

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.250 Prescribed Drug Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.250, F.A.C., is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage, Limitations and Reimbursement Handbook, _____. The amendment clarifies and updates policy regarding counseling documentation requirements when prescriptions are dispensed to recipients.

SUBJECT AREA TO BE ADDRESSED: Prescribed Drug Services.

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-4.250, F.A.C. will have as provided for under Sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906(20), 409.908, 409.912 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, December 19, 2013, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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 48 hours before the workshop/meeting by contacting: Michael Alsentzer at the Bureau of Medicaid Services, (850)412-4148. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michael Alsentzer, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4148, e-mail: michael.alsentzer@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m. on Thursday, December 26, 2013.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.250 Prescribed Drug Services.

(1) This rule applies to all providers of prescribed drug services who are providers enrolled in the Florida Medicaid program.

(2) All providers of participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Prescribed Drug Services Coverage, Limitations, and Reimbursement Handbook, _____ June 2012, is incorporated by reference. The handbook is available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select ~~Click on~~ Public Information for Providers, then ~~on~~ Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling Provider Services Contact Center Inquiry at 1-800- ~~(800)~~ 289-7799 and selecting Option 7.

(3) The following forms are incorporated by reference: ~~MPDS2012-1-22, Recipient Lock-in Letter Form, June 2012;~~ MPDS2012-1-23, Request for Reconsideration Form, June 2012; MPDS2012-1-24, Request for Fair Hearing Form, June 2012; MPDS2012-1-25, Request to Change Lock-in Pharmacy, June 2012; and MPDS2012-1-26, Recipient Pharmacy Prescribed Drugs Lock-in Referral Form, June 2012. These forms may be accessed at www.ahca.myflorida.com/Medicaid/Prescribed_Drug/lockin.shtml.

Rulemaking Authority 409.919 FS. Law Implemented 409.906(20), 409.908, 409.912 FS. History—New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-11-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-93, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98, 9-13-99, 7-20-00, 1-29-01, 4-24-01, 10-6-02, 12-7-06, 11-3-08, 6-19-12, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-14.005 Public Comment

PURPOSE AND EFFECT: Rule proposes to facilitate public comment at board meetings.

SUBJECT AREA TO BE ADDRESSED: Public comment.

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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, IF AVAILABLE, IS: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395

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

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-1.014 Public Comment

PURPOSE AND EFFECT: The Board proposes the development of a rule to address the recent statutory addition set forth in Section 286.0114, F.S., with regard to public participation in public meetings.

SUBJECT AREA TO BE ADDRESSED: A new rule to address public participation in public meetings.

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology/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**

PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.0423
RULE TITLE: Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery

PURPOSE AND EFFECT: The rule amendments will implement changes to Section 366.93, F.S., enacted by the 2013 Legislature.

Docket No. 130222-EI

SUMMARY: The amendments to Rule 25-6.0423, F.A.C., include amending definitions, addressing the statutory requirement that utilities petition the Commission for approval before proceeding with certain activities, updating the rule for accuracy and procedural flexibility, and streamlining the rule by deleting unnecessary and duplicative language.

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 been prepared by the agency.

The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the rule amendments will not have an adverse impact or exceed any of the impact/cost criteria established in Section 120.541(2)(a), F.S.

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: based upon the information contained in the SERC.

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: 350.127(2), 366.05(1), 366.93(2) FS.

LAW IMPLEMENTED: 366.93 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0423 Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery.

(1) through (2) No change.

(a) "Nuclear power plant" is an electrical power plant which that utilizes nuclear materials as fuel, ~~as defined in Sections 403.503(13) and 366.93(1)(e), F.S.~~

(b) "Integrated gasification combined cycle power plant" is an electrical power plant which that uses synthesis gas produced by integrated gasification technology, as defined in Sections 403.503(14)(43) and 366.93(1)(c), F.S.

(c) No change.

(d) "Cost" includes, but is not limited to, all capital investments including rate of return, any applicable taxes, and all expenses, including operation and maintenance expenses, related to or resulting from the siting, licensing, design, construction, or operation of the nuclear power plant, including new, expanded, or relocated electrical transmission lines or facilities of any size which are necessary thereto, or of the integrated gasification combined cycle power plant, as defined in Section 366.93(1)(a), F.S.

(e) through (g) No change.

(h) Site selection costs and pre-construction costs include, but are not limited to: any and all costs associated with preparing, reviewing and defending a Combined Operating License (COL) application for a nuclear power plant; costs associated with site and technology selection; costs of engineering, designing, and permitting the nuclear or integrated gasification combined cycle power plant; costs of clearing, grading, and excavation; and costs of on-site construction facilities (i.e., construction offices, warehouses, etc.).

(i) No change.

(j) "Carrying Costs" shall be calculated using the utility's most recently approved pretax allowance for funds used during construction (AFUDC) rate at the time an increment of cost recovery is sought.

(3) After the Commission has issued a final order granting a determination of need for a power plant pursuant to 403.519, F.S., a utility may file a petition for Commission approvals pursuant to Section 366.93(3), F.S., in the annual nuclear or

integrated gasification combined cycle cost recovery proceeding, or a separate proceeding limited in scope to address only the petition for approval.

~~(4)(3)~~ Deferred Accounting Treatment. Site selection and pre-construction costs shall be afforded deferred accounting treatment and shall, except for projected costs recovered on a projected basis in one annual cycle, accrue a carrying costs charge equal to the utility's allowance for funds used during construction (AFUDC) rate until recovered in rates.

~~(5)(4)~~ Site Selection Costs. After the Commission has issued a final order granting a determination of need for a power plant pursuant to Section 403.519, F.S., a utility may file a petition for a separate proceeding, to recover prudently incurred site selection costs. This separate proceeding will be limited to only those issues necessary for the determination of prudence and alternative method for recovery of site selection costs of a power plant.

~~(6)(5)~~ Pre-Construction Costs and Carrying Costs on Construction Cost Balance. After the Commission has issued a final order granting a determination of need for a power plant pursuant to Section 403.519, F.S., a utility may petition the Commission for recovery of pre-construction costs and carrying costs of construction cost balance as follows:

(a) Pre-Construction Costs. A utility is entitled to recover, through the Capacity Cost Recovery Clause, its actual and projected pre-construction costs. The utility may also recover the related carrying costs charge for those costs not recovered on a projected basis. Such costs will be recovered within 1 year, unless the Commission approves a longer recovery period. Any party may, however, propose a longer period of recovery, not to exceed 2 years. Actual pre-construction costs incurred by a utility prior to the issuance of a final order granting a determination of need pursuant to Section 403.519, F.S., shall be included in the initial filing made by a utility under this subsection for review, approval, and a finding with respect to prudence.

~~1. Actual pre-construction costs incurred by a utility prior to the issuance of a final order granting a determination of need pursuant to Section 403.519, F.S., shall be included in the initial filing made by a utility under this subsection for review, approval, and a finding with respect to prudence.~~

~~2. The Commission shall include pre-construction costs determined to be reasonable and prudent in setting the factor in the annual Capacity Cost Recovery Clause proceedings, as specified in subparagraph (5)(c)3. of this rule. Such costs shall not be subject to disallowance or further prudence review.~~

(b) Carrying Costs on Construction Cost Balance. A utility is entitled to recover, through the utility's Capacity Cost Recovery Clause, the carrying costs on the utility's annual projected construction cost balance associated with the power plant. The actual carrying costs recovered through the Capacity Cost Recovery Clause shall reduce the ~~allowance for funds used during construction (AFUDC)~~ that would otherwise have been recorded as a cost of construction eligible for future recovery as plant in service.

~~1. For power plant need petitions submitted on or before December 31, 2010, the associated carrying costs shall be computed based on the pretax AFUDC rate in effect on June 12, 2007;~~

~~2. For power plant need petitions submitted after December 31, 2010, the utility's pretax AFUDC rate in effect at the time the petition for determination of need is filed is presumed to be appropriate unless the Commission determines otherwise in its need determination order;~~

~~3. The Commission shall include carrying costs on the balance of construction costs determined to be reasonable or prudent in setting the factor in the annual Capacity Cost Recovery Clause proceedings, as specified in paragraph (5)(e) of this rule.~~

(c) Capacity Cost Recovery Clause for Nuclear or Integrated Gasification Combined Cycle Power Plant Costs.

1. Each year, pursuant to the order establishing procedure in the annual cost recovery proceeding, a utility shall submit, for Commission review and approval, as part of its cost recovery Capacity Cost Recovery Clause filings:

a. True-Up for Previous Years. ~~By March 1, A~~ utility shall submit its final true-up of pre-construction expenditures, based on actual preconstruction expenditures for the prior year and previously filed expenditures for such prior year and a description of the pre-construction work actually performed during such year; or, once construction begins, its final true-up of carrying costs on its construction expenditures, based on actual carrying costs on construction expenditures for the prior year and previously filed carrying costs on construction expenditures for such prior year and a description of the construction work actually performed during such year.

b. True-Up and Projections for Current Year. ~~By May 1, A~~ utility shall submit for Commission review and approval its actual/estimated true-up of projected pre-construction expenditures based on a comparison of current year actual/estimated expenditures and the previously-filed estimated expenditures for such current year and a description of the pre-construction work projected to be performed during such year; or, once construction begins, its actual/estimated true-up of projected carrying costs on construction

expenditures based on a comparison of current year actual/estimated carrying costs on construction expenditures and the previously filed estimated carrying costs on construction expenditures for such current year and a description of the construction work projected to be performed during such year.

c. Projected Costs for Subsequent Years. ~~By May 1, A~~ utility shall submit, for Commission review and approval, its projected pre-construction expenditures for the subsequent year and a description of the pre-construction work projected to be performed during such year; or, once construction begins, its projected construction expenditures for the subsequent year and a description of the construction work projected to be performed during such year.

2. The Commission shall, ~~prior to October 1 of each year,~~ conduct an annual a hearing to ~~and~~ determine the reasonableness of projected pre-construction expenditures and the prudence of actual pre-construction expenditures expended by the utility; or, once construction begins, to determine the reasonableness of projected construction expenditures and the prudence of actual construction expenditures expended by the utility, and the associated carrying costs. ~~Within 15 days of the Commission's vote, the Commission shall enter its order. Annually, the Commission shall make a prudence determination of the prior year's actual construction costs and associated carrying costs. To facilitate this determination, T~~the Commission shall conduct an on-going auditing and monitoring program of prior year actual construction costs and related contracts pursuant to Section 366.08, F.S. In making its determination of reasonableness and prudence the Commission shall apply the standard provided pursuant to Section 403.519(4)(e), F.S.

~~3. The Commission shall include those costs it determines, pursuant to this subsection, to be reasonable or prudent in setting the Capacity Cost Recovery Clause factor in the annual Fuel and Purchased Power Cost Recovery proceedings. Upon a determination of prudence, Such~~ prior year actual costs associated with power plant construction subject to the annual proceeding shall not be subject to disallowance or further prudence review.

4. The final true-up for the previous year, actual/estimated true-up for the current year, and subsequent year's projected power plant costs as approved by the Commission pursuant to subparagraph ~~(6)(5)(c)~~2. will be included for cost recovery purposes as a component of the following year's capacity cost recovery factor in the Fuel and Purchased Power Cost Recovery Clause. The utility must file all necessary revisions to the fuel and purchased power cost recovery filings no later

than eight business days after the Commission's vote ~~October 15 of the current year.~~

5. ~~By May 1 of each year,~~ Along with the filings required by this paragraph, each year a utility shall submit for Commission review and approval a detailed analysis of the long-term feasibility of completing the power plant. Such analysis shall include evidence that the utility intends to construct the nuclear or integrated gasification combined cycle power plant by showing that it has committed sufficient, meaningful, and available resources to enable the project to be completed and that its intent is realistic and practical.

~~(7)(6)~~ Failure to Enter Commercial Service. Following the Commission's issuance of a final order granting a determination of need for the power plant, in the event the utility elects not to complete or is precluded from completing construction of the power plant, the utility shall be allowed to recover all prudent site selection costs, pre-construction costs, and construction costs.

(a) No change.

(b) The amount recovered under this subsection will be the remaining unrecovered Construction Work in Progress ~~(CWIP)~~ balance at the time of abandonment and future payment of all outstanding costs and any other prudent and reasonable exit costs. The unrecovered balance during the recovery period will accrue interest at the utility's overall pretax weighted average midpoint cost of capital on a Commission adjusted basis as reported by the utility in its Earnings Surveillance Report filed in December of the prior year, utilizing the midpoint of return on equity (ROE) range or ROE approved for other regulatory purposes, as applicable.

~~(8)(7)~~ Commercial Service. As operating units or systems associated with the power plant and the power plant itself are placed in commercial service:

(a) through (b) No change.

(c) At such time as the power plant is included in base rates, recovery through the Capacity Cost Recovery Clause will cease, except for the difference between actual and projected construction costs as provided in subparagraph ~~(6)(5)(c)~~4. above.

(d) The rate of return on capital investments shall be calculated using the utility's most recent actual Commission adjusted basis overall weighted average rate of return as reported by the utility in its most recent Earnings Surveillance Report prior to the filing of a petition as provided in paragraph ~~(8)(7)(a)~~. The return on equity cost rate used shall be the midpoint of the last Commission approved range for return on

equity or the last Commission approved return on equity cost rate established for use for all other regulatory purposes, as appropriate.

(e) No change.

~~(9)(8)~~ A utility shall, contemporaneously with the filings required by paragraph ~~(6)(5)(c)~~ above, file a detailed statement of project costs sufficient to support a Commission determination of prudence, including, but not limited to, the information required in paragraphs ~~(9)(8)(b) – (9)(8)(e)~~, below.

(a) Subject to suitable confidentiality agreements or, to the extent necessary, protective orders issued by the Commission, a utility will ensure reasonably contemporaneous access, which may include access by electronic means, for review by parties of all documents relied on by utility management to approve expenditures for which cost recovery is sought. Access to any information that is "Safeguards Information" as defined in 42 U.S.C. 2167 and 10 C.F.R. 73.21, incorporated by reference into this Rule, shall only be in accordance with applicable Nuclear Regulatory Commission requirements. 42 U.S.C. §2167 (2012) may be accessed at <http://www.flrules.org>[hyperlink address]. 10 C.F.R. §73.21 (2013) may be accessed at <http://www.flrules.org>[hyperlink address].

(b) through (f) No change.

