

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:

65A-1.716 Income and Resource Criteria

PURPOSE AND EFFECT: The proposed rule updates the federal poverty levels and increases the average monthly private pay nursing facility rate used in the Medicaid eligibility determination process.

SUBJECT AREA TO BE ADDRESSED: Updates to the federal poverty levels and increase to the average monthly private pay nursing facility rate.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vonsenita Tranquille, Economic Self-Sufficiency Program, (850)717-4238, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, vonsenita_tranquille@dcf.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:

65A-2.022 Rights and Responsibilities

PURPOSE AND EFFECT: The proposed rule amendment updates and re-titles the Appointment of a Designated Representative, CF-ES 2505, and incorporates it by reference.

SUBJECT AREA TO BE ADDRESSED: Appointment of a Designated Representative, CF-ES 2505.

RULEMAKING AUTHORITY: 409.212(7) FS.

LAW IMPLEMENTED: 409.212 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vonsenita Tranquille, Economic Self-Sufficiency Program, (850)717-4238, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, vonsenita_tranquille@dcf.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II

Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:

65A-1.603 Food Assistance Program Income and Expenses

PURPOSE AND EFFECT: The proposed rule amendment decreases the standard utility allowance, the basic utility allowance and the telephone standard used in the calculation of benefits for the Food Assistance Program.

SUMMARY: The amendment decreases Food Assistance Program standard utility allowances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: July 9, 2013, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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 7 days before the workshop/meeting by contacting: Cindy Keil. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)717-4113, cindy_keil@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.603 Food Assistance Program Income and Expenses.

(1) No change.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of \$335 ~~\$338~~ must be used by AGs who incur or within the eligibility period expect to incur heating or cooling expenses separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low Income Home Energy Assistance Act of 1981. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of \$270 ~~\$278~~ must be used by AGs who do not incur heating or cooling expenses, but do incur utility expenses such as electricity, fuel, water, sewerage, or garbage pickup, separate and apart from their rent or mortgage. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(4) Telephone Standard. A telephone standard of \$33 ~~\$40~~ must be used by AGs who incur only a telephone expense. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used.

(5) No change.

Rulemaking Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05, 2-17-09, 12-13-09, 11-1-10, 12-25-11, 10-16-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lawayne E. Salter

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2013

Section III Notice of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-1.612 RULE TITLE: Transfer of Ownership or Permit
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 51, March 14, 2013 issue of the Florida Administrative Register.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

40C-1.612 Transfer of Ownership or Permit.

(1) No change.

(2) Transfer of Permit.

(a) Transfer without Conversion to Operation Phase. To transfer a permit that does not involve a transfer of a construction permit for a 40C-44 system or activity to its operation phase, the permittee must provide the information required in subsection (1) above, together with a written statement from the proposed transferee that it will be bound by all terms and conditions of the permit. Additionally, where applicable, the proposed transferee must demonstrate that it is capable of constructing, operating, and maintaining the permitted facility, 40C-44 system or activity, consumptive use, or well. Once the required information has been provided, the District shall transfer the permit to the proposed transferee in accordance with paragraph (5)(a) below. A permit issued pursuant to Chapters 62-330 or 62-342, F.A.C., other than a permit for a 40C-44 system or activity, shall not be subject to this rule.

(b) and (c) No change.

(3) through (6) No change.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-4.091 Publications Incorporated by Reference
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 39, No. 51, March 14, 2013, issue of the Florida Administrative Register.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I “Introduction, Organization, Definitions and Applicability,” available at [\[insert hyperlink from DOS\]](#), Part II “General Criteria,” available at [\[insert hyperlink from DOS\]](#), Part III “Stormwater Quantity/Flood Control,” available at [\[insert hyperlink from DOS\]](#), Part IV “Stormwater Quality,” available at [\[insert hyperlink from DOS\]](#), Part VI “Basin Criteria,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01835>, Appendix A “Drainage Basins for Cumulative Impacts Evaluation and Regional Watersheds for Mitigation Banking,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01836>, and Appendix B “Legal Description Upper St. Johns River Hydrologic Basin,” “Legal Description Ocklawaha River Hydrologic Basin,” “Legal Description Wekiva River Hydrologic Basin,” “Legal Description Wekiva Recharge Protection Basin,” “Legal Description Econlockhatchee River Hydrologic Basin,” “Legal Description Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal Description Spruce Creek Hydrologic Basin,” “Legal Description Sensitive Karst Areas Basin, Marion County,” and “Legal Description Lake Apopka Hydrologic Basin,” available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01837>, Appendix C (“Methodology and Design Example for the Modified Rational Hydrograph Method”) available at [\[insert hyperlink from DOS\]](#), and Appendix D, available at [\[insert hyperlink from DOS\]](#), of the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District effective (effective date),” available at <http://floridaswater.com/ruledevelopment/>.

(b) No change.

(c) Water Quality Standards of ~~Chapters 62-3, Chapter 62-4, F.A.C., (February 16, 2012), available at [insert hyperlink from DOS], Chapter 62-302, F.A.C., (December 20,~~

2012), available at [\[insert hyperlink from DOS\]](#), Chapter 62-520, F.A.C., (July 12, 2009), available at [\[insert hyperlink from DOS\]](#), 62-522, and Chapter 62-550, F.A.C., (February 16, 2012), available at [\[insert hyperlink from DOS\]](#).

(d) No change.

(e) Technical Publication SJ No. 85-5: A Guide to SCS Runoff Procedures (1985) available at [\[insert hyperlink from DOS\]](#).

(2) No change.

ENVIRONMENTAL RESOURCE PERMIT APPLICANT’S HANDBOOK:

1.0 Introduction

This is Volume II of a two-volume Applicant’s Handbook that is designed to assist persons in understanding the rules, procedures, standards and criteria of the environmental resource permit (ERP) program under Part IV of Chapter 373 of the Florida Statutes (F.S.). Within the St. Johns River Water Management District, the ERP program is governed by chapters 373, 403 and 120, F.S. and chapters 62-330, 40C-1, 40C-4, 40C-41, 40C-42, and 40C-44, F.A.C. This handbook volume accompanies Applicant’s Handbook – Volume I (General and Environmental). Volume II and portions of Volume I are incorporated by reference in chapter 62-330, F.A.C., and ~~in accordance~~ are, therefore, rules of the Department of Environmental Protection (DEP). In accordance with paragraph 373.4131(2)(a) 373.4141(2)(a), F.S. (2012), they are also rules of ~~are therefore rules of both the Department of Environmental Protection (DEP) and the District.~~

This Volume includes:

- Design and performance standards and criteria for water quality and quantity for stormwater management systems, including alternative criteria for those systems
- Explanations of standards and criteria pertaining to water flows and levels, flood protection and the design of dams
- Design and performance standards for agricultural surface water management (Chapter 40C-44, F.A.C.)
- Description of drainage basins and regional watersheds
- Explanations of basin criteria (Chapter 40C-41, F.A.C.)
- Descriptions of District-specific thresholds and exemptions referenced in chapter 62-330

