsh, Office of Environmental Services at (850)245-2784 or amanda.marsh@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amanda Marsh, Office of Environmental Services at (850)245-2784 or amanda.marsh@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Florida Board of Podiatric Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2013, 10:00 a.m.

PLACE: Conference Call. Call-in Number: 1(888)670-3525
Conference Code: 9238150597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: The Board of Podiatric Medicine at (850)245-4355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Board of Podiatric Medicine at (850)245-4355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or

hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: The Board of Podiatric Medicine at (850)245-4355.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2013, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

Section VI

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on June 25, 2013, the Construction Industry Licensing Board has received the petition for declaratory statement from Pete Dospel. The petition seeks the agency's opinion as to the applicability of paragraph 489.113(3)(c), Florida Statutes as it applies to the petitioner.

Petitioner requests the Board's interpretation of paragraph 489.113(3)(c), Florida Statutes, as to whether his general contractor's license is sufficient to build (permit) a commercial swimming pool, with a licensed plumber and an electrician on his sub form.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783 or by electronic mail – Donald.Shaw@myfloridalicense.com.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

Infupharma, LLC vs. Department of Business and Professional Regulation, Drugs, Devices and Cosmetics; Case No: 13-2559RX; Rule No.: 61N-1.024

Tropical Paradise Villa Assisted Living and Retirement vs. Agency for Health Care Administration; Case No.: 13-2391RU

Tropical Paradise Villa Assisted Living and Retirement vs. Agency for Health Care Administration; Case No.: 13-2392RU

Steven J. Bracci, Individually and on Behalf of Others Similarly Situated vs. Collier County School Board, and the District School Board of Collier County; Case No.: 13-2394RU

B. J. O. vs. Agency for Persons with Disabilities; Case No.: 13-2401RU

J. S. vs. Agency for Persons with Disabilities; Case No.: 13-2419RU

L. S. vs. Agency for Persons with Disabilities; Case No.: 13-2429RU

C. S. vs. Agency for Persons with Disabilities; Case No.: 13-2451RU

Y. G. vs. Agency for Persons with Disabilities; Case No.: 13-2521RU

S. W. vs. Agency for Persons with Disabilities; Case No.: 13-2523RU

S. A. vs. Agency for Persons with Disabilities; Case No.: 13-2524RU

A. J. vs. Agency for Persons with Disabilities; Case No.: 13-2525RU

B. H. vs. Agency for Persons with Disabilities; Case No.: 13-2526RU

M. M. vs. Agency for Persons with Disabilities; Case No.: 13-2527RU

J. F. vs. Agency for Persons with Disabilities; Case No.: 13-2530RU

C. B. vs. Agency for Persons with Disabilities; Case No.: 13-2531RU

C. Y. vs. Agency for Persons with Disabilities; Case No.: 13-2532RU

D. T. vs. Agency for Persons with Disabilities; Case No.: 13-2533RU

T. B. vs. Agency for Persons with Disabilities; Case No.: 13-2535RU

D. G. vs. Agency for Persons with Disabilities; Case No.: 13-2546RU

D. R. vs. Agency for Persons with Disabilities; Case No.: 13-2547RU

S. S. vs. Agency for Persons with Disabilities; Case No.: 13-2553RU

T. F. vs. Agency for Persons with Disabilities; Case No.: 13-2554RU

A. C. vs. Agency for Persons with Disabilities; Case No.: 13-2555RU

C. V. vs. Agency for Persons with Disabilities; Case No.: 13-2556RU

J. T. B. vs. Agency for Persons with Disabilities; Case No.: 13-2563RU

A. W. vs. Agency for Persons with Disabilities; Case No.: 13-2581RU

M. H. vs. Agency for Persons with Disabilities; Case No.: 13-2582RU

D. S. vs. Agency for Persons with Disabilities; Case No.: 13-2583RU

A. A. vs. Agency for Persons with Disabilities; Case No.: 13-2588RU

L. S. vs. Agency for Persons with Disabilities; Case No.: 13-2589RU

J. T. B. vs. Agency for Persons with Disabilities; Case No.: 13-2599RU

B. G. vs. Agency for Persons with Disabilities; Case No.: 13-2603RU

J. K. K. vs. Agency for Persons with Disabilities; Case No.: 13-2604RU

B. K. vs. Agency for Persons with Disabilities; Case No.: 13-2606RU

C. H. vs. Agency for Persons with Disabilities; Case No.: 13-2607RU

C. M. vs. Agency for Persons with Disabilities; Case No.: 13-2608RU

A. B. vs. Agency for Persons with Disabilities; Case No.: 13-2609RU

M. J. R. vs. Agency for Persons with Disabilities; Case No.: 13-2703RU

B. C. vs. Agency for Persons with Disabilities; Case No.: 13-2704RU

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Florida’s Children First, Inc., and Juan Lorenzo vs. Agency for Health Care Administration; Case No.: 13-1189RP; Rule No.: 59G-4.260; Voluntarily Dismissed