Rulemaking Specific Authority 350.127(2), 366.05(1), 366.93(2) FS. Law Implemented 366.93 FS. History—New 4-8-07, Amended 2-3-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Casey Hinton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 39, Number 168, August 28, 2013

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:RULE TITLES:

40A-1.021 Definitions

40A-1.2025 Fees

40A-1.203 Permit Application Procedure

40A-1.205 Suspension, Revocation and Modification of District Permits

PURPOSE AND EFFECT: The Northwest Florida Water Management District (NFWFMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to NFWFMD Chapters 40A-1, F.A.C., to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUMMARY: Consistency Initiative, Florida’s five Water Management Districts have developed draft rules to incorporate proposed changes to the permitting processes. The Initiative is intended to improve consistency and streamline the permitting process in the consumptive use or water use programs implemented by the districts. In accordance with this Initiative, the Northwest Florida Water Management District (NFWFMD) is revising its water use permit application thresholds, application procedures and supporting documentation to meet the conditions for issuance, with attention paid to special areas of resource concern. Permitting rules are designed to ensure reasonable and beneficial uses of water within the jurisdiction and water supply context of the NFWFMD.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule 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 been prepared by the agency and is available on the District website.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 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: Angela Chelette, Northwest Florida Water Management District, Bureau of Groundwater Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, angela.chelette@nfwfmd.state.fl.us or Terri Peterson, Administrative Assistant, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, terri.peterson@nfwfmd.state.fl.us.

The text of the proposed rule is available on the District’s website (www.nfwfmd.state.fl.us).

THE FULL TEXT OF THE PROPOSED RULE IS:

40A-1.021 Definitions.

Terms as defined in Chapters 120 and 373, F.S., apply throughout these rules. In addition:

(1) “District” ~~= means~~ the Northwest Florida Water Management District; ~~and~~

(2) District Offices – locations staffed by District personnel from which materials incorporated by reference into the rule can be obtained. These are:

(a) District Headquarters, Permitting Section, 152 Water Management Drive, Havana, FL 32333-9700;

(b) Tallahassee Field Office, Carr Building, Suite 225, 3800 Commonwealth Blvd., MS LS225, Tallahassee, FL 32399; and

(c) Crestview Field Office, 180 E. Redstone Avenue, Crestview, FL 32539-7385.

~~(3)(2)~~ “Executive Director” ~~= means~~ the person employed by the Governing Board to direct the District’s operations, supervise staff and administrative procedures, and execute policies adopted by the Board.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.069, 373.079 FS. History–New 3-31-80, Formerly 16G-1.01 F.A.C., Amended _____.

40A-1.2025 Fees.

(1) A fee is required and shall be paid to the District when certain applications or petitions are filed pursuant to District rules. This fee is for the purpose of helping defray the costs of evaluation, processing, noticing, advertising, and mailing required in connection with consideration of such applications, as well as costs of monitoring and inspecting for compliance with the permit. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be an incorrect amount. The appropriate fees are established in each separate rule. Failure of any person to pay the fees established in the appropriate rule shall result in the denial of an application.

(2) Any portion of the fees enumerated in any District rule in excess of \$100 shall be waived for any city or county government upon receipt of a certification from such city or county of hardship required in Section 218.075, F.S. The Governing Body of the city or county requesting the fee waiver shall provide certification in the form of a written statement from the Florida Department of Revenue or using Form 165, effective _____, which is hereby incorporated by reference and can be obtained from the District's website (www.nwfwmd.state.fl.us) or from District offices. Any such certification shall be presumed to be valid for the entire fiscal year of the city or county during which certification is made unless the certification clearly indicates a duration to the contrary.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 218.075, 373.109 FS. History—New 5-7-95, Amended 3-2-00, _____.

40A-1.203 Permit Application Procedure.

(1) Procedures for permit applications shall be in accordance with Chapter 120, F.S., and Part II of this Chapter.

(2) A permit application shall be:

(a) filed with the District on the appropriate form provided by the Board; and

(b) accompanied by the appropriate fee in accordance with the schedule of fees established by the Board. The failure of any person to pay the required fee shall result in the denial ~~or revocation~~ of the application permit.

(3) No later than 30 days after receipt of an application for an agricultural or forestry surface water management permit pursuant to paragraph 40A-44.041(2)(b) or (c), F.A.C., or an Individual water use permit pursuant to Rule ~~40A-2.041~~ 40A-2.031, F.A.C., the District shall cause ~~publish~~ a notice

thereof to be published in a newspaper having general circulation as defined in Chapter 50, F.S. or by any other manner allowed by Statute. In addition, the District shall provide a copy of the notice to any person who has filed a written request for notification of any pending applications affecting the particular designated area. Interested persons may object to or comment upon the proposed permit in writing by the date specified in the notice. The District may request persons submitting objections or comments to furnish additional information. The District may consider objections or comments received after the designated time period if proposed agency action has not been taken on the application. The District will provide the applicant with a copy of all objections and comments received.

(4) Publication of the notice of application pursuant to subsection (3) shall constitute constructive notice of the permit application to all substantially affected persons. Persons who wish to receive a Notice of Proposed Agency Action and the staff report regarding a permit application must file a ~~written~~ request with the District by the date specified in the notice. Notices of Proposed Agency Action will be mailed only to persons who have filed such requests. Failure to timely request an administrative hearing pursuant to the directions contained in the Notice of Proposed Agency Action constitutes a waiver of the right to an administrative hearing on the application.

(5) through (13) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.60 FS. History—New 10-1-84, Amended 1-5-86, 7-1-98, 3-2-00, 8-6-13, _____.

40A-1.205 Suspension, Revocation and Modification of District Permits.

(1) thru (9) No change.

(10) District staff is authorized to administratively cancel a permit when the permittee or permittee's authorized agent surrenders the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit. The permittee surrendering an individual water use permit granted under Chapter 40A-2, F.A.C., shall ensure that all ground water wells have been either properly capped or plugged and abandoned according to subsection 40A-3.521(2), F.A.C., and that all surface water withdrawal points have been dismantled. Prior to an administrative cancellation, District staff shall perform a site visit to confirm these requirements have been met. Permit cancellation shall be requested using Water Use Permit Cancellation Form, Form No. 162, effective

_____, hereby incorporated by reference, and which can be obtained from the District's website (www.nwfwmd.state.fl.us) or from District offices.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.243, 373.246, 373.429 FS. History—New 10-1-84, Amended 8-6-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Angela Chelette, Chief, Bureau of Ground Water Regulation, Division of Resource Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Northwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2012

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-2.011	Policy and Purpose
40A-2.021	Definitions
40A-2.031	Items Incorporated by Reference
40A-2.041	Permits Required
40A-2.051	Exemptions
40A-2.061	General Water Use Permits by Rule
40A-2.101	Content of Application
40A-2.201	Fees
40A-2.223	Reservation of Water
40A-2.301	Conditions for Issuance of Permits
40A-2.321	Duration of Permits
40A-2.331	Modification of Permits
40A-2.351	Transfer of Permits
40A-2.361	Renewal of Permits
40A-2.381	Limiting Conditions
40A-2.441	Temporary Permits
40A-2.501	Permit Classification
40A-2.801	Declaration of Water Resource Caution Areas
40A-2.802	Water Resource Caution Areas
40A-2.901	Forms
40A-2.902	Areal Boundary Maps for Water Use Permitting
40A-2.904	Areal Boundary Maps for Water Resource Caution Areas

PURPOSE AND EFFECT: The Northwest Florida Water Management District (NWFWM) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and

joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to NWFWM Chapter 40A-1, F.A.C., to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP's website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUMMARY: Consistency Initiative, Florida's five Water Management Districts have developed draft rules to incorporate proposed changes to the permitting processes. The Initiative is intended to improve consistency and streamline the permitting process in the consumptive use or water use programs implemented by the districts. In accordance with this Initiative, the Northwest Florida Water Management District (NWFWM) is revising its water use permit application thresholds, application procedures and supporting documentation to meet the conditions for issuance, with attention paid to special areas of resource concern. Permitting rules are designed to ensure reasonable and beneficial uses of water within the jurisdiction and water supply context of the NWFWM.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule 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 been prepared by the agency and is available on the District website.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 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:

Angela Chelette, Northwest Florida Water Management District, Bureau of Groundwater Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, angela.chelette@nwfwmd.state.fl.us or Terri Peterson, Administrative Assistant, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, terri.peterson@nwfwmd.state.fl.us.

The text of the proposed rule is available on the District's website (www.nwfwmd.state.fl.us).

THE FULL TEXT OF THE PROPOSED RULE IS:

40A-2.011 Policy and Purpose.

The purpose of this chapter is to implement the provisions of Part II of Chapter 373, F.S., and the Water Resource Implementation Rule set forth in Chapter 62-40, F.A.C. Additional rules relating to water use are found in Chapter 40A-1, F.A.C., entitled General and Procedural, Chapter 40A-3, F.A.C., entitled Regulation of Wells and Chapter 40A-21, F.A.C., entitled Water Shortage Plan. In order that the waters of the District shall be conserved and managed so as to realize their full beneficial use, it is the policy of the Northwest Florida Water Management District to manage the water resources of the District to promote the conservation, development, and proper utilization of surface and ground water, and to encourage and promote water conservation and the reuse of reclaimed water.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216, 373.219 FS. History--New 10-1-82, Amended 1-5-86, 10-1-95, 7-1-98,_____.

40A-2.021 Definitions.

~~(1) Aesthetic use—the use of water for fountains, waterfalls and landscape lakes and ponds where such uses are ornamental and decorative.~~

~~(2) Agricultural irrigation use—the use of water for the commercial production of crops or the growing of farm products including vegetables, citrus, pasture, nursery stock, turf grass and sod.~~

(1) Alternative water supply – a water source that meets the definition in Section 373.019, F.S.

~~(2)(3) Annual average daily withdrawal – an amount of water that is equal to the total a volume of water withdrawn or diverted from all sources during one year equal to the calculated annual withdrawal divided by 365 days, and expressed in gallons per day (gpd).~~

~~(3)(4) Annual withdrawal – the quantity of water withdrawn or diverted during any 365 day period.~~

~~(4)(5) Aquifer remediation – the withdrawal of groundwater ground water for the authorized removal of contaminants for the purposes of restoring water quality.~~

~~(6) Aquacultural use—the use of water for spawning, cultivating, harvesting or marketing of fin fish, shellfish, crustaceans, frogs, turtles and other aquatic organisms that have a sport or other economic value.~~

(5) Area of Resource Concern – areas delineated on the map contained in Rule 40A-2.902, F.A.C., where resource concerns exist related to water availability, water quality, high anticipated growth in demand or other factors.

~~(6)(7) Base flow – the sustained or fair-weather streamflow. Base flow is the difference between streamflow (total runoff) and direct runoff. Base flow originates from rainwater that percolates downward to the water table and moves laterally through the groundwater ground water aquifer toward the streams.~~

~~(7)(8) Capacity – the amount of water that can be withdrawn or diverted by a ground or surface water pump within a 24-hour period. The capacity of a pump is derived by multiplying the rating of a pump in gallons per minute by 1,440 minutes (24 hours), expressed in gallons per day.~~

~~(8)(9) Closed system – an air conditioning / heat pump supply well and return flow well used to inject water carrying no additives into the same permeable zone from which the water was withdrawn by the supply well.~~

~~(10) Commercial use—businesses, operations and facilities in which water is the prime ingredient of the service or product rendered, such as a car wash, laundromat or bottled water.~~

~~(11) Conservation rate structure—a schedule of utility water rates designed to promote efficient use of water by providing economic incentives.~~

~~(9)(12) Department – the Florida Department of Environmental Protection.~~

~~(13) Dewatering use—the removal of water from a specific area to facilitate mining or construction.~~

(10) Disapproved facility – a facility that has been formally disapproved or deemed unsuitable by the District, Department, Florida Department of Health.

~~(11)(14)~~ District – the Northwest Florida Water Management District.

~~(12)~~ District offices – locations staffed by District personnel from which materials incorporated by reference into the rule can be obtained. These are:

~~(a)~~ District Headquarters, Permitting Section, 152 Water Management Drive, Havana, FL 32333-9700;

~~(b)~~ Tallahassee Field Office, Carr Building, Suite 225, 3800 Commonwealth Blvd., MS LS225, Tallahassee, FL 32399; and

~~(c)~~ Crestview Field Office, 180 E. Redstone Avenue, Crestview, FL 32539-7385.

~~(15)~~ Diversion and impoundment into non-District facilities – the diversion or extraction of water into non-District impoundments and delivery systems designed for such purposes as maintaining structural integrity, providing agricultural water and other non-recreational, non-aesthetic use.

~~(13)(16)~~ Domestic self-supply use or domestic consumption – the self-supplied use of water for individual personal household purposes such as drinking, bathing, cooking, sanitation, or cleaning, which occurs in a private residence, and includes no more than one rental residence or no more than four non-rental residences served by one well.

~~(17)~~ Drought rate structure – an element of a utility rate structure intended to provide an economic incentive to reduce water use during times of drought.

~~(18)~~ Essential use – the use of water strictly for firefighting purposes, health and medical purposes and the use of water to satisfy federal, state, or local public health and safety requirements.

~~(14)(19)~~ Facility – structure that allows for the withdrawal or diversion of water from a particular source. Facilities include, but are not limited to, wells, pumps, pipelines, flumes, canals, ditches, swales, artificial ponds, etc.

~~(15)~~ Florida-friendly landscaping – a landscaping method detailing nine principles that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant as outlined in Section 373.185, F.S.

~~(20)~~ Flow meter – an instrument, when properly installed and calibrated, that is used for the precise measurement of water flow through a closed pipe.

~~(21)~~ Freeze protection use – the periodic and infrequent use of water to protect agricultural and nursery crops from permanent damage due to low temperatures.

~~(16)(22)~~ General Wwater Uuse Ppermit – a permit granted by rule to an entity for those all non-exempt water

uses that meet specific criteria outlines in this Chapter users who are not required to apply for a Standard Individual Water Use Permit.

~~(23)~~ Golf course irrigation use – golf course irrigation is the use of water to irrigate golf courses.

~~(17)(24)~~ Governing Board – the Ggoverning Bboard of the Northwest Florida a Wwater Mmanagement Ddistrict created under Section 373.07369, F.S.

~~(18)~~ Harm – harm occurs when a use, diversion or withdrawal causes adverse impact to an existing legal use of water, offsite land use, water resource or environmental feature associated with the resource. De minimus impacts do not constitute harm.

~~(19)(25)~~ Heating or cooling use – a type of commercial water the use involving of water for heating, air-conditioning, or other cooling uses.

~~(20)~~ Illegally constructed facility – a well constructed or repaired without the appropriate permit having been issued pursuant to Chapter 40A-3, F.A.C., or that is not compliant with the requirements of Chapter 40A-3, F.A.C.

~~(21)~~ Impact offset – the use of reclaimed water to reduce or eliminate a harmful impact that has occurred or would otherwise occur as a result of other surface water or groundwater withdrawals as described in section 2.2.3.3 of the Water Use Permit Applicant's Handbook and in subsection 62-40.416(7), F.A.C.