This Volume should be used in conjunction with Volume I, which provides general background information on the ERP program including points of contact, a summary of the statutes and rules used to authorize and implement the ERP program, and forms used to notice or apply to the District for an ERP authorization, except those forms related to agricultural systems which are incorporated by reference in Rules 40C-44.061 and 40C-44.101, F.A.C. contained in Appendices D, E, F, and G of this Volume. Volume I also provides discussion of:

- Activities that are regulated by the ERP program
- Types of permits, permit thresholds, and exemptions
- Procedures used in the review of ERPs
- Conditions for issuance of an ERP, including a detailed discussion of the environmental criteria that are used for activities located in wetlands and other surface waters
- Erosion and sediment control practices to prevent water quality violations
- Operation and maintenance requirements and copies of maps used in implementing the provisions of the ERP program

The term “District” or “SJRWMD” where used in this Volume shall apply to the Department of Environmental Protection, the St. Johns River Water Management District or a delegated local government as applicable in accordance with the division of responsibility specified by the operating agreement incorporated by reference in subsection 62-330.010(5), F.A.C., except where a specific agency is otherwise identified. In cases where conflicting or ambiguous interpretations of the information in this Volume result in uncertainty, the final determination of appropriate procedures to be followed will be made by reference to chapters 120 and 373, and chapters 40C-1, 40C-4, 40C-41, 40C-42, 40C-44 and 62-330, F.A.C.

References to a section or subsection shall include all parts of the section or subsection unless otherwise specified.

1.3.2 Existing Systems

The District’s rules in chapters 40C-4, 40C-40, and 40C-41, F.A.C. became effective on December 7, 1983. Before December 7, 1983, rules authorized under part IV, chapter 373, F.S. were implemented in the Upper St. Johns River and the Ocklawaha River basins as shown in Figure 1.3-1. The rules adopted on December 7, 1983 superseded all previous rules. The

date of implementation is important in determining whether a permit is required and the effective date for the District’s permitting programs are described in rule 40C-4.031. Certain systems are not required to be permitted until they are to be altered, removed, or abandoned. These systems are identified in the paragraph below.

Specifically exempted from permitting under chapter 62-330 for the purpose of construction, operation, and maintenance are:

- (a) Each system or phase of a phased system which is located in the areas described in the Upper St. Johns River Basin or the Ocklawaha River Basin as depicted in Figure 1.3-1, except agricultural operations, which:
 - (1-) Was constructed and operating under the provisions of a valid District permit on December 7, 1983; or
 - (2-) Was not required to obtain a permit prior to December 7, 1983, and was:
 - Reletter i. through iii. as a. through c. No change.
 - (3-) Was constructed and operating as of March 2, 1974 for the Upper St. Johns River Basin as described in Figure 1.3-1; or
 - (4-) Was constructed and operating as of January 1, 1975 for the portion of the Ocklawaha River Basin as described in Figure 1.3-1.
- (b) Each system or phase of a phased system which is located in the Lower St. Johns River Basin as described in Figure 1.3-1 and section 373.069(2)(c), F.S. (Supp. 1976)., except agricultural operations, and which was:
 - (1-) Constructed and operating prior to December 7, 1983; or
 - (2-) Being constructed on December 7, 1983, and was completed and operating on June 7, 1984; or
 - (3-) Under construction on December 7, 1983, and which had complied with the regulations of the Florida Department of Environmental Regulation and the appropriate local governmental agency and was completed December 7, 1984.
- (c) The exemptions listed in paragraphs (a) and (b) above apply only to those systems or phases of a phased system as such systems are set forth in its plans, specifications and performance criteria prepared and existing as of December 7, 1983 and to the extent:
 - (1-) Construction of such system is completed, within the applicable time frames, in accordance with such plans, specifications and performance criteria; and

- (2-) Such system is maintained and operated in a manner consistent with such plans, specifications and performance criteria.
- (d) No change.
- (e) Those systems or phases of a phased system exempted by paragraphs (a), (b) and (c) above shall not be required to obtain a permit for construction, operation or maintenance.
- (1-) Any alteration of such system, or a portion thereof (including the rebuilding of such system if it has ceased to operate as set forth in such system's plans, specifications and performance criteria), shall require that a permit be obtained for such alteration, which permit shall include an authorization to alter as well as an authorization to operate and maintain such alteration. For purposes of this subsection, the following are not considered to be alterations, and consequently are not required to be permitted:
Reletter i. through iv. as a. through d. No change.
- (2-) Any abandonment or removal of such system or portion thereof, shall require that a permit be obtained for such abandonment or removal.
- (3-) The activities in subparagraphs (e)1.a. ~~(e)1.i.~~ through d. ~~iv.~~ are also exempt from permitting when conducted by agricultural operations.
- (f) and (g) No change.
- (h) The permitting threshold set forth in subparagraph 40C-4.041(2)(b)8., F.A.C., as it existed on September 25, 1991, incorporated by reference in 40C-4.091(1)(a), F.A.C., and contained in Appendix D of this Volume, regarding isolated wetlands and the amendments to subsections 10.7.2, 10.7.4, 10.7.5, 16.1.3 and 16.1.5, Applicant's Handbook: Management and Storage of Surface Waters, effective September 25, 1991 shall not apply to each system for which the District has issued a permit pursuant to Chapter 40C-42, F.A.C., prior to September 25, 1991. This subsection applies only to a system which did not require a permit pursuant to Chapter 40C-4 or 40C-40, F.A.C., prior to September 25, 1991 and only to the project area and the plan approved in the referenced permit.
- (i) No change.

2.0 Criteria for Evaluation – Reasonable Assurance Definitions

Except as provided in section 1.2.3 of this Volume, an applicant for an individual permit must provide reasonable assurance that the proposed activities will meet the criteria in rules 62-330.301 and 62-330.302,

F.A.C. More specifically, under 62-330.301, F.A.C., an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a project within SJRWMD:

- (a) through (d) No change.
- (e) Will not adversely affect the quality of receiving waters such that the water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C., (incorporated by reference in 40C-4.091(1)(c)) including the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C., will be violated (62-330.301(1)(e), F.A.C.);
- (f) through (k) No change.

The provisions in this Volume and in Volume I explain how applicants may provide the requisite reasonable assurance to demonstrate compliance with these criteria within SJRWMD. In certain instances, an applicant for an individual permit that involves an agricultural surface water management system will be governed solely by Chapter 40C-44, F.A.C. and Part VII of this Volume. (See subsection 62-330.054(2), F.A.C. and subsections 1.2.3 and 1.3.3 of this Volume) Therefore, the District recommends that applicants whose projects involve an agricultural surface water management system that only exceeds the thresholds set forth in section 1.2.3 of this Volume initially consult Part VII of this handbook.

