

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.012
RULE TITLE: Purchasing Policies
PURPOSE AND EFFECT: To update the rule identified to reflect current purchasing practices and procedures to allow District School Boards to purchase goods and services more efficiently and effectively.
SUBJECT AREA TO BE ADDRESSED: The purchasing practices of District School Boards are being revised to assist districts in determining what goods and services must be competitively bid, the types of competitive procurements allowed, when goods and services are not subject to competitive solicitation, and the procedures to follow for bids that are not required to be competitively procured.
SPECIFIC AUTHORITY: 1001.02(1), 1006.27, 1010.04 FS.
LAW IMPLEMENTED: 1006.27, 1001.42(4)(j), 1010.04 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 WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steven S. Ferst, Deputy General Counsel, Department of Education, 325 West Gaines Street, Suite 1244, Tallahassee, FL 32399-0400, (850)245-0442, steven.ferst@fldoe.org
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09421
RULE TITLE: High School Competency Test Requirements
PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to establish in rule passing scores on the Florida Comprehensive Assessment Test® (FCAT) that are equivalent to the current passing scores required for students who entered high school at the time the High School Competency Test (HSCT) testing requirement was in place. Senate Bill 1908, passed by the 2008 Legislature, provides authority to the State Board of Education to adopt by rule passing scores on a new statewide assessment that are statistically equivalent to the passing scores required on an old statewide assessment. Once the equivalent passing scores on the new statewide assessment

are adopted, the administration of the old assessment may be discontinued. With regard to this rule, the “old” statewide assessment is the HSCT and the “new” statewide assessment is the FCAT. The effect of this change will be to allow the Department of Education to discontinue the administration of the HSCT, effective with the approval of the final proposed rule including the equivalent scores.
SUBJECT AREA TO BE ADDRESSED: High School Competency Test.
SPECIFIC AUTHORITY: 1001.02, 1008.22(9) FS.
LAW IMPLEMENTED: 1001.02, 1003.428, 1003.43, 1008.22 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 WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Victoria Ash, Chief, Bureau of K-12 Assessment, Office of Assessment and School Performance, Florida Department of Education, 325 W. Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE NO.: 6B-11.007
RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The Committee proposes to review the rule to delete unnecessary language and to add new language to clarify disciplinary actions and penalties.
SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.
SPECIFIC AUTHORITY: 1012.79(7), 1012.795(6)(b) FS.
LAW IMPLEMENTED: 1012.795, 1012.796(7), (8) 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 WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathleen Richards, Executive Director, Education Practices Commission, 325 West Gaines Street, Turlington Building, Tallahassee, Florida 32399
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-116.002
 RULE TITLE: Letters of Credit

PURPOSE AND EFFECT: Rule 14-116.002, F.A.C., is being amended to clarify language and to include updated procedures, including provision for electronic presentation of a draft via facsimile transmission or electronic mail, or both.

SUBJECT AREA TO BE ADDRESSED: Rule 14-116.002, F.A.C., is being amended.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(30), 334.187, 337.106, 337.175 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-116.002 Letters of Credit.

(1) Purpose. This rule establishes the requirements of the Department of Transportation Comptroller for the approval of letters of credit, which are provided by a bank or savings association ~~financial institution~~ at the request of an ~~the~~ applicant/professional service provider/contractor.

(2) Qualifications of Banks or Savings Associations Providing Letters of Credit.

(a) The letter of credit provided ~~by the financial institution~~ at the request of the applicant/professional service provider/contractor shall be issued by banks or savings associations which must:

1. Be organized and existing under the laws of this state; or
2. Be organized under the laws of the United States and have its principal place of business in this state; or
3. Have a branch office which is authorized under the laws of this state or of the United States to receive deposits in this state; and
4. Have and maintain an average financial condition ranking of 35 or more from two nationally recognized financial rating services, compiled quarterly by the Florida Department of Financial Services, Division of Treasury.

(b) In the event the required average financial condition set forth in subparagraph (2)(a)4. above is ~~and net worth of the financial institution~~ are not maintained, the Department will

~~shall~~ notify the applicant/service provider/contractor of such noncompliance. Within 30 days after receiving the notice of noncompliance, the applicant/professional service provider/contractor shall provide ~~cause to have provided~~ to the Department a substitute letter of credit issued by a bank or savings association, ~~with an institution~~ meeting the requirements of this rule.

(3) Requirements of Letter of Credit. Letters of credit shall be issued solely for the benefit of the Department. Letter of credit language must be approved by the Department's Comptroller and ~~must~~ include, ~~at a minimum,~~ the following:

(a) The expiration date of the letter of credit shall be automatically extended without amendment, for one year from the expiration date unless otherwise authorized in writing by the Department. Letters of credit furnished under the requirements of Section 337.106, F.S., shall not be required to be extended beyond the duration required by that section. If the letter of credit is not automatically extended for such additional one year period ~~then,~~ at least 30 days prior to the expiration date then in effect, the bank or savings association shall notify the Department by registered or certified U.S. Mail or courier, postage prepaid, return receipt requested. This notification shall be sent to the Florida Department of Transportation, Office of Comptroller, 605 Suwannee Street, Mail Station ~~42B 24,~~ Tallahassee, Florida 32399-0450, or to any other address specified in writing by the Department's Comptroller, ~~Florida Department of Transportation.~~

(b) If notice is given that the letter of credit will not be automatically extended and if the purpose for which the letter of credit was issued still exists, the Department shall draw down any remaining balance on the letter of credit unless a substitute letter of credit meeting the requirements of this rule is provided at least 14 days prior to the ~~final~~ expiration date of the letter of credit for which the substitute letter of credit is being provided.

(c) Once it is determined by the Department that the average financial condition ranking of a bank or savings association ~~financial institution~~ is less than 35, the Department will notify the bank or savings association ~~financial institution~~ and the applicant/professional service provider/contractor by registered mail that if a substitute letter of credit is not received within 30 days of notification, the Department ~~will shall~~ draw down any remaining balance on the letter of credit if the purpose for which the letter of credit was issued still exists.

(d) The letter of credit must provide for draws to be made on a bank or savings association located in the State of Florida and additionally must provide for draws by electronic presentation of a draft via facsimile transmission or electronic mail, or both.

~~(e) Letters of credit provided in lieu of professional liability insurance must remain valid for the time period specified in Section 337.106, F.S.~~

Specific Authority 334.044(2) FS. Law Implemented 334.044(30), 334.187, 337.106, 337.175 FS. History--New 3-23-93, Amended 8-24-93, 10-11-94, 10-5-97, 1-18-04, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-1.001	Name
29H-1.002	Purposes
29H-1.003	General Description
29H-1.004	Membership and Voting
29H-1.005	Officers and Committees
29H-1.006	Meetings
29H-1.007	Finances
29H-1.008	Powers
29H-1.009	Amendments
29H-1.010	Information Inquiries

PURPOSE AND EFFECT: Changes to organizational rules of the Council.

SUBJECT AREA TO BE ADDRESSED: Changes to Council general description, committees, schedule of meetings, powers, document submission and other organizational rules of the Council.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-2.0001	Purpose
29H-2.001	Notice of Meeting
29H-2.003	Agenda of Meetings and Workshops
29H-2.007	Emergency Meetings

PURPOSE AND EFFECT: Changes Council rules regarding agenda and scheduling of meetings by repealing unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Adopts Model Rules of Procedure for agenda and scheduling of meetings.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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: Ms. Wren Krahl, (727)570-5151, ext 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-3.0001	Purpose
29H-3.001	Commencement of Proceeding
29H-3.003	Notice of Proceeding, and the Proposed Rules
29H-3.007	Content of Notice
29H-3.011	Petitions to Initiate Rulemaking Proceedings

29H-3.013 Council Action on Petitions to Initiate Rulemaking Proceedings

29H-3.015 Rules Effective Prior to January 1, 1975

29H-3.031 Rulemaking Proceeding – Hearing

29H-3.035 Description of Publication by Reference

29H-3.037 Emergency Rule Hearing

PURPOSE AND EFFECT: Changes to Council rules regarding rulemaking proceedings to repeal unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Adopts Model Rules of Procedure for rulemaking.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-4.0001	Purpose
29H-4.001	General
29H-4.005	Purpose and Use of Declaratory Statement
29H-4.007	Council Disposition

PURPOSE AND EFFECT: Changes to Council rules regarding declaratory statements to repeal unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Adopts Model Rules of Procedure for declaratory statements.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-5.0001	Purpose
29H-5.001	General
29H-5.002	Parties to Proceedings
29H-5.003	Appearances
29H-5.007	Consolidation
29H-5.008	Joinder of Parties
29H-5.009	Disqualification
29H-5.011	Pre-hearing Conference
29H-5.013	Rule Proceedings Under Section 120.57, F.S.
29H-5.015	Requests for Formal and Informal Proceedings
29H-5.022	Amendment of Petitions
29H-5.025	Formal Proceedings
29H-5.027	Continuance of Hearing or Extension of Time
29H-5.029	Subpoenas
29H-5.031	Witness Fees
29H-5.033	Transcript of Proceeding
29H-5.035	Recommended Order and Report
29H-5.041	Informal Proceedings
29H-5.044	Submission of Evidence
29H-5.051	Final Orders

PURPOSE AND EFFECT: Changes to Council rules regarding decisions determining substantial interests by repealing unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Adopts Model Rules of Procedure for decisions determining substantial interests.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-7.0001	Purpose
29H-7.001	Petition for Exemption or Modification
29H-7.005	Public Hearing
29H-7.007	Renewal of Exemption
29H-7.009	Amendment of Model Rules

PURPOSE AND EFFECT: Changes to Council rules regarding exemptions by repealing unnecessary rules.

SUBJECT AREA TO BE ADDRESSED: Adopts the Model Rules of Procedure for exemptions.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-8.001	General
29H-8.002	Fees
29H-8.003	Number of Copies of the ADA
29H-8.004	Site Inspection and Conference
29H-8.005	Additional Information Form
29H-8.006	Regional Issues
29H-8.007	Questions to be Eliminated From the ADA
29H-8.008	Project Summary

PURPOSE AND EFFECT: Changes to Council rules to adopt fee schedule established by the Department of Community Affairs, correct reference to the Council's adopted growth policy, and modify project summary submission requirements.

SUBJECT AREA TO BE ADDRESSED: Changes to Council DRI Review Procedures.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email

wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-11.001	Initiation of Mediation
29H-11.002	Appointment of Mediator
29H-11.003	Qualifications of a Mediator
29H-11.004	Time and Place of Mediation
29H-11.005	Identification of Matters in Dispute
29H-11.006	Authority of Mediator
29H-11.007	Record of Proceeding
29H-11.008	Termination of Mediation
29H-11.009	Fee Schedule

PURPOSE AND EFFECT: Repeal of informal mediation rule chapter as unnecessary due to dispute resolution process rule Chapter 29H-13, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Informal dispute resolution rule chapter repeal.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

RULE NOS.:	RULE TITLES:
29H-13.001	Purpose
29H-13.002	Definitions
29H-13.003	Process and Intent
29H-13.004	Initiation of Procedure
29H-13.005	Notice – Point of Entry
29H-13.006	Situation Assessment
29H-13.007	Settlement Meetings
29H-13.008	Mediation
29H-13.009	Advisory Arbitration
29H-13.010	Form of Settlement Agreement
29H-13.011	Other Existing Resolution Processes
29H-13.012	Role of the Regional Planning Council/Regional Planning Council Staff
29H-13.013	Qualifications of the Mediator
29H-13.014	Compensation for Regional Planning Council and Mediator

PURPOSE AND EFFECT: Changes to Council rules concerning who may serve as mediator and mediator compensation.

SUBJECT AREA TO BE ADDRESSED: Change to Council rules regarding dispute resolution process.

SPECIFIC AUTHORITY: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

LAW IMPLEMENTED: 186.504, 186.505, 163.01, 120.53, 120.54 FS.

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

DATE AND TIME: Friday, November 7, 2008, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782 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: Ms. Wren Krahl, (727)570-5151, ext. 22 or email wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Manny Pumariega, Executive Director, Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-210.101 Routine Mail

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarity regarding the types of paper which may be sent in and impose requirements necessary for the security of the institutions.

SUBJECT AREA TO BE ADDRESSED: Inmate mail – routine.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) No change.

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) Written correspondence (no limit as to number of pages). Correspondence shall be written in either English or Spanish. Inmates who cannot read and write in English or Spanish shall request approval from the warden to correspond in the language which the inmate can read and write using Form DC6-236, Inmate Request. Correspondence may be written on greeting cards, but cards containing electronic or other non-paper parts, cards which are constructed in such a way as to permit concealment of contraband, or which are larger than 8"x10" will not be permitted. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(b) Up to 15 pages of additional written materials, unless the additional written materials pertain to an inmate's legal case or health, or prior approval is obtained from the warden to send in an enclosure of greater than 15 five pages. Each page can be no larger than 8 1/2" x 14" in size; material can be on both sides of a page. This does not include ~~bound~~ publications which shall ~~will~~ be handled pursuant to Rule 33-501.401, F.A.C. Individual ~~newspaper or magazine~~ articles or clippings ~~or clippings from other publications~~ the content of which is otherwise admissible are permissible, up to the 15 page limit.

No item can be glued, taped, stapled or otherwise affixed to a page. Requests to send enclosures of greater than 15 five pages shall be made to the warden or his designee prior to sending the material. Exceptions to the 15 five page limitation are intended for enclosures concerning legal, medical, or other significant issues, and not for material for general reading or entertainment purposes. The warden shall advise the sender and the mail room of his approval or disapproval of the request.

(c) Photographs. Photographs will be counted toward the 15 page additional materials limitation. Nude photographs or photographs which reveal genitalia, buttocks, or the female breast will not be permitted. Polaroid photographs will not be permitted. Photographs will not exceed 8"x10".

(d) Self-addressed stamped envelopes. These items do not count toward the 15 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 oz.) first class stamps.

(e) Blank greeting cards (no larger than 8"x10"), stationery or other blank writing paper (lined or unlined), or envelopes. Card stock, sketch paper, and other types of craft paper may not be included. These items do not count toward the 15 page limitation for additional materials, but cannot exceed 10 each in number, with a total possession limit of 15 of each item.

(f) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 15 five page limitation for additional materials. Inmates shall not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail, however, the department shall not be responsible for any postage stamps sent through the mail.

(3) No other items may be received through incoming routine mail. If an impermissible item is found (other than items of an illegal nature) the entire correspondence will be returned to the sender pursuant to subsection (13) of this rule. For example, the following items are not permissible for inclusion in or attachment to routine mail:

(a) through (c) No change;

(d) Address labels (other than those affixed to the outside of the envelope); or

(e) No change.

(4) No change.