~~(22)(26)~~ Individual Wwater Uuse Ppermit – a permit granted by the Governing Board or Executive Director, subject to the evaluation and approval of the application pursuant to procedures described in Rule 40A-1.203, F.A.C.

~~(27)~~ Industrial use – those uses wherein the water serves the purposes of manufacturing, commerce, trade or industry.

~~(28)~~ Informative billing – a system of providing water utility customers with useful information on the relationship between the amount of water they use and the cost associated with that use.

~~(29)~~ Irrigation use – the process of artificially applying water to plant growth media or directly to living plant material.

~~(30)~~ Landscape irrigation use – is the outside watering of plants, shrubs, lawns, grass, ground cover, trees, and other such flora which are planted and are situated in such diverse locations as homes, non-commercial household gardens, industrial buildings, parks, recreational areas, cemeteries, public right-of ways, and medians.

~~(31) Limited use public supply use — the use of water in public water systems not covered under the definitions of Domestic Self Supply Use or Public Water Supply Use of this section, and which is further defined as either:~~

~~(a) Limited Use Commercial Public Water System Use — the use of water by one or more nonresidential establishments; or~~

~~(b) Limited Use Community Public Water System Use — the use of water by five or more private residences or two or more rental residences.~~

~~(32) Livestock and other animals use — water for drinking by or washing of livestock, including zoo animals.~~

~~(33) Management level — the potentiometric level or surface water level or flow below which water conservation and water use limitations are imposed to enhance the management of the resource and to prevent surface or ground water levels from declining to the established minimum level.~~

~~(23)(34) Maximum daily withdrawal — the maximum volume of water withdrawn or diverted during any consecutive 24-hour period, expressed in gallons per day.~~

~~(24)(35) Maximum monthly withdrawal — the maximum volume of water withdrawn or diverted during any given month of the year, expressed in gallons.~~

~~(25)(36) Minimum flow and level — the minimum flow for a water course or the minimum water level for ground water in an aquifer or minimum water level for a surface water body at which further withdrawals would be significantly harmful to the water resources or ecology of the area.~~

~~(26) Minimum level — the minimum water level for groundwater in an aquifer or for a surface water body at which further withdrawals would be significantly harmful to the water resources of the area.~~

~~(37) Mining use — the use of water in the extraction, transportation, or processing of minerals.~~

~~(38) Navigation use — water discharged from ground or surface sources either to tide water or to downstream lakes or reaches of rivers or canals for the purpose of permitting or protecting boating activity.~~

~~(27)(39) Non-potable water use — water not utilized for domestic use, other public supply or public water supply or other human consumption use as defined herein by Chapter 40A-2, F.A.C.~~

~~(40) Nursery irrigation use (Non agricultural) — the use of water on premises on or in which nursery stock is held for sale or distribution or is sold or reshipped. This term does not apply to water used for production of nursery stock.~~

~~(41) Other outside use — the use of water outdoors for dust control, the maintenance, cleaning and washing of structures~~

~~and mobile equipment including automobiles, and the washing of streets, driveways, sidewalks and similar areas.~~

~~(42) Perishable food processing use — the use of water in the processing of perishable food (e.g., meat packing).~~

~~(43) Power production use — the use of water for steam generation and the use of water for cooling and for replenishment of cooling reservoirs.~~

~~(44) Public water supply use — the use of water as defined by the Florida Safe Drinking Water Act, and means a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A COMMUNITY WATER SYSTEM is a public water system which has at least 15 service connections used by year round residents or which regularly serves at least 25 year round residents. A NON-COMMUNITY WATER SYSTEM is a public water system which serves at least 25 individuals daily at least 60 days out of the year but the individuals served are not year round residents and may be transients.~~

~~(28)(45) Reasonable-beneficial use — the use of water in such quantity as is necessary for economic and efficient utilization for a purpose and in a manner which is both reasonable and consistent with the public interest.~~

~~(29)(46) Reclaimed water — except as specifically provided in Chapter 62-610, F.A.C., as defined in Section 373.019, F.S., water that has received at least secondary treatment and basic disinfection, and is reused after flowing out of a wastewater treatment facility.~~

~~(30) Secondary use — use of water by an entity, separate from a water supplier (as defined herein), whose source of water, in whole or in part, is from a water supplier.~~

~~(47) Recreation area irrigation use — the use of water to irrigate recreational areas such as soccer, baseball and football fields or playgrounds.~~

~~(48) Reservoir — any artificial or natural holding area which contains or will contain the water impounded by a dam.~~

~~(49) Reuse — deliberate application of reclaimed water, in compliance with the Department and District rules, for a beneficial purpose.~~

~~(50) Sanitation use — the use of water for toilet facilities and for cleaning when the use occurs in a non-residence. This use does not include drinking water or water used in cooking.~~

~~(51) Seasonal rate structure — a utility water rate structure in which the amount charged per unit of water increases during the peak demand season.~~

~~(52) Soil flooding use — the use of water for raising of water levels on agricultural lands for purposes not directly~~

~~related to such purposes as crop growth, soil preservation, crop harvesting and pest control.~~

~~(53) Stormwater recycling—capturing stormwater for irrigation or other beneficial use.~~

~~(54) Stream—any river, creek, slough, or natural water course in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted. The fact that some part of the bed or channel has been dredged or improved does not prevent the watercourse from being a stream.~~

~~(55) Surface waters—water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.~~

(31) Substitution credit – the use of reclaimed water to replace all or a portion of an existing permitted use of resource-limited surface water or groundwater, allowing a different user or use to initiate a withdrawal or increase its withdrawal from the same resource-limited surface water or groundwater source, provided that the withdrawal creates no net adverse impact on the limited water resource or creates a net positive impact if required by the district rule as part of a strategy to protect or recover a water resource, as described in section 2.2.3.3 of the Water Use Permit Applicant's Handbook.

~~(32)(56) System – two or more water withdrawal or diversion facilities which are derived from or used to serve properties that are physically proximate and either share the same infrastructure or are operated as a common enterprise contiguous property, are used collectively to provide water, and are controlled by a specific governing or controlling entity, public or private.~~

~~(57) Water based recreation use—the use of water for public or private swimming and wading pools and other water-oriented recreation such as fishing, boating and swimming, and including water slides.~~

(33)(58) Water Resource Caution Area – a geographic area, officially designated by the Governing Board by rule that is experiencing, or is anticipated to experience within the next 20 years, critical water resource problems as provided by the criteria identified in subsection 40A-2.801(1), F.A.C.

(34) Water supplier – an entity, such as a water utility or regional water authority, that has obtained a water use permit to withdraw water, of which some portion is distributed to another entity for a secondary use.

(35) Water use – the use, diversion or withdrawal of water regulated under this Chapter.

~~(59) Waters or Waters in the State—any and all water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, lakes, ponds, or~~

~~diffused surface water and water percolating, standing, or flowing beneath the surface of the ground as well as all coastal waters within the jurisdiction of the State.~~

~~(60) Well any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of ground water, but such term does not include any well for the purpose of obtaining or prospecting for oil, natural gas, minerals, or products of mining or quarrying, for inserting media to dispose of oil brines or to repressure oil bearing or natural gas bearing formation, or for storing petroleum, natural gas, or other products, or for temporary dewatering of subsurface formation for mining, quarrying, or construction purposes.~~

(36)(61) Well casing size – the nominal diameter (within 0.5 inch) of the water bearing well casing at the upper terminus (e.g., 4-inch well casing means casing 4.5 inches outside diameter as a standard dimension). For purposes of this rule, the diameter of the well at ground surface will be presumed to be the diameter of the well for the entire length unless the well owner or well contractor can demonstrate that the well has a smaller diameter water bearing casing below ground surface.

~~(62) Well size—the size of the well casing at ground level.~~

~~(63) Xeriscape™—a water conserving landscaping method that incorporates the principles of design, appropriate plant selection, soil improvement, efficient irrigation, mulching, turf concentration and proper maintenance.~~

~~(64) Xeriscape Ordinance—any new ordinance, landscape code or amendment to an existing ordinance or code that requires all development permitted after the effective date of the new ordinance, code or amendment to use Xeriscape landscaping.~~

~~Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216 FS. History—New 10-1-82, Amended 5-17-83, 3-1-84, 1-5-86, 8-1-89, 5-31-92, 11-2-92, 11-1-93, 10-1-95, 7-1-98, 1-1-05, 2-27-06,_____.~~

40A-2.031 Items Incorporated by Reference.

The following items are hereby incorporated by reference into this chapter and are available from the District's website (www.nwfwmd.state.fl.us) or from District offices upon request:

(1) Rule of the Florida Department of Environmental Protection: Water Reuse and Recycling subsections 62-40.416(7) and 62-40.416(8), F.A.C., effective May 6, 2013.

(2) The Northwest Florida Water Management District Water Use Permit Applicant's Handbook, effective _____.
Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216 FS. History—New _____.

(Substantial rewording of Rule 40A-2.041 follows. See Florida Administrative Code for present text.)

40A-2.041 Permits Required.

(1) Unless expressly exempted by law or District rule, a water use permit must be obtained from the District prior to any use, withdrawal, or diversion of water.

(2) The District issues water use permits in two forms, Individual Water Use Permits and General Water Use Permits. General Water Use Permits are issued by rule.

(3) An individual permit is required for any use of water which is non-exempt and does not qualify for a General Water Use Permit by rule in accordance with Rule 40A-2.061, F.A.C.

(4) Under certain circumstances, the District is authorized to issue a temporary water use permit pursuant to Section 373.244, F.S.

(5) A water user shall obtain one permit for all withdrawals and diversions that are intended to serve contiguous property. Two or more properties represented by their owners to be separate properties shall be aggregated and treated as a single property for permitting purposes when the District determines that the properties are physically proximate and either (a) share the same withdrawal facilities and related infrastructure or (b) are operated as a common enterprise. However, when multiple use types, as defined in Rule 40A-2.501, F.A.C., are served by separate withdrawal facilities, the District is authorized to issue separate individual permits.

Rulemaking Authority 373.044, 373.113, 373.116, 373.118, 373.171 FS. Law Implemented 373.171, 373.219, 373.226 FS. History—New 10-1-82, Amended 1-5-86, 5-4-87, 8-1-89, 5-31-92, 11-1-93, 10-1-95, 7-1-98, 1-1-05, 2-27-06,_____.

(Substantial rewording of Rule 40A-2.051 follows. See Florida Administrative Code for present text.)

40A-2.051 Exemptions.

No permit is required under Rule 40A-2.041, F.A.C., for water used strictly for domestic use which occurs in a private residence, and includes no more than one rental residence or no more than four non-rental residences served by one well.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.216, 373.219 FS. History—New 10-1-82, Amended 5-17-83, 3-1-84, 1-5-86, 8-1-89, 5-31-92, 11-2-92, 10-1-95, 7-1-98, 1-1-05, 2-27-06, 1-4-10,_____.

(Substantial rewording of Rule 40A-2.061 follows. See Florida Administrative Code for present text.)

40A-2.061 General Water Use Permits by Rule —~~Criteria, Limitations and Conditions.~~

(1) General Water Use Permit by Rule.

(a) The Board hereby grants a General Water Use Permit for all non-exempt, water uses of water that satisfy the following criteria:

1. Have a cumulative average annual daily withdrawal less than 100,000 gallons per day on an annual basis;

2. Are from facilities having a cumulative withdrawal capacity of less than 1,000,000 gallons per day;

3. Are from groundwater wells less than eight (8) inches in diameter;

4. Are from surface water facilities which have a cumulative intake diameter less than six (6) inches;

5. Are consistent with requirements of any applicable mandatory reuse zones; and

6. Are not within a Water Resource Caution Area or Area of Resource Concern as delineated in Rule 40A-2.902, F.A.C.

(b) The General Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant’s Handbook.

(2) General Water Use Permit by Rule for Short-Term Projects.

(a) The Board hereby grants a General Water Use Permit for the use of water in conjunction with the following short-term projects: dewatering operations as described in Rule 40A-2.501, F.A.C., for purposes such as utility construction and foundation installation; lake drawdown for construction or repair; hydrostatic pipeline testing; exploratory groundwater testing; or aquifer performance tests; provided the use meets the following criteria:

1. Has a duration of 180 days or less;

2. Has a maximum daily withdrawal of less than five (5) million gallons;

3. Has a maximum total project withdrawal or diversion of:

a. less than 100 million gallons for dewatering operations if all discharge is retained on the project site;

b. less than 100 million gallons for lake drawdown; or

c. less than 35 million gallons for projects other than dewatering or lake drawdown.

4. Dewatering is occurring only in the uppermost, water table aquifer.

5. Will not dewater to a depth below 0.0 feet NGVD within 1,000 feet of saline water laterally, except when dewatering water with a chloride concentration of greater than 1,000 milligrams per liter;

6. Will not occur within 500 feet of a wastewater treatment plant rapid-rate land application system permitted under Part IV of Chapter 62-610, F.A.C.;

7. Will not occur within 1,000 feet of any known groundwater contamination in the water bearing zone being dewatered; and

8. Will not occur within 1,000 feet of a freshwater wetland.

(b) Linear projects, such as roads, utilities, or pipelines, qualify for multiple General Water Use Permits by Rule having a rolling 90-day duration, in which the dewatering operation at the end of each 90-day period occurs more than one (1) linear mile from the location at the beginning of each 90-day period.

(c) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 of the Water Use Permit Applicant's Handbook.

(3) General Water Use Permit by Rule for Closed-Loop Systems.

(a) The Board hereby grants a General Water Use Permit for the use of water in closed-loop, cooling/heating systems for swimming pools and air conditioning units provided the following criteria are met:

1. The system withdraws less than an annual daily average of 100,000 gallons;

2. The withdrawal and discharge points are on property legally controlled by the permittee;

3. The water is discharged to the same source, aquifer, or permeable zone from which it is withdrawn;

4. The discharge or injection has been permitted by the Department or is exempt from such permitting;

5. The water has no contact or mixing with other water sources, additives, and chemicals; and

6. The use is not from the Floridan Aquifer within the Santa Rosa, Okaloosa, and Walton County Water Resource Caution Area.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant's Handbook.

(4) General Water Use Permit by Rule for Aquifer Remediation Activities.

(a) The Board hereby grants a General Water Use Permit for the use of water for aquifer or groundwater remediation, provided the following criteria are met:

1. The project is conducted according to a Remedial Action Plan approved by the federal, state or local agency having legal jurisdiction over such activities;

2. The treated effluent is returned via infiltration or direct injection into the same source, aquifer, or permeable zone from which it is withdrawn; and

3. The treated effluent meets applicable Department water quality standards.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 of the Water Use Permit Applicant's Handbook.