2.1 Definitions

The following definitions are used by the District to clarify its intent in implementing its permitting programs pursuant to part IV, chapter 373, F.S.

- (a) through (e) No change.
- (f) "Direct Discharge" means, for purposes of this Volume, either a point or nonpoint discharge which enters Class I, Class II, Outstanding Florida Waters, or Class III waters which are approved, conditionally approved, restricted, or conditionally restricted for shellfish harvesting without an adequate opportunity for mixing and dilution to prevent significant degradation. Examples of direct discharge include the following:
Renumber (a) through (c) as (1) through (3) No change.
- (g) through (t) No change.
- (u) "Swale" means a manmade trench which:

Renumber (a) through (d) as (1) through (4) No change.
 (v) through (aa) No change.

2.4 Maintenance Access

Regular maintenance is crucial to the long term effectiveness of stormwater management systems. The systems must be designed to permit personnel and equipment access and to accommodate regular maintenance activities. For example, high maintenance features such as inlets, outlets, and pumps should be easily accessible to maintenance equipment and personnel.

Legal authorization, such as an easement, deed restrictions, or other instrument must be provided establishing a right-of-way or access for maintenance of the stormwater management system unless the operation and maintenance entity wholly owns or retains ownership of the property. The following are requirements for specific types of maintenance access easements:

(a) through (f) No change.

A copy of the legal authorization must be submitted with the permit application.

3.2.3 Methodologies

(a) A peak discharge analysis typically consists of generating pre-development and post-development runoff hydrographs, routing the post-development hydrograph through a detention basin, and sizing an overflow structure to control post-development discharges at or below predevelopment rates.

Peak discharge computations should consider the duration, frequency, and intensity of rainfall, the antecedent moisture conditions, upper soil zone and surface storage, time of concentration, tailwater conditions, changes in land use or land cover, and any other changes in topographic and hydrologic characteristics. Large systems should be divided into subbasins according to artificial or natural drainage divides to allow for more accurate hydrologic simulations. ~~Examples of accepted methodologies for computation of runoff are as follows:~~

~~(+) The Natural Resources Conservation Service (NRCS) Curve~~

~~Number Method is an example of an accepted methodology (see SJ No. 85-5: A Guide to SCS Runoff Procedures (1985) and incorporated by reference in 40C-4.091(1)(e)). U.S. Department of Agriculture, Soil Conservation Service "National Engineering Handbook, Section 4, Hydrology," TR-55 or TR-20 users manuals).~~

- ~~(2) Santa Barbara Urban Hydrograph (SBUH) Method~~
- ~~(3) Modified Rational Hydrograph Method~~
- ~~(4) Other hydrograph methods approved by the District.~~

(b) The modified rational method (see Appendix C of this Volume, incorporated by reference in 40C-4.091(1)(a)) is a popular method for estimating peak runoff rates for small urban areas. The rational method gives peak discharge rates rather than a runoff hydrograph. The modified rational formula can be modified to generate a runoff hydrograph by utilizing the rainfall intensity for various increments of a design storm. Similar to the rational method, use of the modified rational hydrograph method should be limited to small drainage basins with short times of concentration. Therefore, the modified rational method shall only be used for systems meeting the following criteria:
 (1) through (3) No change.

The modified rational hydrograph method shall only be utilized for the mean annual return frequency, 24 hour duration storm.

4.1.2 Ground Water Quality Standards

State water quality standards for ground water are set forth in chapter 62-520, F.A.C. In addition to the minimum criteria, Class G-I and G-II ground water must meet primary and secondary drinking water quality standards for public water systems established pursuant to the Florida Safe Drinking Water Act, which are listed in sections 62-550.310 and 62-550.320, F.A.C., (incorporated by reference in 40C-4.091(1)(c)). Only the minimum criteria apply within a zone of discharge, as determined in section 62-520.400, F.A.C., (incorporated by reference in 40C-4.091(1)(c)). A zone of discharge is defined as a volume underlying or surrounding the site and extending to the base of a specifically designated aquifer or aquifers, within which an opportunity for the treatment, mixture or dispersion of wastes into receiving ground water is afforded. Generally, stormwater systems have a zone of discharge 100 feet from the system boundary or to the project's property boundary, whichever is less.

13.3.6 Local Government Notification for Wekiva River Protection Area

The District shall not issue a conceptual approval, individual, or standard permit for a proposed surface water management system located wholly or partially within the Wekiva River Protection Area, as defined in Section 369.303(9), F.S., until the appropriate local government has provided written notification

that the proposed activity is consistent with the local comprehensive plan and is in compliance with land development regulation in effect in the area where development will take place. The applicant proposing such a system must submit to the District form no. 40C-41.063(4), entitled "Local Government Notification", (incorporated by reference in 40C-41.063(4)), after it has been completed and executed by the local government. This form is ~~hereby incorporated by reference~~ and is available upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529. Permit applications for systems within the Wekiva River Protection Area shall be processed by the District staff pursuant to the time frames established in Section 120.60, F.S., and any District rule regarding permit processing, except that any agency action to approve or approve with conditions shall not occur until the Local Government Notification has been received by the District.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-41.043	Application of Chapter
40C-41.051	Exemptions
40C-41.063	Conditions for Issuance 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. 39, No. 51, March 14, 2013 issue of the Florida Administrative Register.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

40C-41.043 Application of Chapter.

(1) through (4) No change.

(5) The Governing Board hereby incorporates by reference Part VI (sections 13.0-13.8.3), "Basin Criteria" of the document entitled "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", (*effective date*), available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01835> , and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529 <http://floridaswater.com/ruledevelopment/>.

40C-41.051 Exemptions.

(1) The following systems located wholly or partially in the Econlockhatchee River Hydrologic Basin are exempted from the standards and criteria in subsection 40C-41.063(5), F.A.C., and section 13.4, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management

District", as incorporated by reference in subsection 40C-41.043(5), F.A.C.:

(a) through (f) No change.

(2) A single family dwelling unit located wholly or partially within the Tomoka River Hydrologic Basin or the Spruce Creek Hydrologic Basin, provided the unit is not part of a larger common plan of development or sale, is exempted from the standards and criteria in subsection 40C-41.063(6), F.A.C., and section 13.5, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C.

(3) No change.

(4) Systems that qualify for a general permit under Part IV of Chapter 62-330, F.A.C., are exempted from the standards and criteria in Rule 40C-41.063, F.A.C., and Sections 13.0 – 13.7, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-4.043(5), F.A.C.

40C-41.063 Conditions for Issuance of Permits.

(1) through (2) No change.

