

- (c) Bond/Security: Prescription Drug Wholesale Distributor ~~Wholesaler~~  
Bond/Security or Out-of-State Prescription Drug Wholesale Distributor \$100,000  
~~Wholesaler Bond/Security~~, as set forth in Sections 499.01(2)(d), (e) 499.012(2),  
 F.S.  
 (d) Bond/Security: Limited Prescription Drug Veterinary Wholesaler \$20,000  
Bond/Security, as set forth in Section 499.01(2)(l) 499.012(2)(h), F.S.  
 (e) Change of Address ~~Fee~~:

A relocation fee of \$100 must be paid for each permitted person or establishment relocating for which an on-site inspection is required. If no on-site inspection is required, the relocation fee is \$25 per permit. If a permitted person has multiple permits under the same permitted name and address and relocates any or all permitted activities concurrently to the new location, then only one \$100 fee is required plus \$25 for each additional ~~all other~~ permits.

- (f) Product Registration (for each ~~per~~ drug or cosmetic product registered) \$30\*

\*The registration fee for a prescription drug or cosmetic product being amended to an existing product registration that has 12 months or less until it expires is \$15.

- (g) Listed Identical Products \$15  
 (h) Free Sale Certificate \$25  
 Signature of Free Sale Certificate copy (requested concurrently) \$2  
 (i) Delinquent Establishment Permit Renewal (per permit) \$100

(5) The department shall assess other fees as provided in Chapter 499 Part I ~~Sections 499.001-081~~, F.S.

Specific Authority 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS. Law Implemented 499.01, 499.012, 499.015, 499.04, 499.041 FS. History--New 7-1-96, Formerly 10D-45.0544, Amended 4-17-01, 7-6-03, 1-1-04, 9-13-04, 2-14-06, 9-5-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Rebecca Poston

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Ana Viamonte Ros, State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2008

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.: RULE TITLE:  
 6A-1.0995 Form of High School Diplomas and  
 Certificates of Completion

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

Subsection (7) of Rule 6A-1.0995 has been changed to read:

~~(7)(5)~~ School boards electing to award differentiated diplomas in lieu of the Standard Diploma as authorized in Section 1003.43, Florida Statutes, may place on the Standard Diploma a seal to indicate the type of differentiation. Seals given in recognition of outstanding scholastic achievement may also be placed on the face of the Standard Diploma. Seals described in this subsection may not be placed above the state designations as described in subsection (6) of this rule. ~~but may not be placed above the state designations as described in subsection (6) of this rule.~~

#### DEPARTMENT OF TRANSPORTATION

|            |  |
|------------|--|
| RULE NOS.: | RULE TITLES:                                   |
| 14-86.001  | Purpose  |
| 14-86.002  | Definitions                                    |
| 14-86.003  | Permit, Assurance Requirements, and Exceptions |
| 14-86.004  | Permit Application Procedure                   |
| 14-86.005  | General Conditions for a Drainage Permit       |
| 14-86.006  | Permit Suspension or Revocation                |
| 14-86.007  | Forms  |

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 18, May 2, 2008 issue of the Florida Administrative Weekly.

##### SUMMARY OF CHANGES:

The changes to the proposed rule chapter resulted from a review by the Joint Administrative Procedures Committee review, public hearings, and written comments provided by

participants in the public hearings. There are significant changes to the rule chapter amendment as originally proposed. The title of Rule 14-86.003 is being changed to read "Permit, Assurance Requirements, and Exceptions" and the rule is restructured for clarity. The title of Rule 14-86.0006 also is returned to the current title shown in the F.A.C., i.e., "Permit Suspension or Revocation." The Drainage Connection Permit form is significantly revised from the previous version and the date references to that form were updated. The revised form replaces two obsolete forms. The proposed new Rule 14-86.008 entitled "Recovery of Fines, Penalties, and Costs" is withdrawn.

Because of the extensive changes from the previously proposed rule chapter amendment, the entire rule chapter is being reprinted within this rule chapter to show the text as it would appear with all the changes having been made:

#### DRAINAGE CONNECTIONS PERMIT

##### 14-86.001 Purpose.

The purpose of this rule chapter is to regulate and prescribe ensure safe conditions for the transfer of stormwater to and the integrity of the Department of Transportation's right of way as a result of manmade changes to adjacent property(ies), through a permitting process designed to ensure the safety and integrity of the Department of Transportation's facilities and to prevent an unreasonable burden on lower properties. This rule chapter does not regulate dewatering activities, transportation facilities and to prevent an unreasonable burden on lower properties by providing standards and procedures for drainage connections from the properties adjacent to the Department's right of way. All Department actions taken pursuant to this rule chapter shall be in accordance with Section 120, F.S.