(5) General Water Use Permit by Rule for Specific Uses in Portions of Gadsden County.

(a) The Board hereby grants a General Water Use Permit for water uses in the Upper Telogia Creek Drainage Basin Water Resource Caution Area and Area of Resource Concern of Gadsden County, provided the following criteria are met:

1. The system has an annual average daily withdrawal less than 15,000 gallons;

2. Groundwater is withdrawn from wells that are four (4) inches or less in diameter;

3. Surface water facilities have a cumulative diameter less than four (4) inches;

4. Surface water use does not exceed ten (10) percent of the base flow of the supplying water body; and

5. Use is consistent with requirements of any applicable mandatory reuse zones.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant's Handbook.

(6) General Water Use Permit by Rule for Specific Uses in Portions of Santa Rosa County.

(a) The Board hereby grants a General Water Use Permit for water uses in the Water Resource Caution Area of Santa Rosa County, provided the following criteria are met:

1. The system has an annual average daily withdrawal less than 15,000 gallons;

2. Groundwater is withdrawn from wells that are four (4) inches or less in diameter and have a total depth of 100 feet or less;

3. Surface water facilities have a cumulative diameter less than four (4) inches; and

4. Use is consistent with requirements of any applicable mandatory reuse zones.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant's Handbook.

(7) General Water Use Permit by Rule for Specific Uses in Portions of Okaloosa and Walton Counties.

(a) The Board hereby grants a General Water Use Permit for water uses in the Water Resource Caution Area of Okaloosa and Walton counties, provided the following criteria are met:

1. The system has an annual average daily withdrawal less than 15,000 gallons;

2. Groundwater is withdrawn from wells that are four (4) inches or less in diameter and do not penetrate any competent and continuous confining formation;

3. Surface water facilities have a cumulative diameter less than four (4) inches; and

4. Use is consistent with requirements of any applicable mandatory reuse zones.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant's Handbook.

(8) General Water Use Permit by Rule for Specific Uses in Portions of Bay County.

(a) The Board hereby grants a General Water Use Permit for water uses in the Area of Resource Concern of Bay County, provided the following criteria are met:

1. The system has an annual average daily withdrawal less than 100,000 gallons;

2. Groundwater is withdrawn from wells that are less than six (6) inches in diameter;

3. Surface water facilities have a cumulative diameter less than four (4) inches; and

4. Use is consistent with requirements of any applicable mandatory reuse zones.

(b) The General Water Use Permit by rule shall be subject to the Standard conditions in section 5.1 and the applicable Specific conditions for the use type in section 5.2.1 of the Water Use Permit Applicant's Handbook.

(9) The permittee shall not utilize the facility associated with a General Water Use Permit by rule for any type of water use other than those authorized under Rule 40A-2.061, F.A.C.

(10) For a use that qualifies for a General Water Use Permit to be afforded protection as an existing legal use in the evaluation of subsequent applications, all withdrawal facilities must be registered, at the time the use begins, with the District in one of the following ways:

(a) The issuance of a well construction permit by the District pursuant to Chapter 40A-3, F.A.C.;

(b) The registration of any legally constructed well by submittal of the facility information required on the well construction permit application; or

(c) The registration of any surface water facility by submittal of: the information required in the Water Use Permit Application (Form 160), Section IV – Sources of Water, in the table “Summary of Surface Water Facilities”; the owner's name and address; and a map showing the intake location.

(11) Notwithstanding the criteria enumerated for any General Water Use Permit in this section, a general water use permit is not authorized for any uses, withdrawals or diversions of water from an illegally constructed or disapproved facility.

(12) Notwithstanding the criteria enumerated for any General Water Use Permit in this section, an individual permit is required for all uses, withdrawals or diversions of water for which evidence indicates the use is likely to cause harm to existing legal uses, offsite land uses or water resources and related environmental features.

(13) Any person whose withdrawal otherwise meets the criteria for a General Water Use Permit by Rule may submit an application to obtain an individual permit at their discretion.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.118, 373.216 FS. History—New 1-5-86, Amended 5-31-92, 11-2-92, 11-1-93, 10-1-95, 1-1-05, Formerly 40A-2.302, Amended _____.

(Substantial rewording of Rule 40A-2.101 follows. See Florida Administrative Code for present text.)

40A-2.101 Content of Application.

(1) In order to obtain an individual permit, an applicant shall file with the District a Water Use Permit Application including any necessary supplemental forms and attachments required for the type of permit and the water use(s) for which application is being made. The application shall consist of all completed forms, attachments, the correct application fee identified in Rule 40A-2.201, F.A.C., and other documentation submitted in support of the application, which shall constitute information sufficient to demonstrate that the water use meets the criteria and conditions established in Rule 40A-2.301, F.A.C.

(2) The following District forms shall be used to request a new permit or to request renewal or modification of an existing permit. All permit application forms described in this

section have been approved by the District Governing Board and are hereby incorporated by reference into this chapter. Forms are available from the District’s website (www.nwfwmd.state.fl.us) or from District offices.

(3) All Individual Water Use Permit applications whether for: a new permit; formal modification of an existing permit or renewal of an existing permit, shall be made using the Water Use Permit Application, Form No. 160, effective _____. Applicants shall also submit one or more of the following supplemental forms, as appropriate, for each type of water use, as defined in Rule 40A-2.501, F.A.C., being proposed in the permit application:

(a) Supplemental Form A – Agricultural Use, Form No. 160A, effective _____.

(b) Supplemental Form B – Industrial / Commercial Use, Form No. 160B, effective _____.

(c) Supplemental Form C – Landscape / Recreation Use, Form No. 160C, effective _____.

(d) Supplemental Form D – Mining / Dewatering Use, Form No. 160D, effective _____.

(e) Supplemental Form E – Public Supply Use, Form No. 160E, effective _____.

(f) Supplemental Form F – Other Use, Form No. 160F, effective _____.

(g) Supplemental Form G – Institutional Use, Form No. 160G, effective _____.

(h) Supplemental Form H – Diversion and Impoundment, Form No. 160H, effective _____.

(i) All applications for non-potable use shall include reuse feasibility information required per section 2.2.3.1 of the Water Use Permit Applicant’s Handbook. Information from the reuse provider shall be submitted on the Reuse Feasibility Information form, NFWFMD Form No. 174, effective November 1, 2013.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.109, 373.223, 373.229, 373.250, 403.0877 FS. History–New 10-1-82, Amended 1-5-86, 5-31-92, 11-2-92, 11-1-93, 10-1-95, 7-1-98, 1-4-10, 10-20-13, _____.

40A-2.201 Permit Processing Fees.

There shall be a non-refundable water consumptive use permit application processing fee according to the following schedule for all new, modification, or renewal applications:

Annual Average Daily Withdrawal Processing Fee*

Amounts (Gallons)	
Less than 25,000 gallons per day, average	\$100.00
25,000 to 99,999 gallons per day, average	\$250.00
100,000 to 499,999 gallons per day, average	\$500.00

500,000 to 999,999 gallons per day, average	\$1,000.00
1,000,000 to 1,999,999 gallons per day, average	\$2,000.00
2,000,000 gallons or more per day, average	\$3,000.00
Permit Transfer or Letter Modification**	\$50.00

Temporary Permit (in addition to the fees identified above) \$50.00

*Any county or municipality meeting the criteria specified in Section 218.075, F.S., may request a reduction in the required fee amount as provided in Rule 40A-1.2025, F.A.C.

**No transfer fee is required if the transfer is processed in conjunction with a permit modification or renewal.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.109 FS. History–New 10-1-82, Amended 1-5-86, 8-1-89, 1-1-90, 1-1-91, 10-1-95, _____.

40A-2.223 Reservation of Water.

(1) At U.S. Geological Survey gauging station No. 02358000, Apalachicola River at Chattahoochee, the magnitude, duration and frequency of observed flows are reserved for the protection of fish and wildlife of the river, floodplain and Apalachicola Bay.

(2) At U.S. Geological Survey gauging station No. 02358700, Apalachicola River near Blountstown, the magnitude, duration and frequency of observed flows are reserved for the protection of fish and wildlife of the river, floodplain and Apalachicola Bay.

(3) At and below U.S. Geological Survey gauging station No. 02359170, Apalachicola River near Sumatra, the magnitude, duration and frequency of observed flows are reserved for the protection of fish and wildlife of the river, floodplain and Apalachicola Bay.

(4) At U.S. Geological Survey gauging station No. 02359000, Chipola River near Altha, the magnitude, duration and frequency of observed flows are reserved for the protection of fish and wildlife of the Chipola River, Apalachicola River, the associated floodplains and Apalachicola Bay.

(5) The Governing Board finds that consumptive withdrawals of surface water from the main stem of the Apalachicola River are not in the public interest and, therefore, reserves from use by permit the flows specified in subsections (1), (2), and (3). Such reservation is made for all seasons of the year.

(6) The Governing Board finds that consumptive withdrawals of surface water from the main stem of the Chipola River and the Chipola Cutoff are not in the public interest and, therefore, reserves from use by permit the flows specified in subsection (4). Such reservation is made for all seasons of the year.

(7) For purposes of this Rule 40A-2.223, F.A.C., consumptive withdrawals shall mean withdrawals minus returns but shall not include evaporative losses. Diversions of surface water for cooling purposes, fish and wildlife propagation, fish and wildlife refuge, water based migratory bird hunting refuges and similar diversions are exempt from the provisions of this Rule 40A-2.223, F.A.C., provided that such diverted water, minus evapotranspiration, is returned to the Apalachicola River Basin.

(8) Nothing in this section shall exempt diversions as specified in subsection (7) from obtaining ~~water consumptive~~ use permits required elsewhere in this Chapter 40A-2, F.A.C.

(9) The Governing Board finds that surface water withdrawals by the City of Port St. Joe from the Chipola River is an alternative water supply as contemplated by Sections 373.019 and ~~373.707~~ 496, F.S., and are therefore exempt from the provisions of this Rule 40A-2.223, F.A.C. Nothing in this section shall exempt the City of Port St. Joe from the permitting requirements of this Chapter 40A-2, F.A.C.

~~(10) This section shall terminate on January 1, 2016 unless specifically extended by the Governing Board.~~
 Rulemaking Authority 373.044, 373.113, 373.171, 373.216, 373.219 FS. Law Implemented 373.216, 373.219, 373.223 FS. History—New 2-27-06, Amended _____.

40A-2.301 Conditions for Issuance of ~~Permits~~.

(1) To obtain a water use permit, renewal, or modification, an applicant must provide reasonable assurance that the proposed water use, on an individual and cumulative basis:

- (a) Is a reasonable-beneficial use;
- (b) Will not interfere with any presently existing legal use of water; and
- (c) Is consistent with the public interest.

(2) In order to provide reasonable assurances that the water use is reasonable-beneficial, an applicant shall demonstrate that the use:

- (a) Is a quantity that is necessary for economic and efficient use;
- (b) Is for a purpose and occurs in a manner that is both reasonable and consistent with the public interest;
- (c) Will utilize a water source that is suitable for the consumptive use;
- (d) Will utilize a water source that is capable of producing the requested amount;
- (e) Except when the use is for human food preparation or direct human consumption, will utilize the lowest quality water source that is suitable for the purpose and is technically, environmentally, and economically feasible;

(f) Will not cause harm to existing offsite land uses resulting from hydrologic alterations;

(g) Will not cause harm to the water resources of the area in any of the following ways:

- 1. Will not cause harmful water quality impacts to the water source resulting from the withdrawal or diversion;
- 2. Will not cause harmful water quality impacts from dewatering discharge to receiving waters;
- 3. Will not cause harmful saline water intrusion or harmful upconing;
- 4. Will not cause harmful hydrologic alterations to natural systems, including wetlands or other surface waters; and
- 5. Will not otherwise cause harmful hydrologic alterations to the water resources of the area;

(h) Is in accordance with any minimum flow or level and implementation strategy established pursuant to Sections 373.042 and 373.0421, F.S.; and

(i) Will not use water reserved pursuant to Section 373.223(4), F.S.

~~In order for the Board to grant a permit for the use of water, the applicant must establish that the intended use:~~

- ~~(1) Is a reasonable beneficial use;~~
- ~~(2) Is consistent with the public interest;~~
- ~~(3) Will not interfere with any legal use of water existing at the time of the application; and~~
- ~~(4) Complies with the provisions of subsections 62-40.410(1) (2), F.A.C.~~

~~Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.185, 373.219, 373.223, 373.216, 373.226, 373.227, 373.228, 373.229, 373.232, 373.236, 373.239, 373.250 FS. History—New 10-1-82, Amended 5-17-85, 1-5-86, 11-1-93, 10-1-95, _____.~~

40A-2.321 Duration of Permits.