(5) Any routine mail sent or received shall ~~may~~ be opened, examined and is subject to being read by a designated employee. If the warden has approved an inmate to receive correspondence written in a language other than English or Spanish the correspondence may be translated to confirm that it complies with the applicable rules. If the language cannot be translated by an employee at the facility the correspondence may be photocopied and sent to another institution or the central office for translation. Outgoing mail shall not be sealed by the inmate sender. Incoming and outgoing mail that is

properly addressed and otherwise in compliance with applicable rules shall not be held for processing for more than 48 hours of receipt by the mail room, excluding weekends and holidays.

(6) Except as provided in this ~~rule section~~, inmates may send mail to and receive mail from any person or group they wish.

(7) through (8) No change.

(9) Inmates shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods or services. For the purposes of this rule this includes advertising for pen-pals; inmates are not prohibited from corresponding with pen-pals, but shall not place ads soliciting pen pals. ~~Inmates are prohibited from receiving correspondence or materials from persons or groups marketing advertising services, or from subscribing to advertising services.~~ Inmates who post ads or have ads posted with the assistance of another person shall be subject to disciplinary action.

(10) No change.

(11) Outgoing or incoming mail shall be disapproved for mailing or delivery to the inmate if any part of it:

(a) through (c) No change.

(d) Is written in code or is otherwise written in a manner that is not reasonably subject to interpretation by staff as to meaning or intent;

(e) through (f) No change;

(g) Is dangerously inflammatory in that it advocates or encourages riot, insurrection, disruption of the institution, violation of department or institution rules, the violation of which would present a serious threat to the security, order or rehabilitative objectives of the institution or the safety of any person;

(h) No change.

(i) Pictorially depicts sexual conduct as defined by Section 847.001, F.S., as follows:

1. through 5. No change.

6. Actual contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party;

~~7.6.~~ Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

(j) ~~Presents nudity or a lewd exhibition of the genitals in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.~~

(k) No change.

(l) It contains an advertisement promoting any of the following where the advertisement is the focus of, rather than being incidental to, the publication or the advertising is prominent or prevalent throughout the publication.

1. Three-way calling services;

2. Pen-pal services;

3. The purchase of products or services with postage stamps; or

4. Conducting a business or profession while incarcerated.

(l) through (n) renumbered (m) through (o) No change.

(12) through (13) No change.

(14)(a) No change.

(b) If the incoming mail is disapproved for one of the reasons listed in subsection (7), (8), or (9), paragraph (11)(a) through ~~(l)(k)~~ or ~~(o)(n)~~, subsection (12) or (13) of this rule, the institution shall make a copy of the correspondence before returning it to the sender with the Unauthorized Mail Return Receipt, Form DC2-521, included. The institution is not required to copy incoming correspondence disapproved pursuant to subsection (7) if the return address on the envelope was the reason for determining that the mail was sent from an inmate at another penal institution.

(c) No change.

(d) No change.

~~(e) Form DC2-521 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is~~ 9-20-04.

(15) Incoming and outgoing routine mail shall be delivered to and picked up from the institution or facility by the U.S. Postal Service only.

(a) Addresses of incoming mail: The address of all incoming mail must contain the inmate's committed name, identification number and institutional address. The inmate's dorm and bunk locations are not required. All incoming mail shall contain the return address of the sender. The return address of incoming mail is subject to verification and shall be rejected if the sender cannot be verified.

(b) Addresses of outgoing mail: The return address of all outgoing mail ~~shall~~ ~~must~~ contain the inmate's committed name, identification number and institutional name and institutional address. The inmate's dorm and bunk locations are not required ~~in either the address of incoming mail or the return address of outgoing mail.~~ No prefix other than inmate, Mr., Ms., Miss, or Mrs. nor any suffix other than Jr., Sr. or Roman numeral such as II or III may be included as part of the committed name in the return address. The institutional name in the return address must be spelled out completely with no abbreviations. All outgoing routine mail will be stamped "mailed from a state correctional institution" by mail room staff.

(c) Third party mailing services.

1. Inmates shall not utilize any third party mailing services or engage in any activities which would enable them to engage in correspondence without revealing their status as inmates. Examples of prohibited activities include the following:

a. Placement of ads in magazines, newspapers, or other publications;

b. Posting of ads or other information on Internet sites;

c. Use of any mailing service which allows the inmate to utilize a non-institutional address and engage in correspondence without revealing his or her status as an inmate;

d. Any activity or service which does not reveal to potential correspondents the inmate's status as an inmate.

2. Senders shall not utilize any third party mailing services or engage in any activities which would enable them to engage in correspondence without revealing their identity or return address.

3. Any inmate who is discovered to be participating in any of the above-prohibited activities shall be subject to disciplinary action in accordance with Rules 33-601.301-.314, F.A.C.

(16) No change.

(17) No postage or writing materials shall be provided to inmates for routine mail except as provided in this subsection. Postage and writing materials shall be provided to any inmate with insufficient funds for mailing ~~1 one~~ first class letter weighing ~~1 one~~ ounce or less each month to be used for mailing ~~1 one~~ first class letter weighing ~~1 one~~ ounce or less each month. Local procedures may be established to require the inmate to request the free postage and writing materials or to establish a specific day of the month for the free letters to be processed. ~~Postage shall also be provided to any inmate with insufficient funds for the purpose of mailing a complaint to the Florida Bar concerning ineffective assistance of counsel in the inmate's criminal case. Inmates shall be permitted to receive U.S. postage stamps in their routine mail so long as the value of the stamps does not exceed the equivalent of 20 (1 oz.) first class stamps. Inmates may not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail, however, the department shall not be responsible for any postage stamps sent through the mail.~~

(18) through (19) No change.

(20) No packaging other than standard envelopes shall be given to inmates. This includes removing the following types of packaging: boxes, padded envelopes, plastic bags, any envelopes that include metal parts, multi-layer packaging, bubble wrap, packing peanuts, etc. Inmates shall not be permitted to receive routine mail in padded envelopes.

(21) through (22) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.401
 RULE TITLE: Admissible Reading Material

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the rule, amend the process by which inmates request changes in the publications they receive and types of bindings and covers which are allowed, and amend Form DC5-101, Notice of Rejection or Impoundment of Publications; in order to provide consistency throughout the Department.

SUBJECT AREA TO BE ADDRESSED: Admissible reading material.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-501.401 Admissible Reading Material.

(1) The provisions of this section shall apply to all publications, including books, newspapers, magazines, journals and diaries ~~brochures, flyers, and catalogues~~, calendars and any other printed materials addressed to a specific inmate or found in the personal property of an inmate. Personal correspondence and ~~commercially reproduced~~ photographs are not publications. No photograph will be approved and issued to an inmate as admissible reading material. Policy governing the receipt of photographs by inmates through the mail is established in Rule 33-210.101, F.A.C.

(2) Definitions.

~~(a) General circulation newspaper — a publication issued daily or weekly under the same title that contains current news, editorials, feature articles, and usually advertising.~~

~~(a)(b) Hard cover bound book — a publication with a rigid, pressboard or cardboard cover that is commonly attached to the book through use of end sheets.~~

(c) through (e) renumbered (b) through (d) No change.

~~(e)(f)~~ Non-print media – publications published in formats other than on paper. Examples include microfilm, microfiche, computer disks, CD-ROM disks, DVDs, audio cassettes, and VHS audio-tapes.

~~(f)(g)~~ Periodical – a publication issued under the same title and published at regular intervals of more than once a year. Examples of periodicals include journals and magazines, and some newspapers and catalogs.

~~(g)(h)~~ No change.

~~(h)(i)~~ Publication – a document that is offered to the public by sale or by gratuitous distribution. Examples of publications include periodicals and books. Single photographs are not publications.

(j) through (k) renumbered (i) through (j) No change.

~~(l)~~ Religious testament – sacred texts, prayer books, and devotional books for the inmate's recorded faith orientation.

~~(k)(m)~~ Soft-cover book – a bound publication with a flexible, paper cover, also referred to as a softbound or paperback book.

(3) Inmates shall be permitted to receive and possess publications per terms and conditions established in this rule unless the publication is found to be detrimental to the security, order or disciplinary or rehabilitative interests of any institution of the department, or any privately operated institution housing inmates committed to the custody of under contract with the department, or when it is determined that the publication might facilitate criminal activity. Publications shall be rejected when one of the following criteria is met:

(a) through (c) No change;

(d) It is written in code or is otherwise written in a manner that is not reasonably subject to interpretation by staff as to meaning or intent;

(e) through (h) No change;

(i) It depicts sexual conduct as follows:

1. No change;
- ~~2. Deviate sexual intercourse;~~
3. through 8. renumbered 2. through 7. No change.

(j) No change.

(k) ~~It c~~ontains criminal history, offender registration, or other personal information about another inmate or offender, which, in the hands of an inmate, presents a threat to the security, order or rehabilitative objectives of the correctional system or to the safety of any person;

(l) It contains an advertisement promoting any of the following where the advertisement is the focus of, rather than being incidental to, the publication or the advertising is prominent or prevalent throughout the publication.

1. Three-way calling services;
2. Pen-pal services;
3. The purchase of products or services with postage stamps; or
4. Conducting a business or profession while incarcerated.

~~(m)(4)~~ No change.

~~(4) Advertising. A publication will not be rejected based upon inclusion of an advertisement promoting any of the following if the publication is otherwise admissible and the advertisement is merely incidental to, rather than being the focus of, the publication.~~

- ~~(a) Three-way calling services;~~
- ~~(b) Pen-pal services;~~
- ~~(c) The purchase of products or services with postage stamps; or~~
- ~~(d) Conducting a business while incarcerated.~~

~~(4)(5)(a)~~ The department shall maintain a list of all rejected publications that shall identify all publications that have been reviewed and rejected by the literature review committee. The list of reviewed rejected publications shall be updated after every meeting of the literature review committee. All institutions shall keep a current copy of the list of reviewed rejected publications in every institutional mailroom and at a location accessible by inmates.

~~(b) The department shall maintain a list of approved publications that shall identify all publications that have been approved for receipt by inmates after being impounded by institutions and forwarded to the literature review committee for review. All institutions shall keep a current copy of the list of approved publications in every institutional mailroom and at a location accessible by inmates.~~

~~(5)(6)~~ A subscription to a periodical ~~publication~~ cannot be totally rejected by the institution, but each issue of the subscription shall be reviewed separately and impoundment or rejection shall be based on the criteria established in subsection (3).

~~(6)(7)~~ No change.

~~(7)(8)~~ Incoming publications previously rejected by the literature review committee. An incoming publication that has previously been rejected by the department's literature review committee due to inclusion of subject matter held to be inadmissible per the criteria established in subsection (3) shall not be reviewed again unless the publisher presents proof to the literature review committee that it has been revised and in the revision process the material resulting in the original rejection has been removed. When a rejected publication is received at an institution, it shall be impounded and shall not be issued to inmates. The warden or designee shall notify the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, within 15 calendar days of receipt that the publication has been rejected by the department's literature review committee and cannot be received. Form DC5-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services,~~ 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 9-5-05. For purposes of this subsection, the

warden's "designee" may include the mailroom supervisor. Form DC5-101, A Notice of Rejection or Impoundment of Publications, Form DC5-101, shall address only one publication. If a single mailing ~~notice~~ includes more than one rejected publication Form DC5-101, a Notice of Rejection or Impoundment of Publications, Form DC5-101 shall be prepared for each.

~~(8)(9)~~ Incoming publications that have not been previously rejected by the literature review committee.

(a) The warden or designee shall impound and not issue to inmates any publication that he ~~or she~~ finds to be inadmissible pursuant to the criteria in subsection (3) within 15 calendar days of receipt of the publication at the institution. If only a portion of a publication meets one of the criteria for rejection established in subsection (3), the entire publication shall be impounded. For the purposes of approving the impoundment of publications, the warden's "designee" shall be limited to the assistant warden.

(b) The warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific reasons for the impoundment within 15 calendar days of receipt of the publication at the institution and shall provide two copies of the form to the inmate. The warden or designee of the institution that originated the impoundment shall also provide a copy of the completed form to the publisher, mail order distributor, bookstore or sender, and to the literature review committee. The copy of the impoundment notice that is sent to the literature review committee shall also include as attachments a copy of the publication's front cover or title page and a copy of all pages cited on Form DC5-101, Notice of Rejection or Impoundment of Publications, as including inadmissible subject matter. The actual date that Form DC5-101, Notice of Rejection or Impoundment of Publications, is mailed to the publisher, mail order distributor, bookstore or sender shall be documented by date stamp on the copies provided to the publisher or sender, the literature review committee, and the institution's copy. ~~A Notice of Rejection or Impoundment of Publications, Form DC5-101, shall only address one publication. If a single mailing or package includes more than one publication and more than one are determined to be inadmissible, separate Notice of Rejection or Impoundment of Publications, Form DC5-101, shall be prepared for each.~~

(c) The impoundment of a publication by a warden or authorized designee of any correctional facility of the department shall result in that publication being impounded at all correctional facilities until such time as the literature review committee reviews the action. Inmates at other institutions who also receive the impounded publication shall be provided with Form DC5-101, a Notice of Rejection or Impoundment of Publications, Form DC5-101, explaining that it has been impounded pending review for admissibility; Form DC5-101,

~~the~~ Notice of Rejection or Impoundment of Publications, ~~Form DC5-101,~~ shall also detail the specific reasons why the publication was impounded. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor.

(d) Due to the necessity of securing outside translation assistance, the time frames for review of admissible reading material specified in this section shall not apply to ~~foreign language~~ publications in languages other than English or Spanish.

~~(9)(10)~~ Admissible Reading Material in an Inmate's Property.

(a) The review criteria established in subsection (3) of this rule also apply to publications found in an inmate's personal property. If correctional staff find a publication that has been rejected by the department, the publication shall be impounded and ~~DC~~ Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C.

(b) If correctional staff believe that a publication found in an inmate's personal property is inadmissible per subsection (3) of this rule, it shall be impounded and ~~DC~~ Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the publication is found to be inadmissible, the warden or warden's designee shall prepare Form DC5-101, a Notice of Rejection or Impoundment of Publications, advising Form DC5-101, that ~~advises~~ the inmate of the specific reasons for the impoundment. ~~The Notice of Rejection or Impoundment of Publications, Form DC5-101, shall only address one publication. If more than one publication is determined to be inadmissible, a separate Notice of Rejection or Impoundment of Publications, Form DC5-101, shall be prepared for each.~~ The inmate shall be provided with two copies of the form.

~~(10)(11)~~ Publications ~~Single issues of periodicals and newspapers, any book,~~ and any other printed material addressed to a specific inmate or found in the property of an inmate shall be impounded when circumstances detailed in an individual inmate's criminal conviction, detailed in departmental disciplinary reports, or detailed in prior criminal convictions, indicates it would be a threat to the security, order or rehabilitative objectives of the correctional system or the safety of any person to allow the inmate access to subject matter in that publication.