Specific Authority 334.044(2), (15) FS. Law Implemented 334.044(15) 334.03 (17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History—New 11-12-86, Amended \_\_\_\_\_.

##### 14-86.002 Definitions.

As used in this rule chapter the following terms shall have the following meanings:

(1) "Adjacent Property" means any real property or easement with a shared boundary to the Department's right of way.

(2) "Applicant" means the owner of adjacent property or the owner's authorized representative.

(3)(1) "~~Applicable Standards~~" or "Applicable Wwater Qquality Sstandards or minimum design and performance standards" means rules and regulations of state or federal governmental entity(ies) pertaining to stormwater discharges from those discharge standards of the appropriate regulatory entity which apply to the Department's facilities to which the drainage connection is made facility being connected to.

(4)(2) "Approved Stormwater Management Plan" or "Master Drainage Plan" means a plan adopted or approved by a city, county, water management district, or other agency with specific drainage or stormwater management authority responsibility; provided that:

(a) ~~Such~~ plan is actively being implemented;

(b) ~~Any~~ required construction is substantially complete;

(c) ~~appropriate~~ Downstream mitigation mitigative measures have been provided for in the plan; and

(d) ~~that~~ The use of any Department facilities either existing or planned, which are part of such plan, have been approved ~~coordinated with and agreed to~~ by the Department.

(5) "Closed Basin" means a basin without any positive outlet, for the design storms applicable to this rule.

(6)(3) "Critical Duration" means the length of time duration of a specific storm frequency event (i.e., 100-year storm) which creates the largest volume or highest rate of net stormwater runoff (post-improvement development runoff less pre-improvement development runoff) for typical durations up through and including the 10-day duration for closed basins and up through the 3-day duration for basins with positive outlets event. The critical duration for a given storm frequency is determined by calculating comparing various durations of the specified storm and calculating the peak rate and volume of stormwater runoff for various storm durations and then comparing the pre-improvement and post-improvement conditions for each of the storm durations. The duration resulting in the highest peak rate or largest net total stormwater volume is the "critical duration" storm (volume is not applicable for basins with positive outlets).

(7) "Department" means the Florida Department of Transportation.

(8) "Discharge" means the event or result of stormwater draining or otherwise transferring from one property to another or into surface waters.

(9)(4) "Drainage Connection" means any structure, pipe, culvert, device, paved or unpaved area, swale, ditch, canal, or other appurtenance or feature, whether naturally occurring or created, which is used or functions as a link to convey or otherwise conveys stormwater runoff or other surface water discharge from the adjacent property to the Department's facility.

(5) "Engineer" means a Professional Engineer registered in Florida pursuant to the provisions of Chapter 471, F.S., who as appropriate is competent in the fields of hydraulics, hydrology, stormwater management or stormwater pollution control.

(10)(6) "Facility" or "Facilities" means anything built, installed, or maintained by the Department all man-made or natural features within the Department's right-of-way or easement including, but not limited to curbs, gutters, swales, ditches, canals, channels, culverts, pipes, retention and detention areas.

~~(11)(7)~~ “Impervious Area” means surfaces which do not allow, or minimally allow, the penetration of water. Examples of impervious areas are building roofs, all concrete and asphalt pavements, compacted traffic-bearing areas such as limerock roadways, lakes, wet ponds, pond liners, and other standing water areas, including some retention/detention areas.

~~(12)(8)~~ “Improvement” means any man-made change(s) to adjacent property ~~adjacent to the Department’s right of way made after the effective date of this rule chapter.~~

(13) “Licensed Professional” means an individual licensed by a Florida professional licensing board, authorized by law to design and certify the stormwater management system under review.

(14) “Man-made Change” means any intentional physical change to or upon adjacent property resultant from an intentional physical change, which establishes or alters the rate, volume, or quality of stormwater.

(15) “Permit” or “Drainage Connection Permit” means an authorization to establish or alter a drainage connection to the Department’s right of way issued pursuant to this rule chapter.