The Governing Board or Executive Director shall specify for each ~~water consumptive~~ use permit issued (new, modification, or renewal) a specific period of time the permit will be valid. The District shall notify the permit applicant, pursuant to the provisions of Rule 40A-1.203, F.A.C., of the recommended duration under consideration for the requested permit. The Governing Board or Executive Director is authorized to approve permit durations up to the statutory limits specified in Section 373.236, F.S., provided that the applicant demonstrates reasonable assurance that the proposed use meets the conditions for issuance in Rule 40A-2.301, F.A.C., for the requested duration. Otherwise, the Governing Board or Executive Director is authorized to issue permits for a shorter duration that reflects the period for which such reasonable assurances can be provided. Special duration factors listed in

~~section 1.5.1 of the Water Use Permit Applicant's Handbook shall be considered in determining permit durations. Permit durations shall be authorized in accordance with the guidelines identified below. Permit Areas are depicted in Figure 2-1, Rule 40A-2.902, F.A.C.~~

~~(1) The District shall extend a permit duration for public water supply utilities which have demonstrated water savings achieved through implementation of a water conservation plan. The definition of a goal-based water conservation plan and the length of the extension will be determined as described in section 2.3.7.8 of the Water Use Permit Applicant's Handbook. Water Uses Within Permit Area A. Ground or Surface Water withdrawals located in Permit Area A shall be permitted for a duration of five (5) years.~~

~~(2) Water Uses Within Permit Area B.~~

~~(a) Ground or Surface Water withdrawals located in Permit Area B and which have an annual average withdrawal of less than 1,000,000 gallons per day, shall be permitted for a duration of seven (7) years.~~

~~(b) Ground or Surface Water withdrawals located in Permit Area B and which have an annual average withdrawal greater than or equal to 1,000,000 gallons per day, shall be permitted for a duration of five (5) years.~~

~~(3) Water Uses Within Permit Area C.~~

~~(a) Ground or Surface Water withdrawals located in Permit Area C and which have an annual average withdrawal less than 1,000,000 gallons per day, shall be permitted for a duration of ten (10) years.~~

~~(b) Ground or Surface Water withdrawals located in Permit Area C and which have an annual average withdrawal greater than or equal to 1,000,000 gallons per day, shall be permitted for a duration of five (5) years.~~

~~(4) The Governing Board shall extend the permit durations specified above by three (3) years for local governments operating water supply utilities and who have adopted and implemented Xeriscape ordinances meeting the requirements of Section 373.185(2)(a) (f), F.S., as determined by the District. The three year permit extension is provided as an incentive, pursuant to Section 373.185, F.S., to encourage all local governments within the District to adopt Xeriscape ordinances. The identified permit duration extension shall not result in a permit duration in excess of those specified in Section 373.236, F.S.~~

~~(2)(5) The Governing Board is authorized to will grant a permit of greater or lesser duration than those specified in subsections 40A-2.321(1) (3), F.A.C., above, in order to address special duration factors as described in section 1.5.1 of~~

~~the Water Use Permit Applicant's Handbook case-specific considerations (e.g., short duration projects) or to provide for the protection of the resource or existing legal uses (e.g., insufficient data for long-term authorization) or for other considerations as provided by Section 373.236, F.S.~~

~~(3) Nothing herein shall preclude or otherwise prevent the Governing Board from terminating, revoking, or temporarily suspending any permit in accordance with these rules or taking such other action as may be provided for in the permit.~~

~~Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.185, 373.219, 373.236 FS. History—New 10-1-82, Amended 5-17-83, 1-5-86, 11-2-92, 7-1-98, _____.~~

~~40A-2.331 Modification of Permits.~~

~~(1) A permittee may seek modification of any terms of an unexpired permit pursuant to Section 373.239, F.S. Any application for a modification in the last year of the permit term shall also be an application for renewal, if renewal of the permit is desired by the permittee.~~

~~(2) The District Board shall modify a permit, or delete or modify any limiting conditions on a permit, to insure the continued reasonable and beneficial use of water or to protect the water resources of the District.~~

~~(3) Modifications shall be requested by either:~~

~~(a) Formal application, using the appropriate application forms incorporated in subsection 40A-2.101(1), F.A.C., and including the appropriate fee. Formal modification applications that are made in the last year of the permit term shall be processed as a renewal application with modification, if renewal of the permit is desired by the permittee. Upon request and documentation by the permittee, modification applications that are deemed by the District to be substantial, as described in the Water Use Permit Applicant's Handbook section 1.4.4.1, shall be processed as a renewal application with modification. A request for formal modification shall be treated as a new application and shall be reviewed in accordance with the rules in effect at the time the modification application is filed.~~

~~(b) Letter request, on the Water Use Permit Letter Modification Request Form, Form No. 161, effective _____, which is hereby incorporated by reference into this section and available from the District's website (www.nwfwmd.state.fl.us) or from District offices, including a description of the proposed modification and the appropriate fees. Letter requests can be utilized provided that:~~

~~1. The annual average daily withdrawal or diversion will not increase by more than 100,000 gallons per day or more~~

than 10% of the total permitted quantity or cause the total permitted withdrawal or diversion to exceed 10% of the baseflow or storage volume of the waterbody;

2. The use(s) of the water will not change, except to discontinue and remove any use(s);

3. The source(s) of water will not change, except to add reuse;

4. The modification does not cause the permit to exceed any delegation limits set by the Governing Board for final agency action at staff level;

5. The proposed changes would not cause impacts beyond those considered in the initial permit;

6. The proposed modification will not affect a Reservation of Water identified in Rule 40A-2.223, F.A.C., or affect an established Minimum Flow or Level;

7. The proposed modification will not extend a permit duration, except as provided for in subsection 40A-2.321(4), F.A.C., as incentive for water conservation; and

8. Well replacements must be constructed within the same aquifer unit, be located within 2,640 feet of the original well, be located at least 1,000 feet from wetlands, lakes, and springs, and have a pumping capacity less than or equal to the original well.

(c) There is no limit to the number of letter modifications that a permittee may request during a permit term, provided that the sum total of the withdrawal or diversion quantity modifications do not exceed the limits specified in paragraph (3)(b) above.

(d) A request for modification by letter in accordance with paragraph (3)(b) above need only provide information and meet the conditions for issuance in Rule 40A-2.301, F.A.C., that relate to the modification request, in accordance with Section 373.239(2), F.S. A permit which has expired or which has been revoked shall not be subject to modification.

(e) If the District determines that a request for letter modification does not meet the qualifications stated above, the applicant will be informed that the desired changes must be made through the formal modification process.

(f) Approval authority for letter modification requests shall rest with the Executive Director and be exercised without a hearing. If a request for a letter modification is not authorized by the Executive Director, the Permittee may, at his discretion, apply for formal modification of the permit.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.223, 373.239 FS. History—New 10-1-82, Amended 1-5-86, 10-1-95, 7-1-98,_____.

40A-2.351 Transfer of Permits.

(1) A Permittee can request that the District transfer his An Individual Water Use Permit to another entity with that

entity's consent provided that the Permittee is compliant with the terms and conditions of the permit and that appropriate legal control is maintained. shall be transferred by the Executive Director at the request of the Permittee provided the source, use, and withdrawal amounts remain the same; the request is made in writing on NFWFMD Form No. A2 F, (Request for Consumptive Use Permit Transfer, effective May 31, 1992) hereby incorporated by reference and available from the District offices in Midway Gadsden County, Crestview or Marianna or from the District's website; and is accompanied by the required processing fee. All terms and conditions of the permit being transferred shall be binding on the transferee.

(2) Persons who wish to continue an existing, permitted water use and who have acquired ownership or legal control of permitted water withdrawal or diversion facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of such facilities or such land.

(3) A request for permit transfer shall be made using NFWFMD Form No. 163 (Request for Water Use Permit Transfer, effective _____) which is hereby incorporated by reference and available from the District's website (www.nfwfmd.state.fl.us) or from District Offices; and must include the required processing fee. The District will transfer the permit provided all aspects of the permit except for the Permittee remain the same. All terms and conditions of the permit being transferred shall be binding on the transferee.

(4) Persons who apply to transfer a permit under subsection (1) above and who propose to change the source, use type or withdrawal or diversion quantities from those specified on the existing permit must also submit an application to modify the permit.

(5)(2) A General Water Use Permit is hereby transferred by rule to the entity that who has ownership or controlling interest of the point of water withdrawal or diversion. Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.109, 373.118, 373.216, 373.219 FS. History—New 10-1-82, Amended 5-31-92, 11-1-93, 10-1-95, 1-4-10,_____.

40A-2.361 Renewal of Permits.

(1) Applications for renewal of Individual Water Use Permits shall may be made no earlier than one any time during the last year of the term of an unexpired permit; however, application should be made no later than one hundred twenty (120) days prior to the expiration of the permit. Application for a permit renewal is timely only if actually received by the District not later than the expiration date of the existing permit.

(2) All Individual Water Use Permit renewal applications shall be treated in the same manner as the initial application.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.239 FS. History—New 10-1-82, Amended 1-5-86, 11-1-93, 10-1-95, _____.

40A-2.381 Limiting Conditions.

(1) The ~~District Board~~ shall impose upon any permit issued pursuant to this chapter such reasonable conditions as are necessary to: provide for the monitoring of the authorized use; provide for the use of reclaimed water; provide that the withdrawal and use of water is consistent with the policies of the District ~~and the declared purpose of this Chapter~~; prevent the level of the potentiometric surface of an aquifer, or the level of a surface water body, to be drawn below any minimum level established by the Board; and to provide that the authorized withdrawal is not harmful deleterious to the water resources of the District. Applicants shall be notified pursuant to Rule 40A-1.203, F.A.C., of any conditions imposed upon their permit.

(2) Every permit acquired under this Chapter shall include standard terms which describe the following information:

- (a) Permittee's name and address;
- (b) Permit number;
- (c) Date permit application filed;
- (d) Date permit granted;
- (e) Permit expiration date;
- (f) Water source classification(s);
- (g) Water use classification;
- (h) Property location;
- (i) Authorized withdrawal or diversion amounts; and
- (j) Withdrawal locations.

~~In addition to specific or special conditions stipulated by the Board, the terms and standard conditions enumerated in the District's permit document, NFWFMD Form No. A2-E, hereby incorporated by reference, are made part of all permits.~~

(3) Every permit acquired under this Chapter shall include the standard conditions in section 5.1 of the Water Use Permit Applicant's Handbook which impose certain limitations on the permitted water withdrawal.

(4) In addition to the standard terms and conditions, the District shall impose specific conditions as set forth in Rule 40A-2.802, F.A.C., and 5.2 of the Water Use Permit Applicant's Handbook, or other specific conditions appropriate to any specific use type or project.

(5)~~(3)~~ If water use reporting is required, the permittee shall submit the data required on the form specified in the permit. The District forms described in this section are hereby incorporated by reference and are available from the District's website (www.nfwfmd.state.fl.us) or from District offices. The form specified shall be eEither:

(a) Water Use/Pumpage Report Form, NFWFMD Form No. 166, effective _____, Annual Water Use Reporting Form, NFWFMD Form No. A2-G, effective July 1, 1998;

(b) Periodic Water Use Reporting Form, NFWFMD Form No. 173, effective _____, A2-H, effective July 1, 1998; or

(c) Water Use Summary Reporting Form, NFWFMD Form No. 172, effective _____, A2-I, effective July 1, 1998.

(6) If water use reporting is required, the permittee shall submit the data required on the form specified in the permit for accuracy verification. The District forms described in this section are hereby incorporated by reference and are available from the District's website (www.nfwfmd.state.fl.us) or from District offices. The form specified shall be completed on either one of the following forms at a frequency specified in the permit:

(a) Flow Meter Accuracy Water Use Report Form No. 170, effective _____; or

(b) Alternative Method Flow Verification Water Use Permit Report Form No. 171, effective _____.

(7) If authorized water use is for agricultural or landscape/recreation irrigation, the permittee shall submit the data required on the form specified in the permit. The District forms described in this section are hereby incorporated by reference and are available from the District's website (www.nfwfmd.state.fl.us) or from District offices. The form(s) specified shall be:

(a) Annual Crop Summary Water Use Permit Report Form No. 168, effective _____; and/or

(b) Crop Protection Water Use Permit Report Form No. 169, effective _____.

(8) If water quality reporting is required, the permittee shall submit the data required on the Water Quality Consumptive Use Permit Form No. 167, effective _____ which is hereby incorporated by reference and available from the District's website (www.nfwfmd.state.fl.us) or from District offices.

~~These forms are hereby incorporated by reference and can be obtained from the District offices in Midway Gadsden County, Crestview or Marianna or from the District's website.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.216, 373.219, 373.223, 373.250 FS. History—New 1-5-86, Amended 5-31-92, 10-1-95, 1-4-10, _____.

40A-2.441 Temporary Permits.

~~(1) The Executive Director is authorized to issue a temporary permit while an application is pending after determining:~~

~~(a) That an unforeseen situation creates a hardship on the water user; and~~

~~(b) That water supplies cannot be obtained on a temporary basis from other sources or supplies.~~

~~(2) A temporary permit,~~

~~(a) For an annual withdrawal of 100,000 gallons per day or more, shall expire on the day following the next regularly scheduled meeting of the Governing Board. If the application for the Individual Water Use Permit is still pending at the time of the next Board meeting, the Board shall extend the expiration of the temporary permit until the following Board meeting upon finding that the water use meets the criteria set forth in Rule 40A 2.301, F.A.C., and Section 373.223, F.S.~~

~~(b) For an annual withdrawal of less than 100,000 gallons per day shall expire on the day the District takes Final Agency Action on the water use permit request.~~

~~(3) A Notice of Hearing shall not be required prior to issuance, extension, or termination of a temporary permit.~~

~~(4) Issuance of a temporary permit shall not in any way be construed as a commitment to issue a permit pursuant to Rules 40A 2.041 and 40A 2.101, F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.219, 373.244 FS. History—New 10-1-82, Amended 1-5-86, 5-31-92, 10-1-95, 1-1-05, Repealed _____.

40A-2.501 Permit Classification.

Each permit shall be classified according to source and use. The use classifications shall be as follows, and the listing does not establish any priority ranking of classes:

~~(1) Aesthetic Use.~~

~~(1)(2) Agricultural Irrigation Use – the use of water associated with the irrigation of crops (including biofuel), greenhouse and nursery products, sod, forage, and pasture and non-irrigation uses associated with freeze protection, livestock and other domestic animals, aquaculture, and other uses associated with agricultural operations.~~

~~(3) Aquacultural Use.~~~~(4) Aquifer Remediation Use.~~

~~(2)(5) Commercial Use – The self-supplied use of water (indoor and outdoor) associated with the production of goods or provisions of services by a commercial establishment. Commercial establishments include general businesses, office complexes, commercial cooling and heating, beverage~~

processing plants, food processing, restaurants, gas stations, hotels, car washes, laundry facilities and the use of water at zoos, theme parks, waterslides, and attractions.

~~(3)(6) Dewatering Use – the removal of water to control surface or groundwater when performing activities such as construction or excavation.~~

~~(4)(7) Diversion and Impoundment into Non-District Facilities – The diversion or extraction of surface water into impoundments and delivery systems designed for such purposes as maintaining structural integrity, maintaining control elevations for groundwater recharge, and supplying water to meet the reasonable-beneficial demands of secondary uses.~~

~~(8) Domestic Self Supply Use.~~

~~(9) Essential Use.~~

~~(10) Freeze Protection Use.~~

~~(11) Golf Course Irrigation Use.~~

~~(12) Heating or Cooling Use.~~

~~(5)(13) Industrial Use – The use of water (indoor and outdoor) associated with the production of goods or provisions of services by a self-supplied industrial facility. Industrial uses include manufacturing plants, chemical processing plants, power generation plants, and other industrial facilities.~~

~~(6) Institutional Use – The use of water (indoor and outdoor) associated with the production of goods or provisions of services by a self-supplied institutional establishment which includes hospitals, group home / assisted living facilities, churches, prisons, schools, universities and military bases.~~

~~(7)(14) Landscape Irrigation Use – The use of water for landscape irrigation including parks, common areas, large lawns and landscaped areas, cemeteries, medians and public right-of-ways.~~

~~(15) Limited Use Public Supply.~~

~~(16) Livestock and Other Animals Use.~~

~~(8)(17) Mining Use – The use of water associated with the extraction, transport and processing of subsurface materials and minerals.~~

~~(18) Navigation Use.~~

~~(19) Nursery Irrigation (Non-agricultural) Use.~~

~~(9)(20) Other Outside Use – The use of water for aquifer remediation; environmental augmentation; cleaning and maintenance; and other purposes not described in Rule 40A-2.501 F.A.C.~~

~~(21) Limited Use Public Supply.~~

~~(22) Perishable Food Processing Use.~~

~~(23) Power Production Use.~~

~~(10)~~(24) Public Supply Use – The use of water provided by any municipality, county, regional water supply authority, special district, public or privately owned water utility, multijurisdictional water supply authority, or other entity consistent with the Florida Safe Drinking Water Act, for human consumption and other purposes.