(a) When a warden or assistant warden believes that an individual should be denied a publication because receipt of same would be contrary to treatment or rehabilitative objectives or might encourage or contribute to the conduct or commission of acts that violate department rules, he ~~or she~~ shall forward the publication to institutional health or mental

health services professionals for review and evaluation. If health or mental health services professionals concur that the inmate should be denied access to the publication, the warden or assistant warden shall impound the publication. The warden or assistant warden shall provide the literature review committee with a copy of the opinion prepared by the health or mental health services professional and any other information that justifies denying the inmate the publication.

(b) Publications received through the mail. Within 15 calendar days of receipt of the publication at the institution, the warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. The warden or designee shall provide a copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, to the publisher, mail order distributor, bookstore, or sender. The actual date that ~~the~~ Form DC5-101, Notice of Rejection or Impoundment of Publications, is mailed to the publisher, mail order distributor, bookstore, or sender shall be documented by date stamp on the copies provided to the publisher or sender, the literature review committee, and the institution's copy. The inmate also shall be provided two copies of the form. ~~Form DC5-101, Notice of Rejection or Impoundment of Publications, shall only address one publication. If a single mailing or package includes more than one publication and more than one are determined to be inadmissible, a Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be prepared for each.~~

(c) Publications found in an inmate's personal property. Correctional staff shall impound the publication and complete ~~DC~~ Form DC6-220, Inmate Impounded Personal Property List, as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the warden or designee agrees that the publication should be impounded, he ~~or she~~ shall prepare a Form DC5-101, Notice of Rejection or Impoundment of Publications, identifying the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. Form DC5-101, Notice of Rejection or Impoundment of Publications, shall only address one publication. ~~If more than one publication is determined to be inadmissible, a Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be prepared for each.~~ The inmate shall be provided with two copies of the form.

(d) No change.

(e) Publications that are impounded pursuant to this subsection shall be handled as provided in subsections ~~(8)(9)~~ and ~~(9)(10)~~ of this rule.

(f) Inmates may appeal impoundment decisions undertaken pursuant to this subsection through use of the inmate grievance procedure as provided in subsection ~~(13)(14)~~ and paragraph ~~(14)(15)(c)~~ of this rule and Chapter 33-103, F.A.C.

1. No change.

2. If the impoundment decision is approved, the institution shall advise the inmate that he ~~or she~~ has 30 days from date of receipt of notice that the grievance appeal has been denied to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it.

(g) Impoundment decisions that are approved pursuant to this subsection are individualized in nature and do not have affect on any other inmate. If institution staff believe that a publication is inadmissible per the criteria established in subsection (3) of this rule, and should be denied to all inmates, they shall follow the procedures established in subsections ~~(8)(9)~~ and ~~(9)(10)~~ of this rule.

(h) No change.

~~(11)(12)(a)~~ Rejected and impounded publications shall be held at the institution for 30 days. Upon receipt of a Form DC5-101, Notice of Rejection or Impoundment of Publications, an inmate shall have 30 days to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it.

(b) The 30 day limit shall not include any time that a grievance is pending provided that:

1. No change.

2. In grievances challenging the impoundment or rejection of publications pursuant to the criteria established in subsections (3) and ~~(10)(11)~~ of this rule, the inmate provided the warden with written notice of his or her intent to file a grievance with the office of the secretary as prescribed in paragraph ~~(13)(14)(b)~~ of this rule.

(c) No change.

~~(12)(13)~~ No change.

~~(13)(14)~~ Inmates may appeal the impoundment or rejection of reading material through use of the inmate grievance procedure, Chapter 33-103, F.A.C.

(a) No change.

(b) When publications are impounded or rejected pursuant to the criteria established in subsections (3) and ~~(10)(11)~~ of this rule, inmates shall bypass the informal and formal institutional level of review, and file grievances direct to the office of the secretary as prescribed by Rule 33-103.007, F.A.C.

1. through 5. No change.

6. The inmate must provide written notice to the warden on Form DC6-236, Inmate Request, that he ~~or she~~ intends to appeal the impoundment or rejection to the office of the secretary if he ~~or she~~ wishes to have the order to dispose of the publication within 30 days stayed while the grievance is pending. The written notice shall include a statement that the inmate intends to appeal the impoundment or rejection of admissible reading material and must specifically identify the publications on which the appeal is to be based. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

~~(14)(15)~~ Literature Review Committee.

(a) through (c) No change.

(d) Decisions relating to the review of impounded or rejected publications shall be communicated to all institutions of the department and any ~~all~~ privately operated institutions housing inmates committed to the custody of ~~under contract with~~ the department. When an impoundment decision is overturned, institutions shall issue the publication to all affected inmates as soon as possible. Decisions relating to grievance appeals shall be communicated to the chief of the bureau of inmate grievance appeals or designee who shall then approve or deny the grievance based upon the committee's decision.

(e) If the inmate's grievance appeal is approved or if the literature review committee notifies institutions that the impoundment of a publication has been overturned, the institution shall issue the publication to the inmate. The following guidelines shall be followed:

1. through 2. No change.

3. The stamped Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be presented to the inmate. The inmate shall be required to sign and date the form. The inmate shall be issued the publication only after he ~~or she~~ has signed and dated the form.

4. No change.

~~(15)(16)~~ No change.

~~(16)(17)~~(a) Inmates may subscribe to, purchase, or receive no more than one periodical which is printed and distributed more frequently than daily or weekly general circulation newspaper and four other periodicals which are printed and distributed weekly or less frequently than weekly, except as otherwise provided in Rule 33-601.800, F.A.C. Religious publications as defined in Rule 33-503.001, F.A.C., shall not be counted against these limits.

(b) No inmate shall be allowed to receive or keep more than one copy of any volume, issue or edition of any book, periodical or other publication. For example, an inmate ~~will~~ shall be allowed to keep the January and February 1994 issues of a specific magazine, but ~~shall will~~ not be allowed to keep two copies of the January 1994 issue. No inmate shall be issued admissible reading material if he ~~or she~~ can not store it in his or her personal living area without creating a fire, safety, or sanitation hazard. Inmates shall be limited to no more than 2 single issues of a periodical which is printed and distributed more frequently than weekly daily or weekly newspaper title and 8 single issues of periodicals which are printed and distributed weekly or less frequently than weekly, except as otherwise provided in Rule 33-601.800, F.A.C a periodical.

(c) Inmates shall be allowed to order single issues of periodicals ~~and newspapers~~ from publishers' wholesale or mail-order distributors and bookstores in lieu of purchasing subscriptions; however, the possession limits referenced in paragraph (16)(b) all of the above referenced limits shall still apply.

~~(d)(e)~~ Inmates subscribe to and purchase periodicals or other reading materials at their own risk and expense. Inmates will not be reimbursed by the Department of Corrections for materials that are rejected or for the expense for mailing rejected items to other persons or entities.

~~(e)(d)~~ Except as otherwise provided in Rule 33-601.800, F.A.C., inmates shall be limited to the possession of 4 personal books. Religious publications Religious—testaments, correspondence study materials, and law books not available in the institution's law library collection shall not be counted against this limit. Religious testaments include sacred texts, prayer books and devotionals.

~~(f)(e)~~ Inmates may only receive and possess print media publications. Incoming publications published on non-print media or print media publications that include non-print media that are an integral part of the publication will be rejected and returned to the sender along with an explanation as to why the material is being rejected. However, unsolicited promotional computer diskettes and CD-ROMs that are mailed with a publication periodical issue, e.g., the CD-ROMs promoting America Online's Internet service, will be handled as provided in subsection ~~(25)(26)~~ of this rule.

~~(g)(f)~~ No change.

~~(h)(g)~~ Inmates shall not order publications from publishers or senders on a "bill me later" basis. All publication book or periodical subscription purchases that are initiated by inmates shall include an Inmate Bank Trust Fund Special Withdrawal, Form DC2-304, that covers the complete cost of the purchase, and postage, if necessary, and shall include an envelope that is properly addressed to the publisher or sender. Such requests shall be submitted to the warden or designee for approval. If approved, the warden or designee shall forward the request to the Bureau of Finance and Accounting, Inmate Bank Section,

for processing. Any outgoing correspondence that does not comply with these requirements shall be returned to the inmate. Form DC2-304 is incorporated by reference in Rule 33-203.201, F.A.C.

(i) Inmates who subscribe to a periodical shall notify mailroom staff on Form DC6-236, Inmate Request, if they want to discontinue receiving one title in order to receive another. Requests to discontinue receipt of specific periodical titles shall not be approved more often than once every 90 days unless the inmate presents evidence that the subscription has expired and shall not be renewed.

(j) Inmates in maximum management shall not be permitted to receive or possess publications except as provided in Rule 33-601.820, F.A.C.

(17) Bindings and covers.

(a) Bindings.

1. Metal bindings, other than staples are not allowed. Metal bindings include: paperclips, binder clips, and other metal fasteners. Staples are not allowed in the following types of housing units: death row, administrative or disciplinary confinement, close management, maximum management, and mental health in-patient housing including transitional care units, crisis stabilization units, and correctional mental health institutions.

2. Spiral bindings are not allowed.

(b) Covers.

1.(18) Due to security concerns, inmates at Florida State Prison Main Unit or in death row or close management status in any institution shall not be allowed to receive hard-cover bound publications books. However, if a publication book is unavailable in soft-cover and no alternatives exist to allow access to the publication book, the inmate may receive the publication book only after the hard cover has been removed. The inmate shall make the decision whether to return the publication book to the sender or to receive the admissible portions after the institution has excised the hard-cover, and the inmate may appeal an institution's determination that the hard cover must be excised or returned. The institution shall not take any action to excise the hard-cover or return the publication book to sender until the inmate's appeal is concluded or the time for appeal has passed. Documentation of the inmate agreeing to the removal of the hard-cover shall be obtained prior to removal of the cover. This documentation shall at a minimum be filed in the inmate file. If the inmate does not agree or does not provide documentation that he or she wishes to have the cover removed, the publication shall be returned to the publisher or sender.

2. Hard or soft covers may be made of paper or leather materials and shall not be made of metal.

(18)(19) Books, Periodicals or other publications shall be sent directly from the publishers, mail order distributors or bookstores to the inmate unless otherwise authorized by the warden.

(19)(20) Books, Periodicals or other publications forwarded to inmates must be sent through the United States Postal Service. Materials received from other sources or without return addresses identifying the sender shall be refused.

(20)(21) The address of all incoming books, periodicals and other publications must contain the inmate's committed name, identification number, and institutional address.

(21) Training materials and correspondence study programs.

(a) Publications and training materials selected for use in authorized programs of the Department, or any privately operated correctional institutions housing inmates committed to the custody of operated under contract with the Department, PRIDE or the Corrections Medical Authority shall be reviewed by the department head or person designated by the warden to ensure that the subject matter contained therein is admissible and does not meet any of the criteria for inadmissibility in subsection (3).

(b) Institutions shall permit inmates to enroll in correspondence study programs provided that the subject matter of course materials is not inadmissible pursuant to the criteria stated in subsection (3). The warden shall designate one or more department heads to screen and approve all materials received pursuant to participation in correspondence study programs. Individual items shall be inspected by institution staff upon receipt and shall either be approved and issued to the inmate, or rejected and handled as contraband in accordance with Rules 33-602.201 and 33-602.203, F.A.C.

1. No change.

2. Inmates in close management or on death row shall not be permitted to receive hard-bound cover correspondence study materials. Soft cover Paperback materials shall not have metal or spiral bindings.

2.3. All educational correspondence study materials shall be mailed directly from the course provider to the institution's education department via U.S. Postal Service mail.

(22)(23) Inmates shall be prohibited from posting or otherwise displaying any pictures or portions of books or publications. Such activity will subject the inmate to disciplinary action and will cause the posted or displayed material shall to be confiscated as contraband.

(23)(24) Calendars.

(a) Restrictions.

1. through 3. No change.

4. Binding—limited to staple and glue bindings; calendars with metal or spiral bindings shall not be permitted;

5. Cover, if any—limited to flexible paper (paperback);

4.6. Can not have any audio or electronic components.

(b) through (d) No change.

(24)(25) Blank journals or diaries.

(a) Restrictions.

1. Quantity – see possession limits set forth in paragraph ~~(16)(e)~~ ~~(17)(d)~~;
2. Size – limited to 9" x 12" or smaller;
3. No change.
4. ~~Binding – limited to glue bindings; journals with staples or metal or spiral bindings shall not be permitted;~~
5. ~~Cover, if any – limited to paper materials; hard bound back or cardboard covers are authorized except where possession of books is otherwise prohibited by rule (paperback);~~
- 5.6. Can not have any audio or electronic components.

~~(25)(26)~~ Whenever an otherwise admissible periodical or other publication ~~magazine~~ is received that includes product samples or advertising with product samples attached, the products shall be removed and the publication itself shall be issued to the inmate recipient. Any inmate who wishes to object to the removal of product samples from his or her publications shall submit a written request on Form DC6-236, Inmate Request, to the warden asking that product samples not be removed. Thereafter, any publication sent to the requestor that contains product samples shall be held by the institution for 30 days or 30 days after exhaustion of grievance appeals. It shall be the inmate’s responsibility to arrange for the mailing of the entire publication out of the institution at the inmate’s expense. Any publication not mailed out within the 30 days shall ~~will~~ be destroyed.

Specific Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History–New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, 9-5-05, 8-1-06, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-601.800 Close Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove information which does not constitute rule material, include envelopes and security pens as items which are counted by type rather than number, reflect the proposed changes to Rules 33-501.401 and 33-503.001, F.A.C., clarify form references throughout, and amend Form DC4-729, Behavioral Risk Assessment, to reflect rule amendments.

SUBJECT AREA TO BE ADDRESSED: Close management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.800 Close Management.

(1) through (2) No change.

(3) Procedures for Placement in Close Management.

(a) through (b) No change.

(c) The classification officer shall complete section I of Form DC6-233C, ~~the Report of Close Management, Form DC6-233C~~. Form DC6-233C is incorporated by reference in subsection (19) of this rule. Upon completion of section I, the classification officer shall forward Form DC6-233C to the classification supervisor. The classification officer shall ensure that the inmate receives a copy of ~~the Report of Close Management~~, Form DC6-233C; to prepare for the close management review. The inmate will be given a minimum of 48 hours to prepare for the review unless waived by completing Form DC6-265, ~~a Close Management Waiver, Form DC6-265~~. Form DC6-265 is incorporated by reference in subsection (19) of this rule. The inmate may present information verbally or in writing for consideration by the ICT. The staff member delivering Form DC6-233C to the inmate shall document on Form DC6-233C that the inmate was informed of his or her allotted time to prepare for the review.