(16) “Permittee” means the individual or entity to which a Drainage Connection Permit is issued.

~~(17)(9)~~ “Positive Outlet” means a point of stormwater runoff discharge into surface waters which under normal conditions would drain by gravity through surface waters ultimately to the Gulf of Mexico, or the Atlantic Ocean, or into sinks, ~~or closed lakes, or recharge wells~~ provided the receiving waterbody has been identified by the appropriate Water Management District as functioning as if it recovered from runoff by means other than transpiration, evaporation, percolation, or infiltration.

(18) “Post-improvement” means the condition of property after improvement.

~~(19)(10)~~ “Pre-improvement” means is the condition of property:

~~(a) Before November 12, 1986; or~~

(b) On or after November 12, 1986, with connections which have been permitted under this rule chapter or permitted by another governmental entity based on stormwater management requirements equal to or more stringent than those in the effective date of this rule chapter.

(20) “Right of Way” means land in which the Department owns the fee or less than the fee, or for which the Department has an easement, devoted to or required for use as a transportation or stormwater management facility.

~~(21)(11)~~ “Stormwater” or “Stormwater Runoff” means the flow of water which results from and occurs immediately following a rainfall event.

(22) “Stormwater Management System” means a system which is designed and constructed or implemented to control stormwater, incorporating methods to collect, convey, store,

infiltrate, treat, use, or reuse stormwater to prevent or reduce flooding, overdrainage, pollution, and otherwise affect the quantity or quality of stormwater in the system.

~~(23)(12)~~ “Surface Water” means water upon the surface of the earth whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits onto the earth’s surface.

~~(24)(13)~~ “Watershed” means the region draining or contributing water to a common outlet, such as a stream, lake, or other receiving area.

Specific Authority 334.044(2), ~~(15)~~ FS. Law Implemented 334.044(15) 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27); 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History—New 11-12-86, Amended \_\_\_\_\_.

14-86.003 Exemption, Permit, and Assurance Requirements, and Exceptions.

~~(1) Exemption.~~

~~(a) All single family residential improvements which are not part of a larger common plan of improvement or sale are exempt from the provisions of this Rule Chapter.~~

~~(b) All improvements related to agriculture and silviculture which are regulated by the Department of Environmental Regulation or regional water management districts or which meet generally accepted engineering practice for drainage and water management are exempt from the provisions of this Rule Chapter.~~

~~(c) Any other plan of improvement is exempt from the provisions of this Rule Chapter provided that all of the following are complied with:~~

~~1. The total impervious area, after improvement, must be less than 40%, with a maximum of 5,000 square feet of buildings and paved surfaces for that portion of the adjacent property that naturally drained to the Department’s right of way, provided it is not part of a larger common plan of improvement or sale;~~

~~2. The improvement includes no work to be done on the Department’s right of way which creates or alters a drainage connection;~~

~~3. The property is located in a watershed which has a positive outlet.~~

~~(1)(2) Permit.~~

(a) No permits are required for properties without improvements on or after November 12, 1986.

(b) All improvements on or after November 12, 1986, that are not exempted in subsection 14-86.003(1), F.A.C., require a Drainage Connection Permit, Form 850-040-06 (10/08), whether or not the work is done in conjunction with a driveway connection, and whether or not the improvement retains stormwater runoff on the adjacent property up to and including the 100 year event of critical duration vehicular connection.

~~(2)(3) Assurance Requirements.~~

(a) The applicant for a drainage connection permit shall provide reasonable assurances that:

1. The peak discharge rates and/or total volumes of stormwater discharging from the adjacent property to the Department's right of way are those provided for in an approved stormwater management plan or master drainage plan; otherwise the post-improvement stormwater runoff discharge from the adjacent property to the Department's right of way under control of the applicant shall not exceed the more stringent of the following:

a. The peak discharge rates and/or total volumes allowed by applicable local regulation; or

b. The improvement pre-improvement peak stormwater runoff discharge rates shall not increase stormwater discharge rate be increased, and in addition in watersheds which do not have a positive outlet, the post-improvement stormwater runoff total volumes shall not be increased above the pre-improvement discharge rate, and in watersheds which do not have a positive outlet, the post-improvement total volume of stormwater runoff shall not be increased beyond the pre-improvement volume considering worst case storms for up to the frequencies and durations contained in paragraph 14-86.003(2)(3)(c), F.A.C.