~~(11)~~(25) Recreation Area Irrigation Use – The use of water for the creation, maintenance and operation of recreational facilities such as golf courses, athletic fields, playgrounds; water-based recreation areas for hunting, fishing, boating, swimming, or for wildlife enhancement.

~~(26) Sanitation Use.~~

~~(27) Soil Flooding Use.~~

~~(28) Water Based Recreation Use.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.246 FS. History–New 10-1-82, Amended 1-5-86, 5-31-92, 11-1-93, 7-1-98,_____.

40A-2.801 Declaration of Water Resource Caution Areas.

(1) The Governing Board is authorized to ~~may~~ declare any portion of the District to be a Water Resource Caution Area. The Governing Board will consider the following criteria when determining whether to designate an area of the district a Water Resource Caution Area:

(a) Areas where fresh water resources are experiencing, or which are anticipated to experience within the next 20 years, significant or widespread reductions in water levels, salt water intrusion, mineralization, upconing of lower quality water, man induced contamination, or any other degradation;

(b) Areas experiencing, or which are anticipated to experience within the next 20 years, reductions in ground or surface water quantity or quality which adversely impacts existing legal users, or the environmental resources of the District, such as flora or fauna;

(c) Areas where existing water supply sources are not expected to be sufficient to meet projected demands for the next 20 years, or which will be required to use advanced water treatment technology or the importation of water to meet projected demands; and,

(d) Areas where Phase III, Extreme Water Shortages, or Phase IV, Critical Water Shortage, restrictions have been imposed on a frequent basis.

(2) Within a Water Resource Caution Area, the Board shall establish such permit thresholds, management and minimum levels, and limiting conditions as are necessary to monitor, manage, and control the use of water. The Board, as provided by Rule 40A-2.331, F.A.C., shall modify and condition any existing permit to provide for the protection of the water resources of the District.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0421, 373.0361, 373.216, 373.219, 373.223,

373.246 FS. History–New 10-1-82, Amended 1-5-86, 8-1-89, 5-31-92, 11-1-93, 10-1-95,_____.

40A-2.802 Water Resource Caution Areas.

The Governing Board designates the following areas as Water Resource Caution Areas. Designated Water Resource Caution Areas within the District are identified in Figures 2-2 and 2-3.

(1) Santa Rosa, Okaloosa, and Walton Counties.

The District has determined that the coastal area of Santa Rosa, Okaloosa, and Walton counties ~~County~~ has limited potable water resources, are experiencing increasing water use demands and significant reductions in groundwater ~~ground water~~ levels, and will potentially ~~may~~ have to use advanced treatment technology, or the importation of water to meet future demands. To address the expanding demands and continued depletion of the area’s limited potable water resources, the Board hereby declares the area south of the Eglin Air Force Base in Santa Rosa, Okaloosa, and Walton counties ~~County~~, also the area extending south of SR-20 to the Bay County Line in Walton County, as a Water Resource Caution Area (See Figure 2-2). By means of this designation the following criteria are stipulated:

(a) An Individual Water Use Permit is required for all non-exempt groundwater ~~ground water~~ withdrawals that are not granted a General Water Use Permit by rule in subsection 40A-2.061(6) or (7), F.A.C. as in Permit Area A. The only exempt withdrawals are those designated in Rule 40A-2.051, F.A.C.;

(b) New and expanded uses of the Floridan Aquifer System for golf course, recreation, or landscape irrigation, or other non-potable uses, are determined not to be consistent with the public interest and are prohibited by the Board. However, the Governing Board shall consider the granting of an exemption to provide for the issuance of an Individual Water Use Permit if the following conditions are met:

1. A written exemption request is submitted as part of the permit application;

2. The use of reclaimed water is determined not to be economically, environmentally or technically feasible;

3. A commitment is provided by the applicant to utilize reclaimed water when determined feasible and to abandon and plug any Floridan Aquifer System well(s) at the time reclaimed water is utilized;

4. Hydrological data is submitted which demonstrates that no other source of ground or surface water can be utilized for the proposed use;

5. Water of the lowest acceptable quality available will be utilized for the proposed use;

6. Water conservation measures are identified that will be implemented at the time of authorization, and over the duration of the permit, to encourage and promote water

conservation and efficiency in the use of the area’s water resources (conservation measures shall specifically provide for the reduction of irrigation water uses when applicable);

7. An undue economic hardship will threaten the livelihood of the applicant if the exemption request is not granted or if the applicant has to obtain water from a public water supply system; and

8. The request is determined reasonable-beneficial, and in the public interest and will not interfere with any existing legal uses.

(c) As authorized by Section 373.219, F.S., to ensure water use is consistent with the overall objectives of the District, permits granted to public water supply utilities within the Water Resource Caution Area shall be conditioned to require the submittal of water conservation plans, programs, and measures which shall be evaluated on their effectiveness to reduce water use demand and promote the efficient use of the area’s water supplies.

1. The plans, programs, and measures will be reviewed specifically for standards and implementation schedules intended to reduce annual average residential per capita water consumption to 110 gallons per day through such actions as adoption of water conservation-based rate structures, reduction of leaks to 10 percent or less of the water withdrawn, implementation of water conservation public education programs, etc.

2. Water conservation plans, programs, and measures developed by local governments operating water supply utilities will also be reviewed to determine if a Florida-friendly landscape Xeriscape ordinance meeting the requirements of Sections paragraphs 373.185(2)(a)-(f), F.S., and an ordinance requiring the installation of a rain/moisture sensor cutoff device on automatic irrigation systems pursuant to Section 373.62, F.S., have been adopted.

3. Utilities operating wastewater treatment plants shall include in the plan an analysis of the economic, environmental, and technical feasibility of providing reclaimed water for reuse within five years and of providing total reuse of reclaimed water within 20 years.

(d) Public water supply systems shall be required to actively participate and aid in the implementation of the goals and plans of the Walton-Okaloosa-Santa Rosa Regional Utility Authority.

(e) Golf cCourse and iIndustrial users which who withdraw water from the Floridan Aquifer System shall be required to develop, adopt, and implement water conservation plans and measures to encourage and promote water conservation and efficiency in the use of the area’s water supplies, and to utilize reclaimed water if determined to be economically, environmentally, and technically feasible.

(2) Upper Telogia Creek Drainage Basin, Gadsden County.

The District has determined that areas of Gadsden County have experienced reductions in water supplies and have experienced continued competition for the available water resources. Water use within portions of the County, if not properly managed, has the potential of negatively impacting the water resources, the economic base, and the agricultural industry of the County; as well as, public supply and domestic well users. To provide for the comprehensive management of the water supplies within a portion of Gadsden County, the Board hereby declares the Upper Telogia Creek Drainage Basin located within Gadsden County, Florida, as determined by United States Geological Survey 7.5 Minute Topographic Maps named, “Gretna”, “Sycamore,” and “Mt. Pleasant”, a Water Resource Caution Area (Figure 2-3). By means of this designation the following criteria are stipulated:

(a) An Individual Water Use Permit is required for all non-exempt ~~groundwater~~ ~~ground-water~~ withdrawals that are not granted a General Water Use Permit by rule in subsection 40A-2.061(5), F.A.C as in Permit Area A. The only exempt withdrawals are those designated by Rule 40A-2.051, F.A.C.;

~~(b) An Individual Water Use Permit is required for all surface water withdrawals specified in paragraph 40A-2.041(3)(e), F.A.C.;~~

~~(b)(e)~~ As authorized by Section 373.219, F.S., to ensure water use is consistent with the overall objectives of the District, permits granted to public water supply utilities within the Water Resource Caution Area shall be conditioned to require the submittal of water conservation plans, programs, and measures which shall be evaluated on their effectiveness to reduce water use demands and promote water reuse and the efficient use of the area’s water supplies. Utilities which who are presently treating wastewater, or which who will treat wastewater in the future, shall include in the plan an analysis of the economic, environmental and technical feasibility of providing reclaimed water for reuse within five years, and of providing total reuse of reclaimed water within 20 years; and

~~(c)(d)~~ Golf cCourse and iIndustrial users which who shall be required to develop, adopt, and implement water conservation plans and measures to encourage and promote water conservation and efficiency in the use of the area’s water supplies, and to utilize reclaimed water if it is determined to be economically, environmentally, and technically feasible.

Rulemaking Authority 373.044, 373.171, 373.223 FS. Law Implemented 373.219, 373.223, 373.250 FS. History–New 8-1-89, Amended 5-31-92, 11-1-93, 10-1-95, _____.

(Substantial rewording of Rule 40A-2.901 follows. See Florida Administrative Code for present text.)

40A-2.901 Forms.

(1) The following forms are used in the implementation of this chapter:

(a) Water Use Permit Application, Form No. 160, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(b) Supplemental Form A – Agricultural Use, Form No. 160A, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(c) Supplemental Form B – Industrial / Commercial Use, Form No. 160B, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(d) Supplemental Form C – Landscape / Recreation Use, Form No. 160C, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(e) Supplemental Form D – Mining / Dewatering Use, Form No. 160D, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(f) Supplemental Form E – Public Supply Use, Form No. 160E, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(g) Supplemental Form F – Other Use, Form No. 160F, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(h) Supplemental Form G – Institutional Use, Form No. 160G, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(i) Supplemental Form H – Diversion and Impoundment, Form No. 160H, effective _____, and incorporated by reference in Rule 40A-2.101, F.A.C.;

(j) Water Use/Pumpage Water Use Permit Report Form No. 166, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(k) Periodic Water Use Reporting Form, NFWMD Form No. 173, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(l) Water Use Summary Reporting Form, NFWMD Form No. 172, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(m) Flow Meter Accuracy Water Use Report, Form No. 170, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(n) Alternative Method Flow Verification Water Use Permit Report, Form No. 171, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(o) Annual Crop Summary Water Use Permit Report Form No. 168, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(p) Crop Protection Water Use Permit Report Form No. 169, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(q) If water quality reporting is required, the permittee shall submit the data required on the Water Quality Consumptive Use Permit Form No. 167, effective _____, and incorporated by reference in Rule 40A-2.381, F.A.C.;

(r) Water Use Permit Letter Modification Request Form, Form No. 161, effective _____, and incorporated by reference in Rule 40A-2.331, F.A.C.; and

(s) Water Use Permit Transfer Form, NFWMD Form No. 163, effective _____, and incorporated by reference in Rule 40A-2.351, F.A.C.

(2) These forms are available from the District website (www.nfwmd.state.fl.us) and from the District offices listed in subsection 40A-2.019(12), F.A.C.

Rulemaking Authority 373.044, 373.171 FS. Law Implemented 373.116, 373.219, 373.229 FS. History–New 10-1-82, Amended 1-5-86, 8-1-89, 5-31-92, 10-1-95, 7-1-98, 1-4-10, 10-20-13, _____.

40A-2.902 Areal Boundary Maps for Water Use Permitting.

General areal boundaries for Water Resource Caution Areas and Areas of Resource Concern Areas A, B and C are established for the implementation of water use permitting pursuant to this Chapter and are indicated in Figure 2-1. These boundaries are depicted in specific detail for each county of the 16 counties within the District on general county highway maps. These maps are hereby incorporated by reference, and can be obtained from the District's website (www.nfwmd.state.fl.us) or from District offices ~~the public may obtain copies of these maps by contacting the District at 152 Water Management Drive, Havana, FL 32333-9700, (850) 539-5999.~~

Rulemaking Authority 373.044, 373.171 FS. Law Implemented 373.216 FS. History–New 10-1-82, Amended 1-5-86, 5-4-87, 8-1-89, 5-31-92, 7-1-98, 1-1-05, _____.

40A-2.904 Areal Boundary Maps for Water Resource Caution Areas.

(1) Areal boundaries for the Santa Rosa, Okaloosa, and Walton County Water Resource Caution Area encompassing the area south of Eglin Air Force Base in Santa Rosa, Okaloosa, and Walton County, also the area extending south

of SR-20 in Walton County to the Bay County Line are established for the implementation of water use permitting pursuant to this Chapter and are indicated in Figure 2-2. These boundaries are depicted in specific detail for each of these counties on general county highway maps. These maps are hereby incorporated by reference and can be obtained from the District's website (www.nwfwmd.state.fl.us) or from District offices, ~~and the public may obtain copies of these maps by contacting the District at 152 Water Management Drive, Havana, FL 32333-9700, (850) 539-5999.~~

(2) Areal boundaries for the Upper Telogia Creek Drainage Basin Water Resource Caution Area are established for the implementation of water use permitting pursuant to this Chapter and are indicated in Figure 2-3. These boundaries are depicted in detail on the Gadsden County general county highway map. This map is hereby incorporated by reference and can be obtained from the District's website (www.nwfwmd.state.fl.us) or from District offices, ~~the public may obtain copies of the map by contacting the District at 152 Water Management Drive, Havana, FL 32333-9700, (850) 539-5999.~~

Rulemaking Authority 373.044, 373.171 FS. Law Implemented 373.216 FS. History—New 8-1-89, Amended 5-31-92, 11-1-93,_____.

(SEE INDIVIDUAL SECTION II FOR MAPS)

NAME OF PERSON ORIGINATING PROPOSED RULE: Angela Chelette, Chief, Bureau of Ground Water Regulation, Division of Resource Regulation
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Northwest Florida Water Management District
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2012

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.210 Optometric Services
 PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.210, F.A.C., is to incorporate by reference the Optometric Services Coverage and Limitations Handbook, _____.

SUMMARY: The revisions include additional text to clarify current optometric services policy, appropriate place of service for refractions and visual exams related to providing

eyeglasses, recipient choice of optometric provider, description of procedure code types, eyeglass and contact lens prescription requirements, clarification of maximum fee, modifier 54, and definitions.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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: 409.919 FS.
 LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Friday, January 3, 2014, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

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 48 hours before the workshop/meeting by contacting: Shameria Young Davis at the Bureau of Medicaid Services, (850)412-4235. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shameria Young Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4235, e-mail: shameria.davis@ahca.myflorida.com

Please note that a preliminary draft copy of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Comments will be received until 5:00 p.m. on Friday, January 10, 2014.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.210 Optometric Services.

(1) This rule applies to all providers of optometric services who are optometric practitioners licensed as defined in Chapter 463, F.S., and enrolled in the Florida Medicaid program.