(3) Within the Wekiva River Hydrologic Basin or the Wekiva Recharge Protection Basin, the following standards and criteria are established:

(a) Recharge Standard – Applicants required to obtain a permit pursuant to Chapter 62-330 or 40C-44, F.A.C., for a surface water management system located within the Wekiva Recharge Protection Basin shall demonstrate that the system provides for retention storage of three inches of runoff from all impervious areas proposed to be constructed on soils defined as Type "A" Soils as defined by the Natural Resources Conservation Service (NRCS) Soil Survey in the following NRCS publications: Soil Survey of Lake County Area, Florida (1975); Soil Survey of Orange County Area, Florida (1989) and Soil Survey of Seminole County Area, Florida (1990), which are incorporated by reference in paragraph 40C-4.091(3)(a), F.A.C. For purposes of this rule, areas with Type "A" Soils shall be considered "Most Effective Recharge Areas." Section 13.8.1 "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C. contains a list of Type "A" soils. The system shall be capable of infiltrating this storage volume through natural percolation into the surrounding soils within

72 hours. Off-site areas or regional systems may be utilized to satisfy this requirement. As an alternative, applicants may demonstrate that the post-development recharge capacity is equal to or greater than the pre-development recharge capacity. Pre-development recharge shall be based upon the land uses in place as of 12-3-06. Applicants may utilize existing permitted municipal master stormwater systems, in lieu of onsite retention, to demonstrate that post-development recharge is equal to or greater than pre-development recharge. Also, applicants may submit additional geotechnical information to establish whether or not a site contains Type "A" soils.

(b) No change.

(c) Standards for Erosion and Sediment Control and Water Quality – Within the Wekiva River Hydrologic Basin, a Water Quality Protection Zone shall extend one half mile from the Wekiva River, Little Wekiva River north of State Road 436, Black Water Creek, Rock Springs Run, Seminole Creek, and Sulphur Run, and shall also extend one quarter mile from any wetland abutting an Outstanding Florida Water.

1. No change.

2. The applicant proposing such a system must give reasonable assurance in the erosion and sediment control plan that during construction or alteration of the system (including revegetation and stabilization), erosion will be minimized and sediment will be retained on-site. The plan must be in conformance with the erosion and sediment control principles set forth in Section 13.8.2, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C., and must contain the information set forth in Section 13.8.3, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C.

3. No change.

(d) and (e) No change.

(4) Local Government Notification for Wekiva River Protection Area – The District shall not issue a conceptual approval, individual, standard, or general permit for a proposed surface water management system located wholly or partially within the Wekiva River Protection Area, as defined in Section 369.303(9), F.S., until the appropriate local government has provided written notification that the proposed activity is consistent with the local comprehensive plan and is in compliance with any land development regulation in effect in the area where the development will take place. The applicant proposing such a system must submit to the District form no. 40C-41.063(4), entitled "Local

Government Notification" (*insert effective date*), after it has been completed and executed by the local government. This form is hereby incorporated by reference and is available at [insert DOS hyperlink]; and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529. Permit applications for systems within the Wekiva River Protection Area shall be processed by the District staff pursuant to the time frames established in Section 120.60, F.S., and any District rule regarding permit processing, except that any agency action to approve or approve with conditions shall not occur until the Local Government Notification has been received by the District.

(5) No change.

(6) Within the Tomoka River Hydrologic Basin or the Spruce Creek Hydrologic Basin the following standards and criteria are established:

(a) Recharge Standard. For projects or portions of projects within the Most Effective Recharge Area, three inches of runoff from the directly connected impervious areas in the Most Effective Recharge Areas, as defined in subsection 13.5.1, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C., must be retained within the Most Effective Recharge Area. As an alternative, applicants may demonstrate that the post-development recharge capacity is equal to or greater than the pre-development recharge capacity.

(b) through (d) No change.

(7) Within the Sensitive Karst Areas Basin, stormwater management systems shall be designed to assure adequate treatment (pursuant to Sections 13.6 through 13.6.3, "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District", as incorporated by reference in subsection 40C-41.043(5), F.A.C., of the stormwater before it enters the Floridan Aquifer, and to preclude the formation of solution pipe sinkholes in the stormwater system. Many different stormwater management system designs will achieve these goals, therefore the District does not require any specific system design. However, to assure protection of the Floridan Aquifer, the District does require certain design features. The individual site characteristics may affect what design features will be required. However, for all projects in sensitive karst areas, the following minimum design features are required:

(a) through (e) No change.

(8) Any surface water management system that requires a permit pursuant to Chapter 62-330, or 40C-44, F.A.C., and that will be located within the Lake Apopka Hydrologic Basin or will discharge water to Lake Apopka or its tributaries, must

comply with the requirements of Section 13.7, “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District” ~~as incorporated adopted~~ by reference in ~~subsection 40C-41.043(5)~~ ~~subsection 40C-4.091(4)~~, F.A.C.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-44.061	Individual Environmental Resource Agricultural System Permits
40C-44.071	Relationship to Other Permitting Requirements
40C-44.091	Publications Incorporated by Reference
40C-44.101	Content of the Application

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 51, March 14, 2013 issue of the Florida Administrative Register.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

40C-44.061 Individual Environmental Resource Permits for Agricultural Systems.

(1) Agricultural surface water management systems which are required to obtain a permit pursuant to Rule 40C-44.041, F.A.C., shall obtain an individual environmental resource permit in accordance with this rule.

(2) The following types of agricultural surface water management systems will qualify for an individual environmental resource permit for an agricultural system, provided they comply with the criteria specified in Rule 40C-44.301, F.A.C.:

(a) through (c) No change.

(d) Surface water management systems which drain an agricultural operation of less than 120 acres, which do not contain a concentrated animal feeding operation, which implement a Conservation Plan, pursuant to subsection 40C-44.021(4), F.A.C., within 180 days of permit issuance and which maintain the Conservation Plan, provided the permittee satisfies the following conditions:

1. The permittee must maintain hour meters, in operating order, on each drainage pump. If the hour meters are not installed at the time of permit issuance, they must be installed within 60 days of the issuance of the permit. Reports of pump operating hours for each pump must be submitted to the District quarterly, using form 40C-44.061(2)(d)1. (Form EN-14M) ~~provided in Appendix F of the Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District~~, which is hereby incorporated by reference as of (*effective date*), available at [insert hyperlink from DOS] and

upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, <http://floridaswater.com/ruledevelopment/>.

2. The permittee must maintain a surveyed staff gauge, referenced to NGVD or NAVD, in each detention pond. If the staff gauges are not installed at the time of permit issuance, they must be installed within 60 days of the issuance of the permit. Water levels must be recorded a minimum of 3 nonconsecutive days per week, or as an alternative, once a week and daily during pump operation. Reports of water levels for each pond must be submitted quarterly to the District using form 40C-44.061(2)(d)2. (Form EN-52) ~~provided in Appendix G of the “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District”~~, which is hereby incorporated by reference as of (*effective date*), available at [insert hyperlink from DOS] and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, <http://floridaswater.com/ruledevelopment/>.