2. Any discharge pipe establishing or constituting a drainage connection to the Department's right of way is limited in size based on the pre-improvement discharge rate, downstream conveyance limitations, downstream tailwater influences, and design capacity restrictions imposed by other governmental entities. The applicant's stormwater runoff discharge coming to the Department's facility through the created features of the drainage connection may not exceed its prorata share allowed by either the design capacity of the Department's facility or by other governmental entities.

3. If the improvement changes the inflow pattern of stormwater or method of drainage connection to the Department's right of way, post-improvement discharge will not exceed the pre-improvement discharge to the Department's right of way, any new drainage connection will not threaten the safety or integrity of the Department's right of way, and will not increase maintenance costs to the Department. At a minimum pavement hydraulics, ditch hydraulics, storm drain hydraulics, cross drain hydraulics, and stormwater management facilities shall be analyzed. The analysis must follow the methodology used in the design of the Department's facilities receiving the discharge and meet the criteria in chapters 2, 3, 4, and 6 of the Department's *Drainage Manual*, Topic Number 625-040-002-c, May 2008, incorporated herein by reference. The *Drainage Manual* is available from the Department at: <http://www.dot.state.fl.us/rddesign/dr/Manualsandhandbooks.shtm>.

4.3. The quality of water conveyed by the connection meets all applicable water quality standards ~~or minimum design and performance standards~~, and such assurance shall be

certified in writing. In the event the discharge is identified causing or contributing to a violation of applicable water quality standards, the permittee will be required to incorporate such abatement as necessary to bring the permittee's discharge into compliance with applicable standards.

(b) If the requirements set forth in paragraph Rule 14-86.003(2)(3)(a), F.A.C., cannot ~~reasonably~~ be fully complied with, the applicant may submit alternative drainage connection designs which will require the approval of the District Secretary. The analysis supporting the proposed alternative connection must follow the methodology used in the design of the Department's facilities receiving the proposed alternative drainage connection and meet the criteria in chapters 2, 3, 4, and 6 of the Department's Drainage Manual. Deviation from a standard in the Drainage Manual must be approved by the District Drainage Engineer. Acceptance of any alternative designs must serve shall be based upon maximum achievement of the purpose of this rule chapter and shall be based upon consideration of the following:

1. The type of stormwater management practice proposed;
2. The ~~probable~~ efficacy and costs of alternative controls;
3. The impact upon the operation and maintenance of the Department's ~~facilities facility~~;
4. The public interest served by the drainage connection.

(c) In providing reasonable assurances, the applicant shall:

1. Use a methodology which is compatible with the methodology employed used in the design of the Department's facilities receiving the stormwater facility; and

2. Determine the peak ~~stormwater runoff~~ discharge rates considering various rainfall event frequencies up to and including a 100 year event of critical duration of up to three days; and

3. In watersheds without a positive outlet, determine the stormwater runoff total volumes considering various rainfall amounts up to a 100 year rainfall frequency of critical durations of up to ten days. The pond retention volume must recover at a rate such that one-half of the volume is available in seven days with the total volume available in 30 days, with a sufficient amount recovered within the time necessary to satisfy applicable water treatment requirements.

(3) Exceptions. The following exceptions do not require a Drainage Connection Permit:

(a) Improvements to adjacent properties not draining to the Department's right of way in the pre-improvement and post-improvement condition.

(b) Single-family residential improvements which are not part of a larger common plan of improvement or larger common plan of sale.

(c) Agricultural and silvicultural improvements that:

1. Are subject to regulation by the Department of Environmental Protection or regional Water Management Districts;

2. Are exempt under the provisions of Section 373.406, F.S.; or

3. Are implementing applicable best management practices adopted by the Florida Department of Agriculture and Consumer Services in Rule Chapter 5M, F.A.C., or Rule Chapter 5I-6, F.A.C.

(d) Any other improvement, provided that all of the following apply:

1. The total impervious area, after improvement, is less than 5,000 square feet of cumulative impervious area and is less than 40% of that portion of the property that naturally drained to the Department's right of way;

2. The improvement does not create or alter a drainage connection;

3. The improvement does not change flow patterns of stormwater to the Department's right of way, and does not increase the surface area draining to the Department's right of way;

4. The property is located in a watershed which has a positive outlet; and

5. The site or improvement is not part of a larger common plan of improvement or larger common plan of sale.

(4) An exception provided in subsection 14-86.003(3), F.A.C., shall not apply if any drainage connection from the adjacent property threatens the safety and integrity of the Department's facilities or creates an unreasonable burden on lower properties, including violations of applicable water quality standards.