(2) All providers of optometric services practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Optometric Services Coverage and Limitations Handbook, _____, January 2006, updated January 2007, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G 4.001, F.A.C. The handbook is available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1-800-289-7799 and selecting Option 7. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.aes-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New 4-13-93, Amended 7-1-93, Formerly 10C-7.069, Amended 12-21-97, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 5-24-05, 8-18-05, 5-22-06, 4-4-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Shameria Young Davis
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 9, 2012

**DEPARTMENT OF HEALTH
 Board of Medicine**

RULE NO.: 64B8-40.002
 RULE TITLE: Organization

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the rule.

SUMMARY: Update and clarify title and content.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.507 FS.

LAW IMPLEMENTED: 468.507 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-40.002 Principal Office, Normal Hours, Service of Process Organization.

(1) The principal office of the Council is within the Department of Health in Tallahassee.

(2) The office is open from 8:00 a.m. to 5:00 p.m. on weekdays, excluding holidays.

(3) The Executive Director of the Council, at the Council's address, is the Council's agent for service of process for all matters relating to the Council.

~~The principal office of the Council is in Tallahassee. The office is open from 8:00 a.m. to 5:00 p.m. on weekdays, excluding holidays.~~

Rulemaking Specific Authority 468.507 FS. Law Implemented 456.006 ~~468.507~~ FS. History–New 4-9-89, Formerly 21M-46.002, 61F6-46.002, Amended 11-16-95, Formerly 59R-40.002, Amended 6-21-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dietetics and Nutrition Practices Council
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2013

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-40.004 Organization

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the rule.

SUMMARY: Update and clarify title and content, and to remove duplicate information.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.507 FS.

LAW IMPLEMENTED: 456.011 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-40.004 Attendance at Council Meetings Organization.

~~(1) Attendance at Council Meetings.~~ Council members shall attend all regularly scheduled Council meetings unless prevented from doing so by reason of court order, subpoena, business with a court which has the sole prerogative of setting the date of such business, death of a family member, illness of the Council member, or hospitalization of the member’s immediate family.

~~(2)(a)~~ No Council member may be absent from three consecutive regularly scheduled Council meetings unless the absence is excused for one of the reasons stated in subsection (1) of this rule. An absence for any reason other than the reasons stated in subsection (1) constitutes an unexcused absence for the purpose of declaring a vacancy on the Council. An otherwise excused absence is not excused if the Council member fails to notify the Board office of the impending absence prior to the regularly scheduled Council meeting at which the absence will occur or unless the failure to notify the Board office is the result of circumstances surrounding the reason for the absence which the Council itself excuses after the absence has occurred.

~~(3)(b)~~ “Family” consists of immediate family, nieces, nephews, aunts, uncles, cousins, and in-laws.

~~(4)(e)~~ “Immediate family” consists of spouse, child, child’s spouse, parents, parent-in-law, siblings, grandchildren, and grandparents.

~~(2) Principal office, normal hours, service of process.~~

~~(a) The principal office of the Council is in Tallahassee.~~

~~(b) The office is open from 8:00 a.m. to 5:00 p.m. on weekdays, excluding holidays.~~

~~(c) The Executive Director of the Council, at the Council’s address, is the Council’s agent for service of process for all matters relating to the Council.~~

Rulemaking Specific Authority 468.507 FS. Law Implemented 468.506, 456.011 FS. History–New 6-30-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dietetics and Nutrition Practices Council
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 4, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: November 14, 2013

120.54(3)(d)1., F.S., published in Vol. 39, No. 123, June 25, 2013 issue of the Florida Administrative Register.
The following changes have been made to the proposed rule.

Section III

**Notice of Changes, Corrections and
Withdrawals**

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.047 State Campaign Matching Funds Program
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 232, December 2, 2013 issue of the Florida Administrative Register.

The following statement was inadvertently omitted from the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION and is hereby added:

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: This rule will not require legislative ratification pursuant to Section 120.541(3), F.S., because the rule applies only to election-related activities. Based upon past experiences with rules of this nature, this rule will not have an adverse effect on businesses or private-sector economic growth, job-creation, employment or investment; it is not likely to have an adverse impact on business competitiveness nor innovation in excess of the statutory threshold; nor will it increase regulatory costs in excess of the threshold mandating legislative ratification. No other statute requires legislative ratification for this rule.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.010 Payment Methodology for Nursing Home Services
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph

59G-6.010 Payment Methodology for Nursing Home Services.

(1) Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XLXXXIX~~, Effective Date July 1, 2012~~+~~, and incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-03072-01178>. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

(2) Participating nursing homes shall use the Nursing Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3549, October, 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <http://ahca.myflorida.com/QAF/index.shtml>.

Rulemaking Authority 409.919, 409.9082 FS. Law Implemented 409.908, 409.9082, 409.913 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-17-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 7-1-06, 8-26-07, 2-12-08, 9-22-08, 3-3-10, 2-23-11, 5-3-12, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities)
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. 125, June 27, 2013 issue of the Florida Administrative Register.

59G-6.045 Payment Methodology for Facilities not Publicly Owned or Operated (Formerly Known as ICF-MR/DD).

(1) Reimbursement to participating facilities for services provided shall be in accord with the Florida Title XIX ICF/MR-DD Reimbursement Plan for Facilities Not Publicly Owned and Not Publicly Operated (Formerly known as ICF-

MR/DD Facilities), Version ~~IXVHH~~, Effective Date July 1, 2012~~4~~, and incorporated herein by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-0307501249>. A copy of the Plan may be obtained by writing to the Deputy Secretary for Medicaid, Agency for Health Care Administration, Mail Stop 8, Tallahassee, Florida 32308.

(2) Participating ICF Facilities shall use the Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3548, October, 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <http://ahca.myflorida.com/QAF/index.shtml>.

Rulemaking Authority 409.919, 409.9083 FS. Law Implemented 409.908, 409.9083, 409.913 FS. History—New 3-14-99, Amended 10-12-04, 2-22-06, 4-12-09, 3-3-10, 2-23-11, 7-16-12,_____.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
60S-2.005 Credit for Military Service
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 233, December 3, 2013 issue of the Florida Administrative Register.

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.

Pursuant to Section 120.541(2)(a), F.S.: the Agency:

(1) Has determined that there will be no adverse impacts on economic growth, private sector job creation or employment;

(2) Has determined that there will be no adverse impacts on business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation; or

(3) Federal requirements took effect January 1, 2007. The department does not have any records of a claim under this provision in the last 7 years; therefore regulatory costs, including any transactional costs are expected to be less than \$1M in the aggregate within five years of implementation of the rule.

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.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
60S-3.006 Retirement Contributions for Military Service Credit

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 233, December 3, 2013 issue of the Florida Administrative Register.

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.

Pursuant to Section 120.541(2)(a), F.S.: the Agency:

(1) Has determined that there will be no adverse impacts on economic growth, private sector job creation or employment;

(2) Has determined that there will be no adverse impacts on business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation; or

(3) Federal requirements took effect January 1, 2007. The department does not have any records of a claim under this provision in the last 7 years; therefore regulatory costs, including any transactional costs are expected to be less than \$1M in the aggregate within five years of implementation of the rule.

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.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
60S-4.008 Benefits Payable Upon Death
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 233, December 3, 2013 issue of the Florida Administrative Register.

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.

Pursuant to Section 120.541(2)(a), F.S.: the Agency:

(1) Has determined that there will be no adverse impacts on economic growth, private sector job creation or employment;

(2) Has determined that there will be no adverse impacts on business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation; or

(3) Federal requirements took effect January 1, 2007. The department does not have any records of a claim under this provision in the last 7 years; therefore regulatory costs, including any transactional costs are expected to be less than \$1M in the aggregate within five years of implementation of the rule.

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.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on November 27, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hammond Stadium Players Academy. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-398).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on December 3, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from McGregor Veterinary Clinic, filed November 19, 2013, and advertised on November 25, 2013 in Vol. 39, No. 225, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-391).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on December 3, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from FAMU 800, filed November 20, 2013, and advertised on November 25, 2013 in Vol. 39, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel

ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-392).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

Notice is hereby given that the Petition for Waiver filed by Saroja Amin, M.D., from Rule 64B8-4.009, F.A.C., has been withdrawn, upon request of the Petitioner. The Notice of Petition was published in Vol. 39, No. 210, of the October 28, 2013, issue of the FAR.

The person to be contacted regarding this Petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Department of State, Historic Grants Program announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, December 17, 2013, 10:00 a.m. – 1:00 p.m.

PLACE: Webinar/Room 404, R.A. Gray Building, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grants Management Webinar, intended to explain the current management process for 2014 Small Matching Grant projects including reports and payments; Procurement of Consultants, Contractors and vendors; Close out and final Products.

A copy of the agenda may be obtained by contacting Historic Preservation Grant staff at 1(800)847-7278, emailing us at BHPgrants@DOS.MyFlorida.com or visiting www.flheritage.com/grants.

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 48 hours before the workshop/meeting by contacting Grant staff, 1(800)847-7278 or emailing

BHPgrants@DOS.MyFlorida.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).

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 Historic Preservation Grant staff at BHPgrants@flheritage.com or call 1(800)847-7278.

DEPARTMENT OF STATE

Division of Library and Information Services

The State Historical Records Advisory Board announces public meetings to which all persons are invited.

DATES AND TIMES: December 11, 2013, 1:00 p.m. – 5:00 p.m. (EST); and December 12, 2013, 9:00 a.m. – 11:00 a.m. (EST)

PLACE: Room 306B, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review the status of the Board’s Statewide Partnership Grant; review the Board’s Strategic Plan for 2012-2015; and receive an update on the State Library and Archives’ programs.

A copy of the agenda may be obtained by contacting: Gerard Clark, Coordinator, Florida State Historical Records Advisory Board at: gerard.clark@dos.myflorida.com or (850)245-6639. A copy of the agenda is available at: <http://info.florida.gov/archives/shrab/meetings>.

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: (850)245-6600 or TDD (850)922-4085. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at: 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 16, 2013, 6:30 p.m.

PLACE: Florida Ag Museum; 7900 Old Kings Road; Palm Coast, Florida 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board gathering with volunteers and staff.

A copy of the agenda may be obtained by contacting: Bruce Piatek, (386)446-7630.

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, (386)446-7630. 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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces public meetings to which all persons are invited.

DATE AND TIMES: Tuesday, December 17, 2013, 9:00 a.m. and 1:00 p.m.

PLACE: Flagler County Administration Building, 1769 East Moody Boulevard, Building 2, Suite 392, Bunnell, Florida 32110-0787

GENERAL SUBJECT MATTER TO BE CONSIDERED: 9:00 a.m. Strategic Planning Committee, 1:00 p.m. Full Board Meeting.

A copy of the agenda may be obtained by contacting: Bruce Piatek, (386)446-7630.

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, (386)446-7630. 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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

The Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2013, 1:00 p.m.

PLACE: Florida Cattlemen's Association Building, 800 Shakerag Road, Kissimmee, Florida 34744

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Animal Industry Technical Council to discuss animal and agricultural issues of concern.

A copy of the agenda may be obtained by contacting: Stephen Monroe by telephone at (850)410-0944.

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: Stephen Monroe by telephone at (850)410-0944. 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: Stephen Monroe by telephone at (850)410-0944.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Subcommittee on Imperiled Species announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2013, 10:00 a.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Blvd., Bldg. 6, Tallahassee, Florida 32399-1650, telephone: (850)617-7917, toll-free conference: 1(888)670-3525, code:880 293 4969

Web technology: URL:

<https://suncom.webex.com/suncom/j.php?ED=255795767&UID=1708539912&PW=NODBhM2RjNTRm&RT=MIMxMQ%3D%3D>; password: butterfly.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Subcommittee is charged with developing recommendations to the Coordinating Council for Mosquito Control regarding conduct of mosquito control that will: 1) allow for management and recovery of imperiled species by state and federal agencies and 2) allow the Mosquito Control Districts to continue to provide mosquito control as required by State Law under Chapter 388 of the Florida Statutes. This meeting will be used to discuss issues related to mosquito control and imperiled species.

A copy of the agenda may be obtained by contacting: Max Feken, Bureau of Pesticides, 3125 Conner Boulevard, Bldg. 6, Tallahassee, Florida 32399-1650, (850)617-7917 or via email: Max.Feken@freshfromflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Forest Service, in conjunction with the United States Air Force, announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, December 11, 2013, 6:00 p.m. – 8:00 p.m., CST

PLACE: Milton Community Center, 5629 Byrom St., Milton, FL 32570

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Agriculture and Consumer Services, Florida Forest Service in conjunction with the United States Air Force is hosting a public forum to which all persons are invited to attend. The purpose of the forum is to take questions from the public and provide answers regarding the Gulf Regional Airspace Strategic Initiative (GRASI) and how Blackwater River State Forest may play a role in support of low impact military training.

A copy of the agenda may be obtained by contacting David Core, (850)681-5800.

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 72 hours before the workshop/meeting by contacting: (850)681-5800. 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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Forest Service, in conjunction with the United States Air Force, announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, December 12, 2013, 6:00 p.m. – 8:00 p.m., EST

PLACE: Apalachicola Community Center, 1 Bay Ave., Apalachicola, FL 32320

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Agriculture and Consumer Services, Florida Forest Service in conjunction with the United States Air Force is hosting a public forum which all persons are invited to attend. The purpose of the forum is to take questions from the public and provide answers regarding the Gulf Regional Airspace Strategic Initiative (GRASI) and how Tate’s Hell State Forest may play a role in support of low impact military training.

A copy of the agenda may be obtained by contacting: David Core, (850)681-5800.

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 72 hours before the workshop/meeting by contacting: (850)681-5800. 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).

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 11, 2013, 12:00 Noon

PLACE: Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida State College Foundation Board of Directors, with members of the Florida State College at Jacksonville District Board of Trustees, will hold a public meeting on Wednesday, December 11 at 12:00 Noon at the College’s Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202.

Copies of the agenda will be available for inspection beginning December 4, 2013 and copies will be provided upon written request along with the payment of approved duplicating charges.

All objections to this notice or the propriety of the scheduled public meeting should be filed in writing with the Executive Director, Florida State College Foundation, on or before December 11, 2013.

Florida State College at Jacksonville does not discriminate on the basis of race, color, ethnicity, national origin, gender, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action College.

If special accommodations are required, please advise Foundation twenty-four (24) hours in advance of the meeting by contacting Tia Smith at (904)632-3356 or tiasmith@fscj.edu.

Florida State College Foundation
Maggie Hightower
Interim Executive Director

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: December 17, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when

those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's website.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting for December 17, 2013, to which all interested persons are invited.

DATE AND TIME: December 17, 2013, immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Room 105, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's website.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 19, 2013, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council Offices, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's December 19 board meeting has been cancelled. The next regularly scheduled meeting will be held on Thursday, January 16, 2014, 9:00 a.m.