(d) Prior to docketing an inmate’s case for close management review, the classification supervisor will submit a referral to the senior psychologist for evaluation of the inmate utilizing Form DC6-128, ~~the Close Management Referral Assessment, Form DC6-128~~. Form DC6-128 is incorporated by reference in subsection (19) of this rule.

(e) through (f) No change.

(g) ICT Hearing. The ICT shall evaluate the recommendations for close management placement and the mental health assessment, interview the inmate, and consider the information provided by the inmate. The ICT shall ensure that the inmate was given a minimum of 48 hours to prepare for the review unless waived by completing Form DC6-265, ~~a Close Management Waiver, Form DC6-265~~. The team shall document on Form DC6-233C that the inmate was allowed at least 48 hours to prepare for the review. The ICT shall inquire whether or not the inmate is in need of staff assistance. A staff assistant shall be assigned to assist an inmate when the team determines that the inmate is illiterate or does not understand English, has a disability that would hinder the inmate’s ability to represent him or herself, or when the complexity of the issue makes it unlikely that the inmate will be able to properly represent him or herself. This assistance can also be provided at the inmate’s request. In such event, it is the responsibility of the staff member to explain the close management

recommendation and procedures to the inmate. Even though the staff member will be authorized to assist an inmate during the hearing and aid the inmate in presenting his or her position, the staff member shall not take the position of an advocate or defense attorney for the inmate. The ICT is authorized to postpone the case review to allow an inmate additional time to prepare. If an extension of time is given, the team shall document the postponement on Form DC6-233C. The inmate will appear at the hearing unless he or she demonstrates disruptive behavior, either before or during the hearing, that impedes the process or the inmate waives his or her right to be present at the close management hearing. If the inmate waives his or right to be present at the close management hearing, ~~the Close Management Waiver~~, Form DC6-265, shall be completed. In such cases, the review will be completed without the inmate. The absence, removal, or presence of the inmate will be documented on Form DC6-233C. After the interview and review of all pertinent information including the mental health assessment, the ICT will make a recommendation to the SCO. This recommendation will be documented on Form DC6-233C. The ICT will inform the inmate of the basis for its decision and provide a copy of the team's decision to the inmate after the conclusion of the hearing. The ICT classification member will ensure that the team results are entered in OBIS.

(h) The SCO will review the recommendations of the ICT, ~~the Close Management Referral Assessment~~, Form DC6-128, and other pertinent information before making the final decision regarding close management placement. This review will be on site and the SCO may interview the inmate, except in situations requiring more immediate action. In these cases, the SCO will review the documentation in OBIS. The SCO will approve, disapprove, or modify the ICT's recommendation or obtain further information from the team before reaching a final decision. If the team's recommendation is disapproved or modified by the SCO, the inmate will be informed of the decision in writing by the SCO. Inmate notification will not be required when the SCO has approved the ICT's recommendation. After the review is complete, the SCO will document its decision in OBIS. A copy of Form DC6-233C will be kept in the inmate record file.

(4) through (5) No change.

(6) Close Management Facilities.

(a) through (d) No change.

(e) Water Supply to CM Units. All close management cells will be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. Misbehavior is defined as any activity exhibited by an inmate which causes an interruption in the water system and its proper function, such as intentionally clogging a toilet bowl or sink with paper in order to then flood the housing area. It also includes the intentional misuse of the water for such purposes as throwing it

on staff or other inmates, or mixing it with another substance for an unauthorized purpose (~~inmate mixes water with soap or shampoo and applies to the floor or himself or herself to hinder cell extraction~~). In such event, the inmate will be furnished with an adequate supply of drinking water by other means to prevent dehydration. This action can be taken in addition to formal disciplinary action being taken against the inmate pursuant to established procedures regarding disciplinary action. Any misbehavior from an inmate and subsequent action by security staff will be documented on the Daily Record of Special Housing, Form DC6-229. Form DC6-229 is incorporated by reference in Rule 33-602.220, F.A.C. subsection (19) of this rule.

(f) Prior to placement of an inmate in a close management cell, the cell will be thoroughly inspected by the housing officer to ensure that it is in proper order. The housing officer shall document the cell's condition on Form DC6-221, Cell Inspection. After such time, the inmate housed in that cell will be responsible for the condition of the cell. Form DC6-221 is incorporated by reference in Rule 33-602.220, F.A.C. subsection (19) of this rule.

(g) through (h) No change.

(7) No change.

(8) Behavioral Risk Assessment.

(a) The MDST shall determine behavioral risk of each CM team decision inmate by completing Form DC4-729, the Behavioral Risk Assessment (BRA), ~~Form DC4-729~~. Form DC4-729 is incorporated by reference in subsection (19) of this rule.

(b) through (f) No change.

(9) No change

(10) Conditions and Privileges in CM Units.

(a) through (b) No change.

(c) Personal Property – Inmates shall be allowed to retain personal property including stamps, watches, rings, writing paper, envelopes and health and comfort items unless there is an indication of a security problem. Close management inmates at all levels shall be allowed to possess a “walkman” type radio with approved headphones as is allowed for general population inmates. Exceptions or removal of any item will be documented on ~~the Form DC6-229. Form DC6-220. An~~ Inmate Impounded Personal Property List, ~~Form DC6-220~~, will be completed by security staff and signed by the inmate designating what personal items were removed. The original will then be placed in the inmate's property file and a copy of the form will be given to the inmate for his or her records. If items of clothing, bedding or personal property are removed in order to prevent the inmate from inflicting injury to him or herself or others, to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden,

based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred. Form DC6-220 is incorporated by reference in Rule ~~33-602.201~~ 33-602.220, F.A.C.

(d) Comfort Items – Inmates in close management shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses or hearing aids, except when security requirements dictate otherwise. Inmates in close management shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in close management are not normally prohibited from possessing are removed, the senior correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on ~~the Daily Record of Special Housing~~, Form DC6-229, which must be reviewed by the chief of security. When any personal property is removed, ~~an Inmate Impounded Personal Property List~~, Form DC6-220, designating what personal items were removed, shall be completed by security staff and signed by the inmate. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, and feminine hygiene products for women, and toilet tissue.

(e) No change.

(f) Diet and Meals – All inmates in close management shall receive normal institutional meals as are available to the general inmate population except that if any item on the regular menu might create a security problem in the close management area, then another item of comparable quality shall be substituted. ~~An alternative meal (special management meal)~~ may be provided for any inmate in close management who uses food or food service equipment in a manner that is hazardous to him or herself, staff, or other inmates. The issuance of a special management meal will be in strict accordance with Rule 33-602.223, F.A.C. Any deviation from established meal service is to be documented by security staff on Form DC6-209, Housing Unit Log and Form DC6-210, Incident Report ~~the Daily Record of Special Housing, Form DC6-229. Form DC6-209 is incorporated by reference in Rule 33-602.220, F.A.C., and Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.~~

(g) Canteen Items.

1. Inmates in CMI and II, following 30 days in close management status and having no major rule violations during this period, will be allowed to make canteen purchases through canteen order once per week unless restricted by disciplinary action. Inmates in CMI and II will be allowed to purchase up to five non-food items and five food items. In making this determination, with the exception of stamps, envelopes, security pens, and notebook paper, it is the number of items that is counted not the type of item. For example, three security

pens counts as ~~three items~~, not one item, ~~Twenty-five stamps or fewer will count as one item~~, and two packages or less of notebook paper will count as one item.

2. Inmates in CMIII, following 30 days in close management status and having no major rule violations during this period, will be allowed to make canteen purchases through canteen order once each week unless restricted by disciplinary action. Inmates in CMIII will be allowed to purchase up to five non-food items and ten food items. In making the determination, with the exception of stamps, envelopes, security pens, and notebook paper, it is the number of items that is counted not the type of item. For example, three packages of cookies count as three items, not one item.

3. through 4. No change.

(h) Religious Accommodations – Inmates in close management status shall be allowed to participate in religious ceremonies that can be accomplished at cell-side (for example, communion). Additionally, close management inmates shall be allowed to possess religious publications as defined in Rule 33-503.001, F.A.C., ~~literature~~ and have access to a spiritual advisor or clergy visit with citizen clergy persons at a time and location approved by the warden.

(i) Legal Access – An inmate in close management will have access to his or her personal legal papers and law books which are not available in the law library and have correspondence access with the law library. Access to the law library will be obtained through delivery of research materials to an inmate's cell, and access to visits with research aides. Although the inmate may not be represented by an attorney at any administrative hearing under this rule, access to an attorney or aide to that attorney will be granted for legal visits at any reasonable time during normal business hours. Indigent inmates will be provided paper and writing utensils in order to prepare legal papers. Inmates who are not indigent will be allowed to purchase paper and envelopes from the canteen for this purpose, within the stated time frames. Typewriters or typing services are not considered required items and will not be permitted in close management cells. Inmates with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a research aide for the purpose of preparing legal documents, legal mail, and filing grievances.

(j) through (k) No change.

(l) Reading materials –

1. Inmates in close management shall be provided access to admissible reading material as provided in Rule 33-501.401, F.A.C., ~~Reading materials, including scriptural or devotional materials and books that are in compliance with admissibility requirements, are allowed in close management units unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security or sanitation risk, the items will be removed.~~

Such removal of reading materials will be documented on Form DC6-229, ~~Daily Record of Special Housing~~. If items are removed in order to prevent the inmate from inflicting injury to him or herself or others or to prevent the destruction of property or equipment, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

2. An inmate who receives services from the Bureau of Braille and Talking Book library will be allowed to have his tape player, devotional or scriptural material tapes, and other books on tape which are in compliance with Rule 33-501.401, F.A.C.

(m) Exercise – Those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. If the inmate requests a physical fitness program handout, the wellness specialist or the close management officer shall provide the inmate with an in-cell exercise guide and document such on ~~the Daily Record of Special Housing~~, Form DC6-229. However, an exercise schedule shall be implemented to ensure a minimum of six hours per week (two hours three days per week) of exercise out of doors. The assignment and participation of an inmate on the restricted labor squad or other outside work squad required to work outside at least one day per week will satisfy the minimum exercise requirements for the week. Such exercise periods shall be documented on Form DC6-229. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation as defined in this rule, or if the inmate has pending a disciplinary hearing for a major rule violation as defined in this rule. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. Medical restrictions determined by health services staff can also place limitations on the amount and type of exercise permitted. Such restrictions of exercise periods will be documented on ~~the Daily Record of Special Housing~~, Form DC6-229. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him that will accomplish the need for exercise and take into account the particular inmate's limitations. Close management inmates shall be allowed equal access to outdoor exercise areas with exercise stations.

(n) No change.

(11) Programs and Privileges in Close Management Units.

(a) While in a close management unit, an inmate's movement within the institution and contacts with other individuals will be restricted. Privileges will also be limited depending on the specific close management level. If an inmate transfers to a less restrictive level due to satisfactory

adjustment, the adjustment period required for any privilege shall be waived. Upon placement in CM, inmates shall receive a copy of Form NI1-046, ~~the~~ Close Management Housing Unit Instructions, ~~Form NI-046~~. Form NI1-046 is incorporated by reference in subsection (19) of this rule.

(b) CMI. Privileges for an inmate assigned to CMI are as follows:

1. No change;

2. Check out three soft-back publications ~~books~~ from the library at least once per week and possess no more than three soft back publications ~~books~~ at any given time. An inmate who receives services from the Bureau of Braille and Talking Book Library will be allowed to check out three publications ~~books~~ on tape per week and possess no more than three books at any given time, even though the actual number of tapes may be more than three per publication ~~book~~;

3. No change;

4. Subscribe to one publication which is published and distributed more frequently than weekly and one publication which is published and distributed weekly or less frequently than weekly ~~magazine and newspaper~~ and possess no more than four issues of each at any given time; an inmate who receives services from the Bureau of Braille and Talking Book Library will be allowed to receive up to four issues of a publication ~~magazine~~;

5. through 6. No change.

(c) through (d) No change.

(12) Suspension of Privileges. The ICT shall suspend an inmate's privileges if security and safety concerns would preclude an inmate from receiving certain privileges. Any action taken by the ICT regarding the suspension or limiting of privileges will be documented on Form DC6-229, ~~the~~ Daily Record of Special Housing, ~~Form DC6-229~~. Privileges suspended by the ICT in excess of 30 days will require the review and approval of the SCO.

(13) through (14) No change.

(15) Contact by Staff. The following staff members shall be required to officially inspect and tour the close management unit. All visits by staff shall be documented on Form DC6-228, ~~the~~ Inspection of Special Housing Record, ~~Form DC6-228~~. Form DC6-228 is incorporated by reference in Rule 33-602.220, F.A.C. The staff member shall also document his or her visit on Form DC6-229, ~~the~~ Daily Record of Special Housing, ~~Form DC6-229~~, if there is any discussion of significance, action or behavior of the inmate, or any other important evidential information which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

(a) through (i) No change.

(16) Review of Close Management.

(a) No change.

(b) All services provided by any mental health or program staff member shall be recorded on Form DC6-229, ~~the Daily Record of Special Housing, Form DC6-229~~, which shall be kept in the CM unit.

(c) When an inmate has not been released to general population and is in any close management status for six months, the classification officer shall interview the inmate and shall prepare a formal assessment and evaluation on Form DC6-233C, ~~the Report of Close Management~~. Such reports shall include a brief paragraph detailing the basis for the CM team decision, what has transpired during the six-month period, and whether the inmate should be released, maintained at the current level, or modified to another level of management. The case shall be forwarded to the classification supervisor who shall docket the case for ICT review.

(d) The ICT shall review the report of close management prepared by the classification officer, consider the results of behavioral risk assessments and mental health evaluations and other information relevant to institutional adjustment, staff and inmate safety, and institutional security, and insert any other information regarding the inmate's status. If applicable, the ICT shall review the inmate's disciplinary confinement status in accordance with subsection 33-602.222(8), F.A.C. The inmate shall be present for an interview unless he or she demonstrates disruptive behavior, either before or during the hearing, that impedes the process, or the inmate waives his or her right to be present at the close management hearing, Form DC6-265, ~~the Close Management Waiver, Form DC6-265~~, shall be completed. In such cases, the review will be completed without the inmate. The absence, removal or presence of the inmate will be documented on Form DC6-233C. The ICT's CM and, if applicable, ~~Disciplinary confinement status recommendations shall be documented in OBIS and the Report of Close Management~~, Form DC6-233C. If it is determined that no justifiable safety and security issues exists for the inmate to remain in close management the ICT shall forward their recommendation for release to the SCO for review. For an inmate to remain in close management the ICT shall justify the safety and security issues or circumstances that can only be met by maintaining the inmate at the current level or modifying the inmate to another level of management.