Specific Authority 334.044(2), ~~(15)~~ FS. Law Implemented 334.044(15) 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History—New 11-12-86, Amended \_\_\_\_\_.

#### 14-86.004 Permit Application Procedure.

(1) An applicant shall submit a Drainage Connection Permit, ~~apply for a drainage connection permit on~~ Form 850-040-06 (10/08), incorporated herein by reference 592-12. ~~This~~ ~~These~~ forms may be obtained from any of the Department's local area Maintenance Offices, ~~District~~ ~~O~~ffices, or on the internet at the Department's website: <http://www.dot.state.fl.us/onestoppermitting/> ~~regional maintenance offices.~~

(2) The applicant shall submit four completed Drainage Connection ~~Permits packages application forms~~. Each completed Drainage Connection Permit package ~~form~~ shall include all applicable ~~required~~ attachments. All applicable plans and supporting documentation shall be submitted on no larger than 11" x 17" multipurpose paper and included in PDF format on a compact disk.

(3) ~~When the improvement is for agricultural or silvicultural use and is not exempt under paragraph 14-86.003(1)(b) or the improvement is a residential duplex, triplex, or quadruplex structure which is not part of a larger~~

~~common plan of improvement, and when the improvement will have less than 10,000 square feet of buildings and paved surfaces of which no more than 5,000 square feet is located within 250 feet of the Department's right-of-way line; in lieu of providing the information required in subsection 14-86.004(4), F.A.C., below, the activity description required on the permit form may be expanded to contain sufficient information to provide the reasonable assurances required in subsection 14-86.003(3), F.A.C. However, the applicant shall certify full knowledge of and intent to comply with the conditions for issuance of the permit.~~

(3)(4) The Drainage Connection Permit shall be accompanied by: ~~For improvements other than those specified in subsection 14-86.004(3), F.A.C., the permit application shall be accompanied by:~~

(a) A location map, included in the construction plans, sufficient to show the location of the improvement and any drainage connection to the Department's right of way, and shall include the state highway number, county, city, and section, range, and township. ~~An affidavit of ownership or control of the property, a legal description of the property, and a statement that the total contiguous property owned or controlled by the applicant is that shown and described.~~

(b) ~~A map sufficient to show the location of the improvement and the drainage connection, and as applicable shall include the state highway number, county, city, and section, range, and township.~~

(b)(e) A grading plan drawn to scale showing pre-improvement and post-improvement site conditions including all pervious and impervious surfaces, land contours, spot elevations, and all drainage facilities ~~both of the Department and of the adjacent property improvement. Existing conditions will be accepted only if pre-improvement conditions cannot be established. The bench mark datum for the plans (whether NGVD 29 or NAVD 88) shall be noted on the plans. Elevations shall be based upon National Geodetic Vertical Datum (NGVD).~~ Contour information shall extend 50 feet beyond the property boundaries or be sufficient to clearly define the portion of the watershed which drains through the property to the Department's right of way facilities.

(c)(d) ~~Sufficient~~ ~~P~~photographs which ~~to~~ accurately depict pre-improvement and present conditions.

(d)(e) ~~Sufficient~~ ~~S~~soil borings and water table data and, where percolation or infiltration is utilized in the design, appropriate percolation test methodology and results.

(e)(f) Computations as required by subsection ~~Rule~~ 14-86.003(2)(3), F.A.C.

(f)(g) The Drainage Connection Certification, Part 2 of the permit must be certified by a Licensed Professional ~~an~~ Engineer that the complete set of plans and computations comply with ~~either paragraph one of the following Rules:~~ 14-86.003(2)(3)(a) or 14-86.003(2)(3)(b), F.A.C.

(4) Improvements which otherwise meet the criteria of subparagraphs 14-86.003(3)(d)1. and 14-86.003(3)(d)4., F.A.C., but which create or alter a drainage connection to the Department's right of way, will not require submittal of the information required by paragraphs 14-86.004(3)(d) through (f), F.A.C., but will otherwise require the submittal of all other required information.