L. F. and J. F. vs. Department of Children and Families; Case No.: 13-1265RX; Rule No.: 65C-16.002(3)(a); Dismissed

Dayspring Village Inc. vs. Agency for Healthcare Administration; Case No.: 13-1836RU; Dismissed

D.W. vs. Agency for Persons with Disabilities; Case No.: 13-2084RU; Voluntarily Dismissed

Tropical Paradise Villa Assisted Living and Retirement vs. Agency for Health Care Administration; Case No.: 13-2391RU; Voluntarily Dismissed

Tropical Paradise Villa Assisted Living and Retirement vs. Agency for Health Care Administration; Case No.: 13-2392RU; Voluntarily Dismissed

Florida Wildlife Federation, Inc.; Environmental Confederation of Southwest Florida, Inc.; and St. Johns Riverkeeper, Inc.; Sierra Club and Conservancy of Southwest Florida vs. Department of Environmental Protection; Case No.: 12-3605RU; Dismissed

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

HILLSBOROUGH COUNTY AVIATION AUTHORITY

HCAA RFQ Solicitation No. 13-411-040 Project Nos. 1103 13, 1105 14 and 8700 14 ConRAC and APM – Design and Construction

Hillsborough County Aviation Authority (Authority)

Request for Qualifications

Solicitation Number 13-411-040

Project Numbers 1100 13, 1105 14 and 8700 14

Sealed qualifications for the Consolidated Rental Car Facility and Automated People Mover system will be received from design-build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Airport Business, Active Solicitations.

JACKSONVILLE PORT AUTHORITY

INVITATION TO BID

REMOVE EXISTING “DOLLY PADS” AND

REHABILITATE ASPHALT AT BIMT

BLOUNT ISLAND MARINE TERMINAL

JAXPORT PROJECT NO.: B2013-01

JAXPORT CONTRACT NO.: C-1430A

Sealed bids will be received by the Jacksonville Port Authority until 2:00 p.m. (EST), FRIDAY, AUGUST 23, 2013, at which time they shall be opened in the Public Meeting Room of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida, for REMOVE EXISTING “DOLLY PADS” AND REHABILITATE ASPHALT AT BIMT.

All bids must be submitted in accordance with specifications and drawings for Contract No. C-1430A, which may be examined in, or obtained from the Procurement Department of the Jacksonville Port Authority, located on the second floor of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida 32206. (Please telephone (904)357-3017 for information.)

A MANDATORY PRE-BID CONFERENCE AND SITE VISIT WILL BE HELD ON WEDNESDAY, JULY 31, 2013, 10:00 a.m. (EST), AT THE BLOUNT ISLAND MARINE TERMINAL, ACCESS CONTROL BUILDING, 2ND FLOOR, 9620 DAVE RAWLS BLVD, JACKSONVILLE, FL 32226.

IF YOU PLAN TO ATTEND, YOU MUST CALL (904)357-3017 TO HAVE YOUR NAME ADDED TO THE SHUTTLE BUS ROSTER. SHUTTLE BUS WILL TRANSPORT BIDDERS AFTER THE PRE-BID MEETING. PLEASE BRING A SAFETY VEST AND HARD HAT.

ATTENDANCE BY A REPRESENTATIVE OF EACH PROSPECTIVE BIDDER IS REQUIRED. A BID WILL NOT BE ACCEPTED FROM ANY BIDDER WHO IS NOT REPRESENTED AT SUCH CONFERENCE.

PLEASE VISIT [HTTP://WWW.JAXPORT.COM/ABOUT-JAXPORT/CORPORATE-INFORMATION/PROJECTS-FOR-BID](http://www.jaxport.com/about-jaxport/corporate-information/projects-for-bid) OR CALL THE PROCUREMENT DEPARTMENT AT (904)357-3017, PRIOR TO THE BID OPENING TO DETERMINE IF ANY ADDENDA HAVE BEEN RELEASED ON THIS CONTRACT.

Bid and contract bonding are required.

This project will be funded with a 50/50 split of JPA funds and a State of Florida grant program.

Section XII Miscellaneous

LAND AND WATER ADJUDICATORY COMMISSION

Notice of Receipt of Amended Petition

On May 29, 2013, the Florida Land and Water Adjudicatory Commission (“FLWAC” or “Commission”) received a petition to expand the Villages Community Development District No. 10. The petition was amended at the Division of Administrative Hearings on July 22, 2013. The Commission will follow the requirements of Chapter 42-1, F.A.C., and Chapter 190, F.S., as amended, in considering the amended petition.

SUMMARY OF CONTENTS OF PETITION: The petition, as amended, filed by the Villages Community Development District No. 10 (“District”), requests the expansion of the District to add approximately 99.3 acres of land located within Sumter County and the City of Wildwood, Florida. A general location map of the existing District is provided in Exhibit C to the amended petition and a metes and bounds description for the expansion parcel is provided in Exhibit B. After expansion, the District will encompass a total of approximately 1588.8 acres.