3. The permittee must monitor the water quality on a quarterly basis at each discharge point from pumps or pond outfalls to waters of the state. If no discharge has occurred during a particular quarter, no sampling is required. Water samples must be analyzed for the parameters listed in Table 1 ~~of Appendix E, Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District~~, which is hereby incorporated by reference as of (*effective date*), available at [insert hyperlink from DOS], and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, <http://floridaswater.com/ruledevelopment/>. Samples must be analyzed by a laboratory certified by the Florida Department of Health.

4. If, after five years of water quality monitoring, the permittee demonstrates that the data collected represents steady state conditions and is adequate to project future compliance with state water quality standards, the District shall amend the monitoring conditions by reducing the frequency of monitoring or the number of parameters monitored, or eliminating such requirements.

5. If, after five years of water quality monitoring, the District notifies the permittee in writing that discharges from the surface water management system have not complied with the performance standards described in subsections 40C-44.065(1) and (2), F.A.C., then the permittee must apply for an individual permit in accordance with subsection 40C-44.061(3), F.A.C.

(e) Surface water management systems which drain an agricultural operation which do not contain a concentrated

animal feeding operation, provided they have obtained a Conservation Plan, pursuant to subsection 40C-44.021(4), F.A.C., implement the Conservation Plan within 180 days of permit issuance, and maintain the Conservation Plan, and which have not been issued a permit or consent order which authorized operation as described in paragraph 40C-44.031(2) or (3), F.A.C., provided the permittee satisfies the monitoring conditions described below:

1. The permittee must maintain hour meters, in operating order, on each drainage pump. If the hour meters are not installed at the time of permit issuance, they must be installed within 60 days of the issuance of the permit. Reports of pump operating hours for each pump must be submitted to the District quarterly, using Form EN-14M, as incorporated by reference in subparagraph 40C-44.061(2)(d)1., F.A.C. provided in the Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District.

2. The permittee must maintain a surveyed staff gauge, referenced to NGVD or NAVD, in each detention pond. If the staff gauges are not installed at the time of permit issuance, they must be installed within 60 days of the issuance of the permit. Water levels must be recorded a minimum of 3 nonconsecutive days per week, or as an alternative, once a week and daily during pump operation. Reports of water levels for each pond must be submitted quarterly to the District using Form EN-52, as incorporated by reference in subparagraph 40C-44.061(2)(d)2., F.A.C. provided in Appendix G of the "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the S. Johns River Water Management District."

3. The permittee must monitor the water quality on a quarterly basis at each discharge point from pumps or pond outfalls to waters of the state following implementation of the Conservation Plan or within 180 days of permit issuance, whichever occurs sooner. If no discharge has occurred during a particular quarter, no sampling is required. Water samples must be analyzed for the parameters listed in Table 1 ~~of Appendix E, Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District,~~ as incorporated by reference in subparagraph 40C-44.061(2)(d)3., F.A.C. Samples must be analyzed by a laboratory certified by the Florida Department of Health.

4. If, after five years of water quality monitoring, the permittee demonstrates that the data collected represents steady state conditions and is adequate to project future compliance with state water quality standards, the District shall amend the monitoring conditions by reducing the

frequency of monitoring or the number of parameters monitored, or eliminating such requirements.

5. If, after one year of water quality monitoring, the District notifies the permittee in writing that discharges from the surface water management system have not complied with the performance standards described in subsections 40C-44.065(1) and (2), F.A.C., then the permittee must apply for an individual permit in accordance with subsection 40C-44.061(3), F.A.C.

(3) No change.

40C-44.071 Relationship to Other Permitting Requirements.

(1) No change.

(2) Alterations of existing agricultural surface water management systems, which would otherwise require permits pursuant to paragraph 62-330.020(2)(a), F.A.C., will be considered minor alterations and will qualify for an individual environmental resource permit, pursuant to this chapter, provided they do not increase the peak discharge rate and total discharge volume, when applicable ("Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District", Section 3.2), or alter off-site storage and conveyance capabilities of the water resource ("Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District" Section 3.4), or adversely affect wetland functions, ("Environmental Resource Permit Applicant's Handbook, Volume I (General and Environmental, Section 10.2.2) or increase the off-site pollutant loading ("Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District" , Section 4.0), all as incorporated by reference in 40C-4.091(1)(a), F.A.C., or implemented pursuant to paragraph 373.4131(2)(a), F.S. (2012), as applicable.

(3) through (5) No change.

40C-44.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Part VII (sections 14.0-19.2.6), available at [insert hyperlink from DOS] and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, ~~Appendices D, E, F, and G~~ of the document entitled "Environmental Resource Permit Applicant's Handbook, Volume II: For Use Within The Geographic Limits of the St. Johns River Water Management District", effective (effective date) ~~12-27-10,~~ available ~~at~~ http://floridaswater.com/ruledevelopment/

(a) The purpose of the document is to provide information regarding the environmental resource permit program for agricultural systems.

- (b) No change.
- (2) and (3) No change.

40C-44.101 Content of the Application.

(1) All applications for environmental resource permits for agricultural systems shall be processed in accordance with the procedures of Chapters 120 and 373, F.S., and subsection 15.4.1 of the “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District” as incorporated by reference in 40C-44.091(1), F.A.C.

(2) Applicants for an individual environmental resource permit for an agricultural system under this chapter shall complete District form ~~40C-44.101(2)~~ ~~40C-44.900(4)~~, (Supplemental Information for Agricultural Systems) incorporated herein by reference, as of *(effective date)*, available at [\[insert hyperlink from DOS\]](#), and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, <http://floridaswater.com/ruledevelopment/> in Rule 40C-44.900, F.A.C., and Section A of form 62-330.060(1) “Joint Application for Individual and Conceptual Environmental Resource Permit/Authorization to Use State-Owned Submerged Lands/Federal Dredge and Fill Permit” *(effective date)*, available at *(insert DOS hyperlink that DEP obtained)*, and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529 <http://floridaswater.com/ruledevelopment/>, and implemented pursuant to paragraph 373.4131(2)(a), F.S. (2012).

ENVIRONMENTAL RESOURCE PERMIT APPLICANT’S HANDBOOK:

- 15.2 Forms and Instructions
- 15.2.1 Applicants should complete Section A of form 62-330.060(1) Joint Application for Individual and Conceptual Environmental Resource Permit/Authorization to Use State-Owned Submerged Lands/Federal Dredge and Fill Permit *(effective date)* and incorporated by reference in rule 62-330.060(1), F.A.C., and form ~~40C-44.101(2)~~ ~~40C-44.900(4)~~ (Supplemental Information for Agricultural Systems), which has been incorporated by reference in 40C-44.101(2) adopted as a rule in section 40C-44.900, F.A.C. A copy of the supplemental form is included in Appendix D of this Volume. These forms must be used

in the application for an individual permit for construction, operation, maintenance, alteration, removal, or abandonment of new or existing systems.