(5) ~~Permits requested pursuant to Rule 14-86.003(2) which meet the criteria of Rule 14-86.003(1)(e)1. and Rule 14-86.003(1)(e)3., but which require work to be done on the Department's right of way contrary to Rule 14-86.003(1)(e)2., will not require submittal of the information required by Rule 14-86.004(4)(e) through (g).~~

(5)(6) The Department recognizes that regulatory and permitting programs exist or may be developed in the future by local units of government, and state or federal agencies which may overlap with some or all of the requirements of this rule ~~chapter~~. In order to avoid duplication the Department will:

(a) In lieu of the requirements in Rules 14-86.003 and subsection 14-86.004(3)(4), F.A.C., accept a permit that accomplishes the purposes of this rule chapter so long as the permit is issued by a governmental entity with specific stormwater management authority and Surface Water Management Permit issued by a Water Management District, a Surface Water Management Permit issued by a delegated local government or a permit issued pursuant to an approved Stormwater Management Plan or Master Drainage Plan; provided, issuance is based on requirements equal to or more stringent than those in Rule 14-86.003, F.A.C.; or

(b) Accept any form, plans, specifications, drawings, calculations, or other data developed to support an application for a permit required by a governmental entity the appropriate agency, pursuant to any rule which establishes requirements equal to or more stringent than that Rules 14-86.003, F.A.C. in lieu of any such submittals required by Rule 14-86.004.

(6) The Drainage Connection Permit serves as the application. Once approved by the Department, the form and supporting documents become the Drainage Connection Permit.

Specific Authority 334.044(2), (15) FS. Law Implemented 334.044(15) 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History-New 11-12-86, Amended \_\_\_\_\_.

#### 14-86.005 General Conditions for a Drainage Permit.

(1) A ~~Department~~ Drainage Connection Permit does not exempt the permittee from meeting all other applicable regulations and ordinances governing ~~for~~ stormwater management.

(2) All work done in conjunction with the drainage connection permit shall meet and adhere to all general and specific conditions and requirements contained on the Permit.

(3) Within 15 working days after completion of the work authorized by an approved Drainage Connection Permit, the permittee applicant shall notify the Department in writing of the completion; and for all design work that originally required certification by a Licensed Professional an Engineer, this notification shall contain the As Built Ceertification, Part 8 of the Permit. The certification shall state that work has been completed in substantial compliance with the Drainage Connection Permit.

(4) The permittee or property owner, will be required to reimburse the Department for any finest, penalties and costs, e.g., expenses (fees, fines, penalties, abatement costs, mitigation costs, remediation costs, clean-up, etc.) incurred by the Department in the event the permittee's discharge fails to meet the applicable water quality standards or minimum design and performance standards contrary to the permittee's assurances provided in subsection Rule 14-86.003(2)(3), F.A.C.

Specific Authority 334.044(2), (15) FS. Law Implemented 334.044(15) 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History-New 11-12-86, Amended \_\_\_\_\_.

#### 14-86.006 Permit Suspension or Revocation.

A permit will may be suspended or revoked if:

(1) The permitted drainage connection is not constructed, operated, or maintained in accordance with the permit;

(2) Emergency conditions or hazards exist;

(3) False or misleading information is submitted to the Department in the Drainage Connection Permit package;

(4) Another governmental entity revokes or suspends a permit which was the basis upon which a Department Drainage Connection Permit was obtained;

(5)(4) The As-built Ceertificate required for the Drainage Connection Permit is not submitted in accordance with subsection required in Rule 14-86.005(3), F.A.C. is not timely submitted.

(6) Any discharge above the permitted design discharge.

Specific Authority 334.044(2), (15) FS. Law Implemented 334.044(15) 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History-New 11-12-86, Amended \_\_\_\_\_.

#### 14-86.007 Forms.

Specific Authority 334.044(2) FS. Law Implemented 120.53(1)(b), 120.60, 334.03(17), (22), 334.035, 334.044(1), (12), (13), (27), 335.04(2), 335.10(2), 339.155(2)(a), (f) FS. History-New 11-12-86, Repealed \_\_\_\_\_.

NOTE: The previously proposed new Rule 14-86.008 entitled "Recovery of Fines, Penalties, and Costs" is withdrawn.