For more information, you may contact: Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 6, 2014, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business; Executive Committee Conference Call is scheduled on Wednesday at 2:00 p.m., one week prior to the Council Meeting to which all persons are invited. Call-in number 1(888)670-3525, conference code 2488435943 then #. Council Executive Committee and subcommittees may meet periodically before and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of such committee meetings should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The Institute for Community Collaboration, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 6, 2014, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting of the Institute for Community Collaboration, Inc.

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 12, 2013, 4:00 p.m. – 7:00 p.m.

PLACE: Clermont Community Center, 620 W. Montrose St., Clermont, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public workshop is being held to discuss the draft Regional Water Supply Plan. The workshop will include a presentation and an informal, open-house format. CFWI experts will be available to answer questions and receive input.

A copy of the agenda may be obtained by contacting: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.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 48 hours before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. 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: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com>.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 13, 2013, 9:30 a.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>. NOTE: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering committee.

A copy of the agenda may be obtained by contacting: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com> seven days before the meeting.

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 48 hours before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. 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: Woody Boynton Jr., Director, Administrative and Operational Services, St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, (386)329-4262, email: wboynton@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6787, email: dpowell@sfwmd.gov; Jason Mickel, Water Supply Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, email: jason.mickel@watermatters.org; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com.

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

The Department of Elder Affairs, Statewide Office of the Public Guardian, Foundation for Indigent Guardianship, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2013, 12:30 p.m. E.S.T.

PLACE: Conference call, conference call number 1(888)670-3525, participant code: 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Angela Runyan at (850)414-2381.

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: Angela Runyan at (850)414-2381. 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: Angela Runyan at (850)414-2381.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2013, 1:00 p.m. – 2:00 p.m.

PLACE: 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, FL 32308, Conference call: 1(888)670-3525, participant pass code: 4677269467#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input for assessing the viability of expanding the Screening Brief Intervention and Referral to Treatment

(SBIRT) model beyond health care settings to other settings where at-risk mothers can be reached.

A copy of the agenda may be obtained by contacting: Ashley Apthorp, (850)412-3612, Ashley.JamesApthorp@ahca.myflorida.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 4 days before the workshop/meeting by contacting: Ashley Apthorp, (850)412-3612, Ashley.JamesApthorp@ahca.myflorida.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).

For more information, you may contact: Ashley Apthorp, (850)412-3612, Ashley.JamesApthorp@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Water Resource Management, announces a workshop to which all persons are invited.

DATE AND TIME: December 19, 2013, 1:00 p.m. (EST)

PLACE: This workshop will be broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://www2.gotomeeting.com/register/478595410>.

Alternatively, persons may view the webinar at the following location where staff will be present to accept comments: Department of Environmental Protection, Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide an update on the status of technical workgroups that are actively developing amendments to the rule and forms under Chapter 62-345, F.A.C., Uniform Mitigation Assessment Method.

A copy of the agenda may be obtained by contacting: John Humphreys, Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Coordination Program, 2600 Blair Stone Rd., MS 2500, Tallahassee, FL 32399-2400, (850)245-8487, John.Humphreys@dep.state.fl.us. Further information and updates on this rule also may be obtained from the Department's website at: http://www.dep.state.fl.us/water/rules_dr.htm#erp. (OGC No. 13-0913)

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: John Humphreys as above. 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).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: December 16, 2013, 2:00 p.m.

PLACE: Dunnellon Public Library, 20351 Robinson Road, Dunnellon, Florida 34431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Announcing a Technical Meeting for the Basin Management Action Plan (BMAP) for Rainbow Springs and River. Topics will include the ongoing and planned water quality restoration efforts for the springshed. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs).

A copy of the agenda may be obtained by contacting: Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by email: terry.hansen@dep.state.fl.us.

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 48 hours before the workshop/meeting by contacting: Terry Hansen at (850)245-8561. 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).

DEPARTMENT OF HEALTH

Board of Chiropractic

The Board of Chiropractic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 3, 2014, 8:30 a.m.

PLACE: Renaissance at Seaworld, 6677 Sea Harbor Drive, Orlando, Florida 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the board's website at: <http://www.floridahealth.gov/licensing-and-regulation/chiropractic-medicine/meetings/index.html>.

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 48 hours before the workshop/meeting by contacting: Sherra W. Mears. 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.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

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

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

GULF CONSORTIUM

The Gulf Consortium Executive Committee announces a meeting by conference call and public meeting to which all persons are invited.

DATE AND TIME: December 11, 2013, 12:00 Noon, Eastern Standard Time

PLACE: Florida Association of Counties, 100 S. Monroe Street, Tallahassee, Florida, conference call number: 1(888)670-3525; participant code: 998 449 5298#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will discuss the agenda for the January 24, 2014 full Gulf Consortium meeting, consider methods for framing a discussion of the full Gulf Consortium’s priorities for the State Expenditure Plan and conduct other business.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com; or see www.FACRestore.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 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.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).

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: Doug Darling at (850)922-4300, ddarling@fl-counties.com or see www.FACRestore.com.

LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Leon County Research and Development Authority announces public meetings to which all persons are invited.

DATES AND TIMES: January 9, 2014, 1:00 p.m.; February 6, 2014, 11:00 a.m.; March 6, 2014, 11:00 a.m.; April 3, 2014, 11:00 a.m.; May 1, 2014, 11:00 a.m.; June 5, 2014, 11:00 a.m.; July 11, 2014, 11:00 a.m.; August 6, 2014, 11:00 a.m.; September 4, 2014, 11:00 a.m.; October 2, 2014, 11:00 a.m.; November 6, 2014, 11:00 a.m.; and December 4, 2014, 11:00 a.m.

PLACE: Innovation Park, Morgan Bldg., 2035 E. Paul Dirac Drive, Room 101, Tallahassee, FL 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meetings is to discuss, review, and consider issues relating to the Authority and Innovation Park. All meetings of the Board of Governors of the Authority will be noticed on the Authority's website: <http://lcrda.org>. Any changes to the aforementioned meeting dates and times will be published on the Authority's website at least three days before the scheduled meeting.

A copy of the agenda may be obtained by contacting: Julia Matson at (850)575-0343, jpmatson@inn-park.com or by visiting <http://lcrda.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 48 hours before the workshop/meeting by contacting: Julia Matson at (850)575-0343 or jpmatson@inn-park.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).

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 Julia Matson at (850)575-0343 or jpmatson@inn-park.com.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Finance and Auditing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 13, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Juvenile Justice, Knight Building CR 1134, 2737 Centerview Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes, SOP Status Report, Plan for Revised Cost Allocation Methodology for Administrative Charges.

A copy of the agenda may be obtained by contacting: Jane.Geier@nsrc.myflorida.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 48 hours before the workshop/meeting by contacting: Jane.Geier@nsrc.myflorida.com, (850)487-9442. 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: Jane.Geier@nsrc.myflorida.com, (850)487-9442.

ATKINS – BARTOW

The Florida Department of Transportation, District One, is holding a workshop as part of the Interstate 75 (I-75) widening design from north of State Road (SR) 951 to north of Golden Gate Parkway in Collier County, Florida.

DATE AND TIME: Thursday, December 12, 2013, 6:00 p.m. – 7:30 p.m.

PLACE: Comfort Inn and Executive Suites, 3860 Tollgate Boulevard, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is held to afford affected property owners and interested people the opportunity to express their views concerning the potential design and construction of traffic noise barriers along I-75 adjacent to the following communities: Sabal Key, Berkshire Reserve Apartments, Forest Park, The Abbey, and Berkshire Village, associated with Financial Project ID: 406313-4-52-01, otherwise known as I-75 from north of State Road 951 to north of Golden Gate Parkway in Collier County, Florida. Input is requested from property owners and residents adjacent to the proposed noise barriers regarding their support for or opposition to construction of the proposed traffic noise barriers and their preference regarding color and texture of the residential side of the proposed noise barriers.

For more information about the workshop or to request a copy of the agenda, contact Jeffrey W. James, Environmental Project Manager, Florida Department of Transportation, District One, Post Office Box 1249, Bartow, Florida 33831, telephone: (863)519-2625 or email: jeffreyw.james@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact Mr. James at the above phone number or email address at least seven days prior to the workshop. If you are hearing or speech impaired, please contact the Florida Department of Transportation using the Florida Relay Service, 1 (800) 955-8771 (TDD) or 1 (800) 955-8770 (Voice).

DRMP, INC.

The Florida Department of Transportation (FDOT), District One announces a public hearing and invites the public to attend.

DATE AND TIMES: Tuesday, December 10, 2013, 5:00 p.m., open house; 6:00 p.m., formal hearing followed by a public comment period

PLACE: New Hope Ministries Center, 7675 Davis Boulevard, Naples, Florida

PROJECT: FPID No. 425843-2-22-01

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District One, is holding a public hearing to present proposed ultimate interchange improvements at I-75/SR 951 in Collier County.

The public hearing is held to give interested people the opportunity to express their views regarding future improvements at the interchange. FDOT's study is considering interchange modifications that would improve roadway capacity and enhance traffic operations and safety at the I-75/SR 951 interchange and at the Davis Boulevard/Collier Boulevard (SR 84/CR 951) intersection. Proposed improvements meet future travel demands and provide acceptable levels of service while minimizing potential effects to natural and human environments. We also expect the project will benefit Collier County by increasing movement of freight and enhancing the economic competitiveness of the region.

Additional right-of-way is required to produce the project. FDOT carries out a right-of-way acquisition and relocation program in accordance with Section 339.09, Florida Statutes and Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended. The study team has identified potential encroachments on wetlands and floodplains and these areas may be given special consideration under Executive Orders 11990 and 11988.

A flyer with the agenda and other project-specific information will be distributed at the Hearing. Additional information can also be obtained from the project website at www.i75-951interchange.com.

This hearing is held in accordance with Title 23 Code of Federal Regulations Part 771 and Section 339.155, Florida Statutes. It is developed in compliance with Title VI and the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

People with disabilities who require special accommodations under the Americans with Disabilities Act or require translation services (free of charge) should contact Aaron Kaster by phone at (863)519-2495 or by email at aaron.kaster@dot.state.fl.us at least seven (7) days prior to the hearing. For more information about the project or the public hearing, contact Mr. Kaster at the phone number or email address listed above.

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

NONE

**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:

NONE

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

NONE

**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 13-411-021 Program Management Consultant
HILLSBOROUGH COUNTY AVIATION AUTHORITY
(AUTHORITY)
Request for Qualifications
Solicitation Number 13-411-021

Sealed qualifications for the Program Management Consultant will be received from Consulting 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 on Monday December 2, 2013 by 5:00 p.m.

**Section XII
Miscellaneous**

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

Notice of Availability VOCA Grant Funds

Announcement: The Office of the Attorney General (OAG) is pleased to announce the anticipated availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of VOCA grant funds is to support the provision of services to victims of crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof. The funding cycle for the VOCA grant funds under this notice is October 1, 2014, through September 30, 2015.

Application and Deadline: Organizations may participate in the annual competitive grant process which involves submission of an application followed by an application review. Applications must be submitted using the Subgrantee Technology Automated Resource System (STARS) which can be accessed at <http://STARS.myfloridalegal.com>. The STARS website will be available to the public on January 6, 2014. STARS is a new web-based grant management system that replaces the paper application process used for VOCA grants previously.

The Office of the Attorney General will offer STARS technical assistance workshops throughout the state. Applicant agencies are strongly encouraged to send employees responsible for grant applications to one of the workshops. Workshops will be provided in the following cities:

Tallahassee	1/9/2014	9:30 a.m. and 1:30 p.m.
West Palm Beach	1/13/2014 and 1/14/2014	9:30 a.m. and 1:30 p.m. daily
Ft. Lauderdale	1/15/2014	9:30 a.m. and 1:30 p.m.
Miami	1/16/2014	9:30 a.m. and 1:30 p.m.
Pensacola	1/22/2014 and 1/23/2014	9:30 a.m. and 1:30 p.m. daily
Ft. Myers	1/28/2014 and 1/29/2014	9:30 a.m. and 1:30 p.m. daily
Tampa	1/30/2014	9:30 a.m. and 1:30 p.m.
Orlando	2/4/2014 and 2/5/2014	9:30 a.m. and 1:30 p.m. daily
Jacksonville	2/6/2014 and 2/7/2014	9:30 a.m. and 1:30 p.m. daily

Due to limited seating pre-registration is required for all STARS technical assistance workshops. Contact the Bureau of Advocacy and Grants Management at (850)414-3380 to register for a workshop or for technical assistance completing the grant application.

The deadline for applying for a VOCA grant under this notice is no later than 5:00 p.m. Eastern Standard Time on Friday, February 28, 2014. Paper applications will not be accepted, only electronic submissions using the STARS system will be allowed.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jacksonville Auto Link, Inc. for the establishment of EZGO low-speed vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Textron, Inc., intends to allow the establishment of Jacksonville Auto Link, Inc., as a dealership for the sale of low-speed vehicles manufactured by Textron, Inc. (line-make EZGO) at 13711 Atlantic Boulevard, Jacksonville, (Duval County), Florida 32225, on or after January 3, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Jacksonville Auto Link, Inc., are dealer operator(s): Tonya S. Harding, 13711 Atlantic Boulevard, Jacksonville, Florida 32225; principal investor(s): Tonya S. Harding, 13711 Atlantic Boulevard, Jacksonville, Florida 32225.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Rusty McGahee, Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Suncoast Trailer Sales, Inc. for the establishment of OREI low-speed vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Oreion Motors, LLC, intends to allow the establishment of Suncoast Trailer Sales, Inc., as a dealership for the sale of low-speed vehicles manufactured by Oreion Motors, LLC (line-make OREI) at 3081 Cavel Street, Melbourne, (Brevard County), Florida 32904, on or after January 3, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Trailer Sales, Inc., are dealer operator(s): Robert E. Biggs, 7883 East 250 Street, Piercton, Indiana 46562; principal investor(s): Robert E. Biggs, 7883 East 250 Street, Piercton, Indiana 46562.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roseanne Knox, Oreion Motors, LLC, 5115 Industrial Park LP, Rio Rancho, New Mexico 87124.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HEALTH

Board of Medicine

Notice of Emergency Action

On December 2, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Pain Free Clinic & More, D/B/A: Dr. Borges Medicine and More, PMCs#: PMC 763/PMC 764. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On December 2, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Elise Williams, R.N., RN#: 3328462. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On December 2, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dawn Cheri McDannel, R.N., RN#: 9288081. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On December 3, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lisa Leanne Howe, L.P.N., PN#: 5172056. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On December 2, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cheryl Ann Sanchez, R.P.T., RPT#: 37973. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.