- 19.0 Harm to the Water Resources of the District
- 19.1 Harm to the Water Resources Standards
- 19.1.1 The Governing Board has delineated the following performance standards which must be met to demonstrate that the proposed activity will not be harmful to the water resources of the District and will not cause adverse impacts to the quality of the receiving waters:

- (a) Discharges from the agricultural surface water management system shall not cause or contribute to a violation of water quality standards in waters of the state, as set forth in chapters 62-4, 62-302, 62-520, and 62-550, F.A.C. (incorporated by reference in 40C-4.091(1)(c)), including any antidegradation provisions of sections 62-4.242(1)(a) and (b), 62-4.242(2) and (3), and 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in sections 62-4.242(2) and (3), F.A.C.
- (b) and (c) No change.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

- | | |
|------------|---------------------------------------|
| RULE NOS.: | RULE TITLES: |
| 40C-44.341 | Revocation or Modification of Permits |
| 40C-44.900 | Forms and Instructions |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 51, March 14, 2013 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

- | | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 62-4.001 | Scope of Part I |
| 62-4.050 | Procedures to Obtain Permits and Other Authorizations; Applications |
| 62-4.200 | Scope of Part II |

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 90, May 8, 2013 issue of the Florida Administrative Register.

62-4.001 Scope of Part I.

This part sets forth procedures on how to obtain a permit from the State of Florida Department of Environmental Protection. This part also provides requirements and procedures for the issuance, denial, renewal, extension, transfer, modification, suspension, and revocation of any permit required by the Department of Environmental Protection. Except as otherwise provided in Chapter 62-330, F.A.C., or in the rules adopted by reference thereunder, this part shall not apply to activities regulated under Part IV of Chapter 373, F.S. However, this Part shall continue to apply to those activities grandfathered under Sections 373.4131(4), 373.414(11), (12)(a), (13), (14), (15), (16), and 373.4145(6), F.S. This Part shall not preclude the application of any other permit requirements or procedures for certain types of facilities as contained in other chapters of Title 62, F.A.C.

PROPOSED EFFECTIVE DATE: August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

~~Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.109, 373.113, 373.4131, 373.4145, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088 FS. Law Implemented 373.026, 373.044, 373.109, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.021, 403.031, 403.061, 403.087, 403.088 FS. History—New 5-17-72, Formerly 17-4.01, Amended 8-31-88, Formerly 17-4.001, Amended 7-4-95, 10-1-07, _____ [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]~~

62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications.

- (1) through (3) No change.
- (4) No change.
- (a) through (g) No change.
- (h) No change.
- 1. through 7. No change.
- 8. Fee reductions:

~~a. Applications reduction~~ Fee shall be reduced by \$100, but not below the minimum required processing fee of \$250
 for applications for an individual or conceptual approval permit or modification thereof submitted using the Agency’s electronic application system where the processing fee in (h)4. or 5., above exceeds \$250

b. Applications for any \$100 activity by an entity qualifying under Section 218.075, F.S. when the fee under paragraph (h) exceeds \$100

c. Applications for any \$0 activity when submitted by the U.S. Department of Defense

- (i) through (z) No change.
- (5) through (8) No change.

PROPOSED EFFECTIVE DATE: August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

PROPOSED EFFECTIVE DATE: August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

~~Rulemaking Authority 373.026, 373.043, 373.109, 373.4131, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805 FS. Law Implemented 373.109, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7) FS. History—New 5-17-72, Amended 6-19-74, 7-8-82, Formerly 17-4.05, Amended 11-15-87, 8-31-88, 10-3-88, 4-4-89, 3-19-90, 6-11-90, 3-7-91, 3-18-91, 5-30-91, 10-30-91, 11-16-92, 12-21-92, 7-11-93, 2-2-94, Formerly 17-4.050, Amended 11-23-94, 4-30-95, 7-4-95, 12-15-98, 10-22-00, 6-1-01, 1-30-03, 2-19-03, 4-3-03, 5-1-03, 2-7-06, 10-31-07, 4-21-09, _____ [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]~~

62-4.200 Scope of Part II.

This Part sets forth additional requirements for certain Department permits, exemptions from permitting, requirements for mixing zones and zones of discharge, and related requirements. Except as otherwise provided in Chapter 62-330, F.A.C., or in the rules adopted by reference thereunder, this Part shall not apply to activities regulated under Part IV of Chapter 373, F.S. However, this Part shall continue to apply to those activities grandfathered under Sections 373.4131(4), 373.414(11), (12)(a), (13), (14), (15), (16) and 373.4145(6), F.S.

PROPOSED EFFECTIVE DATE: August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

~~Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.109, 373.113, 373.4131, 373.4145, 373.418, 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 373.026, 373.044, 373.109, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088 FS. History—New 5-17-72, Formerly 17-4.20, Amended 8-31-88, Formerly 17-4.200, Amended 7-4-95, 10-1-07, _____. [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]~~

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-113.100 Purpose

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 86, May 2, 2013 issue of the Florida Administrative Register.

62-113.100 Purpose.

(1) through (2) No change.

(3)(a) through (z) No change.

(aa) #10-1: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., Between Northwest Florida Water Management District and Department of Environmental Protection,” effective (effective date) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02670>).

PROPOSED EFFECTIVE DATE: August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

~~Rulemaking Authority 373.043, 373.046, 373.4145, 373.418, 373.441, 403.061 FS. Law Implemented 373.026, 373.046, 373.109, 373.4145, 373.441, 403.061, 403.182 FS. History—New 1-5-93, Amended 11-16-93, 3-14-94, Formerly 17-113.100, Amended 7-4-95, 4-3-96, 3-24-98, 12-3-98, 7-16-01, 7-1-07, 12-26-07, 2-9-12, [This rule will become effective on July 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in section 373.4131, F.S. (2012), take effect, whichever is later.]~~

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-5.002 Criteria for Approval

NOTICE IS HEREBY GIVEN that on June 4, 2013, the Board of Optometry, received a petition for a variance or waiver of paragraph 64B13-5.002(3)(c), F.A.C., filed by Sandra K. Fortenberry, O.D., on behalf of Rosenberg School of Optometry, with regards to the requirement that a transcript-quality continuing education program be approved by the Board as transcript-quality coursework prior to the time the course was taken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: William Miller, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Comments on this petition should be filed with the Board of Optometry at the above address within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-13.003 Continuing Psychological Education Credit

The Board of Psychology hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Harris L. Friedman, Ph. D., filed on December 17, 2012. The Notice of Petition for Variance and Waiver was published in Volume 38, No. 95, of the December 20, 2012, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on January 25, 2013. The Petitioner was seeking a permanent variance or waiver of paragraph 64B19-13.003(1)(d), Florida Administrative Code, with regards to the requirement that licensees must attend Workshop/Seminars offered by providers approved by the American Psychological Association or any of its affiliates, or providers approved by the Board for continuing psychological education credit.