**DEPARTMENT OF TRANSPORTATION**

|                  |   |
|------------------|---|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b>                      |
| 14-86.008        | Recovery of Fines, Penalties, and Costs |

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 18, May 2, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**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."

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>  |
| 40E-0.105         | Consideration of Intended Agency Decision on Permit Applications |
| 40E-0.109         | Point of Entry Into Proceedings and Mediation                    |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

The public hearing on December 11, 2008, has been rescheduled to January 15, 2009, 9:00 a.m., South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                    |
| 40E-2.051         | Exemptions                             |
| 40E-2.061         | No-Notice General Permit by Rule       |
| 40E-2.091         | Publications Incorporated by Reference |
| 40E-2.331         | Modification of Permits                |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

The public hearing on December 11, 2008, has been rescheduled to January 15, 2009, 9:00 a.m., South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

|                  |                    |
|------------------|--------------------|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b> |
| 40E-4.021        | Definitions        |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

The public hearing on December 11, 2008, has been rescheduled to January 15, 2009, 9:00 a.m., South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

|                   |   |
|-------------------|---|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                       |
| 40E-20.091        | Publications Incorporated by Reference    |
| 40E-20.331        | Modification of General Water Use Permits |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

The hearing on December 11, 2008, has been rescheduled to January 15, 2009, 9:00 a.m., South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                      |
| 40E-24.011        | Policy and Purpose                       |
| 40E-24.101        | Definitions                              |
| 40E-24.201        | Year-Round Landscape Irrigation Measures |
| 40E-24.301        | Local Government Option                  |
| 40E-24.401        | Enforcement                              |
| 40E-24.501        | Variances and Waivers                    |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

The public hearing on December 11, 2008, has been rescheduled to January 15, 2009, 9:00 a.m., South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

**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 ENVIRONMENTAL PROTECTION**

RULE NO.: 62-285.400      RULE TITLE: Adoption of California Motor Vehicle Emissions Standards

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 35, August 29, 2008 issue of the Florida Administrative Weekly.

The ERC has continued the rule adoption hearing until its next meeting on December 2, 2008, at 9:00 a.m., at the same place given in the August 29 notice.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE NO.: 68-1.003      RULE TITLE: Florida Fish and Wildlife Conservation Commission Grants Program

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 33, August 15, 2008 issue of the Florida Administrative Weekly.

These changes are being made in response to comments received from the Joint Administrative procedures Committee in accordance with subparagraph 120.54(3)(d)1., F.S.

Subsection (7), of the proposed rule has been amended to read:

(f) A grant recipient shall administer the removal and disposal of designated derelict vessels as an independent governmental authority and not as an agent or representative of the Commission. In the event the Division determines that one or more derelict vessels included in a grant constitutes an immediate hazard to navigation by obstructing or threatening to obstruct navigation or in any way constitutes an immediate danger to the environment or to the public safety, the grant recipient or the Division will remove the vessel immediately pursuant to Section 823.11(3)(a), F.S. If the Division removes the vessel or vessels, the grant will be amended to reduce the grant amount by the amount expended by the Division for such removal, or terminated if the amount expended by the Division for such removal exceeds the amount of the grant.

**FINANCIAL SERVICES COMMISSION****Finance**

|                   |   |
|-------------------|---|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>   |
| 69V-40.025        | Mortgage Broker Examination   |
| 69V-40.031        | Application Procedure for Mortgage Broker License   |
| 69V-40.100        | Application Procedure for Transfer in Ownership or Control of Saving Clause Mortgage Lender |
| 69V-40.200        | Application Procedure for Mortgage Lender License   |
| 69V-40.220        | Application Procedure for Correspondent Mortgage Lender License                             |
| 69V-40.242        | Principal Representative  |

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 45, November 7, 2008 issue of the Florida Administrative Weekly.

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

## Section IV Emergency Rules

**DEPARTMENT OF REVENUE****Property Tax Oversight Program**

|                  |  |
|------------------|--|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b>   |
| 12DER08-28       | Disclosure and Certification of Compliance; Filing of Documents Relating to 2008 Millage Levy Compliance |

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Chapter 2007-321 (House Bill 1B) and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. These acts further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-321 (House Bill 1B), and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The forms included here are based on the requirements of Chapter 2007-321 (House Bill 1B) and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, as passed by the Legislature, and will replace the forms used in