(e) The SCO shall conduct an onsite interview with each inmate at least once every six months or as often as necessary to determine if continuation, modification, or removal from close management status is appropriate. The SCO shall review all reports prepared by the ICT concerning an inmate's close management and, if applicable, disciplinary confinement status, consider the results of behavioral risk assessments and mental health evaluations and other information relevant to institutional adjustment, staff and inmate safety, and institutional security. The SCO shall interview the inmate unless exceptional circumstances exist or the inmate is approved for release to general population. If it is determined

that no justifiable safety and security issues exist for the inmate to remain in close management the SCO shall cause the inmate to be immediately released. For an inmate to remain in close management, the SCO shall determine based on the reports and documentation that there are safety and security issues or circumstances for maintaining the inmate at the current level or at a modified level of management. If applicable and in accordance with subsection 33-602.222(8), F.A.C., the SCO shall determine whether the inmate is to continue or be removed from disciplinary confinement status. The SCO's decisions shall be documented in OBIS and ~~the Report of Close Management~~, Form DC6-233C. The SCO shall advise the inmate of its decision.

(f) through (g) No change.

(17) Close Management Records.

(a) Form DC6-233C, ~~A Report of Close Management, Form DC6-233C~~, shall be kept for each inmate placed in close management.

(b) Form DC6-229, ~~A Daily Record of Special Housing, Form DC6-229~~, shall be maintained for each inmate as long as he is in close management. Form DC6-229 shall be utilized to document any activities, including cell searches, items removed, showers, outdoor exercise, haircuts and shaves. If items that inmates in close management are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the senior correctional officer must approve the action initially. The Central Office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229 and the chief of security shall make the final decision in regard to the action no later than the next working day following the action. Staff shall re-assess the need for continued restriction every 72 hours thereafter as outlined in subsection (10) of this rule. The close management unit officer shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. Form DC6-229 shall be maintained in the housing area for 30 days. After each 30 day review of the inmate by a member of the ICT, Form DC6-229 shall be forwarded to classification to be filed in the institutional inmate record.

(c) Form DC6-229B, ~~A Daily Record of Special Housing – Supplemental, Form DC6-229B~~, shall be completed and attached to the current Form DC6-229 whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is incorporated by reference in Rule 33-602.220, F.A.C.

(d) Form DC6-228, ~~An Inspection of Special Housing Record, Form DC6-228~~, shall be maintained in each close management unit. Each staff person shall sign the record when entering and leaving the close management unit. Prior to

leaving the close management unit, each staff member shall indicate any specific problems. No other unit activities will be recorded on Form DC6-228. Upon completion, Form DC6-228 shall be maintained in the housing area and forwarded to the chief of security on a weekly basis where it shall be maintained on file pursuant to the current retention schedule.

(e) ~~Form DC6-209, A Housing Unit Log, Form DC6-209,~~ shall be maintained in each close management unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(18) No change.

(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services,~~ Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC6-233C, Report of Close Management, effective date 4-8-04.

(b) Form DC6-265, Close Management Waiver, effective date 2-1-01.

~~(c)(a) Form DC6-128, Close Management Referral Assessment, effective date 4-8-04.~~

~~(d)(b) Form DC4-643A, Individualized Service Plan, effective date 8-23-07.~~

~~(e) Form DC6-221, Cell Inspection, effective date 12-16-01.~~

~~(d) Form DC6-228, Inspection of Special Housing Record, effective date 2-12-01.~~

~~(e) Form DC6-229, Daily Record of Special Housing, effective date 4-27-08.~~

~~(f) Form DC6-229B, Daily Record of Special Housing Supplemental, effective date 4-27-08.~~

~~(g) Form DC6-233C, Report of Close Management, effective date 4-8-04.~~

~~(h) Form DC6-265, Close Management Waiver, effective date 2-1-01.~~

~~(e)(i) Form DC4-729, Behavioral Risk Assessment, effective date 4-8-04.~~

~~(j) Form DC6-209, Housing Unit Log, effective date 4-8-04.~~

~~(f)(k) Form NII-046, Close Management Housing Unit Instructions, effective date 3-10-05.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, _____.

Editorial Note: Formerly 33-601.801-.813, substantially amended February 1, 2001.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-8.031
 RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to (1) amend established minimum water levels for the following lakes in the following counties: Lake Grandin in Putnam County, and Lakes Colby and Shaw and Three Island Lake in Volusia County; (2) add a duration and return interval to the established minimum water levels for Lake Ashby in Volusia County and Lake Gore in Flagler County and delete their listed hydroperiod categories; (3) make minor technical changes by rounding to the nearest decimal place for the minimum average levels for Lake Broward in Putnam County and Lake Sand Hill in Clay County; (4) make minor technical changes by changing the name of the hydroperiod category from “temporarily flooded” to “seasonally flooded” for the frequent high levels for the following lake in the following counties: Bird Pond, McKasel, and Pam in Putnam County, and Mills in Seminole County; (5) make a minor technical change by changing the name of the hydroperiod category from “seasonally flooded” to “temporarily flooded” for Lake Sunset in Lake County; (6) make minor technical changes by changing the name of the hydroperiod category from “typically flooded” to “typically saturated” for the minimum average water level of the following lakes in the following counties: Daugharty and Dias in Volusia County, Disston in Flagler County, and Echo in Putnam County; and (7) revise the formatting of existing subsections 40C-8.031(1)-(2), F.A.C., for clarity.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would establish or amend established minimum water levels for the above listed lakes and springs pursuant to the mandate of Section 373.042, Florida Statutes. Each of the established or amended levels have either an associated hydroperiod category or a duration and return interval. The terms herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process. Additionally, the proposed rule would revise the formatting of Rule 40C-8.031, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 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 WEEKLY.

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: Sandy Bertram, Asst. District Clerk, (386)329-4127. 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: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459 or email address nmesser@sjrwm.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) The following minimum groundwater levels and minimum mean annual spring flows are established:

Spring Name	County	Head (ft NGVD)	Discharge (cfs)
Messant Spring	Lake	32	12
Miami Spring	Seminole	27	4
Palm Spring	Lake	27	7
Rock Spring	Orange	31	53
Sanlando Spring	Seminole	28	15
Seminole Spring	Lake	34	34
Starbuck Spring	Seminole	31	13
Wekiwa Spring	Orange	24	62

(2) The following minimum surface water levels and flows are established:

System Name	County	Minimum Level	Level (ft NGVD)	Flow (cfs)	Hydroperiod Category	Duration (days)	Return Interval (years)
<u>Black Water Creek at the SR 44 Bridge</u>	Lake	Infrequent High	27.0	340	=	7	5
		Frequent High	25.8	145	=	30	2
		Average	24.3	33	=	180	1.7
		Frequent Low	22.8	2.5	=	90	15
		Phase 1 Restriction	22.7	2.0	=	=	=
		Phase 2 Restriction	22.5	1.0	=	=	=
		Phase 3 Restriction	22.4	0.6	=	=	=
		Phase 4 Restriction	22.3	0.3	=	=	=
<u>St. Johns River 1.5 miles downstream of Lake Washington weir</u>	Brevard	Infrequent Low	21.9	0.0	=	7	100
		Frequent High	15.3	1450	Seasonally Flooded	=	=
		Average	12.7	240	Typically Saturated	=	=
		Frequent Low	11.3	28	Semipermanently Flooded	=	=
<u>St. Johns River at SR 44 near DeLand</u>	Volusia	Frequent High	1.9	4600	=	30	3
		Average	0.8	2050	=	180	1.5
		Frequent Low	0.3	1100	=	120	5
<u>Taylor Creek 1.7 miles downstream of structure S-164</u>		Frequent High	=	95	Seasonally Flooded	=	=
		Average	=	17	Typically Saturated	=	=
		Frequent Low	=	0.5	Semipermanently Flooded	=	=
<u>St. Johns River at SR 50 near Christmas</u>	Orange and Brevard	Frequent High	8.1	1950	=	30	2
		Average	5.9	580	=	180	1.5
		Frequent Low	4.2	140	=	120	5
		Infrequent Low	2.7	43	=	60	50

Wekiva River at the SR46 Bridge	Seminole and Lake	Infrequent High	9.0	880	=	7	5
		Frequent High	8.0	410	=	30	2
		Average	7.6	240	=	180	1.7
		Frequent Low	7.2	200	=	90	3
		Phase 1 Restriction	7.0	190	=	=	=
		Phase 2 Restriction	6.9	180	=	=	=
		Phase 3 Restriction	6.7	160	=	=	=
		Phase 4 Restriction	6.5	150	=	=	=
		Infrequent Low	6.1	120	=	7	100

(3) The following minimum surface water flows are established for Blue Spring in Volusia County:

April 1, 2019 through March 31, 2024	148 cfs
After March 31, 2024	157 cfs

Time Period	Minimum Long Term Mean Flow
December 3, 2006 through March 31, 2009	133 cfs
April 1, 2009 through March 31, 2014	137 cfs
April 1, 2014 through March 31, 2019	142 cfs

(4) The following minimum surface water levels are established:

System Name	County	Minimum Level	Level (ft NGVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Aphsawa North	Lake	Frequent High	85.0	Seasonally flooded	=	=
		Average	83.3	Typically saturated	=	=
		Frequent Low	81.3	Semipermanently flooded	=	=
Aphsawa South	Lake	Frequent High	86.0	Seasonally Flooded	=	=
		Average	84.7	Typically Saturated	=	=
		Frequent Low	83.2	Semipermanently Flooded	=	=
Argenta	Putnam	Frequent High	50.1	Seasonally Flooded	=	=
		Average	47.7	Typically Saturated	=	=
		Frequent Low	46.3	Semipermanently Flooded	=	=
Ashby	Volusia	Frequent High	12.3	=	60	2
		Frequent Low	11.1	=	120	5
Banana	Putnam	Frequent High	38.0	Seasonally Flooded	=	=
		Average	36.2	Typically Saturated	=	=
		Frequent Low	34.4	Semipermanently Flooded	=	=
Bell	Putnam	Frequent High	42.5	Temporarily Flooded	=	=
		Average	40.5	Typically Saturated	=	=
		Frequent Low	38.7	Semipermanently Flooded	=	=
Big	Volusia	Frequent High	26.1	Seasonally Flooded	=	=
		Average	25.0	Typically Saturated	=	=
		Frequent Low	23.7	Semipermanently Flooded	=	=
Bird Pond	Putnam	Frequent High	41.8	Seasonally Flooded	=	=
		Average	39.5	Typically Saturated	=	=
		Frequent Low	38.1	Semipermanently Flooded	=	=
Blue Pond	Clay	Frequent High	174.1	Temporarily Flooded	=	=
		Average	173.3	Typically Saturated	=	=
		Frequent Low	171.7	Semipermanently Flooded	=	=
Boggy Marsh	Lake	Frequent High	117.3	Seasonally Flooded	=	=
		Average	115.9	Typically Saturated	=	=
		Frequent Low	114.5	Semipermanently Flooded	=	=
Bowers	Marion	Frequent High	57.1	Temporarily Flooded	=	=
		Average	54.0	Typically Saturated	=	=
		Frequent Low	52.7	Semipermanently Flooded	=	=

<u>Brantley</u>	<u>Seminole</u>	<u>Frequent High</u>	<u>46.3</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>45.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>44.1</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Brooklyn</u>	<u>Clay</u>	<u>Frequent High</u>	<u>114.6</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>108.0</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>101.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Broward</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>40.0</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>38.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>36.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Burkett</u>	<u>Orange</u>	<u>Frequent High</u>	<u>53.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>52.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>51.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Charles</u>	<u>Marion</u>	<u>Frequent High</u>	<u>40.2</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>39.3</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>37.9</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Cherry</u>	<u>Lake</u>	<u>Frequent High</u>	<u>96.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>94.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>93.4</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Clear</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>37.4</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.9</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Colby</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>27.6</u>	<u>==</u>	<u>30</u>	<u>3</u>
		<u>Frequent Low</u>	<u>22.9</u>	<u>==</u>	<u>120</u>	<u>3</u>
		<u>Frequent High</u>	<u>38.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Como</u>	<u>Putnam</u>	<u>Average</u>	<u>36.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.4</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>38.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Como, Little Lake</u>	<u>Putnam</u>	<u>Average</u>	<u>36.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>35.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>35.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Coon Pond</u>	<u>Volusia</u>	<u>Average</u>	<u>34.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>33.1</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>89.1</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
<u>Cowpen</u>	<u>Putnam</u>	<u>Average</u>	<u>85.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>84.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>40.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Cow Pond</u>	<u>Volusia</u>	<u>Average</u>	<u>39.8</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>37.6</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>35.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Crystal/Baker</u>	<u>Putnam</u>	<u>Average</u>	<u>33.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>33.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>44.8</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
<u>Daugharty</u>	<u>Volusia</u>	<u>Average</u>	<u>42.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>41.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>36.2</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Davis</u>	<u>Volusia</u>	<u>Average</u>	<u>35.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>35.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Deep</u>	<u>Putnam</u>	<u>Average</u>	<u>33.1</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>32.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>34.6</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Dias</u>	<u>Volusia</u>	<u>Average</u>	<u>33.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>32.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
		<u>Frequent High</u>	<u>13.8</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
<u>Disston</u>	<u>Flagler</u>					

		<u>Average</u>	<u>13.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>12.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Dorr</u>	<u>Lake</u>	<u>Frequent High</u>	<u>43.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>43.1</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>42.1</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Dream Pond</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>49.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>47.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>46.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Drudy</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>42.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>40.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>39.1</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Echo</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>38.8</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>35.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Emma</u>	<u>Lake</u>	<u>Frequent High</u>	<u>94.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>92.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>91.1</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Emporia</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>38.9</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>35.8</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.3</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Estella</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>38.6</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>37.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>36.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Fox</u>	<u>Brevard</u>	<u>Frequent High</u>	<u>16.7</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>15.3</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>13.8</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Geneva</u>	<u>Clay</u>	<u>Frequent High</u>	<u>103.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>101.0</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>98.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Georges Lake</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>98.4</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>97.8</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>97.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Gertie</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>27.5</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>25.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>23.3</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Gore</u>	<u>Flagler</u>	<u>Frequent High</u>	<u>21.1</u>	<u>==</u>	<u>30</u>	<u>3</u>
		<u>Average</u>	<u>20.6</u>	<u>==</u>	<u>180</u>	<u>1.5</u>
		<u>Frequent Low</u>	<u>19.2</u>	<u>==</u>	<u>120</u>	<u>5</u>
<u>Grandin</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>81.5</u>	<u>==</u>	<u>30</u>	<u>2</u>
		<u>Frequent Low</u>	<u>78.6</u>	<u>==</u>	<u>120</u>	<u>5</u>
<u>Halfmoon</u>	<u>Marion</u>	<u>Frequent High</u>	<u>49.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>47.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>46.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Helen</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>46.1</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>44.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>43.6</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Hires</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>41.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>39.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>38.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Hokey</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>35.4</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>33.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>32.3</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Hopkins Prairie</u>	<u>Marion</u>	<u>Frequent High</u>	<u>25.8</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>23.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>