The Board’s Order, filed on February 15, 2013, grants the Petition for Variance or Waiver. The Petitioner has demonstrated that the Petition for Variance and Waiver was in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code. Petitioner has demonstrated that he meets the purpose of the underlying statute. Further, Petitioner has demonstrated

that application of the rule would cause a substantial hardship and would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

Section VI

Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The State Emergency Response Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 19, 2013, 1:30 p.m.

PLACE: Meeting ID: 772-127-794;
<https://www2.gotomeeting.com/join/580851786>; Call-in

Number: 1(888)670-3525; Pass code is 3313368082

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- A. Report on Hazardous Materials Training Symposium
- B. Report on Revision/Update of Existing Protocols
- C. Review of Project Tracking Chart

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management at (850)413-9970. 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).

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Friday, July 19, 2013, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Southeast Florida Clean Cities Coalition.

A copy of the agenda may be obtained by contacting: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Christine Heshmati at (954)985-4416 or cheshmati@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Christine Heshmati at (954)985-4416 or cheshmati@sfrpc.com.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida and Treasure Coast Regional Planning Councils and the Southeast Florida Regional Partnership announces a public meeting to which all persons are invited.

DATE AND TIME: June 19 – June 21, 2013, 9:30 a.m. – 4:00 p.m.

PLACE: Palm Beach County Convention Center, 650 Okeechobee Boulevard, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The conversation about emerging trends and future scenarios will leverage online simulation tools and include a series of workgroups and panel presentations from noted thought-leaders. The interactive, engaging event is designed to help inform the direction of the Seven50 plan for more prosperous communities, a healthier environment and a stronger economy in Southeast Florida.

Working Meetings (June 19 & 20)

Wednesday, June 19:

9:30 a.m. – 12:30 p.m. – Executive Committee Workshop

2:00 p.m. – 4:00 p.m. – Workshop: Climate Resilience and the Future of Energy in the Region

Thursday, June 20:

9:30 a.m. – 12:30 p.m. – Workgroup Work Sessions

2:00 p.m. – 4:00 p.m. – Workshop: The Future of Agriculture in the Region

Main Summit - Friday, June 21

9:00 a.m. – 3:30 p.m.: Third Summit (main day) with keynote speaker Tom Murphy, ULI Senior Resident Fellow for Urban Development and former Mayor of Pittsburgh: Competing in a Changing Economy

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: (954)985-4416.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 19, 2013, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, Florida 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its regular meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Liz Gulick at (772)221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2013, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council office, 421 SW Camden Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Comprehensive Economic Development Committee.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Liz Gulick at (772)221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 1, 2013, 1:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Budget/Personnel Committee. The Committee will discuss Council's proposed budget for FY 2013-14.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Liz Gulick at (772)221-4060.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners/Pilotage Rate Review Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 25, 2013, 10:00 a.m.

PLACE: 1(888)670-3525; participant passcode 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Committee meeting regarding the Rate Application for the Port of Palm Beach.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe St. Tallahassee, FL 32399-0773.

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: board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Siting Coordination Office announces a hearing to which all persons are invited.

DATES AND TIMES: June 25, 2013, 7:00 p.m. – 9:00 p.m. and June 26, 2013, 10:00 a.m.

PLACE: June 25, 2013, the public hearing will be held at the Palmetto Club at Fishhawk Ranch, 17004 Dorman Road, Lithia, Hillsborough County, FL, and on June 26, 2013, the hearing will be held at the Bartow Civic Center, 2250 South Floral Avenue, Bartow, Polk County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge Bram D.E. Canter will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Tampa Electric Company, Polk Power Station Units 2-5, and associated facilities including transmission lines. This concerns application for site certification number PA92-32A3, DOAH Case Number 12-3369, DEP Office of General Counsel Case Number 12-1566, and is conducted pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. The hearing originally scheduled June 24-28, 2013 has been shortened and rescheduled to take less time within the original window. The portion of the hearing on June 25, 2013, will

relate to the Polk to Fishhawk transmission lines. The portion of the hearing on June 26, 2013, will relate to the proposed Polk 2-5 Combined Cycle Conversion Project and associated transmission facilities. Additional details regarding the certification hearing can be found in the original notice published in this Florida Administrative Register on May 9, 2013.

A copy of the agenda may be obtained by contacting: Ms. Cindy Mulkey, Program Administrator, Bob Martinez Center, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000.

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: Bobby Bull, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bobby Bull, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399, (850)717-9000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: June 25, 2013, 9:30 a.m.

PLACE: Woodville Community Center, Live Oak Room, 8000 Old Woodville Road, Tallahassee, Florida 32305

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the initiation of the Upper Wakulla River and Wakulla Springs Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Stephen Cioccia, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail at stephen.cioccia@dep.state.fl.us.

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

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 21, 2013, 2:00 p.m.

PLACE: 1(888)670-3525, Participation Code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@doh.state.fl.us.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 28, 2013, 2:00 p.m.

PLACE: 1(888)670-3525, Participation Code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

The Substance Abuse and Mental Health Program announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2013, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Children of Children and Families, 1317 Winewood Blvd., Building 6, Room 335, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department’s Office of Substance Abuse and Mental Health will discuss the strategy to implement the FY 2013-14 General Appropriations Act proviso language relating to sober houses, and to receive preliminary public input. Individuals who are unable to attend the meeting in person, may call 1(888)670-3535 and when prompted for the participant code, enter 9592874884.

A copy of the agenda may be obtained by contacting: Elizabeth Hockensmith at Elizabeth_Hockensmith@dcf.state.fl.us.

For more information, you may contact: Elizabeth Hockensmith at Elizabeth_Hockensmith@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

The Substance Abuse and Mental Health Program announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 5, 2013, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Children of Children and Families, 1317 Winewood Blvd., Building 6, Room 335, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department’s Office of Substance Abuse and Mental Health will discuss the strategy to implement the FY 2013-14 General Appropriations Act proviso language relating to sober houses, and to receive preliminary public input. Individuals who are unable to attend the meeting in person, may call 1(888)670-3535 and when prompted for the participant code, enter 9592874884.

A copy of the agenda may be obtained by contacting: Elizabeth Hockensmith at Elizabeth_Hockensmith@dcf.state.fl.us.

For more information, you may contact: Elizabeth Hockensmith at Elizabeth_Hockensmith@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Mental Health Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2013, 3:00 p.m. – 4:00 p.m. EST

PLACE: Department of Children and Families, 1317 Winewood Blvd, Building 1, Room 206A, Tallahassee, FL 32399-0700, Contact Beth Carter (850)413-9610 for conference call information

GENERAL SUBJECT MATTER TO BE CONSIDERED: Managing Entity Operational VTC/conference call.

A copy of the agenda may be obtained by contacting: Beth Carter, (850)413-9610.