SUMMARY OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs (SERC) was prepared at the request of the District. The complete text of the SERC is contained as Exhibit G to the amended petition. The SERC’s overview of the proposed addition to District No. 10 indicates the District will provide community infrastructure, services, and facilities, along with their operations and maintenance, to a portion of the Villages (Development). The preliminary

development plan for the 99.3 acres proposed to be included within the District includes 362 residential lots and supporting infrastructure.

A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: August 14, 2013, 10:00 a.m.

PLACE: The Villages of Florida
Boardroom at District Offices
1894 Laurel Manor Drive
The Villages, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Nancy Linnan, Carlton Fields, 215 S. Monroe Street, Suite 500, Tallahassee, Florida 32301, telephone (850)224-1585 at least two business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Nancy Linnan, Carlton Fields, 215 S. Monroe Street, Suite 500, Tallahassee, Florida 32301, telephone (850)224-1585, or Barbara Leighty, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)717-9513.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

FINAL ORDER NO. DEO-13-069

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 023-2013

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE

NO. 023-2013

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat. (2012), approving land development regulations adopted by Monroe County, Florida, Ordinance No. 023-2013 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on May 15, 2013, and rendered to the Department on June 4, 2013.

3. Simultaneously with this Ordinance, Monroe County adopted Ordinance No. 022-2013 establishing the Commercial 1 and Commercial 2 zoning districts to implement the Mixed Use/Commercial Future Land Use Map category added to the

County's comprehensive plan in 2010. Ordinance No. 022-2013 was approved by Final Order DEO-13-065.

4. This Ordinance No. 023-2013 amends the Monroe County Code relating to fences (Section 114-20), required landscaping (Section 114-99), district buffer boundaries (Section 114-126), required scenic corridor and major street buffers (Section 114-127), minimum yards (Section 130-186), signage (Section 142-4), uses by land use district (Sections 146-3 and 146-4), and development standards (Section 146-5) to establish standards and criteria for the Commercial 1 and Commercial 2 zoning districts.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and (11) and § 380.0552(9), Fla. Stat.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principle in § 380.0552(7), Fla. Stat.:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

9. The Ordinance is consistent with Objective 101.3, Policy 101.3.5, Objective 101.4, and Policies 101.4.5 and 101.4.21 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 023-2013 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____

William B. Killingsworth, Director
 Division of Community Development
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR

ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY

OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
Fax Number (850)921-3230

Electronic mail: Miriam.Snipes@deo.myflorida.com

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 24th day of July, 2013.

/s/
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128
Telephone: (850)717-8531

By U.S. Mail:
The Honorable George Neugent
Mayor, Monroe County
500 Whitehead Street
Key West, FL 33040

Amy Heavilin
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, FL 33040

Christine Hurley, Director
Monroe County Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, FL 33050

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO Tallahassee
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

FINAL ORDER NO. DEO-13-074

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 018-2013

FINAL ORDER
APPROVING MONROE COUNTY ORDINANCE
NO. 018-2013

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat. (2012), approving land development regulations adopted by Monroe County, Florida, Ordinance No. 018-2013 (the "Ordinance").

FINDINGS OF FACT

- 1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Monroe County on April 17, 2013, and received by the Department on June 11, 2013.
3. The Ordinance amends the County's land use district map to establish the boundaries of the Rockland Key Commercial Retail Center Overlay District for property described as parcels of land in part of Government Lot 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida, and having the real estate numbers described in the Ordinance. The Rockland Key Commercial Retail Center Overlay District itself was established by Monroe County Ordinance No. 017-2013, which was previously approved by the Department by Final Order No. DEO-13-068.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and (11) and § 380.0552(9), Fla. Stat.

5. Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The land use district map adopted by the Ordinance is a land development regulation as defined by statute.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles in § 380.0552(7), Fla. Stat.:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

8. The Ordinance is consistent with Goal 102, Policy 105.2.2, Objective 108.1.7, and Policy 108.2.1 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 018-2013 is found to be consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Leon County, Florida.

_____/s/_____
WILLIAM B. KILLINGSWORTH, Director
Division of Community Development
Department of Economic Opportunity

OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

NOTICE OF ADMINISTRATIVE RIGHTS
ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 Telephone: (850)245-7150
 Fax Number (850)921-3230
 Email: Miriam.Snipes@deo.myflorida.com

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 24th day of July, 2013.

_____/s/_____
 Miriam Snipes, Agency Clerk
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, FL 32399-4128

Telephone: 850-717-8531

By U.S. Mail:

The Honorable George Neugent
 Mayor, Monroe County
 500 Whitehead Street
 Key West, FL 33040

Amy Heavilin
 Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, FL 33040

Christine Hurley, Director
 Monroe County Growth Management Division
 2798 Overseas Highway, Suite 400
 Marathon, FL 33050

By Hand Delivery or Interagency Mail:
 Rebecca Jetton, ACSC Administrator, DEO Tallahassee

Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.