		<u>Frequent Low</u>	<u>22.0</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Howell</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>34.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>33.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>31.8</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Howell</u>	<u>Seminole</u>	<u>Frequent High</u>	<u>53.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>52.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>51.5</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Indian</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>37.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.1</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.4</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Irma</u>	<u>Orange</u>	<u>Frequent High</u>	<u>55.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>54.8</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>53.4</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Kerr</u>	<u>Marion</u>	<u>Frequent High</u>	<u>24.4</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>22.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>21.5</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Lizzie</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>43.9</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>42.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>41.7</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Louisa</u>	<u>Lake</u>	<u>Frequent High</u>	<u>96.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>95.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>94.0</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Lower Lake Louise</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>31.8</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>31.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>29.7</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Lucy</u>	<u>Lake</u>	<u>Frequent High</u>	<u>94.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>92.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>91.1</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Magnolia</u>	<u>Clay</u>	<u>Frequent High</u>	<u>124.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>124.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>121.4</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Mall, Little Lake</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>38.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.8</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>35.2</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Margaret</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>35.2</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>34.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>32.5</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Martha</u>	<u>Orange</u>	<u>Frequent High</u>	<u>53.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>52.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>51.2</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Marvin</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>38.6</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>37.3</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>36.3</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>McGrady</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>41.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>39.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>37.8</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>McKasel</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>36.7</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>35.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.1</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Melrose</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>105.2</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>104.2</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>102.8</u>	<u>Semipermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Mills</u>	<u>Seminole</u>	<u>Frequent High</u>	<u>42.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>41.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>

		Frequent Low	39.9	Semipermanently Flooded	==	==
<u>Minneola</u>	<u>Lake</u>	Frequent High	96.0	Seasonally Flooded	==	==
		Average	95.3	Typically Saturated	==	==
		Frequent Low	93.9	Semipermanently Flooded	==	==
<u>Monroe</u>	<u>Seminole and Volusia</u>	Frequent High	2.8	==	30	2
		Average	1.2	==	180	1.5
		Frequent Low	0.5	==	120	5
<u>Nettles / English</u>	<u>Putnam</u>	Frequent High	44.3	Seasonally Flooded	==	==
		Average	42.7	Typically Saturated	==	==
		Frequent Low	41.7	Semipermanently Flooded	==	==
<u>Nicotoon</u>	<u>Marion</u>	Frequent High	54.7	Seasonally Flooded	==	==
		Average	53.3	Typically Saturated	==	==
		Frequent Low	51.9	Semipermanently Flooded	==	==
<u>Norris</u>	<u>Lake</u>	Frequent High	30.5	Seasonally Flooded	==	==
		Average	29.7	Typically Saturated	==	==
		Frequent Low	29.1	Semipermanently Flooded	==	==
<u>North Como Park</u>	<u>Putnam</u>	Frequent High	41.3	Seasonally Flooded	==	==
		Average	39.7	Typically Saturated	==	==
		Frequent Low	38.5	Semipermanently Flooded	==	==
<u>North Talmadge</u>	<u>Volusia</u>	Frequent High	55.6	Seasonally Flooded	==	==
		Average	54.4	Typically Saturated	==	==
		Frequent Low	52.9	Semipermanently Flooded	==	==
<u>Omega</u>	<u>Putnam</u>	Frequent High	57.4	Temporarily Flooded	==	==
		Average	56.1	Typically Saturated	==	==
		Frequent Low	54.0	Semipermanently Flooded	==	==
<u>Orio</u>	<u>Putnam</u>	Frequent High	37.1	Seasonally Flooded	==	==
		Average	35.6	Typically Saturated	==	==
		Frequent Low	34.7	Semipermanently Flooded	==	==
<u>Pam</u>	<u>Putnam</u>	Frequent High	39.3	Seasonally Flooded	==	==
		Average	37.5	Typically Saturated	==	==
		Frequent Low	36.1	Semipermanently Flooded	==	==
<u>Pearl</u>	<u>Orange</u>	Frequent High	53.5	Seasonally Flooded	==	==
		Average	52.6	Typically Saturated	==	==
		Frequent Low	51.2	Semipermanently Flooded	==	==
<u>Pierson</u>	<u>Volusia</u>	Frequent High	34.4	Seasonally Flooded	==	==
		Average	33.8	Typically Saturated	==	==
		Frequent Low	32.4	Semipermanently Flooded	==	==
<u>Pine Island</u>	<u>Lake</u>	Frequent High	107.7	Seasonally Flooded	==	==
		Average	106.8	Typically Saturated	==	==
		Frequent Low	105.4	Semipermanently Flooded	==	==
<u>Prevatt</u>	<u>Orange</u>	Frequent High	56.0	Seasonally Flooded	==	==
		Average	53.0	Typically Saturated	==	==
		Frequent Low	50.9	Semipermanently Flooded	==	==
<u>Prior</u>	<u>Putnam</u>	Frequent High	42.3	Seasonally Flooded	==	==
		Average	40.0	Typically Saturated	==	==
		Frequent Low	39.0	Semipermanently Flooded	==	==
<u>Purdom</u>	<u>Volusia</u>	Frequent High	37.0	Seasonally Flooded	==	==
		Average	36.4	Typically Saturated	==	==
		Frequent Low	35.0	Semipermanently Flooded	==	==
<u>Sand</u>	<u>Putnam</u>	Frequent High	40.9	Seasonally Flooded	==	==
		Average	39.0	Typically Saturated	==	==
		Frequent Low	36.6	Semipermanently Flooded	==	==
<u>Sand Hill</u>	<u>Clay</u>	Frequent High	132.0	Seasonally Flooded	==	==

		<u>Average</u>	<u>131.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>129.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Savannah</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>31.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>29.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>28.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Scoggin</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>35.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>34.1</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>32.7</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Shaw</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>36.7</u>	<u>==</u>	<u>30</u>	<u>3</u>
		<u>Average</u>	<u>35.4</u>	<u>==</u>	<u>180</u>	<u>1.7</u>
		<u>Frequent Low</u>	<u>33.7</u>	<u>==</u>	<u>120</u>	<u>3</u>
<u>Silver</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>36.8</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>35.1</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>33.7</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Smith</u>	<u>Marion</u>	<u>Frequent High</u>	<u>54.6</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>51.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>50.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>South</u>	<u>Brevard</u>	<u>Frequent High</u>	<u>16.7</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>15.3</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>13.8</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>South Como Park</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>38.1</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>35.3</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Star</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>77.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>75.4</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>74.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Stella</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>39.4</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>38.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>37.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Sunset</u>	<u>Lake</u>	<u>Frequent High</u>	<u>85.9</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>83.5</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>81.0</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Swan</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>93.0</u>	<u>Temporarily Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>90.3</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
<u>Sylvan</u>	<u>Seminole</u>	<u>Frequent High</u>	<u>40.4</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>38.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>37.5</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Tarhoe</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>37.0</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>36.0</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>35.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Three Island Lakes</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>23.7</u>	<u>==</u>	<u>30</u>	<u>5</u>
		<u>Frequent Low</u>	<u>19.4</u>	<u>==</u>	<u>120</u>	<u>10</u>
<u>Trone</u>	<u>Putnam</u>	<u>Frequent High</u>	<u>37.5</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>35.7</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>34.3</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Trout</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>23.3</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>20.9</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>17.7</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Tuscawilla</u>	<u>Alachua</u>	<u>Frequent High</u>	<u>77.6</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>
		<u>Average</u>	<u>74.6</u>	<u>Typically Saturated</u>	<u>==</u>	<u>==</u>
		<u>Frequent Low</u>	<u>73.2</u>	<u>Sempermanently Flooded</u>	<u>==</u>	<u>==</u>
<u>Upper Lake Louise</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>35.3</u>	<u>Seasonally Flooded</u>	<u>==</u>	<u>==</u>

		<u>Average</u>	<u>34.6</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>33.2</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
<u>Washington</u>	<u>Brevard</u>	<u>Frequent High</u>	<u>15.6</u>	<u>Seasonally Flooded</u>	<u>=</u>	<u>=</u>
		<u>Average</u>	<u>14.2</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>12.8</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
<u>Wauberg</u>	<u>Alachua</u>	<u>Frequent High</u>	<u>67.4</u>	<u>Seasonally Flooded</u>	<u>=</u>	<u>=</u>
		<u>Average</u>	<u>67.1</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>65.6</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
<u>Weir</u>	<u>Marion</u>	<u>Frequent High</u>	<u>57.2</u>	<u>Seasonally Flooded</u>	<u>=</u>	<u>=</u>
		<u>Average</u>	<u>56.4</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>54.9</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
<u>Winnemissett</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>59.5</u>	<u>Seasonally Flooded</u>	<u>=</u>	<u>=</u>
		<u>Average</u>	<u>57.8</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>56.0</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
<u>Winona</u>	<u>Volusia</u>	<u>Frequent High</u>	<u>36.1</u>	<u>Seasonally Flooded</u>	<u>=</u>	<u>=</u>
		<u>Average</u>	<u>33.5</u>	<u>Typically Saturated</u>	<u>=</u>	<u>=</u>
		<u>Frequent Low</u>	<u>32.0</u>	<u>Semipermanently Flooded</u>	<u>=</u>	<u>=</u>
					<u>=</u>	<u>=</u>

(1) The following minimum surface water levels and flows and minimum ground-water levels are established:

(a) Wekiva River at the SR 46 Bridge:

	Level (ft NGVD)	Flow (cfs)	Duration (days)	Return Interval (years)
Minimum Infrequent High	9.0	880	≥7	≤5
Minimum Frequent High	8.0	410	≥30	≤2
Minimum Average	7.6	240	≤180	≥1.7
Minimum Frequent Low	7.2	200	≤90	≥3
Phase 1 Restriction	7.0	190	NA	NA
Phase 2 Restriction	6.9	180	NA	NA
Phase 3 Restriction	6.7	160	NA	NA
Phase 4 Restriction	6.5	150	NA	NA
Minimum Infrequent Low	6.1	120	≤7	≥100

(b) Wekiva River Minimum Groundwater Levels and Spring Flows

	Head (ft NGVD)	Discharge (cfs)
Messant Spring	32	12
Seminole Spring	34	34
Rock Spring	31	53
Wekiva Spring	24	62
Miami Spring	27	4
Sanlando Spring	28	15
Starbuck Spring	31	13
Palm Spring	27	7

(c) Black Water Creek at the SR 44 Bridge

	Level (ft NGVD)	Flow (cfs)	Duration (days)	Return Interval (years)
Minimum Infrequent High	27.0	340	≥7	≤5
Minimum Frequent High	25.8	145	≥30	≤2
Minimum Average	24.3	33	≤180	≥1.7
Minimum Frequent Low	22.8	2.5	≤90	≥15

Phase 1 Restriction	22.7	2	NA	NA
Phase 2 Restriction	22.5	1	NA	NA
Phase 3 Restriction	22.4	0.6	NA	NA
Phase 4 Restriction	22.3	0.3	NA	NA
Minimum Infrequent Low	21.9	0	≤7	≥100

(d) St. Johns River 1.5 miles downstream of Lake Washington weir

	Level (ft NGVD)	Flow (cfs)	Hydroperiod-Category
Minimum Frequent High	15.3	1,450	Seasonally flooded
Minimum Average	12.7	240	Typically-saturated
Minimum Frequent Low	11.3	28	Semipermanently flooded

(e) Taylor Creek 1.7 miles downstream of structure S-164

	Flow (cfs)	Hydroperiod-Category
Minimum Frequent High	95	Seasonally flooded
Minimum Average	17	Typically-saturated
Minimum Frequent Low	0.5	Semipermanently flooded

(f) St. Johns River at SR 44 near DeLand, Volusia County:

	Level (ft NGVD)	Flow (cfs)	Duration (days)	Return Interval (years)
Minimum Frequent High	1.9	4600	≥30 days	≤3 years
Minimum Average	0.8	2050	≤180 days	≥1.5 years
Minimum Frequent Low	0.3	1100	≤120 days	≥5 years

(g) Blue Spring, Volusia County

Minimum Long Term Mean Flow	Cfs
December 3, 2006 through March 31, 2009	133
April 1, 2009 through March 31, 2014	137
April 1, 2014 through March 31, 2019	142
April 1, 2019 through March 31, 2024	148
After March 31, 2024	157

(2) The following minimum surface water levels are established:

LAKE-NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT HIGH	MINIMUM- FREQUENT HIGH	MINIMUM AVERAGE LEVEL	MINIMUM- FREQUENT LOW	MINIMUM- INFREQUENT LOW
(a) APSHAWA NORTH	Lake	Seasonally-Flooded		85.0			
		Typically-Saturated			83.3		
(b) APSHAWA SOUTH	Lake	Semipermanently-Flooded		86.0		81.3	
		Seasonally-Flooded			84.7		
(c) ARGENTA	Putnam	Semipermanently-Flooded				83.2	
		Seasonally-Flooded		50.1			
		Typically-Saturated			47.7		
(d) ASHBY	Volusia	Semipermanently-Flooded				46.3	
		Seasonally-Flooded		12.3			
(e) BANANA	Putnam	Seasonally-Flooded		38.0			
		Typically-Saturated			36.2		
		Semipermanently-Flooded				34.4	
(f) BELL	Putnam	Temporarily-Flooded		42.5			
		Typically-Saturated			40.5		
		Semipermanently-Flooded				38.7	
(g) BIG	Volusia	Seasonally-Flooded		26.1			
		Typically-Saturated			25.0		
		Semipermanently-Flooded				23.7	
(h) BIRD-POND	Putnam	Temporarily-Flooded		41.8			
		Typically-Saturated			39.5		
		Semipermanently-Flooded				38.1	
(i) BLUE-POND	Clay	Temporarily-Flooded		174.1			
		Typically-Saturated			173.3		
		Semipermanently-Flooded				171.7	
(j) BOGGY-MARSH	Lake	Seasonally-Flooded		117.3			
		Typically-Saturated			115.9		
		Semipermanently-Flooded				114.5	
(k) BOWERS	Marion	Temporarily-Flooded		57.1			
		Typically-Saturated			54.0		
		Semipermanently-Flooded				52.7	
(l) BRANTLEY	Seminole	Seasonally-Flooded		46.3			
		Typically-Saturated			45.6		
		Semipermanently-Flooded				44.1	
(m) BROOKLYN	Clay	Temporarily-Flooded		114.6			
		Typically-Saturated			108.0		
		Semipermanently-Flooded				101.0	
(n) BROWARD	Putnam	Temporarily-Flooded		40.0			
		Typically-Saturated			38.25		
		Semipermanently-Flooded				36.5	