For more information, you may contact: Beth Carter, (850)413-9610.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

Council Committee Calls

July – September 2013

Department of Children and Families, Council on Homelessness announces a series of conference call meetings of its respective committees to which all interested parties are invited to participate:

Executive

DATE: Monday, July 15, 2013, Monday, August 5, 2013; Monday, September 9, 2013

TIME: 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

Data Collection

DATE: Wednesday, July 10, 2013, Wednesday, August 14, 2013

TIME: 1:30 p.m. – 2:30 p.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

Veterans

DATE: Tuesday, August 13, 2013, Tuesday, September 10, 2013

TIME: 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

Affordable Housing

DATE: Wednesday, August 21, 2013, Wednesday, September 18, 2013

TIME: 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

Continuum of Care

DATE: Tuesday, July 23, 2013, Tuesday, August 27, 2013

TIME: 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

Awareness and Outreach

DATE: Thursday, July 11, 2013, Thursday, August 1, 2013; Thursday, September 5, 2013

TIME: 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call 1(888)670-3525, Code: 9798513235, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda for any of the conference calls August be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you August contact: The Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who August be in need of special assistance should contact the Office on Homelessness at (850)922-4691 at least 48 hours in advance of the meeting.

ENTERPRISE FLORIDA, INC.

The Board of Directors for the Florida Opportunity Fund announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2013, 8:00 a.m. – 11:00 a.m.

PLACE: South Conference Room, Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting: Florida Opportunity Fund. This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Bill Spivey, (407)956-5695.

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 1 days before the workshop/meeting by contacting: Bill Spivey, (407)956-5695. 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).

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

DEPARTMENT OF HEALTH

Board of Optometry

NOTICE IS HEREBY GIVEN that the Board of Optometry has issued an order disposing of the petition for declaratory statement filed by by Christopher A Frey, O.D., on March 9, 2012. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 38, No. 12, of the March 23, 2012, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on July 11, 2012. The Petitioner requested the Board's interpretation of Chapters 456, and 463, Florida Statutes, and Chapter 64B13, Florida Administrative Code, seeking the Board's approval to perform and bill for meibomian gland probing for dry eye syndrome. The Board's Order, filed on August 1, 2012, denies the Petition for Declaratory Statement. The Petition fails to specify the statutory provision, or rule as it applies to the Petitioner's particular set of circumstances.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: William Miller, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that the Board of Psychology has issued an order disposing of the petition for declaratory statement filed by for Jonathan Sobin, Psy.D., on February 1, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 67, of the April 5, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed telephonic meeting held on March 22, 2013.

The Petitioner requested the Board's interpretation of Sections 490.003(4)(a), (9), Florida Statutes, with regards to providing psychological services and that services can be provided without regards to the place of service. The Board's Order, filed on April 16, 2013 grants the declaratory statement. The Board's response to this Petition is based solely on the Board's application of the narrow, factual circumstances outlined in the Petition to the pertinent statutory provision set forth in the Petition. In deciding this matter, the Board does not opine with respect to the law in New Hampshire. Finally, the Board requests that the Petitioner submit to the Board office documentation from New Hampshire demonstrating the New Hampshire Board is in agreement with this type of counseling.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-3255.

**Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules**

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

NONE

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

NONE

**Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X
Announcements and Objection Reports of the
Joint Administrative Procedures Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposal 2013-10 for Hearing Officer Services
The Florida Housing Finance Corporation invites all qualified Offerors to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Proposals (RFP) 2013-10 relating to hearing officer services. Florida Housing intends to select one or more attorneys for hearing officer services who will be required to preside at informal hearings for Florida Housing, resolve legal issues and procedural questions that arise and to issue Recommended Orders within a short time frame.

Proposals shall be accepted until 2:00 p.m. (Eastern Time), Thursday, June 25, 2013, to the attention of Della Harrell, Contracts Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Della Harrell at (850)488-4197 or della.harrell@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant’s responsibilities, please submit your request to the attention of Della Harrell, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFPs.aspx.

Any modifications that occur to the Request for Proposals will be posted at the website and may result in an extension of the deadline.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

Moffitt McKinley Site Work Package, Tampa FL

Job Description: This project consists of the site preparation and development associated with a new parking garage and outpatient treatment facility on Moffitt Cancer Center’s McKinley Drive Campus. Included in this package will be a complete site work scope of work to include, but not be limited to: phased demolition, construction of temporary roads, pads, and parking, site clearing, excavation, backfill, storm, water, fire, sanitary, grading, paving, curbs, stripping, traffic signage, etc. Associated temporary fencing, dumpsters, portable toilets, and aerial photography services for the complete duration of the project will also be bid as part of this package.

The only scopes of work that will be bid at this time are as follows: Site work, Surveying, Temporary Fencing, Dumpsters, Portable Toilets, and Aerial Photography.

Additional scopes of work not mentioned above will be bid at a future time, if applicable to this project.

The due date to submit a bid is June 24, 2013 at 2:00 p.m.

Please respond indicating your intention to bid and access to the online bid documents, including the drawings and specifications, will be granted through the iSqFt Website. A hard copy set of drawings and specifications are available through New Age Reprographics, (813)426-3272 or production@newagerepro.com if requested, at your own expense.

Please fax/email responses to Vicki Sutton at (813)971-2975, vicki.sutton@skanska.com. Please respond no later than June 14th.

JACKSONVILLE PORT AUTHORITY

Invitation to Bid

Asphalt Pavement Repairs, BIMT

Blount Island Marine Terminal

Jaxport Project No.: B2013-01

Jaxport Contract No.: C-1430

Sealed bids will be received by the Jacksonville Port Authority until 3:00 p.m. (EST), local time, July 3, 2013, at which time they shall be opened in the Public Meeting Room of the Port

Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida, for Asphalt Pavement Repairs, BIMT.

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

A mandatory pre-bid conference and site visit will be held on Wednesday, June 19, 2013, at 2:00 p.m. (EST), at the Blount Island Marine Terminal, Access Control Building, 2nd Floor, 9620 Dave Rawls Blvd, Jacksonville, FL 32226.

If you plan to attend, you must call (904) 357-3017 to have your name added to the shuttle bus roster. Shuttle bus will transport bidders after the pre-bid meeting. Please bring a safety vest and hard hat.

Attendance by a representative of each prospective bidder is required. A bid will not be accepted from any bidder who is not represented at such conference.

It is mandatory that the bidder shall acknowledge the inclusion of all addenda on the bid form, Form FB. Acknowledgement shall be made by initials and date. Failure to acknowledge all addenda shall result in rejection of the bid.

Please visit <http://www.jaxport.com/about-jaxport/corporate-information/projects-for-bid> or call the procurement department at (904)357-3017, prior to the bid opening to determine if any addenda have been released on this contract.

Bid and contract bonding are required.

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

Section XII Miscellaneous

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On June 12, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dani Jo Pollard, R.N., License # RN 9202827. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII Index to Rules Filed During Preceding Week

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