(o) BURKETT	Orange	Seasonally Flooded	53.5	
		Typically Saturated		52.6
(p) CHARLES	Marion	Semipermanently Flooded		51.2
		Seasonally Flooded	40.2	
		Typically Saturated		39.3
(q) CHERRY	Lake	Semipermanently Flooded		37.9
		Seasonally Flooded	96.0	
		Typically Saturated		94.9
(r) CLEAR	Putnam	Semipermanently Flooded		93.4
		Temporarily Flooded	37.4	
		Typically Saturated		36.4
(s) COLBY	Volusia	Semipermanently Flooded		34.9
		Seasonally Flooded	28.3	
		Typically Saturated		26.6
(t) COMO	Putnam	Semipermanently Flooded		25.2
		Seasonally Flooded	38.0	
		Typically Saturated		36.2
(u) COMO, LITTLE LAKE	Putnam	Semipermanently Flooded		34.4
		Seasonally Flooded	38.0	
		Typically Saturated		36.6
(v) COWPEN	Putnam	Semipermanently Flooded		35.2
		Temporarily Flooded	89.1	
		Typically Saturated		85.7
(w) COW POND	Volusia	Semipermanently Flooded		84.2
		Seasonally Flooded	40.5	
		Typically Saturated		39.8
(x) COON POND	Volusia	Semipermanently Flooded		37.6
		Seasonally Flooded	35.7	
		Typically Saturated		34.6
(y) CRYSTAL/BAKER	Putnam	Semipermanently Flooded		33.1
		Seasonally Flooded	35.5	
		Typically Saturated		33.9
(z) DAUGHARTY	Volusia	Semipermanently Flooded		33.0
		Temporarily Flooded	44.8	
		Typically Flooded		42.6
(aa) DAVIS	Volusia	Semipermanently Flooded		41.2
		Seasonally Flooded	36.2	
		Typically Saturated		35.4
(bb) DEEP	Putnam	Semipermanently Flooded		34.0
		Seasonally Flooded	35.0	
		Typically Saturated		33.1
(cc) DIAS	Volusia	Semipermanently Flooded		32.2
		Seasonally Flooded	34.6	
		Typically Flooded		33.5
(dd) DISSTON	Flagler	Semipermanently Flooded		32.2
		Seasonally Flooded	13.8	
		Typically Flooded		13.2
		Semipermanently Flooded		12.5

(cc) DORR	Lake	Seasonally Flooded	43.5		
		Typically Saturated		43.1	
		Semipermanently Flooded			42.1
(ff) DREAM POND	Putnam	Seasonally Flooded	49.0		
		Typically Saturated		47.5	
		Semipermanently Flooded			46.0
(gg) DRUDY	Volusia	Seasonally Flooded	42.1		
		Typically Saturated		40.6	
		Semipermanently Flooded			39.1
(hh) ECHO	Putnam	Seasonally Flooded	38.8		
		Typically Flooded		36.7	
		Semipermanently Flooded			35.2
(ii) EMMA	Lake	Seasonally Flooded	94.1		
		Typically Saturated		92.5	
		Semipermanently Flooded			91.1
(jj) EMPORIA	Volusia	Seasonally Flooded	38.9		
		Typically Saturated		35.8	
		Semipermanently Flooded			34.3
(kk) ESTELLA	Putnam	Seasonally Flooded	38.6		
		Typically Saturated		37.2	
		Semipermanently Flooded			36.5
(ll) FOX	Brevard	Temporarily Flooded	16.7		
		Typically Saturated		15.3	
		Semipermanently Flooded			13.8
(mm) GENEVA	Clay	Seasonally Flooded	103.0		
		Typically Saturated		101.0	
		Semipermanently Flooded			98.5
(nn) GEORGE SLAKE	Putnam	Seasonally Flooded	98.4		
		Typically Saturated		97.8	
		Semipermanently Flooded			97.0
(oo) GERTIE	Volusia	Temporarily Flooded	27.5		
		Typically Saturated		25.6	
		Semipermanently Flooded			23.3
(pp) GORE	Flagler	Seasonally Flooded	21.1		
		Typically Saturated		20.6	
		Semipermanently Flooded			19.2
(qq) GRANDIN	Putnam	Seasonally Flooded	81.8		
		Typically Saturated		81.3	
		Semipermanently Flooded			80.1
(rr) HALFMOON	Marion	Seasonally Flooded	49.7		
		Typically Saturated		47.9	
		Semipermanently Flooded			46.5
(ss) HELEN	Volusia	Temporarily Flooded	46.1		
		Typically Saturated		44.2	
		Semipermanently Flooded			43.6
(tt) HIRE	Volusia	Seasonally Flooded	41.0		

		Typically Saturated		39.5	
		Semipermanently Flooded			38.0
(uu) HOKEY	Volusia	Seasonally Flooded	35.4		
		Typically Saturated		33.7	
		Semipermanently Flooded			32.3
(vv) HOPKINS PRAIRIE	Marion	Seasonally Flooded	25.8		
		Typically Saturated		23.4	
		Semipermanently Flooded			22.0
(ww) HOWELL	Putnam	Seasonally Flooded	34.5		
		Typically Saturated		33.6	
		Semipermanently Flooded			31.8
(xx) HOWELL	Seminole	Seasonally Flooded	53.7		
		Typically Saturated		52.9	
		Semipermanently Flooded			51.5
(yy) INDIAN	Volusia	Seasonally Flooded	37.0		
		Typically Saturated		36.1	
		Semipermanently Flooded			34.4
(zz) IRMA	Orange	Seasonally Flooded	55.1		
		Typically Saturated		54.8	
		Semipermanently Flooded			53.4
(aaa) KERR	Marion	Seasonally Flooded	24.4		
		Typically Saturated		22.9	
		Semipermanently Flooded			21.5
(bbb) LIZZIE	Putnam	Seasonally Flooded	43.9		
		Typically Saturated		42.7	
		Semipermanently Flooded			41.7
(ccc) LOUISA	Lake	Seasonally Flooded	96.5		
		Typically Saturated		95.4	
		Semipermanently Flooded			94.0
(ddd) LOWER LAKE LOUISE	Volusia	Seasonally Flooded	31.8		
		Typically Saturated		31.2	
		Semipermanently Flooded			29.7
(eee) LOWERY	Polk	Temporarily Flooded	130.0		
		Typically Saturated		128.0	
		Semipermanently Flooded			126.5
(fff) LUCY	Lake	Seasonally Flooded	94.1		
		Typically Saturated		92.5	
		Semipermanently Flooded			91.1
(ggg) MAGNOLIA	Clay	Seasonally Flooded	124.7		
		Typically Saturated		124.2	
		Semipermanently Flooded			121.4
(hhh) MALL, LITTLE LAKE	Putnam	Seasonally Flooded	38.7		
		Typically Saturated		36.8	
		Semipermanently Flooded			35.2
(iii) MARGARET	Putnam	Seasonally Flooded	35.2		
		Typically Saturated		34.5	
		Semipermanently Flooded			32.5

(jjj) MARTHA	Orange	Seasonally Flooded	53.5		
		Typically Saturated		52.6	
(kkk) MARVIN	Putnam	Semipermanently Flooded			51.2
		Seasonally Flooded	38.6		
		Typically Saturated		37.3	
(lll) MCGRADY	Putnam	Semipermanently Flooded			36.3
		Seasonally Flooded	41.5		
		Typically Saturated		39.9	
(mmm) MCKASEL	Putnam	Semipermanently Flooded			37.8
		Temporarily Flooded	36.7		
		Typically Saturated		35.5	
(nnn) MELROSE	Putnam	Semipermanently Flooded			34.1
		Seasonally Flooded	105.2		
		Typically Saturated		104.2	
(ooo) MILLS	Seminole	Semipermanently Flooded			102.8
		Temporarily Flooded	42.5		
		Typically Saturated		41.4	
(ppp) MINNEOLA	Lake	Semipermanently Flooded			39.9
		Seasonally Flooded	96.0		
		Typically Saturated		95.3	
(qqq) MONROE	Seminole and Volusia	Semipermanently Flooded			93.9
		N/A	2.8		
		N/A		1.2	
(rrr) NETTLES/ENGLISH	Putnam	N/A			0.5
		Seasonally Flooded	44.3		
		Typically Saturated		42.7	
(sss) NICOTOON	Marion	Semipermanently Flooded			41.7
		Seasonally Flooded	54.7		
		Typically Saturated		53.3	
(ttt) NORRIS	Lake	Semipermanently Flooded			51.9
		Seasonally Flooded	30.5		
		Typically Saturated		29.7	
(uuu) NORTH COMO PARK	Putnam	Semipermanently Flooded			29.1
		Seasonally Flooded	41.3		
		Typically Saturated		39.7	
(vvv) NORTH TALMADGE	Volusia	Semipermanently Flooded			38.5
		Seasonally Flooded	55.6		
		Typically Saturated		54.4	
(www) OMEGA	Putnam	Semipermanently Flooded			52.9
		Temporarily Flooded	57.4		
		Typically Saturated		56.1	
(xxx) ORIO	Putnam	Semipermanently Flooded			54.0
		Seasonally Flooded	37.1		
		Typically Saturated		35.6	
(yyy) PAM	Putnam	Semipermanently Flooded			34.7
		Temporarily Flooded	39.3		
		Typically Saturated		37.5	
		Semipermanently Flooded			36.1

(zzz) PEARL	Orange	Seasonally Flooded	53.5		
		Typically Saturated		52.6	
(aaaa) PIERSON	Volusia	Semipermanently Flooded			51.2
		Seasonally Flooded	34.4		
		Typically Saturated		33.8	
(bbbb) PINE ISLAND	Lake	Semipermanently Flooded			32.4
		Seasonally Flooded	107.7		
		Typically Saturated		106.8	
(eeee) PREVATT	Orange	Semipermanently Flooded			105.4
		Seasonally Flooded	56.0		
		Typically Saturated		53.0	
(dddd) PRIOR	Putnam	Semipermanently Flooded			50.9
		Seasonally Flooded	42.3		
		Typically Saturated		40.0	
(eeee) PURDOM	Volusia	Semipermanently Flooded			39.0
		Seasonally Flooded	37.0		
		Typically Saturated		36.4	
(ffff) SAND	Putnam	Semipermanently Flooded			35.0
		Seasonally Flooded	40.9		
		Typically Saturated		39.0	
(gggg) SAND HILL	Clay	Semipermanently Flooded			36.6
		Seasonally Flooded	132.0		
		Typically Saturated		131.65	
(hhhh) SAVANNAH	Volusia	Semipermanently Flooded			129.5
		Seasonally Flooded	31.1		
		Typically Saturated		29.5	
(iiii) SCOGGIN	Volusia	Semipermanently Flooded			28.0
		Seasonally Flooded	35.0		
		Typically Saturated		34.1	
(jjjj) SHAW	Volusia	Semipermanently Flooded			32.7
		N/A	38.5		
		N/A		36.9	
		N/A		36.2	
		N/A		34.0	
(kkkk) SILVER	Putnam	N/A			32.0
		Seasonally Flooded	36.8		
		Typically Saturated		35.1	
(llll) SMITH	Marion	Semipermanently Flooded			33.7
		Temporarily Flooded	54.6		
		Typically Saturated		51.4	
(mmmm) SOUTH	Brevard	Semipermanently Flooded			50.0
		Temporarily Flooded	16.7		
		Typically Saturated		15.3	
(nnnn) SOUTH COMO PARK	Putnam	Semipermanently Flooded			13.8
		Seasonally Flooded	38.1		
		Typically Saturated		36.7	
(oooo) STAR	Putnam	Semipermanently Flooded			35.3
		Seasonally Flooded	77.5		
		Typically Saturated		75.4	
		Semipermanently Flooded			74.0

(pppp) STELLA	Putnam	Seasonally Flooded	39.4	
		Typically Saturated		38.6
		Semipermanently Flooded		37.2
(qqqq) SUNSET	Lake	Seasonally Flooded	85.9	
		Typically Saturated		83.5
		Semipermanently Flooded		81.0
(rrrr) SWAN	Putnam	Temporarily Flooded	93.0	
		Typically Saturated		90.3
(ssss) SYLVAN	Seminole	Seasonally Flooded	40.4	
		Typically Saturated		38.9
		Semipermanently Flooded		37.5
(tttt) TARHOE	Putnam	Seasonally Flooded	37.0	
		Typically Saturated		36.0
		Semipermanently Flooded		35.2
(uuuu) THREE ISLAND LAKES	Volusia	Seasonally Flooded	23.4	
		Typically Saturated		21.8
		Semipermanently Flooded		18.8
(vvvv) TRONE	Putnam	Seasonally Flooded	37.5	
		Typically Saturated		35.7
		Semipermanently Flooded		34.3
(wwww) TROUT	Volusia	Seasonally Flooded	23.3	
		Typically Saturated		20.9
		Semipermanently Flooded		17.7
(xxxx) TUSCAWILLA	Alachua	Seasonally Flooded	77.6	
		Typically Saturated		74.6
		Semipermanently Flooded		73.2
(yyyy) UPPER LAKE LOUISE	Volusia	Seasonally Flooded	35.3	
		Typically Saturated		34.6
		Semipermanently Flooded		33.2
(zzzz) WASHINGTON	Brevard	Seasonally Flooded	15.6	
		Typically Saturated		14.2
		Semipermanently Flooded		12.8
(aaaa) WAUBERG	Alachua	Seasonally Flooded	67.4	
		Typically Saturated		67.1
		Semipermanently Flooded		65.6
(bbbb) WEIR	Marion	Seasonally Flooded	57.2	
		Typically Saturated		56.4
		Semipermanently Flooded		54.9
(eeee) WINNEMISSETT	Volusia	Seasonally Flooded	59.5	
		Typically Saturated		57.8
		Semipermanently Flooded		56.0
(dddd) WINONA	Volusia	Seasonally Flooded	36.1	
		Typically Saturated		33.5
		Semipermanently Flooded		32.0

(3) through (4) renumbered (4) through (5) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03, 11-10-03, 01-12-04, 2-1-06, 12-03-06,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.: RULE TITLES:
 61B-19.001 Filing Education and Training Programs

61B-19.002 Required Information

PURPOSE AND EFFECT: These rules are created to implement a change in the condominium law requiring the division to review and approve condominium education and training programs.

SUBJECT AREA TO BE ADDRESSED: These rules provide parameters for reviewing education and training programs filed by education providers.

SPECIFIC AUTHORITY: 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.501(1)(j) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 10, 2008, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida

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: Sharon A. Malloy, Senior Management Analyst II, (850)488-1631. 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, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY DRAFT RULE IS ALSO AVAILABLE ON LINE AT <http://www.state.fl.us/dbpr/lsc/index.shtml>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-3.001	Purpose and Scope
63E-3.002	Definitions
63E-3.003	Administration of the Serious or Habitual Juvenile Offender (SHO) Program
63E-3.004	Sanitation
63E-3.005	Safety and Security
63E-3.006	Continuity of Operations Planning
63E-3.007	Youth Admission
63E-3.008	Intake
63E-3.009	Orientation
63E-3.010	Case Management
63E-3.011	Behavior Management
63E-3.012	Youth Services
63E-3.013	Construction
63E-3.014	Program Monitoring and Evaluation
63E-3.015	Research Projects

PURPOSE AND EFFECT: The rule chapter governing the operation and administration of serious habitual offender programs for delinquent juveniles is repealed. The requirements of Chapter 63E-7, F.A.C., will apply to these programs.

SUBJECT AREA TO BE ADDRESSED: Rules governing the operation and administration of residential programs for delinquent juveniles are consolidated.

SPECIFIC AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3)(a), 985.47 FS.

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

DATE AND TIME: Wednesday, November 12, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

For participation by telephone contact: John Milla, (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-4.001	Purpose and Scope
63E-4.002	Definitions
63E-4.003	Administration

- 63E-4.004 Sanitation
- 63E-4.005 Safety and Security
- 63E-4.006 Disaster Planning
- 63E-4.007 Behavior Management
- 63E-4.008 Case Management
- 63E-4.009 Intake
- 63E-4.010 Orientation
- 63E-4.011 Youth Services
- 63E-4.012 Construction
- 63E-4.013 Program Monitoring and Evaluation
- 63E-4.014 Research Projects

PURPOSE AND EFFECT: The rule chapter governing the operation and administration of intensive residential treatment programs for delinquent juveniles is repealed. The requirements of Chapter 63E-7, F.A.C., will apply to these programs.

SUBJECT AREA TO BE ADDRESSED: Rules governing the operation and administration of residential programs for delinquent juveniles are consolidated.

SPECIFIC AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3)(a), 985.483 FS.

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

DATE AND TIME: Wednesday, November 12, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

For participation by telephone, contact: John Milla, (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

- | | |
|-------------------|------------------------------|
| RULE NOS.: | RULE TITLES: |
| 63E-7.001 | Purpose and Scope |
| 63E-7.007 | Youth Hygiene and Dress Code |
| 63E-7.008 | Facility and Food Services |

PURPOSE AND EFFECT: The amendments eliminate the exclusion of serious habitual offender programs and intensive residential treatment programs from the purpose and scope of the rule, effectively incorporating those programs into this rule chapter. Amendments to standards governing youth hygiene and the physical plant are also made, which eliminate superseded references.

SUBJECT AREA TO BE ADDRESSED: Amendments are made to the rule chapter governing the administration and operation of residential treatment programs for juvenile offenders, widening the scope of the chapter and eliminating superseded references.

SPECIFIC AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3)(a), 985.47, 985.483 FS.

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

DATE AND TIME: Wednesday, November 12, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

For participation by telephone, contact: John Milla, (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

- | | |
|------------------|--------------------|
| RULE NO.: | RULE TITLE: |
| 64B8-2.001 | Definitions |

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to define the FLEX weighted average for the purpose of demonstrating an examination passing score.

SUBJECT AREA TO BE ADDRESSED: Clarification of the FLEX weighted average.

SPECIFIC AUTHORITY: 456.50(2), 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
64B8-8.0011 Standard Terms Applicable to Orders
64B8-8.0012 Probation Variables

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address probation language to allow Department investigators to review medical records previously reviewed by a monitoring physician to ensure compliance. In addition, the Board proposes the development of rule amendments to address the frequency of inspections by Department investigators upon probationers.

SUBJECT AREA TO BE ADDRESSED: Probation language with regard to review of medical records and the frequency of inspections by Department investigators upon probationers.

SPECIFIC AUTHORITY: 456.072(2), 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.072(2), 458.331(5) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
64B8-42.001 Licensure by Endorsement
64B8-42.002 Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendments to incorporate application forms.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement; Licensure by Examination.

SPECIFIC AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.507, 468.509, 468.513 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen

Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-4.002 Requirements for Certification

PURPOSE AND EFFECT: To identify an additional certifying body for ARNPs.

SUBJECT AREA TO BE ADDRESSED: Requirements for Certification.

SPECIFIC AUTHORITY: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), (2), 464.018(1)(b), (2) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.002 Requirements for Certification.

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

(f) American Academy of Nurse Practitioners (nurse practitioner level examination only).

(4) through (5) No change.

Specific Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS. History–New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 21O-11.23, Amended 3-19-87, 4-6-92, Formerly 21O-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5.00, 3-23-06,_____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-5.001 Definitions

PURPOSE AND EFFECT: To conform the Board’s continuing education standards to the national standards of the American Nurses Credentialing Center.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(3) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Garcia, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-5.001 Definitions.

(1) through (3) No change.

(4) Contact Hour. One (1) contact hour equals sixty (60) a minimum of fifty (50) minutes. One half (1/2 or .5) contact hour equals thirty (30) a minimum of twenty five (25) minutes.

(5) through (9) No change.

Specific Authority 464.006 FS. Law Implemented 464.013(3) FS. History–New 9-12-79, Amended 10-6-82, Formerly 21O-13.08, Amended 3-3-87, Formerly 21O-13.008, Amended 9-28-93, Formerly 61F7-5.001, Amended 5-2-95, 1-1-96, Formerly 59S-5.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.011
 RULE TITLE: Reinstatement of Suspended and Revoked Licenses

PURPOSE AND EFFECT: To delete a requirement no longer necessary for the reinstatement of a license.

SUBJECT AREA TO BE ADDRESSED: Reinstatement of Suspended and Revoked Licenses.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 112.011(1)(b), 464.018, 464.0185 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rick Garcia, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.011 Reinstatement of Suspended and Revoked Licenses.

(1) No change.

(2) In order to demonstrate the present ability to engage in the safe practice of nursing, the nurse must submit evidence which may include:

(a) through (d) No change

(e) Other educational achievements, employment background, references, successful completion of criminal sanctions imposed by the courts ~~and restoration of civil rights if a convicted felon~~, or other factors which would demonstrate rehabilitation and present ability to engage in the safe practice of nursing.

(3) through (5) No change.

Specific Authority 464.006 FS. Law Implemented 112.011(1)(b), 464.018, 464.0185 FS. History–New 1-1-92, Formerly 21O-10.013, Amended 1-26-94, Formerly 61F7-8.011, 59S-8.011, Amended _____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100
 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: To implement the statutory amendments in Section 1, 2008-121, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Requirements for Prosthetic or Orthotic Residency or Internship.

SPECIFIC AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3527

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) No change.

(2) An internship must consist of orthotic or prosthetic clinical experience practicing under the general supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The internship must consist of a minimum of 1,900 hours ~~and may not exceed 2,700 hours. The intern is eligible to take the approved licensure examination upon completion of 1,900 hours. If the intern has not taken and passed the applicable licensure examination at the expiration of 2,700 hours of clinical experience, the intern may not practice as an orthotist or prosthetist in the state.~~

A conference line will be available for the workshop. We ask conference line participants from the organization to only use one line to ensure that others are able to call in. Conference Dial-In Number: 1(888)808-6959, Conference Code: 1454440. PLACE: Orange County Emergency Operations Center (EOC), 6590 Amory Court, Winter Park, FL 32792, (407)894-4141

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: Lisa Walker, Government Analyst II, Phone: (850)245-4440 ext. 2733; or email Lisa_Walker2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steve McCoy, EMS Systems Analyst, phone: (850)245-4440 ext. 2727; or email Steve_McCoy@doh.state.fl.us

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.0035
 RULE TITLE: Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper

PURPOSE AND EFFECT: The purpose of this rule amendment is to modify the Commission’s Reef Fish Rule to become consistent with federal reef fish regulations for Gulf of Mexico greater amberjack, which is overfished and undergoing overfishing, and gray triggerfish, which is undergoing overfishing. The Gulf of Mexico Fishery Management Council developed regulatory actions for greater amberjack and gray triggerfish that became effective on August 4, 2008, which includes an increase in the recreational minimum size limit of greater amberjack from 28 inches fork length to 30 inches fork length, and the increase in the recreational and commercial minimum size limit for gray triggerfish from 12 inches fork length to 14 inches fork length.

The effect of this rule amendment is that federal and state regulations will be consistently applied in the Gulf of Mexico. Where practicable, this minimizes confusion with the public and aids enforceability. A further effect will be to remove inconsistency in state regulations regarding reef fish size limits as applied to commercial and recreational harvest.

SUBJECT AREA TO BE ADDRESSED: Reef Fish.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.
 No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

- (1) Amberjacks (measured in terms of fork length).
 - (a) Banded rudderfish no less than 14 inches, no greater than 22 inches.
 - (b)1. Greater amberjack harvested recreationally from the Atlantic Ocean 28 inches.
 - 2. Greater amberjack harvested recreationally from the Gulf of Mexico 30 inches.
 - ~~3.2. Greater amberjack harvested commercially 36 inches.~~
 - (c) Lesser amberjack no less than 14 inches, no greater than 22 inches.
 - (2) No change.
 - (3) Gray triggerfish (measured in terms of fork length) ~~12 inches fork length.~~
 - (a) Gray triggerfish harvested in the Atlantic Ocean 12 inches.
 - (b) Gray triggerfish harvested in the Gulf of Mexico 14 inches.
 - (4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:

68B-14.0036

RULE TITLES:

Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

68B-14.0039

Recreational Grouper Season

PURPOSE AND EFFECT: The purpose of these rule amendments is to modify the Commission’s Reef Fish Rule to become consistent with federal interim reef fish regulations in the Gulf of Mexico. The Gulf of Mexico Fishery Management Council developed Reef Fish Amendment 30B that contains regulatory actions for gag grouper, which is undergoing overfishing, and red grouper that will become effective in 2009 after approval by the Secretary of Commerce. Meanwhile, the Council requested that the National Marine Fisheries Service implement by January 1, 2009, an Interim Rule to address the overfishing status of gag grouper. Components of that Interim Rule that would affect Florida fishers are 1) a two-fish recreational bag limit for gag grouper, and 2) a February 1-March 31 closure to recreational gag grouper harvest.

One final rule amendment that is not federal consistency with the federal Interim Rule is the increase recreational bag limit of red grouper from one-fish to two-fish. This bag limit increase will be implemented in federal waters in the Gulf of Mexico by Amendment 30B, and it is the intent of the state of Florida to immediately implement that increase in state waters because red grouper stocks in the Gulf of Mexico have recovered.

The effect of these rule amendments is that federal and state regulations will be consistently applied in the Gulf of Mexico, although there will be a slight difference for a short period of time. Where practicable, this minimizes confusion with the public and aids enforceability. A further effect will be to remove inconsistency in state regulations regarding reef fish size limits as applied to commercial and recreational harvest.

SUBJECT AREA TO BE ADDRESSED: Reef fish.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) No change.

(2) Grouper.

(a) Aggregate bag limit. Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters, nor possess while in or on state waters, more than a total of 5 grouper per day, in any combination of species.

(b) Red Grouper. Except as provided elsewhere in this rule, in all state waters of the Gulf of Mexico, within the aggregate bag and possession limit established in paragraph (a), no more than 2 fish may be red grouper. No recreational harvester may harvest in or from state waters of the Gulf of Mexico, nor possess while in or on the waters of the Gulf of Mexico, more than 2 red grouper.

(c) Gag and black grouper.

1. Except as provided elsewhere in this rule, in all state waters of the Atlantic Ocean and all state waters of Monroe County, within the aggregate bag and possession limit established in paragraph (a), no more than 2 fish may be gag or black grouper, either individually or in combination. No recreational harvester may harvest in or from state waters of the Atlantic Ocean or in or from state waters of Monroe County, nor possess while in or on the waters of the Atlantic Ocean or in or on state waters of Monroe County, more than 2 such fish.

2. Except as provided elsewhere in this rule, in all state waters of the Gulf of Mexico, within the aggregate bag and possession limit established in paragraph (a), no more than 2 fish may be gag grouper. No recreational harvester may harvest in or from state waters of the Gulf of Mexico, nor possess while in or on the waters of the Gulf of Mexico more than 2 such fish.

(d) through (e) No change.

(3) through (9) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07,_____.

68B-14.0039 Recreational Grouper Season.

In all state waters of the Gulf of Mexico, the closed season for the recreational harvest and possession of gag grouper shall be from February 1 through March 31, each year.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005
 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: To adopt price level changes relating to firefighter death benefits in Section 112.191, Florida Statutes, for the year 2008-2009.

SUBJECT AREA TO BE ADDRESSED: Firefighter death benefits in Section 112.191, Florida Statutes.

SPECIFIC AUTHORITY: 112.191 FS.

LAW IMPLEMENTED: 112.191 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, November 7, 2008, 10:00 a.m.

PLACE: Third Floor Conference Room, the Atrium Building, 325 John Knox Road, Tallahassee, Florida 32303

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: Georgia Dowell, (850)413-3170. 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 Bannister, Senior Management Analyst II, Division of State Fire Marshal, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone: (850)413-3170; Fax: (850)922-1235

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) No change.

(2) The amounts payable for the period from July 1, ~~2008~~ ~~2007~~ through June 30, ~~2009~~ ~~2008~~, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for March, ~~2008~~ ~~2007~~, which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: ~~\$60,140.00~~ ~~57,759.00~~.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: ~~\$60,140.00~~ ~~57,759.00~~.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: ~~\$175,565.91~~ ~~173,278.31~~.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04, 6-30-05, 8-1-06, 4-07-08,_____.

**Section II
 Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-30.455	Staff Assistance in Rate Cases
25-30.456	Staff Assistance in Alternative Rate Setting
25-30.457	Limited Alternative Rate Increase

PURPOSE AND EFFECT: To implement the change in Section 367.0814, F.S. The effect of the rule changes will be to allow more utilities to request staff assistance. Docket No. 080414-WS.

SUMMARY: These rules describe the water and wastewater utilities that are eligible to request and receive a staff assisted rate case from the Commission. These rules are being changed to implement the revision to Section 367.0814, F.S. The statute has been changed to raise the level of staff assistance from \$150,000 to \$250,000 for a water or wastewater utility or from \$300,000 to \$500,000 when combined.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There should be minimal costs incurred by the Commission. More utilities will be eligible for staff assistance in rate cases and additional staff time will be required. However, staff time will be offset as less staff time will be spent on utility-sponsored rate cases. Fourteen more water and wastewater utilities will be eligible for staff assistance in rate cases. Their costs will likely decrease and ratepayers of the eligible utilities will potentially see a resulting decrease in rate case expense. There should be no negative impacts on small businesses, small cities, or small counties.

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.